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Predicaments in the Horn of Africa

10 Years of SIRC Conferences
in Lund on the Horn of Africa

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SOMALIA INTERNATIONAL REHABILITATION CENTRE (SIRC)
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Introduction: 10 years of Horn of Africa Conferences in Lund

Ulf Johansson Dahre

This report contains articles presented during 10 years of the Lund Horn of Africa Conferences. The articles are the result of a group of researchers, all specialised in the Horn of Africa that has been working for a long time and coming up with important perspectives on historical, political, economic, social and cultural issues. The Horn of Africa Conferences in Lund present something new and important in the ambition to understand current issues in one of the most afflicted regions of the world. The Horn of Africa is often described and defined as an area of conflicts, violence and social collapse. Nevertheless, there is a kind of creative and visionary consistency in the papers selected for this anniversary report. The articles presented to us are about not only strife and wars, but also visions of how another future for this war-torn region could look like. In the midst of social collapse, the contributors point at the fact that peoples of this region are trying to conceive of the world, and build a new region.

The Horn of Africa conference in Lund was initiated by SIRC in 2002. The general objectives of the annual conferences are:

- To identify and develop policy solutions to initiate and strengthen democratic governance, peace and security;
- To encourage and facilitate dialogue between stakeholders; and
- To enable networking among stakeholders.

To approach the predicaments of the Horn of Africa requires a variety of theories, empirical data and methods. It is understood that no single explanatory model is capable of capturing the complex reality of what can and have to be done in this conflict-ridden region of the world. The papers presented at the conferences lead us to understand that every predicament is unique, with its own configuration of power, social and cultural structures, actors, interests, beliefs and grievances. As was pointed out at the conference in 2010: “The conflict in Somalia is now so uncertain that no one can predict when it will be possible to begin systematic reconstruction of the economy”. That is of course to say that each predicament needs its specific analysis and explanation. However, the difficulties of finding an analytical model for the reconstruction of the Horn of Africa have not prevented the presentations of arguments and perspectives based on empirical and analytical studies. One common ground for the articles in this compilation is the awareness of the need to explore

processes at community level and it therefore strongly contributes to a ‘inside-out’ analysis of the root of conflicts. This is important for several reasons:

- To approach the predicaments from another perspective than the often used international relations-type of conflict analysis and their emphasis on global and macro-level indicators. The macro-level perspectives often ignore community experiences and its relations to processes at regional and national levels. Several papers in this report show that the solution of conflict not only lies at the level of global powers, but also among local actors and communities.
- As conflicts tend to be ‘local’ with global dimensions, the analysis has also to be local and grounded in the social and cultural empirical situation. Context is one of the keys in understanding what exactly the problems are in this region. At the community level, we find the hearts and minds of people that have been suffering violence. However, they are also the ones to build the future.
- In predicaments of a community character, the analysis has also to be at the level of the community. The analysis of the causes and dynamics of the predicaments in this report thus demands a framework integrating on the ground experiences with macro-level solutions.

The predicaments of the Horn of Africa are not a single event. There are no formal declarations with clear-cut start and end. Currently there is much insight about predicaments as social processes in which a society is shaped and reshaped. Charles Tilly (1997:25) argued that: “war is a form of contention, which creates new forms of contention”. In addition, following the work of Pierre Bourdieu and Paul Farmer it might be said the post-conflict situation might contain, as much violence as the actual conflict in itself, thus arguing that structural violence, lies under the surface in any new social process. That is to say that when the violence is over, continued efforts at peace building will be needed to reduce risks of new conflicts.

From several of the papers in this volume it is clear that most of the predicaments are processes. That means, for instance, that conflict is not linear with a clear beginning and end but more a combination of contingent factors and relations. Conflicts have periods and regions of stability and peace mixed with violence and instability and boundaries and patterns between those situations change. The capacity to peace building is dependent on understanding and affecting the root causes of the conflict. All papers in this volume tries to recognize and respond to critical areas and factors.

The Lund based Somali International Rehabilitation Centre (SIRC) was created in 2000. The idea of SIRC with the conferences was from the beginning to contribute to a peaceful future for the region. In order to fulfil this aim, SIRC has become a platform for keeping the dialogue alive between different stakeholders. The conference has always been inviting and open to everyone that wish to take part in this dialogue, whether they are researchers, politicians, government representatives, diplomats, NGOs, International organisations, consultants or concerned individuals. The annual conference provides a much-needed continuity in the dialogue on the Horn of Africa. SIRC is also a valuable source of information.

The main achievements of the conference; so far have been:

- The annual reports, used in many parts of the world, containing articles presented at the conferences.
- Annual recommendations on how stakeholders can contribute to a peaceful development of the Horn of Africa.
- Raising general awareness and knowledge about the Horn of Africa.
- Bringing stakeholders, on different levels, together for dialogue.
- Encouraging other conferences on the Horn of Africa.

About this Report

This compilation arose out of a desire to re-present and retrieve some important arguments, descriptions and discussions made during 10 years of dialogue in Lund. There is a wide demand for knowledge and information of what is happening in one of the invisible parts of the world, at least in the media-landscape. There is no doubt that the selective nature of the articles in this compilation may have resulted in inadequate coverage of current and highly relevant issues. The purpose is not to describe and compile all articles presented during the years in Lund. Instead, the compilation is focused on empirical analysis of the complex predicaments on the Horn of Africa.

The SIRC Conferences on the Horn of Africa

2011 The Role of Women in Promoting Peace and Development in the Horn of Africa, September 23-24

2010 The Role of Democratic Governance versus Sectarian Politics in Somalia, June 4-6

2009 Horn of Africa and Peace: The Role of the Environment, August 7-9

2008 Faith, Citizenship, Democracy and Peace in the Horn of Africa, October 17-19

2007 Post-Conflict Peace-Building in the Horn of Africa, August 24-26

2006 The Role of Diasporas in Peace, Democracy and Development in the Horn of Africa, August 19-20

2005 The Reconstruction of Good Governance in the Horn of Africa, October 14-16

2004 Horn of Africa: Transforming Itself from a Culture of War into a Culture of Peace, August 27-29

2003 No Development without Peace, May 23-25

2002 Co-operation instead of Wars and Destruction, May 11-12

PART I

Peace, Security and Development

Somalia and the International Community: Facing Reality

David H. Shinn

Background

The international community collectively has been wringing its hands about Somalia since the national government in Mogadishu collapsed at the beginning of 1991. By the end of 1992, it began a herculean effort to help Somalia return to nation state status. The United States organized a military coalition called UNITAF; a few months later the first ever UN chapter 7 peacekeeping operation replaced it. Although these two missions did end the Somali famine, the reason they initially went into Somalia and a fact that has seldom been acknowledged since, they failed miserably at reconstructing the Somali state. During this period, I devoted most of my time in the State Department in Washington to the international intervention in Somalia. I know the history well and have some appreciation for the mistakes made by the international community.

Arguably, one of the biggest mistakes was the virtual abandonment of Somalia by the international community when it became apparent that the UN operation had become obsessively entangled in the hunt to capture Mohammed Farah Aideed. Following the 3 October 1993 so-called “Blackhawk Down” battle, all American troops left Somalia by March 1994. The remainder of the UN force departed about a year later. From that point on, the international community, although it continued to provide emergency food aid, did everything it could to avoid involvement in Somalia. The international community mostly wrung its hands until it increased its engagement two or three years ago. In the case of the United States, the unhappy involvement in Somalia even resulted in a decision in 1994 not to send troops into Rwanda to help prevent a horrific genocide. In fact, since its experience in Somalia the United States has never, with one exception, put significant numbers of U.S. forces on the ground in Africa.

The only issue that revived international and especially American interest in Somalia was the growing terrorism problem. Several al-Qaeda operatives, none of whom was a Somali, responsible for the destruction in 1998 of the American embassies in Nairobi and Dar es Salaam took refuge in Somalia. The 9/11 attacks on the United States and the subsequent U.S. attack on Afghanistan heightened American concern about a possible link between Somalia and terrorism. Some analysts in Washington inaccurately thought the attack on Afghanistan would drive al-Qaeda

and the Taliban to Somalia. While this did not happen, there was a slow radicalization taking place among some elements of Somali society. It began with al-Ittihad al-Islami, now defunct or at least dormant, and more recently al-Shabaab, which publicly emphasizes its links to al-Qaeda.

The growth of the Islamic Courts in Somalia and threatening statements by some of its leaders caused neighboring Ethiopia, at the request of the Somali Transitional Federal Government (TFG) leadership at the time, to invade Somalia at the end of 2006. I opposed this policy from the beginning. I believe the invasion contributed to the further radicalization of elements of the Somali population. Contrary to popular belief, the United States did not encourage Ethiopia to invade Somalia, but once Ethiopia occupied Mogadishu, the U.S. clearly urged it to stay there to support the weak TFG. Ethiopia has largely been out of Somalia since the beginning of 2009 and no longer serves as the rallying cry for Somali nationalism. Nevertheless, groups such as al-Shabaab, although weakened by factionalism, pose a major threat to the TFG. As the TFG became more vulnerable to attack from al-Shabaab and other groups, the African Union agreed to send a force to Mogadishu at the beginning of 2007 to replace the Ethiopians. Today more than 5,000 troops from Uganda and Rwanda are largely responsible for keeping the TFG in power in the capital. This brings us to the current role for the international community.

Time for another Major International Military Presence in Somalia?

There are some who now call for a massive UN intervention in Somalia with a mandate that would allow it to occupy the country. Let me remind supporters of such a proposal that this approach did not work in the early and mid-1990s and it certainly is not the answer today. A multinational coalition with little understanding of the situation on the ground would immediately find itself engaged militarily with a host of radicalized Somali groups. While the larger international force would probably win most of its military engagements, it could not possibly occupy all of Somalia and its very presence would further radicalize additional Somalis.

The United Nations currently has more than 100,000 troops, police and experts assigned to its peacekeeping operations around the world. It is stretched thin. So far, the UN Security Council has refused to even send UN forces to supplement those troops with the African Union mission in Somalia. It is clearly not prepared to authorize a huge UN peacekeeping operation in the country.

Nor is a coalition of the willing such as the United States organized late in 1992 a realistic possibility. As I noted earlier, the United States has not sent troops back to Africa since it intervened in Somalia during 1992-1994 with the exception of establishing a static counterterrorism support base in Djibouti in 2002. There are about 1,700 military and civilian personnel assigned to the Combined Joint Task

Force-Horn of Africa (CJTF-HOA). It is my understanding, however, that any U.S. military actions inside Somalia in recent years did not emanate from CJTF-HOA but usually from ships offshore under other commands.

The international community simply does not have the stomach or the discretionary funding to launch a major military campaign in Somalia. The international financial crisis, relatively low foreign policy priority of Somalia and the fact that a few European countries are nearly on fiscal life support underscores my belief that this is just not a realistic possibility. Frankly, this is a good thing as I believe it would be a mistake anyway. In fact, the sooner the TFG can stand on its own and the African Union forces can leave the country, the better it will be for Somalia, the African Union and the international community.

So What Can the International Community Do?

For all of the criticism aimed at the international community since the failure of the international intervention in Somalia during the early and mid-1990s, it is important to acknowledge the growing international commitment to Somalia in the past several years. There have been a series of high level conferences on Somalia. One took place in Brussels just over a year ago. The International Contact Group on Somalia also assembles regularly; it met most recently about a month ago in Cairo. The most important recent event occurred in Istanbul from 21-23 May 2010 when the United Nations and Turkey co-hosted representatives of fifty-five nations and twelve international organizations to review the steps the international community should take to support the TFG. In the past, governments and organizations attending these conferences often did not follow through with their pledges, but there is increasing evidence over the past year that the urgency of the situation in Somalia has focused their attention.

The Istanbul Declaration reaffirmed the Djibouti peace process and urged the TFG to address the numerous political, economic and security challenges that face it. This is not very helpful guidance for a government that is dependent on outside assistance. The Declaration recognized the importance of training, equipping and paying the TFG security forces. To its credit, the international community over the past year has significantly increased its training effort. Djibouti, Kenya, Uganda, Sudan and Ethiopia have all trained TFG security personnel, sometimes funded by the United States and other parties. France has trained TFG forces in Djibouti. The European Union has started training, under Spanish command, of TFG forces in Uganda. The German Armed Forces also recently began to train Somali security forces in Uganda. Turkey announced at the Istanbul conference that its military would join the training of TFG personnel. This is an important step, but success also depends on recruiting Somalis loyal to the TFG and ensuring that they regularly receive pay competitive with that offered by al-Shabaab and other organizations that oppose the TFG.

The Istanbul Declaration emphasized the need to move forward with Somalia's economic recovery and development. While this can only happen in a meaningful way after there is an improvement in the security situation, it is a task for the international community. The TFG does not have the money for such an effort. The European Union is the most important development assistance donor in Somalia. It is currently supporting eighty-seven projects costing 180 million Euros. The projects are in three sectors: governance and security, including institution building; primary and secondary education and adult literacy; and agriculture, livestock and food security. The European Union also provides about 45 million Euros annually for humanitarian assistance and it has committed since 2007 about 100 million Euros to cover the costs of the African Union Mission to Somalia.

For its part, the United States has committed \$185 million since 2007 to the African Union force in Somalia. It also provided \$12 million of in-kind support and \$2 million in cash support to the TFG. In June 2009, this included 94 tons of ammunition, small arms, uniforms, communications equipment and night vision equipment to the African Union troops to be transferred to TFG security forces. In addition, the United States provides about \$150 million annually in emergency food aid, most of which goes through the World Food Program. Washington has not so far been a significant source of development assistance but must become a major donor once the security situation permits.

TFG President Sheikh Sharif Sheikh Ahmed called the Istanbul conference a "window of opportunity for Somalia." He welcomed support promised for the TFG and the reinforcement of the African Union forces. He said that participating countries made firm pledges to assist the TFG in rebuilding both governmental institutions and Somali infrastructure. This is all well and good, but windows of opportunity can also slam shut unexpectedly and without demonstrable progress in Somalia this is likely to happen.

UN Secretary-General Ban Ki-moon stated in Istanbul that the TFG "represents Somalia's best chance in years to escape from the endless cycle of war and humanitarian disaster". While this may also be true, it is only because the international community sees no acceptable alternative to the TFG in Somalia today. The international community supports the TFG but remains skeptical about its ability to bring security and stability to Somalia. Ban Ki-moon did appropriately acknowledge the important role that the Somali business community, including those in the diaspora, can play in the reconstruction phase of the peace process.

The president of Djibouti warned in New York last month that he "cannot see how we can avert the possibility of Somalia's plunge into an avoidable disintegration." He went on to describe the TFG as "irrelevant and inconsequential." This is a harsh but perhaps realistic analysis. Nevertheless, the international community has concluded that it must do what it can to help the TFG succeed. If the TFG is to survive, however, it needs to make some improvements of its own that are not dependent on resources from the international community.

Steps the TFG Needs to Take

Recent divisions within the TFG have hurt its image and its ability to function. The resignation and replacement of the speaker of parliament and the sacking and then reinstating of the prime minister do not instill confidence among the international community. These internal power struggles have also undermined the ability of the TFG to move forward expeditiously with the drafting of a new constitution, a step that is critical to resolving key disagreements and building its political base in Somalia.

The former state minister of defense alleged in May that several TFG militia defected to the insurgents with 4,000 U.S.-supplied weapons after the government failed to pay their salaries. It was not clear if the international community had provided sufficient funds or existing salary money had been misappropriated by the government. There are numerous reports of desertion of TFG troops trained by the international community. Usually, those who leave have not been paid or receive lower pay than what is offered by al-Shabaab. Most return to their clan militias or civilian life. Some analysts believe that corruption within the TFG security forces is contributing to the problem. In addition, the TFG military lacks sufficient mission and purpose. It is not clear if the TFG forces are fighting for Somalia or a government that may disappear, leaving the troops to fend for themselves. Finally, it has been difficult to convince TFG recruits to overcome clan loyalty and to fight for a larger cause, especially if it requires confronting clan interests. This is a situation that will almost ensure failure unless it is corrected quickly.

To its credit, the TFG reached an agreement in March 2010 with the Sufi movement known as Ahlu Sunna wal-Jama'a (ASWJ). This agreement resulted, however, in a split within the ASWJ and the agreement has not been implemented. ASWJ announced late in May that it would not integrate its militias into the TFG's security forces. This is the kind of challenge that is outside the capability of the international community to resolve. Somalis, in this case the TFG and ASWJ, must resolve this disagreement. The TFG can only prevail by convincing a wide range of Somali groups and organizations that it best represents the future of the country.

The Somali Diaspora and Remittances

Between one and two million Somalis live in the diaspora, including those in neighboring countries. In proportion to the size of the Somali population, its diaspora is one of the largest in the world. It is widely dispersed in the Gulf States, Europe, North America, Africa and Australia. The Somali diaspora sends an estimated \$1 billion to Somalia each year, far exceeding total foreign assistance from the rest of the world. Most of the funds go to family members, but some is invested in business and community-based education and health projects. Most of the money moves through Somali remittance companies, better known as hawalas. These remittances are ef-

fectively the backbone of the economy and have served as a social safety net since the outbreak of conflict in Somalia. The remittance companies are also a conduit for trade and investment. An estimated 80 percent of the start-up capital for small and medium-sized enterprises in Somalia originates with the diaspora.

Almost all of the remittance organizations operating outside Somalia are owned and operated by nationals of the countries where the company is located. The companies charge commissions that vary from 1 percent to 5 percent, depending on the size of the transaction. There are only about fifteen Somali nationals who are owners/operators of these companies, which are legally registered in their country of operation and subject to inspection by bank regulators. Although the perception persists that Somali remittance operations are conducted secretly only between Somalis, a 2008 study prepared by the Sandi Consulting Group shows that this is not the case. The study adds that the Somali diaspora is well positioned to aid the development of Somalia, noting that a professional and formal remittance sector is the key to sustainable stability and governance.

The Somali Diaspora and Recruitment by Extremist Groups

One of the issues of greatest concern to the international community and especially the United States has been the recruitment of small numbers of young Somalis by al-Shabaab, which is on the U.S. terrorist list. Several dozen Somalis from the U.S. diaspora have joined al-Shabaab. Most of them came from the Minneapolis-St. Paul area, the location of the largest Somali community in the United States. The situation resulted in FBI investigations in other communities where there are significant Somali communities such as San Diego, Boston, Seattle, Portland (Maine) and Columbus (Ohio). The *New York Times* and the Minneapolis *Star-Tribune* documented how al-Shabaab convinced them to leave the United States and join an extremist organization. Some of them had bright futures; others had fallen in with unsavory elements in the United States.

The majority joined al-Shabaab late in 2007 and during 2008, probably in reaction to Ethiopian forces moving into Somalia. One of them became the first known American suicide bomber. Jihadi websites and recruiters played on a theme that urged these Somalis to “liberate Somalia from tyranny” and to end the foreign occupation of the country. Some of them saw the Ethiopian invasion as an attack on Islam and took the matter personally. In some cases, western responses to terrorism may have further encouraged young Somalis to feel disenfranchised. Al-Shabaab propaganda played on the nationalist sentiments of these disaffected young Somalis, who constituted a very tiny percentage of the Somali community in the United States.

A small number of Somalis in other countries have also joined al-Shabaab. There are well-documented cases where Somalis from Canada, Norway, Sweden and the

United Kingdom went to Somalia for the purpose of aiding al-Shabaab. The Swedish State Security Police estimated that about twenty Somalis have joined al-Shabaab. A Somali from Denmark is believed to have carried out the December 2009 suicide bombing in Mogadishu that killed graduating medical students and several TFG ministers.

From an international perspective, the issue rises to a new level when it threatens to result in attacks on the country that provided refuge to the Somali community. Several Somalis in Australia reportedly concocted a plot to attack an Australian military base. Two of them had trained with al-Shabaab in Somalia, although al-Shabaab denied any connection with the plot. As a result of this incident, Australia joined the growing list of countries that has declared al-Shabaab a terrorist organization.

The *Associated Press* carried a wire service story at the end of May reporting that U.S. Homeland Security officials had asked authorities in Houston, Texas, to watch for a member of al-Shabaab who may be entering Texas through Mexico. Homeland Security issued the alert after federal prosecutors in San Antonio added new charges against a young Somali who had been picked up in Brownsville in 2008.

As you can imagine, these reports, whether exaggerated or not, create an enormous amount of fear and give a bad name to Somali communities in spite of the fact that they involve a very small number of people. Somali communities in the diaspora are in the best position to monitor the activities of their own members and ensure that their children are not recruited by groups such as al-Shabaab. I can not stress too strongly the damage that such reports have on the image of the Somali community in the countries that have given refuge to Somalis.

And Finally There Is Piracy

In the past two years, the international media have spilled more ink on Somali piracy than any other subject dealing with Somalia. This is unfortunate but perhaps understandable since it is primarily international shipping that is adversely affected. Anyone who has studied the Somali piracy issue agrees that it will not end until there is an effective Somali national government that also controls offshore waters. In the meantime, the pirates can operate from coastal towns largely as they please except in Somaliland, where government authorities have prevented their activities.

While the number of pirate attacks increased significantly in 2009 over 2008, the number of successful attacks was about the same for both years. As a result the success rate dropped sharply, especially in the Gulf of Aden. Increased international naval force engagement in the region and improved counter-piracy measures by captains of commercial vessels plying the affected waters account for the lower piracy success rate. These changes also forced the pirates to operate farther from Somali shores, as far away as Oman, the Seychelles and Madagascar.

For its part, the international community was once complicit in the problem by allowing illegal fishing in the 200 mile Somali economic zone. This practice continued after the fall of the Siad Barre government in 1991, although local Somali warlords sometimes signed meaningless agreements with the owners of foreign fishing vessels that “allowed” them upon payment of fees to fish in the Somali economic zone. Over the years, trawlers owned by companies in Italy, France, Spain, Greece, Russia, United Kingdom, Ukraine, Japan, South Korea, Taiwan, India, Yemen and Egypt fished illegally off Somalia. Because Somalia is not able to patrol these waters, it is imperative that the international community ensure there is no illegal fishing in Somalia’s 200 mile economic zone.

It is important, however, to clarify one point. In the past two years or so, because of piracy, it has been too dangerous to fish inside this 200 mile zone. The vast majority of the vessels seized by Somali pirates are bulk containers, cargo carriers and oil tankers. The few fishing vessels that continue to be captured by Somali pirates were fishing legally well outside Somalia’s 200 mile economic zone.

For their part, the pirates would like you to believe that they are just protecting their fishing grounds. Let’s be clear. The pirates are common criminals whose only goal is to capture ships so that they can ransom the ship and its crew for multi-million dollar profits. This is an illegal business that is interrupting international commerce in the Gulf of Aden and Indian Ocean. It is even making it difficult to transport emergency food aid to the port in Mogadishu for needy Somalis. Piracy today has nothing to do with protecting Somali fishing. Virtually none of the pirates is a former fisherman and, in fact, most of the towns from which they operate are not even former fishing villages. The pirates are in league with some land-based local officials and a small number of persons, both Somalis and other nationals outside the country, who are benefitting financially from this criminal activity. Somali pirates are giving all Somalis a bad name.

The UN Security Council recently discussed a proposal that would require foreign fishing vessels to pay fees to the TFG for the right to fish in Somalia’s 200 mile economic zone. The idea has merit but is destined to go nowhere until foreign fishing vessels conclude that it is safe to return to these waters. In addition, it would be necessary to work out some kind of agreement with Puntland authorities, who would almost certainly demand some of the compensation.

Conclusion

I have covered a wide range of controversial topics with an effort to focus on the interests of the international community and its role in returning Somalia to the community of nations. I hope my remarks have stimulated some discussion and I look forward to your questions at the conclusion of this panel.

War and Poverty – a Deadly Spiral

Håkan Wiberg

Wars and poverty both kill people, to an extent that depends much on how they are shaped. Wars, the ultimate form of physical violence, appear in different combinations of three main types. The first type is "pre-modern war", when armed bands perambulate in a region for years, sometimes fighting each other and more often hitting the civilian population, which is also killed of by the diseases these bands carry around and the starvation they create by plundering or destruction. There is "modern war", with attrition between mass armies at fronts, perhaps combined by mass bombing behind them. And there is post-modern war, mainly fought by guided missiles and (sometimes) guided bombs, with very few casualties on one side and one hundred to one thousand times as many on the other side, many of them civilians, out of which many more still then die as a result of the destroyed infrastructure. What is conventionally called civil wars normally combine the two first types, whereas international wars tend to combine the last two. It has, however, become increasingly difficult to distinguish sharply between civil and international wars, since not a few contain components of both.

Poverty also kills people, as does in particular what we call "structural violence", the measure of which is the extent to people die or get disabled from shortages that could have been avoided if existing availability of food, public hygiene, medical attention, etc. had been differently distributed. The Gini index of income or land ownership in a country is one of the statistics that can be used to assess the extent of structural violence, but not alone – the same distribution is of course far more deadly when the average income is low than when it is high. To assess the extent, such indicators as life expectancy at birth or the level of infant mortality are superior to GDP per capita, precisely since the latter indicator does not tell us about distribution. We may thus have deadly poverty without much structural violence, in cases when the shortages are too great to permit any distribution to give everybody enough for healthy survival, but in reality there is often an element of structural violence. In fact, the estimates that have been made indicate that the annual number of deaths by structural violence in the world exceeds that by physical violence by the magnitude of more than ten.

Poverty and war often compound each other as causes of suffering and death; they may also engender each other. A first indicator of this is, as the Horn of Africa tragically exemplifies, that the areas in the world that are suffering worst from poverty

also tend to be among those that are worst stricken by war. What the causal relations in either direction look like is a more moot point, depending inter alia on what perspective we take and what direction we look at.

The relationships that are most thoroughly studied is those from poverty to war. Anthropological studies, taking a culture as unit, have concluded that the more contact a culture has with other cultures and the higher its level of technical and political development is, the more wars does it tend to have. the more contact it has. The former relation contains at least an element of tautology: after all, war is also a form of contact. The latter relationship may have as a part of its explanation that it takes at least some level of development to have the resources and organisation necessary to be able to be involved in war (as distinct from minor skirmishes) at all. It should be noted, however, that the highest level we find in these studies are agrarian societies. When we go beyond that level, we must rather take states (ranging between agrarian and postindustrial) as units and there we find a different pattern: there is virtually no relationship between the GDP per capita of a state and the total extent to which it is involved in war. Japan is highly peaceful nowadays, the USA very belligerent. The proportion of its resources that a state spends on military preparations predict its involvement in war better than whether it is rich or poor. When we look specifically at international war, the most belligerent combination is a Great Power with many boundaries and a higher level of military expenditures than average for its size, whereas the most pacific combination is a smaller state with few boundaries and military preparations below the average for its size.

Even if the two kinds of wars cannot always be kept strictly apart, there is considerable evidence that wars between states have causes and dynamics that differ from those of wars (and minor armed conflicts) within states. To start with, there is virtually no statistical relation between occurrences of these two kinds of wars. In addition, the same features have different effects for international and domestic wars. One example of this is democracy. It has no significant statistical relation to the participation in international war of single states, but is nevertheless important when we look at pairs of states: two democracies never, or hardly ever, fight each other. Inside states, by contrast, the relation is a complex and A-shaped one: the most peaceful states are stable democracies, which are followed by stable autocracies, with much higher risks of war in states that are inbetween these extremes. This seems to be both because they are inbetween and because they are in a process of change (whether towards or away from democracy).

The ethnic composition of a state has little relation to its participation in international war. Inside states, however, the risk of war is higher in those that are ethnically heterogeneous, in particular if the biggest group is not a solid majority and if the groups are heavily mixed in territorial terms.

And whereas there is little relation between wealth as such and participation in international wars, we find a very different and J-shaped pattern for domestic wars. The poorer a country is, the more war do we find, with the exception that the very poorest countries have slightly less war than very poor ones. Why this is so can have

several explanations, including such effects of scarcity as greed (trying to monopolise existing resources) and grievances (trying to counteract that).

Only recently has more systematic research been carried out on the other direction of the relationship: that leading from war to poverty. There are several avenues for such effects that wars tend to combine, such as destruction of fixed capital; flight of the manpower necessary to keep up production; debilitated markets and increasing trading costs; and reduced external input into the economy by export incomes, investments, loans and grants.

Behind these effects we find several macroeconomic and microeconomic mechanisms. One effect at macro level is inflation (unless the government is able to withstand the temptation to finance part of the war by printing more currency). Another is lower government revenues: there is less to collect because of shrinking production, trade, etc. – and it becomes more difficult to collect them, by lack of territorial control, deteriorating administration, etc. Military expenditures increase however, sometimes drastically. In the ensuing redistribution of expenditures, it is normally the production of public goods – health, education, welfare – that suffer from this combination. This is not necessarily so however: if – as was the case in Sri Lanka, Mocambique and Nicaragua – there is a government that is both strong (efficient) and firmly committed to them, these public goods may remain largely unaffected.

The microeconomic decision makers, i.e. the households, face several decisions that have to be made in the light of the macroeconomic changes, the security situation, etc.: whether to remain at their work or flee elsewhere; whether to save to have reserves or spend to provide for immediate survival; whether to continue trading labour force and products at the market, go over to bartering them or to subsistence production; and whether to remain within legal activities or go over to such illegal ones as smuggling, black market operations or plain robbery. In each case, the first alternative tends to be undermined in wartime, which in turn contributes to a further worsening of the macroeconomic phenomena just reviewed: less investments, less trade, less government revenues, etc. And this, finally, becomes one instance of a more general phenomenon: quite apart from the causes that started a war, it tends to produce additional causes by its own effects, such as (increased) poverty, which may eventually become more important than the causes of the initiation of the war.

Obviously it is better to have no war than to have a war. It is less obvious how this is can be achieved without creating more harm than the harm thus avoided. Military interventions mean even more war, at least in the short run; and even if they are successful in ending (or, more often, just postponing) the war, the great destruction of infrastructure that they often include also has negative long term effects.

Nor is it obvious what are the effects of external economic measures. Arms embargoes may suffocate the war but may be difficult for political reasons, when the great powers behind them have hidden agendas. More general economic sanctions have little if any proven effects in ending wars, at the same time as they may kill more people than the war itself, so they are also questionable and at least have to be justified (or not) case by case, rather than used as a vademecum. Humanitarian aid is often provided during the war (but will also have to be looked at case by case,

since it may "feed the war" or even become pretext for military interventions). On the other hand, loans, grants, trade, etc., are often frozen or postponed until the war is over. This has understandable reasons, but also needs rethinking: in order to limit the war's effect on (current as well as postwar) poverty, such input is needed already while the war is going on.

Peace Building in the Horn of Africa: Multi-Track Approach

Salah Al Bander

Definition: Civil war *n.* any malignant conflict... Spread may occur via military establishment across regions ... setting up secondary conflicts... each individual primary conflict has its own pattern... There are many causative factors... *Treatment* by a multi-track peace building processes.... depends on the type of conflict, the site of the primary conflict, period, and the extent of the spread.

The organisers of this conference stated that peace is constructive and a precondition for any meaningful socio-economic development. I have been asked to look at how can we make this simple fact clear in the Horn of Africa? Indeed, this is a very topical and timely endeavour. Yet, I must confess it is a very complex subject that cannot be covered in about 20 minutes.

Let me stress that I recognise fully that the on-going conflict in the Middle East and the failures to deal with it, the war in the Balkans and its Dayton Accord, the Northern Ireland conflict and its agreement; all these cases reflect the international dimension of regional conflicts. An international involvement that creates impartiality, gives legitimacy to a process, and strikes agreement where compromise and consensus appear elusive. They also reflect the failures of the multi-track peace building approaches in dealing in my very simple analogy of civil wars with the case of dealing with the cancer disease. Well, it is sad to say that the situation in the Horn of Africa reflects even a major element of each one of such deadly conflicts. It is indecent to compare suffering, yet ten times as many people have lost their lives in the Horn as have died in the Balkans, six times as many Horn of Africa people have been displaced. Yet, the United Nations provided resources 15 times per refugee in the Balkans compared to what it covered per refugee in our Horn. And I will keep silent and not comment on the relative position of the European Union or the contributions of its individual members!

We should think carefully about available fast multi-track peace-building models. For example, the attempts to solve the conflicts through constitutional means have either collapsed or are collapsing. Yugoslavia, USSR, Somalia, and Ethiopia are cases in point. Moreover, to a large degree the crises the whole region is going through is precisely due to the failure of the ultra-nationalist ruling establishments and the on-going process within these countries to replace them by Islamic regimes even in the heart of the Ethiopian highlands. Indeed, our civic demands cannot be addressed in the existing political systems. However, we are firm believers that such conflicts are possible to be resolved through political action. In all our difficult times in the

Horn of Africa we were very clear in stating that peace processes will not succeed in addressing all the sociopolitical, economic and institutional roots of our cancer. It is rather advocated that root causes will indeed form only the core of the negotiating agenda, connecting the end of fighting to the key issue of change. So where do we stand? Between non-democratic fully armed regimes, and non-democratic fully armed opposition groups. Our 'choice' is not really a fair choice! So, let us begin by stating the obvious.

I was born and bred in the region. I had the opportunity from my early age to visit the neighbouring countries, sustain and share life-long friendships and solidarities with the people of the region. All communities have, at some point of their history, endured persecution, lost their resources, feared for their future, and strove to preserve their identity. From my childhood, the Horn that was, is no more! It is unfortunate, that I shared with all of them the suffering, the ordeals, the hopes and indeed the unshaken belief that the only solution to the conflicts is social justice. Peace and democracy can stop wars for sometime to come; yet they cannot solve serious divisions, structural injustices and principal disequilibrium in the Horn states controlled by minority elites. There is a mutually reinforcing relationship between multi-track processes of democratic governance, peace building and social justice.

For the last 50 years the Horn of Africa has been largely trapped in self-reinforcing spiral of famine, slavery, mass population displacements, war, and progressive collapse of the state capacity. A state of affairs that would condemn us to a long-lasting state of disintegration in the age of globalisation. The current state of conflicts in our Horn is a product of complex system that evolved, at least, over a century. What is going on in the region is a manifestation of different socio-economic and ecological structures developed interdependently in each of its individual countries within an overall regional system.

It is unlikely that we can provide a unified grand framework that will help us to better understand the causes of war, the maintenance of peace or establishment of democratic governance. However, this disappointing hurdle should not let us lose hope or give-up. On the contrary, we should focus our limited resources on the transformations, multidimensions of each conflict, searching for viable options for peace-building, and postconflict reconstruction efforts.

The achievement of peace, democratic governance and social justice cannot be done exclusively at any one track for peace building. Rather, it needs to be seen as a collective outcome of many partners and achieved by many agencies at the same time. Peace is a constant struggle. It is a progressive move to transfer conflict to the political, rather than the military theatre, almost under the same international instruments of engagement. However, the current Sudanese and Somali experiences show us that the different role of each track, governmental or civic, should not be seen as in competition, but a distinctive contribution of each one. A flexible platform of consultation across the different tracks is vital.

In our own experience in the Sudan, after more than 35 years of exchange between military dictatorships and civilian misrule and nearly 50 years of civil wars we noticed that sustainable peace is more workable way if it only leads to social justice

and is carried by democratic governance. Any settlement even if achieved the containment or the defeat of the warring parties, short of addressing the challenges of structural social injustice produces an unstable peace and invites further more brutal cycles of violence.

In the Horn, at the time that all the oppressive regimes formed their own NGOs! And at the time that the private sector, the third pillar of governance domains, along the civil society and the state, is completely controlled by the agents of the ruling elites (just look at what is happening in the Sudan and Ethiopia, and leave alone the rest). The limiting of the search for stability to the case of peace and democratic governance, by all means, is partial. Ignoring or postponing the overlapping connections between immediate conflict resolution and social justice in the Horn of Africa are just a temporary measure of ceasefires, the war will explode again. Any multi-track peace efforts divorced from direct and fundamental structural socio-economic and political changes, even if successful in containing or defeating an armed uprising, produces an inherently unstable, nonsustainable peace, democracy and development. It invites further brutal cycles of violence.

In the Horn of Africa there is a serious problem of resources-based conflicts. It concerns the growing interdependence between communities, resource availability and dynamic ecological transformations embedded within a web of outdated national political and socio-economic networks. It shows its desperate signs on every level, in town markets, in fierce competitions for subsistence, in jockeying for controlling resources, in the killing fields, and in the struggle for power. Yet, the core of the conflicts is not the limitation and the ever-diminishing capacity of those resources but the absence of strategic preventative procedures, which regulate the systematic exploitation of them.

This leads one to stop and reflect. In any multi-track peace building effort we should focus on searching for badly needed flexible dynamic strategic procedures in order to deal with the current conflicts and anticipate the coming ones. The essence of the survivalist, very harsh struggle in the Horn of Africa is searching for justice. Neither peace nor democratic structures alone are the horizon of our people, and they are increasingly convinced that the existing political set-ups that protect the historical injustices do not concern the current peace initiatives. This is the weakest point in all the current institutional arrangement and in our understanding of the reality of the region. In this case, it seems, any talks about democratic governance, or open market economy options to sort out the conflicts are irrelevant.

In our experience in the Horn of Africa, and again for the last century, we learnt the tragic lesson that wars are negative sum games among peoples. But unfortunately, not all negative sum games are irrational to every one of the parties. Indeed, the interests of the ruling establishment are not identical with the population and are biased in favour of conflict. In every single country of the region we witness time and again, the opportunities for gains to agreement that are not realised, and opportunities for sustained peaceful co-existence between communities are lost. In the light of the dismal historical record the ruling elites are perfecting the game of tactical agreement and strategic avoidance (or the opposite) in order to buy time in asserting

its base of power by continuing exploiting the modalities of conflict. One should add to these elements the unavoidable deception of the will to co-operation that is accompanied by mutual suspicion, distrust, and the maintenance of exit routes.

Turning now to the lessons of the near past, we can see that the conflicts within and between the states in the region takes an interesting shifting periodical short-time patterns of re-arrangement of broader alliances of interests between the conflict parties rather than integration of their strategic forces. Sometimes I do feel we can make clear to our people in the Horn if we explain the record of failures through the analogy of the difference between the runners of short-distance and the long-distance.

It is exceptionally clear that we need to look at this challenge by considering a different model. Alternative model that will take into account the transformations that are happening for the last ten years in particular. What is very clear to us again is that conflicts can take dynamic, unique stages of their own regardless of their initiating stages. In this point, history and political ecology matter in order to make it clear to everybody. Yet the analogy of understanding the pathology of the cancer disease is, again, relevant.

The dynamics of competitions within and between states in the Horn of Africa shows that the major actors in each conflict do not copy each other strategies. Rather, they vitalise their capacity in continuing the conflict in harmony with their indigenious political network and resources structures, but in the long-term they are very careful not to allow the trends of relative disparity between their resources capacities to increase without periodical adjustment through stages of short-lived peace. Through this mechanism to contain difference in relative capacities the conflict is sustained to go on forever. An indefinite cycling and re-cycling of conflicts is one that no one party could win. In short, the Horn of Africa experience, suggests to us that any conflict is a complex web of minor multiple causes, it is time dependent, it is regionally interdependent, it is internationally independent, frequently irreversible, periodical in nature, self-reinforcing, and consistently expanding to new areas.

Many tracks for peace-building are up and running in the region: Top-down round-table negotiations between and among the ruling elites and the armed groups are the most noticeable ones. The IGAD role, for that matter, since its establishment in 1986, in peacebuilding has been filled with paradox. However, many people agree that despite the shortcoming of the IGAD, it needs to remain the major forum for peace negotiation and settlement. The normative view that a sustainable peace is a matter of determining what the parties are fighting about, minimising the conflicts of interest, and maximising the gain from co-operation is to some extent irrelevant to the Horn of Africa. Indeed, being in Europe, or in Sweden for that matter, sometimes influenced us to believe in advocating that democratic political institutions; and the sustainability of peace within and between states in the region are part of a larger interdependent system which included the evolution of socio-economic processes. The trouble is that all member states continue to disagree about the better ways to take the region to peace or how to solve the conflicts within or between its members.

Well, ironically, the IGAD turned to be a platform used skilfully to protect the interest of the ruling elites against any loss and consequently facilitates incentives towards continuation of war rather supporting the options for peace. After 16 years of its establishment and many millions of dollars to support its structure and its expanding budget, the IGAD is still a body that serve to express the individual country-interests of its members.

Let us look at the way that the issue of national security policy of each of the region's countries. No collective regional policy has emerged yet. We can observe that the pillars of this thorny issue have evolved in response to internal threats to the governing elites power rather than to the external threats perceived by the regime. In each of the countries the state capacity is structured to deal with internal problems, and provide strategic capacity for regional interventions. The overall situation in the Horn of Africa indicates that the military deterrence concept has the upper hand rather than promoting political and socio-economic filters of actions in order to establish workable solution to the prevailing conflicts.

On more point that would help us to make it clear that wars are destructive is to focus on the Ethiopian regional role. Ethiopia is a special case not because it is the only country regarded by some as being the only colonial power in the region or by its dominant cultural heritage and population (65 million of them against 59 for the rest of the region). Ethiopia's role was already on decline because others saw it not as a force for change, reform and democracy, but as a poor and weakening country whose only claim to legitimacy is violent suppression of dissidents and periodic intimidations of its neighbours.

Nevertheless, I can see Ethiopia as being in a special position as a regional power because it is the only country sharing boundaries with all other countries of the region. We need to emphasise this very unique role of Ethiopia at the time the IGAD continues to be ineffective. Ethiopia has an opportunity for constructive work in the region that is inviting as any since the collapse of the Imperial dictatorship in 1974. The future stability of the region depend on Ethiopia to leave behind the arrogant way of encouraging war by proxy, its myopic view of the Horn as a place for her hegemony, and its goodwill towards its neighbours as much as the determination of its neighbours to live in peace. A workable effective formula that will command the role of Ethiopia, I have to confess, has eluded me for the last twenty years. In considering the future of Ethiopian role in the region it is critical to focus on its limitations. The issue here will be easier if it is viewed as how to influence the events for peace-building in the region. Although the processes have a number of common elements that permit a single recommended framework, and indeed each have unique national characteristics. No doubt, the final outcome will depend, first and last, on the position of local actors but Ethiopian role and timing can have immense impacts. Indeed, the political ecology of the region is adding more responsibility to the Ethiopians, state and civic society, to accelerate their commitments towards common interests rather than differences.

Moreover, the very deadly problem is the very much expanded, but the less recognised or acknowledged, is the role of the Gulf States (Saudi Arabia, Yemen and

United Arab Emirates in particular) in the affairs of the Horn of Africa. As I have argued elsewhere, we know that the Gulf impact is substantial, but we can rarely stop and quantify the precise links. Middle East finance, arms, intelligence support to the conflict parties and manipulations of the Horn communities in the Gulf states are playing very significant role. Yet, neither the IGAD nor the international partners are interested in dealing or confronting such sensitive issue. This, however, is not the end of the story. The international track for peace-building that headed by the Americans and to a lesser degree by the European Union has yet failed to produce a comprehensive peace to the region. To a significant degree it was even more limited by the Ethiopian-Eritrean periodic political and military conformations.

For the fatalists who tend to see the empty half of the cup, all the elements of a permanent tragedy are still there, but all the ingredients for a positive way out are available for the committed scholars and activists who see the full half of the cup and relentlessly work at filling the cup. For the people of the region that have not known a single decade of peace in the 20th century, sustainable resolution in our time would be the most dramatic change in the dawn of the 21st century. In this angle we see the active engagement of the bottom-up track represented by the civil society as an alternative route that add new force to the post-conflict stakeholders and expand representation of any peace agreement.

Ever since the early 1970s, activists in the region have been engaged in an internal introspection, confronting their deals, ideals and ideas. Many groups realised that what they are fighting against is not the same as what they are fighting for. Among other things, they are in constant questioning of their core strategies, their contrasting concepts of freedom and development, power of their heritage and its relevance to their future. Yet, many more observers still wonder whether these revelations are good enough to reinvent our realities on the Horn or are they just a defensive tool in which each section of the community seeks to protect or advance its immediate interests. Let me take this opportunity to confirm, as I said earlier, that in talking to you about the obvious, will help me to communicate to you partially the historical wisdom that is coming out of the ashes.

The people of the Horn have the will of living together. The common base of shared experiences, core values are their strength in their unshakable will to survive and prosper. In gathering like this, we should be paying glowing tribute to the power of our pastoral democracy that even shaped the social structures of the urban sector. Yet, it is not widely recognised as a method of conflict resolution beyond the local communities. In Somalia as in the Sudan communal efforts to solve conflicts are providing models and examples applicable beyond their immediate areas or national boundaries.

All these conflict resolution efforts indicate the factors that will facilitate the formation of a collective consciousness to live in peace, to share a destiny and re-enforce the will to remain together. All these events and through a bottom-up peace building processes show to the ruling establishment, their war lords, their regional backers and the international community that:

Peaceful co-existence between communities is unavoidable. Yet the people are interested in 'living together'. Not within the parameters of co-existence that the European community envoys and the American administration promoting as 'living side by side'. Communities in the Horn know that living together is an irrevocable fate, cemented by the emerging political ecology of the region. They have no alternative but to find a workable solution.

Successful multi-track peace building approach can only be sustained when the government of the day, and the head of the ruling elite in particular, and the negotiators from the parties to the conflict are viewed as legitimate by each other.

In making agreements a slow framework should proceed from the general to the specific. Linking our conflict resolution modalities to local and indigenous systems in harmony with the political ecology of the region. Compromise and concession to share resources are the way forward.

Secular approaches are better tools. Religious banners from Christians or Muslims are widely recognised to contribute to the persistence of conflicts. Christian and Muslim leaders from the Horn have today failed to play any major role in promotion of peace, democracy and advocacy for social justice. Yes, international Christian groups are very active, but local groups have played no role. Interestingly, at the same time, the churches failed to develop a position with respect to Islam. Islam is the religion for nearly all Somalis, 96% in Djibouti, 70% of Sudanese, 50% of Eritreans, and 35% of Ethiopians.

Conflicts are the tool of the ruling establishment in order to modify the rules of the game, when the people see it as an attempt to reverse permanently the equation of power in order to address the interdependent triangle of peace, democratic governance and social justice. At the same time they look at the peace initiatives, despite their multi-tracks, as an endeavour to re-establish the prevailed order of exploitation or does it open a way for its phasing out?

Building civil society networks between communities and across the region to facilitate direct communications, exchange of ideas, experiences and workable options. Activists are learning not to depend on a third party to handle their issues or to assert one's demand. Contributing in supporting the capacity for a vibrant civil society is certainly the best investment for lasting regional harmony. Activists are increasingly engaged in solidarity and across-region fights for democracy, freedom, human rights, and exploring the viable options of social justice. Indeed, the most effective tools for a viable evolution towards regional integration will be realised through this grassroots-up approach.

It is of vital importance that the creation of national professional armed and security institutions are under the ultimate control of civilians. In addition, it is of equal importance to adopt a clear non-allied inclusive foreign policy.

At last, more attention should be given to civic education and culture that designed to reach beyond the elites involving the grassroots sections. That could foster a common national and durable regional identity. The situation in the Horn is unique. No other region ideas represent more powerful and more vital option to the determination of its future. Almost 55% of its inhabitants are less than 15 years old. In every other region political agreements, distribution of power, international

military intervention managed to change the state of conflicts. In the Horn of Africa civic ideas will make the difference and establish the pillars of a lasting peace and democratic governance by linking the end of fighting to the burning issues of social justice.

Then, what new civil society initiative can be launched? It is estimated that more than ten million people from the Horn are living in Diaspora. Carrying with them their ordeals, collective memories, and hopes. Indeed, their role is one that yet to be fully recognised. In every step of war and peace in the region their fingerprints are there to be noticed. The Diaspora communities are the invisible oil of the Horn's political engine. If I try to talk about this issue in more details I might need more than the full day in order to figure out and share with you the best ways to utilise this very critical role in the issues of war and peace. No doubt, that there will be disappearing boundaries between internal and crossborder conflicts in the Horn. The within and between states conflicts are likely to increase with an increase in the fragile political ecology make-up of the region. We need to enhance the civic society capacity for establishing an early warning and sustainable competence in conflict prevention.

Indeed, there are many ideas on what initiatives can be put forward, or institutions, which can cater for their management of conflicts. We forward a simple proposal, but a powerful one. The Sudan Civic Foundation proposes an establishment of a European network for the Horn civic associations. There has been a consistent growth of variety of civic society groups within the Horn Diaspora communities living in Europe. These groups have increasingly become professional and institutionalised their concerns. Some of them developed significant capabilities for peace making and peace-building with concrete social justice perspectives. What is now necessary is clear networking possibilities and co-operation across the region. This very conference is a living example of such a viable model and potential for effective action.

The key element of this proposal to establish a network is a very modest, but a practical first step towards a consensus building towards the common issues. It is a catalytic process needed whereby the trust and confidence of the Horn civic actors living in Europe to obtain a space within which free exchange, effective lobbying, and coordination is created. The whole process is advocated in order to facilitate a civic forum to support the current official efforts by the European friends and partners of the IGAD. This will enable sustainable contacts rather than isolated events to deal with our region. On behalf of the Sudan Civic Foundation I will hand this proposal to the organisers of the conference in order to discuss it further in tomorrow's workshops and consider the best ways to adopt it as one of the workable recommendations of this conference. And I will pass it now to the chairperson of this session.

The role of a self-sustainable Euro-Horn civic network and those regional and international third parties roles are complementary and mutually re-enforcing, but it is vital that they are kept distinct. At the same time to be careful not to repeat the 'Traffic Jam' of peace initiatives that are, at the moment, creating confusion and undermining the efforts to end Sudan's 19-year-old war. The civic society efforts need

to be free from any institutional links or associations to the official tracks. The best role for us as a civil society is to act as catalysts for change or as facilitators of positive consensus and concessionary steps, or a mixture of both.

Thank you for affording us this opportunity to attempt to chart certain lines of enquiry which if followed in the workshops tomorrow could perhaps lead to more systematic analysis. Thank you for giving us this opportunity to share with you our difficulties, anxieties and hopes. The Sudan Civic Foundation is indeed grateful and appreciates very much your generous support in allowing us to meet in this very beautiful city, and meet such honourable people. I hope that our contributions will help in delivering a long overdue peace and democracy to our region. A sustainable peace that will lead to social justice that we need, and we deserve. A peace that comes from ourselves, from our collective efforts, from our collective hopes. Thank you!

Ethiopian Federalism. Autonomy versus Control In the Somali Region

Abdi Ismail Samatar

One of the biggest obstacles to Ethiopia benefiting from the EPRDF's devolutionary policies does not lie, as the government's actions seem to suggest, with Amhara chauvinists wanting to resurrect a past ethnic hegemony which is surely buried, but with the Front's contumacious implementation of the policy, and its effort to control virtually every facet of the political process.¹

In the 1990s in Africa, two sharply contrasting models on state society relations and the role of ethnicity in national affairs have emerged.² The first is the unitary dispensation that rejects ethnic classification of its citizens while minding the ill effects of race and ethnic based apartheid order. The African National Congress (ANC) and its allies opted for a strategy they think will insure the country's political and administrative restructuring, but one that will not perpetuate sectarian ethnic identity at the expense of citizenship.³ Consequently, the post-apartheid regional administrative structure and boundaries are not based on ethnicity. Further, the populations in these regions elect their provincial councils, and have gained some degree of fiscal autonomy although South Africa remains a unitary state. A key manifestation of the system's competitiveness is the fact that opposition parties have governed two of the wealthiest and most populous regions for most of the past decade and the ANC has been unable to dislodge them until the most recent election in 2004.⁴ Although the ANC won the most votes in Kwa Zulu-Natal and the Western Cape, it lacks majority in these provincial councils to unilaterally form regional administrations. This openness of the political process has made possible a significant degree of regional autonomy in a unitary system. The second model is Ethiopia's ethnic-based federal

1 Young, J (1998) Regionalism and Democracy in Ethiopia, *Third World Quarterly*, 19 (2), pp 191-204

2 For a sophisticated analysis of ethnicity and citizenship in Africa see Mamdani, M (1996) *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton: Princeton University Press).

3 Maphai, V (1996) A Season for Sharing Power, *Journal of Democracy*, 7 (1), pp 67-81. For detailed discussion of state restructuring in South Africa, see Oldfield, S (2000) *State Restructuring and Urban Transformation in South Africa: A Negotiation of Race, Place and Poverty*. Unpublished Doctoral thesis, University of Minnesota.

4 Opposition parties also have significant representation in provincial Councils in ANC governed regions.

order. This model anchors citizenship on the ground of ethnic belonging. Advocates of this framework claimed that dividing the country into ethnic regions would recognize the country's primordial reality and bring past injustice to a quick end:

Sometimes, people in Africa feel that they can wish away ethnic difference. Experience in Rwanda has taught us this is not the case. Experience in Liberia has taught us that this is not the case. What we are trying to do in Ethiopia is to recognise that ethnic difference are part of life in Africa, and try to deal with them in a rational manner. Rather than hide the fact that we have ethnic difference, we are saying people should express it freely. That, I think, pre-empts the type of implosion we've had in Rwanda.⁵

The intent of the Ethiopian approach has been to give greater autonomy to ethnic communities to manage their affairs.⁶ The country's constitution sanctions decentralized and autonomous regional administrations, however, political praxis has been at odds with these principles.

Ethiopia's ethnic regions generate a continuing controversy regarding their long-term effects on the country's integrity. At one extreme, some predict that the centrifugal dynamics of Ethiopia's exclusive sub-national identities will lead to the country's disintegration, particularly since the new constitution guarantees the right to self-determination up to secession. Proponents of this thesis cite the former Soviet Union as a model of what happens when central government is weakened in previously authoritarian and ethnically divided societies.⁷ Second, supporters of the ethnic-based dispensation note that the new federalism are novel departures for Ethiopia that cannot be reversed despite teething problems.⁸ Third, other critics claim that the dominant party at the center has reneged on its democratic promise by illegally subverting free ethnic political mobilization.⁹

All three claims have some merit. An implosion of the federal system can become a reality if national leaders and regional authorities are unable to produce a legitimate political and economic system that matches the aspiration of different communities. It is also the case that the new order induced limited freedoms most Ethiopians enjoy. Finally, evidence suggests that those in power in Addis Ababa harass ethnic organizations in the regions that have centrist, democratic, or independence agendas.¹⁰

5 Meles Zenawi quoted in Steven P. Tucker, *Ethiopia in Transition*, 1991-98. Manuscript. April 1998, p. 23. Zenawi's misreading of the Rwandan catastrophe shows the superficiality of his party's reading of social conditions in the country and beyond. For a contrasting reading of Rwanda see, Mamdani, M (2001) *When Victims Become Killers: Colonialism, Nationalism, and the Genocide in Rwanda* (Princeton: Princeton University Press).

6 Henze, P (1998) Is Ethiopia Democratic? A Political Success Story, *Journal of Democracy* 9 (4) pp. 40-54. Young, *Regionalism*.

7 For a more detailed discussion of these, see Tucker, Ethiopia. See also Ottaway, M (1994) *Democratization and Ethnic Nationalism: African and Eastern European Experiences* (Washington DC); M. Ottaway (1995) The Ethiopian Transition: Democratization or New Authoritarianism? *Northeast African Studies*, 2 (3).

8 Henze, P (1998) Is Ethiopia Democratic? A Political Success Story, *Journal of Democracy* 9 (4) pp. 40-54. Young, *Regionalism*.

9 Lata, L (1999) *The Ethiopian State at Cross Roads: Decolonization and Democratization or Disintegration* (Lawrence: Red Sea Press).

10 Pausewang, S. et.al. (2002) *Ethiopia Since the Derg: A Decade of Pretensions and Performance* (London: Zed). For a discussion of the authoritarian rule of the ruling party, see Harbeson, J

Other important aspects of the debate indicate that the dominant political party and economic practice will determine the viability of ethnic federalism.¹¹ The dominant party, Tigray People's Liberation Front (TPLF), and its affiliates, the Ethiopian People's Revolutionary Democratic Front (EPRDF), has a strategic role in determining the longevity, character, and vitality of federated Ethiopia. The governing party's accomplishments are portrayed in one of two ways. Some describe the TPLF as liberating and democratizing.¹² Others paint a picture of a conniving, but ultimately Tigray dominated system.¹³ These studies rarely examine the internal dynamics of ethnic regions to assess the actual balance of power between the center and regions. Two of the few such attempts are Markakis' sketchy research note and Khalief and Martin's decidedly uncritical presentation of the Somali case.¹⁴

Drawing on material from the Somali region, this essay posits that the post-1991 dispensation opened new opportunities initially, but the governing party's manipulation of internal regional politics derailed the promise of a autonomous and legitimate local administration that could remedy past ailments. The TPLF/EPRDF's capacity to manage regional authorities depends on the quality and legitimacy of local leadership and the political coherence of provincial communities. Thus, the best prospect for autonomous regions within the Ethiopian federation rests with collaboration between regional leadership that is accountable to local people, and a national authority that balances its interests with those of the federation. Conversely, the prospects for viable and autonomous regions dim when the regime in the center is domineering and the regional authority is ill-equipped.

This paper examines the political dynamics generated by Ethiopia's division into ethnic regions. Specifically, it demonstrates that the central government's attempts to tightly control regional political processes undermine the essence of regional self-rule that the federal constitution mandates. Making the situation more precarious, inept regional elites waste opportunities to enhance regional autonomy. The evidence was gathered from the Somali region (Region 5) since 1995 and is mainly in the form of

(1998) Is Ethiopia Democratic? A Bureaucratic Authoritarian Regime, *Journal of Democracy* 9 (4), pp. 62-69.

11 Young, *Regionalism*. Mengisteab, K (1997) New Approaches to State Building in Africa: The Case of Ethiopia's Ethnic-based Federalism, *African Studies Review* 40 (3), pp. 111-132. See also Mengistab (2002) Ethiopia: State Building or Imperial Revival? in A.I. Samatar and A. Samatar (eds) *The African State: Reconsiderations*, pp 177-190 (Portsmouth: Heinemann).

12 Henze, *Is Ethiopia Democratic?*

13 Joseph, R (1998), Oldspeak vs Newspeak, *Journal of Democracy* 9 (4), pp55-61; Harbeson, *A Bureaucratic*.

14 Markakis, J (1996) The Somali in Ethiopia, *Review of African Political Economy* 70, pp. 567-570. Khalief, M and Doornbos, M (2002) The Somali Region in Ethiopia: A Neglected Human Rights Tragedy, *Review of African Political Economy* 91, pp. 73-94. This piece provides a brief but general survey of the Somali experience in Ethiopia. Despite its usefulness two issues weaken its argument. First, Somali authorities in the region since 1992 are portrayed as victims only ignoring available evidence regarding the malfeasance of many and their opportunistic dealings. Second, the authors expose their biased agenda by confounding Somalis in the region with members of the Ogadeni genealogical group. For instances, the authors talk about the responsibility of the Ogadeni intellectuals "...Ogadeni intellectual to persist in searching for the kind of accommodation and political solution that will serve the interest of the region and its people." (p.91).

individual and groups interviews. The names of all the sources are withheld to ensure their personal safety. Each source is numbered in the text.¹⁵

The rest of this essay consists of three parts. Part one sketches the forces involved in the initiation of Ethiopia's new federal system. It underscores the weakness of regional parties who were *invited* to the national conference that produced federal structure. The determination and ability of the TPLF to ignore many of the demands of major regional parties such as the Oromo Liberation Front (OLF) created strong perception, from the start, that regional authorities served at the pleasure of the dominant party. The second section assesses political developments in Region 5 since the collapse of the old regime: It briefly summarizes the history of the region's liberation struggle, its relations with the Somali Republic, and highlights how the Somali military government (1969-1991) subjugated the population's desire for liberation to its agenda. The military regime's domination of the liberation movement undermined the capacity of the local population to craft a coherent regional project. This analysis is followed by an examination of the establishment of the Somali region in 1991 and the role federal authorities played in determining which Somali party led the regional administration. Initially, the Ogaden National Liberation Front (ONLF)¹⁶ became the only regional party openly opposed to the federal agenda to direct a new administration. Moreover, the reign of ONLF did not endure and the Ethiopian Somali Democratic League (ESDL) replaced it in the 1995 regional election. At this point, the Somali region had the most competitive regional election in Ethiopia. Despite this exceptional democratic transfer of power, federal authorities "indirectly" appointed the region's president; and the new ruling party made important changes in the ways the region was administered. However, federal authorities exploited internal party conflict and abruptly terminated its tenure. Furthermore, federal authorities not only forced a merger of the two Somali parties and created a new one, their representatives managed and directed the "congress" that established the new party. In the process, they "helped" appoint the new regional president. The imposed unification of the two Somali parties terminated competitive electoral competition in the region. These developments brought political practice in the region in line with the rest of the country. The Final section reflects on the consequences of fractious and inept local leadership and excessive federal intervention for regional autonomy and local democracy

15 The author formally interviewed 125 citizens in five communities and had conversations with multitude of others between 1995-2002.

16 ONLF was informally organized party and came into existence in the late 1980s. The word Ogaden is the name for one of the Somali genealogical groups that inhabit the region. Somalis from other genealogical groups maintained a distance from ONLF due to its clanish agenda and identity.

Regional Authority and the New Federation

The TPLF's decision to use ethnicity as way to first mobilize the Tigray population (young, 1997)¹⁷ and secondly other nationalities against the brutal military regime was an expedient and strategic decision, particularly given the Amhara colonization of the state. Having defeated the military oligarchy in its home territory by 1988, TPLF realized that it could not march to the national capital and impose a Tigray regime in place of the Amhara. Consequently, it formed the Ethiopian People's Revolutionary Democratic Front (EPRDF), which included junior partners from Amhara, Oromo, and other national groups. Many EPDRF members, particularly the Oromos (Oromo People's Democratic Organization -OPDO) were prisoners of war in the camps of TPLF. Once it captured the capital in 1991, the TPLF led EPRDF convened a national conference. Those invited¹⁸ to the conference belonged to ethnic based movements, some of which only formed recently. The EPRDF's most important new ally was the independent and popular OLF representing the largest ethnic group. Despite the collage of ethnic participants in the conference, the military victors clearly controlled the conference's agenda.¹⁹ However, the collaboration of autonomous groups, such as OLF, enhanced EPRDF's credibility. The conference produced a national charter which laid the ground-work for the to be constituted Ethiopian federation. The transitional government that was then formed marched to EPRDF's tune with the TPLF as its political and military leaders.

The first major rift between the EPRDF and an autonomous national liberation movement, the OLF, became public in 1992.²⁰ The OLF claimed that EPDRF troops harassed and intimidated its people, and the dominant party's refusal to postpone the 1992 election led OLF to renounce the coalition.²¹ OLF alleged that the election was rigged in favor of the dominant party and its supplicant Oromo ally, the OPDO.²² The OLF withdrew from the transitional government. Shortly thereafter the Tigray (TPLF) troops humiliated the OLF by capturing 20,000 of its soldiers in camp. The defeat of OLF signaled that the victor was not going to be detracted from turning its agenda to the national program. Many informed people viewed the electoral "victory" of the EPRDF/OPDO in Oromia in 1992 and the harassment and persecution of the OLF as a bad omen for the constitutionally sanctioned federalism anchored on autonomous regions.²³

The departure of OLF meant the removal of the largest and most popular party from the political scene. Political organizations which were junior partners in the

17 Young, J (1997) *Peasant Revolution in Ethiopia: The Tigray People's Liberation Front, 1975-1991* (New York: Cambridge University press).

18 TPLF leaders could invite whom they wished. This gave them tremendous power over who represented various communities.

19 Harbeson, *A Bureaucratic*

20 Gilkes, P (1995) *Ethnic and Political Movements in Ethiopia and Somalia* (London: Save the Children Fund). Ottaway, *The Ethiopian Transition*.

21 Lata,, *The Ethiopian State*.

22 Others have confirmed the dominant party's manipulation of the election. Pausewang, S (1994) *The 1994 Election and Democracy in Ethiopia* (Oslo: Norwegian Institute of Human Rights).

23 Subsequent analyses have sustained this claim. See Pausewang, *Ethiopia Since the Derg*.

EPRDF coalition, came to power in most of the country's regions after the 1992 regional election. The Somali region was an exception in this regard, since the ONLF formed the first regional authority. ONLF was neither a member of the EPRDF coalition nor an ally of the ruling party. The ONLF refused to participate in the dialogue that produced the transitional charter. Instead, it advocated immediate secession of the Somali region from Ethiopia. This party remained in power for a brief period. The Somali People's Democratic League (SPDL), a friend of EPRDF replaced it in 1995. The League was in turn displaced by the Somali People's Democratic Party (SPDP) in 1998. A narrative of the political history of the Somali region since 1991 shows the relative roles of ethnic political parties and the ruling party in Ethiopian federalism.

Politics in Somali-Ethiopia since 1991

Analysts often point out that the TPLF organizational and leaderships skills and its cadre's discipline as a major party and national asset.²⁴ The future role of other ethnic based parties in the evolution of the Ethiopian polity requires assessing the quality of these parties and their legitimacy. Establishing an ethnic federation acceptable to the various groups will require representatives parties from all communities to broker the necessary political and economic compromises. In an ideal world, ethnic equals will come together to create a federation on a mutual basis. But Ethiopia is not an ideal context. As an ethnic liberation movement, with national leadership ambitions that defeated the old regime, the TPLF resolved to remake Ethiopia under its tutelage. If, however, other ethnic liberation movements had significantly helped defeat the military dictatorship, then the nature of the post-Derg dispensation would not have been so lopsided. The TPLF movement introduced a democratically promising element into Ethiopia's political milieu. However, those militarily weak movements that had democratic aspiration were faced with a stark choice: stay in the game, within circumscribed limits, and try to push the democratic agenda from within; or to retreat to the bush and engage in liberation war. The immediate choice made by significant elements of the Somali community to play by the TPLF rules was the wise one. The alternative that ONLF advocated would have been catastrophic, as it would have thrust unprepared Somali population into war with Ethiopia's new regime.

Liberation Politics in Somali Ethiopia

A brief explanation of the history of the Somali-Ethiopian Liberation movement will shed light on the limiting conditions the Somali community had faced in the post-1991 period. The first organized liberation movement, the Western Somali Liberation Front (WSLF), in the Somali territory under Ethiopian jurisdiction, came into existence a few years after Somalia gained its independence in 1960.²⁵

²⁴ Young, *Regionalism*

²⁵ The earliest resistance dates back to the early days of the 20th century. See Sh. Abdi, Abdi (1991) *Divine Madness* (London:Zed). Samatar, S.S. (1982) *Oral Poetry and Somali Nationalism: The*

The Somali Republic's Constitution sanctioned liberation of Somali territories in Ethiopia, Kenya, and French Somaliland. This essentially embedded these liberation movements in interstate relations and, more centrally, in Somali regime politics. The liberation movement in Somali Ethiopia reached its zenith in 1977/78 when the military government in Mogadishu committed its forces to "assist" the struggle. The liberation movement had no autonomy from the Somali national army in this effort. Nonetheless, the Somali-Ethiopian population supported the war despite this stranglehold. Somali successes were momentary once the Soviets, Cubans, and Yemani contingents intervened and helped Ethiopian troops beat the Somali army. This defeat has been catastrophic for Somalia and the liberation movement. In Somalia an armed political power struggle among the elite ensued, culminating in the state's collapse and in the country's disintegration in 1991.

During the interim period, 1978-1991, the liberation movement lost its autonomy. Because the Somali military regime used the liberation movement for its own purposes many movement leaders became the regime's henchmen. Those who disagreed with the regime's tactics were forced to flee the country; the unlucky individuals rotted in jail. This treatment caused the movement to lose its identity and become a sycophant of the military regime.²⁶ The state's collapse and subsequent fragmentation of the Somali society into warlord territories and the rise of sectarian politics had dire effects on Somali-Ethiopian politics. Although Somalis have contributed significantly to the Mengistu regime's weakening, the liberation movement was politically and militarily spent in 1991. Many Somali-Ethiopians who moved to Somalia since the early 1960s returned to Ethiopia after May 1991. Some of these were senior military leaders and political entrepreneurs, steeped in sectarian elite games.

Chaotic Transition: Disorganized Elite and Federal Interventions

The viability of an autonomous Somali region in the new federation depended on the interplay between a fractured Somali elite and TPLF forces. This section demonstrates how disorganized Somali leadership created, in part, opportunities for federal authorities to determine which party ruled the region. The willingness of federal authorities to intercede in local affairs signaled the problematic nature of "regional autonomy" in Ethiopia. Regional autonomy means that local people are free to choose representatives that are accountable to them.

Most Somalis everywhere rejoiced over the collapse of the Mengistu government, particularly since former Somali regimes supported TPLF. But some Somali-Ethiopians had expectations contrary to the designs of TPLF. As TPLF troops gained control of the country, ONLF warned that Tigray troops should not cross into

Case of Sayyid Mohamed Abdille Hassan (Cambridge: Cambridge University Press). See Colins, D (1960) *A Tear for Somalia* (London: Jarrolds), chapter 11. Chapter eleven depicts Somali resistance to Ethiopia.

26 In fact, stalwarts of the Somali liberation movement claim that the Eritrean and Tigray movements received better support in the last decade of the struggle from the Somali government than they did.

Somali territory. ONLF threatened war in the Somali territory if its warning was not heeded. Young men representing ONLF came to Addis Ababa, and the Sudanese Government began to mediate an agreement between ONLF and the EPRDF. ONLF representatives refused to adopt EPRDF's political scheme. Once EPRDF leaders understood ONLF's position, it began to search for other Somali groups. EPRDF announced that people could form their own political parties. Before long, names of a dozen political parties, supposedly representing various opinions, appeared. In the absence of an authentic liberation movement representing the Somali community, EPRDF sent for the remnants of the Western Somali Liberation Front (WSLF), languishing in Mogadishu. These individuals were brought to Addis Ababa. EPRDF proceeded with its agenda and allocated four seats in the national conference to Somali groups,²⁷ except ONLF. WSLF leaders, who received two seats, wanted Somali representatives in the national conference to be inclusive of all Somali groups; consequently, they decided to give one of its seats to ONLF.²⁸

From the first encounter between the Somalis and EPRDF, three things became apparent. First, EPRDF *unilaterally* decided how many national conference representatives each participating ethnic group would have. These allocations were based on guess-estimates of the relative sizes of different population groups in the country. Second, the EPRDF decided which Somalis would participate in the conference. ONLF's initial exclusion from the participant list, implied that ethnic communities might not be free to choose their representatives. Third, the Somali region was going to suffer from social fragmentation in the absence of a disciplined, institutionalized and rooted liberation movement(s).

The 1992 regional parliamentary election did not change the political landscape. No organized and established political parties existed that could compete with one another on the basis of a political program. From the 37 Somali constituencies, 111 individuals were elected. ONLF, as a nominal political party, claimed the largest number of representatives. The newly elected representatives attended a seminar in Dire Dawa, the presumed capital of the Somali region, the transitional government organized. According to numerous informants, Somali deputies paid scant attention to the conference proceedings but concentrated on lobbying for posts in Ethiopia's first Somali regional government.

By counting all members of Ogadeni genealogical origin as the party's natural members, the ONLF wrongly assumed it had sufficient majority in the assembly to form the new government. Unfortunately for ONLF, many elected officials of Ogadeni descent did not belong to this party nor shared its clanist agenda. WSLF had the second largest group of elected members in the regional parliament. As the parliament proceeded to elect government officials from its ranks, active campaigning began for the executive committee posts, regional president and vice-president, and secretary. Abdillahi Mohamed Saadi organized his 33 genealogical group within ONLF and gained their support for his candidacy for President. Since Mr. Saadi was

27 EPRDF retained 32 of the 87 seats in the Council of Representatives. OLF was given the next largest bloc, thus insuring EPRDF domination of the conference. See Tucker, *Ethiopia* pp.11.

28 Note the fragmentation of the political elite -mirroring those in Somalia and how EPRDF encouraged this trend by distributing the seats among them along clan lines.

not ONLF's official presidential candidate, his candidacy exposed the party's lack of internal coherence, discipline, and election procedures.

Meanwhile, other groups in the regional parliament were becoming alarmed by ONLF's claim of being the majority party. Also concerned about ONLF's sectarian (exclusive to Ogadeni genealogical group) agenda and internal turmoil, these other groups began to rally around an agenda inclusive of all Somali groups. They nominated Sh. Abdi Nasir (an Ogadeni), who strongly supported an inclusive political agenda, for the regional presidency. Professor Abdillahi and Eid Dahir were their candidates for vice president and secretary. Those nominated for the 19 executive committee of parliament openings also represented a broad cross-section of the population. This inclusive approach forced ONLF to accept Saadi's presidential candidacy rather than risk a split within its ranks and lose the chance to control the regional government.

At this point, the inclusive Somali group suspected the ONLF communicated with EPRDF authorities in Addis Ababa.²⁹ The ONLF complained to EPRDF authorities about 11 members of regional parliament, representing those areas the Somalis and Oromos were disputing, participating in the deliberation. For whatever reason, the EPRDF government intervened in local parliamentary matters and expelled 11 members from the regional parliament. These changes sealed ONLF's victory in forming the government, and Saadi was elected regional President.

The next major items on the parliament's agenda were the region's official name, flag, and the formal designation of Somali-Ethiopia's capital city. The two most contentious agenda articles were the identification of the capital city and the region's name. ONLF strongly argued for adopting Ogaden as the region's name. This motion was defeated, and the name, Somali Region, won approval. Once the debate on the selection of the regional capital began, ONLF leaders brought another faxed message from federal authorities instructing the Somali parliament to choose a town other than Dire Dawa since the Oromos also claim Dire Dawa as their city. ONLF supported EPRDF's position and proposed Godey, a small and remote town in the far reaches of the region, as the capital. An emergency meeting was called to consider Godey as the new capital. This proposal was approved to the chagrin of most Somalis. Despite these problems, this foundational meeting held in Dire Dawa resulted in the first major Somali *public celebration* in Ethiopian history.³⁰

The newly elected Somali leaders went to Addis Ababa to be introduced to Ethiopia's transitional government. They met with then President Zenawi, Prime Minister Layne, and the Somali Minister in the central government, Abdimajid Hussein.³¹ The Transitional government granted the Somali leaders a budget of six million Birr to finance their immediate regional agenda. The three Somali leaders remained in Addis Ababa despite the enormous and urgent duty of forming a functional regional and local administration. The ONLF administration took another four months to appoint regional department heads and district administrators.

29 Seven different sources including ONLF members confirmed this. Interviews 1 -4: Jijjiga, Dire Dawa and Addis Ababa, 1995, 1996.

30 Interview 2: Dire Dawa, 1996.

31 Abdimajid Hussein passed away in April 2004.

Such a lackadaisical attitude of the leaders boded ill for the region's viability. Two events illustrate this. First, rather than seeking professional advice about how to form a viable regional administration, they merely copied the structure of the Central Government. The only posts left out were uniquely federal departments, such as Foreign Affairs and Defense. Second, the three senior leaders and some members of parliament's executive committee divided the six million Birr among themselves to spend in these ways. The president and the secretary purchased vehicles with some of the money. The vice-president allocated some money for use in areas the Somalis and Oromos were disputing. When the executive committee members complained about being left out of the spoils, they were given a share of the money to purchase chairs and tables. These actions were taken without parliamentary approval and without recording the expenses.³²

This inappropriate managerial approach displeased some executive committee members who complained to the federal authorities. They were told to convene their parliament and sort out their differences with the regional administration. The group heeded this advice, returned to Godey, and requested an urgent meeting of parliament. Meanwhile, some ONLF members were disgusted with what they perceived as systemic corruption in the regional government and called for its dismissal.

Parliament was called into session. The first agenda item was to formulate operational rules and local laws. While debating these matters, disgruntled ONLF members intensified their demand for a change of government. Given the threat to his post from within the party's ranks, Mr. Saade, the regional President believed that non-ONLF parliamentarians were his allies. After all, they were not calling for his removal from office. In the meantime, a group of MPs, mostly from the Jigjiga zone, organized themselves as a parliamentary bloc (15 members) and pushed a collective "Jigjiga agenda." The Jigjiga bloc agreed to nominating their members to official posts based on merit. The group's cohesion made it into a powerful alliance within parliament whose support others sought.³³

In an attempt to bring down the government, 13 appalled executive committee members resigned as a group. This precipitate action created an immediate crisis. Other executive committee members urged parliament to replace those who resigned. At this point, the speaker of the national assembly, Dawit Johannes, and a Somali member of the assembly, Abdulaziz Ahmed, came to Godey. They told the regional president that he could not stay in power legally with the resignation of 13 executive committee members; and urged parliament to reelect or replace the 13 members who resigned.³⁴

A new campaign for executive branch posts ensued. ONLF abandoned its former office bearers and nominated Mr. Abdirashid Ahmed as president; Professor Abdiallhi as vicepresident, and Abdi Illah as secretary. Other members of parliament formed a grouping called the United Zones (UZ) and nominated Mr. Hassan Gire, Mr. Abdi Illah, and Mr. Eid Dahir for the three posts. The latter group, whose core members

32 Interview 3, Jigjiga, 1996

33 Ibid.

34 Ibid.

were from the Jigjiga zone, negotiated with Abdi Illah's kinsmen and offered them the vice presidency. The two parties agreed on this. However, this covenant fell apart as Abdi Illah reneged and attacked Eid as unfit for the secretary's post. The UZ group withdrew from the agreement. A new executive committee was elected much to ONLF's chagrin. In September 1993, the committee elected the UZ group ticket to form the new government.³⁵

The newly elected president and his associates went to Addis Ababa to meet the federal authorities. Apparently, the ONLF cadre asked the new non-ONLF – but Ogadeni – president and his deputy to claim to be ONLF to boost the "Ogadeni" cause. The president did this in a national radio interview. The secretary, Eid Dahir, contradicted him on the same radio program. Despite the president's radio announcement, the ONLF cadre and loyalists harassed the new government in Godey.

President Hassan Jireh's team began to appoint new administrators for various posts. In a short period, they appointed 77 directors of offices, a number that exceeded the sum of the federal government's offices. The regime proceeded to appoint 261 teachers for every zone in the Somali region.³⁶ It was simply following a central government directive indicating this number of teachers *could* be hired per zone. The trouble with the Somali regime's approach was that nearly all its zones, with the exception of Jigjiga and maybe two other places in the region, did not have enough schools to absorb this many teachers. The starkest example of this misuse of regional resources was the deployment of 261 teachers to the Fiiq zone, an area with only one elementary school that could use about six teachers.³⁷ By contrast, Jigjiga with 53 schools, including the only senior secondary school in the Somali region, received the same number of teachers. Furthermore, most of the newly employed teachers did not have the necessary training and qualifications. Others were phantoms.

ONLF was unhappy about being excluded from partaking in the spoils and called for a parliamentary meeting in early 1994. The UZ group supported this proposition, but asked that the meeting be held in Jigjiga. ONLF did not like the change of venue but agreed to it as long as its key concern, formal debate over regional self-determination, appeared in the agenda. The UZ realized that it could not resist the inclusion of this item in the debate, as that would have handed ONLF a major propaganda victory. Moreover, the UZ added a point on the agenda that would free regional and federal authorities to fight Itihaad, the militant Muslim group. Most UZ members suspected that ONLF and Itihaad were connected. Parliament meekly discussed the Itihaad item and then approved it with overwhelming support. Then the meeting turned its attention to "self-determination."³⁸ The delegates agreed to form a parliamentary committee to negotiate with the federal authorities the terms of divorce. Most regional MPs had not read the federal interim constitution and the procedures governing regional self-determination. The few who had read it led the

35 Interviews 3 and 4: Jigjiga, and Addis Ababa, 1996

36 Interview 5: Jigjiga, 1997

37 Ibid.

38 This MP wanted to underscore that the Somali regions did not even have its police force or other security services. Therefore he was worried that the region might be plunged into a civil war without the presence of federal security system

advocates of self-determination into a political confrontation with federal authorities by convincing them to form this committee.

The intense emotional nature of the parliamentary debate on self-determination sidetracked ONLF deputies from trying to bring down the non-ONLF regional government. The sense of victory felt by supporters of immediate self-determination was short-lived, for the committee never went to Addis Ababa to negotiate with federal authorities. However, when federal authorities learned about the Somali parliament's decision to pursue self-determination, they immediately demanded that the parliamentary executive committee call an urgent meeting of parliament to inform members of the illegality of their act and to reverse it. The meeting was called although many ONLF members refused to attend. The president left for Addis Ababa after giving his blessing to the meeting. Afterwards, key ONLF members convinced the president that if the parliamentary meeting continued it would do great harm to their interests. The President faxed a message to the executive committee, telling them that their meeting was illegal.³⁹ Furious about the president's acts, the committee decided to fire him. They also accepted his deputy's resignation who quit to protest the meeting.

Federal authorities intervened in regional political affairs for the second time. The Prime Minister's office changed its view about ONLF as the major party in the region. As parliament began to elect the third regional government, federal authorities reversed their earlier decision to expel MPs from the Somali-Oromo contested areas. The induction of these individuals into parliament enabled the UZ group to elect Ugas Abdirahman and Ahmed Makahiil, as president and vice president with Eid Dahir as secretary. The UZ group elected Ugas Abdirahman as president in late 1994 because the group thought him to share their inclusivist political agenda. The new government decided to temporarily transfer the capital city to Jigjiga. President Abdirahman and his deputies journeyed to Addis Ababa to be acquainted with federal authorities. The president was interviewed on national radio and asked about the transfer of the capital from Godey to Jigjiga. He denied this has occurred, but others contradicted him. The Somali federal minister, Hussein, met with the president, the secretary and one influential executive committee member. A heated debate ensued between the president and the other two. The secretary and the other executive committee member, with encouragement from the federal minister, impressed on the president that federal authorities were contemplating dividing the Somali region into at least two provinces because of internal political acrimony. The president was startled by this news and immediately told his colleagues that the discussion should come to an end.⁴⁰ In the meantime the federal Prime Minister went to Godey to explain to Somali elders the self-determination process as articulated in the constitution.

The agreement between the federal minister and the regional president and his deputies to work together for the common good did not prevent the president from pushing a sectarian political agenda once he returned to Godey.⁴¹ Ugas Abdirahman,

39 Group interview 1, Dire Dawa, 1997

40 Group interview 2, Addis Ababa, 1997

41 Interview 6, Jigjiga and Addis Ababa, 1997.

encouraged by 11 executive committee members, resisted the official transfer of the capital to Jigjiga. Moreover, he tried to halt the national census being conducted in the region. This last act infuriated the federal authorities, who asked the executive committee to come to Addis Ababa to consult with them. Prime Minister Zenawi inquired why the Somali region was not making progress and Ugas Abdirahman responded that the region's troubles were due to interference from people in Prime Minister's office. Other committee members disagreed. The Prime Minister warned the committee that the Federal government might have no choice but to convene a meeting of elders in the region and inform them that their elected officials were not working on their behalf.⁴² He explained that the elders could then decide to fire them all. Premier Zenawi warned them that they had one last chance to reform and to act responsibly.

The executive committee returned to Jigjiga, fired the entire region's senior employees and began drawing up job descriptions and qualification for future employees.⁴³ They also dismissed the president, in early 1995, when he refused to carry out the decision to transfer the capital to Jigjiga. The capital of the region was subsequently moved to Jigjiga.

Political instability characterized the Somali region during this early period of transition in Ethiopia. The principal factor responsible for this condition was poor Somali leadership and the absence of disciplined political organizations that would hold leaders accountable. A secondary source of turbulence was federal interventions in which some members of the regional parliament were expelled and then reinstated to favor certain political outcome.

A Glimpse of Democracy and Regional Autonomy

The 1995 election marked a new beginning for the Somali region as a better organized political party with a broader popular base defeated ONLF. The Somali region became the only province in the country in which a governing party was defeated but retained a significant number of seats in the regional parliament. Meanwhile, federal leaders tacitly informed the new Somali party who its regional president should be. This act was a major federal intervention that would seriously corrode regional autonomy. Despite electoral success, internal squabbles induced a major political crisis in 1997. This segment examines these developments.

As the political struggles noted in the previous section unfolded, another Somali political movement was slowly gaining ground. A handful of Somalis in Addis Ababa who were disturbed by the clanist thrust of Somali political parties gathered in 1991 to forge a more inclusive Somali organization. They convened a dinner with the blessing of the two Somali vice ministers in the federal government, Abdi Adan and

⁴² Interview 7: Jigjiga, 1998. The federal military selects the elders from various Qabelehs (neighborhoods) without consulting with residents. The government pays these elders and thus they are dependent on it.

⁴³ Interview 5, Jigjiga, 1997. An agent of the Prime Minister's office took part in these deliberations

Shamsudiin Ahmed. However, their attempt at political union fizzled away due to intransigence on the part of ONLF to compromise.⁴⁴

In April 1992, some members of the group reconvened and formed the Committee of the Whole, with 12 members, each representing a political constituency. They elected three committee officers: Suliman Ahmed, Abdulaziz Ahmed and Hassan Fayanbiro as president, vice president and secretary, respectively. The 1992 regional elections were held before the Committee of the Whole made further progress as a political party.

The election marked another setback for the formation of a united Somali political coalition. After many meetings and deliberations, these groups assembled on February 12, 1994 at the unused military facility in Hurso, on the rail line 26 km west of Dire Dawa. The purpose was to form one political party, and participants agreed on a broadly representative system reflective of the proportions of various groups in the Somali populations. The 1500 delegates who assembled in Hurso affirmed the working group's decisions. Among the many decision endorsed were the party's name, the Ethiopian Somali Democratic League (ESDL), and party colors. The organizing committee also nominated Hussein, the federal Somali Minister, as the party's chairman.⁴⁵ Although Hussein was not a key organizing committee member, the delegates unanimously approved the recommendation. They also elected Vice Minister Shamshudiin Ahmed as Secretary of the party for similar reasons.

The new party had little time or resources to prepare for the 1995 national and regional elections. It sent a delegation to the Djibouti Republic to solicit financial support from Somali-Ethiopians and other Somalis. The group was well received and raised over \$30,000 and several vehicles. The League confronted ONLF in the elections and won nearly two-thirds of the seats in the regional council and all in the federal chamber. *The competition between these Somali parties – with contrasting political programs – meant that the Somali region had the most competitive and "democratic" elections in the new ethnic federation.*

The League then formed its central committee. According to the league's founding principles each major Somali group was to be represented by one person in the central committee.⁴⁶ The first act of the new regional parliament was to elect the 21 executive members.

The committee then proceeded to elect a president, vice president, secretary, and then regional bureau heads. Before the party chose its candidates for these offices, it became apparent that the federal government *preferred* certain candidates. The League's vice chairman, apparently trying to carry favor with Mr. Dawit Johannes, a senior federal officer, showed the latter a list of individuals who would be the region's new leaders. Mr. Johannes informed the vice chairman that the responsibility

44 Group interview 3, Addis Ababa, 1995.

45 Interview 8, Addis Ababa, 1996, also Group Interview 2. Hussein was appointed to the ministerial post because he was close to the TPLF leaders. Many Somali MPs suggested that Dr. Hussein's close association with TPLF became a source of weakness for Somalis. They felt that TPLF leaders used him to micromanage Somali affairs.

46 This was not strictly adhered to as one group received six spots, while two other group each had two appointments.

for selecting regional government heads rests with the parliament. However, federal authorities favored certain individuals.⁴⁷ This marked the third major federal intervention into the Somali region's local political affairs.

Hussein traveled to Jigjiga to participate in the formation of the new regional government. He called Mr. Eid Dahir and Mr. Ali Abdi for consultation,⁴⁸ and told them about the "advice" he received from federal authorities regarding who should be the region's president and vice president. President Zenawi preferred that Eid Dahir and Ali Abdi to lead the government. However, since Ali Abdi⁴⁹ was elected to the federal parliament, he could not become vice president. Hussein was concerned about the federal authorities' "favored" list because Eid and the minister belonged to the same genealogical group. He was deeply worried about the negative political impact Eid's appointment would have on the party and its inclusive agenda. Mr. Ali Abdi urged Hussein to support Eid for the presidency, given his relatively superior performance as secretary in previous governments. The League's executive committee felt compelled to accede to the federal authorities' "recommendations". Mr. Eid Dahir and Mr. Abdiallahi Mohamed were elected president and vice president. The former acting president, Makahil, who refused to transfer authority to the newly elected officers, was arrested and later sentenced to seven years in prison.

A party with a more coherent political agenda began to govern the region for the first time, and the constant intensive internal competition for posts that marked previous regional government diminished noticeably. The party's unity enabled the executive committee to put into place regional administrative regulations and submitted them for parliamentary approval. Parliament and the government were acting as partners in the region's rehabilitation. The League authorities began to bring forth annual recurring and capital budgets, with the help of technical advice from the Prime Minister's office, to the federal government.⁵⁰ As the regional administration became relatively more systematic and accountable, the budget allocation began to increase. Unfortunately, given the region's limited absorptive capacity a large portion of these funds were unused and reverted to the federal treasury. As the region's capacity to utilize the budget grew, federal advisors, who have the final decision, made it difficult for the region to spend budgeted funds.⁵¹

The League government also strove to insure that political appointments to regional bureaus were inclusive of all Somali groups. In addition, a categorical decision was made to base all professional appointments on merit. The first major sign that the League government was serious about professionalizing its administrative and technical cadre was the mass re-examination of schoolteachers. Schoolteachers who

47 Group interview 4, Addis Ababa, 1996.

48 Group interview 5, Jigjiga, 1997.

49 Ali Abdi was one of the key candidates federal authorities tried to unseat in the 2000 election. He lost his seat in the federal parliament. Eid Dahir was removed from the presidency and severed nearly a year in prison and later released. The author visited Mr.Dahir several times during his interment.

50 For a discussion of fiscal reform in Ethiopia, see Keller, E (2002) Ethnic Federalism, Fiscal Reform, Development and Democracy in Ethiopia, *African Journal of Political Science* 7 (1) 21-50.

51 Group interview 6: Jigjiga, 1998.

wanted to keep their jobs were asked to submit original copies of their certificates and to take a re-qualification examination in 1996.

Unqualified teachers and those who failed the examination were fired. Moreover, all the phantom teachers disappeared from the region's payroll. Cleaning up the rest of the region's public services continued more tediously.

The League administration enjoyed a degree of legitimacy in the region, except in the areas where ONLF members or Itihaad, held sway. The government made some progress in its development program. For example, new water wells were drilled in the more arid parts of the region. Likewise, a teachers' training college and a nurses' training school were established in Jigjiga. Despite these tangible government accomplishments, the public remained concerned about the dominance of the TPLF military in the region and their excessive influence.⁵² Some government members noted that part of this influence in the region was due to the impotence of some senior regional administrators.⁵³ Most individuals had two conflicting views about federal influence in the region. First, they approved of the military presence in the region because it prevented the spread of the Somali civil war into Region 5. Many noted that if ONLF came to power without federal military presence, its agenda would have forced most Somalis to resist its clanist rule. Second, the majority of public officials and the general citizenry felt that EPRDF's interventions into local politics and regional administration, except when Somalis sought such assistance, undermined local development. The vast majority of those interviewed thought that the federal authorities could remove any regional government from power if the latter digresses from EPRDF's agenda.⁵⁴

In spite of these misgivings, the League government had a relatively long life span, two years, in contrast to its predecessors. The public thought that the regional government enjoyed EPRDF support although the League had not formally joined the EPRDF political umbrella. However, the public's perception was not accurate, as events in the summer of 1997 revealed.

Serious differences existed between the regional president and many of the party's executive committee members that gradually undermined the league's unity. Observers agree that the president failed to delegate authority to his regional ministers.⁵⁵ The gulf between the president and senior party colleagues was exposed in 1997 when the League initiated a dialogue with ONLF to explore the prospects of the two parties uniting. Participants in this discussion and others noted that the president tried to subvert the conversation by acting in contradiction to what the two parties agreed.⁵⁶ While the dialogue between the League and ONLF was occurring, the EPRDF government had its own secret negotiations with ONLF. The secret nature of ONLF – EPRDF talks troubled League members who became convinced that EPRDF had a different agenda than theirs.

52 Interview 8. Interview 9: Jigjiga, 1997.

53 Interview 10: Jigjiga, 1998.

54 Interviews 11 and 12: Jigjiga, 1997, 1999. This has been the case for 5 times in previous years.

55 Interviews 13, 14, 16: Jigjiga and Addis Ababa, 1996, 1997, 1998.

56 Group interview 7, Jigjiga, 1998. Those ONLF and League members interviewed confirmed this.

The League president's management style and political behavior was reported to the party's chairman. The chairman informed the president about the party's concerns, but continued to support him. The tug of war between the president and the party's executive committee persisted. An incident in Jigjiga in the autumn of 1997 turned the conflict into a major political crisis. A guard of the regional police commissioner thrashed a head of a regional bureau. Many suspected the police commissioner of masterminding the incident since he was at odds with the victim. The President of the Somali Region failed to deal with the affair until public commotion compelled him to report the event to the executive committee. He tried to rush through his decision on the matter without enough discussion and the executive committee refused to comply until further investigation was conducted. The president then left for the city of Harar.

The next day, fourteen executive committee members met. The police commissioner who was informed about the gathering sent a contingent of his force to surround the building where the meeting was held. The fourteen executive committee members discussed the president's "authoritarian" management style. They unanimously agreed, after lengthy deliberations, to remove him from office. Two committee members reported this decision to the League secretary who was in Jigjiga. Immediately, the secretary informed the party's chairman, in Addis Ababa, about the events. The secretary told the Chairman that the group of 14 requested a meeting with him; the chairman gave the Secretary the permission to do so. After a meeting with 16 central committee members, the Secretary reported to the chairman that the group endorsed the president's removal from office as they thought that their action would save the party and the government from more serious troubles. The chairman was not happy with this outcome and considered the group as coup makers.⁵⁷

The Secretary returned to Addis Ababa and met with the chairman. Hussein noted that the group of 14 who met in Jigjiga did not constitute a quorum; consequently, their decision was invalid. He immediately called a Party meeting to undo the illegal decision of the 14 committee members. The Party met in Jigjiga and, contrary to the chair's wishes, upheld the dismissal of the President. The party also censored the group of 14 for not following party rules and recommended that parliament decide appropriate sanctions against them. This set the stage for a major political upheaval in the region

Farewell to Democracy and Regional autonomy

The Party's decisions were not implemented, and the federal authorities and the Party chairman began to talk publicly about the "coup" in the Somali Region. When Parliament met, it confirmed the Party's decision despite the "illegal" presence of EPRDF representatives in its midst. EPRDF agents tried to intimidate MPs to change their minds but they remained resolute. Moreover, the deployment of a new contin-

⁵⁷ A contingent of the local police force was sent to the area between Harar and Jigjiga to watch for the president's return. This force fired on a vehicle containing senior federal military officers who were accompanying the president. The military rounded up the police, and no one was injured.

gent of federal troops in Jigjiga did not frighten members of parliament. Parliament refused to lift the 14 MPs' parliamentary impunity against prosecution until a select committee completed its investigation.⁵⁸ Of the 14 MPs, one realized EPRDF's strategy was to force parliament to withdraw their impunity so federal authorities could put them behind bars. He spoke bluntly in parliament and then quietly slipped out of the country. Federal authorities organized a meeting for un-elected Somali elders, hand-picked by federal military, to undo the party's and parliament's decisions, but the elders declined to support the proposition. After much "cajoling", parliament succumbed to the federal agents' wishes and the 13 MPs were hauled into detention. They remained in police custody for two and one-half years. Finally, a local court convicted them, but they were released from prison immediately, having already served their prison term. The presiding judge was subsequently demoted for failing to give the prisoners a harsher sentence. The fate of this judge confirms claims that the judiciary is tightly controlled by the Administration.⁵⁹

The party's chairman, backed by federal authorities, refused to heed the democratic wishes of members of the League and parliament. His actions plunged the League into a deep crisis. In defiance of the EPRDF's flagrant attempt to manipulate and intimidate members of parliament, the League unexpectedly decided to elect ONLF's secretary as the chairman of parliament.

The disorder in the League gave federal authorities the opportunity to remake the region's political landscape, by far the most intrusive federal intervention in the region's politics. Senior EPRDF cadre were assigned to manage the Somali region's "reform". These officials organized two separate meetings --one for the league and the other for ONLF.⁶⁰ Shortly thereafter, federal authorities called for the creation of a supreme unification committee. The Deputy Prime Minister of Ethiopia, a key EPRDF member, gave clear instructions that ONLF would chair the supreme unity committee, and the League would occupy deputy-chairmanship.⁶¹

EPRDF went ahead with its plan to unify the two parties.⁶² Each party was told to go through self-criticism.⁶³ Senior EPRDF officials directed this process, a function legitimated when members were asked to raise their hand if they wanted EPRDF officials to participate. Given the presence of cadres, when this open vote was taken, many Somalis in Jigjiga told the author that people were scared to deviate from what the authorities wanted.⁶⁴ A contrived self-criticism involved party members admit-

58 Interview 17: Jigjiga, 2000 and Interview 7, Jigjiga, 1998.

59 Pausewang. *Ethiopia Since the Derge*. pp 253.

60 League and ONLF members who attended these meetings declare that the two parties had by then lost whatever autonomy they had.

61 The Deputy Prime Minister's declaration exposed EPRDF's intention of creating ethnic parties that were accountable to them and not to local constituencies.

62 Federal authorities told the League that it should form a joint government with ONLF for three months until it put its house in order. This agenda was forced on the League, and the recommended regional joint government was formed.

63 Several participants in these meetings told the author how humiliating the sessions were for the Somalis. In Ethiopia, the term GimGeme, is used to characterize such "evaluations."

64 Five participants in these deliberations told me that the League chairman was by then an instrument for the wishes of the EPRDF. They also noted that he was not his old self but seemed resigned to go through the motions.

ting to misuse of regional resources.⁶⁵ The Party's chairman was stunned by these admissions as the charade unfolded. Those who refused to admit wrongdoing or condemn the process were fired. The same process took place in the parallel ONLF meeting. The two parties were then asked to select nine League and eight ONLF members to a joint committee that would work on the merger of the two parties. Shortly thereafter, the ONLF and League Central Committees met separately and selected 35 people from each party to represent them in the merger. The 70 ONLF/League members and 150 others brought in to take part in the convention met in Jigjiga in June 1998.⁶⁶ EPRDF officials openly managed these meetings. The highlight was the announcement of a formation a new party, Somali People's Democratic Party (SPDP). Neither the League nor ONLF approved the formation of the new party. A faction of ONLF reemerged as renegade party and claimed that its members who joined the new governing party were stooges of the federal authorities. By contrast, nearly all-former League members who were not selected to join the new party languish in political wilderness.

The engineering of the new Somali Party created unexpected circumstances at the federal level. The majority of Somali federal parliamentarians (MPs) and many former League members were excluded from the new party. Of the original 25 Somali federal MPs, three fled the country and sought political asylum. The chairman, who was the only Somali minister in the federal system, resigned and took a job with the United Nations in Geneva.⁶⁷ In addition, two MPs claimed to be neutral in the shifting political terrain, and three became members of the new party. Another was

65 A new pattern of recruiting loyal and obedient political allies for the ruling party is emerging. An increasing number of regional authorities are sent to a training school in Addis Ababa called Tatiq. The first task of these political students was to confess openly to be corrupt and consequently remorseful. The recruits are then given a political education. Critics note that this ruling party strategy is designed to create political supplicants in the region. These people can then be easily discarded when necessary because they already admitted to corruption and other crimes. Some League members foresaw this scheme when their party was subjected to evaluation in early 1997. The EPRDF managers of the evaluations asked members to come forward and condemn the "coup" and admit to their misdeeds. Critics compared this affair to a Somali tale that goes as follows. A lion convened a meeting for wild animals and told that he was going on a trip, but he was worried about its gravely ill mother. It instructed the animals not to call him if his mother died. The lion took its trip and then returned after a time. Its mother had died in his absence. He convened another meeting upon his return and asked the animals the question: where is my mother? A hyena honestly answered the question. It was killed for disobeying the lion's instruction. Then came a zebra who reported, in order to avoid the hyena's fate, that its mother was still alive. It was killed for not telling the truth. Then it was the fox's turn. Having seen the fate of the truthful and liar, it quickly shaved the hair off one side of its head. Then the lion came to ask the fox the dreaded question. The fox turned and said to the lion "I would not have shaved this side of my head if you mother was alive." The lion was bewildered and asked again if mother was dead. The fox turned her head to the other side and retorted "I would not have left this side unshaven if mother was dead." The lion was not able to pin down the fox, and so the fox was saved. The moral of the story, according to critics, is that the only Somali party members who survived and got inducted to the new party were those who condemned the "coup" and admitted to being corrupt.

66 The law governing political party formation in Ethiopia requires that at least 750 delegates participate in the convention when a party is being formed.

67 Some of Hussein old colleagues noted that he was frustrated by some of EPRDF's intrusive intervention in the region but remained in his ministerial post until he found a job with the United Nations. Obtaining the United Nations' job required the Federal government's support.

silent about his position. The remaining 16 members constituted the only organized Somali political opposition to the EPRDF agenda.

The new party consists of a 25 member Central Committee and nine executive members that they elected. The executive committee elected the region's president, deputy president and secretary.⁶⁸ Many senior regional government and party officials have attended the EPRDF's political education school (Tatiq) in Addis Ababa. Despite these attempts to "reform" the party, it remains crisis-ridden as indicated by the struggles between the regional president, his deputy and the party's executive committee in early 2002.⁶⁹ Federal authorities intervened in the struggle, and at one point *removed* the president from his post only to reinstate him two days later.⁷⁰ The struggle reemerged in the summer of 2003 and the president was removed from office. This federal intervention reaffirms the public's claim that the Somali party has little or no real political autonomy from the EPRDF. They cite four reasons in leveling this criticism.

First, senior ruling party officials managed and directed the process through which the Somali party was created. This is often contrasted with the absence of the EPRDF's significant strategic participation in the League's establishment. Moreover, the tactics used in abolishing the old Somali parties has scared current Somali political leaders sufficiently and convinced them that they serve at the pleasure of the EPRDF bosses. They point out that EPRDF's strategic use of un-elected elders selected by federal authorities to reverse parliament's decisions or to cajole that body into adopting the ruling party's agenda as testimony of blatant contravention of the regional and federal constitutions.

Second, EPRDF officials, known as regional advisors, openly participated in parliamentary deliberations at the highest decision-making level in the region, despite the claim that the advisors serve at the regional leaders' discretion.⁷¹ The notion that federal advisors are not decision-makers is theoretically valid. However, this is not how things work in the region.⁷² Numerous regional government officials and civil servants repeatedly told the author that the advisors intervene in intimate matters although "they are not supposed" to act in this manner.⁷³

68 *Profile of the Somali People Democratic Party* (Jigjiga: SPDP). A Party pamphlet.

69 Interview 18 Jigjiga, 2002.

70 The power struggle within the TPLF in 2001 that led to some of its senior leaders' ouster and imprisonment, has not altered the relationship between Somali authority and the Addis Ababa regime.

71 Such advisors are the key instruments of controlling regional leaders. According to a recent study "Perhaps the most notable form of control is applied through the presence of Tigrayan 'advisers' at regional and local administrative levels. These 'advise' the local ethnic representatives who fill the formal positions." Pausewang, et.al. *Ethiopia Since the Derg*, pp 163.

72 Numerous interviews with MPs and executive members confirmed this claim.

73 In one instance, I was waiting for an appointment in regional government's main office and there was a large crowd gathered outside the building. A bus approached the building and then five men got of the bus and walked into the building. Members of the crowd began to talk about these individuals. The language they used to describe these individual was revealing. The five men were federal advisors. Three were Tigray, one Amhara, one Gurag. The commentators described the Tigray advisors as "Mareehan." Mareehan was the late Somali dictator's genealogical group. The point of the commentators was that a Tigray is a member of the privileged ruling family as were the Mareehan in Somalia.

Third, the EPRDF has adroitly managed to frighten the regional leadership into submission. When the existing regional parties or individual leaders no longer serve EPRDF's purpose, it destroys them. The regional government's bizarre behavior in soliciting funds from the public for the war effort in 1999/2000 underscores the subservience of Somali leaders. Regional authorities required each rural community to contribute a specified number of sheep to support Ethiopian troops in the war with Eritrea. Village elders were responsible for collecting these "contributions". Several elders from five villages told me that they had no choice but to raise the desired number of sheep even if the villagers resisted. They added that the regional government was making these onerous demands just when a severe and prolonged drought devastated the livestock economy.⁷⁴ The conduct of regional authorities in this regard appears to support the proposition that they derive their authority from Addis Ababa and only are marginally accountable to the Somali population.

Fourth, an item in the SPDP's program states that the 1977 Somali-Ethiopian war was an illegitimate and irredentist Somali attack.⁷⁵ I came across very few Somalis in the region that agreed with this claim. The public surmised that this was EPRDF propaganda and claimed that not a single Somali joined the Mengistu army to fight against the Western Somali Liberation Front and the Somali army.⁷⁶ Furthermore, they pointed out that a similar item condemning the TPLFs' support for Eritrea's war of liberation should be inserted in TPLF party program.

The EPRDF waited for the 2000 national elections to get rid of its critics. EPRDF and its client Somali party engaged in all kinds of political maneuvering to defeat the renegade candidates and to bring compliant MPs into the federal parliament.⁷⁷ The EPRDF beguiled elders in such a way that the opposition would have no chance to compete effectively in the election. There were only two instances in which the strategy failed. The SPDP nominated candidates for all constituencies. Community leaders in the two areas refused to endorse the party's candidates. Instead they endorsed sitting MPs who were members of SEDL. The leaders of the two communities resisted the pressure since one of these two candidates had served his community well during the drought and famine, and had earned its respect and support. The second candidate stayed in touch with his constituency. The governing party realized

74 Interview 19: Jijiga, 2000. Federal authorities' response during the drought-triggered famine of 1999-2000 alienated the population further. A Somali NGO distributed a report over the Internet, indicating that large numbers of people were dying of starvation in the Somali region, particularly in the vicinity of Godey. Federal authorities were unhappy with the report for it exposed its misplaced priorities of spending millions of dollars on weapons while significant number of citizens were starving to death. The NGO was forced to flee the country. Other NGOs noted that local authorities reported to the Federal Government about the crisis in the region, but the latter decided to conduct a study to find out whether conditions warranted its attention. In the meantime several thousand people died.

75 This is noted on Page one of the party's program. X.D.S.H.S (1999) *Barnaamijka Siyaasadeed EE Xisbiga Dimoqradiga EE Shacbiga Soomaliyeed* (No place or publisher).

76 They contrast this to role Somali men played in the front lines of the Ethiopian war with Eritrea. In 2002 some of the war veterans demonstrated in Jijiga to attract attention to their plight. The police killed two of the demonstrators.

77 It appears that SPDP employees are on the regional government's payroll. Field notes, Jijiga, April 1999

it would loose in the two areas. Consequently, it decided to induct the candidates of the communities into the party without their consent. This about-face of the federal authorities and the SPDP shows that the only shield that elected regional officials have against federal intimidation is to maintain close ties with their constituencies. All other renegade candidates "lost" the election.⁷⁸ The victory resulted in that amenable MPs grateful to federal authorities assumed Somali parliamentary seats in Addis Ababa. The change signaled the end of an era in regional and Ethiopian politics and sealed the slight democratic aperture that permitted a degree of regional autonomy.

Field observation and extensive interviews support the public's claims that SPDP is EPRDF's creation. The SPDP's virtual collapse due to internal political conflict over the regions' population census and the list of candidates for the 2000 election fleetingly created a possibility for alternatives parties to emerge.⁷⁹ However, none of the rival parties had the resources and EPRDF support to mount a credible challenge to SPDP. Not a single independent or opposition candidate won a seat in the federal parliament. In addition, keen observers note that federal authorities were dissatisfied with the regional president and orchestrated his replacement sometime before the election was held.⁸⁰

Coda

A rationale for reorganizing Ethiopia's internal administrative division along ethnic lines was designed to grant ethnic communities regional autonomy to manage local affairs in order to eliminate past injustice and enhance the state's legitimacy. This reasoning is rooted on three assumptions: (a) ethnicity per se is the main cause of conflicts; (b) ethnic communities are internally homogenous and share a common political agenda; (c) state inefficiency and illegitimacy are due to the colonization of state institutions by certain ethnic groups. The first two assumptions are based on spurious evidence and confound the consequences with the causes of civil strife.⁸¹ The last assumption contains important elements of truth in some regions. The validity of the circumscribed third assumption warrants that we carefully examine the nature of ethnic domination of a state and its consequences for political reform.

A case-by-case evaluation of the political history of particular counties or regions make general statements about the links between ethnicity, political reform, and regional autonomy tenuous. For example, a unified ethnic *coalition* that defeats the "ethnic state" creates different *reform possibilities* than an ethnic liberation movement that topples the old ethnic state. In the first instance, one ethnic group will *not* control

78 The author's conversations with people in five communities in the region indicate that the majority of the population in these communities thought the election was an exercise in fraud and intimidation. Field notes June 2001, December 2001. For comparative cases in other regions see Pausewang, et.al. Ethiopia since the Derg.

79 Fieldnotes: Jigjiga, January 2000.

80 The President was imprisoned shortly after the election. The author visited him in Jigjiga district jail.

81 Samatar, A.I. (1997) Leadership and Ethnicity in the Making of African State Models: Botswana Versus Somalia, *Third World Quarterly* 18 (4), pp.687-707.

the new national defense force, because all participants would have contributed to the downfall of the old order and will jointly control different segments of the liberation army. Consequently, no single group can claim that it has liberated the country and, therefore, has the right to set unilaterally the reform agenda. In such cases, post-reform restructuring may factor in ethnicity as an important variable in balancing regional and ethnic representation, but in ways that will not reproduce old patterns of domination or generate new ones. In contrast, if one ethnic group's liberation movement defeats the old regime, then, other ethnic groups not represented in the *liberation army* may not have effective ways of keeping the new authority accountable.

The Ethiopian case is one in which a powerful ethnic liberation group (TPLF) decisively overthrew the old regime. This has had far reaching implications for the balance of power between different ethnic groups in the reform era and the nature of regional autonomy, as the Somali case shows. Four EPRDF acts exhibit the severely limited degree of freedom that Somali parties and regional governments have and the federal ruling party's preeminence. First, the selection of the Somali minister to the federal cabinet was the sole prerogative of the ruling party. This may have been appropriate during the transitional government in 1991-94 before regional and national elections were held. However, once Hussein resigned, the Prime Minister did not even consult with Somali Federal MPs in appointing his replacement.⁸² Second, authorities in Addis Ababa selected the first and only League president in the Somali region. EPRDF leaders informed Hussein that they *prefer* Eid as the regional president. Federal authorities' practice of "helping" select Somali Region presidents has not changed. Current and previous presidents serve at the pleasure of the authorities in Addis Ababa.⁸³ Third, the intervention in the League's affairs, establishment of the SPDP, and EPRDF's use of non-elected elders to "discipline" the regional parliament to act "responsibly" makes a mockery of the federal constitution in word and spirit. Finally, the use of "advisers" in the regions undermines the elected regional leaders' authority. Consequently, regional authority and institutions remain shells rather than *developing* into autonomous structures within the federation.

These four moments demonstrate that the TPLF and its umbrella political organization, EPRDF, determine which Somali political party will govern the region and its leaders. The Somali region is not unique in this regard, as I discovered in my travels in several other ethnic regions such as Oromia, Afar, and the Southern Nationalities Region. The repercussion of this centralization of political power is that the Somali population has little choice in electing the party and the government that manage local affairs. The EPRDF has been able to sideline the Somali population's voice because the *national army* is mainly TPLF soldiers from the liberation days. Such an exclusion from the process has made Somali leaders susceptible to EPRDF pressure. This vulnerability combined with the incompetence and opportunistic tendencies of many Somali political leaders create conditions in which those individuals vie for personal favors from the federal authorities. Further, many Somali regional

82 This contrasts sharply with the way the government of national unity works in democratic South Africa. Junior partners in the unity government nominate candidates to their allotted ministerial positions. Presidents Mandela & Mbeki had no control over the nomination of IFP ministers.

83 Group interviews 7, Jigjiga 2002.

and federal parliamentarians reported that they feared for their lives if they disagreed with federal leaders.⁸⁴ Five of the past seven Somali Region Presidents and many others have served prison terms after they were forced out of office.

The evidence from the Somali region confirms that Ethiopia consists of ethnic provinces but the region lacks local autonomy that the federal constitution enjoins. When local populations are deprived of electing their representative a consequential element of regional autonomy is lost. This system subverts the prospect of democratic and autonomous regional institutional development. The absence of legitimacy enhances the role of the security apparatus in maintaining the federation and the defense machine is already devouring a major share of the country's meager resources.⁸⁵

Ethiopia's "ethnic" and "decentralized" dispensation, despite EPRDF heavy handed dominance, is undoubtedly an advance over the old regime. Ethnic communities enjoy some rights. For example, Somalis, who were not recognized as a community in the Ethiopian polity, has been acknowledged to be the fourth largest population group (some say the third) in the country since 1992.⁸⁶ The official admission of the existence of a Somali region in Ethiopia contradicts old axioms that Somalis are not Ethiopian stakeholders.⁸⁷ Other benefits include Somali as the regional official language and medium of instruction in primary schools.

These vital gains are in peril as the regime clenches its control over regional affairs. This strategy has resuscitated old hostilities. The only way to rehabilitate the spirit of the 1991 political change is for regional communities to gain the freedom to choose their leaders. This case study confirms that re-drawing the country's administrative map into ethnic regions can not reform past ethnic-based political injustice. Legitimacy moored in local autonomy and democracy alone can seal the fate of the old order and secure a viable federation. Conversely, the perpetuation of current trends will deepen ethnic discord, and could undo the federation.

Finally, it was imperative to tackle the ethnic question frontally given the ethnicization of the state. Restoring the cultural and citizen's rights of the disenfranchised majority of the population was essential for building an inclusive polity. Dividing Ethiopia into "ethnic" regions appeared a reasonable and appropriate vehicle for redressing past grievances while maintaining the unity of the country. However, the power imbalance between those who hold authority at the center and regional leaders and cultural communities shortchanged the promise of the new era. It would seem from the evidence that a different ethnic political order is being constituted which could create a new hierarchical order that might impede the emergence of civic culture and accountable political order. The broader implication of the Ethiopian case is

84 Field notes 2002. Also interview 20 Addis Ababa, 2002.

85 As other researches have noted "While the army was reduced, local police forces were beefed up, and supported by various forces at regional and zonal level. Police and local militia act as control organs of the party at local level. According to Schroder's documentation, the total of all security forces is approximately the same as in Mengistu's time." Pasuewang, et. al. *Ethiopia Since the Derg*. pp 234.

86 Federal Democratic Republic of Ethiopia (1999) *The 1994 population and Housing Census of Ethiopia, Vol. II* (Addis Ababa: Central Statistical Authority).

87 Wolde Mariam, M (1964) The Background of the Ethio-Somalian Boundary Dispute, *Journal of Modern African Studies* 2 (2), pp.189- 219.

that simply reorganizing a country's administrative division along ethnic lines unless there is a legitimate division of powers can not neutralize the "ethnic problem". The challenge is how to undo previous disenfranchisement by enabling local communities to govern their affairs without creating another exclusive polity.

The Sudan and Somalia Peace Process: The Role of Women

Ella O. Chimbiru

Introduction

Peace actors include a strange mixture of people trained in a variety of disciplines that range from almost the most rigorous mathematics on the one side to the most poetic humanities on the other. Amongst them are scientists who solve important problems that shed light on nature's deepest puzzles as effectively as ever, despite enormous complexities encountered. Similarly, negotiators in peace processes demystify conflict/peace by drawing on information, knowledge and wisdom – both old and new from right across space and cultures. Naturally, cultural dynamics pose challenges that often span from exclusion of women and youth to 'the other,' thus requiring expanded problem-solving capabilities from each community. In this regard a physical location is as crucial as the process of communication itself. During communication, negotiators gauge the atmosphere and decide when to compromise; how to compromise; why to compromise; and when to introduce another perspective. Of course there are a whole range of other dynamics including utilization of availed positions. Choice of a venue is as crucial as the dialogue because it gives the process credibility or the lack of it. Thus the choice of Kenya as a host country for both Sudan and Somali peace talks was deemed credible by all stakeholders.

The ethics of female inclusion

Traditional African thought system did not favour the development, well-being and human rights of women. Perpetuation of patriarchal societies in the modern age constitutes ample evidence of the ancient conspiracy against women that deprived them of human rights so that even within a family, women have very little authority. It is widely believed by men that they are lawfully in society to decide the destiny of women and must consent on decisions and choices they make. The great success they have had in nurturing this state of affairs has led to little or no resistance in exercising their power. As long as there is no prolonged conflict, this authority is accepted as

legitimate and influences women in such a way that obedience becomes natural and identical with their own convictions. In conflict, this authority is somewhat eroded; more so as women take on added responsibilities in the absence of men. Normally, they would gain more power as happened in Europe after the two world wars. However research by Sahl and El-Bushra (2005) shows that in their study, this did not happen. Be that as it may, one cannot ignore the fact that some degree of power was gained by individuals in their own environment who went on to advocate for participation in political decision-making processes. For centuries, perception of other women was through male eyes and to a great extent, it created an invisible barrier. Only dialogue in which all parties were engaged could break this wall of separation. However, lack of information on power relations was a severe handicap, and knowledge was needed. This was again hampered first by suspicion among themselves; and secondly by suspicion of those entrusted with the responsibility of dissemination. These were well-schooled and highly informed women, on principles of peace building and negotiations.

Giving in to the temptations of these suspicions was easy but risky to the creation of a new 'ideology' through which they could express their aspirations and define their political objectives. Without exception, their interests and success lay in a coalition with the 'other' in a demographic block that would advance their goals. Motivated by the desire for peace, they organized peace-building initiatives at village levels and then reached out to the 'other' village to share their experiences. Because of interference from control mechanisms and values of dependency by patriarchy, it was a laboriously slow process. Men were equally suspicious of women talking to 'the other' and often came to listen to the proceedings. Unfortunately, they quickly took over the initiatives. Without the passion of women to keep the process going; and coupled with the lack of negotiating skills, some differences would lead to war and conflict. To avoid this, women met in secret where men would not be present. On several occasions, they took the advantage of meeting at water wells restricted to them. Sometimes they met on the pretext of fetching firewood. Unfortunately, in some areas wells became a target for rival militia to abduct and rape women and they were abandoned. To keep safe, women were encouraged to meet at a specific compound while men kept watch for any marauding elements. Doing chores together enhanced their peace-building initiatives. At weddings, Muslim women lingered in the women's tent on the pretext of performing the older woman's duty of advising the bride on nuptials.

The new set-up attracted the attention of relief organizations such as Oxfam, CARE International, Norwegian Church Aid (NCA), Red Cross etc. who trained women in peace-building skills. Other government organizations like the Canadian International Development Agency (CIDA) came on board and strengthened capacity in peace-building mechanisms among women in Diaspora. Interaction with groups from different parts of the world increased their skills and sustained interest in the achievement of their goal. As their capacity increased, some noticed windows they could squeeze into as opposed to 'smashing into' them. One such window was, 'the clan window.' Somali women realized that all four major clans at the table were

represented by men (who naturally would not represent women issues), so they lobbied for women as a fifth clan. At the official start of the talks women came in as a legitimate fifth clan with equal power to the other four.

Sudanese women did not have this provision and in fact were completely left out of the 2002 Machakos Protocol in Kenya. With support from Urgent Action Fund and other donors, they traveled to Machakos town where the discussions were taking place. After they quietly entered the compound, they sang at the top of their voices (as they danced), rendering discussion in the conference room almost impossible. Perhaps for the sake of quiet, a mediator emerged and women politely laid the memorandum of their inclusion at his feet. However, they would not go away and their leaders were finally allowed as observers. It was a defining moment for all parties because the Government of Sudan (GOS) and the Sudanese People's Liberation Movement (SPLM) were forced to examine and determine a comprehensive protocol on inclusion of women for the next round of talks.

Around the same period, a proliferation of Sudanese non-governmental organizations (NGOs) with an agenda on the various aspects of the conflict began in earnest. These include; Sudan Women's Voice for Peace and Sudan's Women's Association that focused on women advocating for peace and taking charge of refugees. With support from donors, women and youth were trained in the art of conflict resolution and conflict management. The Dutch government aid agency SNV brought together women from the north and south that belonged to different political parties to dialogue as one block. On resumption of talks in early 2003, the sheer extent of the support in terms of both resource quantity and time from the international community signaled a new era.

But in time, women were to discover that men have different perceptions on equality of political power-sharing. For women, it was representation at all levels; for men, it was allowing them to share their views but not necessarily incorporating them in the main agenda. In fact certain men felt that the demand for equal representation implied that women were victims of society and yet the peace process was not a human rights issue. There were accusations that individual women were serving only their personal interests and their questioning social rules would only lead to destabilization of communities. Of course it is expected, that any significant change in the class structure means redistribution of power -and that includes political power; and given that individuals who feel powerless to change society, due to the omnipotence of the government will gravitate toward whatever issue is of the single most importance to them. It would be therefore safe to say that men could not see 'the others' point. Also, it may have been the conviction that it is possible to change only a part of the system, but not the system itself. Perhaps it was simply that men may not have been ready for the changes and challenges that women posed.

Time as a factor in dialoguing

At the largely male-dominated negotiating table, lack of background information on a subject or the inability to understand the different domains of experience, sometimes led to unpredictable actions; forcing mediators to call to question the appropriateness of phrases used, while encouraging selection of plausible variants. Sometimes language and its interpretation was completely unacceptable and the talks would break down for as long as a year or more. Women used the 'breaks' as self monitors to pay closer attention to relevant social cues that would enable them to work out their own differences and forge a formidable alliance.

The Sudan talks of 1994 September talks broke down and did not resume until 1997. The initiative gained momentum which led to the signing of the Machakos Protocol in July 2002.

For Somalia, an earlier agreement in Djibouti known as the Arta Accord resulted in the Transitional Government led by Salat. It did not gain the wider international recognition and a new process was initiated in Kenya in 2001 and concluded in January 2004.

Conflict had developed in the Sudan because political misallocation of resources was perceived as the structural source of deprivation. Invariably, political power sharing was placed high on the agenda turning the peace process into a de facto political process. It proved a daunting task because the assumption that individual values can be accommodated by political institutions was challenged by the fact that values are continually emerging in society. Women's changing perception of needs and awareness of societal resources encouraged them to articulate demands for political representation at all levels. They argued that affirmative action was a legitimate right in harmony with their social and economic participation. Legitimizing created a problematic situation due to inequality of power in content of position. The earlier declaration of Sudan as a Sharia State meant that Islamic laws were the backbone of all social activities; and its imposition was tantamount to rejecting the religious, cultural and linguistic diversity of the country. It was therefore necessary to identify and integrate stakeholders in order to avoid a stalemate or another break down as had happened earlier. In the north were mainly political parties, professional associations, trade unions, religious groups, women's organizations, and a range of other civil society groups. In the south, were militia factions (which had increased in number as the conflict continued), traditional leaders, the church, women's organizations, and other members of the civil society. Given that conformity and allegiance to established authority as well as resistance to change are social predispositions of the underprivileged, women had not envisaged the centrality of policy. In addition, collective beliefs in them tended to express the interests of this authority without plausible interpretation to their own reality. Only policy with its ability to structure procedure and even formulate binding decisions would be a stabilizing influence. Thus all women in Sudan, irrespective of race and religion challenged the GOS on its reasons for the continuation of the war. In very ordinary language, they said they

were tired of losing husbands and sons in the conflicts; they wanted education for their sons who would be responsible husbands and fathers; they didn't want their daughters to have to take on heavy responsibilities in the absence of husbands, as was the present situation. The educated with their elaborated language code and flexible person-oriented socialization techniques drove the point further which struck a cord with international observers. It was obvious that support for the war among women was eroded which meant pushing any type of dialogue to a level where concessions and agreements had to remain in focus. It led to the current initiative that began in Kenya in October 2002 and resulted in the Comprehensive Peace Agreement (CPA) on January 9th 2005.

In striving for recognition Somali women raised policy issues on health and education for all – a fundamental requirement that men would not scuttle around. Some male delegates wanted to know women's position on female genital mutilation (FGM). Aware of this trend of thought they maintained that it was a simple surgery that could be undertaken by qualified female medical personnel at home. This in turn would reduce high levels of infections and side effects; hence the need to incorporate women's health and reconstruction in the negotiations. Such was the skill of women in downplaying contentious cultural practices (which men would have trivialized) that it left no doubt in the minds of all that they understood issues and were committed to the attainment of peace. In so doing they continued to maintain their social identification with the community at large - an important factor in legitimization. At the same time they achieved another space which they used to take part in the main agenda on political power-sharing. Here they raised substantive issues on female representation in all areas of government.

In both countries, rape of women was used as a weapon of war and they realized that this could only be dealt with if there was a judiciary in place and in which they were adequately represented. Behind the scenes, women at the Somali Dialogue engaged a few male delegates around the values of females in the judiciary. (Somalia is a Moslem country and the issues of arbitration are more or less based on Sharia Law.) One man communicated his most rudimental thoughts; female judges were essential because female Members of Parliament needed change of company in the Chamber; yet another was chauvinistic; female judges would discipline female MPs who talked too much because if men did so, they may be accused of having other interests. No matter how sexist this may sound, it nevertheless enhanced debate on emerging needs of women. Scholars then took up the issue in the main plenary and argued that girls needed role models in all sectors of society including the judiciary, engineering and even architecture, adding that the world had changed. By setting these standards of action, the scholars' dimension cemented an ideology that would hopefully translate this social aspiration into a cohesive structure.

Attitudes in the Sudan Talks were not very much different in terms of content; so women used the challenges to constantly update themselves. The Dutch government had on several occasions facilitated meetings between women in the north and the south in order to narrow the divide. As they shared their fears and frustrations, there developed a common bond of solidarity that would serve them well at the main

talks. Senior women in the GOS supported fellow women, by giving them tips on language preferred by senior government officials, when supporting or disagreeing with a position. If they did this well, it would give them a window of opportunity that could be expanded and enhance their positions.

Over time they also acquired knowledge on legal procedures that would guarantee their participation and contribution. Female lawyers, diplomats and politicians from Kenya lent their support through interpretation and dissemination of information. Balancing of 'weapons of knowledge' now at their disposal but within a restricted space was a delicate matter. Language codes and socialization patterns had obscured perceptions of their needs and it was imperative that they avoid any distorting semantics that would trivialize them as well as their ideas. Inadequate grasp of political vocabulary left them with no choice but to lobby sympathetic men to introduce the question of suppression of women's political representation whether intentional or unintentional. Only when they were sure that they could articulate their thoughts with confidence and conviction did they do so. In short, the recognition of certain needs and their relative importance required cognitive skills and political awareness.

The contentious issues of resettlement would ordinarily mean the return of all displaced people back into their villages (including those where oil exploitation and other minerals were being undertaken); the return of abducted children by Muharaleen (Arab and Arabized Africans that kidnap African children into slavery); and the return of political dissidents of the GOS. The proposal in the main agenda simply asked for reception centers that have adequate shelter, food and medicines; and finally transportation of individuals to their own villages. Women argued that returnees would be traumatized and they wanted schools and hospitals established as well, in order to cater for everyone's reintegration into society. This fundamentally linked basic health and education to reconstruction of the country. This time there was unanimous backing from all including religious leaders, traditional leaders and the international community. Time therefore ceased to be a consumer product determining life style as seen in the West, but rather a factor that allowed the interplay of various social forces in the Sudan and Somali peace processes.

Finally, in Sudan, it was agreed that Sharia law would not apply to non-Muslims. In addition, after six years, the south could choose unity or separation through a referendum.

Conclusion

It would be naïve to suggest that women gained all that they asked for. In fact where they did extremely well, they received a maximum of 30% in representation. Consequently, it remains necessary for them to restructure their expectations in a pragmatic manner. It is a difficult path because if not well conceived, certain foundations

that brought them recognition could easily be eroded and endanger their collective bargaining power.

As for patriarchy, it was most obvious during the signing and swearing-in ceremony of the Somali Transitional Government (TNG) on January 29th 2004. Despite international presence, seating of women was behind the men irrespective of their posts. It seems that women's inclusion at the front on such occasions was still not acceptable.

At the official signing of the Sudanese Comprehensive Peace Agreement (CPA) on January 9th 2005, one would imagine that politicians and bureaucrats would have learnt some lessons from the Somali experience but alas that was not the case. There were absolutely no seats reserved for women delegates. They decided to take matters into their own hands and occupied seats reserved for diplomats accredited to Nairobi. With no indication of relinquishing their seats, and the police unwilling to shift a large group of happily singing women, the Protocol Office brought in more chairs for the diplomatic corps.

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Challenges to Peace and Democracy in the Horn of Africa: Ethiopia, Eritrea, Somalia, and Sudan

Sisay Asefa

Concepts of Peace, Democracy and Sustainable Development

Let us begin with the basics of addressing the concepts expressed in the title. First, what does peace mean, and how can it be achieved and sustained? Peace is the *necessary* condition that must exist for human development and progress. But, it is *not sufficient*, since peace cannot just simply occur out of the blue. Peace can be temporarily achieved under a repressive rule where citizens are silenced and denied the basic political choices such as in North Korea, for example. Durable peace must be based on the existence of real social conditions and free institutions, and justice that can sustain peace. Sustainable peace is possible when conditions of human security, liberty and freedom are present. Lack of peace or wars occur due to man made institutions and organizations that contribute to a state of war, conflict, fear, and human insecurity. Wars and political violence arise when individuals or groups rise in the midst of conflict they create, that leads to autocratic rule with no checks and balances, that are devoid of democratic institutions.

Violence and war occur when the democratic process based on dialogue and negotiation fail or are inhibited by one or both warring parties and when justice is denied. Conflict rises when dysfunctional institutions prevail that give rise to individual and group opportunistic behavior that enables them to abuse their power and responsibility. Thus, peace can be achieved if real efforts are made in addressing the roots of human conflict such as absolute poverty, destitution, lack of freedom, and severe inequality and injustice. The conditions that lead to conflict and war also include extreme inequality, injustice, repression, and abuse of power, extremism of various forms based on for example, ethnicity, clan, and religion. These are man made factors that can be changed with enlightened leadership under enabling environment. Natural factors such as drought and natural disaster can contribute to a lack of peace, but they are random and cannot be controlled easily. Public policy can promote peace and development by establishing democratic institutions and fair legal and justice systems to maintain and protect liberty, freedom, and human security based checks and balances.

Wars or civil conflicts have a direct negative impact on economic development in a number of ways. First, they divert resources away from development and poverty reduction activities. Given scarce resources the more a country spends on war, the less resources become available for development and poverty alleviation. The issue of the optimal level national defense force needed for protection of national security is important for any country. There are few nations around the world who can maintain peace with almost no or little army or defense force. This is not the case for Horn of Africa states, since they are located in a geo-politically hostile sub-region. But, if each Horn state can maintain peace with internal united and democratic strength, they can project their strength to promote peace and stability to their respective neighbors.

For example, a peaceful and democratic Ethiopia will have a positive synergetic effect on the Horn, since Ethiopia is the most populated multi-ethnic country in the sub-region. On the other hand, a balkanized and weakened Ethiopia engulfed with internal ethnic conflict and external rebellion is likely to lead to her own possible demise and that of the entire sub-region, leading to a massive human and humanitarian disaster. This outcome can be avoided if political elites in power are guided by a responsible and enlightened leadership that is accountable to the people and promotes a system of institutions with checks and balances (democratic institutions) and develops effective means controlling opportunistic behavior of political actors. The peoples of the Horn share a common heritage and have lived together and interacted through generations across ethnicity based on trade. Sustainable development is a concept that requires peace and stability as a pre-condition. The idea of sustainable development was first defined by the United Nations Commission on Environment and Development in 1987 (the Brundtland Commission), as *“development that meets the needs of the present without compromising the ability of future generations to meet their own needs”*.

The sustainable development concept differs from standard economic growth by incorporating the use of natural resources such as natural capital, defined as the value of the existing stock of natural resources such as land or soil, forests, fisheries, water, mineral deposits and the environment. Natural capital provides services to people just like financial, manufactured and human capital. Human capital investment is most important for economic development, and it can be achieved by investing in people or in education, health and skills by a responsible government. In the Horn land is the most important form of natural capital on which a majority of the people depend on for their livelihoods. Sustainable development can be measured by taking the country's Gross National Product (GNP) and subtracting depreciation of all forms of capital including manufactured, natural, and human capital to calculate the Sustainable National Product (SNNP). For the Horn of Africa states, SNNP has been declining steadily over the last half a century due to a combination of factors such as population growth, rising poverty, wars, insecure land tenure, exodus of skilled labor force or the “brain drain”, primarily driven by dysfunctional and failing political institutions and governance and lack of opportunity and freedom in the homeland. The region leads Africa in severe human capital flight or brain drain. The

Horn has lost many of its educated people in various areas such as health and medicine, as well as in engineering, mathematics, and the natural and social sciences. Sustainable development is also about how a country manages its natural resource assets as well as its historical and cultural assets aimed at preserving them for future generations to cherish and enjoy. Ruling regimes in Ethiopia have failed to sustain the country's natural assets including cultural and historical assets over say the last half century.

Ethnic and Religious Identity in the Horn of Africa

Table 2 Ethnic and religious diversity in the Horn of Africa:

Country	Major Ethnic Groups	Religion
Djibouti	Issa-Somali (60%), Afar (35%), French (3%), Yemeni, Ethiopians, Italians and others (2%).	Islam (95%), Christianity (6%)
Eritrea	Tigrinya 50%, Tigre and Kunama 40%, Afar 4%, Saho 3%, other 3%	Islam, Orthodox Christianity, Roman Catholic and Protestant.
Ethiopia	Oromo (40%), Amhara (30), Sidamo (9%), Tigray (5%) Shankella (6%), Somali (6%), Afar (4%), Gurage (2%), others (1%).	Islam (45-50%), Ethiopia Orthodox Christianity (35-40%) animists (12%), other (3%)
Somalia	Somali 85%, Bantu and other non-Somali 15%.	Sunni Muslims (100%)
Sudan	Ja' aliyin, Baggara and others (45%), Beja (10%), Dinka (8%), Nuba (6%), Nuer (4%), (2.7%), Zande (1.8%), Shilluk (1.6%), Bari (1.3%), Nubians (0.5%) Others (17%)	Islam (Sunni about 70%, mostly in the North) Christian (6.3%) divided into Roman Catholics (4.5%), Protestants (1.5%), and others (0.3%). Traditional beliefs (15-20%)

Source: Compiled from various archives, including Infoplease, HighBeam and Library of Congress Country Studies 2007.

A Brief Overview of the Horn of Africa's Experience of Economic Development

Although the Horn has a long and rich historical and cultural heritage, its experience of modern economic growth and development is quite recent. The economies of the Horn depend on subsistence agriculture and pastoralism has not changed for generations. The experience of modern economic growth is about half a century old, and the experience of national government confined to recent years. This period can be divided roughly into three distinct periods in terms of economic development strategy. In discussing each of these periods, it is useful to refer to Professor Levine's view of missed opportunities in his recent paper on Ethiopia" which identified "structural openings" that were missed or lost through political violence, rigidity, lack of reform, and absence of enlightened and democratic leadership. Levine expressed these views in a paper entitled "The Ethiopian Dilemma: Wrenching Processes", where he pointed out how opportunities for peaceful solutions were lost due to primarily political

dysfunction that led to violence under recent regimes. In Levine's words "structural openings for Ethiopia under every regime that appeared over the past half century, openings which in each case found key players moving in *negative direction* due to dysfunctional political culture. Levine's further reflects: "five such opportunities that were mishandled, as these became manifest in (1) the abortive coup of December 1960; (2) the ferment of 1974; (3) the regime change of 1991; (4) the Eritrean war of 1998; and (5) the May 2005 national election. The key point made is that each of these key historic events could have taken a different or more positive direction to peace and reconciliation had the parties involved been inclusive, free, honest, and engaged in peaceful dialogue before and after each event. Unfortunately, that did not happen with unfortunate consequences of various degrees.

Thus, the key problem of undemocratic rule and lack of political choice remains, since the system reinforces upward accountability among local party functionaries, with no incentive or responsibility and accountability to serve local citizens. It also makes it difficult for multi-ethnic (civic based) political parties of the opposition to have a level field in politics to play a constructive role in the politics and governance of the country. It facilitates vertical (top down) integration and fails to promote horizontal or intra-state cooperation mobility of labor and capital needed for market institutions to develop or work for economic development to occur.

Therefore the key policy issue is how to democratize the top down ethnic federalism from the bottom up. For ethnic federalism to be sustainable and promote peace, it must be democratized with power devolved to local citizens for a broader and meaningful participation in governance.

In the absence of a serious democratic reform toward devolution of political and decision making power to local communities and citizens, the outcome of the system is not likely to be different from the centralized unitary state rule of the Derg era, except for the political ethnicity as an instrument of control. An authoritarian "ethnic federalism" that is not reformed to enable political and decision making authority or responsibility to local administration, and make regional and local decision policy makers accountable to the local citizens and communities will not be sustainable in the long run. For example, in some Woredas/Districts and Kebeles/sub-districts, a form of partisan political monologue of the ruling party called "Gingema" is practiced to insure the subordination of citizens at the Woreda and Kebeles to the zonal and ethnic regional administrations, reinforcing only upward accountability and responsibility. What is needed here is an honest dialogue of policy makers with local communities.

Moreover, according the World Bank and other sources Ethiopia is among the few countries that have scored high economic growth, close to 10% in recent years. But one must be concerned about the sources of growth and its sustainability. The key questions here are the following: Is the growth sustainable and equitable? What is the impact of growth on poverty reduction and, how equitable is it across the society and regions? How do we explain the paradox of prevailing mass urban and rural poverty in spite of the reported high economic growth? In spite of economic growth, broader

measures of development in terms of the Human Development Index (HDI) are moving in a negative direction compared to the rise in economic growth.

Thus, the challenge of moving toward a more equitable and poverty focused growth by building on these achievements and by removing institutional roadblocks for sustainable development and poverty reduction is crucial and still remains in Ethiopia. Looking beyond GDP per capital growth, the indicators of human development are not promising as shown in the following figures: Life expectancy at birth is 52, Adult Literacy Rate is 132, Education (adult literacy & enrolment in primary, secondary & tertiary), and Per Capital Income is \$162, resulting in the overall the Human Development Index (HDI =0.406). Ethiopia's ranks 169 out of 177 countries in HDI which is a more important measure of development than per capita income growth. So, the growth in GDP per capita has not translated in improvement in the Human Development Index as shown clearly in Figure 1.

Table 1 HDI, Population, area GDP, per capita income and Human Poverty Index (HPI) in the Greater Horn

Country	HDI rank	Population (in million)		Area (in million sq. km)	GDP (in billion in US\$)	Per capita income (in US\$)	Human Poverty Index (out of 120 developing countries)	
		1975	2004				Rank	Value %
Djibouti	148	0.2	0.8	0.023	0.7	851 (742)	52	30.0
Ethiopia	170	34.1	75.6	1.127	8.0	114 (110)	98	55.3
Eritrea	157	2.1	4.2	0.121	0.9	219 (175)	70	38.1
Kenya	152	13.5	35.5	0.582	16.1	481 (334)	60	35.5
Somalia	---	3.3	8.3	0.637	---	---	---	---
Sudan	141	17.1	39.1	2.505	21.1	594 (875)	54	31.1
Uganda	145	10.8	27.8	0.236	6.8	245 (332)	62	36.0
Total		81.1	191.3	5.231				

Source: Compiled from Human Development Report, 2006.

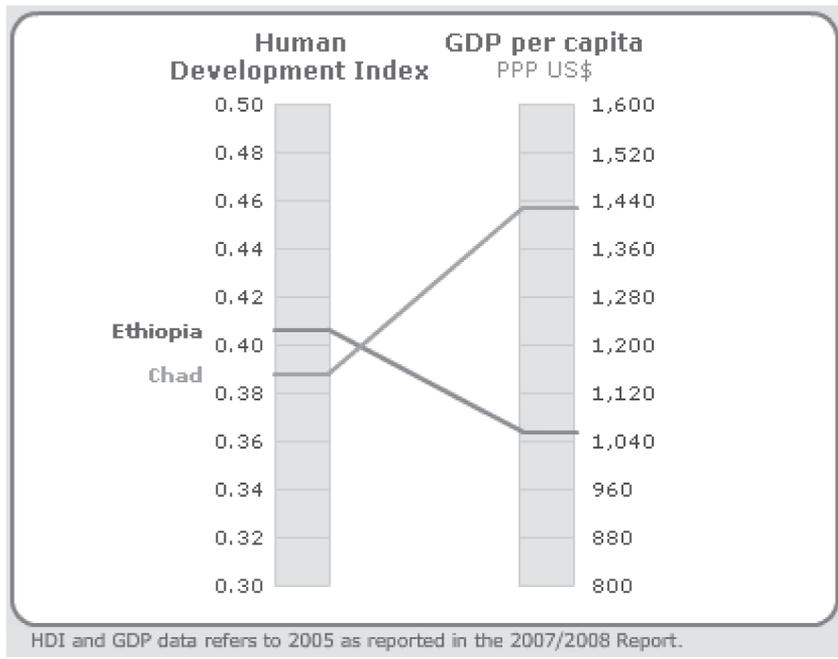


Figure 1 Economic Growth does not necessarily translate to improvement in Human Development in the short run

Moreover, Ethiopia's Human Development Index in relation to average HDI for Africa is below the average HDI for Africa and Asia even though it shows a rising trend. The figures also show that Asia's economic growth has led to more improvement in Human Development Index than Africa's. This implies that if Ethiopia can sustain a fast economic growth as reported recently that may lead to an improvement in human development, provided the growth is labor intensive, equitable, employment generating. For this to happen, economic growth must be based on utilization of the country's abundant unskilled labor and be poverty focused.

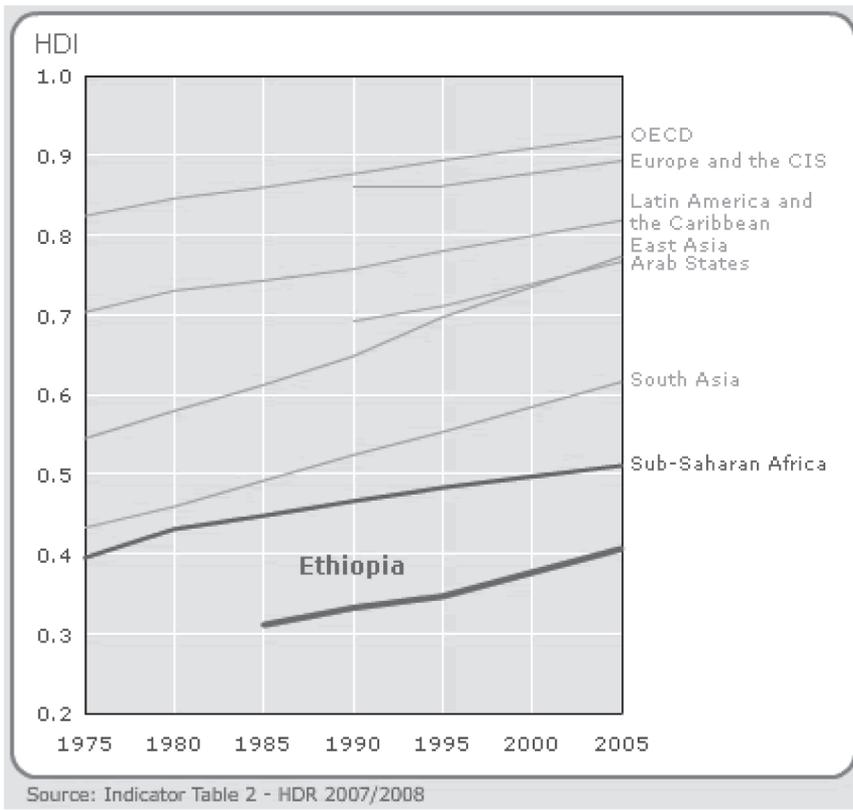


Figure 2 Ethiopia's Human Development Index is below that of other developing regions including Africa, but it is rising.

Transforming Agriculture and Reforming Land Policy for Sustainable Development

The next key issue is to explore the potential areas for poverty reducing economic growth that will lead to improved an Human Development Index. These potential areas include Agriculture and Tourism where Ethiopia has a potential comparative advantage. In terms of Agricultural development, the current development strategy, centered on agriculture and rural economy or ADLI (Agricultural Development Led Industrialization Strategy) has the potential to reduce poverty if it leads to a sustained and equitable economic growth, if properly implemented by enabling local governance. But the success of such a strategy, which has worked in other developing countries such as India and other Asian economies), requires the need to address structural and institutional problems such as land policy through informed dialogue and research.

Improvements in land policy and related structural and institutional impediments are essential to transform agriculture from the current subsistence system, in order

to be an effective player in a global economic environment and to reduce absolute poverty at the national level. Institutional impediments with a negative impact on private investment and that impede mobility of labor and capital needed for market-based economic growth, need to be addressed. Problems of rent seeking and corruption can take deep roots in such an institutional environment. Policy and related institutional constraints need to be reformed along democratic lines based on experience and dialogue in a forum such as this, where scholars and public officials can exchange views.

For example, although the land lease system is a step forward from the previous land policy of the Derg period, it falls short of creating the flexible and free land markets needed to attract significant and sustained investment in the urban and rural economy.

There is also a critical need for land tenure security vested on rural farmers and investors. Farmers cannot use land as collateral for getting credit because they do not own their holdings or do not feel secure. Banks require land as collateral, which is not possible since it belongs to the state. There is also a critical need to consolidate the currently increasingly fragmented farms with population growth to create farms of different sizes (small, medium and large) to optimize agricultural and food production and add value to agricultural commodities by investing in agro-industries.

The land issue needs to be subject to an open and informed national public dialogue based on research aimed at improving land policy. Land policy is informed by volumes of research conducted by Ethiopian economists that have revealed evidence of land tenure insecurity and of which some have suggested alternative ways of improving it. Many have also proposed alternative forms of land tenure in rural economy such as private, community, and even state ownership where necessary, such as regarding forest or mineral land. It is the responsibility of the current and future Ethiopian governments to take these studies seriously and implement some of the ideas to transform agriculture and enable rural development. More informed dialogue, based on research and experience from other countries that have succeeded in using markets and agriculture as a vehicle of successful development and poverty reduction, must be considered; Ethiopia's own past experience with land policy and experiences of other countries such as India, South Korea, and Japan that have historically used agriculture to fuel national economic development.

For example, the debate on land policy appears to be polarized into two extreme opposing political views of those who on the one hand want to see open or unregulated land markets, and on the other hand by those who want land to remain under state monopoly ownership for ever. Both of these extremes will not offer a viable solution. The solution to the land question must be pragmatic and recognize alternative forms of property rights in land such as communal, private, and state or public property rights in selected land such as forest or where needed. Most important, public policy must allow for security of tenure required by farmers and investors to make the long-term investment on land and natural resources required to increase agricultural productivity and also to protect natural resources.

Some of the critical questions and policy issues needing to be addressed include the following: Does the existing land policy encourage private investment by those who wish to invest in agriculture and agro-industry? Do farmers have the security of land tenure required to adopt productive technologies or attract capital or credit aimed at increasing agricultural productivity? Does the current land policy enable farmers to make land-improving and natural resource-conserving investments such as planting trees and adopting soil conservation methods? Is there a relationship between land policy and the environmental degradation, in the form of soil erosion and deforestation that the country has experienced over the last 40 years? Is there a relationship between state control or ownership and democratic social outcomes? Is real democracy that empowers local communities and citizens possible with state control of land?

These and related key questions must be answered in an open and honest public dialogue informed by research, farmers' experiences, and other stakeholders. Political parties must address them, based on facts gathered from the local communities and citizens.

The challenge is to learn from the past and the comparative experiences of other countries that have successfully used agriculture and markets as a vehicle for economic development. Each of the periods in the recent history has its own negatives and positives. The challenge is to draw correct lessons from the past and not repeat past failures by building on the positives or successes, and to have the vision and courage to change failing institutions. There is a critical need for continuous institutional democratic reform based on current realities and experiences and informed and honest dialogue with all constituent groups and stakeholders. The process of open, inclusive, and research-based dialogue such as this forum is crucial before policies are formulated and implemented. This was missing in the past and must continue on a sustained basis in the future.

It is crucial to continue to undertake vigorous institutional reform, including constitutional reform based on experience aimed at promoting development and improving the lives of people by reducing the current level of absolute poverty and destitution in Ethiopia and to maintain the peace necessary for sustainable development.

Horn of Africa Potential Comparative Advantage in Agriculture & Livestock

In the Horn of Africa, Ethiopia has a comparative advantage in agriculture and agro-industrial based enterprises. You may have heard of the old saying that Ethiopia has the potential to become the breadbasket of Africa and the Middle East. But, the reality is far short of that potential. An extended feature article in the *New York Times* from almost 40 years ago (December 1, 1963), with the title, "Ethiopia: Nation of Vast Potential and Great Opportunities" describes this potential as follows: "*In 1944, during the Second World War, Ethiopia, through the Middle East Trading Center, made up the grain deficiencies for the whole of the Middle East. As a result the agricultural yield*

of the Ethiopian farmer was depended upon to feed the area during a period of shortage. The agricultural potential has since been extensively surveyed, and it has been established that, properly exploited, Ethiopia can feed and clothe over one hundred million people. The crops of Ethiopia are rich and diversified. Cereals, pulses, oil seeds, vegetables, grasses, roots, fiber, and timber crops are grown all year round. The wide variation of soils, climate and altitude are largely responsible for this extensive range of Ethiopia's agricultural production. The products of field, farm and forest have increased considerably since the war years. With the application of modern scientific methods of production, as have been introduced in recent years, there is no doubt that Ethiopia can live up to the reputation of being the granary of both the Middle East and Africa".

These statements were made almost 45 years ago. But the current reality of the country's agriculture and food security situation is far below that potential. In fact, Ethiopia is today one of the largest recipients of food aid in Africa. The primary cause of this failure stems from the political and institutional problems of the past three decades. But it is possible to turn things around. Yes. It is possible to realize this potential with a combination of proper public and private investment and a conducive institutional and policy environment. Private investment in agriculture and related industries is critical to unleash this potential. Private investment in smallholder and commercial farming is crucial for public support. Horn of Africa states have a great potential to exploit irrigation to develop their agriculture and livestock to reduce the high dependency on rainfall. But governments must encourage entrepreneurs engaged in investment in agriculture and livestock sector if the sub-region is to have a chance to reduce poverty and food insecurity, and to have any chance to participate in the global markets.

Two examples from Africa and Asia are illustrative. First, the former socialist country of Vietnam removed state controls of agriculture and became competitive in about a decade. Vietnam in the 1970's and early 1980's had like Ethiopia state control of land and agriculture. But Vietnamese political leaders rapidly moved to ease control on land and the country has become a major exporter of rice and coffee today. In the 1990s, Vietnam entered the coffee market and attracted coffee growers and agricultural scientists from African countries such as Kenya and Ethiopia and hired a global marketing firm to find new global markets. Today, Vietnam is a major exporter of coffee, exporting far more than Ethiopia, which is the home of coffee. Vietnam is the second global exporter of coffee after Brazil today!. This was made possible by capturing global value chains and improving rural infrastructure including by securing land rights with long and secure land leases for farmers (Eicher 2007, World Bank, 2007).

In Africa, the state of Mali is emerging as a democratic state following a president who has willingly relinquished power after two five-year terms, and Mali is now becoming self-sufficient in rice. Mali is a land-locked country located in the Sahel desert and more drought prone than Ethiopia. But it invested in a huge irrigation scheme for food self-sufficiency. There are other recent cases in Africa such as Malawi and Mozambique that are moving towards transforming their agriculture to alleviate poverty and hunger. Although the difficulty of penetrating global markets cannot be

underestimated, Ethiopia has a great potential to engage the global and information economy aimed at reducing income poverty. The potential of trade with Africa and the Middle East exists. Today, there is a vibrant trade between Ethiopia and Djibouti, where the latter's economy is booming as a result, and the Ethiopian economy is benefiting from access to the Djibouti Port. Ethiopia can also take advantage of provisions by the World Trade Organization (WTO), which are aimed at improving the export position of developing countries. But the trade rules of WTO need to be reformed in order to facilitate a level playing field for developing countries. Currently, global trade rules are biased against poor developing countries such as Ethiopia. Industrial economies such as the European Union and United States need to open their markets to primary or agricultural products of countries such as Ethiopia by removing massive subsidies to their agricultural sectors and abolishing trade barriers to agricultural commodity imports from Low Income Countries.

Horn states need to develop a strategic industrial policy where selected industries may need to be protected against imports until they mature and become globally competitive on their own merit. Such a subsidy or protection however needs to be strategic, selective, and temporary. There should not be a permanent blanket protection policy or a general *import substitution strategy* (IS) that will insulate the country's economy from global competition. The IS strategy has been a failure in other regions such as in Latin America in the 1980's. Horn of Africa states can take advantage of preferential trade agreements such as the African Growth and Opportunity Act (AGOA) designed by the United States government to allow thousands of goods to be imported to the United States on a duty free basis. AGOA is intended to provide export opportunities to the least developed nations of Africa to export textiles and clothing to the United States free of import duties until the year 2012. To take advantage of these and related global economic opportunities, Ethiopia needs to improve its export competitiveness, by improving and strengthening the institutional environment for domestic and foreign private investors. India and Asian countries subsidized agriculture in the early years of their economic growth. In Africa, it is reported that Malawi is becoming self-sufficient in maize by subsidizing fertilizer to small farmers.

Horn of Africa's Potential in Tourism and Eco-Tourism

With proper private and public investment and support, each Horn state has a great potential to develop a tourist industry. The country has a vast untapped potential in tourism and eco-tourism for several reasons that include: 1. A tropical climate with "13 months of sunshine", where tourists from Europe, North America, and the Middle East would love to visit and spend their holidays. Where on earth in the world can one live without heat or air conditioning except in Ethiopia? 2. Ethiopia is the home of attractive places to visit that combine rich historical and cultural sites with game and natural beauty that can be developed for tourism, 3. It has a well-known hospitality towards visitors across ethnicity.

Neighboring Kenya developed its tourist industry to the point of making tourism the largest contributor to its GDP. Kenya's tourist industry was primarily based on wild animals or safari. Ethiopia can develop both game and historical and cultural attractions, and has a potential greater than that of Kenya under appropriate private and public investment and support. But there are many challenges ahead for Ethiopia in developing a successful tourist industry. Private investment in tourism is critical, but public investment especially in the area of infrastructure development is crucial. The government does *not* have a *comparative advantage* in running tours or hotels. These activities are best left to the private sector.

However, the government has a critical responsibility in building physical infrastructure such as roads and public parks. The construction in Addis such as the Ring Road and Bole Airport are important achievements. The Bole Airport has been improved to international standards. Ethiopia needs to address other service areas that can be improved with modest public and private investments such as significant improvement in internet connectivity and telecommunication with a potential for a significant return or revenue gains from the global and information economy of the 21st Century.

But the historic town of Lalibela, in spite of its historical significance of being the "eighth wonder of the world", is in extremely poor condition and a significant number of the residents are beggars. A modest public and private investment in such historic places and resorts in other parts of the country can generate significant revenues that can be used for poverty reduction in the respective areas. Tourist revenues can be used to generate job opportunities and build schools and health facilities for the local population. In general, public and private partnership is needed where the government invests in roads and physical infrastructure, and the tax revenues and fees generated from the private ventures in tourism and visitors are re-invested to improve the livelihood of the local population. Moreover, an increase in tourism can be an indicator of peace and stability. Foreign investment dollars may follow tourism. Thus, the challenge for Ethiopia is to develop a vibrant private sector including tourism that will be competitive by meeting the domestic demand for goods and services, and by penetrating the global markets in general, the markets of Africa and the Middle East in particular.

Challenges for Peace, Sustainable Economic Development and National Integration

There are at least four challenges that need to be overcome in order to achieve the sustainable development required to compete in the global and information economy of the 21st century or the Millennium. 1. The Challenge of developing and managing human resources and population growth, 2. The Challenge of developing and reforming institutions of governance, 3. The Challenge of adopting poverty-focused and/or enabling economic growth policies that reduce the costs and risks of private investment in key sectors such as agriculture. 4. The Challenge of reversing the de-

clining path of dependence by avoiding future political violence or more “missed steps” and by fostering free, inclusive and informed and responsible debate toward resolving critical national problems.

The Challenge of Developing and Managing Human Resources & Population Growth

The most significant element in the process of economic development of any nation is appropriate investment in its population, since people are both the means and beneficiaries of economic development. The quality of the population is the single most important factor that distinguishes economically successful nations from failed or poor states. Improving population quality requires investment in education, health care including nutrition, shelter, and clean water, guided by an *effective* and *capable* system of governance. Moreover, there is a need for managing population growth in Ethiopia where the current population is close to 80 million and it is expected to double in 20 years. Poor education, health, and adverse demographics are, in part, the outcome of ineffective policies and long economic decline. With its rapidly growing population, the Horn risks continued marginalization. Investment in population, especially its female population, can strengthen its capabilities and capacity. The Horn states lose productive labor through illness as any other region. This disparity will increase as HIV/AIDS incapacitates up to 4 % of its active labor force and depletes the skilled population of the Region. The effect of HIV/AIDS on the youth and future generation is especially devastating.

The Challenge of Developing and Reforming Institutions of Governance

The second challenge is to reduce food insecurity and poverty by improving institutions of governance aimed at developing a *capable* and *effective* system of government at national, regional, and local levels. This challenge depends on the development of leadership that is accountable, responsible, capable, and transparent at all levels. This implies a system of governance that allocates scarce resources both efficiently and equitably across all the current regional states. A *capable* and *effective* system of governance and leadership can only emerge under a democratic and representative government that is subject to and guided by the rule of law, independent judiciary, peaceful and open political competition, independent press. These basic pillars of democracy must be built into the current constitution with proper checks and balances such as term limits for significant political offices. Decision-making in the policy implementation process must be decentralized at the local level to local communities by taking into consideration the cultural and economic settlement patterns of the population. Any system of governance that is imposed from the top is likely to fail in the long run.

For example, two democratic institutional improvements in Ethiopia have the potential to lead to good governance along democratic lines: 1. The development of a viable and responsible opposition party organized on a multi-ethnic or civic basis that can provide a policy choice to the current ruling party to the citizens. 2. The reforming of the current constitution that incorporates provisions such as debate on decentralization or federalism on a multi-ethnic basis and the adoption of constitutional two-term limits of key political offices.

A revised or an amended constitution under the current parliament should put such a term limit. It is important for the all stakeholders, the citizens at large, the current ruling party, and the various opposition groups to move along these lines in order to improve the country's institutions of governance. This process can begin by re-organization of the currently registered fragmented opposition parties into one united loyal opposition party (loyal to Ethiopia and her people) on a multi-ethnic or civic basis, and by the ruling party cooperating to make that possible. The ruling party can enable this and take charge.

The Challenge of Adopting Poverty-focused growth policies that reduce the costs and risks of private investments on key sectors such as agriculture and agro-industry

The challenge of adopting enabling policies that lead to rapid economic growth is related to the two challenges mentioned earlier. Agriculture and a pastoral-focused strategy are the best way of reducing food insecurity and generating greater employment in farming with linkages to non-farming sectors. Private investment in agriculture and agro-industry is especially crucial for Ethiopia, where the bulk of the population currently makes its livelihood in rural and agricultural related activities. Moreover, investment in agriculture must be pursued not only to reduce food insecurity, but also to alleviate poverty through employment creation and income generation in farm and non-farm sectors. Secured land rights are the best strategy for conserving natural resources or reversing land degradation and deforestation, since poverty forces people to overuse natural resources by accelerating deforestation and soil degradation in order to meet their basic survival needs.

The Challenge of Establishing Institutions for Development and Poverty Alleviation

An important issue left unexplored is what can be done for the future based on these historical and comparative experiences and lessons. While it may be true that the Ethiopian problem derives from the 'burden of its history', this is also true for many other nation states around the world, including those that have succeeded in overcoming such historical burdens by a historical process of enlightened and vi-

sionary political leadership. Most successful democracies emerge from some form of historical processes that include revolutions. For example, the United States emerged from a devastating civil war in the 1800s and became a successful, united and modern democratic nation-state. Japan and Germany experienced devastating wars and emerged from dictatorships to become successful modern nation states. China emerged out of the devastating human rights abuse and murder of the Maoist revolution to become a modern and globally and economically competitive entity. Societies can get stuck for generations in what Douglass North called path dependence. The critical question then is how a society and polity can emerge out of the burden of past conflicts and produce an enlightened leadership that can guide it toward a viable polity and socio-economy under a democratic form of governance. Unfortunately, there is not a simple answer to this question. But, ruling elites (whether political, intellectual, ethnic, religious, beaucroatic) in every society must take a role in the transformation of the poor developing societies and economies of the Horn. No modern society can be transformed without some form of elite leadership, who often claim that they represent the masses even though the actual outcome of their actions may be the opposite. Such ruling elites have a better chance of success if they practice an open and inclusive dialogue with the common people and all other stakeholders of that society and learn from the grass roots. The regimes of the Horn have failed in this important political process. Moreover, current experiences around the globe show that elitism can take various forms and have ethnic, religious, and secular dimensions. Current experience from around the world also shows that governance organized under extremism based on ethnic, clanism, religious extremism is unlikely to be democratic or free. Governing elites, based on ethnicity, clanism, and religion, cannot form democratic or free governments. Government based on democratic and civic secularism has the best chance of success provided it is grounded on institutions or rules that disperse political and economic power among communities and protect with checks and balances aimed at advancing human freedom and liberty. Political elites and leadership can use their power to play a constructive or destructive role depending on the institutions or the rules of the game under which they operate, and the process by which they come to power. If political elites and leaders come to power through a natural process of dialogue and negotiation that follows from open and free and periodic elections, a society is likely to have a viable political system of democratic governance and legitimate leaders, than if they come to power violently. The challenge of building democratic and responsible governance in Ethiopia, African and many other developing countries is to develop rules or institutions that constrain the potentially destructive and opportunistic behavior of political elites, actors, and organizations and channel their behavior and actions to constructive purpose...

A further issue is the conditions under which political elites may play a constructive, rather than destructive, role in a society. In my view, this is best achieved by developing a culture of constructive political dialogue under democratic institutions or when the rules of the political and economic game are designed in such a way that political and economic power is widely dispersed, shared, diffused, and decentralized

among citizens and civil society groups, and protected by key democratic institutions such as the free press, independent judiciary, and the rule of law, and term limits on key political power holders. This process of political *power diffusion* and devolution aimed at empowering local communities is an evolutionary process that takes time, patience and hard work by political elites of both the ruling party and the opposition.

It must be an outcome of an open and inclusive dialogue and negotiations by all constituents and stakeholders in the political outcomes, including the presence or the emergence of an effective loyal political opposition and strong civil society groups or the “third force”. Moreover, without effective loyal political opposition, and strong civil society groups, any government is likely to degenerate to a dictatorship over time. Experience shows in Africa ruling parties begin to do serious damage to their economies and societies once they stay over 20 years, which in itself is too long. An example is the current Mugabe government of Zimbabwe. Although dictators may vary in their effectiveness or lack of it, no viable society should rely on the benevolence of a dictator for too long or be devoid of effective political choice and competition. Sometimes, the fact that the opposition wins may not be important.

What are crucial in democracy are the political credibility and the *threat of winning* by the opposition or the fear of being defeated by a ruling party that matters, even short of winning or losing elections. Mere elections do not constitute democracy in the absence of democratic institutions such as the free press and independent judiciary. For example, one can point to a rare case in point of a successful African state, namely Botswana which is regarded as the most democratic and stable state in Africa. Botswana’s political and economic success and stability is in part due to the presence of a strong opposition party, Botswana National Front (BNF) that provides a *credible threat of winning an election*, thus making or forcing the ruling party, the Botswana Democratic Party (BDP) to be efficient, responsible, and accountable, even though the BNF has never been in power since independence in 1966. But the BNF wins many local elections, and most of my students when I was a visiting scholar at the University of Botswana were BNF supporters. There is also an *internal democracy* within the ruling party which leads to a peaceful change of the key head of the ruling party or the head of state. Botswana’s leaders can easily mingle with common people with no security. The story is different for its northern neighbor, Zimbabwe under Mugabe. Providing its citizens with political choice and freedom has contributed to Botswana being the most successfully governed and having the best managed economy and stable polity in Africa, where its rate of economic growth was the highest in the world even surpassing the Asian Tigers in the 1980s, a period which some have called the lost decade for most states of Africa. Botswana stands tall in the middle of massive political instability, violence and abuse of power in neighboring states such as Zimbabwe. On the other hand monopoly of political power and authoritarian single party rule of various forms in many African states has resulted in ruling elites and autocracies that refuse to yield power and has impeded human progress, and contributes to socio-economic retardation and poverty in Africa.

A recent example of bad governance is that of Zimbabwe, which in spite of a promising start at independence in 1980, is now in shambles due to the current ruling dictator who has ruled for far too long, and abolished political opposition. Neighboring Botswana's economic success is not only due to diamond wealth and lack of ethnic diversity. In fact, diamonds and other natural resource wealth can be a curse under conflict and dictatorship as many examples in Africa show. Democratic and good governance allowed Botswana to plow back her diamond revenue for human and economic development, becoming a middle income country with the best human development index. The role of political culture is important in this evolutionary democratic transformation process. Differences in cultures, values, attitudes and beliefs prevalent in a society are partially responsible for differences in economic and political outcomes; societies totally undermine their cultural and historical heritage or fail to draw from their culture and traditions in the area of conflict resolution and try to copy or impose foreign ideologies for political expediency. An example is Ethiopia's attempt to copy and impose "scientific socialism" as happened during 1974-91 and the imposition of "ethnic federalism" on society by the post-1991 regime. Such top-down policies are unsustainable. They are undigested alien ideologies with no cultural roots and often open the road to massive economic and social disaster. Political elites in such societies fail to take an evolutionary approach similar to the historic experiences of successful states such as Japan, Turkey and Botswana. They undermine their historical and cultural heritage, by promoting policies based on historical revisionism and self-serving propaganda, and contribute to massive conflict and instability in their societies.

For Horn of Africa states, the challenge of developing democratic leadership and good governance is to learn from their own histories and the comparative experiences of other successful democratic nations about how to transform and modernize their economies in order to create a viable society and polity. An enlightened and visionary leadership, even short of democracy, is essential, since democracy is a process that takes time. Governments have a better chance of success if they focus on a few critical areas such as providing public and social goods, citizen and national security from foreign threats, enforcing the rule of law fairly, supporting agricultural research, investing in the people by providing quality education and health services, and promoting political and economic freedoms including freedom of the press and mobility for their citizens. The concept of the "developmental state" is nothing more than an efficient government that clearly understands and practices its responsibility for effective and good governing. Investment in infrastructure such as roads, information communication technology, and research are important areas for government support, as well as the promotion of policies that allow people to help themselves through market development and private initiatives. The role of a government or a developmental state is similar to that of the role of an effective referee in any sports game. If the referee is not competent or lacks credibility, capability and honesty to apply the rules of the game, the game will not be played successfully. Even if there is a capacity, if the rules are not fairly enforced such as, for example, the referee being partisan or behaving as biased, the (economic) game is likely to fail and fights and

conflicts are likely to occur, and massive corruption and rent seeking is likely to result destroying social and economic progress. The key question then is how to produce both an *effective* and *fair* system of responsible governance. It is what the idea of “developmental state” should mean.

Horn governments currently need to remove and/or significantly reform at least three institutional and policy impediments in order to be viable and competitive in the emerging global economy. The first is to democratize its institutions by moving toward a freely elected representative government over time based on majority rule, term limits, and the rule of law, independent justice, and a free press with a constitutional protection of individuals and minorities, and civil society groups. Given that Ethiopia is a multi-ethnic state, a non-ethnic civic-based democratic rule is most likely to lead to a peaceful and sustainable polity and society in the long run. Clan, ethnic, and religious based parties are likely to lead to a zero-sum game or even a negative-sum game, and lead to social conflict. Ethnicity and language differences are natural and should not be used as a tool for gaining political power or ruling over people by power elites. Political parties should be organized based on political, social and economic issues.

Moreover, social science studies and experiences around the world show that trying to impose an ethnic authoritarian rule is likely to fail in the long run, as demonstrated by the demise of apartheid rule in South Africa in 1994 and more recently by the fall of the rule of Saddam Hussein in Iraq. Thus, current and future generations of Horn political elites and leaders of the ruling and opposition parties need to face up to the challenge of collectively producing a representative government with constitutional provisions such as term limits, peaceful political competition, ethnic and religious secularism and political and economic freedom for all citizens. Such leadership is the best way by which sustainable economic, social, educational progress can be promoted in the long run. In Africa today, a few countries are beginning to experience peaceful transition to democratic forms of governance in the 1990s. In addition to the traditional stable African democracies such as Botswana and Senegal, the list of African states that have experienced peaceful democratic transition, in recent years, is growing. It now includes countries such as Ghana, South Africa, Kenya, Mali, Kenya and Liberia.

Liberia elected the first female President in Africa. Ethiopia is among those African states that have yet to consolidate a peaceful democratic political transition. Kenya has moved forward in the democratic process by peacefully changing the national government in the last election, where a coalition of the opposition led by President Kibaki defeated the KANU party that has ruled since independence. Unfortunately, a contested result in the last election in 2007, led to political violence along tribal lines where several hundred citizens were killed and thousands were displaced due to political violence that followed from the contested results. It is noteworthy that post-election political violence in Ethiopia in 2005 did not result in ethnic-based violence at the community level. This is perhaps because Ethiopians across ethnicity and communities have peacefully intermingled through long periods and do not fight along ethnic lines, even if some political elites try to incite ethnic sentiments.

The challenge of moving toward a multi-ethnic civic base democracy in the Horn of Africa

Ethiopia is among the Horn countries that conducted the most successful national election on May 15, 2005, when there was an estimated 90% voter turn out. This is a high turn out by any international standards and surpassed even mature democracies such as the United States.

The US elections show a voter turn out of at best 60 % of its citizens. Unfortunately, this encouraging beginning of the democratic process appears to be derailed temporarily, due to political violence and confrontation among the political parties. Here the ruling party's fear and surprise of a potential defeat, and the failure of some of the opposition party leaders to accept responsibility and enter the parliament in full force against all challenges derailed this process. The post-election conflict led to the arrest of key leaders of the opposition, the CUD (the Coalition for Unity and Democracy). The government charged them with "treason" and "genocide".

The attempt at compromise between the two main multi-ethnic opposition parties and the ruling EPRDF, which could have contributed to peace and advanced the process of national political reconciliation, did not happen. This missed opportunity that has been lost due to lack of compromise, trust, and peaceful dialogue between the contending parties resulted in deadly political violence that followed the elections. Moreover, Ethiopia needs to face up to the challenge of bringing other currently dissident political groups into the political process in the long run. This includes the OLF, ONLF, and other exiled parties which, if they believe in democratic unity and diversity, human freedom, and equality for peoples of the Ethiopian state, should be included in power sharing after a national political process. It is encouraging that some elements of the Oromo Liberation Front, have recently expressed the desire to participate, and may be moving away from secessionist motives by taking lessons from the outcome of the disaster of the Eritrean state languishing in poverty and oppression under its current ruler.

The Eritrean state under its current ruler has become a destabilizing state in the Horn of Africa, and in conflict with every state in the Horn such as Sudan, Djibouti, Yemen, and Ethiopia. Its ruler invaded Ethiopia in 1998 which ended in his defeat in 2000 when some 80,000 lives were lost and millions in damage to property with humanitarian consequences. If OLF and ONLF and others can renounce violence and commit to unity within a democratic Ethiopia, they should be given an opportunity to become a viable and credible political organization. But the OLF or ONLF or such groups cannot impose a monopoly rule over the people they claim they represent, the Oromos and the Somalis. They must develop democratic elites that have the courage and capacity to peacefully negotiate and reconcile with other opposition parties currently active in Ethiopia as well as the ruling party, the EPRDF. The recommendation of this paper is for Ethiopian political parties to move toward multi-ethnic political and civic-based parties that provide alternative and public policy choices to the Ethiopian society across ethnicity. Ethnic, clan, and religious based parties are inherently conflict-prone and unsustainable.

The other key challenge for the Horn is to reduce absolute mass poverty and food insecurity, and to eradicate recurrent famines, as well combat natural resource and environmental degradations. Success in meeting these challenges also depends on democratic and responsible governance. Famines in Ethiopia and the rest of Africa are primarily the result of poverty, linked to failure of governance and misguided government-driven agricultural policies. Why should Ethiopia find itself today in famine that threatens millions, more than a decade after the demise of the former Communist Military Regime in 1991? It is unlikely that Ethiopia will transform its low productivity traditional agriculture under the prevailing state-owned land tenure without the security of tenure or vested by the ownership of farm land owned by farmers and embedded in rural farming communities. Such a policy is necessary to empower the majority of the Ethiopian population including women. The security of rural and urban land vested to citizens is essential to allow private investments on land, increase in agricultural production, and to reverse natural resource degradation such as soil erosion, and deforestation. The issue of land tenure and land policy should be taken out of politics and discussed freely, honestly, and openly among major civil society groups, professionals, private sector entrepreneurs, researchers and most importantly farmers and farm community and civil society group leaders in a free and honest environment, without intimidation by federal and local political elites and cadres. Currently, the views of a few politicians dominate public policy discourse at both the national and regional levels.

The fact that there is no open and inclusive public dialogue that we are aware of on such critical issues in Ethiopia retards democratization and sustainable development. Yet, Ethiopia and other Horn states have competent researchers, civic society leaders, professionals, business persons and other citizens with knowledge, experience and common sense who can enrich the debate on land policy and contribute to the transformation of agriculture in an efficient and equitable manner. Land tenure must be flexible and designed to promote efficiency and equity. Research on land tenure clearly shows that tenure security is a serious problem in Ethiopian agriculture, with its negative impact on agricultural productivity and environmental protection. The important policy issue about farm land here is how to design a flexible, equitable, and secure land tenure system that will bring knowledge, capital and technology to agriculture including accountability for the use of increasingly scarce land and natural resources such as water and forest wealth, under rapid population growth. History and empirical evidence from around the world clearly shows that state ownership or monopoly of land is likely to retard agricultural development and lead to natural resource degradation. It creates a de-facto monopoly single land lord, which is worse than several landlords of various sizes during pre-1974 Ethiopia. Why has South Korea managed to fuel its economy to become a modern industrial state while its sister northern state of North Korea languishes in starvation and mass poverty. Yet South and North Koreans are the same people with the same culture? The difference has to do with the nature of institutions of governance including institutions of land ownership. The following *necessary conditions* must be met in order this strategy to

poverty reduction and achieve the United Nations MDG goal of reducing absolute poverty by 50 percent in the Horn States.

- Political stability, good governance and security of land ownership rights.
- Sustained economic pro-poor growth where a safety net is only complementary
- Realization of agriculture's contribution to national economic development
- Small holder agriculture with secure land holding and with investment in medium and large farmers where feasible
- Utilization of the abundant resource of unskilled labor to create employment in the rural sector with linkages to non-farm sectors
- Invest in labor to increase productivity in the areas of health, education, nutrition and combating HIV/AIDS
- Promote mobility of labor and capital, and achieve national economic integration through mobility of labor and capital in search of opportunity.
- Attract the large Ethiopian Diaspora communities and individuals in the areas of development ranging from business, technology, science, and higher education. The remittances of the Ethiopian Diaspora are estimated to be more than the earnings from the total export of Ethiopia in coffee.

On the political front, the current and future governments of the Horn should allow free and peaceful political competition by providing a level playing field for peaceful political competition and free elections to occur. The opposition should rise to responsibility, be accountable and provide a clear political alternative and policies. Opposition politicians should not waste time in confrontation and personal attacks on the ruling party officials and organizations. Ethiopian political groups should not think in terms of eliminating each other. Politicians should move away from the culture of the politics of hate of individual actors and organizations. Such dysfunctional political behavior is both unethical and undemocratic. It leads to political violence and eventually to a dictatorship. Opposition political leaders including journalists should be released. No one should be imprisoned for expressing different political views, which the current constitution guarantees. Perhaps a code of conduct in the practice of politics can be instituted by a neutral body of non-partisan elder scholars both from the Diaspora and the homeland.

Key foreign donors and supporters such as the United States, as well the international community of donors, including NGOs, should help promote democratization and free elections, and hold those political groups that retard the democratic process accountable. The United States, currently engaged in the Horn as an ally of Ethiopia must continue her constructive engagement in the democratization, peace building and development of Ethiopia. The US should *not abandon* or isolate the Horn states under the current or any future governments that are accountable to their people. For example, the isolation of Ethiopia during 1974-1991 (when Eritrea was still part of Ethiopia) due to the geo-politics of the cold war led to years of disaster in Ethiopia with socio-economic and humanitarian consequences.

A movement toward forming a credible coalition of opposition political parties should occur to challenge the political power monopoly of the ruling party at the ballot at the next and future elections. Such a coalition should be multi-ethnic, civic-based and democratic and motivated by promoting unity within diversity. Some of the opposition political parties that have just been formed need much work before they unite and mature, and develop detailed political and economic programs as an alternative to the current ruling regime. Neighboring Kenya has succeeded in forming a coalition of parties (called rainbow coalition) and managed to defeat the monopoly power of former president Daniel Moi and his Kenyan African National Union (KANU) that has ruled the country since independence. The fact that the ruling party, the EPRDF, was not defeated by the opposition by the official counts in the 2005 elections is *not* important. It is quite realistic to assume that it can be defeated in future elections, provided the opposition parties organize effectively, overcome internal conflicts, and unite, and that free and fair elections are enabled by the ruling party. On the other hand, if the ruling party is defeated in a future election, it must not assume it cannot come to power again in future elections, since under true democracy it has a chance to regain power. A recent example in Latin America is the Revolutionary Sandinista Party that was defeated by a conservative party. Since the Conservative party did not deliver as promised, the Sandinistas are back to power under free elections. This type of political progress is a sign of democratic maturity, political development, and civilized democratic politics. The Horn of Africa is currently trapped in a state of what Nobel Laureate economic historian Douglass North called the ‘historical path dependence’ of conflict and stagnation. Breaking out of this path is a formidable challenge to any society. Breaking out of the declining path depends on the emergence of an enlightened national leadership that promotes democratic institutions and ideas, makes investment in human development (education and health), infrastructure, and enhances economic diversification by promoting massive investments on key sectors of the economy such as agriculture, industry, including tourism.

If the political impasse is not overcome or the political violence is not controlled, the prospects of progress in the Horn and peace may be bleak, since the necessary private domestic and foreign investment may be discouraged due to uncertainty, risk, and insecurity for investors. To avoid this negative outcome, an enlightened and responsible leadership must be organized under a system of democratic governance, the rule of law and a true multi-ethnic and secular federal system grounded on protection property rights, and rights of individual citizens and communities as well as human rights. Whether the Horn societies that have evolved through a historical process, but have trapped themselves into a political impasse due to misguided elite power struggle and political violence and conflicts that have led to institutional and policy failures over at least the last four decades, can produce an enlightened and responsible government to build enabling democratic institutions and policies, aimed at reducing poverty and enhancing socio-economic progress, still remains to be seen in the future.

The development of a dynamic socio-economy and polity in Horn economies is a long-term evolutionary process that takes time. It depends on addressing at least four interrelated or interlocking factors. 1. Improving governance and resolving conflicts including reducing corruption by strengthening democratic institutions at the federal, regional, and local levels. 2. Investing in people, since people are both the beneficiaries and the means of what makes human development. Investing in people means investment in quality education, health care, and combating the HIV/AIDS Pandemic. 3. Diversifying the economy and increasing global competitiveness. In the Horn states where the bulk of the population is currently in agriculture and pastoral activities, it is crucial to transform agriculture by adopting science and technology based on location specific research, aimed at reducing mass poverty, food insecurity, and recurrent famines. In spite of the ongoing focus on the Agricultural Development Led Industrialization (ADLI) strategy, Ethiopia is yet to face up to the challenge of investing in and developing rural institutions which include what Carl Eicher of Michigan State University called the “prime movers of agricultural development”. These prime movers include: 1. New technology produced by public and private investments in agricultural research or imported from the global research system and adapted to local conditions, 2. Human capital in the form of professional, managerial and technical skills produced by investment in schools, agricultural colleges, faculties of agriculture and on-the-job training and experience, 3. Sustained growth of biological capital (genetic and husbandry improvements of crops, livestock, and forests), and physical capital (investments in dams, irrigation and roads), 4. Improvements in the performance of institutions such as marketing, credit, research and extension, 5. Favorable economic policy environment and political support for agriculture in a sustained manner.

There are too many institutional impediments such as farm land insecurity, ethnic federalism, clan conflict, abuse of power, inadequate credit and marketing, high fees and taxes that need to be removed. These impediments prohibit domestic and foreign private investment in agriculture and agro-processing industries, raise transaction costs by retarding the mobility of labor and capital among regional states and provinces, necessary for the development of a market economy. The Horn needs to enable the environment for private investment in labor-intensive manufacturing aimed at reducing dependence on a narrow range of agricultural export commodities such as coffee, as well as by investing in service areas such as tourism. Ethiopia has a potential comparative advantage in tourism due to an attractive climate, diversity in wild life, and historical or cultural attractions, as well as the well-known hospitality of its citizens to foreign visitors. 4. The country also needs to reduce foreign aid dependence and external debt, and to strengthen trade partnerships with other countries, including the economies of Africa, Europe, the Middle East, and North America by promoting regional trade, peace and stability.

The Potential Benefits of Regional Cooperation and Peace Building

Regional economic cooperation and trade would be beneficial for all states of the Horn of Africa. Regional cooperation expands economic space and markets including providing access to a huge coastline along the Indian Ocean if, for example Somalia and Ethiopia were to freely cooperate and trade. However, for economic cooperation to become a reality it is critical for Ethiopia and the other states of the sub-region such as Somalia and Eritrea to remove inter-state and intra-state conflicts and create dynamic societies, aimed at promoting democratic societies based on the rule of law and secularism. These states must learn to resolve political and ethnic conflicts by promoting free dialogue aimed at resolving conflicts peacefully.

As the most populated country in the Horn of Africa, Ethiopia is a key state that is capable of taking leadership in this process of regional economic cooperation. But, for this to happen, Ethiopia and other states of the Horn should produce enlightened leadership that believes in and practices power sharing, peaceful resolution of conflicts, and understands how market economies work, including the appropriate role of private and public sectors in promoting economic development. Somalia is in the process of trying to re-constitute itself from its collapse in 1991. Sudan faces serious challenges toward democratization. The government in Khartoum must face up to the need to remove an autocratic Islamic rule from governance, and accommodate the demands of African Sudanese for freedom and liberty or self-government through a federal arrangement agreed upon by SPLA and the Government of Sudan. It is encouraging that Sudan formed a national unity government recently and signed a peace agreement following a 20 year civil war between the Islamic Government of Sudan and Southern Peoples Sudan Liberation Army (SPLA), where 2 million Sudanese perished along with a massive humanitarian disaster. The peace agreement was signed by the late SPLA and current government of Sudan, before the unfortunate death of SPLA leader John Garang in an alleged helicopter accident. So, there may be some hope for Sudan if its government rises to responsibility, and refrains from trying re-impose Islamic rule over the peoples of Southern Sudan. Neighboring Eritrea must face up to the challenge of liberating herself from an autocratic and irresponsible ruler. The state of Ethiopia must face up to the challenge of re-constituting herself along democratic lines, and take charge of her own renaissance through an internal democratic process, and by fostering peaceful economic cooperation in the Greater Horn of Africa sub-region and beyond.

The most recent set back toward regional cooperation in the Horn is the threat of Somali Islamists who are trying to impose an alien form of Islamic rule on Somali culture and society or trying to impose a form of Talibanism on Somalia. Political Islam is a foreign import that is alien to the Horn of Africa and Ethiopia. Recently, Ethiopia invited by the Somali Transitional Government, which is an internationally supported group, helped defeat the Islamists in a dramatic battle that lasted about one week. This single military action has provided an opportunity for Somali's elites to reconstitute their failed state since 1991, which has suffered from infighting among various clan warlords following the collapse of former dictator Said Bare.

So, there is hope for Somalis and the Horn for peace, democracy, and economic progress. The sub-states of Somaliland and Puntland have emerged from the rubble of the failed state of Somalia to be potentially viable democratic peaceful sub-states. These two sub-states are relatively peaceful and stable with viable economies and polities. Somaliland deserves to be recognized by the international community. There is a double standard by some states in recognizing independence of states. Why was Kosovo recognized and not Somaliland?

Concluding Remarks

In a conference of the African Development Forum III held in Addis Ababa on March 3-8, 2002 under the theme of “Defining Priorities for Regional Integration” a consensus was reached by African states on the critical need for *unity* stated as expressed in the following statement. “*Unity is the overwhelming demand of Africans across the continent. Africa’s political and economic integration promises to fulfill the aspirations of Africans of all walks of life*”. A similar desire for unity and integration is desired for the Horn economies and societies due to a shared culture and overlapping identities. But cooperation must be based on respecting cultural and linguistic diversity under democracy and the rule of law. Clan and ethnic diversity is natural and it is sustainable as long as there is democracy. Democracy is the best way of resolving potential ethnic and clan conflicts. Examples of nations which are diverse and democratic and have achieved various levels of sustainable development include India, the United States, and Malaysia.

Ethnic and clan diversity and identity becomes problematic when it is politicized or captured by ethnic extremists under authoritarian rule. It is the same with religion. Ethnic, clan, and religious extremism is creating serious conflicts and chaos in different societies in many societies.

Political and economic integration must take place in the Horn of Africa for sustainable peace and development to occur. But success in regional economic integration or the ultimate goal of the unity of Africa through institutions such as the African Union (AU) is not possible before economic and political integration and development takes place at the national or country level or each country becomes socially and economically viable. This must be based on a firm institutional foundation of economic development, democratic governance, and peace with justice at each individual African country level. It took European countries many years of internal or country level development before the European Union (EU) became a reality.

Why don’t Africa in general and the Horn of Africa attract FDI in today’s global economy? What are the key policies needed to create the necessary environment for FDI? African economies need to achieve an economic growth of at least 7% on a sustained basis to reduce poverty and improve the quality of life of its population and to achieve the MDG goal of cutting absolute poverty by 50 percent by 2015. This can only be achieved by significantly attracting private domestic and foreign investment, by making the economic environment more efficient, by enhancing the

capability and *effectiveness* of governments aimed at improving the business climate, reducing *transaction costs*, and creating a transparent legal and regulatory framework that will promote private investment. The current reality is that Africa is globally marginalized due to several reasons, a legacy of external factors such as colonialism and the Cold War, and the misguided domestic policies of African states during the post-independence period. Thus, national economic integration and development is imperative if Africa is to reverse rising poverty and food insecurity and become a partner in the global and information economy.

A recent editorial by the local private paper the *Reporter* expresses steps to move forward under its title *First things first*: “*As we have repeatedly stated, what really actuates our economic development is the behavior of the government towards business people and the policies pursued by it in that sector. Our success in joining the benefits of COMESA (Common Market for Eastern and Southern Africa), IGAD (Intergovernmental Authority on Development), and ADB (African Development Bank) hinges on strengthening our domestic market. Otherwise, we would never be able to benefit from whatever advantages we have through these organizations (and their conferences) before committing ourselves to work with COMESA, IGAD, and ADB; we need to do some house cleaning. There is no point in talking about foreign engagement without strengthening internal aspect except perhaps, and empty showing off to the IMF/WB and the developed world.*”

Finally, the 21st century is the era of knowledge-based and information economies. Horn of African economies need investment in quality education, research and human capital development to reverse the marginalization of its economy and capture the benefits of the global economy. Such investment must include the Internet and Information Technology (IT) that can be used to transfer technology and knowledge in the areas of education and research. Ethiopia must move forward in this regard like India, which has benefited from globalization. The government monopoly of the Internet must be seriously discussed and improved, by allowing greater competition from the private sector and by allowing satellite technology to be accessible to businesses, institutions of higher education and research and individuals. Policies to retain expertise and reverse the brain drain must be put in place, including creating an enabling environment for the private sector to be involved in the business of knowledge creation as well as increasing salaries of teachers and lecturers in higher education. Higher education is crucial to produce a skilled labor force for development of the Horn. In this regard the Horn needs to make massive investments on human capital and the institutions of *development knowledge* that comprise the three interlinked institutions of higher learning (teaching, research, and public service/outreach) needed to transform the key areas of subsistence agriculture and pastoral economy, aimed at reducing poverty and achieving a sustainable level of economic development. While the current expansion of regional universities is important in terms of providing more access to higher education, it must also be matched with quality improvement by providing proper incentives for national scholars as well as attracting academics from overseas for various periods by providing proper incentives. This will be another significant way the Horn of Africa can benefit from globalization that is based on skilled labor migration aimed at reversing

the brain drain through various innovative academic and research programs including online instructional technology, and short term periodic visits by academics and other skilled persons.

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Human Security, Informal Rules and Empowerment Towards Developing/Enabling Institutions

Souraya H. Houssein

Introduction

The aim of this article is to underline the importance of taking into consideration the informal constraints or institutions which shape the behaviour of individuals when establishing new institutional arrangements with regard to economic and social life. This institutional approach provides relevant elements that enable us to apprehend the human security of the Somali society at large.

From the perspective of the old institutional economics (OIE) of T. Veblen (1898), J.R. Commons (1899, 1931), Ayres, New Institutional Economics (NIE) coupled with the inputs from Human development literature and from K.Polanyi and M.Granovetter, the main idea developed in this article is to show the very deep link between empowerment of individuals and communities, which implies a “bottom-up” approach, and the social order (versus chaos, exclusion).

In other words, the overall purpose of the article is to advocate building on people strengths (the traditional ways of doing business for example) and aspirations as developing strategies to achieve the survival, the livelihood and the dignity of the population. We will take as a case study the Somali private sector. We will also try to underline the fact that rebuilding Somalia must learn from the implementation of externally driven strategies particularly in the economic area.

I. Brief review of the concept of Human Security

In the intervention at the International Symposium on Human Security in Tokyo (2000), “Why Human Security?”¹, Sen defined the human security approach from some specific aspects² which are “*survival, daily life, and dignity of human beings*”.

1 Text presented at the “International Symposium on Human Security” in Tokyo, 28 July, 2000.

2 Introduction by the Prime Minister Obuchi Keizo to “International Symposium on Human Security” in Tokyo, 28 July, 2000.

These concepts trace elements at risk of endangering humanity in its entirety because of two major reasons:

- The security of survival is posed in the current context of growing threats (conflicts, economic crisis, etc.) despite the fact that currently there are increased possibilities and opportunities to address them;
- The daily life and quality of life, new paradigm, focusing on the guaranty in terms of daily life despite the danger of recession or crisis, but also instability that could affect thousands of people;

In other words, human security also implies in these circumstances “economic safety nets” and effective political participation, *especially by the weak and the vulnerable, since their voice is vitally important*³.

This analysis underlines the fact that daily insecurity can arise from “**persistent neglect of social and economic institutions**” (such as schools, hospitals, etc.) (Sen 2000: 4). On this basis, the human security approach tries to understand and analyze the real reasons for failure of governance.

In this perspective, the daily insecurity derives from the fact that the existing rules of the game are inadequate to the society’s needs and to its own way of thinking or doing business. This means that the nature of institutions in a given country explains the situation of human security. Thus, we need to understand and to analyze the real reasons for the failure of economic and political institutions.

This conceptual approach illustrates the importance of a “bottom-up” strategy that would require understanding the people’s perceptions. In this sense, the approach of human security gives a central and vital role to the individual.

Human security “*means using processes that build on people’s strengths and aspirations. It means creating political, social, environmental, economic, military and cultural systems that together give people the building blocks of survival, livelihood and dignity.*” (CHS: 2003: 4)

Such an approach requires a deep knowledge of the concerned society, its culture and customs particularly in terms of economic activities. Thus the bottom-up strategy requires a lot of time to crystallize the habits and preferences of people. It has the advantage of being inclusive and contributing to social stability.

The purpose of the following section is to introduce the problematic of institutional change as a theoretical framework for understanding the nature of challenges in the process of the reconstruction of Somalia. Such a framework based on the major contributions of Veblen, Commons and North underlines the crucial role of informal constraints or institutions which shape the behaviour of individuals when establishing institutional arrangements.

This institutional approach presents a lot of similarities with human security analysis. The third part of this paper will try to show how major outcomes of institutionalism may suggest key orientations in terms of guaranteeing the human security of the Somali society at large.

3 “*This requires the establishment and efficient working of democracies with regular elections and the tolerance of opposition, but also the cultivation of a culture of open public discussion*” (Sen 2000: 3).

II. Institutional Economics (Old, New) and Human Security

The institutional economics (old and new versions) gave a theoretical framework that emphasises the importance of taking into account the people's way of thinking or dealing with everyday life. In this section, we will first review briefly the inputs of J.R. Commons and T. Veblen who presented a vision of institutional change/evolution in which reflection on human action is central to the debate. Thus, we can say that institutional economists adopted de facto human security philosophy. In other words, taking into consideration the individual's desires in a society while conceiving institutions is to work for human security.

The issue of the evolution of institutions (or institutional change) is directly related to social development. The OIE (Old Institutional Economics) as well as the NIE (New Institutional Economics) consider institutions as fundamentally necessary for maintaining order in society. Institutions are sometimes presented as a process facilitating the smooth conduct of human activities (economic and social), sometimes defined as constraints necessary to prevent the chaos that would result from the pursuit of personal interest.

In his attempt to construct a theory of social evolution, Veblen argues that human behavior is dominated by habits of thought. The habits of thought come from instincts that represent evolutionary adaptations to changing conditions in the environment. The definition of institutions is directly linked to the concept of habits of thought. Thus, institutions are "*established habits of thought common to the generality of men*" (Veblen: 1919: 239). They include usages, customs and ways of seeing the various elements of everyday life. The idea that the habits of thought are shaped by culture, practice or technology is a recurring theme in his analysis.

Instead of an individual passive and inert, he sees in the instincts and habits, the dynamic bases of intent and action. Therefore, he proposes a conception of man who "*is not simply a bundle of desires that must be saturated by being placed in the path of the forces of environment, but rather a coherent structure of propensities and habits which seeks realization and expression in the course of an unfolding activity*" (Veblen:1898,1998: 411).

In the thesis, human activity is the process of material fact. From this perspective, "*the economic life history of the individual is a cumulative process of adaptation of means to ends that cumulatively change as the process goes on, both the agent and his environment being at any point the outcome of the past process*" (Veblen: 1898: 1998: 411).

Therefore, to put the matter in other words and from an economic development perspective, the contributions of Veblen can be used as follows:

- First, the concept of man proposed by T. Veblen is likely to inspire the theory of economic development. This must be based on the idea of a more active man, master of his destiny, a member of a community that influences him at the same time as it acts on the latter. Far from the bright calculator of neo-classical economists and unable to cope with different information from the environment, man

relies on habits or customs. Therefore, since the habits of thought or institutions are rooted in a particular culture, social change does not follow one single path and each country must find its own. Following this pragmatic approach, positive economic evolution of a society such as Somalia in the reconstruction process, depends on its capacity or willingness to create institutions that are productive, stable, fair and compliant with its habits or norms;

- Veblen's theory reveals accurately the difficulty of changing the thinking of individuals (attitudes are changing slowly). Changing institutional environment is not an easy task because of the opposition between the present holders of power (businessmen or politicians), for example, in developing countries and the rest of society. The government (a sort of guardian of "vested interests"), of course, acting on behalf of the interests of the ruling class and in this, is another source of blocking the process of institutional change. The network of corruption and maintenance of favors (JF Bayart) is illustrative and severely hampers any institutional change.

As for Commons⁴ the institutions correspond to "*customs and laws which prescribe the accepted modes of exchange with each other. In ancient societies, customs, habits, conventions, ceremonies, guide each person in his relationships with others. In advanced societies, statutory laws dictate certain general rules of conduct [...]*" (Commons: 1899: 61)⁵. Under this vision, the main institutions are the state, businesses, political parties, the family.

The institution is also presented as collective action. This idea of collective action is related to the central question of the order provided by the collective constraint that delimits the fields of action of individual wills. In this perspective, "*an institution is defined as collective action in control, liberation and expansion of individual action*" (JR Commons: 1931: 648). Doing so, an institution regulates conflicts of interest and ensures a relative stability of expectations. In fact, without these expectations, decision making cannot take place.

For our argument, we must keep in mind that the institutionalism of Commons led to an approach of economic development based on the process of artificial selection of working rules. This approach articulates the strengths of organizations, laws and customs in a voluntary vision of change (human will). The artificial selection is referring to the role of Courts when solving problems. Commons' analysis gives a huge importance to the Courts in the resolution of economic conflicts; they must integrate predominant customs, practices or patterns of beliefs. The institutional development is the result of judicial decisions that favor the emergence of new working rules. In this way, a custom may be accompanied by legal sanction and "*a local practice becomes a common law to the whole nation*" (JR Commons: 1934: 1961: 712). Therefore, institutional change is a process that is voluntary/intentional and conflictual. One might then wonder if this calculated order would balance the private

4 In his article "*A sociological view of sovereignty*" (1899-1900).

5 "*In all human societies individual caprice is bounded by definite limits. These are the usages and laws which prescribe accepted modes of dealing with another. In early society customs, usages, conventions, ceremonies, guide each person rigidly in his dealings with others. In advanced societies statutory law lays down certain general rules of conduct [...]*" (J. R. Commons: 1899: 61).

interests and the collective will. Similarly the relevance of these new regulations is dependent on the values selected by the judges.

Consequently, it is vital to deeply understand the reality of the current situation in terms of development of economic activities when elaborating institutions. What set of institutions to choose to manage conflicts that may emerge during the current transactions between economic actors? The new rules will no doubt induce conflicts with the interests of certain parties. For this purpose, the leaders of the institutional change must practice an inclusive dialogue with various parts of the society, all stakeholders and learn from the grass roots (Asefa, Isse: 2009: 11).

The foregoing analysis shows that it is precisely the mediating role of the courts that can reconcile the interests of opposing parties. Such a process could be ensured if qualified human resources are present. The Somali Diaspora can fill this need with the support of the international community.

However, most of the societies particularly in the developing world are still trapped in an ineffective institutional matrix (or path dependence in Douglass North terms). This may persist because of the network of externalities and complementarities maintained by some institutional matrix. In other terms, the system of rules is perpetuated by individuals and organizations holding bargaining power. Escaping to this negative path dependence is possible, but it remains a difficult process: experiences in the countries of Central and Eastern Europe are illustrative cases.

We therefore believe that institutional change is a voluntary and difficult process. This does not exclude the possibility of a change driven by exogenous forces (violent overthrow of the international status quo, economic crisis, war in neighboring countries etc.). The long evolution of the western world is quite remarkable (D.C. North: 1995: 22) and is a successful example of institutional change to the failures of the rest of the world.

Key points from institutional economics (old and new versions)?

- Institutional approach is flexible enough to recognize the institutional structures specific to each country instead of insisting on a single scheme;
- The informal rules count in human action and we believe they give legitimacy to formal written rules.
- Customs in Commons' analysis (broadly defined) as an element of the dynamics and not as outdated, as is too often presented in the common places of development analysis,
- The state has a central role in the project of institutional change proposed by Commons, North. For North, the institutional approach is the cognitive theoretical tool to address economic development policies. But he admits at the same time that "*we know very little about how to create such policies because the new political economy (the new institutional economics applied to politics) has been largely focused on the United States and developed polities*" (D.C.North:1994:366). The state is the

organization par excellence that ensures the application of legal rules and allows the initiation of change as it holds the monopoly of violence.

Limitations of the analysis of the situation in Somalia and the construction of institutional arrangements for collective decision making with the integration of values shared by society:

- Courts of Justice, essential in resolving conflicts
- Difficult to imagine a development plan without state, central institution, the state is poorly perceived by the Somali society;
- Although the analysis of North takes into account differences in context, it promotes the model of Western societies as an example to follow;

This theoretical approach and experience drawn from development strategies applied during the past decades provide some lessons for the project of economic reconstruction of Somalia. According to this view, it is worth building on the people's strengths in the economic field. The present dynamics of the private sector that grew in the period after the fall of Siad Barre and its tendencies must be considered. Each of the three regions of Somalia⁶ now had a different trajectory but with the dynamism of the private sector as a common point. The development of a private sector must be part of the building process and seen as a principal partner at the same level of civil society.

More precisely, achieving this goal requires in the specific case of Somalia as for developing countries (now more than ever because of the international financial crisis) building capable/enabling institutions that will help to protect their citizens and sustain economic growth. Thus there is an urgent need to transform government institutions by investing in people's capabilities and in providing innovative solutions and incentives that enable the delivery of effective services.

In brief, the institutional economics brings a pragmatic approach to the development of institutional arrangements that govern the economic and social life. This approach derives its strength from assumptions about human behavior and underlines the importance of informal institutions in the conduct of economic affairs; the institutions decided should comply with the customs, norms, and common values of individuals inside a given society.

III. Towards a Development Strategy Focusing on People's Strengths

This last section is an attempt to provide some elements of reconstruction strategy for Somalia. The central proposition here is to be careful about the methods of intervention that have proved successful elsewhere. The other core proposition is to think

⁶ Puntland, Somaliland, South-Central Somalia.

of other methods that integrate local peculiarities so as to guarantee the human security. For this, a major obstacle will avoid “ideals” templates of development and reconstruction of institutions of donors who themselves are struggling to do without.

These models are based on a standard formula that was applied throughout and the results are very mixed. These models⁷ address the design of the state but also the functioning of the economy.

Another obstacle is the fact that for donors “*to do without a state apparatus as a recipient of funding and owners of projects, is the difficulty of so-called donors, when they are focusing on the institutional field to make the balance between the reconstruction of a central state in the Weberian sense, and to support other means of exercising government functions, whether in the field of security, the issue of services to the people or support activities*”⁸ (Véron: 2010).

This difficulty is enhanced by the projection on the reality in Somalia of the nation concept related to a single, unified country. Indeed, the local situation corresponds to three main regions with a specific evolution.

The paper discusses the existence of other categories of institutional arrangements and/or actors. Therefore it becomes more realistic from the human security perspective to consider and build on these achievements. These actors are varied. Their achievements are especially palpable in the field of business and dynamic private sector.

In this context, without claiming to be exhaustive in covering the complexities of Somalia society particularly the private sector case, we will nevertheless try to provide some recommendations.

Private Sector and Enterprises’ development

The private sector study brings us back to the business world, its role in job creation and the fight against poverty. According to the economic development process, the enterprise has been recognized for its crucial role. As an organized unit, the enterprise depends for its existence on the participants’ continued commitment to contribute to the collective effort and commitment based on the expected profit from the ongoing relationship of members of the organization.

Thus, businesses play a key function in the dynamics of institutional change in interaction with existing institutions (rules). To resume North, institutional evolution is the product of interactions between organizations (i.e companies, associations, political parties) and institutions. Organizations like enterprises influence the category of rules that is likely to emerge as per context.

Business growth requires the existence of a defined structure of rules, both internal and external (submission to Law). Therefore, the process of reconstruction of

7 “Hence their propensity to export to the countries receiving their aid, a format too often based on pluralist parliamentary democracy, “good governance” of public affairs actual way of thinking in developed countries and a functional and reasonably strong central government” text translated from (Véron : 2010).

8 Text translated from French in Véron J-B. (2010: 15).

new institutional arrangements in Somalia must be based on the search for consensus on the strengths of current players/actors in the economic field.

The experiences drawn from the transition to market economy of countries of Eastern Europe and from the structural adjustment strategy underlined the fact that institutions, enterprises are also “local constructions”. This is the importance of the embeddedness problematic of economic activities in society that should be remembered here (K. Polanyi: 1944: 1972; M. Granovetter: 1994: 2000). As a social construction, the harmonious development of the firm within its own environment is conditioned by the inclusion or not of this social dimension. In other terms, the institutional arrangements necessary for business development must comply with norms, business customs existing in a given territory. That is the question of the legitimacy of the institutions that we must integrate. This brings us to think to the role of the state and its function as producer of regulations. But before this, let us make a brief review of the Somali private sector development.

The private sector in Somalia

Since 1995⁹, the three regions (South-central Somalia, Somaliland and Puntland) of the present Somalia are experiencing very positive developments of the private sector. This development of this sector has relied on the willingness of Somalis, local residents and Diaspora, in improving the daily lives and rebuilding of their country. Remittances from the Diaspora have contributed a lot to private sector activities, particularly telecommunications, *hawala* money transfer, international trade transit. “As a result, Somalia has inexpensive, high-quality mobile phone services, supposedly the cheapest in Africa”¹⁰.

Remittances from Diaspora could be considered as a source of support of relatives and investment. The 2002 Somalia Socio-Economic Survey shows that “the Somalia Diaspora is estimated to provide about U.S. \$360 million annually into the three regions of Somalia, and the estimated total transfer of remittances handled by Somali remittance companies is about U.S. \$700-80 million each year”¹¹. It is also underlined that remittances may be utilized to support conflict and warlords in clan protection logic¹².

But let us keep in mind here the crucial role of remittances in providing great support to the private sector and particularly to construction activities, money transfer companies, airlines etc. In this perspective, it is considered that this source of finance also allows cross-clan business to take root.

The real estate sector is also experiencing an unprecedented upturn thanks to the climate of stability in certain areas allowing the fight against poverty (Hargeisa, Borrama, etc.).

9 World Bank, *Conflict in Somalia: Drivers and Dynamics*, January 2005.

10 Choices: Human Development Magazine, UNDP, 2003.

11 Socio-Economic Survey 2002 Somalia, Report No. 1, Somalia Watching Brief, United Nations Development Program/World Bank, 2003.

12 World Bank, *Conflict in Somalia: Drivers and Dynamics*, January 2005.

Benefiting from the virtual absence of local taxes or regulations¹³ in general, the dynamism of the Somalia private sector is felt in neighboring countries such as Djibouti. For example, markets in Somaliland offer all types of goods at very competitive prices. It has become very common in recent years in Djibouti, for traders and individuals to go and buy various goods in Somaliland. The most purchased products range from household appliances to construction materials.

The free business climate, no binding laws and cheap/competitive conditions of production, have attracted and seduced Djibouti and Ethiopian businessmen to open factories or companies in Somaliland especially in Hargeisa. Trade between the two countries, although not estimated is increasing regularly thanks to low tariffs (customs). This promotes the fight against poverty and helps rebuild the country.

In addition, it is evident that *“Somali merchants have also taken advantage of the lax border controls in Kenya to transport consumer goods such as fuel, light electronics, and sugar. On the positive side, Somali entrepreneurs have engaged in production of light goods such as pasta, soap, electricity, and bottled water to meet local demand”* (World Bank: 2005: 26). They also export those commodities to the neighboring countries like Djibouti. Consequently, the economy modernizes and depends less on the traditional sector of the livestock trade, which used to contribute to about 80% of GDP before 1991¹⁴.

Therefore, the increase of private sector activities in the past few years is made possible due to the local contractors' willingness and we can say thanks to the stability of the local environment. Another factor explaining this situation is the lack of constraints in terms of institutional arrangements. Indeed, limited regulations associated with a weak state also positively enabled the development of entrepreneurs engaged in the production of light goods and services. This situation also allows people to set up several small scale businesses in order to ensure their *livelihood and dignity*.

In short, the dynamics of private sector activities can also contribute to peace and reconstruction programs. If encouraged business people irrespective of the size of their activities can become a potential factor for conflict de-escalation. Consequently, the private sector must be considered a key partner of governance.

What kind of institutional arrangements need to be set up to ensure human security? In terms of institutional rules, it is important to avoid falling into the trap of economic policies that have been applied to other developing countries and based on full liberalization. One could also quote from Marchal that:

“One may say, not without irony, that the civil war has been a radical structural adjustment program. Foreign trade has been liberalized and freed the exchange rate have recommended for years by the Breton Woods institutions. National deregulated markets have been and consumer subsidies have been eliminated. Last but not least, the civil war has created a so-called enabling environment to support the development of the private

13 *“Regulations occur in limited ways by weak state institutions in Somaliland and Puntland, along with customary and Sharia law, which is the only regulatory force in South-central Somalia”* World Bank, 2005.

14 World Bank, *Conflict in Somalia: Drivers and Dynamics*, January 2005.

sector in general and the small-scale/informal sector in particular¹⁵. Although this way of seeing things is too limited, one can recognize that for the time being this situation employed a lot of actors (in terms of ensuring daily needs).

This permissive environment not only helped Somalis entrepreneurs and merchants having funds to undertake many activities, but has also allowed small players to start small business to survive and earn a living with dignity. For instance, the observation of the Borrama and Hargeisa markets shows the dynamism of small players who are buying and selling consumer goods often at the same prices as a Dubai market.

Small is beautiful. The development of new institutional arrangements should just avoid discouraging the traditional entrepreneurial spirit. Instead, in a context of struggle against unemployment especially for young men and women, we must build on strengths and help create small businesses.

The new rules should be based on how people behave, mainstream their norms of behavior and beliefs. This reminds us that “*man acts, in a manner not to protect his individual interest in owning property, but to ensure its social position, his social rights, social benefits*” (K. Polanyi:1944 :1972: 75).

Therefore, it is important to take into account the background values of Somali society and to know that the economic system is managed according to non-economic goals that reflect in turn the predominance of social ties, the importance of solidarity. The relevance of institutional changes within the philosophy of international institutions (World Bank and IMF) is therefore quite limited since ultimately they are the codes of conducts or informal constraints that will give sanction (legitimacy).

Adopting such a philosophy that gives priority to personal choices and therefore the most basic rights of livelihood is a pragmatic way of building stability and prosperity. This vision meets the human security approach that focuses on empowerment.

Empowerment implies a “bottom up” approach or in other words, building on people’s strengths and will. At the same, it means developing the capabilities of individuals and communities to make informed choices and to act on their own behalf. Moreover, empowerment approach means designing arrangements that allow people “*to find ways and to participate in solutions to ensure human security for themselves and others*”¹⁶.

The nature of the state. The establishment of rules in postwar economy implies the reconstruction of the Somalia state. In the collective consciousness of the Somali people the state has a terrible past. This misperception is very active in the business sector where existing institutions were perceived as the state’s tools (R. Marchal: 2000: 23). “*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*”¹⁷.

The disappearance of the state has given a new impetus to private actors as well as civil society in general to perform activities according to their own way of doing

15 UNDP, The Somali Private sector, Roland Marchal, 2000.

16 Handbook for Human security (2009: 8).

17 World Bank, *Conflict in Somalia: Drivers and Dynamics*, January 2005.

things. The development of these new actors¹⁸ would have facilitated the decline of tribalism and the importance of politics. The religious group condemned under Siad Barre resurfaced.

So in a context where the legacy of the old regime is always present, what role could the state play in the governance of economic affairs?

In this regard and in line with previously presented approaches, the state must be connected to its citizens rather than foreign powers¹⁹. This is required if one wants to avoid the negative opposition between top institutions (formal) and low institutions (informal or traditional).

An urgent shift of the way of designing new institutional arrangements is needed to address this recurrent problem common to all African countries.

The project of building a state in Somalia must operate on the basis of internal/traditional institutions so as to empower its citizens. This is particularly true in the economic arena as well as the political.

Concluding Remarks

Success in the efforts of building Somalia must be based on stable, fair, and broadly accepted institutional foundations. These institutional arrangements should also be sufficiently flexible to be changed or replaced in response to individuals needs and to political and economic feedback. In this perspective, integrating traditional ways of doing business (hagba, Islamic finance, hawala,) are suitable if we want to mainstream all components of the society (private sector, civil society organizations, etc.) This strategy of setting up institutional arrangements must address the mobilization and the management of the human resources, abundant natural resources in order to ensure and strengthen the economic backbone of the country.

The future state must then adopt an inclusive and consensual building approach that helps citizens to explore and use their own capability. The new state must acknowledge that the human being is full of capacity, full of capabilities (Muhammad Yunus).

Concerning the private sector, the government could use for this purpose the power of taxation as a means of economic activities regulation/recovery. Taxes are determinant for the development of the private sector and growth of enterprises *along with its large effect on the margins for profit; they are becoming the most effective exercise of the state power.* Accepting this vision means that government must take into consideration different categories of activities so as to regulate with justice and

18 "Non-state actors provide governance: After a period of anarchy, traditional structures that cut across clans resurfaced to provide some semblance of law and order. Communities depend on Sharia courts and customary laws to address disputes and provide justice. Thus, they are a force of conflict de-escalation" in World Bank, *Conflict in Somalia: Drivers and Dynamics*, January 2005.

19 Kidane Mengisteab, Identity, Citizenship and Regional Integration in the Horn of Africa, Greater Horn Horizon Forum Conference, November 2009.

equity. After all, taxes determine “*the directions in which people may become wealthy by determining directions in which they may not become wealthy. They say to the business man: Here is profit, there is loss*” (Commons: 1934: 820).

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Beyond Federalism: Which Concept of Decentralization Reflects Best the Needs of Somalia?

*Markus Böckenförde*¹

I. Introduction

For almost two decades, various initiatives have been undertaken to find a peaceful solution for the war-torn country of Somalia. All previous initiatives have failed and Somalia's statehood has failed along with those attempts. According to tallies by many analysts, the Transitional Federal Government is undertaking the 14th attempt to reconcile Somalis within Somalia. Whether or not it will be more successful than the previous undertakings will depend on various factors, including the identification of, and consensus on, an appropriate state structure. The appropriate form of decentralization and the means how to establish it are one incremental step in the search for peace.

The title of this paper may sound very familiar to those involved in the Somalian peace processes of the last few years. In 1995, Ion Lewis and others published "A menu of Options: A Study of Decentralised Political Structures for Somalia",² identifying various forms of decentralization. With the promulgation of the Transitional Federal Charter (TFC)³ in 2004, as the name already indicates, a commitment to a specific form of decentralization, the federal system, was manifested. Throughout the next years, relevant Somali institutions within the Transitional Federal Government discussed options and constitutional models of federal states. At the end of 2008, upon the request of Prime Minister Nur Hassan Hussein, UNDP Somalia organized a conference on federal options for a Somali Constitution.⁴ At that conference, some Somali participants felt uncomfortable with "federalism" for various reasons: Quite a few stressed that, unlike Ethiopia, Somalia is a homogenous society with one religion and one language, not a multi-ethnic society that needs federalism; some

1 Dr.iur.; LL.M. (UMN); Programme Officer Constitution Building Processes, International IDEA, Stockholm [m.boeckenfoerde@idea.int].

2 I M Lewis, and J Mayall, *A Menu of Options: A Study of Decentralised Political Structures for Somalia*, London School of Economics/EC Somalia Unit, 1995.

3 Transitional Federal Charter of the Somali Republic, February 2004. Available at http://www.chr.up.ac.za/hr_docs/countries/docs/charterfeb04.pdf (accessed 22 May 2010).

4 See UNDP Somalia, *Federalism and Decentralization: Options for Somalia*, 2008 (on file with the author).

even argued that the federal idea was imposed by Ethiopia to weaken Somalia, since it allows for secession; others didn't contest federalism as such, but disagreed with the application of the 4.5 formula⁵ as a reflection of the federal structure.⁶ To many participants federalism was more than a specific form of decentralization, it rather became a metaphor for aspirations as well as anxiety and was heavily politicised. This is not a phenomenon unique to Somalia, but has been observed in other countries as well.⁷

This paper advocates against predetermination through the use of a specific technical term that only covers some of the options available. Instead, it suggests the need to search for an adequate system of decentralization that best fits the Somali context and contributes to a more open debate in the search for a Somali solution. Or, as the late John Garang, former leader of the Sudanese People's Liberation Movement / Army (SPLM/A), stated at a conference in 2005:

"We have not used any formal word in the entire CPA [Comprehensive Peace Agreement] to describe the type of governance that we have negotiated and agreed on. Perhaps we were guided by the African sign not to name a child before it is born. In the IGAD peace process, [...] SPLM and GOS sat down to [...] negotiate and solve the serious problem of war and peace, instead of being bogged down in whether we should have a federation, a confederation or true federalism. Now that the child has been born researchers can give the name that they believe best depicts the arrangements the Sudanese have agreed in the Sudan Comprehensive Peace Agreement."⁸

Section 2 of this paper briefly maps the relevant aspects of decentralization divided into formal and substantive elements. Examples from different countries illustrate the vast variety of options with respect to both elements. Section 3 introduces the specifics of a federal system in order to underscore what kind of governmental structures are considered "federal" and which structures do not meet those requirements. The paper does not intend to discourage the examination of the federal option in the search for an appropriate model, it rather emphasizes the importance of not limiting one's options right from the outset by exclusively relying on federal models. Section 4 focuses on the specific and additional challenge that Somalia faces with regard to Somaliland in the search for an appropriate territorial structure.

5 The so-called '4.5 formula' was designed to balance and share representation and power in Somalia between the four main clan families (Dir, Darod, Hawiye and Rahanweyn), as well as five minority constituencies. The formula originally emerged from a previous reconciliation conference held in Djibouti in 2000 which resulted in the creation of the ineffectual Transitional National Government (TNG) that lasted from 2000-2004.

6 In part those views are reflected in the recommendations of the three Somali working groups at the conference. See *UNDP Somalia, Federalism and Decentralization: Options for Somalia*, 2008, p. 22-24.

7 See the federo campaign in Uganda (http://www.federo.com/downloads/conference_booklet.pdf), the persistent avoidance of using the term federalism in the constitutions of South Africa and Sudan, and the recent constitution building process in Nepal.

8 SPLM Chairman's Address on the Occasion of the Third Conference on Federalism, Brussels, Belgium. In: *Sudan Vision*, 12 March 2005. Available at: <http://www.sudanvisiondaily.com/modules.php?name=News&file=article&sid=5800> (accessed: 22 May 2010).

II. Mapping Aspects of Decentralization

Various aspects of decentralization might be considered while setting up or revising the form and structure of a government. In the course of such an exercise, two different elements are worth distinguishing: the formal and the substantive.

1. Configuration of a Decentralized System of Government

The formal element addresses the territorial configuration of decentralization. It provides the structural framework and determines the levels of administration/government as well as the number and demarcation of sub-units within one level of government, including some asymmetric structural settings. Often, a country's territorial structure is preset by previous arrangements and historical events. However, especially after a violent conflict or internal crisis, structures are reconfigured in order to reflect new substantive deals or reforms.

When deciding the formal structure of Somalia, various issues might be worth considering: How many levels of administration/government should operate in the country? Should all levels of administration / government be established throughout the territory or only in some parts of the country as a response to recent challenges and dynamics? Do the 18 regions take into account the development of new regional entities? For instance, how the southern border of Puntland has divided the Mudug region? In this context, it is also worth mentioning that Art. 11 of the Transitional Federal Charter (TFC), which addresses the establishment of "states" in Somalia, would not allow geographically to establish the state of Puntland.⁹

Another ongoing debate discussed in the Somali context refers to the criteria of setting up the sub-units: Should they be established along clan-based lines or according to topographic and/or economic criteria? If a clan-based approach is considered, further questions arise: Are clans territorially concentrated or are some too scattered to be easily comprised in a territory? How does one ensure that members of small clans do not feel "homeless", if those clans are too small for their own sub-units? The lengthy discussion in Nepal on the criteria for the creation of sub-units as described in Table 1 might be worth considering.

9 Art. 11 (2) of the TFC stipulates: "The Somali Republic shall comprise of: (a) The Transitional Federal Government; (b) State Governments (two or more regions federate, based on their free will); Regional Administrations." However, the southern border of Puntland divides what was previously the region Mudug.

Table 1

Discussion on the Configuration of a Decentralized System of Government in Nepal¹⁰

In Nepal, the Committee on State Restructuring and Distribution of State Power has debated the number, names and boundaries of states under the future decentralized/federal structure. The delineation of subunits on the basis of identity, economic and administrative viability, resource distribution and other factors has been discussed. Two alternative maps were prepared under these parameters – one with 14 provinces, the other with six provinces (see below).



Sources: CA Secretariat, *Republica*, 15 January 2010

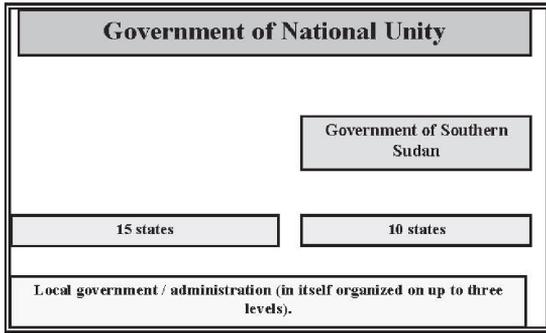
Furthermore, should there be an option to alter internal boundaries once a constitution is in place and if so, who might be involved in such a process? The more internal borders create self-governing entities rather than administrative districts, the more one should consider the view of the affected people.¹¹

Often, levels of administration/government exists symmetrically throughout the country. Occasionally, however, some countries have opted for an asymmetric formal structure, thereby creating more levels of government in some parts of the country than in others. The following examples might be inspiring for future discussions on drafting a formal structure for Somalia.

10 See Centre for Constitutional Dialogue Nepal (CCD), Update on the the Constitutional Process and the CCD, 18 January 2010.

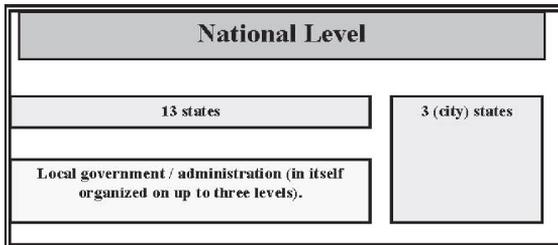
11 Some constitutions require the people living in the affected territorial entities to confirm the alteration of the boundaries in a referendum as part of a process involving several other actors (Art. 29 of the German Constitution; Art. 5 of the Constitution of Ghana). In other countries, the elected representatives of the affected territorial entities need to approve the change of boundaries (Art. 5 of the Belgium Constitution requires that the pertinent law not only gains a majority in the legislature, but is also passed by a 2/3 majority of those members of Parliament belonging to the specific group concerned through a change of boundaries. Art. 2 of the Constitution of Malaysia requires a legal act by the legislature of the territorial entity concerned. Art. 57 (3) of the Constitution of Mongolia requires that a revision of an administrative and territorial unit needs to be initiated by the respective entity and the peoples living in it, before a decision is made by the national legislature (State Great Hural)). In other countries, alteration of internal boundaries is done by an ordinary legislative act (Art. 150 of the Constitution of Benin stipulates that “territorial units will be established by laws”).

Table 2 Configuration of levels of Government in Sudan



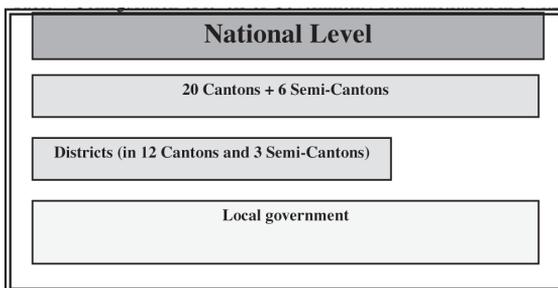
In some countries, the level of government immediately below the national level only covers some areas.¹² In Sudan, for instance, the constitution provides for an additional level of government in the south of Sudan not found elsewhere in the country. In the peace negotiations that led to the new constitution in Sudan, the southern rebels demanded this additional layer of government in order to create one common region for the people of Southern Sudan after decades of war.

Table 3 Configuration of levels of Government/Administration in Germany



In other countries, some metropolitan areas are sub-units directly beneath the national level without any level of government below. In Germany, three cities are both municipalities and states, thereby dropping the third level of government (e.g., the prime minister/governor of the city-state of Hamburg is also the mayor of the city of Hamburg) as compared to other areas in Germany.

Table 4 Configuration of levels of Government/Administration in Switzerland



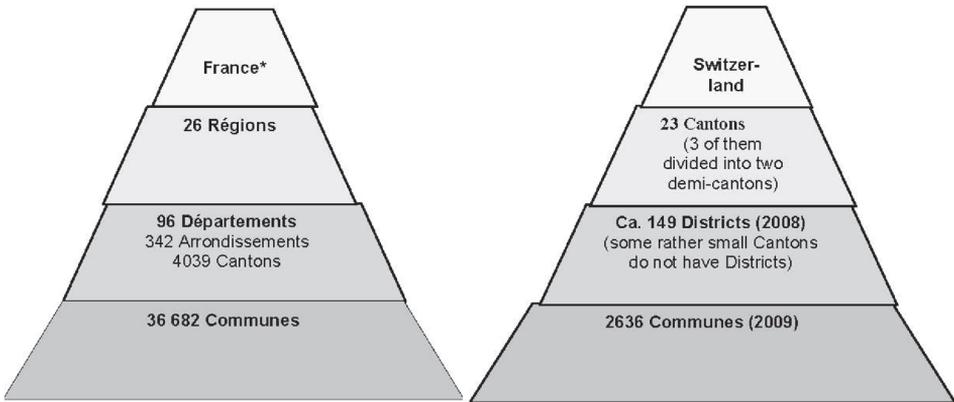
12 See Art. 2 of the Constitution of Tanzania; Art. 24 of the Interim Constitution of Sudan (2005).

In other countries, an additional level of administration is only inserted in larger territorial sub-units. In Switzerland, smaller Cantons (states) do not have administrative districts.¹³

2. Depth of decentralization

Aside from to the formal structure, decisions have to be made with regard to the depth of decentralization. What kind of powers are to be assigned to which level of administration/government? The pyramids below reflect the structure of decentralisation in France and Switzerland. Although both look quite similar, France is deemed to be a “centralised” and rather unitary system of government, whereas Switzerland is considered to be strongly “decentralised” and federal. The pyramids underscore that it is not the formal structure that informs the centralized, decentralized or federal system of government, but rather the powers and resources allocated to the different levels of administration/government within a given system. For instance, the Cantons in Switzerland have considerably more authorities and autonomous powers than the Régions in France. Additionally, the Cantons have significantly more authority to raise their own revenues. Furthermore, although districts in Switzerland are also purely administrative units in support of the implementation of the Cantons’ tasks, their heads are elected, whereas “prefects” are appointed by the French-central government as its agents in the Départements to implement the central government’s decisions.

Table 5



*Communes France d'outre-mer are not considered

The substantive part of decentralization is the assignment relevant powers and authorities to the respective levels within a skeletal structure. The amount or degree of decentralization ranges in a continuum across systems, from those characterized as

13 Since the administrative/governmental structure of the Cantons is regulated in the respective Canton's constitution, the Swiss constitution is silent about the establishment of administrative levels.

strongly centralized to those heavily decentralized. In order to identify various grades of decentralization, it might help to consider three aspects of functional decentralization that are relevant for setting up a constitutional framework: Administrative decentralisation, political decentralisation, and fiscal decentralisation. Drawing distinctions between these three aspects is useful for highlighting the need for coordination among them. Transferring administrative, political, and fiscal functions from higher to lower levels of government can take different forms depending on the degree of autonomy assigned to lower levels of authority.

(a) Administrative decentralization

Administrative decentralization is generally categorized by using three terms, most commonly labelled “deconcentration,” “delegation,” and “devolution”, that should be regarded as points along a continuum of administrative autonomy.

Deconcentration is a geographic concept. It occurs when the central government disperses/transfers responsibilities for certain services to its regional branch offices. This however does not involve any transfer of authority to lower levels of governments. For deconcentrated functions, central government has full responsibility and administration is handled by national civil servants working in regional or district offices. Example: The Bureau of Statistics is based in the capital. In order to facilitate the task of getting the relevant information, several branches of the bureau are established throughout the country.

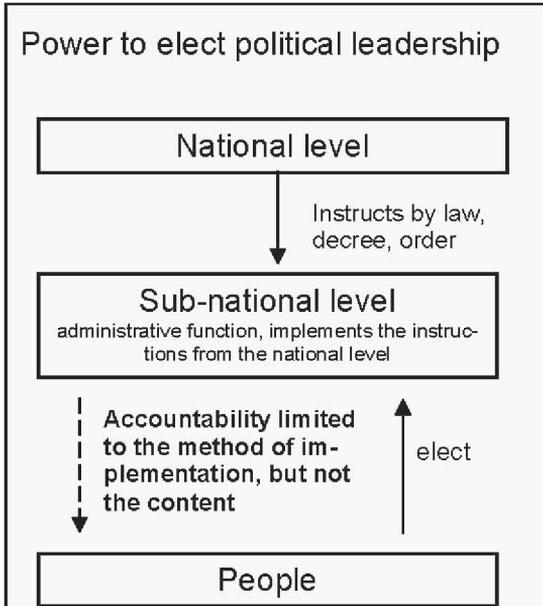
Delegation is a more extensive form of administrative decentralization. It refers to a situation in which the central government transfers responsibility for decision-making and administration of public functions to a semi-autonomous institution at a lower level (which might already be part of a regional/local government). It is best described as a principal-agent relationship, with the central government as principal and the local institution as agent. Example: The Bureau of Statistics is based in the capital. It sets up the annual plan of the specific data to be collected, but delegates its implementation to local institutions in the country. Although the local institutions have some discretion in how to collect the data, general supervision and authority to interfere in specific situations remain with the central government.

Devolution, a strong form of decentralization, involves the transfer of specific decision-making powers (including elements of finance, management, and investment decisions) to units of regional/local government. Depending on the degree of devolution, the central government’s option to interfere is limited or even non-existent. This type of administrative decentralisation is very much linked to political decentralization. Example: The tasks of higher education (universities) are transferred to the sub-units. They have to decide on the number of faculties, construction of buildings, procurement of personal, annual budget etc. Depending on the amount of devolution, supervision is very restricted and might only be possible by revoking the act of the transfer (e.g. by revising the law). In its strongest form, the initial act cannot be revoked without the consent of the sub-unit.

(b) Political Decentralization

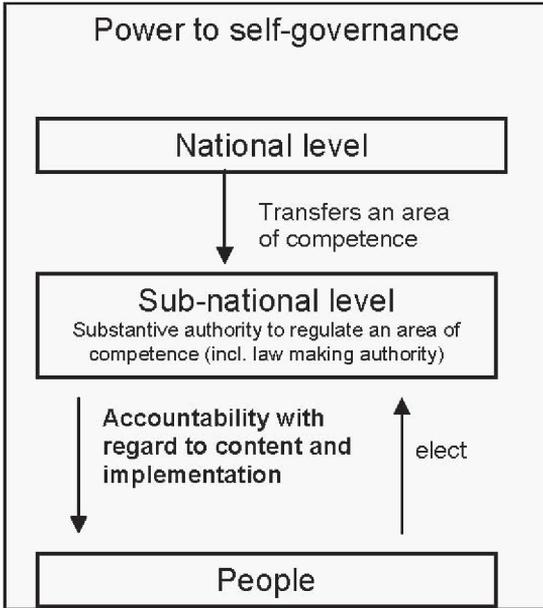
Political decentralization includes two elements: (i) Transferring the power to select political leadership and representatives from central governments to local governments, and (ii) transferring the power and authority to create a structure of self-governance.

Table 6



The first element might be described as electoral decentralization and permits people to exercise their voting power with limited intervention from central government. For it alone, it does not yet allow people at the local level per se to influence politics and participate in decision making processes. E.g., the head of a district in Switzerland is directly elected but his/her only task is to implement administrative directives from the Cantons. Hence, his/her accountability to those who elected him/her is limited to the method of implementation, but not to the predetermined content. Thus, he/she is accountable to the higher level of government insofar (see Table 6). Promoting political decentralization in the second sense additionally requires putting in place structural arrangements and practices that would empower and facilitate regional/local governments and communities to exercise not only the voting power in the choice of their regional/local leadership and representatives but also to have strong influence in the making, implementation, monitoring, and evaluation of decisions with regard to the issue transferred. This requires a high degree of autonomy (insofar overlapping with administrative devolution) and relies on the establishment of elected legislative or quasi-legislative bodies that allow active participation in the elaboration of rules on how the transferred issue is to be addressed and designed (Table 7).

Table 7



(c) Fiscal Decentralisation

If the regional/local levels are to carry out decentralized functions effectively, sufficient financial means need to be allocated to them. Depending on the degree of decentralization, expenditures for services delivered are either covered by the centre or the respective level that is fulfilling the function. In the latter case, the regional/local government must have an adequate level of revenue. Fiscal decentralization allocates revenue-raising powers to the various levels of government. This can take various forms, such as the power to raise revenue by direct or indirect taxes, income from national resources, intergovernmental transfers or cost recovery through user charges. Such a devolution might also include the power to control and audit revenue. Indeed, the actual regional/local government’s status of autonomy is partly reflected in its authority to secure sufficient funds for implementing the tasks assigned to it.

(d) Symmetric and Asymmetric Decentralization

As demonstrated above, the formal structure of a governmental setting might be asymmetric. The same holds true for the substantive assignment of powers to the sub-units. Even in countries with a symmetric formal structure, powers and resources might be asymmetrically assigned to the sub-units. One region might get more autonomous powers than others. Often this is done in order to offer a linguistic or religious minority some autonomy to regulate their own cultural affairs. Occasionally, elements of formal and informal asymmetry go together. The following two examples (UK and Tanzania) will highlight the rich diversity of options that are available for identifying the appropriate form of asymmetric decentralization within a country.

(1) United Kingdom¹⁴

The first example is the UK-decentralization scheme and the relevant arrangements with regard to Scotland, Wales and Northern Ireland. In England itself, laws are passed by the British Parliament and implemented by the national administration, however, the situation in the other three regions differs, depending on how much power the British Parliament delegated by law.

Table 8

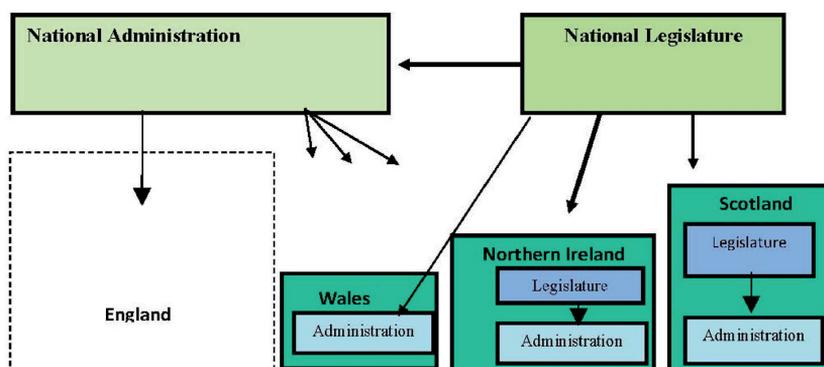


Scotland has its own legislature and executive. Under the Scotland Act 1998, the Scottish legislature passes acts¹⁵ and the executive releases administrative regulations (often called secondary legislation) in areas other than those which are reserved for the British Parliament.

Although the British Parliament can also legislate concurrently in the devolved areas, it will only do so if asked by the Scottish legislature (Sewel Convention). The Government of Wales Act 1998 delegated administrative and executive powers in some areas which used to be exercised by UK ministers. Primary legislation for Wales even in the delegated areas is still passed by the British Parliament, but its implementation falls under the authority of the “National Assembly for Wales” which is limited to pass administrative orders and regulations as part of the execution of British laws.

Table 9¹⁶

Structure of Decentralization in the UK



¹⁴ Funding for the devolved institutions is mainly provided by a block grant calculated under the Barnett formula. See M Böckenförde, J Schmidt, V Wiesner, Max Planck Manual on Different Forms of Decentralization, 3rd edition 2009, p. 47.

¹⁵ In addition, the Scottish Parliament has the power to vary the standard rate of income tax by up to 3 percentage points from the UK level (although it has not yet used this power). See M. Böckenförde, J. Schmidt, V. Wiesner, Max Planck Manual on Different Forms of Decentralization, 3rd edition 2009, p. 46.

¹⁶ Table 9 refers to the structure of decentralization after according to the Scotland Act 1998, Government of Wales Act 1998, Northern Ireland Act 1998. It does not consider the Government of Wales Act 2006.

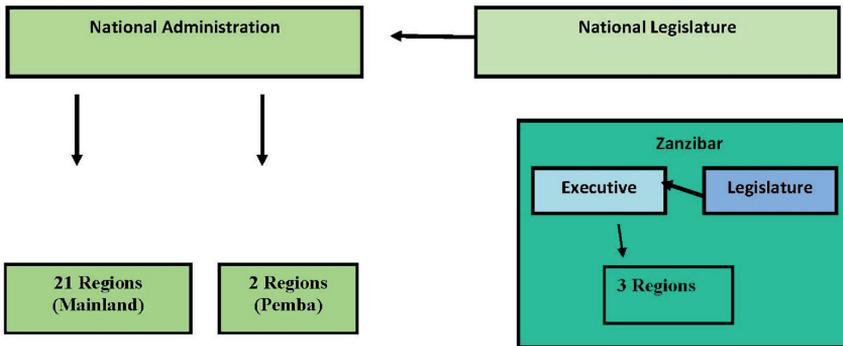
The progress of devolution in Northern Ireland is inextricably bound up in the peace process, and problems with this have led to the legislature and executive being suspended four times, most recently in October 2002. When functioning, the Northern Ireland Assembly can make primary and delegated legislation in those areas which are transferred. The UK Parliament legislates in “excepted” and “reserved” areas. “Excepted” subjects will remain with the UK unless the *Northern Ireland Act 1998* is amended. “Reserved” subjects could be transferred by order at a later date if there is cross-community consent. This triple division of areas is unique to devolution in Northern Ireland.

(2) Tanzania

Tanzania is administratively divided into 26 regions, 21 on the mainland, three on Zanzibar Island, and two on Pemba Island. Zanzibar Island has its own level of government with far reaching autonomous powers, sandwiched between the national level and the regional levels. The autonomous status of Zanzibar with its own executive, legislative, and judicial institutions is constitutionally guaranteed and – in contrast to the UK – not delegated by the national legislature. A constitutional amendment affecting the autonomous status of Zanzibar requires the consent of the pertinent Zanzibari institutions.

Table 10

Structure of Decentralization in Tanzania



IV. The Specifics of a Federal Structure

The options of decentralization as implemented in the UK and Tanzania are just two among many others. Neither of them are not considered federal options. Hence, if Somalia sticks to federal solutions only, these models could not be considered. Although federal models vary considerably, all of them are based on the following parameters¹⁷:

17 See *UNDP Somalia, Federalism and Decentralization: Options for Somalia*, 2008, p. 10.

- At least two levels of government that rule the same land and the same people.
- Both, central government (the national level) and regional government (the sub-unit level) possess a range of powers that the other cannot encroach upon. These include a measure of legislative and executive authority and the capacity to raise revenue and thus enjoy a degree of fiscal independence.¹⁸
- The responsibilities and powers of each level of government are defined in a codified or written constitution/act that neither level can alter unilaterally.
- The sub-unit level is represented within federal decision-making institutions, usually guaranteed by the specific structure of a second chamber in the national legislature.
- An arbitration mechanism, often in the form of a supreme or constitutional court or a referendum, is provided to resolve disputes between the federal level and the sub-unit level.

According to these parameters, the UK does not qualify as a federal structure since, i.a., the autonomous rights granted to Scotland and Northern Ireland can be unilaterally revoked by the British Parliament. With respect to Tanzania, two levels of government are in place only in Zanzibar and not elsewhere in Tanzania, which prevents Tanzania from being considered federal.

Pursuant to the above parameters, a federal structure is a phenomenon between the national level and the next lower level of government, but not between the national level and the local levels of government. None of the federal countries secures the rights and powers assigned to local government in an act or the constitution in a manner that prevents the national government for unilaterally changing that setting. However, and as stated above, one core principle of federalism is that the responsibilities and powers of each level of government are defined and codified in such a manner that neither level can alter them unilaterally. Local governments so far are not yet included in such a pact.¹⁹

Again, this paper does not advocate against a federal system. Federal systems have helped to overcome tensions and conflicts in some situations. They are a valid option in some scenarios, but maybe not in all. While it is important to consider federal systems going forward, the search for a solution for Somalia should not end with them.

18 *A Heywood, Key Concepts in Politics*, New York 2000, p. 141.

19 See also the definition of Nancy Bermeo in her Position Paper for the Working Group on Federalism, Conflict Prevention and Settlement 2005: "Federalism is an institutionalized division of power between a central government and a set of constituent governments, variously denominated as States, Regions, Provinces, Länder or Cantons, in which each level of government has the power to make final decisions in some policy areas but cannot unilaterally modify the federal structure of the state".

VI. The Somali Challenge: Where to start?

Formal and substantive elements of decentralization, as introduced in the previous chapters, focused on decentralization within one country. It has been assumed that the constitutional structure of decentralization is the result of a consensus between all relevant stakeholders, backed by a commitment to implement it. When considering Somalia, it is necessary to be transparent about the territory one is talking about. Both the TFC²⁰ and the various Security Council Resolutions relating to the TFG refer to the territory that became Somalia shortly after the decolonialization of the former British protectorate and Italian colony. One might wonder, whether this perspective still reflects the realities on the ground. It is likely that a territory (Somaliland) that was not and does not want to be involved in the process of drawing a constitutional setting will then implement the constitution and its decentralized structure. Any attempt to implement such a document in Somaliland will most likely lead to another violent war. Might it be worthwhile to consider models of “decentralization” beyond the national structure?²¹ Is the TFG ready to dialogue with Somaliland and discuss the realities on the ground, even considering two independent countries, be it under one confederal roof or not? Various examples exist in which independent and sovereign states agree to share common interests under one institutional roof, be it as regional organisation, confederation, or supranational organisation. Indeed, the USA and Switzerland started as confederations before growing closer together. Recent examples are the United Arab Emirates and –still in the process of growing steadily together– the European Union.²²

20 See Art. 2 [The Territory of Somalia]

1. The Territorial Integrity and Sovereignty of the Somali Republic shall be inviolable and indivisible.

2. The territorial sovereignty of the Somali Republic shall extend to the land, the islands, territorial sea, the subsoil, the air space and the continental shelf.

3. The Somali Republic shall have the following boundaries. (a) North; Gulf of Aden. (b) North West; Djibouti. (c) West; Ethiopia. (d) South south-west; Kenya. (e) East; Indian Ocean.

21 Similar to regional organisations, confederations, or supranational organisations, two independent states are coming together under one common roof. The USA and Switzerland started as confederations before growing closer and closer together. Recent examples are the United Arab Emirates and the European Union.

22 There are also other examples where the attempt to grow together failed, such as the United Arab Republic between Egypt and Syria (1958-1961) or the Mali Federation between Senegal and Mali (1960).

Table 11

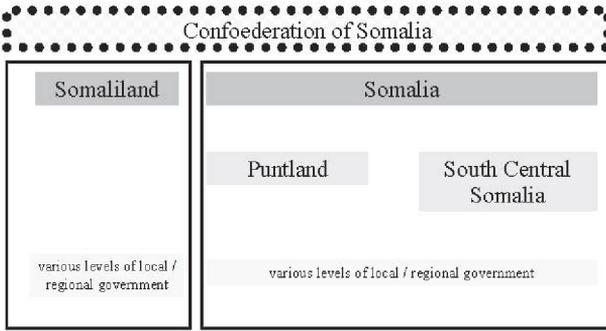
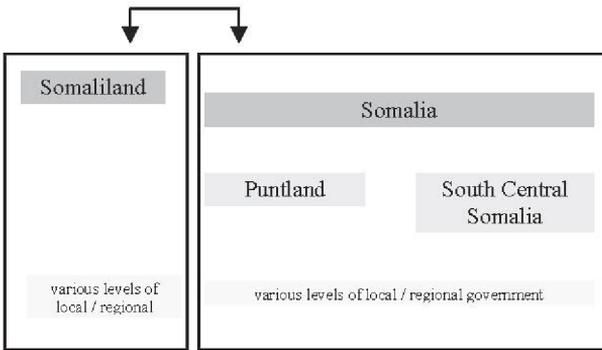


Table 12

Coordination programmes / Friendship agreements



Because history is a narrative of specific contexts and events, it is hard to draw conclusions from one part of the world that can be applied in another. With that in mind, one nevertheless might consider two issues from the German experience that might prove helpful in the Somali context: First, for more than 30 years Germany was divided, the unification of two German States came at times when it was not expected. Unification was possible after – and some might argue, only due to the fact that – the reality of two actual states was accepted and a treaty about common interests and strategies was concluded in the early 70s. Why should that not work for Somalia and Somaliland?

Second, German unification was only possible because relevant neighbours trusted Germans, despite previous negative experiences. Trust must be gained and one important part of regaining trust in the German context was the clear and unconditional statement that the two Germanies would respect and acknowledge the borders that emerged after WW II, regardless of the size of German territory as it was some 100 years ago.

PART II

Failure, Reconstruction and Reconciliation

IGAD's Perspectives of Rebuilding Somalia

Mahboub Maalim

It is a great privilege and honour for me to come here at the University City of Lund, one of the oldest universities in Europe to discuss IGAD's Perspectives of Rebuilding Somalia with several other world renowned personalities shaping Somalia. I hope this conference will find ways and means of resolving the pervasive human sufferings the Somali nation had endured over the last twenty years or so.

Executive Summary

With the disintegration of Said Barre's regime in 1991, there was wholesale destruction of institutions of governance in Somalia. The region of terror and anarchy became supreme. The general population was left at the mercy of armed groups and militiamen. The activity of governments to collect taxes, maintain peace and order and provide essential social services to the population disappeared altogether. Equally, the rule of law, human rights and maintenance of peace and security became the private property of clan based sectarian politicians who took the population to ransom.

The notion of rebuilding Somalia came into being for the first time in 2004 after IGAD led a peace and reconciliation conference to set up the Somalia's Transitional Federal Government (TFG) to restore peace and order. Transitional Federal Institutions of Governance consisting of Transitional Parliament, Transitional Federal Assembly, A Transitional President, Prime Minister and a cabinet known as Council of Ministers were established.

However, in many respects the TFG has been unable to establish some semblance of peace and security in Somali over the last six years. It was engulfed by sectarian threats from within, parliamentary business was paralyzed with many legislators living in Kenya, Europe and North America because of security fears in war-driven Somalia and most of all Al-Shabaab and Hizbul Islam, two Islamic militants united by their singular goal of undermining the legitimacy of the TFG made economic reconstruction and recovery difficult if not impossible.

However, IGAD is committed to assisting Somalia achieve a lasting peace and security. IGAD intends to play a vanguard role in the rebuilding of Somalia's institutions of governance, training of its human resources and rehabilitation of its infrastructure. IGAD shall contribute to accelerating the pace of economic cooperation and integration of Somalia with other IGAD member States.

IGAD's Context of Rebuilding Somalia

1. Stabilization Perspective

1.1 Political Capital

IGAD has and is vested with Political Capital. IGAD represents one of the building blocks of the African Union. Representing seven member states of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan and Uganda, it is a key political player in the Horn of Africa and beyond. It is a premier organization promoting peace, property and regional integration among member states. Since 1986, it has accumulated a wealth of knowledge and expertise that are of great relevance to the rebuilding of Somalia. Therefore IGAD should continue working to mobilize the goodwill of member states to strengthen the political process in Somalia.

Specifically in the areas of:

1.2 Peace Building

With its track record in crafting Sudan's CPA, and in consortia with its development partners and primarily leveraging IGAD member states, IGAD can play an important interlocking role to help advance the course of enhanced dialogue and reconciliation among political protagonists in Somalia, the missing factor in rebuilding Somalia.

1.3 Peace and Security

With the combined powers of two of its programs – IGAD Security Sector Programme (ISSP) and Conflict Early Warning and Response Mechanism (CEWARN), IGAD should focus in providing technical and institutional support to help rebuild Somalia's Security Institutions to meet contemporary security threats as follows:

- i. Anti-terrorism
- ii. Marine Security
- iii. Organized Crime
 - a. Trafficking of Small arms and light weapons
 - b. Narcotic Trade

- c. Human Trafficking
 - d. Money laundering
 - e. Cyber Crime
- iv. Maintenance of Peace and Security of Agro-pastoral Communities between Somalia and Kenya and Somalia and Ethiopia.

4.4 Housing and Property Directorate and Claims Commission

As part of IGAD's overall objective of establishing lasting peace in Somalia, and in close cooperation with UN specialized agencies and with EU support, IGAD should develop a roadmap for the establishment of a Housing and Property Directorate and Claims Commission to help resolve housing and property disputes by urban and rural population, either through Mediation or arbitration. As much of the Municipal Administration in Mogadishu and other major towns has been destroyed, Municipal Capacity Building and Development of the land cadastre system should be part and parcel of this undertaking.

2. Development Perspectives

2.1. Agriculture

With 90% of Somalia's GDP derived from livestock production, focus should be on technical and institutional support to the Ministry of Agriculture to develop its livestock development strategy with a view to improving food security and livelihood of agro-pastoral communities and alleviating poverty.

2.2 Water, Energy and Natural Resources

This is an important area and an initial 5 years strategic plan should be developed immediately for the rehabilitation of irrigated agriculture in the Juba and Shebelle river basins and promotion of bio-fuel.

2.3 Economic Cooperation and Integration

Through the Minimum Integration Plan (MIP) developed by the IGAD Secretariat and yet to be fully adopted by our member states, special tailor-made support to Ministries of Foreign Affairs and Trade could trigger involvement of Somalia in the regional trade regimes.

International Community Perspective on Somalia

Ahmedou Ould-Abdallah

I. Total stability will not come overnight

Somalia is a long running crisis, and at a crucial juncture. The key is to go beyond the present, national and international legacy of two decades of conflict, and equally important is to remain focused on a way out. Overall, a continued and responsible commitment is an obligation. Overcoming the current hardships and insecurity requires a determined, long-term effort to promote political cooperation and build strong government institutions, while in the short term counter the pervasive influence of foreign fighters and other elements of extremism must be countered, but also that of those profiting from the conflict. Finally, there is a need for a coherent approach by all external actors (UN, IC, NGOs etc.), including professional meddlers and informal mediators.

After 20 years of armed confrontation, stability will not come overnight, but is to be promoted, nurtured and defended against all sorts of internal and external spoilers. The signing of a peace agreement in all conflicts – and this applies to the Djibouti Agreement (DA) – is only the beginning of a long and sometimes tortuous implementation process. In this connection, it should be noted that the DA is an exception in the series of past agreements on Somalia. Not the result of one country's diplomatic effort, it is endorsed and witnessed by important states and organizations representing the international community, contrary to previous agreements.

It is important that the Djibouti Peace Process and transition are kept on track. The successful implementation of the DA demands the rejection of violence and extremism, and continued outreach and political reconciliation with those outside the peace process who accept dialogue. It also discourages the multiplicity and interference of external actors mentioned above.

It is essential to have a renewed emphasis on Somalia's economic recovery and development. Somalia's reconstruction and development will be successful when governmental institutions, the business sector, civil society work together in a coherent manner. Recovery activities can make a greater contribution to social, economic and cultural development in Somalia, through further investment, continued employment-creation and vocational training.

II. The way forward for Somalis and the International Community: simultaneous action in political, security, humanitarian assistance and human rights

The priority turns primarily around support to the government, and its effective management of the various dimensions of the crisis, and on a credible response of the international community. Hence, the essential objective is to have a stronger and more responsible government, which can be the effective representative of the population and at the same time the credible partner of the international community. Being a partner of the IC means also for the TFG to decide in consultancy with the international community on major decisions. This government – whatever its limitations – is legitimate and legal, and should be helped to be that partner. The objective is for the government to be a more representative, cohesive, effective and able international partner. There is a French saying “The best is the enemy of the good” – in other words, let us be modest in our ambitious demands.

With regards to the TFG, there is also a need to manage the transition smoothly – which is to end in August 2011 to avoid the rise of hundreds of ambitious presidential candidates, and subsequent potential paralysis and violence.

Somalia needs to establish loyal and professional security forces with a strong and unified command and control structure and reintegrate those armed groups that have joined the TFG. The re-establishment, training, equipping, payment and retention of Somali security forces are vital for the long-term stability of Somalia. Without such stability, piracy will continue to have a devastating effect, and so will the illegal fishing and dumping of chemicals and other waste. The cohesion of a political leadership is an important ingredient for the efficiency of security forces.

The TFG, in partnership with the international community, has a major responsibility to respond to the human suffering. It must assume its responsibilities to assure safe access to vulnerable populations, deliver basic services, manage public resources wisely and ensure their just distribution; introduce anti-corruption measures, develop and support the private sector; and build the capacity of its financial institutions.

The strength of the extremists is connected to the weakness of the TFIs and their lack of priorities and activities. Moreover, it should not be forgotten that extremism breeds extremism. Still, these extremists are welcome to the process if they wish by renouncing armed violence.

Also, the international community needs to take its responsibility. Its role is to help protect the people, the region and the world from Somalia’s continued instability and anarchy. The priority of priorities is to continue ensuring practical efforts to reinforce the government, and enabling it to strengthen security. In this regard, the IC should drastically change its approach in allocating and specially in disbursing pledged resources in emergency situations; one million dollar today is worth five in three months. And: Somalia is not a case study for expertise or for the Somali elite for continued bickering.

The international community also needs to take collective action to support and work closely with IGAD and AU/AMISOM: IGAD has the knowledge, expertise and interest needed to help Somalia, a fellow member state. My office has signed an MOU with AU and AMSOM to help the common approach. Since the AU has a unique presence in the field, it is a major peace partner, thus, there is a requirement to mobilize and deliver additional resources to AU/AMISOM. AMISOM is important not only as a peace keeping mission, protecting the institution, but also as a protocol agent for visiting dignitaries, financial agent for international payments, etc. It is a future model of 21st century peace keeping operations. Both IGAD and the AU need immediate and tangible support from the IC, organizations and member states to carry out successfully their obligations in Somalia.

The International Community should also address internal and external spoilers and the illegal business activities including through sanctions targeting national individuals, entities or states. Joint action by IGAD, AU and UN in identifying and taking measures directed at them would be most productive. In Somalia, sanctions of the UN SC are at two levels: one linked to Al Qaida/Taliban (based on UNSC resolution 1267 [1999]), and the second linked to the delivery of humanitarian assistance and the respect of the Djibouti Agreement (UNSC resolution 1844 [2008]). However, those who want their name to be taken off the list of Al Qaida/Taliban should make their intention for peace clear. I have reiterated a number of times my availability to advocate for taking off the list of sanctions those Somali leaders who publicly really commit themselves to peace and renounce violence.

Last, but not least: an international presence in Mogadishu has become indispensable. The international community needs to move into Mogadishu and other parts of Somalia. The risk associated with this presence should be overcome with the adequate response. In this regard, the IC including the UN has to go beyond the way it presently works in Somalia – to start moving staff into Somalia, after having monitored the crisis from Nairobi over the last 15 years.

Engendering the Peace Process and the Peace Reconstruction. Case Study from Sudan

Amira Awad Osman

The objective of this paper is to explore gender roles in peace process and peace reconstruction. Although gender refers to both women and men, this paper will nevertheless particularly focuses on the role of women in conflict resolution and peace building. Where possible these will be compared to those of men. I take Sudan as a case study.

First, the paper focuses on the impact of war on women in war zones, displaced persons' camps and refugee camps. Second, a gender perspective of the war will be put forward. Third, the role of women in peace process and peace reconstruction will be discussed.

Gender profile

Sudan has a low Human Development Index (HDI). It ranks at 143 out of 174 countries. Female adult literacy rate is 43% whereas 68% for male. Combined primary, secondary and tertiary gross enrolment ration for female is 31% whilst for males it is 37%. Maternal mortality rate reported (per 100, 000 live births) during the period 1990-98 is 550. Female life expectancy at birth (years) is 54 (Human Development Report 2000: 157-165).

In terms of Gender Related Development Index (GDI) (e.g. female professional and technical workers), it ranks at 118 (value 0.45). Statistics on Gender Empowerment Measure (GEM) are unavailable. Female economic activity rate (as % of male rate) is 40%. Data on unemployment rate is unavailable. In terms of women's political participation, as I will indicate later, Sudanese women got the right to vote and to stand for election as early as 1964. However, in 1998, there was no woman as ministerial or sub-ministerial level in the Sudanese government (Human development Report 2000: 166-265).

From the above data, it is quite clear that both the political arena and the public service are extremely dominated by men. However conscious-raising campaigns run by women's organisations and some other civil society organisations e.g. trade unions have raised the number of women who have entered these areas.

Women and peace: a gender perspective

Do women have a special perspective on war different from men's? Are all women against wars regardless of their causes, whereas men are the obvious instigators of war? Is there any space for more men to be peace-makers?

Society perceives men's and women's roles differently. Men are considered to be naturally superior to women. They are the breadwinners and have the right to enjoy full lives in the outside world. By contrast, women have been brought up to accept men's superiority. They are considered irrational and weaker than men and are responsible for domestic work. They do not have free time for public activities, particularly for politics.

In all societies, it is women who give birth and nurse babies. In most societies women are responsible for child rearing and family caring. Women affirm life in a male dominated structure and seek peace in a military world. Women's passion for life is thought to provide a natural basis for them to be peace makers in a violent world (Ferris 1992: 1-2).

As the above gender profile indicates, men monopolise the important positions in the socioeconomic hierarchy. They are decision-makers who dominate the main institutions of modern society: law, policies, public administration, the armed forces and police, commerce, industry, trade unions, the media and other major institutions (Rogers 1981: 25). These institutions are very important in peace time as well as war time.

Many feminists have argued that since women are marginalised in the decision-making process of their countries' affairs generally, their contribution to whether or not their countries should go to war is also marginalised. Unlike men, if women were to have been consulted, they would prefer to negotiate for reconciliation and peace rather than confrontation (Kiremire 1995: 18).

Why should women in particular try to oppose war?

War reinforces gender inequality and diverts resources from development. It is women who suffer most from the lack of health services, poor education and economic stagnation. Equality for women and peace go hand in hand. Women must be aware of this and be more active in lobbying their governments, communities and grass-roots organisations for nonviolent solutions to conflicts (Vickers 1993).

However, it would be simplistic and misleading to view all men as violators and war makers and to see all women as opposed to war, irrespective of causes. Women's identification with and participation in war and their ability to deal with its outcome is influenced by the nature of the war. For example, in Uganda, in 1986 a high proportion of women saw the war as a battle for power between men. They perceived those who caused war as "Power hungry" wishing only "To get rich by force". Those women did not support any side (Bennett et al 1995) By contrast, in Algeria and Eritrea women have participated in liberation and resistance movement. Some of them took up arms and fought. They perceived the war differently since they saw themselves as fighters for political and social justice. For them war was a struggle for

women's rights. Furthermore, Palestine women have been involved in the liberation struggle for more than fifty years: as fighters, negotiators and mediators.

An extreme example comes from Rwanda where women were involved in the killing during the Rwandese genocide. Women of every social category took part in the killing. Civil servants, teachers, nurses and doctors were involved in the slaughter ([Http://www.peacelink.it/afrights/hotsoinn.htm](http://www.peacelink.it/afrights/hotsoinn.htm), 2004)

On the other hand, there are many men who support peace and work towards it as a better solution for all conflicts. In peace movements, men work with women. Therefore, we must not isolate our analysis of war from the ideology that people use to legitimate their war.

The impact of war on women

"Civilian fatalities have climbed from 5% of war related deaths at the turn of the Century to more than 90% in the wars of the 1990s. Recent times have witnessed new weapons and patterns of conflict, including the indiscriminate use of land mines and anti-personnel cluster bombs as well as the proliferation of light weapons. As a result, many of the casualties are women and children" (UNDP, 1998)

To understand the role of women in peace process and post-conflict reconstruction in Sudan one has to first understand the impact of war on women's daily life.

Women who stay in war-zones

Most women who remained in the war-zones are subject to continuous attack. Their lives are not settled. In many cases they have to constantly move from one area to another. Those women face the threat of death, abduction and starvation. Their domestic activities have become insecure. Government programs to help them and their children, such as health services, are no longer available.

The one irreversible consequence of war is death. In war there may never be an accurate account of the people, particularly women, who lost their lives. Fighters from all sides may be more interested to know the numbers of combatants (most of them are men) and less interested in the numbers of civilian (most of whom are women and children). Thus, in documenting the casualties it seems that women have less of a chance to be counted than men.

In Darfur Western Sudan, the government backed militias have targeted civilians, their farms and livestock. People remain with no choice but to leave their villages and to seek refuge internally or cross the border to neighbouring Chad. Although the government has responsibility to protect them, evidence has shown that the government of Sudan is doing nothing to protect civilians. "The Sudanese government insists that it is taking significant measures, but the continuing atrocities in Darfur prove that Khartoum's claims simply are not credible" (Human Right Watch 2004). In Southern Sudan people have lost their crops and cattle and food became scarce. The black market for food then developed and famine became wide spread. The

death rate of people dying from starvation was approximately 10 persons per day, increasing gradually to 80 (Burr 1993: 13).

War has handicapped development efforts to utilise natural resources and to develop new programmes to reduce women's burden. This development failure has a gender dimension: it increases women's domestic burden. Furthermore, domestic work has become difficult and unsafe, since women have to walk for a long distance to find water and fuel. They have to be more careful because they are more likely to be stopped, or attacked by soldiers whilst moving through the countryside and towns, or killed by hidden landmines.

Displacement

Displacement has been a fact of life in Sudan. Large numbers of pastoralists and agricultural labourers are regularly on move willingly looking for good pasture or temporarily agricultural labour during harvesting time. However, since 1983, civil war in the South, famine and drought in many regions, have forced tens of thousands to leave their homes and communities. Therefore, since 1983 migration has a new dimension, it has become forced migration. By 1989, for example, approximately 2 million Sudanese Southerners – one out of every 5 or 6 persons – had been displaced (cited in Yongo-Bure 1991: 12).

This situation became worse just before entering this millennium as the number of displaced persons was estimated at over 4 million (Suliman 1999: 49). The recent crisis in Darfur has added over 1.5 million displaced persons.

Data by gender are not available, but it is common knowledge that men are often the first to leave in order to join in the fighting (in Southern Sudan, Nuba mountains or the new war area in Darfur), or to find work in the case of other regions. Women and children are the last to arrive in the camps and slum areas of cities (in greater numbers and in frail health).

In the process of displacement, most people lose their livestock and harvests and are only left with hunger and disease. Women are arguably the worst hit by such displacement because of their particular roles both in reproductive work and in the subsistence economy (wani 1988: 95). They are disadvantaged in comparison to men, they have significantly lower incomes and shoulder significantly higher work burdens. Eventually they are unable to produce enough food for their families, or to find jobs to enable them to buy food and essential items.

Moreover, since the National Islamic Front (NIF) military coup in 1989, human rights in general and women's rights in particular have been abused seriously. For example, in 2000 while women were campaigning to force the government to sign for the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the governor of Khartoum has declared that women should be excluded from certain jobs such as working in petrol stations, restaurants, hotels...etc. By this declaration the authority has minimised chances for less-educated and poor women (where plenty of them are in displaced persons' camps) to get jobs.

Refugee women As a result of the civil war in Sudan, many Southern Sudanese people have become refugees in neighbouring countries. Large numbers of them are in Uganda, Ethiopia and Kenya (Duffield 1990). People who escaped Darfur atrocities fled to Chad. A large proportion of these are women.

Life in refugee camps is different from the ones they left behind. This can be illustrated by life in Bonga refugee camp in western Ethiopia. In this camp, instead of producing their own food, refugees have become dependent on food aid as the main means of survival since they arrived in Ethiopia in 1992. In addition, some other supplementary means of survival such as fishing, the gathering of wild food and wage labour have developed (James 1995: 18).

These new survival strategies have implications for gender relations within the household. Before migration, the household used to be a collaborative unit, especially between husbands and wives in the production and preparation of food crops. Men were primarily responsible for the clearing and preparation of land, whereas, planting was carried out by all members of the household. Women were responsible for weeding, harvesting, crop processing and storage (Wani 1988: 95). Because of the dependence on food aid and the lack of access to land for cultivation, unemployment has become a serious problem in the refugee community. Women continue to be extremely busy in traditional subsistence tasks, whereas men are free to be more active in outside activities such as education, church leadership and village politics (James 1995: 45).

A sense of insecurity amongst women in refugee camps is affecting their domestic chores. For example, in Kenya, where refugees from Ethiopia, Somalia and Sudan are settled, Sudanese men have to guard their women when they go out-side the camp, e.g. to visit hospital or UNHCR office, whereas, Ethiopian men tend to do most of outside activities usually done by women (e.g. fetching water, collecting fire-wood and going to the market) because their women fear attack from non-Ethiopian men (Edward 2001: 15).

Common suffering

In the absence of the male relative's protection, of state intervention and international support, women of war, whether they live in war zones or have escaped to distant away areas, have common gender specific suffering that they may never have faced if war did not take place. For example, In times of war, the number of women breadwinners is likely to increase. When male heads of households are killed or became disabled, women have to take responsibility. They have to do their normal domestic work, to look after their children and to work outside their homes to earn income. Another problem is rape. Rape is often used as a weapon against community identity especially when conflict has religious and ethnic dimensions. Rape is often performed in full view of the family and community. In this sense, it is an attack on everyone, although it is women who suffer physically (Bennett, et al 1995: 8). A woman who has suffered rape, may be rejected by her family and community. The problem is worse when a raped woman becomes pregnant by her violator.

Southern Sudanese women in war zones have become vulnerable to rape and sexual harassment. Sudanese culture prohibits discussion on sex and rape and therefore most of these cases are unreported and misrepresented. In Darfur rape is also used by the government backed militias as a weapon to humiliate the whole community. Many women were rape while they were doing their normal activities such as fetching water and collecting firewoods.

Moreover, war also has broken normal sexual relationships and increases the possibility of men sexually abusing or exploiting women, especially in societies where women's sexuality is under control, whereas, men almost without limit.

The role of women in the peace process and the peace reconstruction

Peace Process

African women have long realised the heavy cost of conflicts. They have been mobilising and organising themselves at local, national and regional levels to promote conflict resolution and peace building.

It is argued that conflict offers women windows of opportunities for their emancipation and for the establishment of women's groups. It gives them the opportunity to enter the public and political arenas, where they traditionally had limited access to. Their campaigns for peace have been organised at level of society, particularly in the non-government sector (NGOs), which in many countries did not even exist before the conflict (Bouta and Frerks 2002). Moreover, Conflict creates opportunities for women's peace movements.

Although women's role in development is generally acknowledged, their participation in policy making and the democratisation processes is limited. This has marginalised them in this area and denied the country the use of women's talents, experiences and skills as agents for peace and development.

This neglect of the role of women in policy-making can only make any political process weaker and less insightful: humanity is like a bird with two wings. One is male and the other is female. Neither wing can substitute for the other, and unless each wing is equally strong and co-ordinate to a common purpose, flight is not possible (<http://2wings.ipfox.com>, 2004).

The devastating outcome of the war mentioned above has brought conflict resolution and peace building issues to women's organisations agenda. For example, immediately after the UN Fourth Conference in Beijing many women's organisations in Sudan including Sudanese Women's Union, Sudanese Women's Voice for Peace and Babiker Badri Scientific Association for Women Studies have come together and calling on warring parties to end the war and work towards a lasting peace" (Engendered peace process 1998). Women in exile have also formed their own organisations. For instance; Sudanese Women's Association in Nairobi (SWAN) has set up its agenda for peace and engaged in many activities related to conflict resolutions and peace

reconstruction such as women's human rights, political participation as well as psychosocial trauma management (<http://www.acrconym.org.uk>, 2004).

In Upper Nile, Southern Sudan in 1994. Village women were very active in the People-to-people peace initiative that successfully stopped inter-ethnic violence in the region. Women used their talent, experience and influence within their families and communities to achieve peace. This process has highlighted that grassroots women have many to offer to conflict resolution and peace building process (<http://southsudanfriends.org>, 2004).

Recently, the Netherlands' Initiative has yielded a profound networking for peace. It has focused on the issue of engendering the conflict resolution and peace process in Sudan and supported Sudanese women to benefit from the international support and recognition (Initiative to facilitate the participation of Sudanese women in the peace process, Royal Netherlands Embassies, Khartoum/Nairobi 2000). However, this initiative has not fully succeeded to mobilise grass-roots women and their organisations.

More positive examples came from Somalia. The Voice of Somali Women for Peace as a grass root organisation has managed to implement peace education programmes which targeted school children mainly, in Mogadishu as well as programmes for families affected by war in Borama (Personal communication 2002).

In May 2003, Somali women attending the Peace Conference in Nairobi, have tried to influence the formal peace process by lobbying and advocating for women's rights to be included in the peace process. They met with the peace mediator to urge his support and for women inclusion in the peace process. They also agreed to advocate for at least 25% representation in the parliament (<http://www.irinnews.org/report>, 2004).

Although women have formed their own organisations for conflict resolution and peace building and have their own initiatives for lasting peace, they haven't been represented in peace processes at the official level (e.g. the IGAD initiative and Libyan and Egyptian initiative). These initiatives are male dominated, regardless of women's efforts to resolve conflict and promote peace. Women are left out of the official peace negotiations and formal task for the reconstruction process.

How to include women in formal peace initiatives?

First, gender awareness campaigns. Awareness has to be raised and perceptions and attitudes must be changed. Decision-makers have to be made to understand the role of women in promoting peace process and work towards integrating women in any peace efforts. Therefore the proposed women's conference (in one of the liberated areas) which announced by National Democratic Alliance (NDA) leaders in the second NDA congress in Mosawa (Eritrea), 2000 can be seen as a serious step towards the participation of women in decision making and their involvement in efforts for making peace a reality.

Second, women through their own organisations need to enhance their capacity building, take the initiative in seeking out effective ways of achieving peace, support

networking among themselves and other civil society organisations; foster improved dialogue among nongovernmental organisations, community-based organisations (CBS) and trade unions. In other words, enhancing the chances for peace building from below.

Third, peace process also requires the elimination of all forms of oppression and discrimination. Human rights and democracy are crucial for any conflict resolution and peace building processes. Therefore, women's organisations should encourage and lobby the government to ratify international legal instruments promoting the rights of women including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Post-conflict reconstruction

A woman from Lebanon says "The real experience of war is not the shelling and so on, those are just moments, though they are the ones you see on TV. War is what happens afterwards, the years of suffering hopelessly with a disabled husband and no money, or struggling to rebuild when all your property has been destroyed" (Bennett et al 1995)

Women's different needs in post war reconstruction periods need to be dealt with seriously. Women for so long have been excluded from democratic participation. Women must learn how to participate. The consciousness campaign of women and men about the importance of women's participation in peace process will yield gender sensitive programmes for reconstruction and building peace.

Rensen (1998) has referred to women's political reconstruction by arguing that women's main issues in post-war political reconstruction can be divided into two main issues. First, the nature of the emerging political system and its understanding to women's rights, needs and interest. Second, whether or not women will be allowed to be active participants in the political process. Of course, women former position in the conflict (displaced, refugees, victims of rape or torture or ex-combatants) will determine their post-conflict concerns, needs and contributions. For example, displaced women may be more interested in re-building their lost-livelihoods whereas, women who suffer rape may need first, psycho-social help before getting involved in any socio-political activities.

Women's organisations need to provide psycho-social support and related health care services for victims of gender-related violence in a friendly and supportive atmosphere. This is not only a good mechanism for healing the pain of the victims of the war, but it is the foundation on which society has some hope of living in peace and justice. It is the bases of sustainable development in the longer term.

As indicated above, although war may empower women by increasing their responsibilities by taking on what is traditionally refers to as the male roles. However, experience has shown that traditional discriminatory social attitudes may re-surface immediately after the war is over as the case in Eritrea (Eugenia Date-Bah from ILO in a WILPF conference) and women may be asked to abandon the freedom they got

and go back to their domestic domain. The challenge is how to ensure that women hold onto the changed roles they acquired during war and afterwards.

In some countries the post- conflict constitutions may generally recognised women's political rights e.g. the right to vote. However, women may face some difficulties to exercise that right because they are expected not to vote against male relatives. Another obstacles in this regard is time. Women may face difficulties in finding time to participate in politics and to understand political programmes. To solve this problem, women's organisations could disseminate political information in a simple way using simple/appropriate techniques which can be understood by women especially those who lack political experience and consciousness. This could also help more women to stand for election. Moreover, women need to be represented in committees that will supervise the election process (Rensen 1998).

Another important issue is the constitution. The new constitution should recognise the role of women in development and peace building. Gender discrimination in public and private life should be abolished by law. Furthermore, inclusion of women in the constitution making process holds potentials for achieving sustainable peace.

In Eritrea, the constitution has recognised women's rights in general. A draft stated that "any act that violates the human rights of women or limits or otherwise thwarts their role or participation is prohibited" (Tesfai 1996 cited in Rensen 1998). Furthermore, women have been given access to land. Female circumcision is prohibited by law, and maternity leave have been extended (Iyob 1997). This Eritrean experience, among others, should be considered when drafting legislations related to women's rights in post-conflict Sudan.

In terms of economic reconstruction of post-conflict Sudan, any rehabilitation programme should consider women's capacities and skills in the economic sector. For example, their roles in improving agricultural production and food security. Furthermore, women role in the informal sector e.g. petty trade (selling kiswa and tea), shouldn't be ignored.

Finally, improving the role of women in peace process and conflict resolution requires building the leadership potential of women to make meaningful contribution to peace making process at all levels. "Joint decisions are not the only outcome or even the most common response to conflicts, but such decisions may be one of the most valuable outcome" (Accord Handbook in Basic Conflict Resolution, undated: 12).

Conclusion

The armed conflict in Sudan has resulted in enormous devastation to the Southern and Western communities . It has destroyed the infrastructure and put development effort at a halt.

The war has had a significant gender dimension. A greater number of women are killed, abducted or raped. Hundreds of thousands of women migrate to big cities

and became displaced. In refugees camps they had to adopt new lives, often without their families and kinship support.

It has to be repeated that although there are many efforts and initiatives at the official level to build peace in Sudan e.g. The IGAD and Libyan/Egyptian initiatives, they tend to ignore women and their participation in the peace process.

Women's organisations have realised that and have begun to form their own initiatives for conflict resolution and peace building at the grassroots level and demanded to be represented in any dialogue, initiative and other efforts for peace.

Furthermore, human rights abuses as well as the issue of healing the pain of victims of war especially women and their integration into communities need to be tackled if a lasting peace is to be achieved.

Therefore, women should expand their peace network to include women in rural areas, displaced women and those who are forced to live in exile, and work towards disseminating a culture of peace targeted at ending the armed conflict and building peace.

Recommendations

1. Women should be involved as active members in all decision-making, conflict resolution and peace building efforts and programs.
2. More training for women's leaders in conflict resolution, mediation and negotiations should be conducted.
3. All Sudanese women even those who are in exile or displaced have a role to play in conflict resolution and peace building as individuals or within their own organisations. Therefore, the peace network should be extended to accommodate all of them.
4. Women's organisations and other member of civil society should put pressure on the government to reduce military expenditures to the minimum and re-channel these resources to development.
5. To de-escalate the escalating conflict in Sudan, a culture of peace should be disseminated.
6. All war criminals should be brought to justice
7. Rape and other abuses of women's rights in time of war should be branded as war crimes.
8. Women's organisations should appeal to international community to support democratisation and peace processes in Sudan.

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Somali Reconciliation Conferences: What Went Wrong?

Mohamed H. Mukhtar

Introduction

Since 1991 there have been 15 major national and an uncountable number of regional and clan reconciliation conferences, most of which took place outside of Somalia. Ethiopia hosted four, three in Addis Ababa in 1992-93 and one in Sodere, in January, 1997, a hot spring resort about 100 kilometers southeast of Addis Ababa. Djibouti hosted three, two in June-July, 1991, and in May 2000 in Arta a summer resort near Djibouti. Sudan is hosting the Khartoum conference which started in July, 2006.

What strikes one the most are the similarities in the way these peace and reconciliation conferences were conducted. Each of them attempted to lay the groundwork for a comprehensive peace and each supposedly represented the entire nation. Most were hosted by a friendly neighboring country, supported by the Somali public, the United Nations UN, the international organizations and the nongovernmental organizations or NGOs. Key participants included representatives of armed factions, collaborators of faction 'leaders,' and former civilian politicians and army officers who clearly helped put the country in the position where it is today. At the start of each meeting, there were great expectation and hopes that there would be no more missed opportunities for peace. But these conferences were all doomed to fail leaving Somalia without a functioning government.

The time has come to reconsider the basic ingredients of peace and reconciliation. According to Somali tradition, "Ol nebeda ku dombooyty," every war gives way to peace. "Dagaal wiilbaa ku dhinta ee kuma dhasho," war results in the death of a son, but not in the birth of one. "Nebeda naas la nuughy leh," it is only peace that can give you milk. To make peace the following are required:

1. Trustworthy participants

For stateless societies recovering from periods of massive atrocities, reconciliation efforts can easily be doomed by disputes over who has the right to represent whom in the peace talks. It is necessary, therefore, to ask what would it take, and what do the current or imagined institutions, need to do, to help Somalis come to terms with the past to help heal the victims, the bystanders, and even the perpetrators of violence? What could build a nation capable of preventing future massacres and the rise of new regimes of torture? The most effective way is to embrace the rule of law and to set up a tribunal. Somali victims are entitled to full justice, namely trials of perpetrators and adequate punishment for those found guilty. There must be due process.

The 1994 Rwandan massacre trials in Arusha, Tanzania, in December 2003, almost a decade after the massacre, convicted many Rwandans of genocide and crimes against humanity. The prosecutors called the verdicts an historic victory of good against evil, and Rwandans started to pursue their life regularly, and to forgive and forget. The South African Truth and Reconciliation Commission TRC of 1995 is another good example of positive recovery of a society from a past horrific, deeply divided community to a future founded on a peaceful coexistence for all South Africans irrespective of color, race, class, belief or gender. Imagine World War II without the Nuremburg trials, what would have been the fate of Europe?

Somalia has not conducted its own tribunals of reconciliation, but the door is still open. Such a procedure has the added advantage of identifying or “short listing” the number of potential participants in any future peace negotiations and gives the public a clear conscience as they choose future leaders. The United Nations and friendly nations should assist Somalia to implement this process.

2. Impartial or disinterested negotiators

According to a Somali saying “Habar lang fadaw mal ha ku weidiyaw”, ask not for the hand of a bride from one who want her himself. So far most conference participants have been those who viewed the meetings more as a vehicle for enhancing their own status or that of their clans than for advancing the cause of peace. Many of them went to the gatherings without an invitation, and they managed not to miss a single meeting. For participants, it was for the “dhaadhac” daw; per diems, travel expenses and hotel accommodations generously paid by the UN, the Intergovernmental Authority on Development IGAD and other International Nongovernmental Organizations INGOs, that counted to regularly attend the reconciliation conferences. Indeed, the 275 members (parliamentarians) of the current Transitional Federal Government TFG would not convene in Baidoa in February, 2006, unless the UN Development Program UNDP promised to pay each parliamentarian a monthly allowance of \$1,800 and other per diems for chairing a committee or international travels. The longer the duration of the conference the more “dhaadhac” involved, and thus, the more participants competed. Of the 15 Somali National Reconciliation Conferences

from 1991 to 2002, the first, known as the Djibouti I, lasted for only one week 5-11, June, 1991, and only leaders of four faction groups participated, whereas the 15th known as the Mbegathi, Kenya lasted for over two years (2002-2004) and attracted more than twenty factions. Most participants were also jockeying for political positions i.e. President, Prime Minister, the Speaker of the Parliament, Cabinet member or at least as an MP.

Participants in the future of Somali peace and reconciliation conference should be composed of individuals with no vested interest in holding political office and should be invited by a plenary committee.

3. The need for some alternative ideas

For decades the political rules in Somalia have been set by the rulers, first a dictator, then a series of warlords or Islamicists. In both cases, to maintain their power, these rulers eliminated competition and restricted participation, since any enlargement would likely have disturbed the prevailing status quo. Future peace and reconciliation conferences needs new players willing to accept new entrants. The political reforms required for the future Somalia should not be conditioned or imposed by external donors. The country needs cultural and economic adjustments before it is ready for sustainable ideologies.

4. Reinterpretation of sovereignty

Since Somalia currently does not fit the meaning of “sovereign state” in modern political parlance and has no official standing in the global world order, all that exists is a patchwork of regional authorities in different stages of lawlessness, anarchy and chaos. The Northwestern region declared itself an independent state on May, 18, 1991 as Somaliland Republic, the Southwestern regions as the Reverine State in 1995, and the Northeastern region proclaimed itself Puntland State in 1997. From 2004, there is also the government of national unity known as the TFG based in Baidoa and their rival the Union of Islamic Courts UIC based in Mogadishu. All of the above authorities are clan-based and none was able to bring Somalia unity. All transitional mechanisms recognized by the international community and supported by the Somali public are doomed to fail.

It may be necessary to reconsider the possibility of “tutelage,” if that term is reinterpreted to mean “temporary custodial care” by the UN for a state that has given up or lost its sovereign nationhood. If the current Transitional Federal Government TFG fails to bring about governance for Somalia, the UN may be obliged to develop a mechanism for intervening in situations where a state’s fundamental institutions have collapsed –not with the aim of institutionalizing foreign control but with the goal of creating stronger domestic institutions. The Somali people may even be ready to welcome such temporary recommitment to the UN.

Some success stories

And yet while Somali peace and reconciliation conferences have so far not managed to achieve their ultimate goals, they have not all been abject failures.

1. Regional autonomy

The Addis Ababa Peace Conference of March 1993 promulgated an idea of fundamental importance, the proposition of regional autonomy. The Somali people have been moving toward that form of governance for the past thirteen years, and there is still a chance for its success. The regional factional conferences of 1994, such as the Cairo accord, the Nairobi Declaration, and the Somali National Alliance SNA Mogadishu Conference brought about alliances of factions to forge perhaps such regional authorities. The Cairo Accord was signed by leaders of 12 factions, dubbed as group 12 (G 12), and the Nairobi Declaration was initially signed by the SNA but later welcomed by the signatories of the G 12. The Mogadishu Conference was undertaken exclusively by the SNA, which declared an interim “national” government. Similar experiences took place earlier in Somaliland, which proclaimed itself a republic in 1991 but has not gained international recognition, and later Puntland, which became an “autonomous” region in 1997.

The Digil and Mirifle people also established, in March 1995, the Supreme Governing Council SGC, a bicameral council as an autonomous legislative body for the Reewin people called the Reverine State, which was overthrown by Mohamed Farah Aideed seven months later. The Reewin land covers former Upper Juba, Lower Juba and Banadir regions. The Reewin (Rahanweyn) Resistance Army RRA also established a regional administration over what it called the “liberated” territories of Bokool and Bay in 1998 and 1999 respectively. This could also be considered an accomplishment in governance, though one not widely accepted because the concept of Somalian occupation of a Somali territory was not comprehensible and was not an issue previously addressed in Somali politics.

It was after Aideed’s occupation of Baidoa in 17 September 1995 that some Somalis started questioning the right of invading clans to govern. In fact, there were many regions that had been occupied by new clans in Somalia, including the Lower Shabelle occupied by Harbar Gedir, Lower Juba by Majerteen, Middle Juba by Ogaden, Gedo by Marehan. These regions were historically Digil and Mirifle. Here local people during the occupation found themselves negotiating not with comparable representatives with whom they share long common experience and social contracts, but with young, armed militiamen whose interest and actions placed them outside the pale of the Somali customary law. The RRA, by liberating the Bokool and Bay from Habar Gedir militias, opened up a Pandora’s Box, as they promised to continue the liberation movement until the last piece of the Digil and Mirifle land was freed. If regional authority based on local participation was the goal, then those

RRA actions could be considered movements in the right direction despite the general stagnation of Somali reconstruction efforts.

2. Clan size and power

Another important accomplishment is the Sodere Accord of 1997, where for the first time Somali clans agreed about their relative size, power and territorial rights. The Sodere participants agreed that there are four major equal clans: the Reewin known also as Digil and Mirifle, the Issaq later called Dir, the Hawiye and the Darood. The conference also recognized another segment of the Somali society which included minority groups not identified with one of the above clans i.e. the Banadiris and the Somali Bantus just to mention some. After Sodere, the question of clan composition of any future Somali “conference” should not be a problem.

3. Empowerment of women

In Djibouti 2000, the gathering agreed that 12 percent of the seats of the Transitional National Parliament TNP be reserved for women which is a significant accomplishment too, because women were conventionally excluded from the Somali political scene. Both the “Heer”, Somali customary law, and the “Sharia”, Islamic law strongly support women’s rights, but later clan authorities and religious practice stripped women of their basic human rights and excluded them from playing a significant role in politics. Since women rarely held leadership positions and, until recently, had only a marginal influence on politics, the 12 percent is a step forward to build upon further recognition for women.

4. Multiculturalism

Finally, the Mbegathi Peace and Reconciliation Conference of Kenya in 2003, acknowledged with sizeable majority the consideration of two Somali languages Maay and Maxaatiri as the official languages of the Somali society. The Transitional Federal Charter of 2003 stated in Article 7: “The official languages of the Somali Republic shall be Somali (Maay and Maxaatiri) and Arabic. Who is not delighted to see, after decades of silence, a more complete discussion of the roles of women, minorities and alienated or marginalized cultures in shaping the history of Somalia? A multicultural approach to the past is long overdue. This is a challenge to the long-held view of Somalia’s homogeneity and monolingualism, but on the other hand it gives a more accurate account of Somalia’s history and culture.

Conclusion

Now the issue focuses on how Somalia can do better. Only by tackling the obstacles outlined here can Somalia expect to move forward on the slow road to reconciliation and renewal. To conclude, I will emphasize some of the most important challenges Somalia is facing.

First, Somalia needs to redefine the term “occupation.” Today in the country – as I highlighted earlier- there are clans occupying other clans. Someone has to speak up for the voiceless, otherwise peace will remain remote.

Second, it is necessary to bring the war criminals to justice. It took Liberia many years to nail Charles Taylor. After Taylor was indicted, the British and French were able to restore peace in Sierra Leone, Guinea and Ivory Coast where Charles Taylor earlier precipitated mayhem, chaos and anarchy. The international community must ban Somali warlords from coming to their countries – stop issuing visas – and freeze and shut down their bank accounts. It is never too late. We can do it now.

Further, the rule of self-determination must be applied. We should not be obsessed with what form of government Somalia should adopt. Be it unitary, federation of regional states, or should it be split into many independent states.

Finally, there is a need to indigenize the ethos of the reconciliation process. Future conferences should take place in Somalia. I believe if some of the “reconciliation” conferences had taken place in Somalia the outcome would have been more promising and the chances for peace would have been higher. Somalia must draft its own constitutions based on its needs and experiences under “Geedka hoostiisa” the tree not the hotel. The time has come to employ and empower the “Heer” customary laws and promote the tolerant form of Islam.

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- 1 This piece is partially published in African renaissance Vol. 3 No. 5, Sept. /Oct., 2006, pp. 26-32. However, it has been updated, particularly in relation to the current Khartoum Conference between the Transitional federal Government TFG and the Union of Islamic Courts UIC.
 - 2 The Khartoum Conference is sponsored by the League of Arab States to negotiate between the UIC on one hand and the TFG on the other. It seems that cutting a deal in reconciliation is much higher than all earlier attempts, for protagonists are small in number and Somalis as well as the international community are tired of failed reconciliation processes. However, the signs of deadlock are on the horizon and the syndromes of familiar are in the making.
 - 3 For insightful understanding of the Somali tradition towards war and peace see Somalia Delegation, International Committee of the Red Cross. *Spared From The Spear: Traditional Somali Behaviour in Warfare*. Nairobi: International Committee of the Red Cross and Somalia red Crescent Society, 1997.
 - 4 The Rwandan genocide of 1994 was a war between the Hutu and the Tutsi tribes where close to a million Tutsi were found with their hands and feet chopped off by machetes. The international community was indifferent at the time of the genocide, but with the UN setting up the Arusha trials the process of building democracy and culture of peace and human rights was enhanced.
 - 5 The TRC was set up by the government of national unity in 1995 to help deal with what happened under apartheid era. The commission after so many years of fact findings concluded to grant amnesty in respect of acts and provide reparations to victims and hope the sufferers to come to terms with the past and finally lay to rest the trauma and pain associated with it. Crisis Group Africa Report No. 116, *Can The Somali Crisis Be Contained?* August, 10, 2006, pp. 7-8.

- 6 It is worth noting that throughout the period, not only the number of factions and representatives was increasing but also the number of parliamentarians was growing astronomically. In 1993, the Addis Ababa Conference, the number of the Transitional National Council TNC agreed upon as the transitional authority was 74, whereas, the Arta or the Djibouti III Reconciliation Conference of 2000, numbers jumped into 245 MPs, and the Mbegathi Conference of 2002, the agreed members of the TFG became 275. For further details see Mohamed Haji Mukhtar, *Historical Dictionary of Somalia*, New Edition. (Lanham, MD: Scarecrow Press, 2003), pp. 25-26, 41-42, and 76-77.
- 7 Mohamed Haji Mukhtar, *Historical Dictionary*, op. cit., p. 225.
- 8 See Draft Version 7.0, *The Transitional Federal Charter of the Somali Republic*, Nairobi: August, 2003.

Political Economy of State Failure: The Case of Somalia¹

Abdirashid A. Ismail

Introduction

In 1960, the Somali Republic gained its independence with, perhaps, unrealistic expectations at both the elite and grass-roots level. At that time Somalia was described as a model for democracy in Africa. However, within a decade, Somalia abandoned its democracy and adopted an authoritarian form of governance with similar expectations. Both were bold if not sacred goals: to gain the Greater Somalia² and Self-Reliance³.

Three decades later on from its independence the republic was a country on the verge of mass starvation. The civil war, which started in 1990, exacted a heavy toll in both human and material terms, causing the destruction and the collapse of the statehood of Somalia and fundamental changes in the economy. The economy suffered from destruction of infrastructure and industrial facilities, and the flows of goods and factors of production were disrupted as a result of the fragmentation of the country, (Samatar, 1994)

A range of different answers has been suggested for the causes of the Somali agony. Clanism, psychopathology, militaristic despotism, nomadism vs. sedentariness, and super power strategic competition, has been mentioned (Samatar, 2001). Two dominant interpretations for the Somali problem are traditionalists and instrumentalist views (Kivimaki, 2001). The first and oldest view, the traditionalist view, is fronted by I. M. Lewis of the LSE. The traditionalists' "thesis is that the segmented clan system remains the foundation of pastoral Somali society, and that 'clannishness' – the primacy of clan interests – is its natural divisive reflection on the political level (Doornbos and Markakis, 1994). The other school of thought, the instrumentalist view, is fronted by Ahmed I. Samatar, and argues that the Somali problem is not the clan reality and its culture, but the elite manipulation of the ruling class is the real virus of the Somali case. This paper, while not rejecting the relevance of these explanations, concentrates on finding and analysing economic functions behind the state failure and state collapse, and as such tries to answer the following question: Why Somalia failed and collapsed?

1 This is a summary of my doctoral thesis "Somali State Failure: Players, Incentives, and Institutions.

2 Uniting the Somali nation at the horn of Africa under a single jurisdiction.

3 At least basic needs level.

Theoretical Argument

The state is needed by many. Citizens of a given polity need it because it is expected to deliver political and public goods, i.e., security, law and order, social and economic infrastructure. The political elite of a given society needs the state because it generates for them economic and political opportunities. Other countries, poor regional neighbours and distant sole superpowers alike, need the state of a given society because the state is the main vehicle for other countries to secure their security, and political and economic interests in the country in question.

When the state of a given country collapses the consequences for the citizens, leaders, and international community could be very severe. Insecurity and hunger are obvious consequences for citizens of the collapsed state. Leaders of the collapsed state not only lose their economic and political opportunities but may also end up in misfortune. Mental disorder and public humiliation is a common problem for many Somali leaders who escaped to the West. In today's increasingly interconnected world, a collapsed state does not threaten the security and interests of its neighbours alone but may pose an acute risk to geographically distant and powerful nations. The U.S. National Security Strategy of 2002 concluded that "America is now threatened less by conquering states than we are by failing ones".

Since the fall of the Berlin Wall the world has witnessed an unprecedented frequency of the phenomenon of state failure and chaos that has resulted from the disappearance of state institutions. Africa has accounted for an unfair share of the failed states and this has led to some, such as Robert Bates (2008), to conclude that "in late-century Africa, things fell apart". The five top countries in the State Failure Index this year (2009) were from Africa and Somalia claimed "the No. 1 slot" on the index for a second year in a row (Foreign Policy, July/Aug 2009).

Somalia is commonly viewed as a symbol of the failed state because in this unfortunate country the political mayhem coupled with the post-colonial state in Africa has been exceptionally and deeply entrenched. Somalia has been characterised as a unique case for complete collapse (Rothberg, 2002). A recent report, after bringing up the problems associated with state failure and that it needed to be addressed, noted that "no place seems to accentuate these worries and validate the solution more than Somalia, the epitome of the failed state and the insecurity that state failure brings" (Haldén, 2008). Conceivably, Somali would have been viewed a particular cause for concern for all those interested in the issue of state failure. However, the case of Somalia never attracted the attention it deserved from the relevant actor and much less attention has been paid to the case in academic debates and research.

This research departs from the assumption that the presence of the structural factors, economic i.e. poverty and inequality, and (other) non-economic factors, do not automatically drive violent clashes among the groups in a given polity. Human motivation is assumed to play a central role in any conflict situation. Previous studies that dealt with the human motives of civil war and state failure could be grouped into two main categories: stateless approaches and predation theories. The influential analyses

of Collier and Hoeffler, cited in Chapter 1, belong to the first group. The essence of statehood is missing from these analyses. In the theory of economics, the state is either considered as a social contract where the state is understood as an agent of the society as citizens or as an instrument of exploitation for the elite where the state is viewed as an agent of particular groups in the society. Neither society as citizens nor the state as a political entity is given any meaningful consideration in these analyses. Collier through his greed theory concentrated his attention on rebellion from some small groups in the society that tend to gain from the lawlessness and social disorder, “although societies as a whole suffer economically from civil war, some small identifiable groups do well out of it. They thus have an interest in the initiation, perpetuation, and renewal of conflict” (Collier, 2000). Therefore, the presence of certain economic conditions in society – large natural resources, high proportion of young men, and little education – generate a risk of civil war and state failure. The role of the state as a provider of public goods such as security or as a predator that generates violence or security for its own interest is often missing from the analyses.

The shadow state theory initiated by William Reno is the leading version of the predation theories in conflict and state failure analyses, particularly in Africa. This line of analysis departs from the assumption that the state in Africa is predatory by nature. In other words, based on the „Quasi States’ notion of Robert Jackson, these theories assume that post-colonial states in Africa where failed in nature and its leaders were like racketeers rather than state leaders. Therefore, there are no analyses on the patterns that made the state predatory. Furthermore, here the role of society as citizens is missing. Political leaders are sole players of a one-sided game where there is no bargaining power and retaliation from society. In other words, the country and its resources are like a teashop owned by the political leaders. My argument here is not to deny that political leaders, as far as national interests of their countries are concerned, behaved like owners of a teashop. On the contrary, these analyses make us understand to a great extent the essence of post-colonial governance problems in Africa. My point is that it is useful to consider the circumstances that provide these leaders such gigantic opportunities for transforming the whole ownership of society into something like that owned by a single person or group of individuals, before one considers the way they behaved after they assumed power. The throne was not in their hands when they born. Many of them were born and grew up in humbling circumstances. The political power they assumed is in one way or another delegated to them by their societies. Mohammed Siyad Barre, like Mobutu Sese Seko of the Congo, did not make himself the Army Chief of Staff before he had overthrown the elected regime. It was mainly through the established formal institutions in society that in one way or another, made the delegation of such power legitimate. Through these institutions Barre was appointed the Army Chief of Staff. As the highest ranking officer in the national army the main purpose of the delegation was to provide national security and prevent external aggressions. But in order to fulfill such a huge task the most able institution of violence in the society was brought under his command. The great danger of delegation in any situation is that those to whom power is delegated may abuse the power they receive and it is up to those who delegated their

power to make sure that their agents are effectively checked. The predation theories of conflict put their emphasis on the way political leaders behave after they assume power. Missing from the analysis, is that the process of assuming power is taken as given and as such this is why society as delegator did not effectively control those to which it delegated.

In his Cairo speech, of June 2009, President Barak Obama stated that “in the middle of the Cold War, the United States played a role in the overthrow of a democratically-elected Iranian government.” Many instances of the great powers’ involvement in the regime change in Africa’s failed states are well-known. President Eisenhower’s authorisation of the assassination of the democratically elected prime minister of the Congo, Patrice Lumumba, in 1960 and the supporting of his subordinate, Mobutu, to assume and maintain power is now well documented.

Futhermore, In the literature on state failure, the superpowers’ suspension of their support playing a major factor in this failure, and foreign aid and its effect of letting incumbent leaders enrich themselves and further ignore people’s demands are also noted. However, the role of foreign powers in conflict and state failure deserves deeper attention. As the above passage reveals, foreign countries, superpowers during the Cold War for instance, played a direct role in the process of power appropriation in these societies. Furthermore, foreign powers not only supported their allies to maintain power but also were asking the regimes in question to perform certain tasks that might be detrimental to the interests of their societies. Sometimes these tasks have strong implications on state failure. Therefore, foreign powers’ involvement in the conflict needs to be genuinely addressed. Rothberg (2002) rightly noted that “destructive decisions by individual leaders have almost always paved the way to state failure” but it is equally true that some of the deadliest and most destructive decisions originated in Washington, Moscow, and other big capitals of the world.

This research, unlike the existing literature on the political economy of conflict, departs from the social contract approach. Therefore, the state-society relationship is analysed from the so-called principal-agent perspective. The main argument here is that, people delegate their power to make political decisions to state authorities. However, by manipulating the informational advantage the state, as agent, possesses over the ordinary citizens, a given state leader may turn the whole process to his advantage at the expense of the society at large. To mitigate this problem, that of agency loss, citizens should be prepared to incur further cost, agency cost. James Madison long ago recognised the problem stating that “ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary” (Madison, 1788). Therefore, people as principals are required to be able to make sure that their leaders are doing the right job. In other words they must keep their political leaders accountable. In the democratic system formal political institutions, i.e. election, separation, are mainly devised

to do the job. In a non-democratic format too there are some means for constraining the behaviour of the leaders, such as revolutionary threats. The main argument here is that if society fails to keep their leaders under effective check there is no guarantee that their leaders are in offices for the advancement of the peace and prosperity of society. Thus, the role and ability of the society is fundamental for the direction the conflict over state control leads the country in general and the economy in particular.

In a situation where citizens are unable to control their leaders the political leaders will choose actions that are beneficial to them even if these actions undermine the welfare of the citizens. In incidents where leaders pursue actions that are detrimental to the interest of the society in question the leaders are predators rather than agents of their citizens. There might be situations where citizens of a given polity are unable to keep their state leaders under control but the leaders still behave in accordance with the interests of the society. However, here other factors are replacing society to provide the required incentives for the state to behave properly. Therefore, this research utilises predation theory, as well as the social contract approach.

A fundamental query for development economics as a discipline is to find an answer to why some countries achieve notable economic success while others are relatively unsuccessful. One approach emphasises that the conflict over control of the state is the critical factor that is responsible for the success and strong economic performance of some countries and the relative failure or even absolute decline of others. The argument is that the relative bargaining power of rulers and society is essential in these results. The critical point here is who determines the process of power appropriation and political survival: Is it the society as citizens or sub-groups in the society who have the final say in this respect? Therefore, the social contract approach of state failure is in line with the wider subject matter of development economics. Factors that hinder or enhance relative bargaining power of the citizens in its relation with the rulers are mainly responsible for why some countries are rich while others remain poor and why some states are strong while others failed or even collapsed.

Another advantage of this approach is that the roles of both the society and foreign power could be brought into the analyses. A primary question in this context is: Why do societies fail to keep their leaders under control? To answer that question, the incentives available for each of the actors in the process needed to be investigated. However, it is vital to pay careful attention to the institutions that determine incentives and constrain the behaviours of these actors. It is so, simply because actors respond to the incentives provided for them and incentives are determined by the existing institutions.

This research considered three main informal institutions that determined the behaviour of the actors that took part in the decay of the post-colonial state in Somalia. These institutions were bad because they created incentives for predators. These institutions rendered society in a very weak position in the state-society relationship, where society became unable to mobilise any mechanism, legal and extralegal, to control its leaders. The first of these informal institutions is political tribalism that Somalia experienced throughout its history as a modern state. The politicisation of the clan factor took its final and mature form during the colonial period. Since then

Somalis suffered a severe collective action problem, and became a deeply divided society.

The Cold War is another informal institution in this analysis. During the Cold War, African and Asian countries witnessed fierce competition for influence by the United States and the Soviet Union. Based on how friendly or hostile local political actors were to its own interests, each superpower developed its own criteria for the Third World governments and movements. Undesired regimes and groups were considered minority groups illegitimately imposing or intending to impose its will on the majority, while friendly regimes and groups were by default the legitimate forces representing the will of the majority of the people in the concerned country. The attitude of the political leadership was considered the main determinant of a nation's way of life in Africa. Given the state-society relationship the superpowers realised that the best strategy to bring African nations on board was to help sympathetic political leaders. So leadership change and survival became an important issue in the superpowers' involvement in these countries. Both sides were deeply involved in the internal affairs of these nations by influencing leadership changes and survival, and policy making-processes. By creating state dependence on foreign power, the Cold War generated or encouraged conditions which were unfavourable to the political and economic developments in these countries i.e. *personal rule*, *neo-patrimonial leadership*, and *divide-and-rule system*. This weakened society's bargaining power and, thus, its ability to control the behaviour of the elite. Furthermore, each of the Cold War contenders encouraged policies and actions which might be seen as strategic in its struggle, but had locally disastrous impacts. Due to its geopolitical attraction, post-colonial Somalia became a major hotspot of conflict between the Soviet Union and The United States. To win this geopolitical struggle, both the US and the Soviet Union not only poured substantial amounts of financial and military aid into Somalia, which became another source of survival for political leaders, but participated in regime changes and encouraged nationally disastrous policies and actions, such as the formation of the SRSP and the Ogaden War.

Rather than strengthening formal political institutions, Somali political leaders, as elsewhere in Africa, employed informal methods for power appropriation and political survival. They employed a patrimonial system of leadership and, if necessary, coercion. Together these two instruments form a divide-and-rule strategy which enables leaders to maintain power while at the same time pursuing policies costly to their societies. To remove an incompetent ruler from power, people need to cooperate and overcome their collective action problems. General Mohamed Siyad Barre, to remain in power, bribed segments of society and selectively punished potential opponents and related groups. However, social fragility was a precondition for this strategy to succeed. In Somalia the politicised clan differences provided the opportunity for ambitious, political entrepreneurs.

However, for leaders to carry out their divide-and-rule strategy an enormous amount of resources are required; financial and military, for which the tax revenues from the impoverished citizens is not sufficient. Alternatively, African leaders exploited the natural resources of their countries and in addition cultivated strategic

alliances with the Cold War rivals, the superpowers. For leaders of countries with limited resource endowment, such as Somalia, foreign assistance was extremely important. Unpopular leaders established strategic relationships with the US or USSR to defend their rule. In short, the road to influence and power on the one hand depended upon the ability of the elite to mobilise mass support where tribalism was a ready instrument to capitalise on and the availability of a superpower patron for political, economic and military support was in some cases easily available among the „cold warriors’.

A word of caution is in order. My argument is not that this particular set of informal institutions, tribalism or ethnicity, patrimonial style of leadership and the Cold War, were responsible for the misery of all nations. On the contrary, every society has its specific factors that limit its bargaining power against its rulers. My point is that in every society there is an “institutional matrix that defines the incentive structure of the society” and in societies that failed the dominant institutions are bad. A special feature of these bad institutions is that they weaken the society and make it unable to keep its leaders under effective check. Institutions with this quality are to some extent responsible for states to fail and collapse. Furthermore, the same institutions may have different attributes in different societies/times. Policies generated by the Cold War struggle, for instance, positively influenced socioeconomic achievements of the military government of Somalia in the early 1970s.

Therefore, before we look at the destructive policies and action of leaders and other players in the failed states, it is very useful to understand the existing institutions in the society in question and the incentive structure these institutions generate.

Post-Colonial State in Somalia

The post-colonial Somali state, since its inception in 1960, was to achieve two main goals: the socio-political unification of Somali peoples inhabiting the Horn of Africa and socio-economic development. But neither of these goals were secured by the civilian regimes that ruled Somalia between 1960-69. Post-colonial Somali leaders rather than encouraging the formal institutions formulated other strategies for survival. Scores of corruption and economic mismanagement, and tribal manipulation by the political leaders were common during the civilian rule. This unwise power struggle undermined the government’s performance in all sectors since the formation of the republic.

Somali society, although a democratic system of governance is formally structured in Somalia, failed to utilise the basic instrumental objective of the institutions of accountability, i.e. elections. Therefore, since there is no effective system of accountability, the Somali electorate was unable to control their leaders. Far worse, due to ethnic cleavages among the Somalis, they simply became victims for political manipulations by the political elites. Prior to 1967, in Somalia, the political struggle was

mainly between Somali groups and coalitions. However, since 1967, the superpowers played a crucial role in determining the winning coalition among Somali groups. Washington, with the intention of reversing the Somalia's increasing tendencies towards Moscow, involved itself in the Somalia's election and policy making processes in 1967. This involvement in the internal politics and leadership change worsened the situation by contributing to the total erosion of Somali democracy, and enabled a small group to monopolise political power and to install patrimonial rule in the country. Consequently, the institutions of accountability were brought under the Prime Minister's control. The ruling party was the first victim of the subordination, the parliament lost its role as an instrument of accountability, and the Supreme Court was put under the control of an ally advocate. As political institutions of democratic check and balances were undermined by the state leaders, a system of personal rule established itself in Somalia, where almost every state institution was abused.

After losing the election in June 1967 President Osman accepted the defeat and gave up power in accordance with the formal political institution and became the first African head of state to hand over power to a democratically elected successor. But sadly in that election democracy was just on the surface, and beneath it Washington's long arm was influencing the emerging winning coalition. Although there were many deficiencies in the governance system in Somalia, institutions were not completely toothless and there were some reformers, including Osman himself, in the political process. After the 1967 election, and America's intervention, reformers were undermined and formal institutions vanished. The Somali state was at the verge of collapse in 1969, and for most of the Somalis and many well informed non-Somalis the military intervention, no matter what the intention was of those involved, was perceived as an act of salvaging the nation.

In October 1969, through a military coup d'état, Barre overthrew the elected government. By assuming power, the military regime abrogated Somalia's formal democratic rule, nullified the parliamentary system of governance, and undermined civil liberties. For its survival the regime successfully brought Moscow to its side, eliminated political opponents and established authoritarian rule. The Soviets, on the other hand, to build a socialist society decided to help reform Somali society and thus supported the development aspects of the country. In that respect Moscow's objectives coincided with the interest of the Somalis as citizens. Therefore the regime was mainly to pursue a single task which was socio-economic development. In addition, the regime sought to improve the welfare of society. Furthermore, the regime mobilised the society to rally behind it through the vision of restoring people's dignity, guiding them to their true Somali characteristics and creating a nationalism of oneness. As a response to the failure of the civilian governments, Somalis welcomed the military coup and the vast majority of the society voluntarily supported the regime.

As a result, significant socio-economic development was accomplished during the first five years of the regime's rule. Many sectors of the economy significantly improved. In the livestock sector, the most important sector in the Somali economy,

the export earning of the sector increased dramatically. The manufacturing sector was negligible in 1969, but by the early 1970s about 20 percent of the country's exports were manufactured goods. In the communications and transportation sector significant work was carried out. In the social sector, two main targets of the regime were to liquidate illiteracy and to create a written form of the Somali language. The latter was achieved in 1972 and in the same year Somali became the sole official language in the country. In the following year, a successful literacy campaign was undertaken in the urban centers. Furthermore, total school enrolment dramatically increased from less than 50 thousand in 1971 to about 220 thousand pupils in 1975. Other notable developmental programmes were also carried out during this period. In light of this, the military rule, in its first phase, could be characterised *as an agent of its citizens*. To a great extent the coincidence of interests between the Soviet Union and Somali society and the society's support for the regime was responsible for these achievements.

In the 1970s the Soviets, unhappy with the regime's performance on the reform process, took two measures that alienated its interests from that of the Somalis. Firstly, Moscow put great pressure on the regime to establish a vanguard socialist party. That made Barre worry for his future because his power base would be weakened if an ideal Marxist party was established and in response he started several countermeasures in order to survive. In short, rather than establishing a vanguard Marxist-Leninist party he formed a party of his own.

Secondly, Moscow decided to dramatically increase its presence in Somalia and to do so it shifted its focus from social reform to the Greater Somalia issue and therefore encouraged the war between Somalia and Ethiopia. However, it soon ceased supporting the war between Somalia and Ethiopia because a pro-Soviet military junta took the power in Ethiopia. This further aggravated its relations with the military leadership in Somalia. The United States took the opportunity and started wooing Barre's regime from the Soviet camp. To do so Washington replaced Moscow by encouraging war between Somalia and Ethiopia. Somali leaders believed that Washington was offering a more rewarding alternative, expelled the Soviets from Somalia and abrogated the relationship treaty with the Soviet Union. Consequently Somalia and Ethiopia clashed in a battle, with Somalia being badly defeated.

The regime's abandonment of socio-economic development and the defeat in the war marked the end of the social contract between the regime and society. Somalis as citizens realised that the government failed to achieve either of the two main goals: socio-economic development and unification. Soon after the Ogaden War and the Soviet departure, longtime dormant contenders started to challenge the regime. Unsuccessful military coupes were staged and armed opposition groups were setup. Barre, on the other hand, decided to survive at any cost and formed a patrimonial network for control. He employed the well-known divide-and-rule policy based on clan manipulation. By doing so Barre abandoned his interest with Somalis as citizens and relied on particular client groups and in short, the military regime became an instrument of a ruling elite. To maintain his power and carry out his policies Barre

sought to bring Washington to his side. Economic predation and social antagonism was the order of the day.

The American administration, unlike the Soviets, was not concerned about the socioeconomic wellbeing of the societies. It limited its task, by using the strategic bases in Somalia, and preventing the regime from falling. Using its good offices it also facilitated a friendly relationship between the regime and the other Western countries and international organisations such as the United Nations, World Bank and IMF. Until 1986, the United States and its allies provided military and economic assistance that enabled the regime to survive and the regime provided the US military bases it needed to safeguard its interest in the region.

The rise of Gorbachev and the introduction of *glasnost* and *perestroika* marked the beginning of the end of the Cold War with decreased tension between the two superpowers. Consequently, Somalia started to lose its geopolitical value. Washington, like its allies, withdrew its assistance from the regime. Coincidentally, Barre was severely injured in a car accident in 1986 and this raised the issue of who would succeed the ailing dictator, and created mounting tension and wiped out the cohesion among loyal groups of Barre. In addition, opposition factions intensified their struggle. The role of Somali society, as principal, broke down after the Ogaden defeat and never recovered. Washington's abandonment marked, like the previous departure by the Soviets, the failure of the principalship of the US to Barre. However, unlike the departure of the Soviet Union, in this period there was no superpower interested in salvaging the regime. The military regime collapsed and the post-colonial state in Somalia collapsed as well.

Conclusion

In short, due to the incentive structure generated by the informal institutions, the formal state institutions fell apart. The formal economy and its institutions were among those that collapsed rapidly. Here the way the players acted, in interaction with the prevailing institutions, led to the deterioration of the economy and the income bases of the players. This unfortunate outcome led players to further their economic predation, which again weakened the income opportunities available to all, and led the players to further intensify their predation, and so on. Hence, a kind of vicious circle emerged; for instance, state leaders pursued bad economic policies. In order to enrich themselves, Somali leaders provided economic opportunities for their clients, and/or financed the war against opposition groups by employing destructive strategies that led to the deterioration of the economy. This in turn weakened the income bases for both the elite and the ordinary citizens as state employers, farmers, entrepreneurs, etc. The state leaders then had to find new objects and strategies for predation. On their part, the ordinary employers, soldiers, farmers, etc. followed suit by delving deeper into corruption and other economic mismanagement or by

leaving their professional occupations. These further weakened the economy and consequently generated more predation, and so on. This process persisted until the formal economy collapsed completely.

Political tribalism or ethnic politics extends the tenure of the incumbent if employed by the incumbent leaders and increases the probability of gaining office if used by the opposition. In this sense clan politics rewards pro-failure/antidevelopment policies and actions, but gives no reward for pro-development behaviour. However, it increases the probability of conflict if simultaneously used by the incumbent and opposition. In this sense clan politics provides incentives for state collapse. However, presence of ethnic/clan fragility in the societies made ethnic/clan politics attractive for ambitious political entrepreneurs. Informal rules or norms of struggle during the Cold War led the superpowers to reward pro-failure/antidevelopment policies and actions in Africa and Asia. *States fail and collapse because of the destructive policies and actions of their leaders. Leaders pursue destructive decisions simply because they are responding to pro-failure incentives and constraints offered by a set of dominant (in)formal institutions. These institutions are pro-failure/antidevelopment institutions because they provide the highest payoffs to the destructive policies and actions by political leaders.*

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The Role of Civil Society in Post-Conflict Peace-Building

Abdi Mohamed Gandi

This paper deals with the role the Somali Civil Society could play in peace-building and state-rebuilding. After a short explanation on the Somali social structure, i.e. its division in three castes (*waranle, wadaad, waable*) and its minority groups (city-dwellers, island-dwellers, river-dwellers), on its social functioning through the kinship system, social codes, customary laws, religion, cultural space and state, the paper gives the major lines of the changes that occurred in the society through the last century. It then discusses the role of civil society in the civil war and also gives examples of the work it has already done in favor of the population, filling the gap left by the state failure. Its conclusion is that nothing can be rebuilt without reconciliation between traditions and modernity and without the help of the civil society.

Somalia needs to rebuild itself. But it will have to reconcile traditions and modernity. Traditions are still present in the Somali society but modernity can't be avoided.

Before entering the subject I shall give an explanation on what is called "civil society" in the Somali meaning. Civil society can be seen through tradition as elders (traditional leaders, like *Ugaas, Malaq, Boqor, Suldaan, Garaad, Imaam, Islaan*, and so on) and religious leaders and through modernity as people involved in Peace, Human rights, Women and/or Professional organizations.

I will also give examples of the work the civil society has done to build peace and social structure during the civil war and how its workers have tried to help their citizens.

Then I will propose some tracks of what civil society can do in the post-conflict peace building process. Their previous experience will be really useful and shall not be lost or forgotten.

Defining civil society in the Somali context:

Civil society is usually defined as "volitional, organized, collective participation in the public space between individuals and the state"¹. This can take the form of NGOs

1 Cited by the late Dr Ahmed Farah in his unpublished paper, "Civil Society: the Somali Experience", Nairobi, April 2002, from Gerner and Schrodt, 1999.

(non-governmental organizations) or CBOs (Community-based organizations). These can be voluntary associations, or religious, advocacy or self-help groups (*iskaa wax u qabsi*) built up on a common project or around the same interests. They have no legislative or executive power, and non-profit aims. They use peaceful means.

Another classification separates them into operational NGOs, whose purpose is the implementation of humanitarian projects and advocacy NGOs meant to change policies and practices concerning a given cause. Some are acting strictly in a local area or country, others have international aims, these last ones usually based in Northern countries and carrying operations in other countries. Some national and international NGOs are only meant to collect funds from donors and to redistribute them to local NGOs according to their projects and aims. CBOs are different from NGOs for they are “people’s organizations”: members have joined together, generally at local level, to pursue a common interest. It is for example youth clubs, small credit circles (*shongolo, hagbad*), and so on.

But this definition of NGOs and CBOs must be regarded as especially given to modern occidental states where they first appeared. But they are not complete enough to describe Somali NGOs, CBOs and other voluntary associations. For there is no state in Somalia, hence many organizations are functioning for the welfare and well-being of the society and have filled the gap left by the state failure.

As formal governmental structures did not exist for many years, civil society assumed multiple roles normally devoted to state structures, like service and emergency provision, peacemaking, or reconstruction and development. Civil society faced these necessities through three main types of organizations: community-based organizations (CBOs), which should be qualified as “traditional structures”, local NGOs and professional associations, both forming “modern structures”. Traditional structures comprise traditional elders (*oday dhaqameedyada*), religious leaders (*hogaamiye diineedyada*), more especially those belonging to traditional tariqa and social and community groups (*kooxaha bulshada*). On the other side, but not opposing the traditional structures, one can find the LONGOs (local NGOs) and professional groups (*xirfadleyda*), such as teachers, lawyers, health persons, farmers, and so on. Most of them are very localized groups and operating in small areas, and usually acting on a clan-based framework. Nevertheless, their work for the population they serve was – and still is – outstanding. Traditional leaders and religious leaders as well as women’s organizations or professional groups have made considerable efforts toward peace making by solving local conflicts and diverting children from war and militia by providing school education and training.

The Somali civil society characteristics are a substitution for state inadequacy, instead of working aside with the state structures, and the inclusion of traditional elements in its way of working. However, media associations and business groups have not been included as civil society, even if they sometimes intervene inside networks to help on some specific projects.

Somali social structure

The Somali social structure is somewhat complex and the civil society reflects this complexity. The majority of the population belongs to the traditional clan-based society. This society is categorized in three classes: *waranle*, *wadaad* and *waable*. *Waranle* are the warriors, they form the noble caste of livestock herders and farmers; they keep the tradition of kinship system which separates them into tribes, clans and large families, following patrilineal trails. Known as *Gob* or *Nasab*, they hold power. *Wadaad* are men of religion. Their families are specialized in conducting worship, preaching and teaching the Koran and Hadiths. For a long time, these families didn't have livestock but were receiving payment for their work within the community in the form of live cattle and food. Finally, as the religious families also trail their name, they were considered of noble extraction. *Wadaad* and *waranle* can then intermarry. *Waable* are tradespeople, devoted to so-considered dirty handicrafts: tanners, blacksmiths, tailors, weavers, hunters, sorcerers-medicine men. Excluded from the kinship system, they can't possess livestock and can't intermarry with other clan members. Assimilated to a clan, they render services in exchange for the clan protection. Called *Gun* ("root" or "basis"), *sab*, or *Midgan*, *Tumaal*, *Yibir*, *Riibi*, *Waata*, *Aweer*, *Eyle*, *Muude*, *Jaaji*, *Yaxar*, following their handicraft, they suffer discrimination and injustice.

Other minority groups exist. City-dwellers, named for the city they live in or come from, such as *Reer Xamar*, *Reer Baraawe*, *Reer Marka*. Some of them were of Arab origin. Many are now living in exile. Island-dwellers, known as *Reer Bajuuni*, are usually fishermen; they live on the southern coast or on *Bajuuni* Island. Peasant-farmers, mostly of Bantu origin, are living in the rivers area. They belong to the following families: *Reer Baarre*, *Baajimaal*, *Gasar-Gudde*, *Reer Ciise*, *Digiino*, *Reer Geeddow*, *Ali Mahad*, *Mashinguli*, *Oji*, *Gobaweyn*, *Shiidle* and *Makanni*. Said to be ancient slaves or regarded as descendants of the ancient Galla population, they are discriminated with the general name *Jareer* or *Tin Jareer*.

Waranle and *Wadaad*, of noble descent, were organized in clan-based structures: they belonged to a large family, included in a clan, part of a tribe, all structures defined on kinship trails. This segregation based on kinship trails is the most obvious structure of the Somali society. The Siad Barre regime, in its first years of existence, tried to obliterate it in favor of nationalism but soon the tribal structure came back, in the very inside of the government as Siad Barre rapidly appointed members of his own family and of his own clan at every level of the executive, legislative, administrative and economic structures. The opposition itself was based on tribal structure. The cross-clanic movement that overthrew Siad Barre's regime in 1991 turned up within a few months in a fierce civil clanic war.

Civil war has changed the Somali social classification. Minority groups, more especially trades castes and farmers of Bantu origin, now affirm their identity and are advocating for their rights. During the Arta conference (Djibouti, 2000-2002), they obtained for the first time the creation of a specific quota in the Upper House. Their number of representatives is half of the number of representatives of the other con-

federation; hence they are no longer dependent on the good will of their affiliation clan leaders.

Somali social functioning

Somali society is held by five pillars: the kinship system, its social codes and customary laws, religion, cultural space and values, which are the traditional pillars and more recently the state, as the fifth one.

Kinship system

This is the most obvious structure each observer can first see when studying Somali society. But what is seen is the *xigto* kinship, which means kinship based on patrilineal genealogical trails. Ethnic Somalis are thus organized in nuclear families, extended families, sub-clans, clans, tribes and confederations of tribes. Space occupancy is shaped on the same model. In times of conflicts or feuds, scattered families join together for defense and protection.

Each young Somali child learns his genealogy, that is the list of his ancestors beginning with the name of his father and ending with the name of the founder of the confederation he belongs to. The length of the list may vary but can reach at least thirty names, if not forty. The lineage is an identity card or passport; mutual statement gives outsiders their degree of kinship and will sketch their future relations. Every kin blood related to a father is member of the child's *xigto*. On the other side, all kin related to his mother are his *xidid* kinship that means its "roots" or his secret family. Marriage is seen as an alliance between two lineages; this alliance is reinforced by other new marriages between them. But the social relations with kins depend on their belonging to the *xigto* or the *xidid* kinship. For example, a child will have to be strong, mature, proud and undemonstrative with his *xigto* kin, while he will find tenderness, comprehension and advice within his *xidid* kin. While his *xigto* uncles will teach him martial arts, his *xidid* uncles will teach him esoteric skills. This kin structure is further entwined with age and gender divisions: for example, young boys and men are devoted to the protection of livestock and community, while elders participate in the management of the community and are decision-makers. Women are in charge of the household; they can't take decisions but nevertheless they can be involved in debates.

Large families, clans, alliances by marriage are different places of solidarity and mutual aid expression. For example, blood debt is a *xigto* matter, while the sharing of pastures and water-points is not limited².

2 For further information, see Mohamed-Abdi Mohamed, "Somalia: kinship and relationships derived from it", in *Mending rips in the sky, options for Somali communities in the 21st century*, ed. By Adam and Ford, 1997, pp. 145-59.

Social codes and customary laws

No society can be sustainable without rules. The Somali social code of values (*dhaqan*) is based on tradition (*caado*) and on customary laws (*xeer*). It regulates the whole society, from everyday activities to crisis management. Tradition defines what is allowed and what is not; many activities are carried out without discussion and trying to change the way they are performed is seen as abnormal. Customary laws, all oral until recently, manage relationships between individuals and groups. They are divided into four thematic branches: *dhiig* for assault and battery, *dagaal iyo nabad* for war and peace, *shaqo* for work regulations and *dhaqan* for civil rights (especially marriage and inheritance). They are common to all the tribes, except for some small variations. When a new issue arises, its resolution will serve as jurisprudence (*ugub*).

Typical internal cases that are conflicts between members of the community are usually solved by the chief and his judicial advisers (*xeer beegti*). But cases that might threaten relations between communities need the intervention of a *guurti*, i.e. a court composed with a judge and jury, all being elders chosen for their knowledge of customary laws. The most serious cases will bring together judges and juries from both sides and they will discuss the matter until it is solved. In rare cases, when the affair is too serious, the *guurti* assembles on the territory of a third uninvolved group that will act as mediator. Religion and its moral code reinforce the customary laws and religious leaders usually sustain the chief's decisions.

Religion

Islam spread through the Horn of Africa from the first century of Hegira. It came in successive waves, making its way smoothly through the area. Some clans claim descent from the early Arab leaders who arrived on the coast. Islam is now the religion of more than 99.9 % of the Somali population, which follows the Sunni Shafi'ite school of thought. Since the 16th century, three main brotherhoods settled in the area: the *Qaadiiriya*, with its *Uweysiya*, *Rizaqiya* and *Zayliciya* branches, the *Ahmediya*, with its *Dandarawiya*, *Saalixiya*, *Rashidiya* and *Marganiya* branches, and the *Rufaciya*. *Qadiiriya* and *Rufaciya* can be qualified as Sufi brotherhoods, while the *Ahmediya* is reformist: it proclaims a faith purified of all its emotive manifestations and is rather austere (tobacco, coffee, khat are forbidden, dress must respect very strict codes). Nevertheless, the majority of Somali people practise Islam with moderation and with respect for its teaching of Koran and Sunnah.

The colonial and post-colonial periods opened the door to politicized Islam in the form of the Muslim Brothers, Al-Itihad and Tabliq ways of thought.

Cultural space and values

Cultural space describes the shared values of a society, relating to kinship, language, religion, culture and ethnicity. This concept transcends physical boundaries. Thus, Somalis living in Somalia, Ethiopia, Djibouti, Kenya and the Diaspora all over the world share these values.

State

State (*dawlad*) is a new concept: in the past, Somalis never formed a centralized nation as they didn't have a king or a president ruling the country. On the contrary, the Somali territory, maybe due to its harshness, was divided in smaller territories belonging, as far as they could protect it, to tribes and clans. Some were organized in Sultanates, like the *Ajuuraan*, *Majeerteen*, *Aji*, *Geledi* or *Biyomaal*. Nevertheless, each tribe was ruled like a state of which it had all the characteristics: territory, economic resources (that is livestock and agricultural products), armed defense, emblem, a chief and an assembly. While not acting as a nation in everyday life, Somalis could join their forces and skills to face danger, as for example they produced a coercive action beyond clanic bonds, against the colonial administration in the form of the Dervish movement or the *Biyomaal* upsurge.

Embryos of non-clanic management appeared in towns where people from different clans would come together to trade, settle and intermarry with Arab-Persian or Indian traders' populations. New ties were linked which defined them as city-dwellers, hence they became *Reer Xamar*, *Reer Marka*, *Reer Zeylac*, and so on. This proclaims a Somali identity beyond clan and could have been a model for a nascent nation on Independence Eve. The participation in the public sphere, whether of business or governance, produced the new concept of citizenship.

The modern state concept is an importation inherited from the colonial period. What is generally admitted in this modern state concept is a State free of any clanic restraint and built on the European models that gave it birth, i.e. the British and Italian ones. Its failure has many causes, one being the dictatorship it became under Barre's rule. But deeper causes exist: Somalia was the reunion of British Somaliland and Italian Somalia, two entities that were ruled by completely different administrations. Thus, education, justice, administration, administrative language and formulas, even highway-code, were different. Independence occurred in 1960, but the first attempt at standardization was not performed before 1972. Banishing the traditional clanic system without providing another understandable and sustainable system was another mistake.

Somalia has faced a state vacuum for sixteen years now. Rebuilding a new state will be a great challenge, as this new state will have to reconcile traditions and modernity and avoid the repetition of past mistakes.

Changes in Somali civil society

The Somali society has a long self-help tradition. It is included in its oral traditional customary law (*xeer*) that members of the same family, in its largest meaning, or of the same village, give each other help and mutual assistance for everyday activities and for special events.

Many examples are available to describe the phenomenon. Nomadic pastoralists, representing more than 70 % of the Somali society, used to manage their livestock, their pastures and water wells commonly. Farmers along the Juba and Shabelle rivers, used to plough, to sow, to weed, to harvest and to thresh grains altogether, working one day on one of their fellow's place, and the next day on another's. The digging of water ponds and their upkeep was also a common job performed by the community members using them. The fishermen and citizens were also working together for the sake of the community. The education of children, except for their very first years, was also a common matter: after the *gudmo* (which is the circumcision of boys and excision-infibulation of girls) the children were brought together by parents and neighbors of the same gender. Boys were sent with older boys to cope with the livestock in far away pastures, they learnt to protect them from wild animals and to fight; girls were educated to house tenure by mothers, grandmas and aunts. Offense reparation, marriage, death were also common affairs and poor and disabled were never left without help. Elders, traditional as well as religious ones, managed their community with respect for the customary laws: they had to solve all problems arising within the community and with other communities. Traditional elders (*Ugaas, Malaq, Boqor, Suldaan, Garaad, Imaam, Islaan*, and so on) were helped in this job by community elders who were religious leaders and other wise persons. Decisions were made through discussion and consensus. None of them received salaries for their work.

Colonial administration partly changed the functioning of the customary law, by appointing traditional leaders and sustaining some religious institutions and in the meanwhile banning others institutions or associations, and punishing their leaders. This ended up in the birth of an anti-colonial movement led by some traditional and religious leaders and involving men, women, poets, youth groups as well. But others were more favorable to colonization and chose to help the colonial authorities against their fellow countrymen. Hence, traditional leaders partly lost the respect and the confidence of their communities, which then chose new leaders, hence disobeying the colonial administration. Islam also changed and became politicized: parents first chose to give Muslim names to their new-born babies instead of Somali names and secondly they chose to send their children to Koranic schools instead of colonial schools. Somali civic groups, political parties and armed groups rose up everywhere to struggle against colonial authorities and played a vital role in the first expression of a nationalist Somali identity. In 1960, Italian Somalia and British Somaliland joined and formed the Independent Somalia. Many civil society groups, including women's associations, youth clubs, professional associations, emerged but were immature and

could not implement their vision of progress and modernity. In 1969, the military coup brought new concepts. All former civil associations were banned and replaced by strictly regulated organizations meant to support the scientific socialism. These were covering all social sectors: trades unions, teachers, women, artists but they had very small latitude of action. The traditional governance was banned and the traditional Somali structure ripped into pieces: the common management of livestock, pastures, water-ponds, farms was dismissed; traditional solutions to conflicts and social disorders were no longer available.

But the national scale crisis brought back the self-help Somali tradition. The Ogaden war against Ethiopia in 1977-78 opened the door to international NGOs and allowed the creation of Somali NGOs under their umbrella. The resolution of the humanitarian disaster caused by this war and the following drought and the departure of the international NGOs didn't really lead to the dissolution of local NGOs in spite of the efforts of the Barre regime. During the 1980s, many organizations, civic and religious, were secretly created with the aim of helping the population suffering from increasing poverty. For example, they helped young married couples to settle in with minimum furniture. They provided free medical consultations for the poorest.

Under the pressure of massive cross-clan opposition, the Barre regime collapsed in 1991. But quickly, the movement fractured and took the form of a clan civil war, fuelled by the collaboration of traditional leaders with warlords to recruit clan militias. But soon, seeing the senseless bloodshed that was occurring, the traditional leaders understood their mistake and changed their attitude towards warlords: they decided instead to participate in peace-building and population assistance work.

Somali organizations' actions during the civil war

Very few surveys were done on the Somali civil society despite its particular specificities. One can mention the study ordered by the Institute of Somali Studies (Mogadishu University), the one led by Bernhard Helander³ for UNDOS in 2002 or the one I led for NOVIB in 2003⁴. My own implication in the peace-building process since the beginning of the civil war has allowed me to meet a lot of associations' and organizations' leaders.

The Novib Mapping of Somali Civil Society has shown that CSOs (NGOs and CBOs altogether) are diversely spread all over Somalia. Their types and numbers depend on the region where they are settled. Muqdisho and Somaliland, for example, have a large number of NGOs and very few CBOs while in regions like Gedo, Lower and Middle Jubba, the distribution is inverted. But all over the country, CSOs lack international funding, with a few exceptions. Generally CBOs collect funds in the

3 Helander, Bernhard, "Is there a Civil Society in Somalia?", UNDOS, Nairobi, 1998.

4 Novib, *Mapping Somali Civil Society*, 2003.

Diaspora which every year sends around a thousand million dollars to Somalia to support families and their activities for their fellow Somalis. Nevertheless, CSOs have and are still doing a lot of actions for the population.

Professional groups are of different types. Some are more like cooperatives: their members decide the price on the market for their products (fish in the Bajuni Islands, grain in farming areas, shoes in other places, and so on). Veterinary associations are helping with livestock, organizing vaccination and preventing massive exportation of females to the Arabic Peninsula in order to protect further production. Agriculture associations help with grain seeds and organize common work. Unfortunately, their work is sometimes ruined by the intervention of INGOs or by the World Food Program when they provide the population with free food during the harvesting periods, hence slashing prices.

Environmental associations, sometimes supported by women's groups and youth groups, are educating the population in environment protection and are advocating to protect the coast from overfishing, the forest from overexploitation to transform wood in charcoal for export, and to stop the burying of European toxic waste in the Somali soils.

Youth education has been handled by different CSOs: religious groups, women's groups, CBOs and NGOs have organized classes for Koran basic learning, or in other case for basic reading, writing and counting. 150_000 pupils are actually registered in those schools but a professional syllabus is not available yet. Few universities are open: Hamoud, Hargeysa, Bosasa, and four in Muqdishu. Others are due to open soon: Kismayo, Beletweyn, and Bardheere.

On the health side, hospitals are open, in spite of war and conflicts still raging from place to place. Doctors and nurses are often giving free consultancy for the poorest. They are also educating the young in basic medical aid; they are ready to engage themselves in a larger syllabus for the young and to staff dispensaries in the countryside. Health is also linked to water and sanitation; many groups have tried their best to provide them.

Many CBOs, in the form of religious and elders' groups, have been engaged in peace seeking and conflict resolution. Women's and youth groups have supported their actions as pressure groups. They are also advocating for those suffering from discrimination due to their clan or class. They have been working to divert the young from engaging in militias even though they have not been able to give them a substitution job. Elders and religious elders have also carried out micro-credit means, with the help of *xawaalad*, a sort of banking system through which Somalis in the Diaspora are sending money to their relatives in Somalia. Religious groups were used to ask for a small fee for each money transfer; these fees were use for micro-credits or providing supplies to the population.

Groups are also working to support women left alone with their children because of war: they help them to learn a handicraft, like weaving or sewing so they can sustain their family. They can also have sessions on AIDS and child health care.

Members of CSOs have paid for their work for their Somali fellows: elders and religious have been killed for having diverted children and young men from militias or

for their peace seeking work. Teachers and children have been killed while at school by blind bombings. But all these tragedies have not stopped CSOs' engagement.

Two other important groups though not considered as CSOs are the business groups and the media groups. During the war, businessmen have gained a lot of money by dealing with warlords on one side and developing means of transport and communications on the other. They have also helped inside their own area to develop some CSOs' projects. Media have played a role in broadcasting programs for peace and promoting peace demonstrations.

Conclusion

Today Somalia must reconstruct but must be careful not to repeat mistakes made in the past. A new state must be recreated, but it will have to find an alliance between traditions and modernity. Tradition is held by traditional elders and leaders and religious leaders, who have engaged themselves in CBOs. Modernity is bound to professional groups, women's groups, youth clubs and NGOs. CSOs, that are NGOs, CBOs and all other voluntary associations, have done a lot in favor of their Somali fellows and their experiences shall serve to this reconstruction.

Traditional elders, especially those specialized in *xeer* (customary laws) and religious leaders, specialists of the Islamic law, as well as modern jurists, must offer their help to rebuild the law system. The new constitution must be built on *xeer*, *sharia* as well as modern law. The new Somali state must be able to be reintegrated with the world, but without giving up its own traditional values.

Another example is the way the civil society can help young generations to build their future and give them hope. For seventeen years, schools were closed, and the young were given no education. Here and there, classrooms were opened but could not offer more than Koranic basic teaching or basic reading and counting. In this field, the role of the civil society will be to mobilize its brains and skills to educate the young. With education, they will be able to find jobs and build their life without guns and violence. This education will be directed towards militia men on the one hand and young people in general on the other hand. Many domains need to be reconstructed: education, health, sanitation, roads, houses, official buildings, and so on. All this can provide Somalis with work and jobs to rebuild their own lives while reconstructing their own country. All these skills must be employed and not left on the ground.

State Building, Independence And Post-Conflict Reconstruction in Djibouti

Abdo A Abdallah

1. Introduction

The aim of this article is to examine state building, independence and reconstruction efforts within the framework of Djibouti. Djibouti was created and consolidated like many African states, by a colonial power. France kept the Afars and the Issa-Somali in constant friction not only prolonging the colonial rule but also finally ensuring its continued presence in the country after independence. This made state building, independence and reconstruction difficult for the years that followed independence. As the colonial power imposed the superiority of one ethnic group over the other, inter-ethnic conflicts were intensified, diverting attention from opposition to colonial rule. Furthermore, those who were placed in a dominant position occupied important posts in the government and secured the backing of the colonial support. By the same token those who were placed in a subordinate position were therefore subject to “double oppression”, by both French colonialism and ethnic domination. This relation has continued to create tension between ethnic groups even after independence, making the achievement of democracy and unity in the country difficult. Hence, the political development of the post-colonial period, followed by ethno-political conflicts, has caused much tension and political instability in an independent Djibouti. After the reconciliation with opposition groups was made, however, the reconstruction process has not yet brought about any promising changes.

The land and the people. Djibouti as a state was a creation of French colonial rule. The two ethnic groups that inhabit the country, the Afars live in the north, west and southern parts of the territory and share the city of Djibouti with other ethnic groups, whereas the Issa-Somali¹ inhabit the southeastern parts and dominate the city of Djibouti. Throughout history it has been difficult to give an accurate estimate of the inhabitants of the indigenous population of Djibouti. The main reason has been primarily due to the political unwillingness of the ruling groups and regular immigration from the neighbouring states. Hence, it could be argued that, in much

1 The name is used to mark the differences between the Issa indigenous groups from that of other immigrant Somalis in the country.

of Djiboutian history, ethnicity is the basic ground for psychological, economic and political reality.

Map of Djibouti



2. French Colonial Rule

Let us first say a few words about the remote history of the area: Prior to the French colonial power's arrival in the region we today call Djibouti, the area was under the traditional leadership of the Afars and the Issas. The Afar Sultanate of Rahaita ruled in the north, Tadjourah in the west, and Gobaad in the south parts of the present

Djibouti. Some parts of the west fall under the Sultanate of Awsa. The Issas on the other hand were subject to Ougas rule in the south-east of the territory. However there was no clearly defined territorial demarcation or common political framework which tied them together. The two groups came for the first time under one rule during the colonial rule of the French.

The French first came to the present Djibouti area in the 1860s, as a gateway to their Southeast Asian colonies and a base from which to counter British naval power in Aden. The signing of the treaties with the Afar sultans of Rahayta, Tadjourah and Gobaad formally established the French Djibouti colony in 1882.² With this agreement the French colonial power had acquired the Red Sea port of Obock, which was designed to become the nucleus of the French colony in the region. But as disagreement rose over the nature of the treaty with the Rahayta Sultanate the French gradually withdrew from Obock to the site of today's Djibouti city.³ The removal of the colonial headquarters from Obock to Djibouti, meant a closer relation with the Issa-Somalis. This furnished new ground for the French divide and rule policy in order to weaken solidarity between the Afar and Issa-Somalis. Until the Second World War, the French were engaged in expanding colonial administration in the country and their policy was marked by conflicts in the south-west of the territory, which ended in the battle of Morahto in 1935, killing the head of the French colonial administration of the Dikhel area.

The French Overseas Territory. After the war, the French colonial policy towards the territory was to modify the political system and institutional framework rather than to prepare a transition towards independence. Hence, French Somaliland was declared a French Overseas Territory in 1946, with a Representative Council, constituted with half French and half native members. In 1956 a constitutional reform or a blueprint (*loi-cadre*) was promulgated, replacing the Representative Council with a Territorial Assembly, elected by universal adult suffrage, from all administrative regions (*circles*) of the country. Although universal suffrage increased the participation of the local population in national decision-making the political organization remained sectarian.

One of the threatening factors during this time was the growing Somali nationalism in the region. In Djibouti this was advocated by Mohammed Harbi, who opposed French colonial rule and led a party known as the Union of Republicans (UR). It drew its support mainly from Somalis, and Arab communities engaged in commercial activities, and campaigned for independence and unity with Somalia. Against this background the first territorial election, in 1958, was won by the UR and gave local politicians the opportunity to exert some influence on the national issues of Djibouti through parliament. The intensification of Somali nationalist activities in the neighbouring states fanned the aspiration for independence in Djibouti too. In response to the growing demands for independence, a referendum was held in 1959 to decide whether Djibouti should remain under French colonial rule or become an

2 An agreement was concluded with the Issa leaders in order to counterbalance the Afar against the Issas but also to facilitate in eventual expansion to the south-east wards of the territory.

3 1892 – Djibouti becomes capital of the territory, while the old name Obock territory was changed into French Somaliland.

independent state where those who supported the continuation of French colonial rule were declared winners. The bitter feeling about the outcome of the referendum and the Somali insistence on pan-Somalism left the way open for a new alliance between conservative Afar groups and the colonial power.

“The French Territory of the Afars and the Issas”. Another popular uprising demanding independence from the colonial power emerged in 1966 while de Gaulle was on a state visit to Djibouti. Even though the colonial army reacted in a brutal manner against those who demanded independence, a day of referendum was announced to decide the future of Djibouti. However, if the population of Djibouti favoured independence in the referendum, France threatened to withdraw all assistance to Djibouti with immediate effect. If France was to put its threat of withdrawal into practice, the people feared conflict both from internal rivalry and the invasion from neighbouring states laying claim to the territory. Consequently, the result of the referendum was that the majority of the population favoured Djibouti’s continuation under French colonial rule, with possibilities for local autonomy. The same year the old name, “French Somaliland”, coined in 1897, was dropped and replaced by The French territory of the Afars and the Issas, indicating the two communities of Djibouti distinctively and hence making it acceptable to both. The name was also changed by the colonial power to discourage the two neighbouring states from territorial claims¹ and to emphasize the existence of the two indigenous groups in the country.

Meanwhile, a new leader of the Afar, Ali Arif, who led Rassemblement Democratique Afar (RDA), exploited the antagonistic relationship between French colonial rule and the Somalian ambition, and replaced the old one with a new alliance. In the election of June 1967, Ali Arif won a majority in the legislative assembly and became the Prime Minister of Djibouti. In the following election of 1973, RDA (then renamed Union Nationale pour l’Indepence (UNI) won all seats in the parliament, leaving the Issa-Somali parties outside the parliament. The total victory of UNI reinforced ethnic rivalry and brought confrontation with the Issa Democratic Union (IDU) – then renamed African Peoples’ League for Independence (LPAI).

However, due to both internal and external pressures Ali Arif resigned from his position as Prime Minister in 1976 and was replaced by Abdallah Mohammed Kamil, who was also an Afar and the general secretary of UNI. Kamil was also appointed to lead a transitional government to independence. Hence the recurrent internal turmoil and the pressure from the neighbouring states obliged the French to guarantee independence to Djibouti with immediate effect. At a meeting in Paris on the future of the territory, the opposition parties agreed to form a coalition government and set the date of independence. They formed Rassemblement Populaire pour l’Indepence (RPI), presenting a single list of candidates for the national election,⁴ paving the way not only for a one-party state but also for Issa-Somali domination in the country.

4 Accordingly, in June 1977, Djibouti became Africa’s 49th independent state and the last colony of France on the mainland of the African continent.

3. The aftermath of independence

In post-colonial Djibouti, conflicts that had been consolidated during the colonial rule continued to be closely inter-linked with government policy. The question was how to reconcile the factional politics with an emerging state and promote democracy in the country. One aspect of this was reflected in party politics by the banning all pre-colonial parties and imposing a one-party state in the country. However, this development led to more factionalism which was reinforced by armed confrontation. *The consolidation of the one-party state.* Traditionally the political system in Djibouti has been one of “ethnic representation” where ethnic groupings form the legal basis for parliamentary representation.⁵ The Afar position in the government of Djibouti declined with independence, while the Issa group became powerful. For instance, the office of the president has been made more powerful, leading to an unequal distribution of power between the Issa President and the Afar Prime Minister²).

Independence was immediately followed by tensions. In 1978, antagonism reached its height when two bombs exploded in a club frequented by Frenchmen, killing and wounding several people. The Mouvement Populaire de Libération (MPL), which was formed on the eve of independence by radical Afar youth (known among the Afars as *undaneyta*), was accused of being behind the action. Consequently, Afar districts inside Djibouti City were sealed off and searched rigorously by the police. This resulted in the resignation of five Afar ministers, accusing the government of repressive actions. During the preceding year, the first two Afar prime ministers, Ahmed Dini and Abdallah Kamil, resigned from their government posts because of what they considered to be the tribal politics of the Issa-dominated government³).

In an attempt to defuse tension between the two ethnic groups, Hassan Gouled, then president, reshuffled his government three times in the first two years after independence, which was expected to bring about harmony in Djibouti. Despite the reshuffle, Issas filled important positions in the government previously occupied by Afars. Such political measures made the Afars suspicious of the motives of the Issa-dominated regime. An Afar commission was later established by the government to carry out an inquiry into the grievances of the people. Afar spokesmen requested equal distribution of government positions in the Cabinet, the army, the police, and the civil service. They also demanded that the Afar political detainees be released as soon as possible⁴).

Soon after independence, opposition groups were banned from working freely inside the country.⁶ In 1979, two of the Afar-dominated pre-independence liberation movements – the Mouvement Populaire de Liberation (MPL) and the Union Na-

5 As a matter of fact this ethnic representation and the principle of majority and minority rule have had less significance in the Djiboutian context. What matters has been rather which ethnic group is ruling!

6 Constant requests were made by opposition leaders to set up alternative parties. One such party was Parti Populaire Djibouti (PPD), under Ahmed Dini (an Afar who worked closely with Gouled during the struggle for independence) which was promptly banned in 1981. The constitution was amended to make Djibouti a one-party state, denying the opposition any legal basis to contest for election or challenge the government.

tionale pour l'Indépendance (UNI) formed a new united front – Democratic Front for Liberation of Djibouti (DFLD) against the government. The DFLD accused the Issa-dominated regime of being repressive and collaborating with imperialist France. In the same year, these groups carried out two major attacks on military bases in the northern and western parts of the country, killing and wounding a number of people. An assassination attempt was also made on the then commander of National Security, currently president of Djibouti, Ismail Omar Guelle. As a result of these actions Afar suspects were jailed and tortured⁵.

On the Issa side opposition has been insignificant. However, a prominent Issa opposition figure was Aden Robleh Awaleh, the leader of the Front for the Liberation of French Somaliland Coast (FLCS) before Djibouti's independence. Awaleh's expulsion from the ruling party (RPP) in 1986 and his subsequent flight amid allegations of having attempted to plant a bomb at the permanent Inter-Governmental Authority for Drought and Development (IGADD) summit brought an end to his former FLCS power base within the RPP⁶.

The Issa opposition accused the government of having a policy of factionalism and nepotism, favouring the Mammassan – a sub-clan to which the president belonged. This factionalism appears to be two-fold: the conflict among different Issa sub-clan groups and the conflict of Issa versus non-Issa Somali clans. For instance, the Mammassan Issa sub-clan was accused of having manipulated power in favour of their members at the cost of other Issa clans. On the other hand, the conflict between Ardiga, an indigenous Issa clan, and the Alanka, a clan with its origin in the neighbouring countries, was intensified⁷. This power struggle between the Issa sub-clans within the single government party (the RPP) was accentuated as conflicts among the Somali clans intensified in Somalia itself⁸. The Issas manifested two types of political tendencies. The tendencies inclined to Issa clan parochialism, centred on the interests of the clan, and a wider tendency, as part of the *pan-Somali* movement. These “double tendencies” of the Issas, one could argue, enabled them to create links to both neighbouring countries. The linkage with Somalia was used to bolster the Issa-Somali position inside Djibouti and Ethiopian domination against the threat of Afars whereas the link with Ethiopia, on the other hand, was used to counter-balance possible “external” Somali domination inside the country. This means that their wider socio-cultural ties with the countries in the Horn keep them divided in their commitment to state structures.

Relations between the Afar and Issa-Somalis deteriorated during the Ethio-Somali conflict in the Ogaden in 1977-78. The Issa of Djibouti did not hide their sympathy for Somalia's intention, and the Afar felt a growing threat from the Somalis in Djibouti. During this critical period, the Ethiopian regime tended to support the Afar opposition inside Djibouti, but as things developed in favour of Ethiopia in the Ogaden this support was withdrawn. Even the Issa declined to continue relations with Somalia, when Somalia's attempt to wrest the Ogaden from Ethiopia failed and bedevilled her relationship with many African states.

Confronted by ethnic conflicts throughout Ethiopia, the dergue was more than willing to improve its relations with Djibouti in an effort to distance the Issa from

the pan-Somali movement and to deny the Ethiopian opposition a sanctuary inside Djibouti. Thus, in the early 1980s the Ethiopian government suppressed the activities of the Djiboutian Afar opposition groups inside the country, which in turn led to a cordial relationship with the government of Djibouti. Frustrated by the Ethiopia-Djibouti rapprochement many members of the opposition gave up active political work against the Issa-led government and were obliged to return to Djibouti in 1981.⁷

The return of the opposition party, without a condition, was regarded as a total victory for the government of Djibouti. Many members of the opposition groups were imprisoned without charges and not permitted to work in government institutions, and many more were not permitted to work at all inside the country.

Meanwhile the Issa-Somali hegemony was systematically strengthened and the significance of the Afars was reduced dramatically. The discrimination was clearly seen in all government institutions, where they were overwhelmingly replaced by the Issa⁹). The equal participation in the government institutions has been crucial not only for the sharing of power between the Afars and the Issa-Somalis, but also to provide work opportunities across ethnic lines since the state has been the main source of employment in the country. A similar biased policy was directed against the Afars in development fields. The gap between the rural Afar areas (where the Afar majority live) and the capital city, where the Issa-centred government has its stronghold, has been widening since independence. At times projects planned to benefit Afar areas were arbitrarily diverted to Issa areas, which has further contributed to the marginalization of the Afar. This ethnic-centred politics triggered popular uprisings and provided a solid ground for a strong Afar opposition in the 1990s.

The politics of confrontation. In the 1990s, the political climate in the neighbouring states on which the Djibouti government relied for support changed dramatically. When both Siad Barre of Somalia and Mengistu Haile Mariam of Ethiopia were ousted, Djibouti's government had to seek other sources of support in order to avoid a similar fate. The neighbouring regimes, where guerrilla groups have taken power, were attending to their domestic affairs. Thus they have had little time to help Djibouti against the threat posed by the opposition. Refugees and demobilized soldiers from neighbouring countries have been recruited by the Djibouti government and have been paid to fight against the armed groups along with the government armies. According to Dahlé¹⁰), in a secret agreement between the Iraqis and Djibouti governments, the former promised the latter great quantities of weapons and ammunition. This became clear when the Iraqis sent two shiploads of arms and marine-fighting boats one week before the conflict of the Gulf War started. The controversy even led to the resignation of an Issa Interior Minister who declined to cover up the operation.

Meanwhile the ruling party, RPP, which favours the Issa-Somalis, has exclusively dominated the political scene in the country. The Chamber of Deputies was elected under the old single-party system in April 1987 and re-elected on December 8, 1992, and all the seats again went to the RPP as usual. The Afars boycotted the elec-

7 In 1981 – Djibouti becomes a one-party state with the People's Progress Assembly as the sole party.

tion for parliament and the constitutional changes solicited by the government. In the election of 1997 the same pattern was observed.

Meanwhile, the opposition had, once again, emerged as a strong political force threatening the government of Djibouti. In January 1991 in an attempt to silence all the discordant voices the authorities of Djibouti reacted brutally, arresting and detaining several opposition leaders without trial. Meanwhile all resistance parties merged and formed the Front for the Restoration of Unity and Democracy (FRUD) in August 1991 in a place called Sidiha-Mengela. FRUD was an umbrella organization for opposition groups dominated by Action pour la Revision de l'Order a Djibouti (AROD). In the meeting of October 12, 1991, FRUD forces announced a general war and carried out attacks on all strategic posts of the armies in the north and western side of the territory.⁸

FRUD proved capable of withstanding the military campaign of the Issa-dominated government of Djibouti in the battles of the north and west of the country. In the attack on Kalaf a concerted effort was made by FRUD to inflict a major blow, and the Djiboutian army was defeated.⁹ Following the debacle at Kalaf, the Djiboutian army sought revenge the next day (18th December 1991) by the cold-blooded massacre of Arhiba Afar civilians in Djibouti city.¹⁰ FRUD controlled the north and western side and even threatened life in the capital as became evident with its attacks on the port of Djibouti early in the morning of March 11, 1993, from the sea.

Promises and failures. With the growing FRUD success the need for rules and regulations in areas captured by the Front became crucial.¹¹ A congress was called at Randa for field officers to discuss a common strategy on the continuation of the war where disagreements arose. During this meeting it was decided that forces were to be mobilized towards Lake Asal but instead Yoboki was seized.¹² In another meeting called at Asagayla Mohammed Adoyta, then head of FRUD announced a cease-fire with immediate effect because of the on-going negotiation with the Government.¹³

8 On the basis of this decision, different army camps of Die, Asagayla, Dorra, Balho, Mulhule Tadjourah and Hayu were captured. During the attack in Ibnarade, in Tadjourah a number of Djiboutian soldiers were captured. In Asagayla a similar pattern was observed where in a major assault 72 soldiers were captured. In October 1984, five km from Hayu FRUD forces attacked the Djibouti-Hayu passenger boat from the Red Sea side.

9 During this action, while 5 of the FRUD army died, about 70 armies were captured and over 300 killed, among others an Arab who advised the Djiboutian army on military tactics. A lot of weapons, military vehicles and also the Tadjourah water plant were captured during the operation.

10 Civilians in Arhiba were murdered cold-bloodedly while asleep. The massacre was the first of its kind in the history of Djibouti and it was proof of the Issa-dominated government's discriminatory policy towards the Afar.

11 To improve the situation four military zones were established and the front was expected to mobilize FRUD forces to the south, in an effort to expand its sphere of influence.

12 The disagreement arose over the issue of which operations be implemented, whether the original one directed at Lake Asal or the seizure of Yoboki. In an uncoordinated attack the Djiboutian army called for reinforcements and encircled the FRUD fighters. Eighty-six FRUD fighters died in this operation. This was the first time FRUD lost this many fighters at one time and the loss was too much for a new growing guerrilla group.

13 After the agreement with the government many Djiboutians defected from the government and joined FRUD, in order to achieve a good position in the eventual FRUD-led Government. The Djibouti government exploited internal factionalism and penetrated into the field officers by making negotiations without the recognition and approval of the FRUD leadership.

Apart from questioning the need for a cease-fire, disagreement was clear when Mohammed Adoyta presented a list of new FRUD leaders that was not accepted by the congress. However, Ahmed Dini refused to accept the cease-fire with the Government and reformed the FRUD leadership on a new ground.¹⁴

This was de facto separation between the compromising faction, the so-called *agaba* (the do not care) and *ayyawa* (the greedy), as the compromising factions of FRUD became known. In 1994 the government and the main faction of FRUD signed a power-sharing agreement officially ending the civil war. The former continued negotiations and later on joined the Government of Djibouti and the latter stayed behind fighting the Government forces. Gradually, however, the faction led by Ahmed Dini gave up their armed struggle too and decided to work from within through party coalition.¹⁵

Hence, in the election of January 10, 2003, the opposition Union for Democratic Alternative (UAD), headed by Ahmed Dini lost as the government party was declared to have won the election. Although the election was expected to pave the way for a new democratic reform, nothing seems to have changed!

The Challenges Ahead. A huge economic investment being carried out around the capital city of Djibouti means the alienation of the countryside into marginalisation. Since this development may divert meagre resources from the countryside for investment in the city, it is feared it will contribute little feedback to the countryside. On the other hand it may also consolidate the repressive government of the present authority and improve its international image.

The compromise made with the FRUD opposition has yet to be integrated and the decentralisation of the country agreed upon has to be put into practice. As long as significant compromises are not yet integrated within national decision-making the destructive ethnic factor is far from being resolved and may lead to concern over the reality of national security and reconciliation.

The linkage with ethnic groups inside Djibouti by neighbouring states of the Horn is still there. The neighbouring states are much different than they used to be in the past. For instance, Somalia does not pose any direct threat today but the problem is far from being able to be neglected yet. The tribal war within Somalia has its implication in the development of Djibouti as well.

In Ethiopia a loose federal arrangement provides an opportunity for different national groups inside the country, including the Afars and the Somalis who also inhabit Djibouti. That means the federal Afar and Somali states inside Ethiopia may have their own role to play not least through their connection with their brethren inside Djibouti. The newly independent country of Eritrea is a new partner in the situation and could play a new role in the region.

In the past Djibouti was limited to the external influence of France. The policy of war on terror changes this situation and currently NATO, headed by the USA is a

14 Becoming head of the Front himself and appointing Mohamed Adoyta as the second and Guelle as the third person.

15 2000 February – the government and the radical faction of FRUD signed a peace agreement finally putting an end to the civil war. 2000 March – former Prime Minister and leader of the radical faction of FRUD Ahmed Dini returned to Djibouti after nine years in exile.

significant protagonist in the security and economic situation of Djibouti. Djibouti is no longer a reserve area of France as it used to be in the past but part of the international power game which cannot be ignored in the future development of Djibouti and the region of the Horn of Africa.

Conclusions

The aim of this article was to examine in brief the case of state-building, independence and post-conflict reconstruction process in Djibouti. Djibouti's state-building survived during the colonial rule by manipulative political intrigues. After independence, Djibouti survived through French political, economic and security backups. Still the decisive point is that ethnicity has a major impact on national politics because of the way ethnic identities and loyalties transcend national politics and divide the state of Djibouti internally.

At independence, the Issas assumed power, but their desire to unite Djibouti with Somalia was largely abandoned. They felt they were better off as Djiboutians than in a politically repressive, economically weak and disintegrated state like Somalia. The disintegration of Somalia has reinforced the Issa clan parochialism, which perceives Djibouti as its headquarters. The autocratic rule of the Issa President, the subordinate position of the Afar Prime Minister and the domination of important positions by the Issas reinforced institutionalized inequality.

Djibouti has faced major political crises since its independence and felt the growing threat of opposition forces. By 1995 FRUD field combatants increased enormously and they controlled large areas, which was beyond their capacity to handle. The growing influence and military success of FRUD and the defection of Djiboutian officers has forced the Issa-dominated government to seek non-military means to overcome FRUD, by merely exploiting internal and organizational weakness. The disagreements and contradictions between the newcomers and the old establishment within FRUD resulted in a gap between the field officers and the exiled leadership which became a stumbling block to the consolidation process, and ultimately led to the fragmentation of the Front. Hence, after serious disagreement within FRUD, a major group of FRUD agreed with the government on terms of democracy. The fragmentation of FRUD has thus led to the present situation in which there is no discernible improvement whatever in the country's political future.

Djibouti has every chance to be a democratic state with pastoralist communities connected to Eritrea, Ethiopia and Somalia. Through its traditional, economic and geographical connection Djibouti could not only look for domestic development but could also be a bridge for peace and development in the region. The regime on its side seems to be happy with the present state of its political condition and none of the agreements and promises seem to be fulfilled in the near future of the country. The question is: can peace and democracy should be advocated only by opposition

groups all alone? However, nation-building, independence, and post-conflict reconstruction are all subject to volatile situations in the neighbouring states.

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The Transition from Post-Conflict Assistance to Rehabilitation in Sudan – An IOM Contribution to State-Building and Reconstruction

Thomas Lothar Weiss

Introduction

The modern history of the Republic of the Sudan, which with an area of over 2.5 million square kilometres is the largest country on the African continent, cannot be told without referring to the continued upheaval and insecurity caused by war and its human tragedies. Two lengthy civil wars and the present hostilities in the Darfur region have caused untold suffering to Sudan's population, destabilized the country's institutions, and wrecked the basic socioeconomic infrastructure necessary for Sudan to function effectively.

The common denominator of these conflicts has been the call by groups representing the periphery – as compared to the central State in Khartoum – for a redistribution of power and resources more favourable to the people in whose name these groups have been fighting; leading to a widening gulf separating state and society.¹ In the eyes of many, Sudan has been “dominated by chronic [and] exceptionally cruel warfare that has starkly divided the country on racial, religious, and regional grounds”, damaging its economy, leading to food shortages and ensuing starvation and malnutrition, and a lack of investments resulting in an undersupply or simply the absence of basic health services, education, and jobs.²

The pitfalls of peace-building and post-conflict reconstruction in war-torn societies – the topic of this year's Horn of Africa conference – continue to be illustrated in a particularly disturbing way in Sudan which, in an apparent contradiction, was not only one of the very first states in Sub-Saharan Africa to gain independence from

1 Tiébilé Dramé (1996), “The crisis of the State”. In: Ellis (edit.): *Africa Now. People, Policies, Institutions*. The Hague, New Hampshire, Oxford / The Netherlands Ministry of Foreign Affairs, Curcuy, Heinemann.

2 Morrison and de Waal (2005), “Can Sudan escape its intractability?”. In: Crocker, Hampson and Aall (edit.): *Grasping the Nettle: Analyzing Cases of Intractable Conflict*. Washington DC, US Institute of Peace.

colonial rule, but also one of those where the state-building process has been most severely challenged.

Twenty years of armed conflict in Sudan have caused the death of more than two million people and produced nearly five million internally displaced persons (IDPs) within the country's own borders as well as some 480,000 refugees scattered in the sub-region and further afield.³ Current estimates from the Internal Displacement Monitoring Centre suggest there are 5,355,000 IDPs in Sudan.⁴ This situation is compounded by the brain drain that has occurred in recent decades as many of the best and brightest have left – and continue to leave – the country, depleting it of the human resources that are so critically needed for the state-building process.

While the international community has made extensive efforts to assist Sudan and its people in this major humanitarian tragedy, these efforts have not been enough to prevent the country from disintegrating. Added to Sudan's existing long-term reconstruction needs, the ongoing conflict in Darfur demands urgent remedies, straining the resources of United Nations (UN) agencies, the NGO community, and other humanitarian players working in Sudan. In this context, the transition from the delivery of humanitarian relief to assistance in state-building is all but linear.

As an integral part of the international community's efforts to assist the people of Sudan, the International Organization for Migration (IOM) works in the critical nexus between peace-building and post-conflict reconstruction in areas that remain of critical importance to Sudan's present and future: return, reintegration, and the development potential of migration.

Conflict patterns

Since its independence in 1956, Sudan has experienced two fully fledged civil wars and a seemingly endless series of internal disruptions mostly concentrating on the western province of Darfur.

The first of these conflicts, the north-south civil war – dividing the country along ethnic and religious lines, opposing Arabs and Africans, Muslims and Christians – ended in 1972 with the signing of the Addis Ababa Agreement, seventeen years after it began.⁵ After a decade of calm, the second civil war began in 1983, pitting the northern government against the Sudan People's Liberation Army (SPLA). It dragged on for some twenty years, until peace talks between the parties in 2003 and 2004 paved the way for the Nairobi Comprehensive Peace Agreement between the Government of Sudan and the Sudan People's Liberation Movement in January

3 U.S Department of State (2003), "Sudan: The Refugee and IDP Situation", August 8: [http:// www.state.gov/p/af/rls/fs/23136.htm](http://www.state.gov/p/af/rls/fs/23136.htm)

4 Internally Displaced Monitoring Centre: <http://www.internal-displacement.org/> (accessed 17 August 2007).

5 IRIN, Sudan Humanitarian Country Profile: <http://www.irinnews.org/country.aspx?CountryCode=SD&RegionCode=HOA>

2005, granting Southern Sudan a six-year period of autonomy to be followed by an independence referendum and a plan to share the mineral resources equally between the north and the south.

The signing of the Comprehensive Peace Agreement (CPA) represented a major turning point in Sudan's modern history, leading to the provision of humanitarian aid and development assistance by the international community. Two months later, the UN Security Council established the United Nations Mission in Sudan (UN-MIS).

However, in early 2003 another conflict that had been simmering for some 20 years broke out in the western region of Darfur, overshadowing the optimism created by the resolution of the protracted civil war. The Darfur conflict is particularly confusing due to the large number of parties involved, including not only the government and its Arab militia but also 20 or more rebel groups. Two of the more prominent rebel groups are the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM).

Since the early 1970's, tribal clashes between nomads and farmers have occurred in this vast desert region over access to dwindling water resources. The central government attempted unsuccessfully to quell these through the use of militias known as the *Janjaweed* which, in turn, led to the displacement of hundreds of thousands of local people, many of whom fled to neighbouring Chad, and accusations by some in the international community of genocide on the part of the Khartoum government.⁶

The Darfur conflict has resulted in another major humanitarian catastrophe. Despite the signing of the Darfur Peace Agreement in May 2006 between the Government of Sudan and the Sudan Liberation Movement/Army (*Minni Minawi*) some 12,000 people are uprooted and displaced every week according to the UN.⁷ The government in Khartoum continues to downplay the amplitude of the problem, refusing – until summer 2007 – to accept a UN and African Union (AU) peacekeeping force.

The situation in Darfur remains cause for serious concern, despite the peace agreement. Furthermore, because of overspill from the conflict affecting neighbouring Chad, Darfur presents a risk for an extension of hostilities to the sub-region, which is a regionalization pattern that has been observed in recent years in the Democratic Republic of the Congo.⁸

The planned transition to recovery and development in the Darfur region remains contingent on the completion of the Darfur Joint Assessment Mission (D-JAM), a process that remains seriously impeded by security concerns. The D-JAM was mandated in the Darfur Peace Agreement and is based on two mutually reinforcing tracks.⁹ The first track focuses on immediate priority needs for IDPs and refugees

6 Martin Meredith (2005). *The Fate of Africa. A History of Fifty Years of Independence*. New York, Public Affairs.

7 IRIN, Sudan Humanitarian Country Profil, *op.cit.*

8 see Thomas Weiss (2001). "Diamonds are forever". Le Zimbabwe, les diamants et la guerre en République démocratique du Congo", *Afrique Contemporaine*, no. 197 – Actualité autour de l'Afrique centrale, La Documentation Française / Secrétariat général du gouvernement, Paris.

9 Darfur Joint Assessment Mission website: <http://www.unsudanig.org/darfurjam/index.php?fid=intro>

returning to their areas of choice to re-establish their livelihoods. The second track focuses on post-conflict economic recovery, reconstruction, and development needs to reach the Millennium Development Goals. According to the Mission, “[I]nitial recovery efforts should lay the foundation for, and speed up the transition from, relief to development.”¹⁰

This statement reflects the importance of the “gap period” between the emergency assistance phase and the reconstruction and development phases. The gap period is particularly sensitive and if it is not managed appropriately there is a high risk that instability and/or conflict could return, often caused by the absence of basic infrastructure. Pragmatic, step-by-step approaches are essential for achieving peace and stability after crises. Of paramount concern during this period is the timely provision of assistance to local populations in order to avoid conflict over resources. Simultaneously assistance must be provided to support reconstruction of socioeconomic infrastructure. Regional imbalances, such as those seen between Darfur and other parts of Sudan, and reliance on assistance present particular obstacles in the transition from humanitarian emergency aid to reconstruction.

The multi-layered conflict patterns in Sudan challenge the international community’s attempts to bring lasting peace and stability to Sudan. The UN’s 2007 yearly Work Plan for Sudan outlines the planning, programming, and funding requirements for humanitarian, recovery, and development interventions for the country.¹¹ The focus is on the continuation of the implementation of the CPA and the provision of humanitarian assistance while an increased emphasis is placed on expanded recovery and development activities, especially in the field of reintegration initiatives for returning populations, accelerating the shift towards recovery and development. The total cost of this assistance is some \$1.25 billion for humanitarian activities and \$560 million for recovery and development.¹²

IOM’s contribution to post-conflict peace-building and reconstruction

Headquartered in Geneva with a global network of offices, IOM is the major migration agency. In its more than half a century of existence, IOM has carried out post-conflict operations in some 30 countries and has been involved in bringing relief to populations in need in all of the major humanitarian emergencies over the last 25 years. In Africa, IOM has operated in crisis-affected areas such as Angola, Ethiopia, Ivory Coast, Liberia, Mozambique, Sierra Leone, Uganda, and Zimbabwe.

¹⁰ *ibid.*

¹¹ United Nations and Partners, “2007 Work Plan for Sudan, December 2006”: <http://www.unsudanig.org/workplan/>

¹² *ibid.*

In addition to providing emergency assistance in the immediate post-conflict period, IOM assists throughout the transition period with a view towards reconstruction. In order to provide prompt assistance to regions in crisis and flexible services in often unpredictable situations, IOM established the Emergency and Post Crisis Division (EPC).¹³ The EPC coordinates IOM's response to migration emergencies, such as population displacement, large-scale evacuations, and returns. It initiates contingency planning for IOM and supports field missions in emergency situations. The EPC also acts as IOM's early warning instrument and maintains a close watch on emerging humanitarian crises, for which it undertakes assessment missions and explores areas in which IOM expertise would be of benefit. It maintains liaison with the emergency services of the UN and other agencies.

Based on its experience in responding to emergency and post-conflict situations, IOM has acquired expertise in the following programme activities:

- Registration, survey and processing of migrants;
- Transportation assistance by air, land, and sea;
- Integration or reintegration assistance tailored to the needs of specific target groups (IDPs, refugees, former combatants), which also benefits the wider community;
- Capacity-building to provide local administrations with the skills to manage emergency displacements;
- Population stabilization and livelihood recovery activities;
- Diaspora outreach services for absentee voting and for the return of qualified nationals;
- Medical assistance and psychosocial programmes to address post-conflict trauma.

As mentioned earlier, the successful transition from conflict to peace requires targeted programmes that focus on the immediate post-conflict or gap period. Post-conflict situations are often characterized by a high level of population mobility and an intense need for specialized programming aimed at establishing conditions of security and stability. IOM has two particular focuses in this period: 1) the return and reintegration of IDPs; and 2) disarmament, demobilization, and reintegration (DDR) services for demobilized combatants.

IOM's increased involvement in assistance to IDPs in the 1980's and 1990's led to a series of internal policy recommendations for further development in the area of IDP assistance. This process was formalized in 2002 with the IOM policy paper "Internally displaced persons: IOM Policy and Activities."

IOM activities pertaining to IDPs may be divided into five major areas:

- Emergency assistance;
- In-displacement activities;
- Return preparation;
- Livelihood development and re-integration;

13 More information on IOM's Emergency and Post Crisis Division can be found at the IOM website: <http://www.iom.int/jahia/Jahia/op/edit/pid/714>

- Capacity-building.

The successful return and reintegration into civilian life of ex-combatants is an essential part of the transition from conflict to stability and peace. Ex-combatants, many of whom have been displaced, have particular needs that are often overlooked in the competition for scarce resources. For ex-combatants, peace means giving up their uniforms, their identity, and their previous survival strategies. Demobilized soldiers are often poorly prepared for a return to civilian life. Typically, a large number have been in the military for long periods and do not have easily marketable skills. A weak and often non-existent private sector and a shrinking civil service usually have little capacity to absorb additional human resources.

IOM in Sudan

IOM has been present in Sudan since the early 1980s, initially focusing on the return and resettlement of refugees in partnership with UNHCR. In 1998 Sudan became an IOM member state; IOM set up its first office in Khartoum in 2000. In 2002, IOM began to work on the return and reintegration of IDPs alongside the UN country team.

IOM expanded its activities to Darfur in 2004 after signing a Memorandum of Understanding (MoU) with the Government of Sudan that contains a comprehensive framework for the return of IDPs and refugees within and to Darfur. Today IOM continues to work closely with the UN country team in Sudan and has more than 650 staff in 13 locations all over the country. The organization is involved in a wide range of activities, including the return and reintegration of IDPs and refugees, the return of qualified Sudanese, and DDR activities.

Return and reintegration of IDPs and refugees

With the onset of peace and renewed rehabilitation efforts, conditions are slowly improving in transitional areas and South Sudan. Following the signing of the CPA in 2005, hundreds of thousands of IDPs have begun to return home to areas in central and Southern Sudan. Returns are either carried out in an organized way through the Joint Organized Return Programme,¹⁴ of which IOM is the main implementing partner, or spontaneously.

¹⁴ The programme is implemented by the Government of National Unity (GoNU), Government of Southern Sudan (GoSS), the UN, and IOM.

Since the signing of the MoU with the Sudanese government and IOM's resulting work on return of IDPs, forced returns of displaced people have been entirely eliminated in North and South Darfur. Return and reintegration activities are coordinated through reintegration working groups (RWGs) that bring together organizations working in the region with the aim of maximising effectiveness and efficiency. IOM is the co-chair for the RWGs in South Darfur and North Darfur alongside the UN Office for the Coordination of Humanitarian Affairs (OCHA).¹⁵

In October 2006, the overall planning figure for returns under the Joint Organized Return Programme for 2007 was set at 300,000. This number included the planned return of 102,000 refugees by UNHCR as well as the return of 198,000 IDPs. Of that number, 115,000 IDPs were supposed to be assisted by the Government. IOM's initial target of 83,000 returns has been revised during the year to 63,719. IOM's services in this area include organized transportation assistance, health screening, escorts and monitoring of returnees, emergency transportation for IDPs who become stranded en route, and, through a network of way stations, overnight assistance along major routes of return.

Since Joint Return Plan Operations began from Khartoum and South Darfur to Southern Kordofan and South Sudan, by February 2007, IOM has assisted a total of 44,610 formerly displaced person to return home. As part of the programme, IOM's Migration Health Unit medically screened 45,254 IDPs and vaccinated 22,711 persons against meningitis and other routine vaccinations as well as 17,720 persons against meningitis prior to their departure on IOM convoys by land, barge, as well as by air.¹⁶

According to the RWG liaison group, by mid-2007 spontaneous returns were estimated to have reached 1,135,000 since the signing of the CPA.¹⁷ Spontaneous returnees do not receive transport or sustenance support en route (unless the return results in vulnerability) but can access way stations. In areas of arrival, spontaneous returnees are treated the same as organized returnees by agencies providing assistance. IOM also provides assistance in cases where spontaneous returnees are stranded en route.¹⁸

In order to provide information about returns, IOM runs information centres in all four official IDP camps and is a key member of UNICEF's Sudan Information Campaign for Return (SICR). Information on all aspects of return is provided through loud speaker campaigns, information meetings, fact sheets, and so on. IOM also organizes "go and see" visits to high return areas so that potential returnees can make an informed decision about return.

Refugee returns are also being carried out in large numbers, coordinated by UNHCR. They mainly take place from neighbouring countries such as the Central Af-

15 Return, Reintegration and Recovery Section (RRR), UN Framework for Return in Darfur, January 2006 <http://www.unsudanig.org/rrr/data/policy/UN%20Framework%20for%20Return%20in%20Darfur%20January%202006.pdf>

16 All figures provided by IOM Sudan and valid up until August 2007.

17 Report from Return and Reintegration Liaison Group Meeting, 16 August 2007, provided by IOM Sudan.

18 IOM Khartoum, "Life as a Displaced Person in a Sudanese Camp", July 2006 <http://www.iom.int/jahia/Jahia/featureArticleAF/cache/offonce?entryId=8127>.

rican Republic, Democratic Republic of Congo, Uganda, Kenya, Ethiopia, Eritrea, and Egypt. IOM assists UNHCR with these returns through carrying out pre-departure medical screening and arranging transportation.

According to IOM/UNHCR figures, by 11 August 2007 repatriation of Sudanese refugees to South Sudan and Blue Nile State reached a cumulative total of 157,031. Of this number 66,515 were organized and assisted self-repatriations. The remainder were spontaneous returns.

Return of Qualified Nationals

The emigration of trained professionals and skilled labour from Sudan is seriously affecting the country's socio-economic potential. "Brain-drain" has distorted the country's urban labour markets, depriving vital economic sectors of the skilled and qualified human resources necessary for the delivery of public services such as education and healthcare.

Through the return of qualified nationals (RQS), IOM, in close collaboration with the Government of National Unity, Government of South Sudan, and international partners, assists Sudan in meeting immediate needs for rehabilitation and basic service delivery, fostering long-term development, and contributing to the sustainable economic advancement of South Sudan through the targeted return and placement of skilled, qualified and highly qualified Sudanese nationals currently residing outside their region of origin. RQS assists public sector institutions and private enterprises in South Sudan to meet critical human resource gaps by facilitating the return and reintegration of Sudanese nationals who have the skills and expertise needed to deliver essential services, build capable institutions, and encourage domestic and foreign investment in South Sudan.

While a number of qualified South Sudanese who fled the South have since returned, and there are many training and capacity-building efforts underway, enormous gaps in skills and expertise persist. These gaps will be increasingly evident as the region further stabilizes and seeks to diversify its economic base to include significant sources of non-oil income.

There are three target communities of qualified and skilled Sudanese: 1) IDPs; 2) those who have emigrated within Africa; and 3) those who are further away in Europe, North America, and elsewhere. Among this target group there is a wide range of experience and skills that could contribute greatly to Sudan's further stabilization and long-term advancement.

Using both informal and formal networks to reach IDPs and Sudanese abroad, RQS invites eligible candidates to apply for the programme and selects those who meet essential criteria, including minimum qualifications and an expressed desire to return to Sudan. At the same time, IOM Sudan reaches out to public and private sector employers within priority sectors to identify the specific gaps in skills and

expertise that are in short supply as well as the job-specific needs and requirements that employing institutions and enterprises face. Once there is a successful match, RQS requires that the employer commit to, and the candidate accept, a firm job offer prior to the candidate's return. RQS supports both the permanent and temporary returns of qualified Sudanese. Additionally, IOM supports the initiatives of entrepreneurial Sudanese who wish to return to Sudan to establish independent self-employment ventures by issuing small grants and providing support and services.

Up until mid-2007, a total of 724 RQS Candidates have been registered in the RQS database in sectors including education, health, agriculture, and a range of skilled vocational professions. Since November 2006, a total of 122 qualified candidates and 455 of their family members have been assisted to return to southern Sudan under the RQS programme. Through the Return of Qualified Nationals (TRQN) Programme funded by the Government of the Netherlands, for example, IOM provides qualified migrants in the Netherlands with the opportunity to return temporarily. Since the start of the project IOM has assisted 30 Sudanese from the Netherlands to temporarily return to Sudan. The TRQN skills database currently consists of profiles of over 50 qualified Sudanese from the Netherlands.

Darfur IDP Registration Database

IOM hosts and maintains the Darfur IDP Registration Database, which covers the entire Darfur region and contains detailed demographic information on 2,771,388 beneficiaries (almost half the population of Darfur). Of these beneficiaries, 57 per cent are IDPs, 32 per cent are residents, five per cent are IDP returnees, one per cent are refugee returnees, and "others" make up five per cent.¹⁹

Working in close cooperation with the World Food Programme (WFP), the Darfur IDP Registration Database is the cornerstone for the provision of food and non-food assistance to vulnerable populations in Darfur and provides a wealth of statistical data that assists in planning the return of IDPs to their former homes and enables IOM and other agencies to track returns and provide assistance and protection during and following the return process.

Disarmament, Demobilization and Reintegration

At the request of UNDP, IOM is supporting the demobilization of 5,000 soldiers from the Eastern front through camp management and reintegration support to

¹⁹ Figures provided by IOM Sudan.

ex-combatants in three sites established in the Red Sea and Kassala States in Eastern Sudan.

IOM has also been requested by UNMIS to support the demobilization of 13,000 soldiers from the Sudanese People's Liberation Army and Sudanese Armed Forces in southern Kordofan.

Other Initiatives

IOM provided the majority of non-food items that were distributed in Darfur in 2005. Additionally, working as both the lead agency, and as cooperating partner with UN-OCHA and UNHCR, IOM has supported camp coordination in Darfur through conducting humanitarian relocations of IDPs and refugees in West and North Darfur. Assisting UNHCR in the evacuation of Sudan/Chad border areas, IOM provided transport assistance to 3,841 persons in 2006 and working in close coordination with other UN agencies and the Government of Sudan, IOM assisted in the relocation of 12,024 IDPs in 2005.

As well as its core focus on activities for IDPs, refugees, and demobilized soldiers, IOM is active in a number of areas related to community development and reconciliation. For example, in areas of high return in Darfur and South Sudan IOM has begun implementing community assessment surveys in order to assess infrastructure and service provision. The surveys are designed to identify the greatest concerns and needs at the community level. Water provision, food, health services, and education are amongst the highest concerns registered in the areas surveyed, and amongst IDP populations. Community participation in the selection of projects, and where tenable, in the implementation of projects is an integral part of ensuring project sustainability and meeting the objectives of providing community stability during the influx of returnees.

Over the years IOM has been involved in election processes in countries recovering from emergency situations. As external voting has become standard practice in most countries with significant numbers of their nationals residing abroad, IOM has been requested by the government to support external voting operations on behalf of the Government of Sudan and electoral management bodies. IOM is able to provide support to the establishment of institutional procedures for the planning and organization of out-of-country voting and works closely with the parties to meet their specific needs and provide the necessary guidance in the implementation process.

Conclusion

State-building is a long process and especially difficult for those countries such as Sudan that have been ravaged by decades of internecine war leading to chronically unstable political, economic, and social systems, inadequate infrastructure, and a severe lack of human resources. The mass dislocation of populations, regional imbalances, and simmering conflicts continue to challenge the efforts of the Sudan and the international community to achieve the level of security required for effective reconstruction and development.

International humanitarian agencies, including IOM, are playing a key role in the provision of emergency assistance and efforts towards reconstruction in Sudan. Considerable achievements in the return of IDPs and refugees have already been made and a wide range of development-related activities are being implemented. However, despite these efforts, there is still a long way to go towards reconstruction and development in Sudan, particularly in the Darfur region. It remains to be seen how well Sudan will negotiate the highly sensitive period between the initial provision of emergency assistance and more extensive reconstruction efforts. The Government's decision in summer 2007 to allow a UN and AU peacekeeping force will most certainly have an effect on stability.

IOM's past experience in emergency and post-conflict situations highlights the importance of a well-planned and well-coordinated approach to emergency assistance and development. A stable, functioning government, coordination and cooperation between agencies working on the ground, the active interest and involvement of diaspora communities abroad, and continued support from the international community will go a long way towards creating the required conditions for Sudan to make progress down the long and arduous road to reconstruction and, ultimately, state-building.

Somalia: The Role of Democratic Governance versus Sectarian Politics

Jeremy Lester

Introduction

I am honoured to speak in this session. Pleased to have heard H.E. Ould Abdallah who has worked for so long with determination and understanding for Somalia. I thank him for referring so clearly to Human Rights. Pleased too to be with Engineer Mahboub Maalim. Engineer Maalim can speak for himself, but I would like to suggest that, as a Somali speaker from the region and with a regional approach, he is part of the solution we should be looking for. And I am obviously pleased to be again with Somalis from the United States and the UK, from Scandinavia and Africa. Somalia's identity is held together by language and poetry, by the internet, by meetings such as this one in Lund, rather than held together by enclosure in a border.

I'm here, representing the European Union, to give our perspective on how Somalia can resolve the crisis and rebuild the country. I'm glad the question is put in this way – it is too common for Somalia to be the scene of others trying to resolve other problems in or through Somalia. Conflicts between Italians and British. Conflict between Capitalist West and Communist East. Conflict between neighbouring states. Instrumentalised by Wahhabite foreigners in their pursuit of jihad.

Somalia has a crisis which Somalis have a right and responsibility to resolve: let not anybody, international community or whoever try to solve problems in or through Somalia. And we all know Somalia has a uniquely complex crisis even without internationally added embellishments! The European Union has no solutions, and it intends not to pretend otherwise. It has no desire to add problems either.

What it has tried to do, and what I have tried to contribute to, is to understand what on earth is going on, and to understand what we can do to help Somalis reach solutions. I will try now to share with you what we see as the crisis, the way Somalis may get out of it as a first part of my intervention and secondly to share with you what the European Union is doing, and intends to do, to support Somalis to end the crisis.

For Somalia, The European Union seeks to mobilise all instruments:

- Political – with UN-AU-IGAD

- Developmental
- Humanitarian
- Security

With Somalia as a whole, with all parts rather than making a detailed inventory, I refer you to a brochure, coming in this afternoon from Nairobi, which sets out in detail what we are doing.

Now instead I am going to come back to how Somalis can address this crisis. Overall, in the coming days, we shall be looking at the role of Democratic Governance versus Sectarian Politics in Somalia? It's a good title. I guess as we all speak we will be expected to say a Democratic Government is "good"; Sectarian Politics is "bad", and I will not be an exception. But what I will add is that I suspect for many in Somalia this is not the choice put before them. For some the choice is survival. To find food for their child for today, in Mogadishu or by leaving. To have a chance of something different in Yemen or on the high seas, across the Sudanese desert, or by finding survival strategies in Somalia itself. As a woman, to choose to remain in the house, or to cover herself, head to toe, to go into the street. What we are looking for in our discussion is not the choice between sectarian politics and democratic governance, but to find spaces where Somalis can make choices. Opening up the space for choosing alternative futures. That is actually what I believe we are doing when we talk of development. It is giving people a space to choose their futures.

1. Transitional, Federal, Government

The Djibouti Agreement was indeed a breakthrough towards an inclusive peace process. It now needs fresh momentum, and that should come from the TFG recognising more explicitly its nature as a transitional institution, a federal institution, and one whose functions as government must be, because of the present situation, limited in terms of government.

To regain momentum, there needs first of all to be a resolution of the deadlock in Mogadishu between the transitional federal institutions. The lack for many weeks of a Cabinet is not sustainable and a new cabinet should be appointed. The new government should not simply be an enlargement to bring in yet more ministers to represent new allies. The new government should be selected to be efficient and effective at the limited number of things it should seek to do: it should not be a further manifestation of 4.5 balance at the cost of being bloated.

Once the initial hurdle of establishing a cabinet is sorted, the government should offer extension to all prepared to work together. Inclusiveness is a key feature of a government which is part of the solution and not part of the problem. Extension to Al Suma Wa Jamma but also to all those who can accept the idea of a state which in

its laws and justice recognises Somali and Muslim traditions. A coalition of all those whose interests are for Somalis and Somalia; a coalition of all whose value system respects tolerance and conviviality. The way to heaven; to a good life on this earth, is in self-improvement, in helping others, not in imposing on others or exploiting others. Sorry to use this desk as a pulpit, but that is what I believe.

How more can the TFG be a solution? By preparing a transition. It is not itself an elected government. The Djibouti Process and the Transitional Federal Charter give it the mandate to manage the transition. A transitional government recognises that it has got a heavy responsibility to pave the way for a future government. It is not itself that government. The transition will pass in the end through adoption of a constitution; it will culminate in an election. As a transition it has got major tasks – but it does not have to pretend to be a government.

How more can the TFG be a solution? By being Federal. Somalia's long history of splits and separate governance would make a strong centralised state impossible even if it had once existed. In fact, Somalia can be proud of having had, over centuries, a high degree of decentralisation and having recognised mechanisms for groups to resolve conflicts and live together.

Somalia needs to renew this for the 21st Century. It needs to take account of the different histories, colonial and otherwise, of different parts of Somalia. De facto there is already a high degree of disaggregation but there is also competition, overlap, aggression.

Somalia needs to find an identity which allows for Somaliland to work on in its way, which recognises Puntland's specificities, which recognises the Somali identity of Somalis in Kenya, in Ethiopia, in Djibouti – and in Malmo and Minnesota, without threatening other states and their paths.

A Somali solution for Somalia will recognise a federal, decentralised, plural vision. It will not seek to establish the over centralised control environments of Addis and Asmara. A Somali solution for Somalia will celebrate Somali conflict resolution mechanisms. A lot of talking, leading to understanding others, and solutions in which everyone can find their place. The EU has long supported local peace building, and found Somalis succeed in building peace when they are in the driving seats.

It is perhaps not surprising that the TFG struggles to be a government. After two decades of conflict, it is harder than in Sweden or in Norway. Others have managed – Rwanda after genocide, South Africa after apartheid, Germany after the Second World War. But it is not easy! Integrity is an important quality in short supply. Somali Ministers, not elected, not directly exposed to being voted out, must show that they are working for Somalia not just for themselves.

What is the European Union doing?

The European Union wants to help Somalis find an end to the crisis, and wants to help rebuild the country. It wants to help because Somalia in itself deserves it. It also wants to help because so long as Somalis do not find an end to their problem, Somalia is a problem for the world. The world, including the European Union, needs Somalia to find a solution, a solution to piracy, to uncontrolled migration and trafficking, to militant jihad, to destabilising the region. Neither Somalia nor the world deserve another two decades of violence and destruction. The European Union wants Somalia to find a solution and is prepared to help it do so.

Let me say more what we are doing to help Somalia resolve Somalia's problem. We support the TFG. We pay the Ministers; we pay trained police, we cover the costs of an embassy. We are ready to pay Parliamentarians, to pay some civil servants. We do not give budget support but we do support the budget.

I have explained our vision of the TFG – we want it to work and we are prepared to finance it. If it worked better we would be prepared to support it still more. To help diaspora members help to make it work. To build capacity, to get minimum functions working, like an ability to raise revenue and manage a budget.

We work with the United Nations and with the African Union. We have given support to IGAD's efforts, for instance to make effective the alliance between TFG and Al Suma Wa Jama, to improve Somaliland-Puntland dialogue. With the United Nations, a major programme is the rule of law programme. Effective justice, trained police, a functioning penitentiary system. All these are part of Somalia's solution to the crisis, and we try to support them – not only in South Central, but also in Somaliland and in Puntland.

We believe the TFG needs a chance, and to have a chance, it must not be over-run. That is why we finance the daily allowances of AMISOM, and will fund their mentoring of TFG forces. That is why the first ever military training mission of the EU is to train Somali soldiers, 2000 of them, in Uganda.

We believe that all Somalis should live, even if displaced and dispossessed. That is why our humanitarian office works to feed and shelter, both in Somalia and in camps outside. Somalis have, so many of them, exhausted their own survival strategies, and need our help. Incidentally, wherever possible we buy food locally, to support the local economy.

We believe in education. We think Somalis too see it as key, and are proud to fund education wherever we can. We would like to do more, and lament that it is not easy. Somalis have made real strides, and despite the war, education levels seem to be rising – education is a key to ending the crisis.

The international community should not be supporting Somalia with 'funny money'. Money through rents siphoned off from aid, through piracy receipts. We believe Somalia should depend on the real economy. That is part of the real solution. On livestock, on agriculture, on fisheries, on trade. Somalia is good at trade, strong as private sector. So the EU supports agriculture, supports livestock. Through animal

health programmes it has reopened exports to Saudi Arabia. Through irrigation support, even in Shebaab controlled areas.

We believe the solution to Somalia's crisis should be part of a regional approach to regional problems. That's why I work with Engineer Maalim, why the Berbera Corridor is on our priority investment list. Somalia will be post crisis when Somalia is working towards its own prosperity as part of a prosperous region!

We believe Somalia needs civil society. Civil Society is part of the solution. We, the EU, deliver a lot of our support through civil society. Civil Society which represents women, the media, which daily is under threat, but which represents Somali values. We, the EU, believe in civil society.

We believe Somalia is not constrained by national boundaries; this meeting in Sweden is part of the Somali process to find Somali solutions to the crisis. We support Diaspeace in Finland, we are looking at how to work more with the diaspora for them, for you, to be part of the solution, not part of the problem? For the health of our own – European – society we need a diaspora which embraces not rejects the plurality which is at the core of Europe.

Recently I cried on looking at YouTube – at a Somali-Danish bus driver in Copenhagen being greeted on his birthday by his Danish passengers. Look it up, and cry with me!

I've spoken about what Europe is doing to support a Somali solution to the Somali crisis. There is more. The most visible intervention is Atalanta, the EU Navies fight against piracy. Catherine Ashton made her first visit to Africa as Vice President and High Representative by going to Tanzania and Kenya and the Seychelles, as part of the regional fight against piracy.

We are learning that the solution to piracy is on land. We are slowly appreciating that without jobs and hope, Puntland youth will forever be tempted to risk their lives for the bonanza of pirate ransoms. So we intend to work more with all parts of Somalia to create alternatives. To be honest, the weaknesses of Puntland and Mogadishu hold us back, but we want to create employment, to build the alternatives to piracy.

Let me stop now. I was asked to say what the international community thought Somalis should do to end the crisis. I have sketched some points, I have said what the EU is trying to do to support that process. You can see more in a brochure which I hope has arrived in sufficient numbers from Nairobi.

I do not have a magic bullet, a magic solution. I do believe in Somalis, and I do believe they have the solution. It is not to do with armies, not to do with clever 4.5 alliances. It is to do with Somali traditions, Somali values, and it is to do with integrity. When Somalis appear who are dedicated to Somalia and not their personal gain, then Somalis, with Somali values, will find Somali solutions to a Somali Crisis. All the EU can do, all the EU will do, and that I promise, is be with Somalia to help it to find and implement those Somali solutions.

PART III

Democracy, Human Rights and Civil Society

Civil Society Co-Operation in Building Peace and Democracy in the Horn of Africa – Path of a New Political Culture

Tarekegn Adebo

First of all allow me to thank Mr. Abdillahi Jama of the Somalia International Rehabilitation Centre (SIRC) for taking much of the burden of organising this important conference. After some time of separate and sporadic attempts to inform the Swedish/Scandinavian public on the plight of the peoples in the Horn of Africa, we felt it may be beneficial for all if we could approach the issue of peace from a regional perspective. This was how the idea for this conference was born.

The Horn of Africa is an African Sub-region that has seen a lot of devastation of wars and violence of over a century; first as a result of colonial incursions and fascist invasion, secondly in the wake of civil and interstate wars, revolutions and multiple uprisings and perennial brigandage. As armed confrontation still remains a major way of handling conflicts with its consequent high toll of human and material destruction, a culture of violence still abounds in the region.

Post-Cold War conflicts are notorious for their near home boundaries. Earlier conflicts were largely of interstate character, but the current ones are intra-societal and are brought nearer to villages and homesteads, pitting neighbours against neighbours.

With this conference, as its theme “Horn of Africa -Co-operation Instead of Wars and Destruction” depicts, *we wanted to vow violence and war no more! Peaceful negotiation, Co-operation and development, Yes!* We want a clear paradigm shift among all actors in the region in terms of handling conflicts – resolve your problems through peaceful means and not through armed violence, develop and respect peace forums, develop mutual confidence, act as rational human beings for the welfare of all, do not follow policies of mutual sabotage and destruction, rather follow those of mutual survival and prosperity.

At this moment, we are appealing to civil society actors who do not at present have political power and economic resources under their control, but that can have aspirations, visions, dreams, and thoughts about a better future for themselves and for posterity. Such associations are all those non-state interest groups, mainly of modern sectors, which are also well embedded in the cultures of the Horn region.

We mean civic and professional associations – teachers, lawyers, women’s groups, doctors, engineers, trade unionists, peasant groups, even merchants, etc. – all those who imbibe both global and local interests, who see beyond the shadows of narrow identity and particularistic traps, and struggle for inclusive human development as a condition for the survival of all. Religious communities and many other self-help associations of tradition too can be equipped to actively help in peace-building. Our region is full of such groups and individuals, but caught up in the vortex of violence and cowering under crushing politico-economic reality. We all in the Diaspora are part of that multitude, who at the moment are called to raise the voices of reasons, and to invoke the best in human morality and civility in order to bring our region to sanity and orderly development.

We want our societies, hitherto convulsed by wars and dictatorial rules, to be rehabilitated under peace, democracy and human rights. Eventually, one needs the civil society and state working in complimentary, but not in mutual contradiction. A developmental democratic state would not fear people who are equipped with human rights and working for orderly development.

While dealing with conflict issues, there is a tendency to look for differences alone among people – whether it is linguistic, religious, cultural or regional. The underlying factors of unity and co-operation, which often characterise life, are lost under the shadow of conflict. Such expressions as “deeply divided societies” become self-evident perspectives in dealings with situations of variety. The following figures, ideal types, can help us see how African societies, with their ca 2500 linguistic variety, could be linked in chains of their interconnectedness. We have dwelt too much on differences and they are not difficult to find. But now, let us search for linkages, bridges, and similarities everywhere to construct peace – linkages within societies and across borders.

Societies do not always conflict with each other merely because they are diverse. As one writer noted, “the universal need for bonding can be thought of as the key to the survival of the human species” and asserts, “it is the need of humans for one another that draws them towards negotiating with one another in the face of conflicting interests, needs, perceptions, whether in settings of family, neighbourhood, workplace, or public institutions”.

While speaking of the legitimate roles individuals and groups play in society, an analyst cautions, “extreme individualism which ignores social bonding leads to the eclipse of community and results in alienation and violence. On the hand, an extreme communitarian orientation produces rigid structures, which restrict individual freedom and constricts human creativity. What we need of establishing a violence-free society is the requisite balance between individualism and communitarianism”. Identity fixation or narrow and exclusivist mindset does not understand life in its multifaceted characteristics. On the other hand, openness does not disrespect identity; rather it strives for unity in diversity, tolerance and mutual survival.

What is really at stake today? A new democratic political culture? For sure, we know a lot – we know in the Horn when people meet each other as people, how soon they discover their commonalities. From time immemorial, people in the Horn

region have evolved a lot in common -customs, cultures, languages, religions, kinship through widespread intermarriage, etc. In many of the border areas you find inhabitants of different states speaking the same language, if not, they are bilingual. They share markets and a lot more.

Both in the sub-region, as well as within the countries and communities, our main headache is in the field of modern politics and leadership. The political arena should have helped us in forging common political values, norms and forums that could formalise and cement the myriads of submerged as well as still visible traditional bonds that manifest along all our national borders and inside. They rather engage people in conflicts of bygone era and even invent new ones, to cause more bloodletting for the sole purpose of remaining in power. Look at Scandinavia, where most of us live now, how people have prospered in peace and co-operation! They left their earlier conflicts behind them and forged new bonds. Cross-border co-operation in peace and development needs political will and understanding, forging a new co-operative political mindset.

This needs a new democratic political culture, a set of ideas based on the respect of human rights and freedoms, as one political analyst states, a distinct set of political values and orientations including moderation, tolerance, civility, efficacy, knowledge, participation. Such politically relevant beliefs, values, and attitudes held in families as shaping people's thoughts from childhood, at schools, in religious institutions and promoted by media, and group forums, are to guide and shape attitudes in modern world. They help people to navigate their ways in the complexity of contemporary world, they help them to accept each other and respect diversity.

Above all, pursuing the values of tolerance and mutual respect enables creation or strengthening of mechanism of peace and reconciliation and encourages us to respect and use the democratic institutions on various levels and to resolve conflicts in a non-violence way.

Concerning conflicts and the means of conflict resolution, some peace researchers talk in terms of a triangle with ABC points, where point A. Represents attitudes, values, norms, point B actions (violence or peaceful transformation) while point C represents conflicting goals. Conflict goals or interests C have existed and will continue to exist among the countries of the Horn or even among the different communities within individual countries. There are different attitudes, mindsets A of mutual understanding, tolerance, peace or belligerence, violence and a zero sum game posturing. There are choices of action based on such attitudes B violence, war or peaceful means, negotiation, reconciling interests. This conference is to say let us choose the values of non-violence, peaceful change, negotiation forums, and win-win attitudes. *The guiding principle should not be that of survival of the fittest, but that of survival of all!*

The peoples of the Horn, largely inhabiting climatically harsh areas, can only achieve decent survival through co-operation in winning peace and overcoming the vagaries of nature, as to harnessing their human and natural resources for the benefit of all. As the root causes for many of the conflicts are related to underdevelopment and under utilisation of resources, co-operation in the development of our lands, waters

(rivers, lakes, seas oceans) rich animal wealth and industry, is inevitable for the common advantage. Peoples of the Horn should bury their mutual enmity and refuse to be lured by friend or foe of far and near, who try to enlist them for proxy roles against each other.

Ubuntu, a south Africa philosophical term that imbued attitudes of reconciliation and forgiveness in the process to heal the wounds of apartheid, suggests that people are incomplete to extent that they are alienated from on another. The fulfilment of one becomes a condition for the fulfilment of the other.

Our being human in itself should compel us to respect one another and to cooperate. This is what the very first article of Universal Declaration of Human rights urges us to do:

“All human beings are free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood”. One should have added sisterhood, too.

Dear friend, our attempts, today, in this gathering, is tones of small steps on the course of idealist’s vision for a Horn of Africa where a culture of violence is replaced by a culture of peace, and where co-operation, development and human welfare flourish.

Can we think of a possibility of establishing a standing forum that carries our vision of peace, co-operation and development forward and bring the same to the Horn region? Starting research across borders on what links peoples in these areas – culture, languages, economy, etc...? Conducting feasibility studies about starting joint socio-economic development projects? Establishing joint development of animal husbandry; improved cattle, sheep, goats, and camels? Creating arid zone agriculture and irrigation-fed farming? Jointly developed fishery industry and marketing?

Can international actors in Scandinavian countries, EU, UNDP encourage experts, merchants and governments to develop such cross-border joint undertakings?

Let us be imaginative! Thank you!

Human rights, conflict resolution and reconciliation in the Horn of Africa

Martin Hill

1. Introduction

This paper links conflict resolution and peace-building to one of the unfulfilled objectives of last year's conference – to generate recommendations in the field of human rights. These recommendations are based on Amnesty International's experience of human rights research and campaigning in the Horn of Africa, although the organization itself does not engage in peacemaking or mediation.ⁱ

The various conflicts in the Horn have various backgrounds in human rights issues and abuses. Amnesty International does not take any position on the use of armed struggle to address them, though, like international law, it differentiates between treatment of violent and non-violent opponents and victims in relation to rights to freedom of expression and association, though not in regard to rights not to be tortured, arbitrarily killed or treated inhumanely in custody. It criticises violations of international human rights law and humanitarian law (the Geneva Conventions) whoever commits them, whether a government, an armed opposition group holding territory or other kinds of non-governmental entities, or non-state actors.

Amnesty International nevertheless has a role as commentator and advocate for human rights in conflicts and peace processes, and with regard to post-conflict reconstruction. It may sometimes be the only voice talking about human rights when others do not look further than the need for peace at any cost. To Amnesty International, a lasting peace can only be achieved when there is respect for human rights, and measures to address human rights grievances which were the cause of the conflict. This does not mean accepting the political agenda of any particular government or opposition organization, which may seek to use human rights concerns for political ends.

This paper is about conflicts in the Horn of Africa, and contains a special focus on the Somalia conflict and current peace talks, with some comments on conflict-related issues in other countries of the Horn – Ethiopia, Eritrea and Djibouti, but not including Sudan – which would deserve specialist treatment beyond my own field of work.

2. Conflict in the Horn

In Africa in the past decade since the end of the polarized conflicts of the Cold War, there are estimated to have been over 80 significant armed conflicts of different levels of intensity and duration, not including smaller inter-communal conflicts or outbreaks of political violence. The vast majority were fought within a state in the form of armed insurrection, civil war or "warlordism". In many cases they flowed across state boundaries or were instigated or fuelled by exiles in a neighbouring country whose government and security forces, pursuing their own policy interests, gave them political, administrative or military support. International political and economic interests, including the arms and extractive industries, were involved in causing or perpetuating some of the conflicts.

There have been various conflict resolution initiatives, not well-documented and probably with only limited success generally, to try to resolve these conflicts, whether multi-laterally by the UN, regional groupings (such as the Organization of African Unity/African Union, Arab League, European Union, or concerned front-lines states), subregional groupings (such as the Inter Governmental Authority for Development (IGAD) in Eastern Africa, ECOWAS in West Africa), or bilaterally by the state and the opposition group. There was usually involvement by historically connected states such as former colonial rulers (Italy in the case of Eritrea and Somalia, France in Djibouti) or other governments (the US in Ethiopia, Ethiopia and Djibouti in Somalia). International NGOs or faith groups, regional or national NGOs, and more informal groupings of diaspora communities, academic institutions or think-tank institutions, or Aeminent persons@initiatives, also sought to mediate.

The international and regional media also followed these disputes, with dramatic coverage at times which brought them into international focus, if briefly, and out of their supposed neglect. No conflict, however long-lasting – a few have been continuing on and off for decades, probably most others were settled more quickly – is totally unknown or forgotten. They are all followed closely by the political actors, the people affected and the victims (especially through internet websites, many run by political groups), specialist journalists, researchers and NGOs.

The UN Secretary General ritually delivers powerful rhetorical denunciations of conflict and the arms trade supporting it, wishing for the swords to be turned into ploughs and for world poverty and global inequality to be the real agenda. Human rights violations are frequently identified as the root cause of conflict, as well as the cause of the mass flows of refugees across state boundaries and onward throughout the world, and of internal displacement within states, which are characteristic of warfare. The victims are preponderantly the most vulnerable groups – women, children and persecuted minorities.

The consequences of conflict are summed up in the following NGO priority-setting document presented to the European Community on conflict resolution:

Violent conflict causes massive humanitarian suffering, undermines development and human rights and stifles economic growth. In situations of conflict, political democracies are unable to mature and conflict creates conditions where terrorism and organized crime thrive.ⁱⁱ

The Horn of Africa has been embroiled in numerous conflicts in recent decades. The Ethiopia-Eritrea border war of 1998-2000, a rare modern example of inter-state warfare, engaged the world's major powers and international organizations in mediation attempts but displayed intense and bitter recalcitrance on both sides despite the human and development disaster it was for both populations. The smaller-scale Djibouti insurrection by the Front for the Restoration of Unity and Democracy, FRUD, based on grievances felt by political leaders of the Afar ethnic group, took several years to resolve.

The cost of conflict has been crippling to the economies of these countries which are all at the very bottom of the world's Least Developed Countries. They have purchased weapons from western countries, bought them secretly from eastern Europe, or managed to keep in use arms never paid for predecessor governments. Some of the arms have also been used to suppress internal dissent and expand internal security forces. Their opponents have used captured weapons to fight them, but have also bought them on the international private arms market through neighbouring countries. The whole region has frequently been described as being awash with small arms, which are easily available,

It might be superfluous in these circumstances to say that peace is a condition of successful development but it is worth stressing that development can proceed to different degrees and within obvious limits even without full peace. In Somalia, the UN eventually recognized that its humanitarian work should continue even before there was full peace and even if there was no normal state framework for development. The UN at first maintained the position of the state being the body solely responsible and able to protect human rights, but finally accepted that this was untenable and that humanitarian work should proceed within the framework of security measures but working with local political factions and sub-state communities, allocating new responsibilities to NGOs and community-based organizations.

In the Horn there are long histories of population expansionism, conquest and subjugation of peoples, trans-national slavery, and disruptions often accompanied by assimilation's practices regarding women and children captives, as well as periods of peace and reconciliation, with generosity to enemies, exiles and refugees. In many cases, where warfare was frequent between peoples who were also related to each other in peaceful cross-ethnic political and economic transactions, there were mechanisms established to limit warfare, mediate between the warring parties, arbitrate claims and facilitate return to peace, including through relationships of forced marriage and other social payments. Apart from cases of blatant and abusive expansionism, there were generally also cultural and political institutions regulating conflict which bear similarities to those which led to the development of international humanitarian law and the Geneva Conventions, which were indigenous laws of war.ⁱⁱⁱ

The major recent wars in the Horn have included:

- The 30 year fight for the independence of Eritrea from Ethiopia

- the struggle to overthrow the Dergue in Ethiopia
- ethnic nationalist armed struggles by Oromo, Somali and other groups in Ethiopia against the post-Dergue federal government
- mainly clan-based armed groups fighting the Siad Barre government in Somalia
- an ethnic-based rebellion in Djibouti opposing discrimination against Afars
- a Sudan-supported radical Islamist group fighting against the new Eritrean government, now in alliance with other political opponents
- “warlordism” in Somalia based on clan or subclan in many parts of the disintegrated state
- localized inter-communal fighting between neighbouring groups in southern Ethiopia
- a two-year border war between Ethiopia and Eritrea in 1998 involving national sovereignty
- hot pursuit and cross-border military operations by Ethiopia into Somalia to eliminate radical Islamist groups bringing political violence to Ethiopia
- armed foreign intervention by Cuban forces in the Ethiopia/Somalia war in 1977, and by UN and US forces in Somalia in the 1990s

A pattern developed, characteristic of the Horn probably more than any other part of Africa, involving what has been described as a “chequer-board” scenario of conflict. In each country of the Horn, conflicts have been fuelled from neighbouring countries in the form of providing political support or weapons. This pattern of conflict has dominated regional state relations in recent decades and is still a major obstacle to regional stability. In several of these current conflicts, there seems to be no conflict resolution or mediation in process, either regionally or internationally.

At local community levels, traditional/cultural dispute settlement mechanisms were often utilised, as in Somalia and Ethiopia, and these had some success. Lower-level conflict requires grass-roots community conflict resolution if no outside force or wider movements are involved. This “bottom-up” approach has limitations, however, if applied to conflict involving higher-level actors and where there is a developed national-level civil society affected by it and able to contribute to resolve it. The converse, an exclusively “top-down” approach seeking only an internationally-backed agreement between political leaders, would not work in Somalia, given the extent of extent of political and factional fragmentation that has occurred

3. The Somali Peace Talks

Through this case-study of the current Somali peace talks I will try to illustrate a human rights approach to conflict and conflict resolution. It leads directly to a discussion on reconciliation and transitional or restorative justice, in relation to dealing with abuses of the past for the sake of the future protection of human rights.

In October 2002 the 14th Somali peace talks since the 1991 disintegration of the Somali state opened in Eldoret in western Kenya. The Somalia Peace and Reconciliation Process was sponsored by IGAD and funded by the EU and Arab States. The aim was to bring together all the relevant actors – the political factions, international partners, and civil society in a three-phase initiative: to attain a cease-fire, discuss the key issues facing Somalia, and create a new interim government to replace the Transitional National Government, whose 3 year term of office ends in August 2003.

The process itself has been open-ended, to the extent that often no-one really knew what was going to happen from day to day and it took considerable ingenuity on all sides to analyse and handle the constant mini-crises, ranging from the logistical to the political. Previous peace talks which had failed to greater or lesser degrees had taken place in different venues and with different sponsors and participants but this was the most inclusive so far and seemed to be the most politically neutral and realistic at the outset. It was built on general recognition of the failure of the TNG to deliver most of its mandate and the need for a new solution having seen the outcome (not all a failure) of the previous

The conference succeeded in obtaining the presence and participation of all the faction leaders, representatives of the TNG (though the President stayed away), and large numbers of “civil society”. One major logistical and political issue was recognition and funding of delegates. The agreement reached was for a 4.5 quota system overall for attendance and future government participation. This consisted of the three main nomadic southern clans (Darod, Dir and Hawiye), the agricultural/riverrine Digil-Mirifle (or Rahenwein) clan or community, and a half-share for the non-clan minorities (principally the Bantu/Jarir landless farmworkers, the Benadiri/Rer Hamar urban traders, and the Midgan, Tumal and Yibro occupational caste groups, although there are other smaller minorities including the Ashraf and Shikhal Muslim communities, Bajuni fishing people, and small hunter-gatherer groups).

“Civil society” was a label for all delegates (self-appointed) except the leaders, as they were called – the TNG and faction-leaders, all ranking the same, despite UN and EU recognition of the largely power-less TNG as a government. NGOs in Mogadishu, such as the Peace and Human Rights Network, Coalition of Grassroot Women Organization and Dr Ismail Jumale Human Rights Organization, were not given any status or special representation, though some members attended, and even ex-officials of the Siad Barre government claimed to be “civil society”.

This arrangement inevitably strengthened clannism, since the factions were clan-based and it marginalised NGOs, but at the same time it offered an opportunity for clans (as well as business and religious leaders) to pressure faction-leaders to adopt non-military objectives. The number of civil society delegates was cut down, both for financial and political reasons, from over 1000 to 460 and later to 360, despite complaints from those excluded.

As expected, the Somaliland Government and Somaliland civil society boycotted the conference, as it denied Somaliland its desired independence although it took care not to move discussions into this area so as not to damage the possibility of

Somaliland and its clans later being invited or drawn back into a unified federal Somalia. Somaliland, de facto independent since 1991, continues to press its demand for international recognition, and continues to complain at being excluded from the much-vaunted peace dividend policy of the international community and donors – rewarding peaceful areas with development aid as a means of conflict control. Government institutions have developed steadily in Somaliland, with a peaceful transfer of power to the vice-president when President Egal died in May 2002; peace (despite two brief outbreaks of clan fighting); respect for human rights (with some exceptions); and a substantial degree of democracy (with multi-party elections in December 2002 for local councils and in April 2003 for the presidency).

The conference “leaders” broadly belonged to one of two rival alliances: on the one hand the TNG and its allies, backed by Djibouti and several Arab states, and on the other hand the Somali Reconciliation and Reconstruction Council (SRRC), backed by Ethiopia, the major sub-regional power, which has substantial political interests in the nature of any new government. Ethiopian is constantly said to dominating the conference.

Phase I, obtaining a signed cease-fire declaration, was achieved in two weeks, on 27 October 2002. However, cease-fire violations have occurred frequently where a region, faction or clan was divided or alliances shifted. The international partners informally threatened “Smart sanctions” against cease-fire violators or any leaders who withdrew from the talks but this has not yet been implemented. In Mogadishu, faction fighting or fighting between the TNG and factions reduced substantially but violence and insecurity intensified. In Bay region there was new fighting between new factions of the Rahenwein Resistance Army (RRA). The two rival claimants of the Puntland Presidency were both present at the peace talks but Abdullahi Yusuf was treated as the de facto leader, especially as he had the main military force and headed the SRRC. Puntland had declared itself a “regional federal state of Somalia” in 1998 but it has been a separate entity akin to Somaliland in some respects, not recognizing the TNG. The presidency crisis in Puntland in 2001-3, with the sad failure of the highly-regarded Puntland Peace Mission initiative (one of whose negotiators gave an account of it at last year’s conference) substantially set back the region’s development. However, a recent reconciliation agreement appears to have a good chance of success. No other similarly credible regional “building block” of a federal structure has developed in the south.

Phase II of the peace talks commenced in late 2002 with 6 “technical committees” (civil society getting one-third of places) set up to discuss key policy issues which would be principles of future government policy:

- (1) a provisional federal charter
- (2) economic recovery
- (3) land and property rights (and their recovery)
- (4) disarmament and demobilization
- (5) regional and international relations
- (6) conflict resolution and reconciliation (including human rights).

Each committee had an international resource-person to assist, except for the last one – efforts had unfortunately failed to find a human rights specialist to assist and give human rights a higher profile in this committee or across all committees.

In January 2003 the talks moved from Eldoret to Mbagathi near Nairobi, for a cheaper and more suitable venue and under a new and more experienced Kenyan chair, Bethwell Kiplagat, than the former Foreign Minister Elijah Mwangale. In May 2003 the six draft reports were "harmonised" by an outside committee headed by Professor Abdi Ismail Samatar (who is due to give his own paper at this conference), which were referred to the leaders' committee, and were to be presented to the conference plenary of all delegates on 19 May. This is the last part of phase II, expected to take possibly a month. There will be intense discussion and lobbying on these six issues, when Somali civil society delegates and NGOs might have some chance to influence the outcome for human rights.

Phase III, to start possibly in late June 2003, is planned to form an new all-inclusive interim government of Somalia, supposedly by consensus of the political leaders and civil society, to replace the TNG by August 2003. The procedure for this is not yet known or agreed. A two-year term for this provisional government has been broached, during which time elections would be held, national institutions created (especially as regards the security and police forces) and an international pledging conference for reconstruction held. This phase will need to overcome obstacles from particular leaders, including the TNG president who has boycotted the conference so far, and to ensure democratic process and acceptability to Somalis and the international community.

Peace and security will be a central issue, requiring international support and monitoring. There will be issues of clan and minority representation, ensuring a transparent process without corrupt buying of support, representation of women in government and attention to gender issues (particularly violence against women), guaranteeing fair and free political campaigning and multi-party elections with freedom of the media, establishing an independent and effective system of administration of justice consistent with international human rights law and standards, recognition and involvement of civil society and NGOs in the process of human rights monitoring and protection, familiarising communities all over Somalia with the process and gaining their support, facilitating the involvement of diaspora Somali refugee communities (who are already closely involved through sending remittances to their families or funds to political factions), and leading to an eventual return of refugees when the security and humanitarian conditions are sufficiently stabilized.

Will this bring a real and lasting peace? A UN Panel of Experts in April 2003 exposed arms flows to Somalia in violation of the UN arms embargo but no action has been taken so far, although the panel has been extended for another 6 months. An African Union mission is planned to visit Somalia to monitor the cease-fire, but without a clear mandate or inclusion of elements of policing or human rights monitoring. The international partners are reportedly about to conclude plans for "targeted sanctions" against leaders who violate the ceasefire or withdraw from the process, such as visa refusals, residence and passport withdrawals and freezing of for-

eign bank accounts. Somali exiles or some NGOs might also try to prosecute leaders in foreign countries.

Ten years ago, Somali intellectuals might say that the absence of a state was tolerable in view of the existence of Somali cultural institutions at non-state level, and that plenty of time was needed to achieve a viable re-institution of the state. The disadvantages of state collapse are now seen more starkly, and international concern at the risks this poses for international and regional peace and stability have risen. The need to resolve the conflicts and achieve reconciliation has become even more apparent.

4. Reconciliation and Transitional Justice

One key issue in the background of the Somali peace talks is whether those who have committed human rights abuses in the past, during the Siad Barre government or the civil conflicts since 1991, will be allowed to hold office with impunity in a future government.

At first leaders were reportedly planning a general and unconditional amnesty for themselves, since most had been involved in human rights abuses and faction fighting and the international partners were not directly opposing this, with a “peace at all costs” line. The “blanket amnesty” notion, criticized by Amnesty International and many international lawyers, seems to have been pulled back but without any clear idea emerging yet of a way forward which would still keep all political leaders inside the process.

Reconciliation has in different places meant reconciliation between individual perpetrator and direct victim, between an oppressive majority or minority and its victim community, to bring closure or reparation for a great historical wrong (slavery, colonialism, apartheid, genocide of “first peoples”), or between different political groups in a new dispensation. To most people in Somalia it probably means reconciliation between opposed political factions or clans, or between perpetrators of abuses and their victims, and in the context of a political settlement and reparations. One point of tension is the reclaiming of land and property, where the technical committee recommended procedures for return of illegally and violently acquired property, whether as a result of Italian colonial-era confiscations, land confiscations and seizures under the Siad Barre government, or land theft and looting by faction militias.

These issues of “transitional” or “restorative” justice, meaning “justice for the victims” and “no impunity for perpetrators”, have been widely discussed in Somali civil society but fearfully, and rarely directly and openly, due to intimidation by faction-leaders who might visit reprisals on their accusers. Even outspoken media and NGOs campaigning against political killings, abductions and rape by faction militias in Mogadishu do not dare to name the factions or individual commanders or militias responsible, although they are believed to possess such information and evidence available for any future inquiry or prosecution. Faction leaders are reputedly “scared”

when there is talk of war crimes inquiries and would take any steps necessary to guarantee their own impunity and safeguard illegally-acquired gains.

It is Amnesty International's view that it is up to the Somali people to decide how to approach the question of past abuses and when. Various possibly acceptable options are available ranging from conditional amnesty to truth-telling mechanisms or criminal prosecutions. For war crimes and crimes against humanity, the International Criminal Court could be the means to try offenses committed after the establishment of the court in mid-2002 but not retroactively for offences before then. Prosecutions in Somali courts would only be possible and acceptable when there is a well-established and competent criminal justice system to guarantee fair trial – which is not the case now – since there would be nothing gained for future protection of rights through unfair trials. Anti-death penalty groups would also demand the non-application of the death penalty so as to prevent another human rights violation.

The South African Truth and Reconciliation Commission (TRC) is widely cited as an example of a successful reconciliation mechanism, agreed by both sides, to resolve conflicts and abuses of the apartheid regime to complement and strengthen the political transition in 1994 to majority rule through free elections.^{iv} The main elements of the TRC were:

- To make a record of the abuses of the apartheid era and prevent future abuses, through open “victim hearings” (some televised) which were often emotional but not always resulting in repentance and forgiveness;
- To grant amnesty for politically motivated crimes to individual applicants on a limited and conditional basis, where they made full and open disclosure of their crimes, which could be challenged by the victim or victims' relatives, although prosecution for gross abuses could be recommended instead;
- To make reparations to victims, recently announced to amount to \$85m state payments in total to 19,000 applicants, which fell far short of the TRC's recommendations.

The whole process is not yet complete and has raised several controversial problems and issues. The TRC by the time its mandate expired at the end of 2001 granted amnesty to 1160 of 7094 applicants, rejecting most of the others, which were made particularly by convicted prisoners, as not meeting the amnesty criteria. There have been a small number of successful (and some unsuccessful, possibly bungled) prosecutions for gross abuses of human rights, and possibly more to come. The government has been considering pardons for ANC and Inkatha Freedom Party members and others. Many oppose this as disrupting a truth and reconciliation process, which should be impartial and even-handed.

In other moves to punish war crimes and crimes against humanity, special International Criminal Tribunals were set up for war crimes and genocide in the former Yugoslavia and Rwanda. Some countries such as Belgium have launched prosecutions in an international jurisdiction basis. There have been over 20 Truth Commissions established in different countries, including Sierra Leone and Nigeria

in Africa.^v Rwanda also established traditional-type *gachacha* courts to deal with over 100,000 genocide suspects held in harsh and over-crowded prisons for several years. These courts, which cannot impose the death penalty, allow for some plea-bargaining but do not provide for fair trial according to international standards.^v In other countries, trials have been long delayed or suspected of defective charges or unfairness, with opposition groups alleging that they are being used as a cover-up for new abuses by the new government.

In Ethiopia, reconciliation between the new government and the former one, which overthrew it, was never considered. The Government chose the route of “no impunity” – to punish past abuses by Mengistu’s brutal 17-year regime, while developing a new federal constitutional framework designed to remove the ethnic (“nationality”) discrimination and exclusion issues. It held a large conference of international experts and lawyers to discuss the best process (though many NGOs were excluded) and went ahead with prosecutions. The government has detained over 2000 people accused of “genocide” and other charges, with over 2000 more charged in absentia, though none has been extradited, partly because some host countries refused to extradite without assurances that the death penalty will not be used. So far, death sentences have only been pronounced in absentia – there would be fresh trials in the event of extraditions.

Amnesty International supports the “no impunity” policy but is concerned about the delays and certain questions of fair trial, although trial procedures mostly conform to international standards. It remains to be seen whether the special prosecutor’s promise that all trials will be completed in 2004 is fulfilled. Currently less than a half have been tried, with a half of these being convicted. In the trial of the Dergue leaders, where any death sentences to be imposed could be expected, the prosecution case has been completed but the defence cases have not yet commenced. Ex-president Mengistu Hailemariam is still being sheltered from extradition by Zimbabwe President Robert Mugabe, in return for his previous support for Mugabe’s liberation war.

In Eritrea in 1991, the victorious EPLF detained Ethiopian soldiers and security officials and later returned many of them to Ethiopia, though it imprisoned about 200 others after secret trials without defence or appeal rights. It declared a general amnesty for Eritreans linked to the Ethiopian government unless they had committed gross crimes. Unlike Ethiopia, it made no move to make an international issue of past abuses. It did not hold any open trials, excavate mass graves or collect victim testimony. As regards reconciliation with the ELF, it allowed individuals to return freely and gave them government positions if they abandoned opposition to the EPLF, but did not allow any opposition organization to exist.

As phase III of the Somalia peace talks draws nearer, there is a range of options for Somalia which could be put forward for truth commissions, amnesties or prosecutions in different political and cultural circumstances. There is no perfect model or system providing all the answers without any disadvantages. What would work in Somalia would depend on cultural acceptability and the needs of the situation. Information could be collected on faction leaders or Puntland or TNG officials who

have committed the worst abuses, and eye-witnesses would be available to give evidence. Some documentation is said to have been hidden away for use when the time is ripe and when safety for witnesses, investigators and judges can be guaranteed. This kind of documentation has not yet started in earnest, apart from material published by international NGOs at the time, such as Africa Watch in particular, some of which would be useful as background for truth-telling by victims and witnesses, or in more precise form for criminal prosecutions.

The principle burning question at the moment is whether those who have committed gross human rights abuses should be allowed to be part of a new interim government. Some perpetrators are among the leaders or other delegates at the peace talks – a peculiar situation where they may be daily in the sight of people whose relatives have been killed by them, as well as international human rights observers who would want to see them on trial. They appear to have the protection of their clans, irrespective of their crimes against those of other clans.

Amnesty International has already given its view:

Amnesty International would find it unacceptable for those responsible for such crimes to be included in any new government, which would be expected to be wholeheartedly committed to the rule of law and respect for human rights. Granting total impunity through a general amnesty would not bring lasting peace to Somalia. In practice it would open the door to new violations by the same perpetrators, who would make sure they continued to silence their accusers, and it would encourage others to hope to go unpunished...Any new government must ratify the statutes of the International Criminal Court so that new war crimes and crimes against humanity could be reported to it... To the extent that it is possible, an interim government should comprise only members with a clean human rights record and non-involvement with abuses..^{vii}

Recognizing that the international community would probably not be willing to support an ad hoc tribunal for Somalia, in view of the cost and slowness of the former Yugoslavia and Rwanda examples, and as it might be some years before an effective criminal justice system is established in Somalia to judge cases competently, Amnesty International recommends that investigations and documentation should start during the interim period and at the international level to document past abuses, and should work closely with Somali witnesses and human rights defence NGOs. The model for such an inquiry, where some preliminary work has been done by UNDP-Somalia, could be the independent Panel of Experts established by the UN Security Council on violations of the arms embargo.

Amnesty International's position of "no impunity for perpetrators" does not mean that all members of Siad Barre's security apparatus and government officials responsible for abuses, or all faction leaders and their militias should be charged and tried. That would be logistically impossible and lead to the same problems as the mass detentions in Rwanda. The impact would be achieved if the most senior were prosecuted. At the least, those responsible for abuses should be barred from being proposed or proposing themselves as members of the interim government.

It might be asked what incentive the leaders might then have to cooperate in the peace process. The incentive would be that rather than pursuing power and ill-gotten financial gains they would be recognized to have contributed to peace and reconciliation and the rescue of the Somali state. This would give them grounds for

applying for clemency or amnesty, particularly if they could genuinely claim to have committed no ceasefire violation of human rights since the October 2002 ceasefire. In a South Africa-type Truth and Reconciliation Commission, they could apply for amnesty and immunity from prosecution if they made the appropriate disclosures.

An alternative would be for all candidates for government office to be obliged to present themselves before the peace conference delegates for approval and election, and to give an account of their past record and a pledge for the future. The crimes are known to delegates. The difficulty with this position would be overcoming clannism, where clans protect their own members and promote them to office, whatever crimes they might have committed against others. So long as this principle of absolute clan solidarity remains a powerful divisive factor in Somali society, clannism would prevail over and defeat nationalism.

5. Conclusion and general human rights recommendations

My focus has been on Somalia but the general human rights principles applicable to conflict are similar for all countries of the Horn, adjusted to the particular political and cultural circumstances and the particular kind of conflict involved. The following recommendations reflect the analysis above and apply particularly to Somalia.

5.1 Conflict prevention

Governments have the responsibility to protect the rights of their citizens in accordance with their constitution, laws and international treaties and standards. They should also recognize and protect the legitimate role of human rights defenders in civil society, in accordance with the UN Declaration on Human Rights Defenders (1998). If a government allows its security forces to commit human rights violations with impunity, and if it impedes democratic avenues to dissent or fails to provide fair and free elections and equal opportunities for participation in government, then it may risk opponents considering (rightly or wrongly) that peaceful avenues to change are blocked so that they engage in violent opposition. The government has the duty to enforce the rule of law, providing the laws are consistent with international law, and to punish crime, but at the same time political disputes require political resolution. The number of protracted conflicts in the region makes it obvious that delays in dealing with conflict only exacerbate it. Conflict prevention is easier and cheaper than conflict management and crisis response, which may involve serious threats to regional and international peace and stability. The lack of international attention to preventing conflict at the time of the collapse of the Somali state in 1991 is a prime example of extremely costly neglect (when the international community was focused on the Iraqi invasion of Kuwait and the crisis of the imminent defeat of the Mengistu government in Ethiopia). There were also serious failures of political judgment in the UN intervention in Somalia.

States are often reluctant to consider international assistance in resolving their internal conflicts and insurrections. In the Horn, these conflicts have regional impact through the checker-board relations described above, and the potential for conflict escalation should make it imperative to opt for mediation rather than a military solution. This is the case now for the internal conflicts in Ethiopia in the Oromo and Somali regions, and the new armed Eritrean opposition alliance based in Sudan and Ethiopia. The UN and AU also have responsibilities arising from the 2000 Algiers Peace Accord between Ethiopia and Eritrea to ensure that the border conflict does not revive following the International Border Commission's ruling.

Conflict prevention starts with monitoring human rights observance and pressing for remedies for violations by the government. Early warning signs of escalating conflict should not be ignored, and measures taken to respond in a timely way to alerts. The human rights causes of the conflict need addressing, in particular, if these are genuine, such as extreme identity discrimination against an ethnic or regional group or sub-ethnic (clan or sub-clan) or minority community.

5.2 Conflict control

When conflict breaks out, a two-track human rights approach is needed – to try to move the conflict to the negotiating table, and to ensure all parties comply with international humanitarian law governing armed conflict (the Geneva Conventions, which apply to both inter-state and internal conflict). The outbreak of war between Ethiopia and Eritrea in 1998-2000 was marked by aerial bombings of civilians but international (US) pressure successfully prevented further attacks of this kind until at least later in the war.

Wars of all kinds, international or civil or inter-communal, generally start with a grievance or perceived abuse, flare up through some often confused incident, and are the culmination of a breakdown of normal dispute-settlement mechanisms. Wars have always impacted more on civilians than fighters, on lower ranks more than officers, and on military rather than political leaders. The casualty rates are usually highest among the most vulnerable non-combatants – women and children, often when they are fleeing to reach safety within their communities or in other communities, or as the collateral outcome of the fighting. War crimes against civilians are frequent – killings of prisoners of war and civilians, rape of women, torture and mutilation, forced recruitment of child soldiers or labourers, sexual slavery, looting, destruction of property and the means of livelihood and survival – up to the levels of a policy or practice of genocide to destroy the whole or part of a population. Early limitation of conflict is essential.

5.3 Peace agreements – with reference particularly to Somalia

The importance of making human rights part of peace talks and agreements is that if the grievances for which the conflict began are not settled, and if the new grievances arising from the conflict are not settled, the peace will not be lasting. It is common that peace treaties aim to strike a political deal between the parties or their leaders –

the “peace at all costs” line: but this is inadequate and is not likely to work for even a short period of time. Post-conflict reconstruction must be an aim of any damaging conflict, and this has to be included on peace talks agenda and agreement. If the grievances remain unsolved, there is always a risk of resumption of war or renewed political violence.

The particular elements are different in each case, but the human rights agenda would include the following:

- Guarantee of ending of abuses
- Investigation of past abuses with the aim bringing to justice those responsible, holding of all forces of any kind responsible for violations of human rights and humanitarian law in areas they control or claim to control, as well as ensuring that the rights of the accused are respected, for example the right to fair trial, no torture, humane treatment and access to humanitarian organizations such as the ICRC, and the non-application of the death penalty
- Promising no impunity for war criminals and human rights abusers, and ensuring that they are not allowed to hold public office again where they could commit the same abuses again
- Monitoring of the peace to prevent new abuses, for example by deploying international military, police and human rights field monitors or advisors
- Providing humanitarian assistance and ensuring the safety of humanitarian agency staff to assist victims impartially
- Protecting refugees and internally displaced persons and creating conditions for safe return
- Integrating militias into a disciplined national or regional force and stopping new recruiting, demobilizing child soldiers in the faction militias, restoring them to their families and rehabilitating them into civilian life
- Providing international support for post-conflict reconstruction, e.g. rebuilding the socio-economic infrastructure (schools, roads, health facilities, water and other utilities)
- Rebuilding the justice and administrative system
- Offering a democratic system of inclusion of all groups
- Setting up guarantees of all kinds of security – protection of the state and its institutions from attack; establishment of the rule of law and protection of basic human rights; humane treatment of prisoners; protection of NGOs, human rights defenders and humanitarian workers, and allowing local and international human rights organizations access; ensuring the protection of vulnerable groups, especially women and minorities, and providing war-trauma support; protecting political opponents and their families and communities from reprisal actions; protecting businesspeople – though at the same time regulating business activities so as to end illegal arms trading and criminal enterprises obstructing peace and reconstruction.

5.4 Social reconstruction – with reference to Somalia

In general, there is an important need to promote a cultural of peace throughout Somalia and ensure it is supported by all political authorities and communities from top to bottom. There are also social rights issues of post-conflict reconstruction beyond peace and political agreements. In the Somali peace talks some of these issues have been raised but without being given sufficient weight, particularly as regards gender issues and minority rights issues. These underlie many human rights violations and acts of violence and need to be addressed so as to ensure they do not recur. Gender issues have been presented substantially by women NGOs with the support of UNIFEM, NOVIB and many Somali NGOs and individuals. But there is a long way to go before they are fully recognized and measures taken to provide for women's equal human rights.

Awareness of minority rights issues has also substantially increased to the extent that minorities have been allocated quotas among the delegates, which may be translated into quotas within the new interim government. However, two factors hold back the process of recognizing and implementing equal rights for the various different minorities: (i) the weakness of minority organizations, where those most influential in the peace talks are said to be unrepresentative and insufficiently active for minority rights – this will become most apparent when the election process begins, and unless there are fully-developed programs for minority rights advancement, it is likely that elections will result in the absence of minority representation; and (ii) the myth of Somali ethnic homogeneity.

This myth of a pastoralist-based unified culture ignores the existence of subordinate nonpastoralist groups with different linguistic, economic and cultural features. The agropastoralist Digil-Mirifle (or Rahenwein) clan-group now has equal recognition as a clan alongside the three dominant pastoralist clans and therefore does not claim minority status or press identity discrimination issues any more. Past discrimination is not so much an issue in this circumstance and it can expect regional autonomy in a federal structure as well as shared status at the federal centre.

The minorities mentioned above (page 6), who have not established common ground or political unity with each other, or even within their own communities, have still a long way to go to achieve similar equal citizen rights and recognition. This is easier for the wealthier traders of the Benadiri or Rer Hamar “coastal” communities, which resemble other foreign-origin trading communities elsewhere, through sharing religion and most cultural features with the clans. The two Islamic religious minority communities have a special status of respect, where the absence of clan protection rights is compensated by religious respect. The main problems remain where minority status intersects with social exclusion, poverty and severe discrimination on the basis of indigenous “first people” origin or slave origin, as with the “African” Bantu/Jarir, or “pariah” occupational groups, as with the artisan “castes”, who are subject to social prohibitions of inter-marriage with clans. The consequent exclusionary absence of protection which clan members provide for each other had its compensation in clientage relations and protection by families of clan patrons, but these protection mechanisms, possibly benevolent in some measure, broke down

in the civil war, when minorities were specially targeted victims, and in any case provided little benefit in the modern social, economic and political environment.

Somali society is thus pluralist in essence, at the same time as possessing a high degree of cultural unity based on the dominant pastoralist clans, who are called “nobles” and comprise possibly two-thirds of the population. Somali society is a plurality of clans and sub-clans, sub-divided at many genealogical levels, but also a plurality of unequal social groups. Recognition of this would go far towards providing the base for social reconstruction, if based on a new recognized equality of groups and individuals ^{viii}.

Foot notes

- i. See various articles in Amnesty International=s annual reports, www.amnesty.org.
- ii. Ensuring progress in the prevention of violent conflict: priorities for the Greek and Italian EU presidencies 2003: Saferworld & International Alert, London, April 2003.
- iii. For example, “Spared from the spear: traditional Somali behaviour in warfare”, International Committee of the Red Cross, 1997.
- iv. Truth and Justice: unfinished business in South Africa, Amnesty International, February 2003.
- v. International Center for Transitional Justice, www.ictj.org.
- vi. Rwanda – Gacaca, a question of justice, Amnesty International, December 2002.
- vii. Somalia: no lasting peace without human rights – an open letter to the peace talks participants, November 2002, and Somalia: Amnesty International calls on the United Nations Commission on Human Rights to support human rights reconstruction, April 2003 (www.amnesty.org).
- viii. This argument is more fully developed in my seminar paper, A state disintegrated homogeneity, plurality and political violence in Somalia, Institute of Commonwealth Studies, 1997.

The Greater Horn of Africa Conflicts and the Civil Society

Anders Närman

The Horn of Africa is strategically located at the southern part of the Red Sea, with a coastline stretching out into the Indian Ocean. In this context we will deal with the Greater Horn of Africa, e.g. Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan and Uganda. When discussing this part of Africa we find two obvious features, i.e. a continuous explosive political situation and a wide spread deprivation for the majority populations. In this paper we will argue that there is a clear correlation between these two characteristics. To be excluded from the Government development strategies for large portions of a national population can be equated to structural violence. The borderline between structural and open violence is often very thin.

In most of the countries at the Horn, the Governments have some form of military background, even if some are now more or less consolidated as civilian rulers. At the same time the Governments of the time are often seen to represent one specific locality or ethnic group in the respective country, not being very popular nationally. It has been difficult to establish an equal socio-economic development. Insecurity can often be connected to a disgruntled local opposition, which could result in an armed rebellion. Further, we can observe how a variety of actors involved in an armed resistance are brought together in complex networks, within or across national boundaries. Sometimes it has also been linked to an identification to international terrorism and global strategies.

In case the Government is not able to provide neither socio-economic development, nor security the civil society or its representative organisations (CSOs) is faced with a task to build peace and development. This paper is intended to focus on the CSOs and their activities in that direction within the Horn of Africa. To achieve this we will give a description of development trends in the region. That will be followed by an attempt to give an analysis of the existing conflict pattern in the region. Intentions in that section will mainly be to find a structure, not to give an exhaustive recount of all the conflicts.

Empirical data to the discussion on the CSOs is taken from a study sponsored by the Nordic Africa Institute¹. Within that research interviews have been carried out in Kenya, Uganda, Ethiopia and the Sudan. Most of this has been with representatives of the CSOs, and officials from the respective countries, as well as international organisations.

1 This research was initiated by the Nordic Africa Institute (NAI). Two researchers from NAI Dr Ebrima Sall and Dr Redie Bereketeab were instrumental in getting work started.

A brief on the socio-economic development at the Greater Horn of Africa

In total the region covers an area of not less than 5 million sq. km, with a population estimated to 165 millions in 2001 (Table 1). As we can see there is a wide divergences in both area and population between the different countries. While Sudan is the largest country in Africa, by size, Ethiopia is one of the most populous one. Djibouti, on the other hand, is one of the smaller states in Africa. All countries are covered, to a varied degree, by dry regions – even some deserts. This is also where we find large groups of nomadic pastoralists.

Table 1 Area (1,000 sq km), population (1,000) and population density (pop/sq km) for 2001)

Country	Area	Population	Density
Djibouti	23	644	28
Eritrea	118	3,816	32
Ethiopia	1,104	64,459	58
Kenya	580	31,293	54
Somalia	638	9,157	14
Sudan	2,506	31,809	13
Uganda	241	24,023	100
Total	5,210	165,201	32

Source: IGAD 2003

Economically, this part of Africa is among the poorest regions in the World. Only tiny Djibouti is classified as a lower middle-income country, while the rest are all low-income countries (Table 2). It might also be possible that Sudan has reached a higher level during the first part of the 2000s due to a considerable income from oil exploration. The economic status for the Greater Horn of Africa, measured in GNI per capita, is only some 25 per cent of the African average. One reason for this situation is that Ethiopia with such a large population has an extremely low GNI. At the same time we can observe that only Djibouti reaches up to the African average.

In the 1980s Kenya and Uganda had a fairly impressive growth compared to many other economics in Africa. During the following decade Uganda continued the positive economic trends, now followed closely by Sudan and Ethiopia. However, it might be very difficult to see any substantial positive changes coming out of these favourable economic statistics. There does not seem to be any direct correlation between economic growth and poverty reduction, for example. Further, it is important to observe that a fast economic growth could be strongly influenced by external factors, and is often unevenly distributed.

Table 2 The GNI per capita in US\$ in 2001

Country	GNI per capita US\$
Djibouti	840
Eritrea	170
Ethiopia	100
Kenya	360
Somalia	-
Sudan	320
Uganda	310
Average	160

Source: IGAD 2003

If we try to go beyond the mere economic statistics it is possible to see how the Greater Horn of Africa is doing from a Human Development point of view. According to UNDP (2004) all countries, except for Sudan, are in positions as low human development performers (ranked 146-170, out of 177 countries). In that list Sudan holds the position of 139, which is just above the line for the medium human development. This classification is built on a number of social sector indications, combined into a composite Human Development Index (HDI). In Table 3 we can compare some of the key measurement of human development.

Table 3 Human Development indicators for the Greater Horn of Africa 2002

Country rate	Life expectancy at birth	Adult literacy	Infant mortality
Djibouti	46	66	100
Eritrea	53	57	47
Ethiopia	46	42	114
Kenya	45	84	78
Somalia	48	-	-
Sudan	56	60	64
Uganda	46	69	82

Source: UNDP 2002

From Table 3 we can conclude that in terms of life expectancy at birth only Sudan and Eritrea are well above the Sub-Saharan African average figures. On adult literacy Kenya is in a favourable situation, with Uganda and Djibouti also above the Sub-Saharan African normal standard. On infant mortality rate (as measured on 1,000 births) Ethiopia is the only country in the region well below the general Sub-Saharan situation. For Somalia there is few statistics available both in terms of social and economic development.

It can be noted that Kenya, Uganda and Eritrea are noted for a better social development index, compared to the economic status. On the other end we find Sudan, Djibouti and Ethiopia.

What seems obvious to conclude is that the Greater Horn of Africa is experiencing a comparatively low scale socio-economic development. Together with the rather poor security level a question mark has to be raised on the respective Government legitimacy. The situation in the region can be characterised as structural violence, as referred to in the introduction. For large sections of the population in the region we find a serious exclusion from the Government development strategies. Often this can be related to ethnic, religious and regional belongings. We can find conflicts that involve people on different boundaries, such as cattle raiding between nomadic pastoralists. With large tracts of dry areas these groups are fairly common in the region.

From this brief we will turn to the political conditions in the region and the individual countries. A special focus will be given to the human rights and governance, as this will function as a backdrop to CSOs and their challenges.

Human Rights and Governance at the Greater Horn of Africa

A rather negative view is given of the political rights and civil liberties in the individual countries of the Greater Horn of Africa from a variety of international “watchdog” organisations. Numerous reports are published annually from Amnesty International and Human Rights Watch. Table 4 gives the index from the Freedom House (<http://earthtrends.wri.org>) for 2004. An analysis of this information tend to stress the fact that the definition of governance, including political rights and civil liberties are strongly influenced by a western (particularly US) perspective. Therefore, the information here given has to be taken with a pinch of salt.

Table 4 Political Rights Index and Civil Liberties Index in the Greater Horn of Africa in 2004.

Country	Political Rights	Civil Liberties
Djibouti	5	5
Eritrea	7	6
Ethiopia	5	5
Kenya	3	3
Somalia	6	7
Sudan	7	7
Uganda	5	4

Source: <http://earthtrends.wri.org>

According to Table 4 it is obvious that the only country with a possibly satisfactory “democratic” trend would be Kenya. This is largely a result of the elections at the end of 2002, which brought in a new Government that has improved the indicators on both political rights and civil liberties. Unfortunately, from field studies in the

country and media reports the New Government has not be able to deliver what it promised initially. On the contrary politics have been dominated by internal struggles in the leading Government coalition NARC. Two issues that are far from a solution is the fight against corruption and the proposed constitution. An issue that is relevant in the context of this paper is the strong civil society that has Been expanded with unpopular policy decision taken by the government.

The international approval of Kenya that came in 2004 is quite new for the country, since the early 1970s. After the rule of the first president Jomo Kenyatta, followed almost 25 years under President Daniel arap Moi that made the national reputation suffer severely. Partly, atrocities during Kenyatta had been accepted due to the strong economic base, but this could not be maintained during the successor. A popular reaction came in 1982 with an abortive coup attempt (Dianga 2002). When multi-partyism was re-introduced in 1992 the government record, according to the above measurements, was given as positive. Still it took until the end of the Moi regime before Kenya was seen as politically free.

For Uganda a discussion to change the constitution to make it possible for President Museveni to stand for a third term in office has split the nation politically. It has been obvious that for those who are branded as anti-Movement, e.g. in principle in opposition to the president, the situation has been made very difficult in various ways. Further, the open internal and external conflicts are still far from a solution. In spite of this Table 4 has given a fairly positive impression of Uganda, which might be more dependent on the implementation of World Bank/IMF supported economic policies. Uganda was suffering badly at the time of president Idi Amin during the 1970s, which was also obvious in the ranking in that period. However, the excessive rule under Obote II during the early 1980s was assessed much too mildly internationally, not least by the Freedom House.

Djibouti and Ethiopia have been given a fairly positive ranking. For Djibouti the Human Rights Watch (2003) gave a note of concern on the election 2003, when all parliamentary seats were won by a Government coalition. According to observations political campaign was free, but there might have been voting irregularities. It was further noted that an opposition leaders Ahmed Farah had been jailed, but this was more related to his activities as a journalist.

After a limited multiparty election in 1992 the Government was challenged by a military resistance in the form of the Afar Front for the Restoration of Unity and Democracy (FRUD). At least some sections of this group was active up till the early 2000s.

One essential political issue for Djibouti is the establishment of a US military base in 2003, as part of a strategy to strengthen the political dominance in the region. As reward for this we can observe considerable development assistance for social services. At the same time Djibouti is the location of a strong French military force.

The position of Ethiopia in this ranking could be questioned, with reference to a denial of citizens' basic human rights and oppression of the unarmed opposition (Human Rights Watch (2004a)). A problematic human rights situation was also noted in interviews with a few of the CSOs in Addis Ababa. In addition to that there is

the armed resistance, which was said in one of the interviews to exist in seven out of nine provinces.

Politically it can be observed that Ethiopia and the regime under Meles have shifted during the period in power. There has been a strong tilt towards being, as said in one interview that Meles is and strive to remain the best friend of the US in the region. Another tendency has been that Meles has lost part of his Tigray support, and is trying to broaden his national base for governance (Tadesse and Young 2003).

In the recent history of Ethiopia we can note a period from the middle of the 1970s, lasting for almost two decades, under which the governance was ranked very low, especially under president Mengistu Haile Mariam. When Meles took over the premiership in 1995, after a couple of years of transition the international perception of Ethiopia went up substantially. In Eritrea, Somalia and the Sudan we can find appalling political and civil conditions. According to Human Rights Watch (2004b) Eritrea is described as a police state, with any kind of opposition being prohibited. Hedru (2003) has illustrated how the country went from the euphoria at Independence from Ethiopia in 1991 to a dictatorship twelve years later. According to the Freedom House the country's ranking falls drastically at the turn of the century.

For Somalia there has been no functioning national regime at any time since the early 1990s, with the fall of Siyad Barre. In the international ranking, presented here, the Somali position has been roughly the same since the early 1970s, when this information was first presented. The six in political rights might be a reflection of an interim Government in place, led by Abdulkassim Salat Hassan. Recently, we could also see how a Parliament was appointed. On the other hand the break away state Somaliland has been said to be rather democratic, even if not recognised anywhere outside. In this country an election brought Dahir Riyale Kahin to power in 2003. For the Sudan it is difficult to see any improvements in political and civil rights during recent years. During discussions in Khartoum, as part of the field work some claimed that it must be time for a new military coup, as it had not happened before that a regime has stayed on for as long a period as the present one. The perpetual struggle between the Head of State El Beshir and Hassan al Turabi, with Sadiq al Madhi operating behind the façade, has been part of the political development since the early 1990s. At the same time with one conflict, e.g. in the south, on the brink of a solution the war in Darfur is getting increasingly worse.

The only period when governance in the Sudan has been assessed as satisfactory was during the regime of Sadiq al Madhi in the end of the 1980s. Since the military coup in 1989 the ranking has been 7 on both political rights and civil liberties.

Consequently, this brief gives an indication of a seriously volatile political development in the region. It is difficult to see how stability will be achieved and sustained at the Greater Horn of Africa in the foreseeable future. It might rather be that the situation in Somalia might be what we can expect in more countries in the region. We can also assume that the poor development record and governance situation is partly flaming the open conflicts in the region. However, as will be indicated below the conflict pattern is much more complicated than that.

A pattern of the conflicts at the Greater Horn of Africa

As noted one of the most significant features of the Greater Horn of Africa is the perpetual conflicts. What is also obvious is that insecurity in one part of the region, in most cases, can be linked to what is going on elsewhere in the region or even outside. Therefore, it is difficult to isolate conflicts in the Greater Horn from other volatile areas in Africa, such as the Great Lakes. What is given below is not an attempt to cover all the conflicts in the Greater Horn of Africa, but rather an attempt to find a pattern of what is happening. Below a brief on prevailing conflicts will be given to each one of the seven countries that form the arena for this paper. Thereafter something of the way this insecurity is connected to the regional pattern will be analysed.

Uganda

At the time of Independence the major challenge to an integrated state was the role of the Kingdoms, especially the Buganda. This led to a first compromise coalition Government with the King (Kabaka) as a ceremonial Head of State and a northern Langi (nilotic) Prime Minister Milton Obote. Hostilities between these two leaders led to a perception that the Ugandan crisis is a matter of a north to south divide. Attempts by Obote to remove the Kabaka from his position, as Head of State, was one of the factors that brought Idi Amin to a position of power in the army, and subsequently to the presidency. Atrocities committed under the regime of Amin are well known and has contributed to a negative image of the whole continent.

After a short period, with attempts to go back to democratic rule, Obote was pushed back, not least by Tanzanian interests, to a second regime. Once again Uganda was plagued by severe violence, under Obote II and Okello. As Amin lost power some of his old soldiers organised an armed resistance under the West Nile Bank Front (WNBFF) and Uganda National Rescue Front (UNRF).

During the Obote II regime the Yoweri Museveni battled a “protracted war of liberation” against the state, which led to a loss of many people 1982-86. After the take over of the presidency by Museveni certain groups in the northern parts of the country formed a military opposition. One such group was the Uganda People’s Army (UPA) under the notorious former Minister under Obote II Peter Ota. During the end of the 1980s/early 1990s armed elements from this organisation created a very insecure situation in the Teso region.

When Museveni took over power certain parts of the population in northern Uganda saw their relatively favourable position in national affairs threatened. It was in that climate the Lord’s Resistance Army (LRA) emerged after a couple of previous attempts to build a military opposition based partly on religious fanatics. Still the LRA and its leader Joseph Kony is fighting the Government of Uganda in Acholi and surrounding districts. One of the main elements in their struggle has been the abduction of children – to be used as soldiers or sex slaves (wives) to the commanders. So far, the Government has regarded a military victory as the only solution to the insecurity created. This conflict can be seen as a result of two internal factors,

i.e. exclusion and religious fanaticism. However, as seen below it is also part of an international pattern of conflict. Exclusion can also be seen as the root cause of the Rwensori resistance, as well as the Allied Democratic Forces (ADF) in the western parts of the country.

Cattle rustling is practised among many of the pastoralist groups in border areas in the region. In Uganda it is the Karimojong warriors that are still very active in this field, leading to fighting between clans, but also against neighbouring groups. One of the districts next to Karamoja, Katakwi, has been turned into an area, with most of the population living under difficult conditions in camps for Internally Displaced Persons (IDPs).

Kenya

In the first part after Independence Kenya was threatened by a demand for a greater Somali Nation, especially in the North-Eastern province (see below). Besides this Kenya has been a country with a fairly stable situation. Still opposition has been met continuously by a strong state repression – political murders, detention without trial and politically motivated sentences to prison. Academics, politicians, lawyers and cultural personalities have been victims of these policies. Behind the opposition in the country we can see two major factors – inequality created by the extreme modernisation strategy and ethnic difference. It is obvious that the Luo people at Lake Victoria has been seriously neglected since the time of Independence. Partly, this is back again with the new NARC Government, accused of being a Mt Kenya (Kikuyu) mafia.

During the 1980s the land issue led to ethnic conflicts in various part of the country, forcing large parts of the population to live in IDP camps. This was also part of an “official” policy called Majimbo, which called for a kind of federalism based on the various tribal entities. Sometimes this has been compared to ethnic cleansing.

Like in Uganda we also have a number of groups living under a nomadic life-style in Kenya. Some of them are practising cattle rustling.

Kenya is also known to be one of the targets for “international terrorism”. The first was an attack on the American embassy in Nairobi 1997, with hundreds of Kenyan victims. That is probably also the first time that Osama bin Laden and his al Qa’ida became a household name globally. At a later stage Kenya has also experienced attacks on Israeli interests in the tourism industry.

Somalia

There was a time when Somali leaders saw an expansion of the country into a Somali Nation. This Nation included apart from the British and Italian Somaliland that was making up the originally independent Somali Republic, parts of Kenya, Ethiopia and Djibouti (French Territory of Afars and Issas). In that light it might be something of a paradox that Somalia of today has been in reality further sub-divided. At least two new states, even if they are disputed, are operating, i.e. Somaliland and Puntland. Even if the rest of the country has an interim Government, at present,

large chunks of the territory are governed by War Lords or Clan Leaders. One of the difficulties to come towards a sustainable Peace Agreement, through on-going negotiations in Kenya, is to assess the legitimacy of the various leaders that claim the right to portions of the country. Sometimes the struggle is said to be between a variety of clans. This is, once again, a paradox as Somali was seen from Independence as a homogenous country from a tribal point of view.

When the issue of a potential peace in Somalia was brought into the discussion during my fieldwork it was said that there would probably not be any solutions without external interventions. As it is the only powers that could change the picture were the UN and/or the US. This is also a rather pessimistic perspective as the US has already tried an invasion in 1992. As a consequence of the debacle at that time the US might be reluctant to re-enter Somalia militarily, even if the country is regarded as part in the axis of evil.

Djibouti

Once before Independence this country was known as the French Territory of Afars and Issas. That indicates that the country is a combination of two ethnic groups, i.e. the Afars and the Somali Issas. Above we indicated the military activities by the Afar FRUD, which lasted up to the early 2000s. Apart from that Djibouti can generally be seen as the stable part of the overall very volatile region. However, there is naturally a danger of being involved in regional struggles.

What was also mentioned above that could be either a guarantee for security or a target of international terrorism is the existence of US and French military troops in the country.

Eritrea

Eritrea achieved its Independence in the early 1990s from Ethiopia after a long war of liberation. After an intensive struggle this new status was surrounded by a lot of euphoria, both internally and externally. However, the political development did not turn out in the right direction, as commented on above (Hedru 2003). Even if there is no civil war, as such, we can note the Human Rights Watch (2004c) critique on suppression of dissidents and minority religious.

Ethiopia

During fieldwork in Ethiopia it was claimed by a couple of the interviewed that the resistance against the central Government was substantial in the different states. Just prior to my visit to Addis Ababa it had been reports on serious fighting in Gambella, close to the border of the Sudan. There was a lot of disagreement on the number of dead in this fight, but it seemed as part of the local armed opposition to the Government. One external observer argued that there was armed rebellion, of various intensity, in seven out of the nine states. We can assume that this is related to a condition of exclusion from mainstream national development. It can be recalled

that rural Ethiopia has often been the target of emergency food aid, due to severe famine.

Among the most serious opposition we can note the Oromo Liberation Front (OLF). Oromo sections have been rejecting the original conquest by Abyssinia in the late 1800s, which has led to a more or less continuous struggle. The present armed rebellion has been dated back to the early 1970s, with OLF enjoying external support. An internal alliance is also formed together with the Ogaden National Liberation Front (ONLF) – well known from the Ogaden war in the 1970s (see below). On the Kenyan side of the common border we have often heard about violence involving the OLF.

Historically we can find a rather volatile political development in Ethiopia. It is known as one of the few countries in Africa that was never colonised, but the memory of the Italian occupation is still close. At that time the Emperor Haile Sellasie became something of a global symbol of the fight against the rape of the African continent. When he was overthrown in the early 1970s that triggered a number of military coups and counter coups, which eventually led up to the Mengistu regime, and the “red terror”. This period might also, to some extent, be reflected in the present insurgencies.

The Sudan

It is next to impossible to give justice to the internal security situation in the Sudan on a few short lines. What can be noted is that during the close to fifty years of Independence there has been a constant struggle, especially connected to the southern parts of the country. One perspective of this can be that the establishment of the Sudan as a country, by the colonial powers, created an “impossible nation”. It was an obvious personal reflection during my fieldwork how the Arab/Muslim influence had grown since a previous visit to the country some 25 years previously.

During the early years of Independence the struggle in the southern regions was organised by the Anyanya I and II. Lately we have noted how peace negotiations, between the Government and the SPLA/M under Joseph Garang, have been led to a successful conclusion lately. Still we are far from a sustainable peace, with a number of matters outstanding. One such issue is to what extent the population in the Southern Sudan (or the New Sudan) will be able to solve internal differences. It was said by some donors that there might be some 30 ethnically based militia groups in the region presently. Further, the area of the southern Sudan region was said not be resolved in the agreements made, so far. The fate of the insecure areas of the Nuba Mountain and Blue Nile regions have not been settled.

Peace in the Sudan is also complicated by the strong interest from multinational companies involved in the exploitation of oil. The country has emerged as one of the most important oil producers in Africa. This international capital dimension is something that has complicated the peace process in many parts of the continent previously.

When the situation in the southern region seems to open up for potentially more stable conditions another war is brought to World attention, i.e. the Darfur conflict. This has taken us back to the previous Sultanate of Darfur that was incorporated in the Sudan in the early 1900s. In this case, the Government of the Sudan has been accused of support to the Janjaweed militia. Reports from Human Rights Watch and numerous international organisations have reported about the on-going atrocities, including rape as a military strategy. If this is not to be termed genocide it is difficult to understand what this concept is referring to.

After this brief on what is going on in the respective country we will turn to the relationship between some of them.

Uganda-the Sudan

The LRA has been organised its attacks on northern Uganda from firmly established bases in the Sudan for a long time. Lately an important part of the Ugandan military strategy towards LRA has been to carry on attacks within the Sudan. It seems to be clear that the Government of the Sudan has supported the LRA military and financially. However, this support is claimed as a reaction to Ugandan support to the SPLA/M. Even if the LRA is regarded as a Christian fanatic movement the Sudanese support can also be seen as part of a strategy to increase the Muslim interests in Africa.

Due to the border fluidity we can also see the interaction between the WNB and UNRF into the Sudan. There has over the years been a stream of refugees from both sides of the border into the next country. This has also been complicated further lately due to refugees streaming in from the volatile DR Congo.

In the east we can find fighting between the pastoralist groups of Karimojong towards the Sudanese Toposa. This is also involving the Kenyan nomads, i.e. Turkana and Pokot. We can also see how a central area for trade in small arms has developed in this part of the region. Trade in military equipment is reaching enormous proportions in the whole region. That is one of the reasons why conflicts are also important for certain individuals to accumulate a substantial affluence from the insecurity. Various middle-men have an opportunity to diversify trade in guns, with a trade in beef from the pastoralists. It is important to take note that trade in beef from the cattle rustled in the area has lately been an increasingly more commercialised activity. It is important to realise that even if a majority might suffer badly from the insecurity it is a source of wealth to others.

One potentially dangerous resource shared by the two countries is the River Nile, which might lead to conflict in the future, which would, of course involve many more national actors.

Uganda – DR Congo/Rwanda

The conflict between Uganda and its western neighbours goes back for a considerable time. A large part of the Rwandese population was located to Uganda at the end of the colonial period. Their homecoming in the early 1990s can be linked to the genocide.

Even if the Rwandan president Kagame was a top official in Uganda before returning his relationship with Museveni has deteriorated badly. During 2003 there were discussions held between the two chaired by former British Minister Claire Short.

In the 1960s Obote had a large interest in what was then Zaire, even sending troops at the time. Like at the present stage a major drive to be involved in DR Congo is the wealth of mineral resources. Presently, it is a complicated matter to find out the relationship between the multinational capital and a wide variety of rebel groups. There are also a close links between capital and top World politicians.

During 2003 a lot of tension was built up on the border between Uganda and Rwanda, with serious accusation from both sides. This can be linked to a perceived re-location of the Ugandan interest away from East Africa towards the Great Lakes.

Somalia – Kenya/Ethiopia

The early Somali nationalism brought the country into confrontation with the neighbours. In Kenya the so called Shifta war in the North-Eastern province has led to a number of incidents between Kenyans and Somali groups. During the 1960s this was close to an open war at many instances. Contributing to this situation has been the extreme poverty in this region. Politically, economically and socially this Kenyan province was for long excluded from national development. President Moi realised this and brought in some Somalis from this region to positions as Government Ministers and top ranks in the Armed Forces.

Ethiopia was primarily confronted by Somali nationalism during the Ogaden war. In the latter part of the 1970s the Ogaden, which are populated by Somali inhabitants, experienced a situation of open war. Even if this is not as intensive presently we saw above the ONLF is still active, partly in co-operation with the OLF.

In Djibouti there is a Government that can be identified to the Somali Issas.

Eritrea – Ethiopia/Sudan

Eritrea has not only experienced a negative development economically and politically – it has also been isolated in the region. The war against Ethiopia has been going on for some time in different phases. What is behind this is open for debate. One suggestion is that there might be some mineral resources involved in the hostilities. It might also be a strong personal difference between the leading politicians in the respective countries. That could be compared to the differences between Uganda and Rwanda.

The war against Eritrea has brought Ethiopia closer to the Sudan politically, even if this relationship is rather dubious. A loose regional co-operation has developed between Ethiopia, Sudan and Yemen – against Eritrea. In connection to this it has been claimed that Eritrea has been given support to the anti-Government forces operating in Darfur.

Regional co-operation

The above gives a snapshot of internal and external conflicts in the Greater Horn of Africa. It points to the difficulty of creating sustainable and credible governance in the region. We can also observe that many of the exiled groups in the region opposing a certain Government locate their bases on the territory of a neighbouring country. On the other hand we see various attempts to initiate peace work within regional bodies, such as the East African Community. Further, the African Union (AU) has developed a section for security work. Below we will focus in on one organisation involved, i.e. the Inter-Governmental Authority for Development (IGAD), once replacing the Inter-Governmental Authority for Drought and Development (IGADD). The original organisation was formed in 1986. To a certain extent the name of the body might illustrate the change in priority in the region from drought to conflict. All the countries in the region are members in IGAD.

Cliffe (2003) has listed the three conflicts that IGAD are actively involved in;

- Meditation Ethiopia and Eritrea.
- The Somali Reconciliation in Nairobi.
- Peace initiatives on the Sudan.

In his conclusion Cliffe notes that the peace initiatives that IGAD are part of in Somalia and the Sudan is among the more promising attempts. He also notes that the mentioned conflicts have destabilised the whole region.

Part of the work within IGAD is carried out in co-operation with NGOs.

Concluding analysis

From the above we can conclude that as a basis for the pattern of conflict, as outlined above, we find a situation of local poverty. Certain segments of the population are excluded from mainstream development. There are many indicators that could illustrate this structure of inequalities. Large number of inhabitants in the respective country live under what can be termed as structural violence. In many cases this has erupted into open violence or we have a status of post conflict that could easily erupt once again if the poverty indicators are not handled in a delicate manner. A normal cause of the regional differences is an expression of Government favouritism. Any Government regard it as a way of survival to base its power on the own people from the home region. Further, the regional variations do often have a origin in the colonial set-up.

Inequality can be expressed in different ways, such as religious or ethnicity. However, when we see, for example, the LRA in Uganda the religious convictions might have been there initially, but it has turned into more of a general dissatisfaction with prevailing conditions. In that case it might even be that there is no way out of the conflict, as it has gone out of hand for Joseph Kony and his rebels. In the case of Kenya a major cause of conflicts were the struggle for land, and a call for majimboism

(federalism). Under the previous regime we could even see how the Government created KANU zones for the regions that voted in a correct way in the elections.

In large parts of the Horn of Africa nomadic pastoralism is the dominating mode of living. In these areas there is a tradition of cattle rustling that has gone very bad in the end of the 1900 due to an influx of small arms in the area. Cattle rustling has been increasingly commercialised, with a trade for meat. Middle men and war lords have come in to dominate the local conditions in co-operation with corrupt kraal leaders. We can find an intensive struggle between different Karimojong clans, against Turkana, Pokot in Kenya and the Toposa in the Sudan. It is also going further when loosing groups of warriors take revenge on innocent neighbours.

In the case of Ethiopia the regional disturbances can be related to an inability within the Government to fight conditions of hunger and deprivation. It is also a war of liberation based on ethnic nationalism among, especially the Oromo and to some extent the Ogaden. In the latter case it is, of course, also a continuation of the early attempts on national expansion from the Somali Nation.

The Sudan insecurity can be seen as a religious war between a Muslim north and a Christian south, but that would probably be an over-simplification. With religion follows certain favours and consequently the war is more on exclusion once again. In the Darfur the interest might once again be the increased value of meat from the nomads. A continuous urbanisation will mean a higher demand for food – not least beef (*nyama choma*).

Governments are normally answering any kind of armed resistance with strong repression. Military solutions are often the only strategy to counter-act Government opposition. Even civil protest is normally met with serious a breach of human rights conduct. To a certain extent we can see the armed rebellion against some Governments as a continuous war of liberation. Independence has not been followed with the kind of Freedom expected. We noticed above how Museveni was referring to his struggle for power in Uganda as a protracted war of liberation. Without putting any normative assessment to it we can see how movements, such as ONLF, SPLM/A, OLF, possibly even the LRA and before that the EPLF in Eritrea as fighting for liberation. There would be many more in this complicated game with doubtful rule in many countries.

In many cases we can see how a kind of alliances is formed across the borders. The leaders of one opposition organisation are often based in the capital of a neighbouring country. Further, we can see how the base for the WNBK had its base in Bunia in the DR Congo. Recruitment of armed cadres is often done in IDP camps in the next country. We have also seen how the Government of the Sudan have supported the LRA for years, while Uganda contributed to the SPLM/A activities. In this way a complicated network of opposition and repression is emerging on the ground. Parallel to this we see the commercial activities cropping up, not least the armed trades. We also have to note that this is not isolated to the Greater Horn of Africa, but stretches into the DR Congo and Rwanda.

It is also obvious that conflicts between countries have often taken the form of personality clashes. This could be an important issue in the differences that have

been built up between Eritrea and Ethiopia, as well as Uganda and Rwanda. This might also boil down to a power struggle, or a competition for regional hegemony.

When reading the present situation in the region we have to ask ourselves if it is now permitted to ask the pertinent question if the precedence set by the OAU, ages ago, on the sanctimonious state borders set by colonial powers have to stay for all eternity. Analysing what has happened with the collapse of the Soviet Union and Yugoslavia it might be a good idea to be open for the eventuality of a similar process in parts of Africa. During an interview at the AU one potential outcome of all this was brought up, e.g. it could be a combination of greater regional co-operation, but with a whole set of smaller federative units.

Even if there are numerous local differences behind the conflicts, we cannot neglect the international dimension to all of this. The Greater Horn of Africa is an important strategic region, as can be seen with the establishment of military bases in Djibouti. Further, the fight against International Terrorism has been focused in on the region in various ways, not least in Kenya. For the US both Somalia and the Sudan are regarded as home of dangerous terrorists that could act to expand the influence of Islam in Africa.

One issue that needs a lot of consideration in the analysis of conflicts at the Greater Horn of Africa is the role played by international capital – Multinational and Transnational Companies. There are a lot of natural resources buried under the ground in the extended region. We cannot disregard the situation in the DR Congo, which to a large extent is built up from a demand of minerals. Large companies with a direct link to the White House, as well as international arms trade, can wage their own wars to secure their interests. In the same way we can see the role played by oil in the battle about the southern Sudan. With this kind of commercial interest in the North we can ask to what extent these countries can contribute to a sustainable peace in the South.

Bringing in the MNCs/TNCs to the debate on insecurity puts the attention to the fact that there are many people that are actually gaining from a situation of conflict. Some of them are positioned on the international scene, while others are local actors. In this category we find small scale arms dealers, other businessmen, corrupt politicians on all levels etc. Even within the NGO/CBO sector some are participating mainly for their own enrichment. In this context it is essential to keep this in mind, as everybody are not determined to struggle to find a future free of insecurity.

What this incomplete analysis will bring us to is that the solution to a dual problem of poverty and insecurity can hardly be trusted solely on the individual Governments, as they are themselves part of the problem. Still somehow they must act in such a way that they are not aggravating the situation further. With the obvious hostility between regimes in one country towards another it is hard to see how to find the regional mediation. At the same time the economic North has so far not shown its ability to contribute to a solution on neither poverty, nor security. This leave a lot of responsibility to what will broadly be termed as the civil society. It might not be that the Civil Society Organisations can manage on their own, but it is important to see what can here be done to contribute towards a sustainable solution.

A Profile of CSOs in the region

This account will not be a complete analysis of the CSO structure in the region. It will be more of a general introduction, followed by examples from the four countries involved in the field research – Ethiopia, Kenya, Sudan and Uganda. Out of them Kenya and Uganda have a rather well developed NGO sector, while in the two other countries NGOs are just emerging since a few years back. Even if NGOs very often claimed to be the civil society themselves we have to see that this sector is much larger than that. On the one end there is the distinction between NGOs and CBO (Community Based Organisations). However, we must also take account of various traditional social structures, including funeral association. Taking note of this we will still try to keep ourselves to the NGO/CBO sector, with its various shades and functions. One further point has to be made, being the relationship to NGOs in the North. Some NGOs have been given the INGO acronym – indicating that they are actually international. Other NGOs might not be based in the North, but has a close relationship (partnership).

On the issue of funding, the field work could only confirm the notion that a lot of this came from donors in the North. Sometimes it was channelled through the INGOs that were in reality getting all their money from Government sources. For a long time NGOs/CBOs were used by external interests to constitute a kind of social cushions to ease the negative affects of hard economic policies dictated from the North. A common opinion from many of the organisations interviewed now was that it was difficult to get any funding, as the Iraq war took away a substantial part of the capital that once was available.

In Table 5 we can see the official version of the NGOs in the countries in the region.

Table 5 Number of NGOs (in total and per million population) in the year 2000

Country	No	No per million pop.
Djibouti	232	364
Eritrea	156	40
Ethiopia	792	13
Kenya	1,614	54
Somalia	228	23
Sudan	733	25
Uganda	990	45
Total		4,745 -

Source: <http://earthtrends.wri.org>

It has been estimated that the total number of NGOs in Sub-Saharan Africa is 32,825, which gives an average of 59 NGOs per million inhabitants. Consequently, the Greater Horn of Africa is to be found a bit below, apart from Djibouti. It would

still be a difficult to estimate the correct number of NGOs in any African country. What was given for both Kenya and Uganda during our interviews was much higher than what is given in Table 5. Kenya is very close to the African average according to this survey. In addition to that we can see that in the region Kenya and Uganda together have 2,704 NGOs, representing some 57 percent of the regional total.

From that we will come in to a presentation of the four countries individually, before entering into an analysis of the role in peace and development. This section is intended to bring out some key issues and is not a complete account.

Kenya

Kenya seems to have a fairly well developed, as well as a dynamic, NGO sector. Originally this was even emerging in the colonial days. Some of these organisations were even started by the colonialists, such as the women group Maendeleo ya Wanawake. After Independence this organisation was taken over by the majority population and is still functioning. However, a much more substantial impact has been felt by another women interest group that is also dealing with environmental issues – the Green Belt Movement. The front figure for this group was from an early beginning the controversial Professor Wangari Muthai, which somehow constituted a household face for Kenyan radical NGOs. She is now one of the civil society representatives to enter Government in early 2003, as an Assistant Minister with a portfolio of Environment.

We can also identify the early radical Trade Unionism, which was largely dominated by Asians. Among the prominent representatives we find Makham Singh, but also Pio Pinto who was murdered soon after Independence. It is interesting to note that the kind of radicalism that Trade Unions stood for during the colonial days is far away from what it has been thereafter.

It can be argued that the civil war (the Mau Mau or the Kenya Land Freedom Army – KLFA) was emerging from some of the African sections in the unionism, led by Bildad Kaggia and Fred Kubai.

During the repressive period under president Daniel arap Moi in the 1980s a radical opposition was formed clandestinely, pledging a heritage in the KLFA. This was a time when all sorts of radical professionals from the universities, legal sector, politicians etc were detained without trial. It was alleged that they had connections with the illegal organisation Mwakenya, or possessed banned literature – such as Pambana. The only group of the time that could act at least partially open was the Law Society of Kenya, even if many of its members were arrested. One controversial issue of the time was the support given to various brands of oppositional NGOs from various foreign embassies, especially the US and German. Presently, some of the critical voice that has grown out of this turbulent period is the Human Rights Commission, which has broadened the concept of human rights to mean a right to socioeconomic development. Apart from its centre in the capital they are at the core of a network of semi-independent local groups.

A voice of dissent during the period here discussed was coming from some of the churches. Largely this was centred round individual outspoken clerics, or in some case Muslim leaders. We also have to recognise the existence of different religious sects, such as the present one Mungiki.

Opposition was also getting various cultural expressions, such as music and theatre. A prominent example of this was the Kamiirithu group, formed outside Limure, north of Nairobi. In this body radical theatre was written and performed under the influence of well known writers, such as Ngugi wa Thiong'o and Ngugi wa Mirii. Even here the Government resorted to excessive repression to halt the critics.

One important factor in the establishment of NGOs in Kenya has been the location of many international conferences in Nairobi, such as UNCTAD IV (1976) and the energy conference (1981). In connection to them an essential part was to offer an alternative NGO Forum. This inspired to a number of local NGOs, with a substantial funding from external partners, especially in fields like environment.

Finally, as will feature below is the groups formed in Kenya by refugee groups from neighbouring countries. Some of them are formed in anticipation of the coming home, while others are welfare or legal organisations representing the refugees. At the early days after Independence a lot of the local community organisations established were based on tribal affinities. Some of them grew up to virtual business empires, such as the GEMA (Gikuyu, Embu, Meru Association). Others were more successful in sports like the Luo Union. All these organisations were banned by President Moi.

Key representatives argued contrary to the point made above on the dynamic structure of the Kenyan NGO community that it might not really be the case. The claim was that even if the sector was comparatively large it basically lacked a deeper critical political grounding. There was no real serious reassessments of what they were standing for or what they were committed to. From the interviews made, this kind of statement seemed to be verified, when the discussion came in to issues of political programme. All were very eager to say what they were doing, which in most cases was conspicuously similar, but they were not able to link it to a critical political declaration.

Political changes in Kenya have lead many NGO representatives to enter key Government positions. On the one hand, this can deplete the NGO sector of able staff, but on the other it might bring NGOs closer into the state functions. An opportunity seems to be opened in the political space, which the NGO sector should seize. At the same time it is obvious that the NARC Government is too pre-occupied with internal differences that it has not kept its early promises for a new Kenyan future.

Uganda

When studying the Uganda NGO sector we cannot ignore the many years of turbulence during the regimes of Obote and Amin, which made it very difficult to organise anything on the grassroots level. During one of the field interviews a NGO official told me that it was at the end of the 1980s that the civil society started to

organise itself. This often followed up to a Uganda participation in various international conferences, dealing with gender, child rights etc.

In dealing with the civil society in Uganda, we cannot ignore the Local Council system and the way this is influencing daily lives in the local communities. This was a system that was built up as Resistance Councils during the Museveni protracted war of liberation, which is now a form of local governance. To a certain extent the origins can be traced back to the Tanzanian ten household system. At the local level we find the LC1 Chairman, roughly equivalent to chief. Above that you have the LC3 and LC5 chairmen, with a number of councillors taking certain specific development roles. All the positions in the system are voted in by elections, making the LC5 chairman to be the political head of a district. Somehow in certain political sections this system seems to be a representative of civil society.

Many of the NGOs are part of a network, e.g. DENIVA with an estimated membership of some 500 groups. The agenda for this network body is to work on advocacy and capacity building for members. In the context of this paper it is an important note to make that DENIVA was at the time of the field study the chair-organisation of IGAD. A further point to make is that DENIVA has a fairly elaborate membership structure on the ground. As an example on this, SODANN can be mentioned, as a NGO/CBO network with some 100 members in Soroti District (see below).

One of the critical topics open to debate in Uganda is the process of registration of NGOs/CBOs. It is assumed that this will be a move to limit the ability among NGOs/CBOs to keep up a frank debate with the Government. Another issue is the relationship with the donor community. In an attempt to link up with the sector a seminar was held a couple of years ago at the Sheraton Hotel initiated by the World Bank, bringing together some 200 organisations – to open up a future co-operation. A lot of funds were made available for the purpose, but the agenda was clearly set by the funding body.

During the discussions we were told about how INGOs are able to take over activities. In one instance a major Scandinavian NGO got involved as partner for an on-going programme in northern Uganda. They contributed vehicles, buildings and organised workshops. However, the actual activities on the ground were soon terminated.

Ethiopia

Compared to the two previous countries the CSOs have a long way to go to reach a similar level, especially after the oppressive rule of Mengistu. Even if the number of NGOs tended to increase, an absolute majority of them were located in the capital Addis Ababa. One reason for this, was the turbulent political situation up-country. In addition, the Government was, according to interviews, not really prepared to let the organisations grow freely. As the NGOs were not allowed to carry out any fund raising or income generation on their own they were heavily donor dependent.

On the whole the current impression given, in trying to discuss the NGO situation in Addis Ababa, was that the informants selected for interviews were much

more restrictive in discussing policy and agenda with outsiders compared to what was the case in Kenya and Uganda. It was in most cases not possible to talk to anybody apart from the directors, and even then after a lot of persuasion. There seemed to be a lot of Government control making the NGO representatives quite nervous. In some cases it seemed fairly obvious that the NGO set up was very close to the Government, possibly even set up by some state agent.

Many of the NGOs were members of an umbrella organisation called (Christian Relief and Development Association) CRDA, with 215 members. Originally it was working in the field of emergencies, but it gradually changed into development activities. It regarded the creation of a strong civil society as a main priority. To a certain extent an intensified regional co-operation was seen as a strategy that could open up the political space further. It seems CRDA has started to take matters related to awareness making seriously.

At the same time we could also note human rights and research organisations that were taking a critical stance, well aware that it might bring them into trouble with the Government. The Ethiopian Human Rights Council (EHRCO) is of the opinion that the own country is neglected with more international focus put on Kenya and Zimbabwe, but it tries to co-operate with Amnesty international and Human Rights Watch. Still some CSOs had a dialogue with Government high on their agenda, even if the response was limited. It was obvious that donors see these critical organisations as a means to open up the political space in the country.

Within the Forum for Social Studies (FSS) a combination of research and advocacy is on the agenda. Issues for analysis are environment, food security, gender and education. One of the activities operated are a people forum, with invited stakeholders for a discussion on policy implications. They use the radio to debate issues, such as for example the millennium goals. One objective is to illustrate to the Government that it is not OK to formulate bad policies. A lot of the work is voluntary, in this attempt to establish a development research network. FSS regards the loss of young researchers straight to consultancies from the universities as a big problem.

In a World Bank assessment of NGOs in Ethiopia it is said that they are struggling for space and institutional capacity. Traditionally the sector is weak, because of the strong centralisation of power. However, according to the report the progress since 1991 is impressive. Among the broad sector NGOs dealing with were poverty alleviation and civic education (Clark 2000).

The Sudan

Of the countries referred to in this section it is most difficult to get a clear picture of the CSOs in the Sudan. There are too many contradictory voices heard in the debate. In addition to this we have to separate what is going on in the north and the south. To make matters simple would be to say as is commonly claimed that there is no civil society in the south. That would not be really correct, though, even if SPLM/A is allegedly dominating most civil society activities in the south. At the same time this

liberation movement is largely concentrated ethnically to the Dinka people. There was said to be another 30 to 40 ethnically based militia groups in the south.

What is existing in the south is traditional welfare groups and the churches. Presently we also have a strong US urge to build NGO/CBOs in the south, not least under pressure from the American religious conservatives. It is also an expression of the joint fear of terrorism and Islam that has influenced the US attitudes to the Sudan. In addition to this the status of the Sudan as a major source of oil is another factor.

Turning the attention to the north we can observe the emergence of many NGO/CBOs. Under a long period of sanctions it has been difficult to act within the civil society. Now many people look forward to the peace accord on the south and the release of large amounts of funding. Some NGOs have already been established to get part of the aid that has been available for emergencies from "a broad perspective". Most of these organisations were set up in close co-operation with the Government, or even by civil servants themselves. Even some donors claimed that they were aware that the Government is presently setting up its own NGOs, to be part of the funding allocated to the sector.

It was a complicated task to get an NGO registered by the authorities, which meant that organisations expressed a close relationship to the government. A remarkable case was an organisation operating in Darfur claiming that there was no violence whatsoever in that region. All that had been reported had been nothing but bad publicity from the external mass media.

At the Juba University, temporarily located in Khartoum, there is a Department on Peace and Development Studies. They are training youth in methods of peace building. One of the urgent needs for the department is the integration of the south in the Sudan. Within the Department of Political Science at the University of Khartoum there is a keen interest in conflict research. One argument done on this was the need for a national civil society if a united Sudan should ever be a reality again. At the same time the SPLM/A is getting some of the blames, as they, as seen above, see themselves as the civil society in the south.

With the new hope for being brought back into the wider international community it was said that in the future the US will concentrate its support to the south, while the north would mainly benefit from the EU donors. Many new NGOs were preparing themselves for the potential boom.

General remarks

As can be seen the NGO/CBO sector is under way in different ways to consolidate the activities in the four countries here commented on. In Kenya and Uganda these organisations are contributing to a development agenda, since some time back, partly going back to the colonial days. Co-operations with the Government have been of various intensity depending on the general structure of governance.

For both Ethiopia and the Sudan the emergence of a functioning NGO/CBO sector is a fairly new phenomenon. This was largely dependent on a strong Government

repression. Even at the present stage there is clearly limited political space for the sector to operate independently. From this we will try to illustrate some of the activities found on co-operation of various kinds going on a broader peace building effort.

Civil Society and Peace Building

In this context we will study how the NGO/CBO sector is involved in peace building, including structural violence and post conflict. We will try to limit ourselves to what is done in this sector, even if a lot of activities are done at other levels. However, we will here not give any detailed description of AU (Africa Union) peace projects, for example. Above we mentioned some small points related to the IGAD activities.

What we will try to discuss is how NGO/CBOs work with (i) the international community of INGOs, (ii) regional co-operation, (iii) on the national level, (iv), cross border activities, and (v) local work.

Co-operation NGO/CBO sector to INGOs

This kind of co-operation is not so easy, as was pointed out by Tandon (1991). We can note that the INGOs are not very clear of their purpose and do not necessarily expose themselves to any kind of transparency. Another matter that the INGOs themselves might not even be aware of is that they are influenced by a western perception, which might be very far away from an African way of thinking. This is often related to issues on democracy and human rights. Below we will give an indication of some of the activities that we have found in the field work, engaging the civil society in peace building /development work.

Above we identified some of the contributing factors in the conflicts at the Greater Horn of Africa. Among them were the role played by MNCs/TNCs in the region, like the impact on oil exploration in the Sudan. In this case the obvious collaboration would be an active joint advocacy and lobbying. This could be, for example, to pressure at the Social Forum, or at NGO forum at international conferences. We can also see that one category of organisations that are functioning in the region are dealing with research. Some of them are presenting their findings and recommendations to the own Governments. Negative impacts from MNCs/TNCs would be essential information to focus on in that kind of communications.

Within the donor community the USAID has established an early warning system for monitoring potential conflicts. Among the tasks is to follow the cattle raids and insecurity in southern Sudan, northeast Uganda and northwest Kenya. In addition it was possible to see how the border conflicts caused by the OLF was spilling over to Kenya. To a certain extent the USAID interest in these issues was part of the Bush Government obsession in fighting terrorism. After all both Somalia and the Sudan have been regarded as harbouring terrorists. Kenya has also been a target for attacks, such as the bombing of the US embassy in Nairobi and bombings of hotels.

In Uganda both the LRA in the north and ADF in the west have been classified by US intelligence as terrorist groups. We also have to note that the complicated situation in Somalia is of concern in the US, even if they do not want to be directly involved again, as they were in the early 1990s.

A controversial collaboration has been the one taking place between the Norwegian People's Aid (NPA) in the southern Sudan since a long time back. In this case the NPA had come to the conclusion that a normal partnership could not be established, as there was no functioning civil society to work with. To a large extent the SPLM/A had given themselves the task of being civil society. Consequently, a close working relationship was instituted between NPA and SPLM/A. As NPA was almost alone to continue working in the Sudan for a long period of time it is now attracting a lot of attention, as it is one of the few actors with a substantial direct knowledge on the ground level condition in southern Sudan.

One INGO that has been involved in research work among local communities in the border region Uganda/Kenya/Sudan is the Dutch group Pax Christi. This organisation has been very active to explore the trade in small arms. This has been done in close co-operation with civil society and local NGOs.

Regional co-operation

We can also see how the coordinating work for the civil society has been a focus for a variety of international conferences. Civil society has been of keen interest by international groups working on issues, such as environment, poverty, peace building etc. In a regional meeting held by the WSSD (World Summit on Sustainable Development) in Nairobi, January 2002, the role of civil society was elaborated as related to environment and development. An overall objective was to find a strategy for civil society to participate on WSSD. This was to be done through a building of partnership between CSO and like-minded actors, which include African Governments, intergovernmental organisations and UN organisations. As main targets of CSO work were poverty eradication, democratic governance, conflict resolution, civil rights, globalisation and environmental degradation. From this it can be argued that civil society have to work in a coordinated and integrated way, together with other partners in development.

During the conference Professor Mafeje from the American University in Cairo made some pertinent observations. To him it was important to increase co-operation between academic research and NGOs, not least as it is a lot of relevant research done within the NGOs, not least in exploring factors related to democracy, governance and transparency. This can also be related to findings from my own field study that covered a few of the NGOs dealing critically with governance in their respective countries. However, a crucial point made by Mafeje was who are the NGOs representing? This was also a topic addressed in a workshop held in Soroti, Uganda (see below). When asked whom the NGOs represented they initially claimed that they were the civil society, which was modified to representing civil society. Still, the issue remains on whose mandate are the NGOs actually the voice of civil society.

One issue that was brought out at the conference was the issue of globalisation, which was said to be similar to imperialism – with some differences. That can be linked up to the issue asked above – what can the civil society and (I)NGOs do or are they doing to limited the economic, political or environmental impact of MNCs/TNCs?

Civil society is a main focus for the EU in its work to implement the Cotonou Agreement. This was a topic for a roundtable discussion held in Uganda (June 2002). At this meeting we find some of the key NGO actors in the field of conflict resolution in the region, e.g. Africa Peace Forum, InterAfrica Group, together with a leading INGO – Saferworld. Two main objectives for the meeting was to (i) examine the role of civil society in conflict prevention, and (ii) identifying how EU can support peace-building. Among the ways of doing that was to create channels between civil society and the Government. During the discussions one important issue has to be highlighted, e.g. the significant influence that donor countries exercise in relation to the civil society.

While the Cotonou favours the partnership links between Government and NGOs a certain concern is expressed on the legislation on registration that is affecting some countries at the Horn. The EU claim its intention to strengthen the political space for civil society to engage in real partnership.

Some of the issues focused on for the CSOs were to practice traditional mechanisms for conflict prevention. Further, the CSOs would be able to use their knowledge on local communities to provide data for a wider policy process. In this context the need to involve local community organisations in research has to be emphasised.

Churches have been mentioned as one important actor in civil society. A leading position has been taken by the National Council of Churches in Kenya (NCCCK) that was started as early as in 1913. From the early beginning the programme included to promote Christianity, speak for the voiceless, provide health and education. At the moment the priorities are related to democracy and governance. However, regional activities on peace building have been handed over to another organisation, i.e. the Fellowship of Christian Councils and Churches in the Great Lakes & Horn of Africa (FECCLAHA). It co-ordinates such work in the Great Lakes and the Greater Horn of Africa. One of the main fields of operation is within small arms and security. Like many other similar groups their activities are concentrated to advocacy, capacity building and information. The focus is on women, youth and church leaders from the different countries, which they bring together for networking.

National level

In negotiations to create peace in countries such as Somalia and the Sudan some national NGOs have taken a prominent role, such as the Africa Peace Forum. A key person in the peace negotiations is the ambassador Bethwel Kiplagat, a former diplomat in the Kenyan civil service. He is also working together with other diplomats at APFO.

Presently, APFO is heavily engaged in the peace process in both Somalia and the Sudan, but it started some ten years ago with peace building in the latter country on the agenda. Its main objective is to work on issues of disarmament and security at the Horn of Africa. With Somalia as an example it tries to work out some kind of policies to avoid a new collapse of state machinery elsewhere. Apart from diplomacy work APFO is also working with local community groups and certain INGOs (among them Saferworld). A main part of APFO functions has been to educate local Governments in Kenya on conflict resolutions. One important point made at APFO was that in peace building it is impossible to be neutral.

Another one of the NGOs that are involved in regional peace building, partly together with APFO, is the Inter Africa Group (IAG) in Addis Ababa. It started off to promote an open debate in Ethiopia after the fall of the Mengistu regime, but broadened its work to exchange information on conflict and peace building to eastern Africa and the Horn of Africa. On the programme now is to link this further to the Greater Lakes region. It has been able to open up the political space for advocacy, by avoiding confrontation. Even if the civil society had a long way to go in its promotion of peace it was, from the point of the IAG on the way.

Cross-border co-operation

A number of regional networks have emerged based on local NGOs to address peace issues jointly. In the year 2000 an African Peace Tree Network (APTN) was initiated, which involves activities in some 11 countries, e.g. Eritrea, Ethiopia, Djibouti, Somalia, Sudan, Kenya, Uganda, Tanzania, DRC, Rwanda and Burundi. In Ethiopia, for example, they are linked to the umbrella body CRDA (see above). They are engaged in building a peace agenda for the region, working with grassroots CBOs in advocacy and lobbying. In Kenya the APTN is closely linked to the Africa Peace Point (APP), which once started from a lay Christian organisation, with humanitarian work in southern Sudan. At an early stage funding was easy to acquire, but since the Afghanistan (and now Iraq) wars it is getting difficult. Now the APP concentrates its activities in Kenya, offering courses in peace building, but is also building a peace resource centre. To get income and to broaden the knowledge of African cultures and traditions the APP offers courses for Europeans held in Nairobi.

Even if it was claimed above that there is really no civil society in southern Sudan something of an exiled structure is still in existence in Nairobi. At the same time some INGOs are placed in Nairobi for its work in southern Sudan. The most important of them has been the Norwegian People's Aid (NPA). Throughout many years they have been closely linked to the SPLM/A. Normally, the NPA is working through partnership with CSOs, but as this has not been possible in southern Sudan (see above) the strategy has been adjusted into more of traditional aid.

Among NGO/CBO network operating from Nairobi we find NESI that has a membership of some 34 NGO/CBOs. It works in what it calls the New Sudan, focusing on capacity building, information sharing and joint advocacy work. Some of the members are in the New Sudan, while others are based in Nairobi. Training

is offered in both locations, with the aim of increasing civil society capacity if the peace accord will be agreed upon. Another of these organisations in Nairobi is the Federation of Sudan Civil Society Organisations (FOSCO), which has been quite vocal on issues related to southern Sudan and related African topics.

The situation for refugees in Kenya and Uganda has been attended to by various NGOs. In Nairobi the Refugee Consortium (REFCON) has been active on advocacy and legal issues for refugees, mainly from Sudan and Somalia. They are not involved in welfare projects as such, but cater for legal advices. It is estimated that there are some 230-250,000 refugees in Kenya, of which 60,000 are in Nairobi. REFCON is carrying out its activities in Dire Dawa (Somalis), Kakum (Sudanese) and Nairobi. It has been difficult to acquire sufficient funding for the work, as there are difficulties to show immediate results. Donors want to see when a programme is ready to be completed, but working with refugees seem to be continuous.

In Uganda a project on education for Sudanese refugees was organised by Makerere University, starting in the early 1980s. It was supported by the British World Education Service (WES), partly in co-operation with the UNHCR. On the agenda was to set up resource centres for refugee settlements, provide teachers and learning materials. Adjumani, in the West Nile, was to be the centre of the actions and some limited activities are still going on.

Local level

What can be seen from the four case studies is that an exceptionally large amount of the NGOs are based in large urban areas. This was expressed especially as related to Ethiopia and the Sudan. It might be possible that this is because NGOs in these two countries are presently in an early stage and they might eventually reach out into the rural communities.

One limitation to the field work done was that most of the interviews took place in the capitals. Further, we tried to contact many of the organisations through e-mail. It might very well be that there are local community organisations that cannot be reached this way. We can also note that in the rural areas there are numerous traditional CSOs, dealing with practical social issues. This could be societies that have a different kind of organisational structures compared to what we assume a CSO to be. In this category funeral associations form an important part. In the present context we also have to mention the traditional peace negotiation systems.

Northern Uganda was the only place where it was possible to do some studies in the local rural communities. A lot of work is carried out in these areas by different religious groups, such as ARLPI (Acholi Religious Leaders Peace Initiative). Among the initiatives they take is to highlight the actual situation in northern Uganda to the rest of the country and outside. In addition, they are active in organising peace and development workshops and advocacy study visits. ARLPI has been pushing for the establishment of the Coalition for Human Rights and Justice Initiative for Northern Uganda.

A very interesting initiative for northern Uganda was an attempt to integrate traditional peace negotiations in the process. This was started by a group that was originally started in 1996 by Acholi living in exile, e.g. Kacoke Madit. In a report on the work to produce consensus for peace and development, published under the name; "The Bending of Spears", a strategy for peace is outlined. Among the key issues suggested is that the Acholi has a guilt to clear before sustainable peace can be achieved. This self-blame is related to the atrocities committed by the army in Luweero in the early 1980s, when a major part of the government army had been recruited among the Acholi.

In the Karamoja region, significant for the violent cattle raids, a special advisor has been appointed to bring back some form of governance. One of the mandates for his work is to coordinate various CSO activities. It is obvious that a lot of duties in the region are handled by NGOs that normally would be the duty of the State. With the assistance of some donors it is ADOL (Action for Development of Local Communities) that provides a lot of the necessary social services in Kotido District, as Government work is often restricted by insecurity. Obviously, without any kind of substantial improvements in the region it is difficult to see how peace could be established.

During the field study it was possible to meet with a number of NGO networks operating in the North-eastern part of Uganda. This was facilitated by a workshop arranged by SODANN (Soroti District Association of NGOs and CBOs Network). National support for this body is coming from DENIVA (see above).

Activities within SODANN has been to carry out research and holding of workshops to disseminate the situation. One essential part of the peace process has been to bring similar kind of NGO/CBO networks together from different sides of the on-going conflicts. In a couple of workshops the views of the Teso have been confronted by the perspective of the Karamojong. A purpose of all this is to bring warring fractions together in an open dialogue of common problems.

The workshop attended during the field study was called in an attempt to discuss an establishment of a Peace and Development NGO College in Soroti.

Some issues emerging

What has been focused on above is just a brief of an on-going research and, consequently, limited in scope. However, it is pertinent at this stage to take stock of some of the issues coming out of the deliberations, so far. That can also hint in what direction the research will continue from here on.

- In Kenya and Uganda, and to a lesser extent Ethiopia and the Sudan, a structure of NGOs and CBOs are emerging dealing with the integrated issue of peace and development.
- In most cases the NGOs are located to the large urban areas, but opening up for activities in the rural areas.
- Many of the NGOs/CBOs are operating on funding from a variety of donors from the North. Without this assistance they might not be able to exist at all.

- A strong economic dependence has been established from the donors, which can also be translated into a political influence.
- Relation to Government is sometimes complicated, as there are moves to restrict NGO activities and critique through legislation. However, external donors are very keen to make NGOs, civil society and Government to collaborate closer.
- It is not very clear if there are any reaction to the top down globalisation and negative impact of MNCs/TNCs from the local NGOs, or if there is an active collaboration with INGOs in the field.
- In attempts to find a sustainable solution to the on-going insecurity we must realise that such activities goes against certain powerful interests.
- Support for NGOs/CBOs in the provision of early warning systems on political insecurity can partly be linked to the international war on terrorism.
- Research initiatives have taken place between INGOs and local NGOs. One of the relevant fields for this has been the spread of small arms. It has been recognised that a lot of valuable research has been initiated within the NGO community.
- It has been an active campaign to bring the civil society into development and peace work, supported by UN organisations, INGOs or the EU. The latter relates to work to implement the Cotonou Agreement.
- A controversial issue raised is what are the NGOs/CBOs representing. What mandate do they have for their activities.
- A network of co-operation has been built up around religious organisations, involving most countries at the Greater Horn of Africa and the Great Lakes.
- Certain networks have been established to provide for civil society development in a neighbouring country with severe insecurity, such as southern Sudan. Some of the work has focused on the vulnerable position of refugees.
- On the local level we also find an active participation of religious groups. In some instances they have been involved in the practice of traditional peace mediation.
- Examples can be given on how a national NGO/CBO network support the establishment of similar networks on the district level. A dialogue between these different networks can contribute to a better understanding between people from different ethnic background.
- In some certain areas plagued with insecurity a lot of normal Government services is handled by NGOs/CBOs.

As seen what is given above is nothing but a number of points that has been touched upon that will be dealt with more in detail in the on-going research.

Concluding remarks

The Greater Horn of Africa has been a region of conflicts since political Independence. To a large extent the causes for this kind of a situation is entrenched in the colonial misrule. Africa was left with a number of state formations that invited trouble. If it was a mistake by the OAU to make these boundaries permanent or not is open for

debate. Further, to blame the imperialists for creating the states that we have today is one thing. To imagine that the European countries are going to rectify what they once generated is an illusion. Consequently, a solution has to be found in an open and constructive analysis of the forces at play. It is in that arena the focus on civil society has to be understood.

Among the issues that have to be addressed at various levels is the connection between insecurity and deprivation. We also have to pay attention to the specific post conflict conditions.

In this paper we have seen some examples on work done by a variety of NGOs and CBOs. This is very often linked to an external funding – donors or partner INGOs. That kind of a relationship must be put to a critical analysis on the kind of dependency structure that is created. If NGOs/CBOs are to be functioning in peace work it is essential that they maintain their own independent stance. They have to be the ones giving a voice to the voiceless, not being the mouthpiece for external interests.

A regional network is emerging of NGOs/CBOs that are active in the development, as well as the peace, process. This kind of collaboration is important to build up a joint understanding between neighbours that have been split up from a system of colonial boundaries. When stating their own objectives many NGOs/CBOs talked about advocacy, lobbying, capacity building and information sharing. The main issue in this is to what extent a system for awareness making and critical thinking is developed. If not we have to ask what is really the meaning of capacity building?

We also have to elaborate on the relationship between NGOs/CBOs and the civil society. If we assume that this is not the same, the obvious question will be what does the NGOs/CBOs represent? On whose mandate are they talking? Most probably that kind of questions demands a way for critical self-affirmation is needed.

From this preliminary analysis we can only conclude that the civil society has a role to play in finding a sustainable peace in the greater Horn of Africa. However, the civil society must be represented by actors that are independent. They have to be flexible and combine their efforts in a modern theoretical discourse and traditional mediation. A co-operation with external partners must be based on a determination to avoid a top down globalisation mind. At the same time the joint collaboration cannot be combined with any kind of self-interest.

A Critical Reflection on the Horn of Africa's Human Rights Predicament

Case – A Gender-Based Perspective on the Somali Region in Ethiopia (Ogaden)

Fowsia Abdulkadir

The purpose of paper is to initiate a thought provoking analysis on and around the notion of human rights within the context of Africa, and particularly when considering human rights issues in the Horn of Africa. Human rights discourse needs to be re-conceptualized with regards to the continent of Africa. According to I. G. Shivji, this re-conceptualising is essential because: a) human rights discourse is backward, and b) this discourse is not ideologically neutral; and yet for the people of Africa human rights struggles sum-up their daily lives.

“Cultural relativism” permeates some levels of the debate on human rights, and whether as ‘Western’ concepts, these might not necessarily work in Africa. Moreover, another level of the debate relates to the validity and applicability of the concepts of human rights. Shivji (1989) argues that human rights concepts have universal validity and applicability; I believe and agree with this argument.

“To the extent the Western model of the state has spread to other parts of the world, the factors which gave rise to the need for constitutional guarantees and led to the evolution of the philosophy of human rights in the West become equally relevant in other parts of the world. (Kannyo quoted by Shivji, 1989:11)”

So, establishing the fact that human rights concepts do apply and need to be adhered to in Africa and elsewhere in the world, lead us to the realization that it is important to be critical, in not only establishing whether or not these concepts are applied, but also, about how they are applied, and how they are defined as well as who defines them. For human rights concept to become relevant, these concepts need to be rooted in the real context of Africa with its complex historical legacies of colonialism.

According to Okoth Ogendo as cited by Shivji there ought to be a minimum content of human right which should include but not limited to:

*“Life in the biological sense;
Liberty including the security of the person or group;
Freedom of conscience, expression, assembly and association;
Freedom from discrimination;
Self-determination” (Shivji, 1989:11).*

Human rights discourse is backwards

Shivji argues that the dominant discourse on Africa and human rights fails to contextualize human rights ideology within the imperialist domination of Africa. For instance, in the human rights literature, we see frequent references to Bokassa and Amin as cruel perpetrators of human rights violations; but we never see critical reflections on the fact that Bokassa was France's protégé and we hardly come across any critical analysis around the question of who installed Amin into power, in the first place¹. In addition to lacking critically relevant analysis of how certain leaders of Africa, who are notoriously known for committing human rights violations, came into power, the human rights discourse is backward because it does not take into account the continent's context in terms of what is needed for the people of the continent.

For illustrations, in the context of the bourgeois ear, the 'right to private property' was central to the discourse of rights; taking priority over other rights. In present day Africa, the 'right to self-determination' and the 'right to organize' must be placed as central rights². It is important to emphasize that, the right to self-determination continues to be valid even after the people have chosen some form of government. In other words, it is a right that needs to be continuously central as the people of any given society pursue their right for good governance. Equally important is the right to organize, the right to organize is essential in present day Africa; in revitalizing the capacity of the people for positive social change³.

I would like to focus on the case of the Horn of Africa, particularly taking a glimpse at Ethiopia's poor human rights record. As we are all aware, most human rights violations in the world occur within states that have signed the covenants of human rights, Ethiopia is one good example.

Human rights violations are body counts, torture practices, an endless list of horrors, these violations seem beyond comprehension, madmen acting without reason. And moreover, *"the reports seem to be written by someone with the stomach of a physician and the mind of a statistician"* (David Matas, 1994:3). The poignant relevance of this point to the Horn of Africa Conference III, in Lund University is quite telling. This is a conference with objectives exploring how to transform the Horn of Africa from a culture of conflict and war to a culture of peace and conflict resolution. The suffering of the people of the Horn of Africa in the hands of autocratic and dictatorial regimes is well documented. And it is indeed the sufferings of these people that necessitate conferences like this to be held, so that a dialogue or dialogues can be had with regards to where to go from here.

Human rights violations and their discursive terms are not ideologically neutral

According to Matas (1994), human rights violations occur for a purpose; these acts don't take place in an ideological vacuum. Human rights violations in the Horn of

Africa and else where are acts that represent manifestations of ideology. Matas further argues that, human rights violations are done on purpose, and at times can be the consequence of an ideology⁴. For instance, in Hitler's Germany, the ideology of racism took a totalitarian form.

Most of us wonder, what leads to acts of human rights violation. In an attempt to analyse the root causes of human rights violations, David Matas, looks at four ideologies as example causes of human rights violations; and these are: "*The national security state; religion; communism; and apartheid*". I would extend Matas analysis to include Colonialism as one of the ideologies that can be factored as a root cause of human rights violations. The ideology of colonialism is wrong in so many levels; there isn't enough space in this paper to get into an in-depth analysis of such an ideology. Nevertheless, it is important to recognize that the people of Africa have been subjected to cruel and gross human rights violations through colonialism.

A critical glance at the current regime in Ethiopia

The Somali region which is the focus of my analysis, is the most Eastern region in Ethiopia, it lies between Oromia to the West, Afar land to the Northeast, the Republic of Djibouti to the North, Kenya to the South, and the Somali Republic to the East⁵. There is a complex history to this region, and it is recorded and accounted for in a number of documents. This complex chain of historical events has contributed and led to the current state of conflict in Ethiopia, particularly in the Somali region. The Somali region was integrated into what was then the Abyssinian Empire at the end of the 19th century. This well known historical fact took place at the initial stages of European colonization of the continent of Africa. The fact that the Somali region was awarded, by the British, to the then Ethiopian Emperor, Menelik, highlights another important historical fact, that Abyssinia – now Ethiopia, was a player in the powerful game of divide and conquer in the Horn. These historical facts are well articulated by authors such as Louis FitzGibbon, and M. H. Khalif & M. Doornbos, who provide in their article "*The Somali Region: A Neglected Human Rights Tragedy*" (2002, Review of African Political Economy; no. 91: 73-94) an essential synopsis of the region's historical trajectory, which I would recommend for anyone interested in more historical information.

The one thing common to all the various regimes of Ethiopia had been the fact that they have brutally exploited the people and violated every aspect of fundamental human rights principles. For instance, at the time of the Monarchy, traditionally, exploitation and oppression were institutionalized attributes of Ethiopia's feudal society, being entrenched in the customs and laws, which administered relation between the ruling nobility and the mass of serfs. Based on this tradition, the Ethiopian socio-political establishments were devoid of basic human rights considerations⁶.

Then in 1974 the Dergue regime of Mengistu H. Miriam came to power, after a long struggle and resistance to the human rights violations of King Haile Selassie's regime. The human rights record of the Dergue was so atrocious that even the un-

willing had to acknowledge its existence, it surpassed its predecessor's record. The cries of the different peoples of Ethiopia have fell onto deaf ears, as far as the international community is concerned. Torture, disappearances and random detention marked the gory and unstable period known as the Red Terror during which several thousand civilians were massacred.

In 1991, the Ethiopian People's Revolutionary Democratic Front (EPRDF) came to power, rewriting the constitution, they brought with them economic liberalization, multi-party structure, and endorsed the existence of freedom of the press – only on paper. Chapter three of the new Ethiopian constitution adheres to fundamental human rights principles, this new Ethiopian constitution is notably comprehensive and human rights provisions are clearly stated.

However, the EPRDF went down the path its predecessors have gone, which is a path covered in gross human rights violations and marks the brutal suffering of the people of Ethiopia on the hands of their government. To the disappointment of the international community and many Ethiopians, international human rights organizations reported continuous violations of basic constitutional rights that this regime had written and vowed to protect⁷.

Human rights violations, by the current Ethiopian regime, have been widely publicized. As quoted by Khalif and Doornbos, *The Economist* shockingly reported huge gaps between Ethiopia's written policy position on human rights and its practice:

"In the Oromia and Somali regions, the parties that had established strong local identities by fighting the Mengistu regime, such as the Oromo Liberation Front and Ogaden National Liberation Front, have been suppressed as 'terrorists'. Indeed, both these parties grew out of guerrilla movements. But the government also accuses the All Amhara People's Organization and Southern Ethiopian People's Democratic Coalition of waging war, without producing much evidence that these parties use or advocate violence. People unwilling to join EPRDF, let alone those known to favour secession, are described as 'narrow nationalists'. They are often imprisoned and their meetings banned. In Oromia and Somali regions, human rights groups have documented hundreds of disappearances". (Khalif & Doornbos, 2002:76)

According to the *Washington Post* (April 13th, 1998), the current Ethiopian regime had arrested and kept in detention more journalists, in the three-period of 1995 to 1998, than any other government in the continent of Africa. The people of the Somali region and many other regions of Ethiopia have witnessed and suffered more than their share of violent aggressions by the state machinery. Women from the Somali region have recounted horror stories of how women deliver babies at home because it was/is not safe to go the hospital. It is challenging enough to have to walk for miles to get to any type of health care facility for these women, but it is even more dangerous for them to go to these so called hospital facilities because the military decides when to turn-off the power, and they had shut the power off while some women were having babies. So now these women risk their lives by delivering their babies at home with traditional midwives.

Gender-based analysis on the plight of Somalis in Ethiopia

As I attempted to do this research, I kept thinking about the plight of Somalis and particularly the women in this region. In an effort to situate the women of this region along the continuum of conflict/crisis, and peace negotiations, it is clear that these women always bore the brunt of all the state sponsored violence. It is a known fact that women and girls suffer disproportionately in armed conflict situations; and in addition women and girls are always targets of specific forms of violence.

‘Violence against women and girls’⁸ has been recognized as severe human rights violation because of the wide range of rights it violates at the same time⁹. In an armed conflict situation, the lack of stability inevitably leads to the escalation of all kinds of violence especially rape and other forms of sexual violence against women. The Somali region in Ethiopia is one of the most heavily militarized regions in the Horn of Africa. Because of the long standing ethnic based conflict, this region barely had a stable period which can be portrayed as violence free. Generally in conflict situations, violence against women is often times used as a weapon of war, for the purposes of persecuting the community that is deemed to be “the enemy”. In the case of the Somali region, most of the residents of that region have been accused of collaborating with the Ogaden National Liberation Front (ONLF); and have been subjected to arbitrary detentions, disappearances, killings and rape. The perpetrators of such violence against unarmed civilian women in this region are government forces. Although the underlying factors of violence against women are inherent in discriminations which deny women equality with men, often times these acts of violence are pushed by discriminations but also further perpetuate gender-based discriminations.

The plight of women in the Somali region of Ethiopia is so brutal that it is heart breaking to find out that they are forgotten by the international community. This paper is indeed an attempt to provide these women with some voice, maybe by writing about them and raising their issues in conferences such as this, will eventually get them heard. Women and girls from this region are jailed, tortured, raped and harassed on a daily basis by government military personnel. They have no access to basic health care and education. They live in constant fear, fear of being accused of something that will land them in jail, where they are raped by soldiers. One of the horror stories that women go through, for instance, is a woman will be jailed with no proper trail and then raped by the guards of the jail, then will be released and told that she now can not leave the village, because they don’t want these kinds of stories to be widely known. So, for instance, then that woman who could be sick, won’t be allowed to go the nearest city with a hospital facility, she could become pregnant, if she does become pregnant, then she oustersized by other community members, because she is no longer a virgin, and she still won’t be allowed to leave the village. These women not only live in fear, but they bear children, raise their children in the middle of ethnic-conflict, watch their children grow-up in this conflict situation and eventually either get killed or kill to survive.

I would argue that linking gender-based analysis with conflict/crisis and conflict resolution process is the central connection between adhering to fundamental hu-

man rights principles and implementing these principles for governments in the Horn of Africa. Efforts to address the root causes of conflicts in the Horn of Africa, particularly in Ethiopia, will not succeed unless women play a full and equal part in building the foundations of enduring peace. There is a vital role which could be played by women in peace processes for this region. However, women from the Somali region in Ethiopia have been excluded from all the attempts that were made in resolving this protracted ethnic based conflict in Ethiopia. This act of excluding women negates all the evidence from the literature on the gender dimensions along the continuum of conflict, peace negotiations, peacemaking, peacekeeping and reconstruction.

Black Feminist Thought

Gender-based analysis, Black Feminist Thought and Feminist Intersectional Theory are all relevant frames of analysis when reflecting on the plight of the women of the Somali region of Ethiopia. Black feminist thought in a trans-national context would provide an appropriate frame of analysis. Black feminist thought lies within the context of critical social theory in its commitment to justice for all oppressed groups. Moreover, as an approach Black feminist thought provides particular kind of knowledge that is gained from the intersecting oppressions of race, class, gender and nationality¹⁰. I would argue that extending this frame of analysis to the intersecting oppressions of gender and ethnicity can prove to be useful in the context of this region. There could be tremendous knowledge which can be gained from such analysis with regards to the plight of women of this region.

To conclude I would recommend that there is a need for genuine efforts to reach out to the women of this region. Evidence abounds in the literature that, lasting peace will not be attained if women are not participating in these processes. In addition, all the basic steps to “gender-dimensions of reconstruction” are essential to be appropriately covered. These include:

- Interventions focussing on women’s needs.
- Gender-based approach to programming which consciously includes women and attempt to eliminate all gender related barriers.
- Put into practice “substantive” gender-equity strategies¹¹

1 M. H. Khalif & M. Doornbos. (2002). “The Somali Region in Ethiopia: A Neglected Human Rights”, in Review of African Political Economy. No. 91: 73-94; ROAPE Publications Ltd

2 “Women, Peace and Security”. (UN 2002) United Nations Study submitted by the Secretary-General pursuant to Security Council Resolution 1325 (2002)

3 I. G. Shivji. (1998) “The Concept of Human Rights In Africa”; Codesria Book Series, London

4 I. G. Shivji, (1998) “The Concept of Human Rights In Africa”; Codesria Book Series; London

5 History Centre; <http://ogaden.com/History.htm>

6 Khalif & Doornbos

7 M. H. Khalif & M. Doornbos, (2002) “The Somali Region in Ethiopia: A Neglected Human Rights”, in Review of African Political Economy. No. 91: 73-94; ROAPE Publications Ltd.

- 8 “According to Article 1 of the UN Declaration on the Elimination of Violence Against Women, “the term ‘violence against women’ means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”. Further more in Article 2, the Declaration stipulates that “violence against women shall be understood to encompass, but not be limited to, the following:
 - (a) Physical , sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
 - (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution
 - (c) Physical, sexual and psychological violence perpetrated or condoned by the state, wherever it occurs.”
- 9 Amnesty International (Oct. 2004); AI Index: IOR 52/004/2004
- 10 Collins, Patricia Hill. (2002); “Black Feminist Thought: knowledge, consciousness, and the politics of empowerment”, Routledge, New York.
- 11 Zuckerman, E. & Greenberg, M.E.; (www.genderaction.org)

Let's Think the Impossible! Alternative Scenarios Against Human Insecurity in Somalia

Valeria Saggiomo

Introduction

This paper builds upon a workshop on Somalia organized by the Refugee Studies Centre, University of Oxford, in June 2009. The workshop gathered humanitarian actors and academics with practical experience in the country and was intended to stimulate a debate on possible policy solutions to the Somali crisis.

During the workshop, many representatives of International NGOs pointed out that there was a seriously underestimated problem with regard to working in the Somali context. The problem was related to the lack of possibility for humanitarian actors to fully stick to the humanitarian principles of neutrality and independence from civil war factions. In particular this was due to the need to use armed escorts to protect goods and personnel in a dangerous and volatile environment; in Central-Southern Somalia, security guards often “belong to” factions taking part in the conflict and “paying for security” easily translates into directly supporting, and indirectly promoting, certain factions against others.

Security budgets cannot be given up by humanitarian and development actors that rightly consider safety of staff a top priority. However, it quickly reflects into those conflict dynamics that have a local character and result in fostering human insecurity rather than the reverse.

This generates a moral dilemma for humanitarian and development actors: is it more just to continue working in Somalia dealing with the accusation of fuelling the conflict, or to pull out and fully adhere to humanitarian principles?

Presumably, all humanitarian and development actors working in conflict zones have dealt with this moral dilemma at least once in their life. Organizations have developed guidelines and best practices so as to release workers from the burden of formulating their own ethical rules. The author herself has been a humanitarian and development worker in Somalia from 2003 to 2006 and has directly experienced the mentioned dilemma.

During the workshop in Oxford, all the representatives of the participating NGOs admitted to having discussed the issue internally and some of them even elaborated

guidelines for withdrawal decision-making in complex humanitarian environments (WV-Dr Edvina Thompson). According to the workshop participants, however, there is little evidence that “continued business-as-usual intervention is having a positive impact or whether it has become a part of the problem”¹. So far, remote control methods are still in use and nobody has permanently left Somalia on the basis of the Humanitarian Imperative and of the Responsibility to Protect doctrine. These two doctrines are the justification for not leaving Somalia despite evidence that business-as-usual has not brought Somalia out of the emergency status for 18 years.

The fact that the UN and International aid community will never leave Somalia does not prevent academics and researchers from trying out a theoretical scenario where the “impossible” happens. This paper aims at offering this opportunity with the underlying desire to provoke a reflection among policy makers on the paradigm that lays behind the R2P theory: “the end justifies the means”; in the Somali case, after almost two decades of political turmoil in Central Southern regions, this paradigm may not hold true.

Looking at the limits of the reflections proposed in the paper, the author recognizes that there are external agendas pursued in Somalia that scarcely relate to the dynamics described above and that not all the causes of the Somali crises can be ascribed to predatory attitudes of local actors towards resources generated by the war economy; in fact, there are many other factors that influence war economy in Somalia, from Diaspora funds to proxy wars and possibly international terrorism. For this reason, speculations within this paper maintain a limited application to the conflict dynamics and to the consequent human insecurity spiral in Somalia.

Another limit to this paper is that it remains a theoretical exercise. The scope is to generate a discussion, to spur policy makers thinking of innovative approaches to Somalia for reducing human insecurity and favoring political stability.

Human Security Approach versus Humanitarian Principles

After the end of the cold war era and the subsequent fall of many totalitarian regimes in Africa, including the Somali one, warfare usually takes place within rather than between states. New war models have prevailed, involving more civilians than regular armies and causing huge numbers of casualties and mass displacements². The renewed need to protect civilians gave rise to new theories in support of human rights protection in conflict zones. The Human Security Approach is one of these theories. It has its origins in the Human Development concept that places the human being at the center of every theoretical paradigm and subsequent policy frameworks and

1 “Humanitarian Action in Somalia. Expanding Humanitarian Space”, Refugee Studies Centre, Oxford Department of International Development, University of Oxford, June 8-9 2009. Workshop Report, p. 6-7.

2 See Mary Kaldor, (1999) *New and Old Wars: Organised Violence in a Global Era*, Polity Press, Cambridge.

development strategies. Though a shared definition of the HSA is still under process, the 2003 Report³ by the HS Commission agrees that the Human Security Approach has its **focus on the protection of the individuals in conflict environments, through peace building and conflict prevention strategies** rather than through the humanitarian response; the report recognizes the security-development nexus, meaning that there is no development without security and that security is fragile without solid ongoing development processes. Therefore, states and the international community have a collective responsibility to protect civilians involved in conflicts, using force if necessary.

This theoretical framework emphasizes the importance of political measures to address conflict resolution and peace building processes and legitimates the collaboration between civic and military forces in a conflict environment: the first being engaged in development efforts or in humanitarian operations, and the latter in security enforcement.

However, it is exactly this collaboration that compromises the principles of independence and neutrality of humanitarian actors. The report by the HS commission recognizes that “the principles of neutrality, impartiality and independence that are supposed to guide humanitarian actions should not be compromised to further political goals”⁴ but it does not give guidelines to avoid this and limits itself to hoping for a balance between humanitarian and military interventions.

This weakness in the theorization of the Human Security Approach and its strong focus on the protection of individuals at all costs, easily translates into a neglectful attitude by humanitarian actors towards the humanitarian principles of neutrality, Impartiality and ‘do not harm’ that are gradually associated with the military presence in the field and therefore with one single faction involved in the war⁵. The respect of humanitarian principles is however fundamental to successfully implementing the Human Security Approach. In fact, how would it ever be possible to conduct a disarmament program if the implementing agency is perceived as partisan? This is in fact what happened in Somalia where the UN Security Council, through its Resolution 1872 (26 May 2009), has mandated the Secretary-General to support the TFG in planning a national security strategy for combating illicit arms trafficking, undertaking disarmament, demobilization and reintegration of ex-combatants. However, as Amnesty International denounced in 2008, the TFG forces and their former Ethiopian allies have routinely committed human rights abuses, massive killings and torture on civilians with the justification that they were hiding terrorists⁶. After the shift towards a moderate Islamic Government and the subsequent degeneration of the conflict among Islamic factions in 2009, donor funding and the direct provision of training and weaponry has increased, driven by the intention of the

3 Human Security Commission. (2003). *Human Security Now: Protecting and Empowering People*. New York.

4 *Ibid.* p. 25.

5 This observation is not new in the humanitarian aid literature. It relates with the research school initiated in the early 1990s by Mary Anderson who first explored how emergency projects can feed a conflict and create dependency. See Mary B. Anderson (1996), *Do not Harm. How Aid can Support Peace or War*.

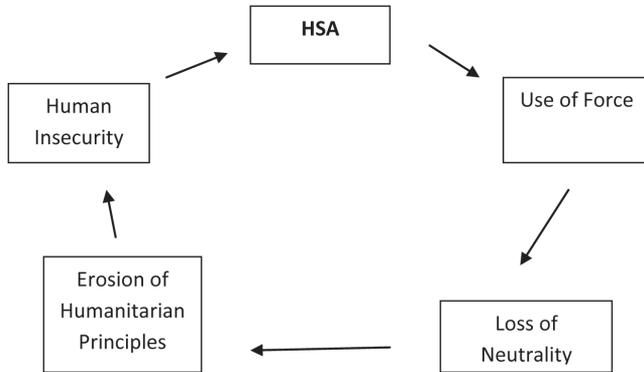
6 Amnesty International, 2008, *Routinely Targeted: attacks on civilians in Somalia*.

international community to support a moderate Islamic government against more radical factions and also driven by the need to combat piracy off Somalia's coasts.

However, due to continuing shifts in alliances between TFG security forces and their allies and armed opposition groups, there is the concrete risk that the military support, in terms of training and arms supply, is being diverted to militias and armed groups both supporting and opposing the TFG⁷.

Because the UN in Somalia acts simultaneously as an implementing humanitarian actor through its Agencies and as a military actor through the Security Council and as a key proponent of state-building activities by supporting the TFG, it is rightly perceived as being involved in the conflict rather than as a neutral actor. This has severely compromised the security of its humanitarian staff and of all the humanitarian agencies that are associated with them, as we will see in the next paragraph.

This highlights an inner contradiction between on one side the application of the HAS that implies the use of force and "political" peace-building measures, and on the other side the humanitarian principles of neutrality, impartiality and 'do not harm' of the humanitarian interventions. In the Somali case, this contradiction generates a vicious circle that has the effect of escalating rather than decreasing the use of violence. The vicious circle works like this: 1) The HSA in Somalia generates a policy approach that sustains the TFG both politically and military – 2) this implies the use of force, both in the mandate of the AMISOM mission and in the provision of military training and arms supply to the allied TFG – 3) the partisan use of force subsequently leads to the loss of neutrality by the actors that use the HAS, notably the UN, the wider international community and humanitarian NGOs – 4) the loss of neutrality leads to a rapid erosion of the humanitarian principles – 5) that exposes civilians and humanitarian personnel to an increased human insecurity.



From a theoretical perspective, the above diagram demonstrates how, in the Somali case, it has been technically impossible to combine the Human Security Approach with Humanitarian Principles. It also offers the cue to improve the Human Security Approach theory in its aim to ensure the protection of civilians, by working on avoiding the Humanitarian Principles erosion process.

7 Amnesty International, 2010, *Somalia: International Military and Policing Assistance should be Reviewed*.

Evidence from NGOs in Somalia

The above reflections on the HAS in Somalia legitimately provoke the question: What role do NGOs play in the Somali conflict?

As a background to this question, it is important to recall mid 1990s' Mark Duffield's observation regarding the changing role of international NGOs from autonomous organizations that embrace a development vision to simple *Public Service Contractors*, i.e. mere implementers of donors' identified social welfare programs⁸. Western aid funded NGOs in Somalia make no exception to this general trend and locate themselves in the framework of non-profit organizations that execute humanitarian and development donors' strategies⁹.

As long as NGOs are executors of strategies that are driven by the same donors that implement political peace-building actions and that allow the use of force for protection and security of staff and civilians, their role will be heavily associated with the one of their donors. This is true in all cases, regardless of the religious background, meaning that the Islamic NGOs that are funded by Western governments are associated with donors and perceived as partisan the same way other non-Islamic NGOs are¹⁰. Their "Non Governmental" banner loses significance as well as their religious background when it comes to issues of security of staff and access¹¹.

NGO's experiences in Somalia confirm this: at the Oxford meeting, Mr. Ali Osman, who is the East and West Africa desk manager for Muslim Aid, pointed out that while Islamic organizations might have an advantage in accessing areas that are inhabited by a Muslim population because of religious proximity and understanding of local culture, they face the same security constraints of other agencies working in Somalia.

Mr. Osman's claim is based on Muslim Aid's long experience in Somalia that dates back to 1993 when the organization opened an office in Mogadishu and started activities in the health, education and relief sectors¹²; later during the 1990s Muslim Aid opened an office in Kisimayo with operations in some basic health facilities after the official hospital had been occupied by militia. The implementation of activities in Kisimayo was seriously challenged by security problems. The organization later expanded its interventions in Hafun (Puntland) within the Tsunami aid package and got an office in Hargeisa and in Bossaso in 2008 to coordinate a vocational training Institute. With regard to funding sources, the bulk of donations to Muslim Aid derive from the charitable sector of the Muslim community based in the UK, though recently the organization opened itself to different donors, including UN Agencies and Western

8 Mark Duffield, 1997, *NGO Relief in war zones: towards an analysis of the new aid paradigm*.

9 Though participation of NGOs in developing strategic approaches to emergency and development intervention is ensured by the UN cluster approach and the coordination bodies such as the Somali Support Secretariat, their weight and their capacity for proposing innovative approaches is however marginal.

10 The same logic is valid for those local Islamic charities or NGOs that are funded by or affiliated to political movements, like the Al Islah on one side or the neo-salafi movements on the other.

11 The author is conducting a PhD research on the Islamic Charitable Sector in Somalia.

12 Information on Muslim Aid has been collected by the author during an interview with the organization's representative in Kenya and the Program officer in Somalia, Nairobi, 23 May 2008.

governments. Reportedly, in 2003 Muslim Aid decided to adhere to the Red Crescent Society Code of Conduct and claims to avoid political associations in compliance with it. Despite the will of the organization, Muslim Aid was probably associated by local faction leaders with the UN implementing agencies and with its political engagement and this might have caused access and security constraints to the staff in Kisimayo.

Similarly, the Danish Refugee Council's evidence in central southern Somalia confirms that at local level, the role of the NGO tends to be associated with their donor's one and this compromises the respect of humanitarian principles and subsequent human security for both staff and victims¹³.

The DRC was asked by the World Food Program to conduct a food distribution operation in an IDP camp located in a Central Southern region of Somalia. The NGO organized the operation and started distributing WFP food; shortly after, the IDP host community demanded of the DRC that they should receive part of the food that was designated for the displaced population; in the case of refusal by the NGO, IDPs would be attacked. This was an official threat and the organization decided to comply with the request in order to be allowed to operate and to ensure security for the IDP population. There was no other choice but to go or to compromise, and the NGO decided to compromise on the basis of the humanitarian imperative. The moment the NGO initiated an enumeration process to assess the number of families to address food aid to in the host community, serious security incidents involving the NGO staff and collaborators from the community arose, with shooting and stoning. The reason was that the NGO could not claim any control over the food distribution process, and this was made clear to the staff. The NGO compromised again and asked governmental forces to proceed with the food distribution, based on the local demand and not on eventual vulnerability criteria. However, as the distribution was taking place, governmental forces demanded food as well, on top of the agreed compensation, and the vicious circle, once activated, could not stop. In addition to this, the NGO was also perceived to be directly supportive of one faction, and this compromised the security of local staff, as well as international staff, *vis a vis* other factions in the area.

Going back to the history of humanitarian intervention in Somalia, ICRC firstly introduced the use of armed escorts in the mid-1990s to counteract restriction of humanitarian space in the Somali civil war¹⁴. By that time, this practice was being discussed among the main humanitarian actors in Somalia, criteria and methods were drafted with the aim of being able to comply with the principle of humanity in extreme situations where the access to the victims was extremely dangerous and risky for humanitarian personnel. In those cases the ICRC recommended contracting a reputable actor among local military personnel, the state police, or a private company. Today, literature on the necessity of adopting armed protection or the use of deterrent force against groups that endanger the safety of NGO staff during humanitarian operations is abundant¹⁵, and those that were called "extreme situations" are the norm.

13 Frans Barnard and Catherine-Lune Grayson, June 2009, *Insecurity by Default – How compromise of Humanitarian principles jeopardises operations*. Speaking Notes, Oxford.

14 ICRC, 1995, Report on the Use of Armed Protection for Humanitarian Assistance.

15 This discussion evolved in the Civil-Military cooperation (CIMIC) doctrine that refers to the interaction between NATO-led forces and civil actors like NGOs.

In the stateless Somalia, the factions controlling territories are the de-facto authorities to consult with for negotiating access and permission to conduct humanitarian activities. “Private companies” owned by faction leaders are often the only contractor that it is possible to engage. This leads to a direct financing by NGOs of conflict actors that lose interest in the conflict solution.

Lastly, in order to escape blackmail, NGOs are moving towards direct cash assistance to the groups that claim to be the victims of the conflict. Oxfam is piloting direct cash assistance to the communities, through local money transfer companies, giving up even their brand visibility in the hope of not creating potential security problems for the staff¹⁶. Independent experts are suggesting moving towards direct payment of governmental forces in order to mitigate the risk of illegal arms sales by soldiers that are not paid by the government and need to earn their living¹⁷. These practices however are not associated with the necessary monitoring capacity by donors and risk nourishing the war-economy and creating a dependency syndrome from “easy humanitarian money”.

Looking at these practices and evaluating NGOs’ work and challenges in Somalia led the courageous DRC Regional Security Advisor to admit that “we might have been operating blindly for the last 18 years, at best by omission, at worst by convenience”¹⁸.

What if all pull out of Somalia?

What would happen if all humanitarian and development actors¹⁹ pull out of Somalia and withdraw financial resources from the conflict scene? What would be the impact on human security and on livelihoods for the local population? Would the conflict situation be better or worse?

These questions would require accurate assessments and data analysis to produce a plausible answer; some of these data is difficult to collect and some are simply not existent. This kind of assessment goes beyond the scope of this paper that instead wishes to stimulate a discussion on a legitimate question. A few arguments will be put forward in support of this discussion.

The first argument regards the lack of need for external support and the use of force to promote successful peace building operations.

16 Simon Springett, June 2009, *Giving Aid, getting aid in the complex environment of Somalia*. Speaking Notes, Oxford.

17 “The hanging Security Situation in Somalia: Implications for Humanitarian Action”. Seminar hosted by The Brookings Institution, University of Bern, 12 January 2010, Summary Report.

18 Frans Barnard and Catherine-Lune Grayson, June 2009, *Insecurity by Default – How compromise of Humanitarian principles jeopardises operations*. Speaking Notes, Oxford.

19 Including donors, NGOs, UN agencies, Governments, Islamic charities.

In support of this argument as applied to the Somali case, two cases will be put forward: the case of Somaliland in the mid-1990s and the case of the ICU administration in 2006.

Somaliland is the North-west zone of Somalia that declared its unilateral independence from the rest of the country in 1991. At that time, indigenous political institutions played a pivotal role in restoring peace and stability. The supreme council of lineage leaders, the Guurti, organized two peace initiatives, one in Burco (1992) and the second in Boroma (1993). As the Guurti was perceived as a super-parties Institution, and therefore a neutral institution, these two conferences saw the participation of all minority clans gathered to agree on a common political agenda. This led to a climate of mutual confidence and gradually helped in achieving stability. This peace process was completely deprived of the support, both political and financial, of the international community that does not recognize secessionist States. As Mark Bradbury notes²⁰, despite the fact that today corruption seems to be a huge problem in the development efforts of Somaliland, initial efforts by customary institutions in mediating between different groups, in re-establishing property rights and ensuring balanced political representation, were of pivotal importance for Somaliland achieved political stability. Alex De Waal has also noted the importance of establishing property rights on real estates and agricultural land in Central Southern regions of Somalia, as one key cause of the enduring crisis²¹.

On the same note, the 2006 six-month rule of the Islamic Courts Union in Mogadishu saw an unprecedented improvement in security in all central southern Somalia. In the capital free movement was allowed for the first time since 1991 and termination of piracy action off the coast suddenly terminated. Once again, this “miracle”, as it has been called by a Somali scholar²², was not supported by the Western international community that was not politically ready to accept an Islamic government in Somalia, possibly mingled with radical elements. Despite being treated with a clear distrustfulness by outsiders, the ICU government established an embryonic public administration and demonstrated the ability to control violence in the capital.

These two cases support the perception that “if left alone”, Somalis would be able to reach an agreement and possibly find convenience in achieving stability. This perception sharply contrasts with the results of the outside-sponsored peace initiatives that so far have not produced improvements on the human security aspect.

The second argument that needs to be considered when approaching the “every-one out” scenario is the issue of livelihoods of local population that might be less dependent on international aid than as is marketed by the International Aid Community. According to the UN and humanitarian agencies, early this year some 3.7 million people in Somalia need aid. This is about half of the population. According to OECD Statistics, Total Official Development Assistance (including humanitarian aid) for Somalia rose from about \$102 million in 2000 to nearly \$760

20 See Mark Bradbury, 2008, *Becoming Somaliland*.

21 See Alex De Waal, 2007, *Class and Power in the stateless Somalia*.

22 Abdi Ismail Samatar, 2006, “The Miracle of Mogadishu”, *Review of African Political Economy*, Vol 33, No. 109, pp.581-587.

million in 2008²³. Part of this money is used for the agencies' running costs, staff salaries and allowances, travel costs, vehicles, and so on; while it is very difficult to determine the amount of the "doing-business" costs, it is widely accepted that these costs are higher in dangerous settings. Part of this money is then diverted; a recent article by the New York Times quotes a UN report claiming that up to half of the food aid intended for Somali indigents is instead diverted to corrupt contractors and to conflict factions²⁴. Though the 50% number has been denied by WFP officials on the ground that there is no evidence to prove it, it is undeniable that a proportion of aid is taken hostage by local factions, as the above mentioned story by the DRC clearly suggests. At the moment, it is not possible to know exactly how much of disbursed humanitarian and development aid to Somalia reaches the needy population. This number would be of significant help in assessing the "every-one out" option. On a different note, Diaspora funds that are awash in the country are estimated at \$1.6 billion to Somalia and \$700 million to Somaliland. According to a recent report funded by UNDP²⁵, up to 40% of households receive assistance from Diaspora, which provides 80% of the start-up capital for small and medium enterprises. Diaspora is also able to rapidly mobilize cash to address emergency responses in the country and actively contributes to the country's development by supporting basic social sectors, like health and education and by energizing the vibrant local economic sector. These financial flows combined with an estimated Somali in-country population, that ranges from 7.4 to 9 million people only, make the Somali people's livelihood picture much better compared to other African countries.

Conclusions and possible road map to exit the crisis

The above arguments suggest a different picture of Somalia compared to the one presented by the international community and represent excellent starting points to work on for supporting peace-building initiatives and theorize a "constructive disengagement" from the country. The "constructive disengagement" option for Somalia has been recently put forward by a US policy adviser who suggests that "giving up a bad strategy is not admitting defeat" and advances the idea that in the Somali case, where foreign interventions have routinely produced the opposite of the desired effect, doing less might be better²⁶. This option referred to US policy against terrorism in Somalia, but can reasonably apply to the political and humanitarian strategies implemented so far in Somalia by the international community.

23 <http://stats.oecd.org>

24 U.N. Report: Much of Somalia's food aid diverted. Article posted on 3 March 2010 on http://www.usatoday.com/news/world/2010-03-10-somalia-aid_N.htm

25 Hassan Sheik and Sally Healy (2009). Somalia's missing Million: The Somali Diaspora and its role in Development. UNDP Somalia.

26 Bronwyn Bruton, 2009, *In the Quicksands of Somalia. Where doing less helps more*. Foreign Affairs Vol. 88, N. 6, pp. 79-94.

Constructive disengagement of the international community from Somali politics, including the direct support to one part in the conflict (the TFG) with military training and arms supply will probably benefit the Somali population in the long term. Surely, reduced arms availability in the country and reduced military training would lead to reduced violence and consequently reduced loss of human lives and reduced human insecurity. With reduced violence, south central factions may gradually start negotiations, as it happened in Somaliland in 1991 or agree on power sharing mechanisms as it happened in 2006 during the Islamic Courts Union ruling in Mogadishu.

Also, as noted during a recent seminar on the security situation in Somalia²⁷, lessons learned from extremist groups Afghanistan and Iraq suggest that local factions have no interest in letting the population starving because this would turn the people against them; therefore, when the principles of neutrality and independence are compromised, constructive disengagement from humanitarian and development activities will probably force local factions to respect international aid activities on the field. This severity in sticking to humanitarian principles of neutrality and impartiality will possibly lead to reduced tensions upon humanitarian and development aid diversion, thus impacting positively on the “do not harm” principle.

If the most likely alternative to the mentioned option is a persisting and worsening conflict scenario among factions, being them clan or religious based, with increased human insecurity, Somalia might be the first case in history where the “humanitarian imperative” imposes not to intervene.

27 “The hanging Security Situation in Somalia: Implications for Humanitarian Action” Seminar hosted by The Brookings Institution, University of Bern, 12 January 2010, Summary Report.

PART IV

The Social and Political
Meanings of Religion,
Identity and Gender

The Question of Identity. A Root Cause of Violence in Sudan

Mohamed Abusabib

As a matter of fact, the issue of identity has been, and still is, mostly problematized and debated in the aesthetic field, and artists and critics from various art forms have engaged with this difficult issue since the advent of Sudanese nationalism in the 1920s. Different discourses concerning the cultural basis of modern Sudanese literature, visual art, music, and dance were introduced in different phases of the debate. The terms Arabism, Afro-Arabism, Africanism, Islamism, and Sudanism have developed within these discourses as defining concepts describing the country's ethnic and cultural origins, thereby serving as identity constructs.

The last census in 1993 placed the population at 29 million, although current estimates are 33 million. Sudan is home to 57 ethnic groups subdivided into 570 tribes, speaking 134 languages. About 70 percent of the population are Muslim, 25 percent are followers of indigenous religions, and 5 percent are Christian, although these figures are thought to be unreliable because of the accelerating process of urbanization and the influx into towns of immigrants and displaced people, due to either war, drought, or economic decline.

As agreed by many, there are three aspects of the Sudanese crisis: the political, the economic, and the cultural aspects. The latter, in my judgement, has received less attention than the other two. Therefore, my aim in this short paper is to stress the question of identity as central to the cultural aspect of the crisis, and to suggest that perhaps one of the best ways to address this complex question in the Sudanese context, is to pinpoint which of the 570 ethnic groups is the source of the identity crisis in the country, what is the nature of this crisis, and why identity turned out to be a crisis.

If we look at the map of Sudan, it is clear that the war zones and potentially rebellious regions coincide with the main historical core cultures of the country. DarFur Sultanate (1445-1916) in western Sudan; the Nuba Mountain culture where Taqali kingdom developed; the chiefdoms of southern Sudan, including the Nilotic Dinka, Nuer, and Shiluk, and the Azande as the largest; the chiefdoms of the Beja in the east, and the major core culture of the central Nile valley, namely the heartland of the Nubian civilization which extends from the border with Egypt in the north down to the edge of rain forests in the south. Ethnic and cultural ties between these core cultures are well known.

My main concern is the culture of the central Nile Valley, because this is the region where the cultural and identity crisis originated. Historically, in the centre of this region we have the most developed part of the country, namely the capital and the area, called Jezira, south of it. At the time of independence in 1956, the capital area contained over 85 percent of all commercial companies, 80 percent of all banks, 73 percent of all industrial establishments, 70 percent of all industrial labour. The situation now is even worse. Traditionally, the majority of the inhabitants here, namely, the Arabic-speaking and Nubian-speaking Sudanese, claim Arabic origin. Also from these inhabitants emerged the northern ruling class who inherited political power from the British and ruled the country since independence. Again it is this northern ruling class who turned traditional identification with Arabic origin into ideology, as a means of maintaining political power and monopoly of the economic resources of the country. In other words, they want to impose their own conception of identity on the rest of the ethnic groups. These ethnic groups rejected this imposition.

In current Sudanese political discourse we have the term Centre, which geographically refers to the developed part mentioned above, and at the same time refers to the social economic, and ideological content in the term northern ruling class. This is significant, because those who view the Sudanese crisis as a North-South conflict use the descriptions North and Northerners indiscriminately, as referring to the Arabic-speaking and Nubian-speaking Sudanese in particular but with no socio-economic differentiation.

The term Periphery simply means the marginalized and unprivileged regions in terms of development and that are dominated and suppressed by the Centre in terms of politics and culture. In this sense, the portion of northern Sudan to which the northern ruling class ethnically belongs is also a Periphery, although culturally is not subjected to suppression in the same manner the other peripheries are being suppressed.

Now, the adoption of Arabic identity as ideology – we must bear in mind that Arabic identity always denotes the Islamic content as well – has long been institutionalised within the Sudanese state, in the sense that it manifests in the state's institutions and in the behaviour of those who control these institutions. This institutionalisation has taken place at the expense of the rest of the cultures in the country. I shall illustrate this institutionalisation process by three examples from politics, education and the media and music:

In 1939 the Graduates Congress, the first political platform of the Sudanese nationalists, which was dominated by the same groups and figures who later ruled the country, suggested in a note on education presented to the colonial authorities, that education should be oriented towards the Arabic and Islamic, but not African, culture, because the Sudan had much in common with “the Arabic countries of Islamic Orient.” (*Note by the Graduates Congress on Education in the Sudan*, July 1939, University of Khartoum Library, Appendix V, quoted in Beshir 1969: 152. Two dominant figures in the Congress were its chairman Ismail al-Azhari, head of the NUP, later the DUP, the first Sudanese Prime Minister and afterwards President

of the country, and Mohamed Ahmad al-Mahjoub, Prime Minister a number of times during the 1960s and a leading personality in the Umma Party.)

The first lesson in the Arabic grammar syllabus used in the fifth grade of primary school begins with the following introduction:

“When the Prophet, God’s blessing and peace be upon him, was sent forward with the message, and Islam spread into the world and the Islamic conquests were many, the Arabs entered Egypt, ruled it, and introduced Islam into it. Then they moved into Sudan from Egypt, some of them coming from Hijaz [in Arabia]. They defeated the Nubian Kingdom and established the famous Sinnar Kingdom, which is known to us as the Black Sultanate or the Funj Kingdom.”

This is gross fabrication of Sudan’s history. In fact, the Arab-Muslim armies were blocked by the Nubians in 651, and the country has never been conquered by the Arabs or become part of the Islamic Empire. Also, it is a simple historical fact that the Funj Kingdom was established by a section of the indigenous population of the central Nile Valley called the Funj, and lasted from 1504 to 1821.

Our third example from the media and the field of art shows that fourteen of the twenty-one Directors and Deputy Directors of Sudan Radio from independence in 1956 until the early 1980s came from Omdurman families (Omdurman is the largest of the three towns comprising the capital), while the remainder came from the other two towns of the capital. In this type of situation there is no chance for anyone with a provincial accent to hold any leading position in either Sudan Radio or Sudan Television. In addition, the members of the committees that permit the broadcast of new singing voices and approve new songs also came from the same area. It should be no surprise that not only do all modern Sudanese singers come from the Arabic-speaking groups, it is simply inconceivable that a singer with an accent could ever be a member of this elite.

It is very fortunate, however, that the main movements in the Peripheries opposing the government in the Centre view the successive regimes of the Centre, both civilian and military, as a minority, as a political elite, and not as a particular tribe or ethnic group. This is the mainstream line of thought within these movements.

Equally important is that this mainstream thought agrees with the historical view, particularly that given by new schools of Sudanese historiography, that identification with Arab origin goes back some centuries into history and turned into an ideology used by the ruling class to support and maintain its political power. The transformation of Arabic-Islamic identification into an ideology and as a means for maintaining political power went through certain stages and took certain forms.

According to historians, late eighteenth century witnessed the emergence of a middle class made up of a rising commercial community, educated elite, called *ulama*, or the learned whose education was mainly religious, and Sufi leaders and their associates. That also was the time when these groups proclaimed themselves to be Arabs, and a flood of genealogies was produced tracing them to various distinguished Arabs. That also was the time when commerce with the Middle East began to develop rapidly.

This alliance with their Arabic-Islamic identity continued to influence the Sudanese political landscape since then, and the modern northern political class is its modern form.

This alliance is consolidated in the nineteenth century, during the Turkish rule (1821-1885) and the Mahdist rule (1885-1898), and took its modern form with the advent of the nationalist movement in the 1920s and the formation of the political parties in the mid 1940s.

Two political groupings based on the largest Sufi sects in the country, namely the Ansar and the Khatmiyya, emerged as the biggest political parties. The commercial class and new capitalist elites allied themselves with either of the two. Politically ambitious individuals among the intelligentsia joined this alliance. In other words, the old alliance now took a modern form.

The cultural aspect, with the question of identity central to it, occupies a crucial part in the strategy of this modern ruling class. Practical measures taken in the cultural domain became particularly necessary as a means to counter the demands of federalism by the other parts of the country, or the peripheries, spearheaded by the south, and at the same time to consolidate their political and economic power.

Theoretically, the northern ruling class believes in the idea that the process of acculturation in the country is in favour of Arabization and Islamization, that Arabic culture is superior and spreading and will eventually assimilate the rest of the cultures in the country. It also believes that Arabization and Islamization processes will keep the country together, and will ultimately consolidate its monopoly of power. Therefore, it is logical in the view of this ruling class that this process should be accelerated using the machinery of the state and its resources. This policy was first put into practice by the first military rule (1958-1964) and led to the formation by southern Sudanese of the Anya Nya guerrilla army in 1963 and the escalation of civil war.

In 1968, an attempt was made by the ruling class to introduce an Islamic constitution and impose an Arabic-Islamic identity on the country and its people, something that led to political chaos followed by the military coup, which brought Nimeiri to power.

In 1983, an attempt was again made by the military regime of Nimeiri to impose this identity on the entire country by declaring the Islamic sharia laws. The result was the outbreak of civil war in the south, the downfall of Nimeiri, and the spread of war to the northern parts of the country for the first time.

In 1989, the Islamists, who are actually the fanatic segment of the ruling class, seized power in a military coup and used the Islamic concept of jihad, holy war, to turn the country into an Islamic state.

The other political forces and movements opposing the regime in the Centre adopted the concept of Sudanism as an alternative identity construct. It is interpreted as ethnically, culturally, and politically inclusive and provides the basis for a democratic, decentralized, and secularist state where identity is based on Sudanese citizenship.

The National Democratic Alliance, the opposition umbrella which brought together all of the political and military organizations, including the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/SPLA) and Sudan Liberation Movement (SLM) fighting in Dar Fur, issued Asmara Declaration of principles in 1995 in which it adopts the strategies necessary to tackle all aspects of the Sudanese crisis including the cultural one. These strategies, in fact, reflect what is meant by Sudanism.

More specifically, reconsideration of the cultural policies so that they reflect the diverse cultural composition of the country, is a put as a priority.

Central to these policies is the re-writing of the country's history by permitting freedom of research and allow scientific findings on Sudan's history and cultures to reach the public.

Another important strategy is to reconsider the educational system and educational curricula to render them democratic and representative of the country's pluralistic nature.

* For an elaborate discussion of the problem of identity in Sudan see the author's recently published book: *Art, Politics, and Cultural Identification in Sudan* (236 pp, 2004) published by Uppsala University in Sweden.

Intersecting Values: Human Rights, Identity Politics and Regional Security: Their Impact on Somalia and the Horn of Africa

Lynn Fredrikson

Introduction: Intersecting Values in the Horn of Africa

It is an honor to be among so many important figures in and analysts of politics in the Horn of Africa to discuss faith, citizenship, democracy and peace as a means of building capacity to promote human rights and development throughout the region. Many thanks to the organizers of this important conference for creating this opportunity. I approach this discussion both as a political scientist finishing my doctoral dissertation on Somaliland's claim to national self-determination, and as a human rights advocate with Amnesty International.¹

The intention behind my presentation today is to consider several sets of values that strongly influence political dynamics in and between Somalia, self-proclaimed independent Somaliland and Ethiopia – how we consider these sets of values independently, as well as how they have intersected in ways that contribute to enormous discord, despite their positive potential for change.

What do I mean by this?

First, international human rights and humanitarian law could be utilized to enforce the protection of civilians in war-torn Somalia, unrecognized Somaliland, and Ethiopia under a deeply centralized government. Instead human rights organizations and monitors are more often looked upon as threats to those who insist on political control or otherwise fear oversight. What have become international values are often misinterpreted or intentionally mislabeled as western values, and opposition to them is then justified on nationalist or religious grounds.

Second, identity politics on the Horn – most commonly ethnic, clan-based or religious – constitutes the fundamental basis for societal and community norms and

¹ For the past three years I have been serving as the Advocacy Director for Africa for AIUSA, while I am now on my way to our International Secretariat to serve as AI Researcher on the Horn of Africa. (I say this by way of correction to the published program.)

values. Rules governing social behavior, responsibilities and protection of rights have long been established on the basis of Quranic (in Somalia, Somaliland and parts of Ethiopia) and Biblical (in parts of Ethiopia) teachings and edicts. They have also been established through shared ethnic, clan family, clan and sub-clan experiences, in some cases since before recorded history. Yet these same values have frequently been misinterpreted or misused for political, financial and personal gains – at local, state and regional levels.

Third, a new set of values has risen to prominence over recent decades – those that belong to the category of national and international security concerns. While the desire to safeguard and protect what is perceived as one's own has existed as long as humankind, what is commonly known as "terrorism,"² and what is commonly referred to as the "global war on terror" are much more modern phenomena. Unlike the first two sets of values named above, neither of these countervailing methods of warfare represents normative values per se. However, they are both frequently explained as a necessary means to protect ethnic, clan, religious or human rights, as well as national security. They must also, therefore, be understood to deeply complicate progress toward the protection of rights and the advancement of development throughout the Horn of Africa and other volatile areas of the world.

That said, I will now examine each of these categories of values more closely.

Human Rights in Somalia and the Horn

I will outline the current and intersecting human rights crises in Somalia, self-declared Somaliland and Ethiopia, as recently documented in several 2008 reports and public statements.³ I will also specifically highlight the international human rights laws which should help guide the behavior of all parties to conflict in Somalia.

On Somalia

Until mid to late 2007 TFG forces were believed to have been responsible for the majority of incidents of theft, looting, beatings and rape in and around Mogadishu. For example, one eyewitness reported seeing TFG soldiers seizing mobile phones from Somalis outside a mosque as they were leaving Friday prayers. Somali civilians reported that they were more afraid of TFG forces than Ethiopians. Religious and other traditional norms had clearly broken down in these cases of Somali government violence against Somali civilians.

This situation shifted in late 2007 with growing reports of incidents of theft, looting, beatings and rape, as well as unlawful killings, by Ethiopian forces, behavior

2 For the purposes of this paper terrorism is defined as the deliberate use of violence or threat of violence toward civilians to coerce a political or ideological outcome.

3 Please see <http://www.amnesty.org/en/region/africa/east-africa/somalia> and <http://www.amnesty.org/en/region/africa/east-africa/ethiopia> for a full list of Amnesty documents on Somalia, Somaliland and Ethiopia.

prohibited by religious and other traditional norms common to communities across Ethiopia.

In some instances involving rape and killing, the Somali government and Ethiopian forces targeted individuals and small groups of civilians. In other cases they targeted entire neighborhoods in disproportionate response to smaller scale attacks by armed opponents, sometimes decimating or emptying entire areas, and often resulting in injuries and unlawful killings of civilians.

Since early 2008, an escalating wave of attacks on humanitarian workers and human rights defenders has also been sweeping southern and central Somalia. At least 40 Somali human rights defenders and humanitarian workers were killed between 1 January and 10 September 2008 alone. Some were killed in robberies or kidnappings, and some victims were bystanders, but the majority were victims of targeted killings. While it is often difficult to determine the identity of the perpetrators of this violence, the majority are reported to have been affiliated with armed opposition groups, including al-Shabab militias.

Shelling and mortar fire have destroyed buildings and other civilian infrastructure, particularly in southern and central Somalia, resulting in deaths and injury of civilians. Large explosions have often emptied entire neighborhoods, as residents fled for safety. All parties to the conflict are reported to have carried out attacks on civilian-populated areas. A number of refugees told Amnesty International that they had left their homes (to collect water, food or other necessities) and when they returned their houses were simply gone, destroyed by rocket propelled grenades or mortar fire. Under international humanitarian law, civilians are unlawful targets for attack.

Displaced civilians from southern and central Somalia have also frequently reported being attacked on the road from Mogadishu to several destinations to the north and the southwest as they sought safety. Unidentified robbers have stolen money, food and other possessions. IDPs have been attacked or forced to pay fees at hundreds of check points and road blocks. One of the most dangerous areas reported was between Jowhar and Beletweyne on the route to Somaliland. AI received reports of violations against IDPs on the road in Somalia committed by Ethiopian and TFG troops, anti-government armed groups, clan gangs, and common bandits. At times perpetrators would cover their faces to mask their identity, but often survivors believed they could still identify them by language or appearance. While in September 2007, some drivers were able to travel though certain areas by virtue of their clan affiliation, this changed in late 2007 when clan affiliation no longer offered any assurance of favoritism in an attack. IDPs have been increasingly targeted even in cases where they shared clan affiliations with their attackers.

International Law Focus: Somalia

As we have stated in recent documents published by Amnesty International, all parties to the armed conflict in Somalia must comply with provisions of international law applicable to them. International humanitarian law governs the conduct of war,

and seeks to protect civilians, others not participating in the hostilities and civilian objects. Ethiopia and Somalia are both party to the 1949 Geneva Conventions, and Ethiopia is party to the two Additional Protocols of 1977. All parties to the armed conflict, including non-state armed groups, must respect certain fundamental rules of international humanitarian law applicable to non-international armed conflict, including those applicable to the conduct of hostilities under customary international law.

The principle of distinction is the cornerstone of the laws of war. All parties to the conflict have a responsibility to distinguish between civilians and civilian objects, which may not be attacked, and military objectives, which, subject to certain conditions, may be attacked. Civilian objects include homes, mosques, schools, hospitals and clinics. Direct attacks against civilians and civilian objects are prohibited, as are indiscriminate attacks. Disproportionate attacks, also prohibited, are those in which “collateral damage” would be regarded as excessive in relation to the direct military advantage to be gained. Common Article 3 of the Geneva Conventions provides that civilians and other non-combatants “shall at all times be humanely treated.”

Both Somalia and Ethiopia are also subject to specific human rights obligations and are party to a number of international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (the Convention against Torture), as well as the African Charter on Human and Peoples’ Rights (ACHPR). Article 6 of the ICCPR and Article 4 of the ACHPR establish the obligation of state parties to ensure the enjoyment of the rights to physical integrity by all individuals under their jurisdiction. Article 19 of the ICCPR provides that everyone shall have the right of freedom of expression. Articles 8-12 of the ACHPR state that all persons, including journalists and human rights defenders, possess protected basic freedoms of conscience, association, assembly, movement and the right to receive and disseminate opinions and information within the law.

On Somaliland

It is also important to discuss self-declared independent Somaliland. While overall human rights and humanitarian conditions are often desperate in southern and central Somalia, as well as Puntland, a stable Somaliland has devoted attention to democratization, institutional capacity and development in its decade and a half-long pursuit of international recognition for independence. The contrast between Hargeisa and Mogadishu is striking, and the international community should consider what the government of Somaliland needs to maintain peace and stability, including bilateral assistance to ensure it has the capacity to institutionalize human rights protections.⁴

4 Amnesty International takes no position on Somaliland’s quest for recognition of its self-declared independence.

However, Somaliland is not without its own set of human rights concerns. Its border with Puntland remains contested, with unfortunate outbreaks of fighting in late 2007 and 2008; the government of Somaliland has not established a monopoly on power in its boundary regions of Sool and Sanaag. In 2007 *Qaran* opposition leaders were imprisoned for several months after unfair trials. And the government of Somaliland issued an expulsion order for twenty-four young southern Somali journalists seeking refuge in Hargeisa in late 2007. To its credit that order was never carried out, and the government of Somaliland has also allowed itself to become the *de facto* refuge for thousands of southern Somali displaced persons fleeing armed conflict in Mogadishu, despite a near-total lack of international assistance to meet their basic needs. However, Amnesty International maintains strong concerns about regional and national security committees and individual government officials acting to limit freedom of speech and association among civil society groups in Somaliland.

Most recently, Somaliland's stability has also been negatively affected by political debate over a presidential agreement with a Saudi company to export livestock. In addition, Somaliland faces local and presidential elections, which have been postponed several times, most recently until April 2009, in part due to a delayed registration process. These postponements offer some cause for concern; local elections are currently scheduled only after presidential elections have taken place. According to Somaliland's constitution, multiple political associations can present candidates for local elections, out of which the top three become parties authorized to stand candidates in national elections. Holding presidential elections before local elections effectively eliminates the participation of all but the current three recognized parties. Popular dissatisfaction with this political situation is expected to heighten the government's security concerns which in turn is expected to result in further tightening of restrictions on freedom of speech and assembly in the months leading up to elections.

On Ethiopia

In early 2005, leading up to the May 15 elections, Ethiopia appeared to be turning a corner with respect to international human rights. The Government of Ethiopia was allowing some – albeit limited – international press access and space for political opposition rallies in Addis Ababa. Yet after the disputed 2005 elections, plagued by accusations of electoral fraud and mass protest demonstrations, political repression greatly increased. As reported by Amnesty International among others, these violations have included mass arbitrary arrests and detentions, torture, extrajudicial killings, repression of ethnic minorities, intimidation of students and teachers, and suppression of press freedom. Political prisoners have been held in different sections of Kaliti prison on the outskirts of Addis Ababa. Conditions in the worst sections have been harsh, with severe overcrowding, inadequate sanitation and poor hygiene.

Amnesty International has consistently called for the immediate and unconditional release of those defendants whom it classified as prisoners of conscience,⁵ as guaranteed by the Ethiopian Constitution and international human rights treaties which Ethiopia has ratified. Several trials of CUD leaders, journalists and human rights defenders began in spring 2006, with the prosecution resting its case in April 2007. More than 30 defendants were acquitted. In June 38 others, including human rights leader Mesfin Woldemariam and parliamentarian Kifle Tigneh, were convicted and sentenced to life, but they were pardoned and released in July, after a presidential pardon was negotiated by Ethiopian elders and other parties. Hundreds more CUD members detained in 2005 are still believed to be held without trial.

A parliamentary inquiry was established in December 2005 to investigate the demonstration killings. This body initially concluded that Ethiopian security forces had used excessive force. However, the Chair and other members of the inquiry commission were later forced to flee the country, after receiving threats that they must alter their findings. The remaining members of the commission subsequently endorsed a report accepted by the parliament in October 2006 that the actions of the security forces had been “legal and necessary.” No member of the security forces has since been arrested or charged with any offense in connection with the demonstration violence.

Separately, the government of Ethiopia stepped up counter-insurgency operations in the Somali Region (commonly known as the Ogaden) in 2007,⁶ including a blockade of aid and commercial trade that has had a devastating impact on conflict-affected districts of the region, including food shortages. These operations have also further injured the government of Ethiopia’s overall standing in the minds of Somalis in Somalia. Amnesty International has received reports of mass arrests, lengthy detentions without trial, beatings, rape and other forms of torture, forcible conscription and extrajudicial executions of alleged ONLF supporters by Ethiopian forces. And the ONLF has reportedly assassinated some civilian officials.

A UN fact-finding mission in August 2007 reported on the humanitarian crisis, but a subsequent mission to assess human rights conditions in the Somali Region has not yet materialized. In addition, Sultan Fowsi Mohamed Ali, a clan elder and mediator, was detained in August, reportedly to prevent him from speaking with members of the UN fact-finding mission, and he is still being detained without trial. Amnesty International considers him to be a prisoner of conscience.

While some reports indicate a partial lessening of abuses in the region, most particularly a partial lifting of Ethiopia’s blockade, there is no way to assess this information without full access for human rights monitors throughout the Somali region.

Additionally, in January and February 2007 Ethiopian forces in Somalia rendered at least 85 political prisoners to Ethiopia. Most had been arrested in Kenya when

5 Amnesty International designates detainees as prisoners of conscience (POCs) when there is clear indication that they did not use or advocate violence but were peacefully exercising their right to freedom of expression, association and assembly.

6 This took place initially in response to attacks by the Ogaden National Liberation Front (ONLF) on an oil installation in Obole in April 2007, which reportedly killed 65 Ethiopian and six Chinese oil workers.

Kenya closed its border to people fleeing Somalia. Foreign nationals from some fourteen countries were released after some months and sent back to their countries of origin. In May 2007 the Ethiopian authorities acknowledged holding 41 detainees in military custody. These detainees included Somalis who are Kenyan citizens, two conscripted Eritrean journalists, and alleged members of armed Ethiopian opposition groups. Detainees from Kenya and Somalia were reported to have been tortured or ill-treated in secret military places of detention in Addis Ababa. Fifteen refugees forcibly returned to Ethiopia by Sudan in August 2007 were detained in Ethiopia, and five people from the Somali Region were forcibly returned to Ethiopia by Somaliland in October 2007 and their whereabouts are unknown.

More recently, Amnesty International has become deeply concerned by the repressive draft Charities and Societies Proclamation, which clearly aims to undermine and frustrate the work of independent civil society organizations in Ethiopia, but would also bar foreign non-governmental organizations (NGOs) such as Amnesty International from operating in the country. The draft proclamation demonstrates the government's increasing intolerance of the work of human rights defenders and civil society organizations, and could be used by the government to conceal human rights violations and prevent public protest and criticism of its actions. If passed into law, the draft proclamation would frustrate the work of human rights defenders and NGOs, both Ethiopian and international, and would have a profound negative impact on the protection of human rights in Ethiopia under this administration.

The Ethiopian government issued a revised version of the draft in June and another in September 2008, but the majority of its content remains substantively similar to the original draft. Amnesty International considers that the draft proclamation remains incompatible with Ethiopia's national and international obligations and that, if passed into law, it would have an extensive and damaging effect on the human rights situation in Ethiopia. Amnesty International is seriously concerned that the provisions of the draft proclamation violate international and regional human rights treaties to which Ethiopia is a party and, as a result, would lead to an increase in human rights violations. The draft proclamation also violates provisions of the Ethiopian Constitution, particularly Article 31, which provides that "Everyone shall have the right to form associations for whatever purpose."

Identity Politics and International Response

In an article entitled, "Regional Politics, Human Rights and U.S. Policy in the Horn of Africa", published in the *Africa Policy Journal* in spring 2007, Professor Tricia Hepner and I attempted to demonstrate how political dynamics in the Horn of Africa are not only intimately linked with one another, but are also complex responses to international policy preferences. We argued that any successful foreign policy toward the Horn that will promote peace, stability, and human rights must begin with a serious and genuine consideration of regional dynamics, local perspectives on human rights, and the way in which bilateral foreign policies impact these

factors. Policymakers must effectively address the ways that previous or existing policies have contributed to tensions and diplomatic impasse, including the implicit or explicit favoring of powerful foreign interests over the well-being and needs of local populations and governments. A more consistent ethic with respect to holistic but politically and culturally variable human rights concerns must be at the center of any comprehensive foreign policy on the Horn.

Unless the U.S. and other western powers develop comprehensive and principled strategies more sensitive to regional complexities and fairer to the rights perspectives and political and humanitarian needs of the Horn populations and their governments, greater strife and suffering are likely to result. Such strife and suffering are not only unacceptable from a holistic human rights perspective, but are contrary to global interests in the long run, as increasing political-economic instability in the Horn will only contribute to the growth of anti-western sentiment and the proliferation of terrorist ideologies that represent, more than anything else, weapons of the weak, desperate, and disenfranchised. Correcting misinterpretations of local identity politics is paramount among the actions necessary to improve foreign policies toward the Horn.

Perhaps one of the most egregious misinterpretations of regional identity politics is the gross over-simplification that argues an ideological conflict between a so-called “Christian Ethiopia” and “Muslim Somalia.” However, this is by no means the only over-simplification of identity politics in the Horn. Another obvious example has contributed to highly repressive Ethiopian government policy in the Somali region of Ethiopia, the frequent labeling of any Somali Ethiopian as ONLF,⁷ and the blocking of humanitarian and commercial access to many areas of this region for extended periods of time.⁸

Other instances of instrumentalist abuse of primordialist designations are common in Somalia and self-declared Somaliland – from the common western labeling of conflict in Somalia as Darod versus Hawiye, to the manipulation of Warsengeli and Dulbahanti communities in Sanag and Sool by the governments of Somaliland and Puntland, to outrageous assumptions about widespread religiously-based support for brutal attacks by armed opposition groups.

Amnesty International has found that armed violence and human rights abuses against civilians have been committed by all parties to the conflict in Somalia – including the Transitional Federal Government and the Government of Ethiopia, and al-Shabab and other non-state opposition armed groups. But violence and abuses have also been perpetrated by individuals and small groups that act as or on behalf of local sub-clans, economic actors and common bandits.

Conversely, local sub-clan and clan leaders have often served as mediators and peace-makers, and provided for the basic welfare of their own and other communities.

One of the bitter ironies of conflict since early 2007 when the TFG advanced on Mogadishu alongside Ethiopian forces is that the Islamic Courts Union had pro-

7 Ogaden National Liberation Front.

8 See Human Rights Report, June 2008.

vided in and around Mogadishu a degree of safety and security to citizens not seen since the fall of Siad Barre. That is not to say that members of the ICU would not have been found guilty of violations against civil and political rights of civilians in Somalia, had they remained in power and had human rights groups been able to monitor conditions in the area.

Further, it is important to consider deep concerns about economic, social and cultural rights at the community level. So-called second and third generation rights are increasingly considered vital to human development, especially in poor or developing countries. Moreover, because all forms of rights are interrelated and mutually reinforcing, it typically follows that enhanced economic, social, and cultural rights strengthen civil and political rights, and vice versa. For many local and clan-based communities and religious leaders, it is “survival” rights which are elevated to the level of highest concern.

It is also not uncommon for some states, especially those which are poor, post-colonial or culturally oriented toward more collective values, to argue that civil and political rights must follow economic development and security. They argue that without access to a peaceful environment, clean water, sanitation, basic health care, education, decent housing and employment, issues like democratic and judicial reform are difficult to fathom at best and meaningless at worst.

Somali clan, religious, women and business leaders are coming together in the Diaspora – as demonstrated by this conference – to discuss their rights and concerns, and to forge a common vision for their country. We must also seek opportunities for local leaders who have remained in Somalia to be heard. As Professor Ken Menkhaus noted in 2005,⁹ “the prolonged collapse of central government has not yet led to complete anarchy.... A variety of local forms of governance have emerged to provide Somali communities with at least minimal levels of public order.” The voices of those who performed this local governance must not be ignored.

Just as one cannot deny the role of ethnicity in Central African politics, one cannot deny the ongoing importance of clan structures in Somalia – not only as sources of friction, but as sources of traditional means of conflict resolution, economic subsistence, and social and political participation.

Finally, as I have been told repeatedly by Somali associates, the resolution of conflict in Somalia (and the international status of Somaliland) will be impossible without an understanding of Islam as a foundation for peaceful cooperation, and the normative structure virtually all Somalis share in common.

9 Menkhaus, Kenneth J. 2005. Somalia and Somaliland: Terrorism, political Islam, and state collapse. In *Battling Terrorism in the Horn of Africa*. Edited by Robert I. Rotberg. Washington, D.C.: Brookings Institution Press, p. 27.

Regional Security and International Involvement

Even more difficult to parse than the complex roles of ethnicity, clan and religion on the Horn is the continual cycle of non-state warfare and regional military operations, often one in response to the other, on and on.

First, I suggest that it is imperative that we better understand the command structure and functions of different elements of what is too often considered homogenous – whether that be the Alliance for the Re-Liberation of Somalia (ARS), “al-Shabab” militias, other armed opposition, or the Transitional Federal Government in Somalia. Just as we need to understand the structure and function of institutions and key positions of authority in the governments of Ethiopia and Somaliland. While peace talks have continued to move forward, there are clearly divisions in these movements and governments, including those who may intentionally choose to play the role of spoilers of reconciliation and the institutionalization of human rights. We need to know who we are communicating with.

Second, I suggest that this learning process must also include a clearer understanding of the precise nature of the role of the United States in backing Ethiopia as it backs the TFG. More specifically, as human rights advocates, are we to see the U.S. as a party to the conflict in Somalia? If so, repeated air strikes should be condemned for their indiscriminate and disproportionate impact on the local civilian population. Or are we to see the U.S. as merely engaged in the broader “war on terror,” with Somalia as one of its main battle grounds? If so, “successful” air strikes should be condemned as “extra judicial executions,” as in the case of the killing of Adan Hashi Aryo. Perpetrators of human rights abuses should be held accountable under international standards of justice.

In relation to Ethiopia, how far will the U.S. and other major donors go to preserve their complex relationship with a government considered the most stable and powerful on the Horn? While U.S. congressional and State Department pressure surely helped to see scores of prisoners of conscience and political prisoners released in 2007, since that time there has been a marked reluctance to hold Addis accountability for violations committed by its security forces in the Somali region of Ethiopia and in Somalia; to carry out the boundary commission ruling on the Eritrea border; or to strenuously object to the draft proclamation that could destroy the remaining capability of most local and international organizations that work for human rights in Ethiopia. Mixed messages to Addis, even from within different institutions of the same government, abound. While western (donor) governments should not misuse their political and economic influence to prolong conflict among state and non-state actors across the Horn, they could certainly do a lot more to use that influence to help create the circumstances necessary for those same actors to come to reasonable agreement on how to end armed conflict and move forward in the best interests of their peoples.

Drawing again from Professor Hepner’s and my analysis in the *Africa Policy Journal*, scholars have long acknowledged that the protection of human rights entails a profoundly complex mix of cultural, political, economic, security and legal

dynamics. This recognition does not preclude the advancement of human rights agendas. Those committed to upholding and implementing human rights in a given context must work at identifying areas of common ground and interest among the inter- and transnational actors involved. Beginning with a respect for critical differences and fostering cross-cultural dialogue allows similarities and shared objectives to subsequently emerge. This approach not only puts into practice the abstract notion of universal and unequivocal human dignity regardless of context, but also proceeds with genuine respect for the contexts themselves.

Western focus on counter-terrorism has to date played too significant a role. It has at times obstructed useful actions and it has contributed to the glaring absence of public statements and policy decisions in response to restrictions on civil society, and the abusive treatment of prisoners of conscience. It is too easy to assume that the international community has often chosen to ignore their own human rights norms in exchange for military bases, political intelligence and the façade of national stability. As Professor David Shinn has written, “U.S. counterterrorism policy can only achieve long-term success in Ethiopia by working to ameliorate the myriad economic, political, and social issues throughout the region in addition to strengthening and working with local security forces....”¹⁰

Ethiopia’s concerns over its domestic and border security have received more attention from the international community than its concerns over the sustainable provision of food aid, medical care, education and other critical services for its population (ranked among the poorest in the world),¹¹ or the institutionalization of its own capacity to care for its citizens.

Perhaps the greatest failure of western policies on Somalia have been their short-sighted view of a complex national crisis that requires an historical understanding of clan and sub-clan dynamics, the legacy of mass brutality perpetrated under Siad Barre, and the implications of prolonged state collapse. Perhaps the greatest failure of international human rights advocacy on Somalia, and the Horn in general, is that it has too often allowed itself to be hijacked by counter-terrorism rhetoric, which narrows our view of the region, blinds us to the complexities of Somali politics, and leaves us feeling impotent to stop human rights abuses and violations or work to build institutions to protect against them.

Conclusion: Human Rights and Intersecting Values in the Horn of Africa

Contrary to what spoilers from all sides might have us believe, international human rights values are not at odds with the fundamental beliefs of major religions, the interests of traditional communities that have organized by ethnicity or clan, or the interests of governments to provide peace and security in their countries. In fact, centering discussions about peace and security, political participation and develop-

10 Shinn, David H. 2005. “Ethiopia: Governance and Terrorism.” In Rotberg, ed. *Battling Terrorism in the Horn of Africa*. 2005. Washington DC: Brookings Institution Press, p. 96.

11 Among other institutions, the World Bank continues to track Ethiopia’s poverty-stricken economy.

ment around human rights can provide a unifying theme to bring together those who genuinely want to work for the betterment of peoples throughout the Horn. However, this would certainly require changes in conditions and changes in the behavior of all parties toward humanitarian workers, human rights monitors, investigations and judicial development and reform.

Many esteemed international human rights organizations do not currently have regular access to monitor, report and advocate for human rights in the Horn; humanitarian organizations may have access but their operations are deeply affected by insecurity and government restrictions. This must change. Amnesty International would welcome the opportunity to be a constructive part of the dialogue necessary to bring about that change – by presenting the facts on the ground as we collect them, and by offering objective analysis and recommendations on what it will take, particularly regionally and internationally, to protect and institutionalize human rights protections for people throughout the Horn.

Universal human rights are not the enemy of local traditions, norms and customs but a complement to them. As, I presume, with everyone here at this conference, our goal is to create an environment where people's rights to physical integrity, freedom of expression, and economic well-being are not only protected but championed as a measure of the success of communities, states and regional organizations. We look forward to the day we reach this goal in Somalia, Ethiopia, Somaliland and throughout the Horn of Africa.

Religion, Liberal Democracy and Citizenship: Some Critical Lessons for the Horn of Africa

Gaim Kibreab

The relationship between religion and democracy has been one of the most persistent debates in political philosophy and the dramatic surge of the Christian Right in the West, particularly in the United States of America and Islamic fundamentalism in the Middle East, South Asia, North Africa and the Horn have brought the subject into worldwide prominence. These forces are forcefully trying to influence political decisions and mould public policies in accordance with their own religious convictions without regard to the interests of those who adhere to different religions or to no religion.

In the light of the rise and consolidation of the Islamic state in multi-religious Sudanese societies, the persecution of the Jehovah's Witnesses and Evangelical Christians in Eritrea, the rise and demise of the Islamic Courts, as well as the present surge of the extremist *Shabab* in Somalia, the presence of a *de facto* established state religion in Ethiopia where a substantial proportion of the population are Muslims, there are critical lessons the Horn of Africa can draw from the empirically informed and enlightened philosophical debates on the relationship between faith, democracy and citizenship.

The aim of the paper is not to analyse or discuss religious beliefs and practices in the Horn but rather to examine theoretically the relationship on the one hand, between religion and democracy and on the other, between religious and secular considerations in political action, public policy and voting in order to draw some insights on the relationship between religion and politics in the Horn.

Some of the questions the paper addresses are: should government be rigorously secular and neutral – neither favouring nor disavouring religion, or compassionately predisposed toward religion, seeking to encourage the thriving of multiplicity of faiths? Can the fundamental core values of liberty, equality and toleration – the edifice of the foundation on which liberal democracy rests – be preserved and promoted without the separation of state and religious institutions? Should religion and religiously based moral convictions of citizens play any role in public life? Should religious convictions of decision-makers be allowed to influence the development of public policies? What are the potential dangers that may result from bringing religious convictions into political action, decision-making and voting?

Democracy, Religion and citizenship

There are several broad generalizations that can be made about the role and place of religion in liberal democracies. Freedom of religion is a central core value in liberal democracy. Free exercise of religion is an essential manifestation of fundamental human liberty which is granted equally to all persons by virtue of their humanity. Nevertheless, citizenship is not dependent on adherence to any religion or to an official religion or a state approved religion. One does not need to adhere to any religion to be a citizen of a liberal democratic state. This is because religion is not a constitutive element of citizenship (Dworkin 1983, 1985; 1986; Audi 2000; Rawls 1993). As McConnell (2000) states, “In a democratic society, it is not possible to grant or withhold the privileges or immunities of citizenship on the basis of adherence to one or another religion. Instead liberal regimes have developed a range of answers to the problem of citizenship ambiguity.” In a liberal democracy, a government neither punishes nor rewards citizens for professing a faith that is not shared by a majority of citizens or for adhering to a state approved religion. Citizens enjoy the freedom to express their religious views, and to form institutions consistent with those views, without fear of punishment (Erbele 2002; Staut 2004; Sandel 1996). Citizens cannot also be forced to perform religious rituals (Thiemann 1996), such as prayer attendance, including children at school. By the same token citizens are also free to reject religion.

John Rawls, the greatest political philosopher of our time, for example, states, “In democracy, basic rights and recognised claims do not depend on religious affiliation, social class, and so on. *A society in which rights and recognised claims depend on religious affiliation and social class, has no conception of citizenship at all*” (1985: 241) (emphasis added). It was not due to mere coincidence that the greatest constitution ever promulgated in human history – the US constitution – is Godless. As Kramnick and Moore (1996: 27) state perceptively,

The US Constitution, drafted in 1787 and ratified in 1788, is a Godless document. Its utter neglect of religion was no oversight; it was apparent to all. Self-consciously designed to be an instrument with which to structure the secular politics of individual interest and happiness, the Constitution was bitterly attacked for its failure to mention God or Christianity.

In a liberal democracy, not only are citizens free to profess any religion or no religion as long as they cause no infringement on others’ rights, but the idea of public religion is also anathema to the basic principles of liberal democracy. This is because a state that adopts public religion is incapable of preserving liberty and of treating its citizens equitably.

Most of the eminent theorists of political liberalism strongly believe that the fundamental core values of freedom, equality and toleration are best preserved and enhanced if religion and politics are kept apart in the public sphere. The exponents of political liberalism are uncompromisingly in favour of the ‘wall of separation between religious institutions and state’ (Dworkin 1983, 1985, 1986; Rawls 1971, 1985, 1993; Ackerman 1980; Sandel 1996; Audi 2000). A constitutional system

that excludes religion from politics is in the best interest of both religious freedom and liberal politics. According to John Rawls, "...religious, philosophical and moral convictions... are part of what we call 'non-public identity' matters that citizens may deal with in their 'personal affairs'" (1985: 277). Politics and public policies should be freed from religious convictions of politicians and policy-makers.

Why do liberal theorists oppose public religion? Different religions have different conceptions of the ultimate good and truth and adherents of different religions genuinely believe that their way is the best way if not the only way that constitutes the ultimate path to human fulfilment and happiness. Not only are these conceptions numerous and diverse, but each of them recommends unique ways of achieving the ultimate good. If the Sunni Muslims, Sh'ia Muslims, Islamic fundamentalists, Orthodox Christians, Catholics, Protestants, Jehovah's Witnesses, Pentecostals, Hindus, Buddhists, etc. bring in their religious convictions into politics and public policies but each of them insists on their unique ways of realising the ultimate good, the public sphere is likely to turn into a battleground. That is why it is important to keep religious convictions outside the public sphere.

The multitudes of conceptions and recommendations will inevitably lead to fierce competition and conflict. A government that shows preference for any of these diverse conceptions of the ultimate good and truth is intrinsically incapable of treating its citizens who adhere to different religions in a fair and equitable manner (Rawls 1993; Dworkin 1986; Audi 2000). Therefore, the need to treat citizens in fair and equitable manner necessitates that a state should not show preference for any of the diverse competing and conflicting conceptions of the common good. As Roland Dworkin (1986: 191) concludes, "... a liberal government will adopt a posture of 'neutrality' toward all substantive religious, moral and philosophical views." He further observes, "... government must be neutral on what might be called question of the good life... political decisions must be independent of any conception of the good life or what gives value to life" (1986: 191). In another work (1983: 47), he states that government, "must be neutral in one particular way: among conceptions of the good life. Whatever we may think privately, it cannot count as a justification for some rule of law or some political institution... Or that a life suffused with religion is better or worse than a wholly secular life" (*Ibid.*). Consistent with this line of argument, Michael Sandel also states:

The political philosophy by which we live is a certain version of liberal political theory. Its central idea is that government should be neutral toward the moral and religious views its citizens espouse. Since people disagree about the best way to live, government should not affirm in law any particular vision of the good life. Instead, it should provide a framework of rights that respects persons as free and independent selves, capable of choosing their own values and ends (1996: 4).

Why Separation of Religious Institutions and State?

The question of how religiously pluralistic, free and democratic society achieves an appropriate and sustainable harmony between religion and politics has been one of the most importunate controversies that has been pre-occupying not only liberal political thinkers (see Rawls 1993; Sandel 1996; Stout 2004; Erbele 2002; Dworkin 1985; Audi 2000; Rosenblum 2000; Clanton 2008), but also political activists. The Algerian feminist, Marie-Aimée Hélie-Lucas, for example, states,

...let us dream of secular states, let us dream of the separation of religion and the state, of ending with nationalism justifying all the crimes against oppressed groups – including women (1988: 186).

Robert Audi argues that although religion as a source of “human flourishing and as stimulus to citizenship,” has played an important role in the development of democracy, it can “...be a divisive force in democratic politics” (2000: 3). The reason for this because “The impulse to pursue the Ultimate Good, particularly in an authoritative institutional context and with support of others sharing the same religious outlook, can lead to a tendency, conscious or unconscious, to dominate others. *A holy cause can sanctify extreme measures*” (2000: 3-4) (emphasis added). There is ample evidence to substantiate this claim. The stoning to death of the thirteen year old, innocent girl, Aisha Ibrahim Duhulow, in Kismayo, southern Somalia, at the hands of the Islamic extremists, the al-Shabab militia, who control Kismayo town is one of the many cases in point.

According to Amnesty International:

Contrary to earlier news reports, the girl stoned to death in Somalia this week was 13, not 23, Amnesty International can reveal. Aisha Ibrahim Duhulow was killed on Monday, 27 October, by a group of 50 men who stoned her to death in a stadium in the southern port of Kismayu, in front of around 1,000 spectators. Some of the Somali journalists who had reported she was 23 have told Amnesty International that this age was based upon a judgement of her age from her physical appearance.

She was accused of adultery in breach of Islamic law but, her father and other sources told Amnesty International that she had in fact been raped by three men, and had attempted to report this rape to the al-Shabab militia who control Kismayo, and it was this act that resulted in her being accused of adultery and detained. None of [the] men she accused of rape were arrested. ‘This was not justice, nor was it an execution. This child suffered a horrendous death at the behest of the armed opposition groups who currently control Kismayo,’ said David Copeman, Amnesty International’s Somalia Campaigner. He further said, “This killing is yet another human rights abuse committed by the combatants to the conflict in Somalia, and again demonstrates the importance of international action to investigate and document such abuses, through an International Commission of Inquiry.”

Amnesty International has learnt that:

- Aisha Ibrahim Duhulow was reported as being 23, based upon a judgement on her physical appearance, according to one of the journalists who had reported the stoning. Her actual age was confirmed to Amnesty International by other sources, including her father.
- Her father said she had only travelled to Kismayo from Hagardeer refugee camp in north eastern Kenya three months earlier.
- She was detained by militia of the Kismayo authorities, a coalition of Al-shabab and clan militias. During this time, she was reportedly extremely distressed, with some individuals stating she had become mentally unstable.

- *A truckload of stones was brought into the stadium to be used in the stoning.*
- At one point during the stoning, Amnesty International has been told by numerous eyewitnesses that nurses were instructed to check whether Aisha Ibrahim Duhulow was still alive when buried in the ground. They removed her from the ground, declared that she was, and she was replaced in the hole where she had been buried for the stoning to continue.
- An individual calling himself Sheik Hayakalah, was quoted on Radio Shabelle saying: ‘The evidence came from her side and she officially confirmed her guilt, while she told us that she is happy with the punishment under Islamic law.’ *In contradiction to this claim, a number of eye witnesses have told Amnesty International she struggled with her captors and had to be forcibly carried into the stadium.*
- *Inside the stadium, militia members opened fire when some of the witnesses to the killing attempted to save her life, and shot dead a boy who was a bystander* (Amnesty International 2008) (emphasis added).

Not only does this senseless act of barbarity demonstrate the extent to which a blind commitment to ‘a holy cause’ can destroy human conscience and legitimise actions that would otherwise be regarded as monstrous and inhuman, but also underscores the indispensability of the need to put an iron wall between political power and religion. Only a group whose sense of humanity and morality are wiped out by extreme religious conviction would treat a victim of gang rape in this manner. Had there been separation between state and religion, the perpetrators of the gang rape rather than the victim would have been punished.

Robert Audi states that the two most important commitments of liberal democracy are to freedom of citizens and to their basic political equality. This dual commitment of liberal democracy was succinctly stated by Kant:

It is a fundamental principle of moral politics that in uniting itself into a nation a people ought to subscribe to freedom and equality as the sole constituents of its concept of right, and this is not a principle of prudence, but is founded on duty (quoted in Audi 2000: 4).

However, the dual commitments are inherently conflictual because the pursuit of the two – freedom and equality – “can produce conflicts in a democracy, and in practice they tend to pull a society in different directions” (Audi 2000: 5). That is the reason why freedom exercised disregarding the freedom of others is counterproductive and undermine equal treatment of citizens. Robert Audi among many other liberal thinkers identifies three principles that underpin the argument of separation of religious institutions and state. These are the libertarian principle, the equalitarian principle and the neutrality principle.

The libertarian principle states that within certain constraints, the state must allow its citizens or others who live within its jurisdiction to practice any religion. This is a principle of tolerance (Audi 2000: 32). This does not, however, imply that the state should approve or disapprove any particular religion. The principle is based on the recognition of citizens’ freedom to practice their religion freely without state interference. It is equally important to recognise that this freedom is not without limitation. For example, government interference may be justifiable if certain religious practices constitute a threat to human health, e.g. if parents object to their children’s inoculation and put their lives and other citizens’ lives at risk or if

the freedom to practice religion violates the rights of others, e.g. the religious practice of human sacrifice (Audi 2000).

The equalitarian principle postulates that the state should give no preference to one religion over another. This is derived from the principle of impartiality. This principle rejects the idea of an established church as well as the exclusion from public office of citizens on the grounds that they are affiliated or not affiliated to a particular religion (Rawls 1993; Dworkin 1985; Audi 2000). In Eritrea the Jehovah's Witnesses and the different evangelical Christian churches are banned and therefore not only are their followers prohibited from practicing their religions, but the state also persecutes them actively and are excluded from public office, self-employment and cannot also occupy state-owned home. This policy and practice flagrantly violates the equalitarian principle and therefore the Eritrean government discriminates against those who are not followers of the state approved religions.

The neutrality principle postulates that the state "should neither favour nor disfavour religion (or the religious) *as such*, that is, give positive or negative preference to institutions or persons simply because they are religious (Audi 2000: 33; Dworkin 1986). The principle of neutrality applies both to religions, as well as to religious and non-religious citizens. This principle rejects government favouritism. In Eritrea, there are three state-approved religions – namely, mainstream Islam, Orthodox Christianity, Catholicism and Protestantism. The adherents of Islamic fundamentalism, Pentecostalism and other minority evangelical churches are banned.

Robert Audi argues that there are compelling reasons why a free and democratic society should endorse the three principles of separation of religious institution and state. The libertarian principle is indispensable because "a society without religious freedom" cannot be free (p. 36). A free and democratic society should also endorse the equalitarian principle because governmental religious preference of a particular religion will result in discrimination of citizens who profess other religions or who profess no religion. This is likely to lead to concentration of power and privileges in the hands of those who adhere to the preferred religion. For example, in Sudan, power is concentrated in the hands of Islamists.

Public policies and laws are also likely to reflect the normative values and world views of the preferred religion. Fair and equal treatment of citizens requires adoption of the equalitarian principle (Rawls 1971; Dworkin 1985, 1986; Audi 2000). Audi argues that in liberal democracy, differences in opportunity emanating from difference in effort and natural endowments may be unavoidable, but limitations in opportunity due to lack of preferred religious adherence violates "standards of basic liberty and basic equality" (Audi 2000: 36)

A free and democratic society should also endorse the principle of neutrality because the central idea of liberal political theory as Michael Sandel states is that "government should be neutral toward the moral and religious views its citizens espouse" (Sandel 1996: 4). Religious freedom includes the right to profess or reject any religion and if the state does not adopt a neutral stance, discrimination will be inevitable, as has been the case in Eritrea and Sudan. A society that discriminates or rewards citizens on the basis of their religious affiliation cannot be free and is in-

trinsically incapable of treating its citizens fairly and equally. Therefore separation of religion and state is *sine qua non* for the protection of religious liberty. The latter is only achievable in the context of state neutrality. Ideally, not only the state but also “churches should be politically neutral in a liberal democracy” (Audi 2000: 41).

Two Models of Religious Citizenship

There are two models of religious citizenship – namely, secular neutralism and religious pluralism. However, opinions are divided with regard to which of the two is the best way to realise the goal of equality of all citizens. The secular model is based on the strict separation of religion and state. McConnell summarises the secular model as follows: all laws are based on secular not religious premises; all public policies and government activities are free of religious influence or conviction; citizens’ civil obligations are determined independent of religion; not only are public schools the dominant form of education and but also should be used to instil ideals of democratic citizenship, without being tainted by sectarian teaching or dogma; and religious practices are protected as long as they are limited within the confines of the private sphere of home and church (McConnell 2000) or mosque. The idea is ‘Be a man in the streets and a Muslim or Christian, Jew, Hindu or Buddhist at home.’ As McConnell states, “The effect is to force all citizens to put aside their sectarian loyalties and convictions in their capacities as citizen, but allow everyone complete freedom to practice religion in the private. ‘Don’t ask, don’t tell’” (2000: 100-1). The aim of the secular model of citizenship is to avoid religious divisiveness, religious warfare, sectarianism, discrimination and intolerance. At the heart of the secular reasoning lies the argument that the political or public sphere should be shielded from being polluted by religious citizens’ conception of basic justice and the common good.

As opposed to the secularist state, the objectives of the religious pluralist state are: to enable people of all religious convictions to be citizens of the same nation; a Muslim can be a Muslim not just in her house but also in the public sphere. So can the Jew and Christian. In a religious pluralist state, everyone is at home. As McConnell states to the Catholic, it is a Catholic country; to a Muslim, it is a Muslim country. McConnell argues that the pluralist model rejects the idea that a secularist position is neutral because in its adherents’ view, the secular reason is underpinned by “a deeply embedded ideological preference for some modes of reasoning and ways of life over others – rationalism and choice over tradition and conscience” (McConnell 2000). According this view, no specific law or public policy can be ‘neutral’ as all are based on ideological and philosophical positions. Pluralists argue that the function of a constitution is to provide a framework within which different perspectives and world views could compete freely without privileging religious or secular values. In the pluralist system, religious citizens should be entitled like everyone else to advocate laws and public policies that in their conviction will promote the public good notwithstanding the fact that the sources of their premises are religious teachings.

The exponents of the pluralist model argue that the result of the pluralist approach is 'neutral' toward religion. This is not because the laws or public policies concerned are "based on non-sectarian 'reason', but because all citizens are equally free to adopt or reject arguments without any limitation arising from their metaphysical, philosophical, epistemological, or theological foundations" (McConnell 2000: 1003) According to pluralists, to argue that to require citizens to bracket their conception of basic justice and the common good when acting in the public sphere amounts to being reduced to second class citizens (Erbele 2002; Clanton 2008; Stout 2004). Nevertheless, the problem which the exponents of religious pluralism overlook is the fact that if different politicians, policy-makers and legislators who adhere to different religions act in accordance with their religious convictions in the public sphere, as stated earlier, the latter is likely to be permeated by sectarian divisiveness and consequently turn into a battleground. That is why many liberal thinkers argue that the adoption of the pluralist approach may prompt balkanisation of already divided societies (McConnell 2000). The other danger of the pluralist approach is that laws, public policies and government activities are most likely to reflect the religious commitments of the majority and as Audi argues, "if this happens, the liberal aim is threatened and a mob rule may prevail – this is because decisions and policies based on religious reasons are not acceptable to all citizens" (2000: 8).

The Role of Religion in Public Life

In a liberal democracy, citizens are not obliged to submit to any one particular religious, moral or philosophical doctrine. That is why religion is not a constitutive element of citizenship. Within limits, citizens are free to pursue various goods and ends in accordance with their individual choices and convictions (Audi 2000; Sandel 1996; Stout 2004; Clanton 2008). A democratic society also needs to seek political legitimacy based on the consent of the governed (Rawls 1985, 1993). This argument is underpinned by the assumption that citizens should govern themselves. However, the question is: how are citizens to govern themselves when they do not share fundamental religious, moral and philosophical commitments? Religiously committed citizens believe that their moral and social commitments – ranging from their views on women, morality, conception of right and wrong, morality, sexuality, divorce, child custody, alimony, inheritance, polygamy, child marriage, abortion, sexuality, blood transfusion, military service are derived directly or indirectly from these religious sources which are different and often incompatible with each other.

Political liberal theorists, such as John Rawls, Dworkin, Sandel, Ackerman and many others argue that the only way citizens in a religiously pluralistic society can harmoniously govern themselves is by keeping religion out of politics or the public sphere. Discussions on public policy should be conducted on the basis of public rather than religious reasoning (Rawls 1971; 1993; Rorty 1999) otherwise if citizens bring into the public sphere their sectarian political commitments, the public forum will turn into a battle ground rather than being a forum of mutual understanding

and effective communication. This is because as Richard Rorty in his 1994 essay argues, ‘religion is a conversation-stopper’ (1999). People who take a position on the grounds of God’s will are unable to change their mind even when confronted with evidence-based argument.

Therefore, in a religiously divided society, it is futile to base political arguments or public policy on sectarian religious premises because they are not acceptable to citizens outside that particular religion. Not only are political actions, public policies or arguments on fundamental political issues based on religious convictions unlikely to win the hearts and minds of citizens with different religious convictions, but they are also likely to cause offense or resentment. Religious reasoning in political discussion, legislation and public policy is disrespectful of citizens who do not accept the premises on which such arguments are based. Such reasoning is also undemocratic because it requires one to accept a particular set of religious premises to participate in a political debate, to join a political organisation or government office. That is why the most eminent political philosophers, such as John Rawls and many other political philosophers argue that religion should be kept in the private sphere and the public sphere should be governed by public reasoning that is accessible to all citizens regardless of their religious commitments.

The same logic equally applies to the exercise of political power of the state. Public policies when legislated in law are enforced by the coercive power of the state and therefore become binding on all citizens regardless of their religious, philosophical and moral doctrines (Rawls 1993). Rawls argues, “This raises the question of legitimacy of the general structure of authority with which the idea of public reason is intimately connected” (1993: 136). His argument in this regard is underpinned by the assumption that citizens are reasonable, rational, free and equal. He also views the diversity of reasonable religious, philosophical and moral doctrines found in democratic societies as being permanent feature of such society. In view of the fact that the governed are deeply divided by incompatible religious, philosophical and moral doctrines, how could it be possible to have a politically stable society? Rawls asks, “...when is ... power appropriately exercised? That is, in the light of what principles and ideals must we, as free and equal citizens, be able to view ourselves as exercising that power if our exercise of it is to be justifiable to other citizens and to respect their being reasonable and rational? (1993: 137).

The exercise of political power “*is fully proper only when it is exercised in accordance with a constitution the essentials of which all citizens as free and equal may reasonably be expected to endorse in the light of principles and ideals acceptable to their common human reason. This is the liberal principle of legitimacy*” (1993: 137). In a later edition of *Political Liberalism* (1996: xlvi) he states, “*the exercise of political power is proper only when we sincerely believe that the reasons we offer for our political action may reasonably be accepted by other citizens as a justification of those actions*” (Rawls 1996: xlvi) (emphasis added). This principle equally applies to all political actions, public policies, public discussions and to matters arising in the legislature “that concern or border on constitutional essentials, or basic questions of justice...” (1993: 137).

As in the theory of separation of religious institutions and state, at the heart of political legitimacy lies the principle of neutrality in which citizens and government officials deliberating public policy should remain neutral in terms of religious convictions. Instead all public policy and legislation should be justified by public rather than religious reason. In the course of public deliberation, legislation, voting, campaigning, lobbying, and interpretation of public policy, i.e. when entering the realm of the public sphere or what some theorists call the public square, citizens, government and municipal officials, politicians, as well as judges should bracket or leave behind their moral and religious convictions (Rawls 1985; Audi 2000; Rorty 1999).

What is public reason? According to Rawls:

Public reason is characteristic of a democratic people: it is the reason of its citizens, of those sharing the status of equal citizenship. The subject of their reason is the good of the public: what the exercise of the political conception of justice requires of society's basic structure of institutions, and of the purposes and ends they are to serve. *Public reason, then, is public in three ways: as the reason of citizens as such, it is the reason of the public; its subject is the good of the public and matters of fundamental justice; and its nature and content is public, being given by the ideals and principles expressed by society's conception of political justice, and conducted open to view on that basis.*" (1993: 213)

The requirement of public reason does not apply to all forms of political questions. It only applies to questions that involve 'constitutional essentials' as well as to matters of basic justice. The limitation of public reason does not apply to deliberation of political questions that are of lesser significance.

According to Rawls (1993: 214) religious, philosophical and moral considerations may play a role in many ways; however, the ideal of public reason applies to: citizens who engage in political advocacy in the public sphere, members of political parties, candidates in their campaigns, other groups who support such candidates and to political parties. The ideal of public reason equally applies to citizens who vote in elections. As Caleb Clanton (2008) states how politicians decide policy issues or citizens vote in an election should be decided on the basis of those reasons which can be recognised by all citizens as reasons, and not just according Islamic, Catholic, Protestant or Orthodox Christian reason. In short, the ideal of public reason applies whenever matters of constitutional essentials and questions of basic justice are at stake. Democratic citizens' behaviour in elections should be governed by public reason rather than religious reason (Rawls 1993: 215). Otherwise, the principle of democratic citizenship would be forfeited if they cast their votes in accordance with their religious convictions. This would be lethal in societies in which citizens adhere to two religions. For example, in Eritrea where 50 percent of the population are Muslims and the other 50 percent Christians, if people cast their votes according to their religious convictions rather than public reasons, the country would remain polarised along religious lines.

For the exercise of political power to be legitimate, democratic citizens should bracket their religious convictions when they lobby for a particular public policy, when they form or join a political party, when they campaign during an election and when casting their votes. Citizens who lobby for a public policy on the grounds

of their religious conviction, form or join faith-based political parties because they share the same religious conviction or who cast their votes on the basis of their religion clearly violate the principles of good and democratic citizenship. A good democratic citizen must be able to justify his or her actions and positions on the basis of the political values of public reason. One who lobbies in favour of a particular policy based on religious conviction or who casts his or her votes on the basis of their religion will be unable to explain in a manner that is acceptable to the other who does not share the same religious conviction.

Religious, philosophical and moral reasons are not universal values shared by all citizens and therefore are only accessible to those who profess the same religious convictions. If a government enacts a piece of legislation or adopts a particular social policy, it should justify it to all citizens in spite of their disagreement concerning religious, philosophical and moral doctrines. The central thrust of this ideal is that political decisions should be made in a manner that prevents one particular doctrine from dominating the public sphere. To be recognised as a free and equal citizen of a liberal democratic state means to be treated as a person to whom reasons must be offered, on request, when political questions are under consideration (Audi 2000; Clapton 2008; Rawls 1993; Dworkin 1985). The reasons that must be offered are not any reasons. They should be public reasons, not reasons based on religious conviction. Every citizen has the right to ask why she or he should consider a proposed legislation or public policy as legitimate. As John Rawls argues,

“And since the exercise of political power itself must be legitimate, the ideal of citizenship imposes a moral, not a legal, duty – the duty of civility – to be able to explain to one another on those fundamental questions how the principles and policies they advocate and vote for can be supported by the political values of public reason. This duty also involves a willingness to listen to others and fair-mindedness in deciding when accommodations to their views should reasonably be made” (1993: 217).

Rawls states that the reasoning in the public forum should appeal strictly to ideals and principles that no reasonable person could reasonably reject.

Religion, Gender and Democracy

In liberal democracy, one of the functions of government is to protect religious liberty. Liberal democracy also protects other liberties, such as freedom of movement, the right to bodily integrity, the right to own and inherit property, the right to seek employment outside the home, the right to education and the right of association (Nussbaum 2000). In some societies, such rights are denied to women on the grounds of religious convictions. Societies that are in the process of democratisation find themselves faced with the dilemma posed on the one hand, by a constitutional form that prohibits discrimination on the grounds of race, sex and religion and on the other that guarantees free exercise of religion.

If the state interferes in the free exercise of religion to protect women's rights in the above-stated realms, this is likely to be construed as constituting serious infringement-

ment of religious liberty. If the state does not interfere against women's subordination and institutional sexism, this would mean condoning or sanctioning violations of basic justice and equality. The contradictions between religious freedom and women's rights are obvious in the areas of inheritance, divorce, polygamous marriage for men, abortion, child custody, child marriage, property rights and post-divorce settlement and women's freedom of movement and employment outside the home. In societies where there is a wall of separation between religious institutions and state, the contradiction between religious freedom and gender equality has no impact on public policy. It is only in societies where there is lack of commitment to gender equality that the dilemma is apparent and more often than not, it is used as a pretext to perpetuate the status quo permeated by inequality between men and women.

The Role of Religion in Public Life: the Horn of Africa

The idea of the Horn of Africa is an abstract concept that only makes sense at a high level of generalisation. This is because although the countries in the Horn share certain common features, such as abject poverty, oppressive and incompetent and war-mongering regimes and adverse weather conditions, they differ widely in terms of their natural resource endowments, population and physical size as well as regime type. The role religion plays in public life is also different in all the countries in the Horn.

The 30 June 1989 coup which toppled the democratically elected Sadiq el Mahdi's government was engineered by the National Islamic Front (NIF) (Hamdi 1998; Gallab 2008). The Islamic government in Sudan derives nearly all its laws from Shari'a. This is in spite of the fact that the citizens of the country adhere to Islam, Christianity and traditional African religions. The imminent dangers the collapsing of religion and politics into one can cause is indisputably demonstrated by the bloodshed, displacement of millions of citizens and the suffering of the Sudanese people, especially in the southern and western parts of the country, including the Nuba Mountains. Though Sudan's Islamic path was institutionalised by Nimeiri's September 1983 Islamic laws, it was after the advent of the NIF-backed government that Sharia laws became deeply entrenched. Nimeiri introduced Shari'a laws as a means of forestalling the threat posed by the Muslim Brothers under the leadership of Hassan al-Turabi. As J. Esposito argues, "Nimeiri continued to be challenged by the National Front, an alliance of national Islamic organisations. He countered and pre-empted his Islamic critics in the National Front by himself harnessing religion to enhance his legitimacy" (Esposito 1995: 86).

In order to see one of the obvious negative impacts of the domination of public policy and legislation by religious convictions, let us briefly look at the situation of women in the Sudan. The fact that all laws and public policies are derived from the Qoran in the Sudan has had a dramatic impact on women's equality, dignity and basic human rights. In the Sudan, the inequality between women and men is codified

in law. According to the codified law – The Muslim Personal Status Act of 1991 (see Tonnessen: 2007:4):

- a man is allowed to marry up to 4 wives, but has to treat all his wives justly;
- a woman needs a guardian (*wali*) to validate the marriage;
- the bridegroom must pay the bride a dowry which is the property of the wife;
- the man is the financial provider of the family;
- a man can deny his wives to work outside the home, even though he fails his financial obligation;
- the husband has the unilateral right to divorce (*talaq*) while the wife has to obtain a divorce in court (*tatliq*);
- the mother has the custody (*hadana*) of the girl until she is nine years old and of the boy until he is seven years old; and
- a woman would inherit half of her brother(s) property (Qanun al-Ahwal Al-Shakhsiyya lil-Muslimin 1991 referred to in Tonnessen 2007: 3).

In Eritrea, the relationship between state and religion is bizarre and utterly confusing. Although the country's laws formally guarantee freedom of religion, it is the only country in the region, if not in the world, where religion is constitutive of citizenship. In post-independence Eritrea, citizenship is dependent on adherence to state-approved religion. The Jehovah's Witnesses were deprived of their citizenship by a Presidential Statement issued on 25 October 1994 (see Government of Eritrea 1995). The reason the Jehovah's Witnesses lost their citizenship rights was because they refused to participate in the national referendum of 1993 and in the national service.

The Eritrean Evangelical Christians who happily participated in the national referendum and have been participating in the national service like every other citizen in the country are also suffering from gruesome forms of persecution for no other reason than their unwillingness to denounce their religion in favour of the three state-approved religions – namely, mainstream Islam, the Orthodox Church, the Catholic and the traditional Protestant Church. Hundreds of Pentecostal Christians are languishing in unknown places throughout the country. The government also routinely tramples upon the autonomy of the state-approved religious institutions. For example, the aging Patriarch of the Orthodox Church has been incommunicado in detention since 13 January 2005 for no other reason but for protesting against the gross violations of human rights in the country and for demanding the release of the illegally detained priests.

Notwithstanding the fact that the Eritrean government claims to be secular, personal laws among Eritrean Muslims are governed by Shari'a law, notwithstanding the fact that the EPLF (later PFDJ) came to power promising to relegate the institutions that create and reproduce gender inequality to the dustbin of history. By recognising Shari'a law in personal status, the government has condoned discrimination of Muslim women in the country.

The same is true in Ethiopia. Although state and church were formally divorced after the Derg's ascendance to power (see Eide 2000), under the present government, personal laws among Muslims in the country are based on Shari'a law which as we saw earlier, discriminates against women. For any government committed to the principle of gender equality, the values of women's dignity, basic human rights and equality should outweigh any faith-based justification for oppression.

Conclusion

Based on the theories and analyses presented in the preceding pages, I would like to conclude by focusing on a few important questions.

- Religious liberty is one of the most important core values and deserves preservation and protection provided it is kept within the bounds of the private sphere.
- The state should maintain a neutral stance toward the religions adhered to by its citizens and others residing within its territories.
- Religion is not a constitutive element of citizenship, i.e. enjoyment of rights of citizenship is not a function of adherence to any religion or state-approved religion. A society in which citizenship rights depend on religious affiliation "has no conception of citizenship at all" (Rawls 1993: 241).
- In a religiously pluralistic society, it is not possible to develop and preserve a fair and just society based on freedom, equality and neutrality without the separation of state and religion. An iron wall of separation between state and religion is a *sine qua non* for the realisation of the lofty ideals of liberty and equality.
- Religion and religiously based moral convictions should never be allowed to influence legislation, public policy and political action. The only time religion and religiously-based convictions could be considered to play a role in the public sphere is when those who resort to religious rather than public reasoning in particular political matters recognise and accept "the risk of deliberative defeat" and are therefore "open to inquiry and deliberation" (Clanton 2008: 10). This is the minimum requirement of an ethical democratic citizenship. However, in view of the fact that those who act upon religious convictions are not open to public reasoning, the very idea of 'deliberative defeat' may be incompatible with their faith.
- Public policies based on religious convictions are likely to be divisive and discriminatory and therefore should not be allowed to influence development of public policies.
- No majority religion should enjoy a privileged status to shape public institutions, programs and policies.
- In religiously and morally pluralistic societies such as the horn of Africa, citizens who base their support or opposition to political parties, public policies and laws on sectarian religious reasons violate the ethics or moral duties of good democratic citizenship (see Wolterstorff 1997: 67-9; Rawls 1993; Dworkin 1985, 1985; Audi 2000; Clanton 2008).

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The Ethnic and Civic Basis of Citizenship in the Horn of Africa

Redie Bereketeab

Introduction

Broadly speaking the literature on citizenship identifies two bases of citizenship claims, notably ethnic and civic. While the first one is supposed to constitute the foundation of ethnically homogenous societies, the latter is ascribed to be the basis of citizenship of multiethnic heterogeneous societies. The reality on the ground, however, is much more complex than this ideal typical societal dichotomised setting. That is the typologies are rarely found in their pure forms, rather quite often, citizenship presupposes conflation of both.

Citizenship as a universal affiliation to a state in the Horn of Africa (HOA) is still in the process of evolvement. As such a fully formed citizenship status is hard to imagine. Hence, the evolving citizenship formation in the HOA is highly blurred. Although it seems possible to argue that the dominant form of citizenship at the formal sphere in the Horn of Africa is the civic type, in reality, however, the ethnic could be found within the civic and vice-versa.

The states in the HOA are pursuing varying types of citizenship formation. At least officially, Somalia, since, its inception as a sovereign state in 1960, was the only state that formally could claim an ethnic based citizenship formation. In reality, however, Somali citizenship is based on both ethnic and civic criteria. The ethnic foundation of Somali citizenship stems from the fact that, broadly speaking, Somali population is perceived to be ethnically homogenous. Yet the myth of the homogenous Somali nation was demystified by two interrelated developments. The first is the division of the Somali nation in different separate entities. The second is the emergence of Somaliland since 1991 whose identity claim stems from a colonially produced entity. Perhaps it could be also added that the internal narratives of genealogy of the genesis of the Somali nation draw a picture of a far from homogenous society. These two developments have demonstrated, even in Somalia's case, the predominance of the conception of the civic territorial foundation of Somali citizenship at the formal level.

The post-Dergue reconstitution and restructuring of the Ethiopian state has introduced, at a formal level, an ethnic based citizenship. The ethnic federation arrangement presupposes that Ethiopians secure their citizenry through their ethnic states. Therefore Ethiopia is pursuing two parallel levels of citizenship: ethnic (*kilil*

– regional state) and civic at the federal level (national level). The Comprehensive Peace Agreement (CPA) of 2005 between Khartoum and the SPLM, in Sudan, could also be seen as an attempt at the inception of a mixed type of citizenship rights. Southern Sudanese are made to elicit their Sudanese citizenship on an ethnic basis through the membership of their ethnonation in the new Sudan. The rest of the Sudanese people find that their citizenship is being defined so far according to civic criteria. Eritrea and Djibouti are pursuing the civic route of citizenship.

The paper attempts to describe and analyse the forms of citizenship claims in the HOA. It addresses questions such as: What are the citizenship types prevailing in the Horn of Africa? What are the criteria defining citizenship? Which type of citizenship is appropriate to the social fabric of the state of the HOA? Could either ethnic or civic criteria of citizenship in separation adequately address the citizenship problem in the HOA? What are the cons and pros of defining citizenship on the basis of either the ethnic or civic criteria?

The paper consists of six sections. The first introduction section gives a general overview of the paper. The second section deals with the theoretical and conceptual discourse. Section three addresses the citizenship bases in the HOA. Section four discusses the pros and cons of framing citizenship along either ethnic or civic forms. Section five discusses the politics of rights versus politics of domination. The last section, in conclusion, summarises the paper.

The Ethnic and the Civic Bases of Citizenship: Theoretical Discussion

Overall, in the discourse of citizenry, often distinction is made between two bases of citizenship. In spite of the distinction, however, there is still a lot of heated debate and disagreement revolving around the concept of citizenship in Polyethnic societies. It is unsettling to observe that the philosophical and political debate pivoting around the subject casts heavy clouds on it, instead of giving clarity. The persistent acrimony between followers of the two persuasions renders the subject highly contested. Not only the lack of conceptual clarity but also dubious theoretical approaches and conceptual binaries, underlie the contestation about citizenship in Polyethnic societies. Concerning the conceptual framework, several sets of concepts permeate the discourse. The commonly referred binaries include: ethnic-civic, primordial-modern, essentialist-instrumentalist/constructivist, collectivist-individualist. These binaries follow familiar theoretical traditions that, broadly expressed, could be distinguished along individualistic-libertarianism and collectivist-authoritarianism (Greenfeld 1992; Seton-Watson 1977; Smith 1986, 1998; Gellner 1983). This taxonomy is not, however, without political consequences, that is beyond its usual academic controversy, the normative virtue endowed to it where ethnic (bad) and civic (good) (McCrone 1998: 8), it can make or break societies. The taxonomies are further reduced to two types of nationalisms that constitute the founding pillars of citizenship rights and claims. Nationalism is described as the most contentious, but also most potent tool in the formation of nations and identities (Gellner 1983, Hobsbawm

1990). This powerful tool distinguished itself by diverging, at least, into two species. Some scholars distinguish between two types of nationalism which in turn lay the foundation for two types of citizenship formations.

Liah Greenfeld (1992), for instance, discerns two types of nationalism, the individualistic-libertarian and the collectivist-authoritarian. While the individualistic-libertarian perception leads to membership criteria based on civic criteria, the collectivistic-authoritarian perception leads to ethnic criteria of citizenship. According to the individualistic-libertarian perception, citizenship is voluntary and acquired. In this model of citizenship individuals are taught and socialised by the various social mechanisms and institutions to acquire citizenship. Further they have the option of accepting or rejecting a particular type of citizenship, at least in theory. According to the collectivistic-authoritarian view, on the other hand, citizenship is deterministic and inherited, arising from the fact of belonging to a unique ethnicity, his or her citizenship is predetermined, it is not optional (Greenfeld 1992). Already blood genealogy has hermetically sealed the individual's citizenship. The markers of ethnic citizenship are common descent, language, persistent residence in a specific territory, specifically identifiable cultural traits (values, norms, special type of dress, food) related to ethnic commonality (nativity or indignity).

The profound premises of civic criteria of citizenship, on the other hand, are civic institutions that would include the legal (law, courts, judges, jury); political (parties, parliament, enfranchisement, elections); economic (market, bank, credit institutions, money and finance institutions); and civic cultural traits (values, norms, symbols, music, theatre, cinemas, national holidays): emanating from an overarching political system, national life, residing in a common national territory, *Gesellschaft*) that stem from national institutions binding citizens together (Seton-Watson 1997, Smith 1986).

A politico-legalistic or formalistic definition of citizenship is provided as;

Citizenship may be defined as a formal status of individual membership in a national community subject to the sovereign institutions of rule of a state. The status confers upon the citizen equal protection of the laws, guarantees of a right to belonging, entitlement to participation, and full access to the social provisions of the state. Through the doctrine of popular sovereignty, the citizen is an integral member of the civil society from which the state derives its legitimacy (Young 2007: 254).

The other definition of citizenship, which I call sociological or non-formalistic, rests on the perception that it is "on basis of a community of descent, on 'jus sanguinis'-the law of blood" (McCrone 1998: 9, Young 2007: 262). It is important to stress that my perception of citizenship is of its sociological dimension. The increasing move from the mere legal definition of citizenship to the sociological definition is also accentuated by Will Kymlicka when he notes,

most liberal theorists have recognized that citizenship is not just a legal status, defined by a set of rights and responsibilities, but also an identity, an expression of one's membership in a political community (Kymlicka 1995: 192).

The following figure succinctly presents the conceptual and theoretical dichotomies that are deployed in the discourse of citizenship (Figure 1).

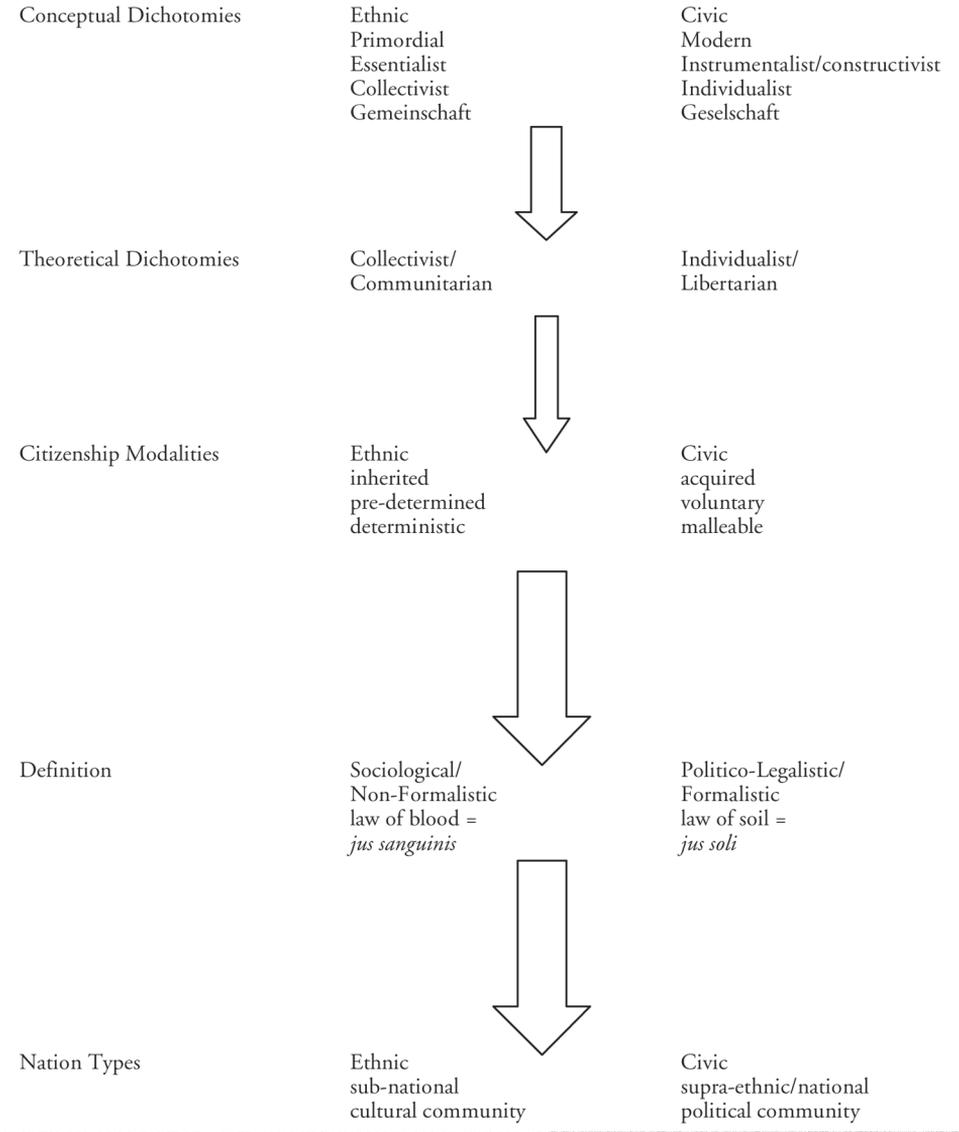


Figure 1 Theoretical and Conceptual Dichotomies

This discourse on the two types of citizenship foundations has given rise to two schools of thought, notably the primordialist school of thought and the modernist school of thought. The modernist school of thought more or less perceives the foundations of citizenship as being based on secular, territorial, political civic criteria (Hobsbawm 1990, Gellner 1983). Moreover, it prescribes to the view that civic citizenship is modern and variable. Its variability is presumably connected with the high

geographical mobility of modern man that with great inevitability leads to the mixing of previously geographically confined people thereby diluting the ethnically pure pedigree of groups. But, moreover, the unlimited mobility of the civic citizen brings about a considerable change in the mental structure of the citizen that obliterates the ethnic, primordial and parochial proclivities within its mental structure.

On the other hand, the primordialist school of thought (Geertz 1963, Van den Berghe 1978) emphasises the perenniality of ethnic citizenship. Ethnic citizenship is perceived as objective and natural and as such therefore as a fundamental, characterising feature of human cultural organisation. Primordality is fixed, invariable therefore authentic, reflecting nativity and indignity. The reification of primordial premises becomes the defining characteristic of ethnic citizenship.

The critical question here is what is the political implication of this debate to the politics of identity and politics of rights? These two types of citizenship are intrinsically related to two types of politics of rights, notably group/collective rights and individual rights. The group/collective rights are aligned with ethnic citizenship rights whereas individual rights are aligned with civic citizenship rights. This binary itself rests on the great Western philosophical tradition of liberalism and communitarianism. Liberal democracy that advocates individual rights inclines to civic citizenship premises where membership in a nation rests on the individual. The individual as an atomic unit of society is connected with the nation. The communitarian, on the other hand, focuses on the group or collective citizenship membership (cf. Kymlicka 1995, Taylor 1994). Liberals have always perceived group rights as a nemesis to individual rights. For Kymlicka, however, the opposition between individual rights and collective rights as seemingly advocated by liberalism and communitarianism are not as sharp as we are led to believe. Kymlicka maintains not only that liberalism provides space for group rights, but also it must allow for group rights. He insists that individual rights of minority groups could only be adequately addressed through group rights,

Group-differentiated rights – such as territorial autonomy, veto power, guaranteed representation in central institutions, land claims, and language rights – can help rectify this disadvantage, by alleviating the vulnerability of minority cultures to majority decisions. These external protections ensure that members of the minority have the same opportunity to live and work in their own culture as members of the majority (Kymlicka 1995: 109).

Kymlicka continues, “Group-differentiated rights, in short, seem to reflect a collectivist or communitarian outlook, rather than the liberal belief in individual freedom and equality” (Kymlicka 1995: 34). Nevertheless, Kymlicka, calling this view misconception maintains that many forms of group-differentiated citizenships are consistent with liberal principles of freedom. Indeed Kymlicka insists on stating that group-specific rights certainly guarantee personal freedom. Indeed Kymlicka strongly believes that individual freedom in a polyethnic setting could not be achieved without community rights. This understanding takes us to the differential historical genesis of citizenship rights in a comparative historical perspective. Let’s take the example of the often-cited countries in this connection, notably France and Germany.

in France citizenship came to be defined as a territorial community based on 'jus soli' – the law of soil, that is on a territorial jurisdiction. Whatever one's ethnic or geographical origin, all residents on French soil could in principle be citizens of the French state...in Germany... citizenship was formed on the basis of a community of descent, on 'jus sanguinis' – the law of blood (McCrone 1998: 9).

In other words a child receives German citizenship if the parents have it. The French model is state-centred and assimilationist, the German one is volk-centred and differentialist (McCrone 1998: 9). The French one epitomizes the model where the state precedes the nation; in the German case the nation preceded the state (ibid). In the French case residence determines citizenship rights, conversely in the German case blood, regardless of residence status, determines citizenship rights.

How does all this relate to Africa in general and HOA in particular? Undoubtedly, Africa would present a different history and narrative of citizenship claims and rights. One of the historicities that perhaps strongly brings out the specificity in the case of citizenship foundation in Africa would be the necessity to delineate African history to pre-colonial and post-colonial and the concomitant respective variant citizenship formations. The pre-colonial is often related with primordiality where ethnic mode of citizenship would be in preponderance, whereas the post-coloniality is related with modernity that tends to afford the civic preponderance in the citizenship configurations.

The post-colonial citizenship formation could be represented by an act of constructivism where intentional social actions by the new African leaders were taken to give the civic preponderance in order to accommodate the two aspects of societal life prevailing in the colonially created post-colonial societies. The two aspects of social life: the traditional (primordial) and modern (civic) required a special approach to citizenship. For the new agents of nation state builders the choice became by necessity the French model 'state-centred', '*ius soli*'. On the other hand, the German model 'volk-centred' '*ius sanguinis*' is relegated to the sub-national or community level. In a hierarchically arranged plurality of citizenship the civic pertains to the national and formal, while the ethnic would refer to the sub-national and informal. In this sense the preceding discussion would have relevance to the HOA's citizenship debate.

Citizenship Basis in the Horn of Africa

The ontological origin of the current societies in the Horn of Africa (HOA) could be traced to the arrival of European colonialism to the region. The modern societal formation in the HOA is a product of the European colonial expansion in late 19th century. The primary objective of this colonial social engineering was to create submissive subjects that could easily be subordinated to the economic and political wishes and interest of the colonisers. The order of political and economic system in the colonial territories was therefore designed in a manner that not only was to serve the functional needs of colonial authorities, but also in a manner that engendered societies that morally, physically and psychologically became lame ducks, unable to

extend resistance to the colonial yoke hanging on their necks. The colonial project, thus, brought forcibly together a variety of divergent groups that under normal circumstance might not have constituted political units called nations subsumed under a state. Or, in the case of Somalia, parts of communities were surgically removed and forced to join communities that they had nothing in common with. This configuration inevitably gave rise to a citizenship modality that by necessity had to accommodate numerous groups of various ethnic, linguistic and cultural pedigrees. This means that the post-colonial state is constructed in a way that pre-colonial and colonial are to be found infused in a polyethnic post-colonial society. This reality in turn demands recognition and celebration of duality of citizenship formation, notably ethnic and civic.

The traditional notion of citizenship in Africa is that “no matter where you are born, you are the son or daughter of the original soil or homeland of the parent through whom you trace your descent. Ethnic citizenship is therefore the foundation for national citizenship in Africa, although it is also possible to acquire citizenship by naturalisation” (Nzongola-Ntalaja 2007: 71). This state of condition of citizenship could have served the pre-colonial societies. The colonial and post-colonial reality has brought about a different supra-ethnic configuration where a different citizenship mode has become necessary. The contours of post-colonial citizenship have been altered so radically that the pre-colonial reality would not adequately define the post-colonial citizenship configuration.

Some of the mechanisms deployed to ensure the production of lame duck societies mentioned earlier that were amenable to colonial schemes were to make sure that they were mish-mashed. The process of mish-mashing involved, in the first place, cutting political boundaries arbitrarily, without taking any consideration to culture, religion, mode of life, topography, etc. (Clapham 1985: 7, Lewis 1983) This resulted into the creation of political entities devoid of common culture, language, identity, values and norms, coherent political and economic systems, indigenous institutions; elements that are essential for national unity and cohesion creating ideal situation for ruling. In the second place, indigenous norms and values, structures and institutions were fatally undermined, paving the way for societal pathology where the post-colonial society contained, at birth, anti-bodies that rendered the society chronically infected with multiple diseases.

The very social fabric of the post-colonial societies necessarily became a centre of agonising mixture of ethnicity, religion, language, culture, landscape that were artificially and forcibly grafted into each other rendering them susceptible to all sorts of pathologies. This susceptibility to social malaise made the nation building enterprise fraught with all sorts of problems, but also necessitated carefully designed citizenship models and strategies. Arguably, for the purpose of this paper, it is plausible to distinguish between two clearly identifiable citizenship formations in HOA, notably ethnic and civic. While the first (ethnic) relates to a ethno-linguistic constellation, the latter refer to the supra-ethnic constellation characterising the post-colonial societies. Cognisant of this societal reality embedded in the social fabric of the post-colonial societies, understandably, the states opted for a citizenship formula that exceeded

ethno-primordial formation, and instead emphasised supra-ethnic civic citizenship formation. Somalia, where the political was presumed to be congruent with the cultural, that is a state representing a homogenous community was in practice based on civic citizenship formation for a number of reasons. Here it is of great significance to stress the distinction between what is known as official or state citizenship and unofficial community citizenship. The latter refers to the community's understanding of citizenship. This distinction usually ends up in the binary of ethnic, which conforms with the community's understanding of itself, and civic which conforms with the official or state understanding of citizenship.

Since the 1990s the HOA is experiencing two types of citizenship models at the official level. One model rests on civic citizenship criteria and the other on ethnic citizenship ones. The ethnic citizenship model has been rigorously advanced by the new power holders in Ethiopia since 1991 where the country is reconstituted on an ethnic basis. In a radical departure from the previous era, the post-Dergue state power holders undertook profound measures that rearranged state structure in Ethiopia. The new scheme could appropriately be described as a move from a civic to ethnic citizenship formation, at least in theory. Yet the new political endeavour is permeated with contradictions. While the new constitution gives far-reaching rights of autonomy to the nations, nationalities and peoples in reality, however, the centre remains near to absolute power leading some observers to infer that the current Ethiopian state is highly centralised (Merera 2003: 146-8).

Sudan has also increasingly moved toward this model, particularly since the signing of Comprehensive Peace Agreement (CPA) between the Khartoum government and Southern Sudanese rebels in 2005, whose central provision gives autonomy to the Southerners. Therefore the post-CPA state arrangement in Sudan could be described as a move from civic citizenship to ethnic citizenship dispensation. Sudan is, of course, not pursuing an outright ethnicist citizenship model. So far Sudan's federal state dispensation is displaying a blend. If the two foci of centrifugal movement – Darfur and Eastern Sudan – are able to extract the same deal as their Southern compatriots, perhaps the Sudan state dispensation could come to a full circle of the ethnic model.

The second modality of citizenship practiced in the HOA is the civic model. The civic model of citizenship, at a formal level, the constitutional state dispensation, is being pursued by other two HOA countries – Djibouti and Eritrea. Although both countries consist of polyethnic communities, state power holders have opted for a unitary, civic dispensation of citizenship. In Djibouti there has been tension relating to power sharing between the two ethnic groups since independence leading to intermittent wars (e.g., Abdallah 2008). The unitary state is dominated by the majority (ca 70 percent) Issa where the minority Afars feel marginalised. The Eritrean government has taken a stand that rigorously rejects and even inserted it in the ratified constitution that any association based on ethnicity and religion is illegal. Hence, it is pursuing a unitary centralised state structure founded on civic citizenship dispensation. Yet, in both countries there are tendencies seeking for an ethnic basis of citizenship. Some ethnic groups are challenging the centrist dominant

state dispensation and would like to reconfigure the state along the Ethiopian line of ethnic federalism. Recently there have emerged small groups like the Red Sea Afar Democratic Organisation (RSADO) and the Democratic Movement for the Liberation of Kunama (DMLK) (Bereketab 2004: 228) in Eritrea that are demanding ethnic autonomies. That they derive their inspiration from Ethiopia is demonstrated by the fact that these groups are not only supported by the Ethiopian government but also that they are based in Ethiopia.

A third is the Somali case. Somalia represents a special case. The Somali situation provides a mixed picture. Somalia is the only country in the region that has been widely perceived as an entity of homogeneity. Based on this perception the leaders of post-colonial Somalia embarked on a state building enterprise that would be profoundly based on ethnic criteria of citizenship.

This ethnically driven Somali dispensation of nation state building led to the ambition of incorporating ethnic Somalis that were left out when the post-colonial Somali state was constituted (Möller 2008: 97). Yet, the perception of a homogenous Somali state has increasingly come under pressure. Two challenges are provided to this homogeneity perception and its drive for an ethnic basis of citizenship. The first refers to the territorially divided existence of the Somalis – Republic of Somalia, North Eastern Province (Kenya), Somali Ethiopia (popularly known as Ogaden region) and Djibouti; but also the emergence of a self-declared independent Somaliland in 1991 has further demonstrated otherwise. Following the demise of the Siyad Barre regime, Somaliland declared its independence that was based on the redefinition of its identity as founded on colonially created territory that is *ius soli*. The second challenge comes from the realisation that, after all, the Somali nation is not a homogenous entity as the commonsense perception had led us to believe (Kusow 2004: 2-3). The Somali genealogical narrative provides diverse pedigree of not only the emergence but also the current existence of the Somali nation (cf. Kusow 2004). As Abdi Kusow (2004) expounds, a genealogical narrative excludes groups such as *Jarer* from the *Maandeeq* (Somaliness). From the preceding discussion we might deduce that there exist three modalities of citizenship in the HOA, notably the ethnic model as pursued by Ethiopia; the civic model as pursued by Eritrea and Djibouti; and the special case of Somalia.

The Pros and Cons of the Adoption of Either the Ethnic or the Civic Forms of Citizenship

I have argued in the previous section that the states of the HOA were born containing profoundly within their wombs multiple ethnic entities that essentially make them civic and will remain so, unless they are to be dissected into their component ethnic elements (in whatever form ethnic is defined) and build their own ethnic states. The underlying assumption is that states consisting of polyethnic communities could by necessity display civic citizenship at the national or official level. Therefore the states of the HOA, in their current form could only provide civic citizenship. But this is

true only at the national or official level. There is the unofficial or sub-national level. The diversity of the societies presupposes two levels of citizenship – duality of citizenship. This reality demands at the political level the recognition and perhaps also the celebration of this duality of citizenship. Yet, it is proposed here that the relation of the duality should not be placed at a parallel level. That is their relation should be vertical rather than horizontal. The nation building project presupposes this verticality of political relationship. A society that is in the process of formation and active transformation is precarious and vulnerable. Therefore nurturing the duality of citizenship is of utmost significance. The crucial question that needs answering is what are or will be the consequences of simply emphasising one of the citizenship forms and neglecting the other? I briefly now discuss the pros and cons of adopting one or the other forms of citizenship.

A logic that departs from the polyethnic ontology or existentiality of the current states in the HOA, may lead us to the conclusion that the logical foundation of citizenship should be ethnic. But let us assume for a moment the plausibility of ethnic states in HOA, and an earnest endeavour being made toward reconfiguration of the states so that they fit perfectly in the ethnically determined citizenship constellation. What would the political landscape then look like? What would the security and stability of the region be? One scenario would probably be, since there would not be perfectly delineated ethnic entities, a chaos where the Hobbesean adage of “war of everyman against everyman” (Fukuyama 2005: 2) would reign. One of the challenges, as the current Ethiopian experience demonstrates, stems from the difficulty to delineate ethnic boundaries (Fiseha 2006, Cohen 2006). The war of everyman against everyman has been unequivocally demonstrated by the collapse of the Somali state in 1991 where the feuding units were reduced to clans and sub-clans, that is the atoms of the Somali nation.

The cons of ethnic claims of citizenship could also be seen from two points of view. The first is exogenous and the second endogenous. In terms of the second, ethnicisation of socio-political life could lead to autochthonic and nativist claims that in their extreme forms produce ethnic cleansing and genocide (Marshall-Fratani 2007: 32). The examples of Rwanda and Sierra Leone make it not easy to miss what hostility and hatred filled ethnic mobilisation and strife could lead to. In addition to this endogenous situation, another exogenous implication of ethnicisation of politics is the growth of the tendencies that aim at uniting ethnic entities across political boundaries that is it gives rise to irredentism with the potential of it developing into interstate conflict. The Somali incorporation of five stars into its flag representing unity of the five entities and the subsequent conflict that followed an attempt at acting upon that desire represents one of the negativities of an ethnic claim of citizenship (Möller 2008: 98). The intermittent demand to form a Pan-Afar state is also another example of the consequence of ethnicisation of citizenship. The post-Dergue reconstitution of the Ethiopian state on an ethnicity basis is also believed to have brought to the forefront the need of realignment of ethnic citizenship. The TPLF’s definition of its struggle in the earlier days as aiming at building a Tigray sovereign nation state founded on the unity of divided ethnies: Afar, Kunama, Tigrinya, Saho, etc. that

brought it into direct confrontation with the Eritrean movements (Bereketeab 2009) is another example of the negativity of ethnicisation of socio-polity in the HOA.

In its irredentist version the critical implication of the ethnic basis of citizenship is its transgression of political borders. The artificiality of the current national geoterritoriality in the HOA that has given rise to social reality where ethnic groups are to be found divided across national states, where kins are to be found spread across a natural geographic contiguity that is divided by political lines, may rightly invoke rights of commonality of citizenship that could easily spill over into cross border conflict. This commonality of citizenship rights and efforts to realise it may constitute elements of interstate conflicts.

The pros of ethnic citizenship are often presented as creating favourable milieu for ethnic groups quite often subjected to majority dominance in a unitary state structure and civic citizenship models. As alluded to earlier in a divided and conflict-ridden polyethnic societies it is presumed that endowing ethnic minorities ethnic citizenship rights that extend to self-rule not only addresses ethnic grievances but also diffuses conflicts (Kymlicka 2006: 46, 1995: 186). This understanding of interethnic relationships stems from the equality and justice principle. Further, it stems also from the social contract theory where it is presumed that a contract entered voluntarily lasts longer, as well as guaranteeing peace and stability. It also stems from the conviction that individual liberty could only be realised through the achievement of group rights. The merit of this understanding, in a societal setting such as that of the HOA is however put into question, because it presupposes a prevalence of shared universal common values of liberal democracy and human rights (cf. Kymlicka 2006: 40). The absence of these shared common values may certainly render the arrangement dysfunctional in the HOA.

The cons and pros of civic citizenship, on the other hand, seem to be much more straightforward, taking into consideration the precarious and vulnerable nature of the societies in the HOA. The cons will be described as relating to the very unitary and centralised nature of civic citizenship which often give privileges to majority groups. Most of the time minority ethnic groups in civic citizenship are treated as underdogs where their languages, cultures, religions and socio-economic mode of life are neglected. This may necessitate ethnic mobilisation and resistance, quite often leading to internecine wars that destabilise and may eventually break the polyethnic state.

On the side of the pros, certainly, there are many advantages. Transitional polyethnic societies where the nation formation project (here I am not referring to the narrow meaning of nation, but rather to the notion of polyethnic nation) is still in an evolutionary process, as a result of which societies are weak and vulnerable due to the absence of shared common values that transcend ethnic boundaries, giving rise to overarching shared identity, may benefit a lot from the civic citizenship arrangement. Here it should be stressed that my argument throughout the paper is that underneath the national political structure there is the sub-national or ethnic structure that the civic citizenship arrangement should accommodate. I argue that civic citizenship presupposes not only the recognition but also a genuine accommo-

dation of ethnic citizenship as a sub-national identity formation, hence the notion of duality of citizenship. It is this recognition of duality of citizenship that could thrust forward, as painlessly as possible, the nation formation project in the HOA, which is the prerequisite, par excellence, for facing the multidimensional challenges in the region.

The Politics of Rights versus the Politics of Domination in the HOA

The reconstitution of the Ethiopian state along the lines of ethnic citizenship in 1991 was both highly praised and highly criticized. The praise came from those who saw it as a bold experiment in search of a solution to a national malignancy Ethiopia has been suffering from for a long time (Fiseha 2006: 135, Gudina 2003: 144). Proponents of this view were elated by the bold measure taken to radically redefine citizenship. The assumption was that as Samatar (2005: 45) notes, “dividing the country into ethnic regions would recognize the country’s primordial reality and bring past injustices to rapid end”. The support was embedded in justice and equality arguments (cf. Gudina 2006: 119f).

Opponents of the experiment, on the other hand, point out that organising Ethiopian society on the basis of ethnic citizenship would endanger the unity of the country (cf. Cohen 2006: 169, Kymlicka 2006: 55). Yet others stress that organising the state on the principles of ethnicity and adoption of the principle of self-determination was radical and pioneering (Turton 2006: 1). Nevertheless, though the risk of outright war, at least temporarily, seems to have ebbed, the deep-rooted social conflicts within the society have not received a durable solution. This could be explained by two contesting if not outright contradicting claims, notably represented by the politics of rights and politics of domination.

The Ethiopian post-Dergue evolution could be perceived as climbing down from equal dignity to equal respect. While the former appeals to commonality, the latter celebrates differences (Modood 2008: 47-48). The emphasis on commonality in Ethiopia has always tended to be assimilationist where the citizenship norm has been defined by the Abyssinian culture whose markers were the Amharic language, the Monarchy and the Orthodox Church (Cf. Hameso 2006: 216-218). This equal dignity notion usually upheld the politics of domination – the entrenched status quo. The equal respect notion driven by the politics of rights and raising the torch of difference challenged the status quo, and finally, albeit temporarily, defeated the politics of domination in 1991. Nevertheless, unfortunately for the politics of rights it proved difficult to uproot the deeply entrenched politics of domination.

What earned the Constitution of 1995 admiration was its bold declaration that politics would be organised on an ethnic citizenship basis. But as Fiseha (2006) explains, constitutional proclamation and practice diverged greatly. The contradictory nature of the constitutionally guaranteed rights for autonomy of ethno-national entities is visibly manifested in the attempt to violently suppress the struggles of various groups in Ethiopia. While Art 39 of the Constitution confers the right of

self-determination up to and including secession on the nations, nationalities and peoples (Fiseha 2006: 132), those movements that preferred to exercise that right are violently confronted. The post-Dergue rulers of Ethiopia, in an identical vein with their predecessors (the Monarchy and the Marxist-military junta) responded with excessive violence to any aspiration of autonomy. What identifies the current rulers with their predecessors is the institutionalisation of violence perpetuating the culture of intolerance that has been the yardstick of the Ethiopian state (Gudina 2003: 145).

The EPRDF, though it claims to be founded, constitutionally, on a devolutionist constitutional and political arrangement, involving an ethnic-based federal arrangement of ethnic regional state self-rule, with provisions of shared power at the central (national) level, in reality, however, it could not emancipate itself from the culture of violence, a sign of centralist political practices. The ethnic federal arrangement was supposed to reconcile the deeply rooted disgruntlement of ethnic groups and their claim for recognition rights, on the one hand, and the need for national unity on the other.

In spite of the enshrining of autonomy and ethnicisation of politics in the national constitution, yet the constitutional re-structuring of the state on the basis of ethnicity was not followed by a devolution of power that genuinely empowers the ethnic groups that were organized into kilils (ethnic states) (see Fiseha 2006, Gudina 2003). A true ethnic federalism presupposes decentralisation of state power. And a true decentralization should lead to devolution of power. What could have been a daring innovative experiment was therefore aborted half-way because of fear of disintegration. The architects of the innovative experiment seem to have relapsed to the perennial fear that haunted their predecessors that if genuine ethnic federalism is introduced, with all its accompanying entitlements, it will lead to the disintegration of the Ethiopian state.

This fear, however, seems unwarranted. This assumption could be demonstrated by the fact that the largest ethnonationalist group, the Oromo, so far has not succeeded in creating a strong coherent ethnonationalism capable of threatening the unity and integrity of the Ethiopian state. Further there are Oromos who question the wisdom of the separation of a majority ethnic group, which seems to have a broad support among the Oromo population (Gudina 2006: 125). It is suggested that two plausible reasons would explain this. The first is that unlike the widely accepted perception that the prevalence of ethnonational groups leads to division,

it is not ethnicity itself which makes ethnic federalism prone to conflict and violence, but the failure to implement the federal model in a way that responds to the expressed needs and interests of ordinary people. Put differently, ethnic federations are most likely to fail, not because they are too 'ethnic', but because they are not sufficiently federal (Turton 2006: 22).

The 2008 Failed States Index ranks Ethiopia 16th indicating that the country faces a real risk of disintegration. Apparently this is not because the country adopted ethnic federalism, but rather that ethnic federalism was not translated into devolution of power where all the ethnic groups would be able to feel equal and because of the contradictions between constitutionally granted rights, and political exercise that

denies those rights. Hence the statistical probability of disintegration is deemed to be as equal as it was during the unitary state. Community autonomy, running one's daily business, is deemed by many to be capable of fostering a sense of ownership of and belonging to the central state, which in turn reduces the tendency of break up. Nevertheless, there are those who suggest that endowing genuine autonomy on ethnic groups could only minimise or diffuse conflict; it could never resolve the inherent contradiction. Autonomy makes ethnic groups crave more (cf. Kymlicka 2006).

Ethiopia seems to have reached the limit of its experiment. Realising this some suggest ways out: "two factors are critical if we are to move off the present political impasse: the abandoning of hegemonic aspirations and zero-sum politics by the ruling elite and of extravagant claims to the right of secession by certain other elites" (Gudina 2006: 129). This suggests that it is necessary that the politics of domination is replaced by the politics of equal rights. The politics of equal rights celebrates duality of citizenship: the ethnic citizenship that relates to ethnic sub-national citizenship formation and the civic citizenship that refers to supra-ethnic overarching national citizenship formation. Most societies in the HOA would prefer the latter citizenship formation, and corroborating this assumption Kymlicka (2006: 47) takes note, "To be sure, most African states are interested in developing a common identity, common public institutions and a common public sphere, operating in a common language". What seems the fundamental problem in Ethiopia today is the inability to transcend from the politics of domination to the politics of rights.

The inability to transcend the line that separates politics of domination from the politics of rights is also besetting the other states of the HOA. In spite of embarking on the route to moving from civic citizenship to ethnic citizenship in 2005, Sudan is also still demonstrating too much inflexibility to have a smooth transition. Not only Khartoum is dragging its feet in the negotiations with the rebels in the eastern and western Sudan, but also the CPA seems to be failing. This is attributed to the northern elites' inability or unwillingness to relinquish their domination (Harir 1994). The accords signed between the Khartoum regime and the SPLM, and between the Eastern Sudan movements and Khartoum were perceived as a step toward opening a new chapter in the history of Sudan. But as always is the case, the litmus test lies in the implementation. All efforts of peace negotiation with the rebels in Darfur also, so far, have not born fruit because of the contradiction between the two principles. The problem of adjustment the Northern elites seem to be incapable of making is only one of the obstacles that the duality of citizenship is facing in Sudan. So Sudan is also plagued of the politics of domination.

Our other two cases – Eritrea and Djibouti – by adhering to the civic citizenship formation have preferred not make the transcendence from the politics of domination to the politics of rights. The civic citizenship through its tendency to give privileges to the majority has so far entrenched the politics of domination in the two countries.

Conclusion

This paper set out to examine the basis of citizenship in the HOA. To that end it has highlighted two bases of citizenship formation, notably ethnic and civic. It has discussed the theoretical and conceptual frame informing the debate. The HOA, being a constellation of hundreds of ethnic groups collectively as a region, or separately as single states, seems to be destined, at a national level, to display civic citizenship formation. This display of civic citizenship arises from the reality that polyethnic societies by necessity are based on civic citizenship. Yet, underneath this level, undeniably, there is another, at the sub-national level, citizenship formation. The latter is embodied in the diverse ethno-linguistic formations encapsulated under the national state. The challenge for the HOA states is therefore striking a balance between the two modalities of citizenship.

Nevertheless states of the HOA have opted for different models of citizenship. Broadly, three models of citizenship are to be found being exercised in the HOA since the 1990s. These are: the one pursued by Ethiopia and to certain extent by Sudan, that is the ethnic model; the second is the one pursued by Eritrea and Djibouti that is civic; and the third is the special case of Somalia. The first represents a shift or move from a model that has been dominant for a long time to a new experiment.

The most striking shift took place when the new power holder in Ethiopia radically restructured the Ethiopian state on the basis of ethnic citizenship. This new state dispensation, theoretically, introduced provisions that gave constitutional rights to the various ethnic groups with far-reaching autonomy and self-rule. But clear discrepancies between constitutional discretion and reality that in a way heralded simply a continuation of the civic model whose features were the politics of domination, mitigated the impact and meaning of the new bold experiment. The failure of transcendence from the politics of domination to the politics of rights hindered both Ethiopia and Sudan from having a real innovative citizenship dispensation, while Eritrea and Djibouti simply continue with the politics of domination.

The paper also discussed the cons and pros of selecting either the civic or the ethnic model of citizenship. There are obviously advantages and disadvantages with each model. Selecting the ethnic model, for instance, on the advantage side one could refer to ethnic rights and self-fulfilment, on the disadvantage side it could create internal division within the society, and irredentism without. The civic also, on the advantage side could create societal unity and cohesion of the polyethnic society, while, on the disadvantage side by inclining to the politics of domination it could discriminate ethnic minorities. Taking into consideration all the diversities, commonalities, and complexity and plurality of the polyethnic societies, the paper concluded that the proper solution to the citizenship problematic in the Horn of Africa is to adopt the civic citizenship model at the national or formal level, while giving due space and respect to the ethnic citizenship at the sub-national or informal (community) level.

In concluding I will propose some points that should be taken into consideration in order to create an environment where the multiplicity and diversity of societies in

the HOA would be a source of enrichment in their daily life instead of a source of division and conflict.

Firstly, celebrate diversity in all its dimensions. But above all recognise the duality of citizenship that is the hallmark of the societies. And subsequently design a genuine political arrangement that both reflects the diversity and replaces the politics of domination with the politics of rights and equality.

Secondly, avoid political parallelism in locating the dual citizenship formations. That is, keep them apart at the national level. Their relation should be hierarchical, the national should be represented by civic citizenship, and ethnic citizenship should be relegated to the sub-national.

Thirdly, citizenship modalities should correlate with the nation building project. The fundamental problem of the region is the incompleteness of the project of nation formation. Therefore, citizenship modalities should serve the process of nation formation. Nation is not conceptualised here in its narrow meaning of congruence of the cultural and the political, but rather in its polyethnic conception.

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Promoting Rule of Law in an Era of ‘Re-Islamization’ in Somalia

Abdul Wahid Sh. Qalinle

Introduction

During the last few decades, the Rule of Law movement has continued to gain attraction in international relations and foreign policy circles. Focal points for many modern rule of law initiatives include majority Muslim states in Asia and Africa. Perhaps the most obvious examples are Iraq, where the United States and other (primarily Western) nations have focused military, civil, and political efforts on building new legal institutions and promoting rule of law reform in the wake of displaced authoritarian regimes. In many cases, constitutional systems in majority Muslim states rely in whole or part upon Islamic law, or Sharia, as either the sole source, or a source, of legislative authority and governmental legitimacy.

Somalia is in the midst of a security crisis. Instability rendered by a dictatorship, total civil war, Islamist rule and an absence of rule of law have left the country with a “patchwork” of laws, untrained practitioners and little physical infrastructure. For decades, Somalis’ interaction with their legal system was marred by delay, corruption, and human rights abuses. Somalia’s current rule of law vacuum is the result of such violent history.

Today, nearly most of the southern Somalia territory is in the hands of an Islamist insurgent group called al-Shabab. The group has declared Sharia law and begun enforcing new laws in the areas they control that are challenging the views of many traditionally moderate Muslims in the country. Furthermore, on April 8, 2009, Somalia’s transitional federal parliament has unanimously backed the introduction of Islamic Sharia law in the country after a vote over the issue was brought to parliamentarians. Therefore, addressing the nature and implications of Islamic Sharia law is central to any discussion about the rule of law in Somalia.

As national and international actors orchestrate Somalia’s transition from a nation under “rule of the gun” to one where the rule of law prevails, they face innumerable challenges including ongoing conflict and a lack of human resources, physical capacity, funding and coordination. Reconstruction tasks include training of police, judges and lawyers, law reform, bolstering corrections and establishing mechanisms for the administration of justice.

In this short paper, I will examine in detail, whether the tenets of Islamic Sharia law are reconcilable with international human rights norms and standards. I will then attempt to discuss in greater detail the rule of law in Somalia.

I. What is the “Rule of Law”?

The term Rule of Law has come to embody a corpus of principles relating to just governance and respect for human dignity. Although popular usage of the phrase Rule of Law has only emerged within the last few decades, the principles it has come to represent are derived from a rich theological, philosophical, and legal tradition spanning over two millennia. Political philosopher Friedrich Hayek attributed to Aristotle the origin of the phrase “government by laws and not by men”.¹ The Roman philosopher Cicero, writing nearly three hundred years after Aristotle advocated restrictions on judicial discretion, asserting that men should be mere mouth pieces for the law to express itself.² Sir Edward Coke, writing in early seventeenth century England, was an ardent supporter of an independent judiciary, the notion that the law should be a separate entity, with its own votaries, and independent of current government policy.³ Sir William Blackstone’s writings emphasized both the importance of a separation of powers and an independent judiciary in order for judges to base decisions on fundamental principles of law.⁴ David Hume’s assessment of England’s achievements underscored the notion that a government of law is better than a government of will.⁵ Natural law legal philosopher John Locke’s contribution to rule of law principles included the notion that laws should be general, known, predictable, and applicable equally to everyone.⁶ Other contributors to the rule of law tradition include French Enlightenment philosophers such as Motesquiu.⁷ and Voltaire.⁸ as well as American founders James Madison and Thomas Jefferson.

One of the foremost nineteenth century proponents of the rule of law was the British jurist and constitutional theorist A.V. Dicey whose work informs much of the modern rule of law movement.⁹ Contemporary proponents of the rule of law include the United Kingdom’s former senior law lord, Lord Thomas Bingham as well as prominent American jurists such as former and current United States Supreme Court Justices.

Building upon this rich philosophical tradition, the modern rule of law movement has incorporated developments in the legal field of international human rights. Although most contemporary international human rights instruments only came into existence in the aftermath of the twentieth century’s two world wars, the religious and philosophical underpinnings can be traced back millennia to many of the values shared by the world’s great religions, including Islam. The international community’s interest in promoting rule of law has become a cornerstone of collective values and actions. According to the United Nations, promoting the rule of law at the national and international levels is at the heart of the United Nations’ mission.

Establishing respect for the rule of law is fundamental to achieving a durable peace in the aftermath of conflict, to the effective protection of human rights, and to sustained economic progress and development. The principle that everyone – from the individual right up to the State itself – is accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, is a fundamental concept which drives much of the United Nations work.¹⁰

For our purposes, the definition of rule of law provided by the United Nations embodies many of the key principles articulated by the foremost contributors to the Rule of Law tradition: For the United Nations, the rule of law refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.¹¹

II. Elements of the Rule of Law and Their Compatibility with Islamic Law

As a religion, Islam prescribes certain principles that its adherents must obey absolutely.¹² But, Islam should be understood not merely as a theological system, but also as a way of life that contains a number of ethical and moral standards as well as legal norms implemented in life in society and state.¹³ Edward Mortimer says, Islam, we are told, is not mere religion: it is a way of life, a model of society, a culture, a civilization.¹⁴

Muslim scholars maintain that the prophet Muhammad was not merely a prophet, but also a head of state, a judge, and a military commander, so that Muslims believe that Islam does not separate religion and state. From the constitutional-law point of view, however, its different schools of law and its interpretations of governmental issues make it less of a faith and more of an ideology that mainly or partially serves to control the constitutional law of a state. Thus, according to many researchers, Islam is transmuted into a constitutional principle that is not merely formal in nature but actually exerts a substantive influence on constitutional law.

Historically, Islam achieved its status as a world civilization by implementing Islamic doctrines and culture over long periods of time throughout a large part of three continents. So then, what is an Islamic state or Muslim country and how are we to understand Sharia? By definition, countries with an Islamic character are those in which the reality of constitutional law in some way either reflects Islam as a ho-

listic concept or the principles of the Islamic faith in general or, alternatively, in the interpretation of one of the Islamic schools of law. In short, Sharia constitutes Islam's jurisprudence. Harvard Law Professor Noah Feldman observes that one reason for the divergence between Western and Muslim views of Sharia is that we are not all using the word to mean the same thing.¹⁵ Although it is commonplace to use the phrase Islamic law interchangeably with the word Sharia, this prosaic English translation does not capture the full set of associations that the term Sharia conjures for the Muslim believer. Properly understood, Sharia is not just a set of legal rules. To believing Muslims, it is something deeper and higher, infused with moral and metaphysical purpose. At its core, Sharia represents the idea that all human beings – and all human governments – are subject to justice under the law.¹⁶

The law, in Islam, serves as the intersection of faith and practice in Muslim life. This necessarily carries strong implications for public as well as private spheres. Masykuri Abdillah notes that most religious scholars and Muslim intellectual argue that Islam obliges its adherents to implement Islamic teachings in the life of the state. The Prophet himself established the Madinah state in 627 by issuing the Madinah Constitution (*mithaq al-madinah*, considered by observers to be the first written constitution in the world.) He was entrusted with a mandate from God to guide his people (*ummah*) in their life, so that he is not only an executive of God's orders but also a legislator (*al-shari*). The people's loyalty to him is absolute, yet he conducted mutual consultation (*Shura*) with them in making public policy and treated them justly and humanely. Thus, Muslims should first obey God, then the Prophet, and then those who have authority (*ulu al-amr*), to the degree that their decisions and policies are in accordance with God's injunction (the Koran) and His Prophet's tradition (*hadith*) as stipulated in Koran (4:59).¹⁷

Many policy-makers (not to mention lay people) in Muslim and non-Muslim countries casually use these terms. Anything related to rule of law makes a great applause line these days. Here are just a few examples. For example, President Obama recently stated, Ours is a nation of laws guided by principles that reflect the essential goodness of the American people. Many of these values – adherence to the rule of law, equality before the law, and the applicability of due process – are as well known as they are timeless.¹⁸ In a statement released by the President for Ramadan, he said, America will always stand for the universal rights of all people to speak their mind, practice their religion, contribute fully to society and have confidence in the rule of law. In the wake of Iran's 2009 presidential elections, President Mahmoud Ahmadinejad said, Iranian people successfully thwarted the plots hatched by their enemies during the country's presidential elections and hoisted the flag of genuine Islam and advised all people and groups to observe the rule of law in the country and underlined that all were equal before the law.¹⁹ According to President Ahmadinejad, the Iranian nation is interested in a world based on logic, justice, respect and constructive dialogue. We are ready for any circumstances, but we are interested in peace, friendship, justice and rule of law for all world nations, the Iranian president said.²⁰

According to its publications, the European Union is based on the rule of law. This means that everything that it does is derived from treaties, which are agreed

on voluntarily and democratically by all Member States. Previously signed treaties have been changed and updated to keep up with developments in society.²¹ In Saudi Arabia, the phrase “law practice shall” also mean rendering consultancy services based on the principles of Sharia and the rule of law.²²

Upon closer examination, Islamic governance appears to be consistent with most elements of the United Nations’ definition of Rule of Law. At their core, both Islamic Law and the Rule of Law are systems of governance informed by legal and moral principles. While the primary textual source for Islamic Law is the Koran, Islamic scholars acknowledge the important role of *sunna*, a body of legal and moral principles, based on Prophet Muhamed’s tradition, as the basic source of legislation. Hence, the degree to which these legal and moral principles correspond defines the relationship between Islamic law and Rule of Law.

In Muslim legal theory, the divine law preceded both society and state; the latter existed for the very purpose of enforcing the law. Hence, the law as divinely revealed to the Prophet Mohammed and interpreted by Islamic scholars (or *mujtahids*) poses obligations on all Muslims, regardless of social or political status. Unlike many Jewish or Canonical laws, which are by their nature religious laws applicable to Jewish or Christian adherents, Islamic law is (or strives to be) just to Muslims and non-Muslims alike, at least in countries where Sharia constitutes the formal legal system.²³

Governance under the rule of law requires that laws be *publicly promulgated, equally enforced and independently adjudicated*. Given the nature of Islamic society, there seems to be little question that the requirements of Sharia are publicly promulgated. But are the laws equally enforced and independently adjudicated? In traditional Islamic governance, rulers (or caliphs) acting as the executive head of state shared power with Islamic scholars, acting in legislative and often judicial capacities. Professor Feldman observes that, In exchange for their conferral of legitimacy, the scholars asked just one thing of the ruler: a commitment to the rule of law.... The scholars’ commitment to the law derived from their understanding of it as God’s law, greater certainly than the ruler, but also greater than themselves. The ruler’s promise to back up the legal decisions of the scholars with force recognized the formal elevation of law over the arbitrary whims of any one individual. This constitutional arrangement made the law supreme. It established, we might even say, the rule of law.²⁴

Feldman also notes, however, that the classical Islamic constitutional arrangement between the ruling executive and scholars has been largely displaced. In some modern Islamic states, such as Saudi Arabia, the scholars’ capacity to protect the rule of law is much weaker because of shifts in relative distribution of economic and political power. – The Sharia provided a theory of what the state was for; and also, by implication, what the state was not designed to do. Its disappearance from the discourse of political legitimacy devastated the capacity of Arab countries to resist unchecked autocratic authority. This helps to explain why there has been so little in the way of energized rule-of-law or democracy movements in most Arab state.²⁵

At the time of its founding by the Prophet Mohammed in the seventh century C.E., Islam introduced substantial legal reforms improving the position of women

from their condition in pre-Islamic Arabia. Understanding and applying the Koran, like any other theological or legal document, is based largely on one's Hermeneutical approach. Yet, if state practice is any indication, tensions exist between traditional Islam and international human rights, norms and practices.

According to Professor Feldman, The Islamist movement, like other modern ideologies, seeks to capture the existing state and then transform society through the tools of modern government. Its vision for bringing Sharia to bear therefore incorporates two common features of modern government: the legislature and the constitution.

Although Sharia often brings to mind the image of a restrictive society, where residents are forced to comply with rules and obligations they would otherwise eschew, a recent Gallup Poll survey shows that the majority of those who favor Sharia as a source of law associate it with many positive attributes.²⁶ Results from this poll demonstrate the following views held by a sampling of adult Muslims living in Iran, Egypt, and Turkey.

III. Reconciliation; Can Rule of Law Co-Exist with Islamic Law?

There are modern examples of majority Islamic states which have attempted to reconcile, at least as a matter of practice, if not theology or legal doctrine, the disparities between traditional Islamic law and modern international human rights norms and standards.⁴⁸ Many Islamic countries have constitutionally enshrined fundamental civic rights, although their implementation in real life often leaves much to be desired because independent institutions are lacking.⁴⁹ These institutional symptoms may indicate a deeper cultural resistance to reforming and adapting Islamic Law to comport with modern international law.

According to Werner Ende, the process of re-Islamization that has been taking place for some decades in a number of countries has considerably hampered and sometimes totally perverted attempts to adapt the Sharia and render it more flexible. He claims that radical Islamic fundamentalists accord little or no value to instruments like the U.N. Human Rights Charter which are widely recognized (although not always consistently observed) on the international level. To their minds, says Ende, the introduction of legal regimes and constructions that began to be imported from Western culture in the 19th century is nothing but a consequence of European colonialism and since the latter was entirely pernicious, being unjust in the eyes of Islam, all traces of it in legislation and jurisdiction have to be obliterated. Yet, beginning in the middle of the twentieth century and continuing to the present day, Islamic legal literature has manifested several trends bearing on the current debate. Relating either directly or at least rhetorically to concepts of Islamic law, they in-

clude, first, a fundamental debate on democracy and the rule of law; second, explicit support for legal reforms and gender justice; and third, demands for social justice and an Islamic economic order. Sharia is a central concern in the private and public life of a majority of contemporary Muslims. It has a paramount role in the public life of Islamic societies, due to the fact that it provides the main reference for shaping and developing ethical norms and values that are the basis of public law and public policy in many Muslim countries, such as Saudi Arabia, Pakistan and Malaysia.²⁷ Yet, one cannot exclude Islam from the formulation of public policy, legislation or even public law in general, bearing in mind that legislation and public policy do need and should reflect the beliefs and values of citizens, including their religious values, notes Norani Othman, provided this is not done in the name of any specific religion since that will necessarily favor the views of those who control the state and exclude the religious and other beliefs of other citizens.²⁸

Hence, there is a critical need for inquiry into what the various conceptions of the rule of law that are so virulent in the West can teach Islamic states, assuming that they want to learn from them in the first place and in humble recognition that not all the items on the shopping lists of Western political institutions are readily compatible with the globally established systems of Islamic law. Specifically in relation to notions of justice in Islamic legal thought, Western observers should avoid thinking solely in terms of relating anything and everything directly to the Koran and using it as the sole source for understanding or refuting developments in Islamic (legal) thought. There exists an immense pluralism within Islam that is always engaged in a lively exchange with the current environment. Because the focal points of the debate have shifted markedly since pre-modern times, each and every debate should be analyzed not in ideological or abstract terms but, wherever possible, with reference to its concrete details and, most importantly, its context, taking into account the environment prevailing in the respective Islamic regional society.

If in fact pre-modern and contemporary history supports the proposition that generations of Muslims and Sharia scholars followed the example set by the Koran and Muhammad without, however, confining themselves to these two sources of law in practice, then perhaps the best chance for reconciling Islam and the rule of law lies with modern Sharia scholars who are willing to adapt ancient principles to comport with contemporary human rights values. Arguing against purely formal obedience to details in the law of God, quite a number of reputable pre-modern scholars spoke out against simple scriptural literalism and the related practice of legal dodges (*hiyal*). Authorities like Ghazali (d. 1111) and al-Shatibi (d. 1388) emphasized the elementary nature of certain basic assets (*maqasid al-shariah*) that, permeating the entire Islamic legal order consistently, should be respectfully considered and tip the scale in each individual case. Approximately since the end of the 19th century, more and more modern Muslim jurists, human-rights theorists and even philosophers have been using this idea of an entelechy inherent in Islamic law to ensure public acceptance for their concepts of fundamental values, human freedom and – later on – human rights and gender justice.

Islamic law, considered both as an actual set of historical practices and as a contemporary ideology, can provide the necessary resources for rethinking textual application in modern contexts. Feldman notes that, though the constitutional structure that historically was developed to implement the Shari afforded the flexibility necessary for practical innovation and effective government, that structure also maintained the ideal of legality. While not all contemporary discussions regarding legal reforms in Muslim-majority states are occurring under the purview of Islam, there are at least some reformers at present who consider it necessary to drape an Islamic mantle around their ideas and proposals, although these might be quite secular in nature.

In this vein, Feldman observes that Islamists continue to promise justice and the rule of law via the Shari. In respect to promoting efforts to reform from within, Feldman warns that while it may be tempting to block the Islamists by denying them institutional power, this strategy is likely to backfire, since the public will see it for what it is, and it will reconfirm the view that the Islamist aspiration to justice is opposed by the West and the local autocrats.

He further argues that rule of law ideals are not and cannot be implemented in a vacuum, but rely on human institutions reinforced by regular practice and the recognition of the actors within the system that they have more to gain by remaining faithful to its dictates than by deviating from them. Thus, while searching for ways to support institutional reform and advocate state practice consistent with international human rights norms, proponents of the rule of law should be cognizant that the means to these goals involve human interests and behavior. Working from this rubric, proponents of improving rule of law in majority Muslim states are more likely to achieve meaningful reform, rather than simply forcing cosmetic changes, if they take an incremental approach conducive to open communication and partnership. To this end, Feldman articulates the following recommendations: Our best efforts must be devoted to building institutions that perceive themselves and are perceived by the public as committed to the rule of law. Aid can be made contingent on respect for the roles of courts and legislatures. Executives can be pressured to adhere to the laws and judgments of coordinate branches of government, even (or especially) when no direct foreign interest is at stake. One common approach for majority Muslim states is to include a repugnancy clause (also called a religious clause) in the state's constitution. These typically acknowledge Islam as either a source or the source of legislation and prohibit the enacting of any law which contradicts the established provisions of Islam.²⁹

Thus, the religious tenets of Islam are reinterpreted as concrete constitutional restrictions on fundamental rights, the result being that there can be no question of a clearly-defined substantive concept for these rights, although they are formally embodied in the constitution. There is no denying that, in countries with a constitution that includes a religious clause as one of its principles, the authorities and especially the judiciary will regard fundamental rights as second-class constitutional provisions wherever one of the Islamic principles – such as that regarding apostasy – is involved. Thus, the knotty legal problem of a lengthy recital of fundamental rights existing

side by side with a religious clause in a constitution often leads to decisions that favor the principles of Islam at the expense of the fundamental rights of the individual. As far as this goes, the opinion is not unwarranted that a state whose constitution makes reference to Islam denies its citizens a number of fundamental rights by virtue of that instrument. At the same time, this makes the branches of government not guardians of fundamental rights, but guardians of Islamic tenets that take precedence under constitutional law.

IV. Promoting Rule of Law in Somalia

The existence and effective operation of a national justice system and upholding the Rule of Law is an indispensable feature of an appropriately organized and operating society. The absence of an effective justice system signals the onset of social disorganization and, almost always, economic decline. In post-conflict environments, it foretells low to no economic development and high insecurity amongst ordinary people. Parts of Somalia are evolving post-conflict environments.

During the last nearly two decades, Somalia has been in a state of tremendous internal strife. The prolonged anarchic statelessness of the Somali peninsula, save for the autonomous Somaliland in the northwest area of Somalia, has emerged as a vortex of wider regional instability in the northeast core of the Horn of Africa and unfortunately, a notorious terrorist and piracy haven too. As a result of this conflict, total collapse of law and order has been experienced, a notable casualty of which is the breakdown of any vestiges of the rule of law.

A legitimate, functioning and coherent justice system is urgently needed to establish peace and stability in post-civil war Somalia. After three decades of war, continued insecurity, endemic corruption, and lack of resources hobble the formal justice system. Informal, community-based dispute resolution mechanisms – which are more readily accessible and understood than formal courts by most Somalis, particularly outside urban areas – are widely used to resolve both civil and criminal matters. These mechanisms are critical to maintaining stability within communities, and at present handle over 80 percent of disputes in Somalia.

In the last few years, there has been a dramatic shift toward an understanding that the rule of law is critical to social, economic and political development as well as the establishment and maintenance of security throughout Somalia. This shift was underscored by the implementation of numerous Rule of Law programs throughout Somalia as well as the commitment of the international organizations and donors to provide significant support to the relevant Somali institutions.

The Challenges of Formal and Informal Justice

Three key areas are significant for the promotion of the Rule of Law in Somalia;

- Development and status of Somalia's formal justice institutions;
- Informal dispute resolution mechanisms through which an estimated 80 percent of legal claims are handled;
- A hybrid model which would ensure that alternative dispute resolution mechanisms remain important in providing justice, while acting within certain legal parameters.

(A) The Formal Justice System

Efforts by international donors to reestablish the formal state justice system in post-civil war Somalia have faced serious difficulties, including a profound lack of professional capacity and resources for judges, lawyers, police and prison officers; physical infrastructure devastated by years of war; institutionalized corruption, and low levels of confidence in state justice institutions. Current research indicates that less than half of the judges in Somalia have the relevant formal higher education and have completed the requisite one-year period of judicial training. The remaining judges are graduates of traditional Islamic education or faculties other than law, with 20 percent having no university education at all. In addition, 45 percent of judges have no access to statutes, 54 percent have no access to legal textbooks, and 82 percent have no access to decisions of superior courts. In addition to these drawbacks, most Somalis see little benefit in turning to the courts. In recent surveys, less than 20 percent of Somalis say they would turn to the formal system to resolve their problems.

Modest progress on justice sector development has been made since 2000 through professional training and capacity building programs, the distribution of legal textbooks and materials, rebuilding of damaged buildings such as prisons, and the adoption of new laws by the executive and legislative branches. However, the lack of a coherent, strategic vision for rebuilding the justice system and the lack of effective coordination among donors and Somali justice institutions has complicated reform efforts. Moreover, technical reform programs are necessary, but not sufficient, until there is a core of officials and state institutions that regard themselves as bound to uphold the rule of law.³⁰

(B) Informal Dispute Resolution Mechanisms

Community-based mechanisms, known as *Xeer*, which have always played a strong role in Somali society, have further filled the vacuum left by the formal justice system. These informal processes generally involve an ad hoc council of village elders and disputants coming together to find solutions that are acceptable to all parties, including the community. Although customary norms applied by local mechanisms differ somewhat throughout Somalia, the goals of restitution, reconciliation, and restoring community harmony are the defining feature of the system. In this sense,

practice in Somalia also resembles a recent trend towards restorative justice practices. As the informal system depends almost exclusively on consensus of the parties involved, punishment is rare and decisions are self-enforcing. Generally a reconciliation process will include an admission of responsibility by parties, and an agreement on compensation to the victim(s) in the form of money or other property.

Community-based practices are generally favored because they are undertaken locally, at limited expense, and according to understood and accepted principles. In a rural agrarian society with limited literacy, the formal legal system can be alien and forbidding. However, the informal system has serious shortcomings as well. In some circumstances, this may include the marriage of a woman from the offender's family to a close relative of the victim, or the habitual denial of women's legal rights to inheritance. The *Xeer* might also adopt more extreme methods of requiring the offender to abide by the decision, such as exclusion of the offender from the community but such incidences are reportedly relatively rare today.

Critics of the informal system generally compare the actual informal system with the idealized formal one. For instance, although on paper the formal system guarantees legal representation for criminal defendants, in reality few receive any form of aid. The situation of women is similar. While women are rarely present at a *Xeer* proceeding, they are also a rare presence in rural courts despite legal guarantees of their equality. Finally, it was noted that at present in Somalia, only decisions made by consensus, as opposed to an adversarial process, are generally enforceable.

(C) Hybrid Model of Formal and Informal Justice

Given the respective strengths and weaknesses of the formal and informal justice systems in Somalia, I would propose an innovative hybrid model that aims at harnessing the positive aspects of the informal system, while ensuring that their decisions are supervised for consistency with the Somali Constitution, Somali legal norms and international human rights standards.

The hybrid model would involve the creation of two new units within the state justice institutions: an Alternative Dispute Resolution (ADR) Unit and a Human Rights Unit. The ADR Unit would identify appropriate mechanisms to settle disputes outside of the courts, including referral of appropriate cases to *Xeer*. While the ADR Unit could address minor criminal matters and all types of civil disputes, disputants would have the choice to process these cases through dispute resolution or through the courts. Serious criminal cases (including serious crimes committed in the past) would be dealt with by the formal justice system. The second element of the proposal is a Human Rights Unit (perhaps located within Somalia's Independent Human Rights Commission) mandated to monitor decisions made by ADR institutions (for example, *Xeer*) to ensure their consistency with human rights principles and Somalia law. Once approved, the decisions could be made legally binding by the courts or other institutions of the formal justice sector.

It is important to note, however, that this hybrid model does not suggest the integration of informal dispute resolution into the formal justice sector. Instead, it

proposes the establishment of institutional links between the formal and informal sectors so that the outcomes of informal processes are monitored and recorded, and so that justice is more widely accessible, efficient, cost-effective and humane. The proposal to share authority, while still operating under the broad Somali legal framework, provides each sector with an incentive for cooperation.

Rationale for Transitional Justice in Somalia

Insecurity, violence, continuous fights, lack of formal institutions, the failure of more than a dozen peace and reconciliation conferences since 1995 and the weakness of the African Union forces suggest that achieving peace is not realistic in the near future. However, some evidence indicates that an effort to address justice will itself contribute to reestablishing order and the rule of law. It will build confidence in the institutions and systems of the Somali state and will seek to transform the impunity that is pervasive in Somalia today. These elements are fundamental to obtaining a durable peace. The mechanisms of transitional justice, therefore, can and should be implemented without waiting for a peace agreement to be signed. Transitional justice mechanisms should be implemented as soon as a minimum level of security is attained. Unfortunately, these minimal standards of security are still not in place, especially in the areas of Mogadishu, Baidoa, and Kismayo. Among other necessary measures to stabilize the region, humanitarian relief must continue to be distributed and democratic elections have to take place. Democratically electing a government and the professionalization of the police force are also essential to creating the necessary conditions to pursue justice in Somalia.

Only when these conditions are met and justice is perceived and accepted as legitimate, can justice contribute to the achievement of sustainable peace. Otherwise, the pursuit of justice is destined to be perceived as victor's justice, a situation likely to fuel tensions and hatred which could serve to weaken efforts to bring social healing and sustainable peace.

A Hybrid of Retributive and Restorative Justice Mechanisms

Based on the conditions governing Somalia and the theoretical and practical analysis of the relationship between peace and justice detailed above, an *ad hoc* hybrid model that pursues both retributive and restorative justice is the best possible solution for Somalia. The first mechanism considered for this model is the informal justice system led by the clan elders; the second one is an *ad hoc* tribunal. The former – the *Xeer* system – will serve mainly restorative purposes with some retributive components related to compensation. The *ad hoc* tribunal will serve mainly retributive goals, holding the main perpetrators of the atrocities accountable for the violations they committed. As much has already been written about *ad hoc* tribunals and other formal, prosecutorial justice models, this article will concentrate mainly on the *Xeer*

system. Beyond these two mechanisms, the creation of a truth commission to facilitate truth telling, collective memory and the acknowledgement of past crimes is recommended.

This combination of mechanisms would constitute a best effort to employ justice as a way to support reconciliation among the Somali people.

An *ad hoc* tribunal

The second mechanism that holds potential to bring justice in Somalia is an *ad hoc* tribunal (either international or hybrid). Staffed with both international and national employees, an *ad hoc* hybrid tribunal would be ideal given that it would be located in Somalia. This would keep justice proceedings close to the victims and increase the sense of Somali ownership over the transitional justice process. At the same time, creating a hybrid tribunal requires important preconditions. It necessitates a certain level of security in order to protect witnesses and it requires a government that is perceived to be legitimate. Given the volatile situation in Somalia today, these conditions are not guaranteed. In the case that they are not viable, an *ad hoc* international criminal held outside of, yet in close proximity to, Somalia could be established.

The first goal of the *ad hoc* tribunal would have to be accountability: to hold perpetrators responsible for their conduct, through public acknowledgement of the criminal responsibility for violations of human rights and humanitarian law.

The hearings will be unable to attend to the extensive number of victims and potential claimants. A second goal is deterrence, both in Somalia and internationally. Deterrence inhibits other people from committing a certain crime because of the punishment inflicted by perpetrators for the same crime. The effect of deterrence is connected to accountability and impunity; when accountability and impunity are weak, it is difficult for a justice system to have a strong deterrent effect.

Regardless of the type of *ad hoc* tribunal, an important issue to resolve early on is that of temporal jurisdiction, the period of time within which crimes were committed over which a court has jurisdiction. In the case of the *ad hoc* tribunal for Somalia, the temporal jurisdiction of the tribunal should cover the entire duration of the war. Previous examples show that limiting the jurisdiction of an *ad hoc* tribunal to a specific time of the conflict increases the potential that the tribunal could be perceived as biased. This would compromise the legitimacy and popular acceptance of the proceedings and eventual decisions.

Conclusion

The following summarizes the recommendations particularly targeting the Rule of Law sector:

- 1) Strengthen the basic capacity of criminal justice institutions (incl. judicial institutions, legal professionals, legal education institutions) with the provision of basic, continued and specialized training in connection with international norms and standards and the development of case management and performance evaluation/monitoring mechanisms.
- 2) Promote a broad-based dialogue to reach consensus between Somali political leaders and the Somali public on the need for harmonization of Somalia's formal and informal legal codes, in accord with basic international human rights standards, and support to the drafting of new legislation.
- 3) Empower the Somali public legally through Legal clinics, legal aid, translation and dissemination of laws and judicial procedures, and coordination with community-based justice initiatives.
- 4) Promote the establishment of a stable political environment for justice through a plan of action to address priority transitional justice issues.
- 5) Devote further efforts to mobilizing prerequisite political and financial support for these efforts.

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Somalia's Governance Glitch: Islam versus Democracy

Abdullahi Jama Hussein

Introduction

Somalia has been synonymous with state failure for almost two decades, with more than 14 attempts of reconstituting the nation-state ending in failure. Currently; the Transitional Federal Government (TFG) is confronting waves of political dissent and active insurgency. Hence, serious obstacles remain in the way of restoring effective governance and an equitable society that implements the rule of law.

Ideally, democratic governance guarantees political representation, freedom of expression, freedom of belief and the universal right of suffrage. This concept is widely regarded as a panacea to political problems of countries across the globe. However, Sharia law which Somalia's current parliament adopted as a "law of the land" poses a serious challenge to the fundamentals of democracy in its Western essence.

Arguably, Islam is compatible with democracy as more than half of the Muslim population around the world live under democratically elected institutions albeit fragile. However, sharp contention arises as the democracy takes into account "the will of the people" as opposed to Sharia law which upholds the "will of Allah" and, according to basic tenets of Islam, Sharia supremacy over man-made law is paramount, rendering unacceptable any law that conflicts with Sharia. Somalia lacks a unifying central authority since 1991, and the future does not look promising mainly because of foreign interference. Part One briefly describes Somalia's troubled history as well as its democratic credentials in post-independence years (1960-69).

Part Two, however, examines some of the causes and consequences of state failure that underpin the current state of affairs of Somalia in a globalised world, particularly the Islamic resurgence, the "war on terror", the vested interest of some foreign actors and the global concern on piracy. Finally, Part Three explores the compatibility of Islam and democracy both in theoretical framework and practical application in the Muslim world and the underlying factors that may hinder democratic achievement whilst pursuing political Islam as official state policy. At the end, this paper suggests policy changes from the part of the international community and makes recommendations aimed at tackling the governance difficulties facing Somalia at this particular juncture.

Part I: Historical Perspectives: Pre-independence Period and Colonial Partition (1884-1960)

The Horn of Africa, shaped like a rhinoceros's horn on the north-eastern edge of the African continent, facing the Gulf of Aden and the Arabian Peninsula, is almost entirely populated by ethnic Somalis, whether they live inside the Somali Republic or in the neighbouring countries of Djibouti, Ethiopia and Kenya. Thus, the ethnic Somalis are synonymous with the Horn, although scholars include Djibouti, Ethiopia, Eritrea, Kenya and Sudan when they talk about the greater Horn of Africa¹. Somalia has 3300 kilometres of coastal area, an area of 640000 km and about 10 million people (according to the last official census in 1975²). Its population is almost entirely made up of devoted followers of Islam on a prima facie basis, and by and large, has a *modus vivendi* of pastoralism. The geopolitics of the Horn suggest that its location is somehow implicated with the Arab-Israeli conflict; it is also an important route for world trade through the Suez Canal and the Red Sea running along the coast of Somalia en route to the Indian Ocean carrying approximately 7.5 per cent of global trade³. Its people have a history of adapting and surviving in a harsh environment that leads to competition for scarce resources which generate persistent conflict, drought and famine⁴. These factors generate the political problems of refugees and piracy linked with terrorism, according to the US⁵.

Somalia has defied the world powers since colonial times, and during détente and the subsequent cold war era. It is also the place the new world order initiated by President Bush senior and the humanitarian intervention "Restore Hope" has failed⁶.

After roughly 19 years of civil strife and foreign interventions, 14 failed reconciliation conferences, hundreds of millions of investment, persistent international and regional interventions, Somalia remains a black hole in the international system, where all sorts of criminality such as piracy, banditry, criminals, insurgency, hostage-taking, toxic waste dumping, illegal fishing and even terror are of daily occurrence. Despite all the interventions mentioned earlier, the international community is still unable to succeed.

Much has to do with Somalia's troubled distant as well as its recent history. For five centuries, Somalis were engaged in intermittent conflict with their neighbours, the Christian highlanders of Ethiopia⁷.

1 Farer, Tom (1976). War Clouds on the Horn of Africa. Carnegie Endowment's.p.2.

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7 Reece, Gerald(1944); The Horn of Africa, International Affairs (Royal Institute of International Affairs) p.441.

The discord between the Somali nation⁸ and the Abyssinian Empire (Ethiopia) entered a new phase during the European scramble for Africa in the 1880s. As a result, the Somali nation was finally carved up in five portions divided between the European colonialists and the Abyssinian Empire. The British held two colonial outposts, namely British Somaliland and Northern Frontier District (NFD), and Italy and France one each, southern-central Somalia and the northern strip at the mouth of the Red Sea (Djibouti) respectively.

Political favours and horse-trading between European colonialists and the Emperor of Abyssinian Menelik II allotted, on different occasions, large portions of Somali inhabited territory to Ethiopia⁹. Moreover, direct land grabbing and consistent encroachment from the Abyssinia emperor, without European consent, was also running in parallel with his cosy relationship with the West. All of these deals between the Emperor and the European powers regarding the Somali territory were happening in the absence of consent from or consultation with the Somali people¹⁰.

The British decided to incorporate NFD, a predominantly Somali province, with Kenya just before the Kenyan independence in 1963. That amounted to an act of betrayal for the Somali cause¹¹; ignoring an earlier promise made by the British Labour party to take into account the wishes of Somali inhabitants in NFD, who were keen to join their brethren in Somalia¹². The imposition of artificial frontiers by foreign powers preoccupied only with their narrow colonial interests had a negative impact on the feelings of the Somali people. The consequence of which, it is argued, has ignited the embers of Somali irredentism, which is an integral part of the roots of the current conflict¹³.

The Somali Republic was born on 1st of July, 1960 from a union of the former Italian Somaliland (in the south) and the former British Somaliland (in the north). However, that was only a partial victory. The newly born republic committed itself to a broader policy to unify the five stars of the Somali flag (symbol of five Somali entities) under an independent polity. This polity, which has been epitomised by irredentism, is the epicentre of Somalia's disputes with its African neighbours. The last French colony on Somali soil gained independence in 1975 and became the Republic of Djibouti. The expected unity with Somalia did not occur due to political pressures exerted on them by the world powers. After independence in 1960, Somalia's overall performance was no mean achievement. Initially, it adopted a dem-

8 Although Somalis have never been under an organised political institution, they are culturally homogenous, sharing the same language, rich in oral literature, unique traditions and undisputed devotion to Islam. They live in an area that stretches from Tana River at the edge of Rift Valley in the south to Djibouti in the north to the easternmost tip of the African continent at Cape Guardafui facing the Arabian Peninsula. They differentiate themselves from both their Bantu neighbours and their Hamitic kinsmen in the Ethiopian plateau.

9 Braine, Bernard. (1958) p.440.

10 Ibid.p.440.

11 Farer, Tom. (1976) p.49-72. see note 1.

12 Ibid.49-70, also Braine, .opt.cit.p.436.

13 Farer, T. (1976) p.55-58. see note 1.

ocratic trend with a fairly functional multiparty system that lasted nine years, placing itself well ahead of most of Sub-Saharan Africa (SSA)¹⁴, as we see later in this part.

Somalia's Democratic Credentials in the Post-independence Period (1960-69)

Somalia's government chose the path of democratic governance immediately after its independence from European colonialists in 1960.

The new leadership was mostly educated in Britain and Italy prior to independence. However, adopting Western democracy in a pastoralist society was the main challenge the new authorities faced. The foundations of a vigorous democracy were missing; there were no strong institutions or a vibrant civil society. Accountability in government departments was hardly discernable.

Nonetheless, the new leadership, equipped with the spirit of nationalism, put in place functioning democratic institutions that did well compared to many nation-states in Africa.

Somalia became the first African state that has seen a leadership change in a constitutional manner. The first African president ever removed by parliamentary vote was H.E Aden Abdulle Osman of Somalia (1960-1967)¹⁵. The trend, however, precipitated into a plethora of political parties that mocked the very notion of democratic participation. The failure demonstrates that democracy was introduced as an alien system, copied from European colonizers. Thus, mixed with an age-old pastoral tradition based on clan affiliation, it became a source of contention rather than creating stability. This is believed to be one of the principal motives that triggered the coup d'état by the military Junta on 21st October, 1969, that ended the democratic system in Somalia.

Part II: Causes and Consequences of State Failure

Some of the causes and consequences of state failure are mentioned below.

The Military Takeover and the End of Democracy (1969-91)

The beginning of dictatorship in 1969 has been characterised by some scholars as one of the causes of state collapse¹⁶. Shortly after independence in 1960, Somalia's nascent government had no alternative but to seek Soviet assistance for their security

14 Ibid.p.56.

15 www.encyclopedia.com/doc/1P2-7462869.html accessed 01/01/2010.

16 Souare et al (2007). p.48-52.

needs¹⁷. Bowing to Ethiopian pressure, the West refused to help Somalia in matters concerning security. Instead they offered to provide technical assistance for a token police force as a matter of compromise.

The Soviets, who had since 1962 undertaken the task of building a 14,000 strong military force in Somalia with over \$52 million assistance, were probably behind the 21st October Revolution which brought Gen Mohamed Siyad Barre to power.¹⁸ Likewise, the timing of the month of October to match the Bolshevik Revolution of 1917 may also not have been a pure coincidence.

However, the military junta showed some positive achievements and until 1974, their policy was generally “inward looking” concentrating primarily on economic development¹⁹ by encouraging more participation in public works and social programs, which was a wonderful domestic achievement²⁰. On the foreign policy front, Somalia played an active role in the conflict mediation between Tanzania and Uganda in 1973 which earned it respect and appreciation from African leaders²¹.

Nevertheless, the adoption of “scientific socialism” in a Muslim pastoralist society was a stunning failure of judgement, caused by the influence of Soviet planning policies which did not work in Somalia. Furthermore, the revolutionary myth coupled with nationalist fervour pushed President Siyad Barre’s regime to confront Ethiopia against the treatment of its Somali population in the Ogaden province. The Somali government, in preparation for possible confrontation with Ethiopia, never hesitated to help the Western Somali Liberation Front (WSLF) and recognised them as the true representatives of the Somali region of Ethiopia. The simmering tensions between Somalia and Ethiopia reached breaking point in 1977, and the Ogaden debacle erupted.

The Ogaden Debacle (1977-78)

Somalia’s current woes are often said to have begun with its war with Ethiopia over a territory known by Somalis as *Somali Galbeed* (western Somalia) or Ogaden province according to colonial archives.

Since the nation’s independence in 1960, successive Somali governments have followed an irredentist policy to revive the ideals of pan-Somalism and Gen Siyad Barre was no exception. Gen Barre became a dominant figure in Somali politics for most of the post-independence years. He remained in power for over 22 years and his legacy was primarily based on the introduction of “Scientific Socialism”, the adoption of the first ever Somali script, and the pursuit of vigorous political irredentism.

The border tension between Somalia and Ethiopia led to war in 1964 and 1977 though the latter coincided with a period of military advantage for the Somalis with more superior military force than Ethiopia could master in terms of military train-

17 Makinda, Samuel. (1987), Part 2.

18 Laitin and Samatar(1987).p.78.

19 Lewis, I.M (2002). P.226.

20 Farer,T.op.cit.p.100.

21 Ibid, see also Lewis,IM(2002).op.cit.p.226.

ing and hardware²². The Ogaden war was perhaps the biggest inter-state war on the African continent with serious ramifications that reached far beyond the region²³.

The U.S, concerned by Ethiopia's shift to the Soviet camp, sent an emissary to Mogadishu in August 1977. In the same month, the USSR suspended arms supplies to Somalia. The U.S emissary informed the Somali authorities that the U.S was ready to supply military hardware but only for defensive purposes. However, he underlined that whilst the US had no objection to Somalia helping their brethren in Ethiopia, the arms "were on no account to be used against Kenya and Djibouti"²⁴. The Somali government understood that statement as a "nod of approval". Subsequently, the Western Somali Liberation Front (WSL) campaign against Ethiopia intensified, and the war evolved into a full scale inter-state war.

Initially, Somalia's formidable and relatively modern army equipped with Soviet hardware and inspired by patriotic belligerence was able to seize most of the disputed territory of the Ogaden region in the first wave of its military campaign²⁵. As a result, such advances precipitated a rare superpower policy alignment against Somalia. The Carter administration retracted its promise to supply arms²⁶, and turned a blind eye to the Soviet Union's efforts to build a coalition of communist satellites such as South Yemen, Libya and Cuba while the Ethiopian military increased strength. With the help of the Soviets the Ethiopians swelled their numbers and were reinvigorated with Marxist-Leninist peasantry slogans on the one hand and Ethiopia's imperial jingoism on the other which made their counteroffensive successful in defeating the Somali army and forcing them to pull back to its borders in disarray²⁷.

The intervention from a coalition of Soviet allies with Soviet military hardware and the political back-up of the United Nations not only brought Somalia's military machine to its knees²⁸ but provoked a series of other problems such as an influx of refugees and internally displaced peoples which further strained the weak economy. In order to win over key military officers and civilian functionaries, the government had to rely on political patronage, with corruption peaking. While state malpractices were rampant, the government misused foreign aid to enrich key members of the regime, thereby losing the trust of its people²⁹.

The final result of the war precipitated the collapse of the Somali state in the early 1990s, fragmenting the country into three main units: South-Central, synonymous with the Transitional Federal Government (TFG), Puntland State, an autonomous administration loosely attached to TFG³⁰ and the break-away republic of Somaliland

22 Gebru Tareke (2000), p. 635-667, see also Farer, T. (1987) op.cit.96-98.

23 Ibid.

24 Fitzgibbon, L (1982),p.54-55.

25 Ibid.

26 Ibid.p.55.

27 Gebru Tareke (2000).op.cit. pp. 635-667.

28 Ibid.

29 Ayittey, G. (1994) in Souare et al. Op.cit. p.102.

30 Between 2004 and 2008, the government of Somalia was called Transitional Federal Government (TFG), culminating in the third Djibouti Peace Process in December 2008, after which the government was renamed as Transitional Federal Unity Government (TFUG) but the Charter remains the same.

which unilaterally declared its independence from the rest of Somalia in May, 1991. The Ogaden war is remembered for the fact that it effectively ended the *détente* between the two superpowers and ignited “Cold War II”. In effect, “*Détente*, it was said, was buried in the sands of the Ogaden Desert”³¹.

Global Security Concern

Somalia lies at a strategic juncture connecting Africa, the Arabian Peninsula and the Indian Ocean through the gate of Bab-el-Mandeb, one of the worlds most important transit routes for commodities, particularly oil.

It is also the place where the first confrontation between Jihadi Islamists and the U.S took place in 1993, in which the U.S led Operation Restore Hope ended in failure, killing 18 US Marines³².

In addition to that, the U.S Embassies of Nairobi and Dar es Salaam were simultaneously attacked in 1998 where 224 people lost their lives including 13 Americans. The U.S blamed Osama Bin Laden, who was stationed in neighbouring Sudan before he moved to Afghanistan in 1999, for being behind the attack³³. Moreover, Somalia is currently one of the international hotspots of the so called “war on terror” with violent confrontation going on between the African contingent (AMISOM) and their Transitional Federal Government (TFG) troops on the one hand and the Harakat Al-Shabaab, better known as Al-Shabaab (Mujahidin Youth Movement) / and Hisbul-Islam (Party of Islam) resistance groups on the other. The resistance consists of the remnants of the Islamic Courts Union whose leader Sheikh Sharif Ahmed is the current TFG president. However, the authorities and media label them as a fifth column, a bunch of Islamic militants or terrorists, for political advantages aimed at accessing the financial and political support of the West³⁴.

Pervasive Piracy in the 21st Century

The crisis in Somalia has serious implications in the greater Horn of Africa in terms of insecurity, underdevelopment and continuing humanitarian disaster. Recently, the spill over effects have reached the international maritime routes along the strategically important coast of Somalia and even beyond the 200 nautical miles, with rampant piracy seizing more than 13 ships and more than \$150 million ransom paid to the Somali pirates³⁵ and still going on.

However detrimental the piracy on the high seas may be, it has successfully curbed the illegal fishing trawlers and toxic dumping, not only on Somali shores but far

31 Menkhaus(2002).

32 Kepel,Giles (1993) pp.317.

33 Ibid.pp.320.

34 Crisis Group: Africa Report No.100.December,2005.pp.25 at<www.icg.org/Somalia.

35 Chatham House (2008).

beyond to the waters of Tanzania, boosting the chances of local fishermen to catch more fish. Speaking in Tanzania, the Director of the world famous School of Ocean Sciences at University of Wales, Bangor, Dr John Turner, was quoted as saying “illegal fishing trawlers which operated with impunity within the region’s EEZ are now kept at bay, thanks to the presence of Somali pirates and Western military vessels”³⁶

Foreign Interventions

Somalia fell over a cliff in the early 1990s when state institutions collapsed due to a disorganised tribal affiliated insurgency that took over the capital, Mogadishu, pushing the country into a state of chaos and insecurity with grave humanitarian consequences.

Professor Menkhaus rightfully observes that “Somalia and the U.S are apparently doomed by fate to collide at critical moments in global politics. The collision has never brought anything but trouble to both parties”³⁷.

The real drama started with operation “Restore Hope” ordered by President Bush senior in his last days in office whose aim was to pioneer the steps of the “new world order” with intent to implement “principles of humanitarian interventionism”. As a result, the intervention which later became United Nations Operation for Somalia (UNOSOM) ended in failure in 1993, thus making Somalia the “graveyard of the new world order”³⁸ The failure of this intervention was later summarized in the war film *Black Hawk Down*. What was initially meant as a peacekeeping operation ended in a manhunt for Gen. Mohammed Farah Aideed; one of the most powerful warlords in Somalia. More than 14 reconciliation conferences were held in the neighbouring Inter-Governmental Authority on Development (IGAD) consisting of Ethiopia, Kenya and Djibouti with the exception of one conference that was held in Cairo, Egypt³⁹. The peace efforts were not coordinated and some have openly manifested a competing conflict of interest.

Ethiopia is singled out in this paper as an overriding external actor dominating the major events in Somalia. The Ethiopian position was reinforced in December 2006, after it militarily occupied Mogadishu and most of the southern part of Somalia with political and logistical support from the U.S, in the name of the so called “war on terror”⁴⁰.

The intervention of thousands of Ethiopian troops in December 2006, which removed the Islamic Courts Union (ICU) from power and the thousands of African Union troops which joined later, presently stationed in Mogadishu, have created the worst humanitarian nightmare in Somalia, which according to the United Nations has forced over one million Mogadishu inhabitants to flee their homes, killing scores

36 <http://dailynews.co.tz/home/?n=8530&cat=home> accessed 30/03/2010.

37 Menkhaus, Ken (2002).

38 Ibid.28 January, 2002.

39 Journal of conflict studies.availbale at. <http://www.lib.unb.ca/Texts/JCS/SPR95/contents.htm> accessed 01/04/2010.

40 ICG Africa Briefing no.45, January 2007. www.icg.org/Somalia.

of civilians and committing war crimes⁴¹. The failure of TFG has something to do with its legitimacy, and it is viewed by many Somalis as a cat's paw of the Ethiopian invaders and their allies.

The ICU operated in the south-central part of Somalia. However, the semi-autonomous region of Puntland and the break-away republic of Somaliland were outside their reach. The removal of the ICU was a turning point in Somali politics, from which much of the current debacle between AU forces and the armed opposition groups stemmed.

Although the ICU leader and some of his supporters joined the newly extended TFG, the move has only exacerbated the conflict rather than solving it. Critics point out that the deal was hastily arranged by a coalition of states who supported the Ethiopian invasion, targeting the sheriffs⁴² which represented the weakest link in the chain of the Somali resistance. The interventions so far helped create a breeding ground for extremism and became a “battle cry” for groups of all sorts including some with a transnationalist agenda.

Part III: Islam and Democracy

The debate about the compatibility of Islam and democracy intensified in academic circles by the turn of the 20th century, during which newly independent Arab states sprang up in the Middle East. Likewise, many lately emancipated Muslim nation-states joined the world community right after **World War II**.

Muslims faced a stark choice of either emulating their colonizers or adopting a state model that reflects the medieval form of government. Whilst Kemal Ataturk chose the former, some Arab states adopted a form of government based on the latter.

With the independence of Pakistan in 1947, the discourse about the compatibility of democracy and Islam moved into a higher gear. As a result, some Islamic movements became part of the political process in countries like Pakistan and Malaysia. However, other countries ruled by secular nationalists or socialists have chosen the path of confrontation.

Both proponents and opponents of Islamic democracy present pertinent arguments when contributing to the debate. Yet one thing both camps agree on is the supremacy of Quran and Sunnah as an infallible source of divinity. Nevertheless, differences arise about the interpretation of the Quran, the Sunnah and the corpus of jurisprudence known as *Fiqh*. Proponents of Islamic democracy cite that Islam promotes “religious tolerance and equal rights under Islamic pluralism”. To underscore

41 (Human Rights Watch (2007).

42 The Sheriffs, as they are commonly known by the Somali public, are the current TFG president and deputy prime minister and minister of finance who were the top leaders of the resistance, The Alliance for Liberation of Somalia (ARS).

the supremacy of the Quran and point to the relativity of its meaning, they quote Qur'anic verses such as:

It is He who has sent down to you (Muhammad SAW⁴³) the Book (this Qur'an)". In it are Verses that are entirely clear, they are the foundations of the Book [the Verses of Al-Ahkām (commandments), Al-Farā'id (obligatory duties) and Al-Hudud (legal laws for the punishment of thieves, adulterers)]; and others that are not entirely clear. So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking Al-Fitnah (polytheism and trials), and seeking for its hidden meanings, but none knows its hidden meanings, save Allāh. And those who are firmly grounded in knowledge say: "We believe in it; the whole of it (clear and unclear Verses) are from our Lord. And none receive admonition except men of understanding"⁴⁴.

The central contention between Islamic political scholars and commentators, however, is focused on mutual consultation or *Shura*⁴⁵ and some examples of *Mas-haf Medina*⁴⁶ from which the first Islamic state emerged roughly six centuries before Magna Carta. Nevertheless, it is hard to imagine how a "democratic theory can emerge from a verse of Quran" or how the *Shura* can be equated to democratic governance. Whilst the former is initiated by the ruler, the latter is defined by the constitution.

Western scholars such as John Esposito and John Voll are among the proponents of Islamic democracy. In their recent book "Islam and Democracy", they argue that even in the West, democracy does not have an agreed definition. They entertain the notion that different cultures can develop different forms of democracies including an Islamic democracy⁴⁷.

Although there is no proven theory of democracy in Islam, they commonly quote Muslim scholars such as Abu al-A'la Al-Maududi who coined the doctrine of "theo-democracy" in which three principles such as: *tawhid* (unity of God), *risala* (prophethood) and *khilafa* (caliphate) are entertained⁴⁸. However, Maududi does not accept liberal democracy instead he suggests that democracy must be subordinate to the Quran and the Sunnah.

The advocates of Islamic democracy put emphasis on democratic relativism in the Islamic world in which Quranic verses are open to interpretation, a view contested by many in academia.

43 SAW(Arabic) literally means peace upon him.

44 Sura 3:7Tafsir AtTabarī, Vol. 4, Page 58) available online at ><http://muttaqun.com/quran/ae/nobae003.htm> accessed 29/03/2010.

45 Literally means consultation. It is a decision making process practised by prophet Muhammed and his companions in the early days of Islam. It is supported by quotations of the Quran such as: "They respond to their Lord by observing the Contact Prayers (Salat). Their affairs are decided after due consultation among themselves, and from our provisions to them they give (to charity)". Sura (42:38)

46 The first Islamic polity was born in Medina when Prophet Muhammad (puh) and his companions reached there after their migration from Mecca. The Charter of Medina was signed by the prophet to establish a constitutional rule for the inhabitants of Medina consisting of Muslims, Jews and pagans.

47 <http://www.meforum.org/1680/can-there-be-an-islamic-democracy> accessed 12/04/2010.

48 Abu al-A'la al-Mawdudi, "Political Theory of Islam," in Khurshid Ahmad, ed., *Islam: Its Meaning and Message* (London: Islamic Council of Europe, 1976), pp. 159-61.

On the other hand, the opponents of Islamic democracy bring up a plethora of examples and quotations from theological point of view such as “the concept of Al-Hakimiyah” (sovereignty lies with Allah and the Sharia is the law of Allah).

For example, they quote Quran verses such as:

“You do not worship besides Him but only names which you have named (forged) you and your fathers, for whom Allāh has sent down no authority. The command (or the judgement) is for none but Allāh. He has commanded that you worship none but Him (i.e. His Monotheism), that is the (true) straight religion, but most men know not” (Sura 12:40).

This paper maintains that Sharia law (in its strict interpretation) and democracy (in its Western form) are diametrically opposed. Theoretically and ideologically, the pair can be described as “contradictory and competitive” at best⁴⁹.

Sharia law is regarded as a corpus of jurisprudence, or *fiqh*, referring to a sacred source of Islam “the Quran and the Sunnah”, developed by Islamic jurists’ *fuqaha* on the basis of interpretations of their *Madhab*. It is based on commands of Allah with verses of the Quran explicitly stating the supremacy of God over the will of the people.

For instance, the Quran states:

“It is not fitting for a Believer, man or woman, when a matter has been decided by God and His Apostle to have any option about their decision: if any one disobeys God and His Apostle, he is indeed on a clearly wrong Path” (Sura 33:36).

Therefore, the contrast between Islam and democracy is evident. Whilst Islam upholds the will of Allah, democracy espouses the will of the people.

Even Tocqueville who argued for the cohabitation of religion and democracy in America rejects Islam’s compatibility with democratic institutions. In his words:

“Muhammad professed to derive from Heaven, and he has inserted in the Koran, not only a body of religious doctrines, but political maxims, civil and criminal laws, and theories of science. The gospel, on the contrary, only speaks of the general relations of men to God and to each other - beyond which it inculcates and imposes no point of faith. This alone, besides a thousand other reasons, would suffice to prove that the former of these religions will never long predominate in a cultivated and democratic age, whilst the latter is destined to retain its sway at these as at all other periods”⁵⁰.

There are, however, elements of democracy which can be compatible with Islam. For example Noah Feldman acknowledges that Islam’s treatment of minorities “as equals may be perfectly compatible with democracy.”⁵¹

On the other hand, democracy is based on the will of the people who have the right to chose their own governments and replace them by exercising the right to vote.

According to the Universal Declaration of Human Rights (UDHR), “The will of the people shall be the basis of the authority of the government; this free will shall be expressed in periodic and genuine elections which shall be by universal and equal suf-

49 M. A.KHAN (2010).

50 Tocqueville, Alexis de (2000) p. 420.

51 David Bukay, Middle East Quarterly, Spring 2007, pp. 71-79.

frage and shall be held by secret vote or by equivalent free voting procedures.”(Article 21, paragraph 3, UDHR).

Democracy is known to be an outgrowth of Western culture, thus many in the Muslim world view it as a Western product and promoting it is akin to accepting “cultural imperialism”. Yet, people agree that greater participation in the political process creates a just and egalitarian society without endangering their faith.

An acute observation made by Muslim scholar Al Farabi (d.950) made sense of why democracy may be convenient for Muslims as the lesser evil. He said:

“Because democracies are free societies and are also non-homogenous, they will contain people who excel in good as well as people who excel in evil. But since one can find the pursuit of perfection present within a democracy, a democracy has the best chance of all ignorant cities of becoming a virtuous city”⁵².

History reveals that throughout the 14 centuries of Islamic civilisation, democracy has never been brought up as alternative form of governance. Autocratic (not necessarily despotic) governments dominated the Islamic world for centuries.

Despite long years of colonisation (or because of it), the Western democracies have been in cahoots with autocrats in the Muslim world. This is confessed by former Secretary of State Condoleezza Rice while addressing an audience at Cairo’s American University in 2005. Rice said:

“For sixty years, my country, the United States, pursued stability at the expense of democracy in this region here in the Middle East, and we achieved neither. Now we are taking a different course. We are supporting the democratic aspirations of all people”⁵³.

Rice also noted that the absence of democracy in different Middle Eastern countries was responsible for the outgrowth of radicalism and extremism.

The same may be true for Somalia, after long years of neglect; the U.S supported the Ethiopian intervention in Somalia in 2006, which became a rallying cry for insurgent support and nourished extreme ideals that many Somalis are grappling with today.

Contemporary Muslim Democracy

At present major Muslim countries, mostly of non-Arab ethnicity, have functioning democracies with the electoral systems, multi-party politics and even allowing women’s leadership. These democratic forces “reject or at least discount the classical Islamist claim that Islam commands the pursuit of Sharia state”⁵⁴ . Since 1990s democratic exercises in Malaysia, Indonesia, Bangladesh, Pakistan and Turkey have developed into political parties competing for votes, some even invoking religious

52 KHAN.op.cit.

53 Khalid al-Anani. The Myth of Excluding Moderate Islamists in the Arab World. P.4 >www.brookings.edu/-/rc/.../201003_moderate_islamists_alanani.pdf. Accessed 01/04/2010.

54 Nasr, Vali (2005) p.13.

slogans for political purposes⁵⁵. Even Iran, which is a theocratic state with a sort of episcopate (Imam) as head of state, has a political system based on competition.

The democracy exercised by these countries (except Iran) has won applause in the West. Surprisingly President Bush became one of the advocates of the compatibility of Islam and Democracy.

Addressing the 20th anniversary of the National Endowment for Democracy in 2005, the U.S president said:

“More than half of all the Muslims in the world live in freedom under democratically constituted governments. They succeed in democratic societies, not in spite of their faith, but because of it. A religion that demands individual moral accountability, and encourages the encounter of the individual with God, is fully compatible with the rights and responsibilities of self-government. There are governments that still fear and repress independent thought and creativity, and private enterprise -- the human qualities that make for strong and successful societies. Even when these nations have vast natural resources, they do not respect or develop their greatest resources”⁵⁶.

Democracy without Democrats: The Track Record of Break-away Somaliland and the Region Since 1991

Somaliland has made serious strides to democratic governance ever since it declared its independence from the rest of Somalia in 1991.

There has been the presidential election in 2003, in which president Rayale retained his power. Although the opposition labelled that election as marred with fraud, it was nevertheless accepted by the international observers. There have also been “competitive and credible national elections” in 2005, which brought opposition groups to a parliamentary majority with a margin of 49 seats in an 82 seat parliament⁵⁷.

In a sense, Somaliland seems to have achieved much more than its neighbours, Djibouti, Ethiopia, Eritrea and Kenya. According to Human Rights Watch, the administration of president Rayale is more transparent and less repressive than its neighbours in the Horn⁵⁸.

Despite being unrecognized by any state, they have shown commitment to the cause of democratic governance, although its critics believe such stamina has come as a sacrifice to win recognition and not a wholehearted devotion to democratic principles.

However, the road to democracy is closing for Somalilanders, as president Rayale’s government seems to be forfeiting democratic principles over power, a dominant ethic in this part of the world. So far the president has extended his control two

55 Ibid.

56 www.ned.org/.../remarks-by-president-george-w-bush-at-the-20th-anniversary accessed 29/03/2010.

57 Hostage to peace, available at > <http://www.hrw.org/node/84298> accessed 01/04/2010.

58 Ibid.

years from his original mandate which ended in April 2008 using unconstitutional practices, and will probably cling to power as long as he can⁵⁹.

The same is expected to happen in Ethiopia and Sudan in the first half of this year, where the current rulers are expected to retain their power, using repressive measures and outright rigging of elections. There have never been fair and free elections in this part of Africa. The Horn has the worst track record of democratic change. The leaders in this region have been in power for a long time. Sudan's Omar Al Bashir (21 years), Ethiopia's Meles Zenawi and Eritrea's Afewerki (19 years), Djibouti's Ismail Omar Gelle (11 years). Yet some argue for African exceptionalism and the priority of stability over democracy.

According to the World Bank, the countries in the Horn perform poorly in six governance indicators such as; "regulatory quality, rule of law, control of corruption, voice and accountability, political stability, government effectiveness". In 2008, Somalia ranks the highest in corruption and the worst in stability and freedom⁶⁰.

Putting the Cart before the Horse

The Horn of Africa conference this year in Lund is meant to explore how democratic governance can be restored in Somalia. However, such a scenario seems unlikely if 'law and order' does not return to Somalia under a recognised national authority.

In order to think about democratic governance, the civil conflict has to end, and that comes only if the nation's main stakeholders agree on a form of government and a power sharing formula. At present, all main warring factions advocate the application of Sharia law including the TFG, Al Shabab, Hisbul-Islam and the newly reinvigorated militia of Ahlu-Sunna Wal-Jamaa, the largest Sufi order in Somalia.

No one, however, is advocating democratic governance, thus the political discourse is focused on which version of Sharia law the different factions intend to apply. Whichever version we chose, none will be compatible with kind of political pluralism revered by democratic governments.

Conclusion and Recommendations

The Somali civil conflict that began in the 1990s has entered uncharted territories. Factionalism is no longer centred in tribal feuds; it has taken a sharp turn for the worse. It is Islamic factionalism that has replaced the traditional tribal feuds. Some of these movements are led by narrow minded bigots and transnational jihadists that have shown religious intolerance within a predominantly Muslim society. It is hard to imagine how democracy can flourish in such an environment. Moreover, the situ-

59 Ibid.

60 http://info.worldbank.org/governance/wgi/sc_country.asp accessed 01/04/2010.

ation is worsened by the statebuilding efforts led by the international community and the operations conducted under the rubric of the so called 'war on terror'. It is counterproductive to invest so much in statebuilding when political leaders are inept and unable to rally the Somali population behind them. First, the government should attempt to defeat their opponents on the political front before they try to defeat them on the battle front. So far, the TFG has failed to achieve tangible results on both fronts. Yet it is fallacious to describe Somalia as a Hobbesian society in which "every man is against every man".

Indeed Somali conflict is misunderstood by many in the world community. There is no lawlessness in most parts of Somalia. In addition to Somaliland and Puntland, there are local authorities or de facto governments such as the TFG (Mogadishu), Galmudug state, Al Sunnah Wal Jama'a and Al-Shabab and Hisbul Islam emirates in large swathes of the South. Even areas controlled by Al Shabab and Hisbul Islam, away from the fault lines, are peaceful despite their harsh treatment of the populace⁶¹. Human Rights Watch argues that "Al-Shabab's forces have brought greater stability to many areas in southern Somalia, but at a high cost for the local population – especially women⁶²".

The nature of Somali internal conflict is centred on a power struggle, driven not only by political motives but also by economic incentives⁶³. To date the following political forces are vying for supremacy in the fragmented Somali nation.

- Al Shabab and Hisbul Islam aim at constructing a kind of Islamic emirate or Caliphate outside the fold of the World Order. Such a state will not be bound to international law nor will it respect the conventions and treaties signed by previous Somali governments. The legal principle *Pacta Sunt Servanda* which holds that international treaties made in good faith are binding is not in their vocabulary. In the case of Al Shabab, they openly pledged allegiance to Osama Bin Laden, although that might be rhetoric rather than reality.
- Transitional Federal Government (TFG) and its junior partner Al Sunnah Wal Jama are committed, at least in theory, to reconstitute the Somali state, but they lack leadership and clarity on the way forward. They are largely driven by petty opportunistic motives.
- Puntland, in theory, is loosely connected with TFG. However, some of its recent policies such as a separate anthem and flag cast doubts on its commitment to reconstitute the state of Somalia. Critics believe that these policies are one step short of secession.
- Somaliland has never concealed its intention to secede from the rest of Somalia. It has a functioning government which lacks recognition from the rest of the world, although the underlying problems may undo all their achievements in the long run even if they are recognized as a sovereign state.

61 <http://www.hrw.org/en/reports/2010/04/19/harsh-war-harsh-peace> accessed 20/04/2010.

62 Ibid.

63 Roy Love, Economic Drivers of Conflict and Cooperation in the Horn of Africa>. <http://www.chathamhouse.org.uk/publications/papers/view/-/id/816/> accessed 02/04/2010.

This paper maintains that there is no ‘quick fix’ solution for Somalia’s political despair; however, the best way to tackle Somalia’s multifaceted problems is to put the ball back in Somalia’s court. That means ‘constructive disengagement’ on the part of the international community, thereby empowering Somalis to solve their own problems in a traditional way under ‘the shade of a tree’ (*Geed hooskiis*).

The world powers should accept the outcome of a Somali owned initiative, even if that is an ‘Islamic state’ but one that can manage its domestic and international affairs quite responsibly.

Although Muslim democracy is possible, it can only happen without strict adherence of Islamic teachings such as the application of Shari’a law, which can never be reconciled with democratic rule. Even if democratic tools are used as is the case in Somaliland, no party would be allowed to campaign for issues abhorrent to Islam such as equality of gender, sexual orientation and freedom of religion. This paper argues that democratic governance is unthinkable for Somalia in the near future for obvious reasons mentioned in previous parts, particularly when the society is emerging from a civil war and political Islam has reached its height.

Despite the waning popularity of Islamic militants, Shari’a law will most likely dominate Somali politics for many years to come as secularism and democracy are being increasingly repudiated by powerful religious groups and the Somali populace at large.

In order to reunite such a fractured nation, both religious and patriotic imperatives are indispensable including a reversal of widely tolerated foreign interference, particularly by Somalia’s neighbours. The situation has been worsened by the attempts of foreign powers, i.e. global jihadists, the West and the IGAD, to use Somalia as a ‘litmus test’. The so called “war on terror” has shaped Somali politics since 9/11, in which foreign interference thrives.

Somalia’s future leaders can only emerge from a genuine national reconciliation conference such as the ones held in Borame (1991) and Garowe (1996)⁶⁴, or a unifying national movement similar to Garibaldi’s *Camice Rosso* (“red shirts”), or Bismark’s *Kulturkampf* (“culture struggle”), but nothing like the preposterous conferences concocted in foreign capitals.

Since the collapse of the state of Somalia in 1991, or perhaps even earlier, a rotten core of warlords and clannish networks, bereft of a national agenda, have dominated Somali politics. Therefore, it is not surprising to see a youth revolt (such as Al-Shabaab) against such a dishonest ruling class. Perhaps Al-Shabab and Hisbul Islam (to a lesser extent), devoid of transnational agenda, could provide a sensible and native bulwark against the disintegration of Somalia.

Rightly or wrongly, powerful foreign actors have long dominated Somali politics; however, their involvement has brought nothing but disaster. If Somalia is to become a sovereign state again, it should produce its own patriotic leaders capable of putting Somalia’s national interests first. Such leaders should reclaim Somalia’s lost

⁶⁴ Borame Peace Conference held in (1991-93) has reconciled the inter-clan differences of the Northerners whilst Garowe Peace Conference (1998) led to the formation of an autonomous Puntland state within federal Somalia. Both enclaves have enjoyed relative peace for decades with local polity in place.

sovereignty from the foreign meddlers and their local allies who have balkanized the country for so long. “Eternal vigilance is the price of liberty” says Thomas Jefferson.

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Nationalism, Decolonization and “New Humanism”

Somalia – a nation in waiting, a state in the making

Faowsia Warsame

Introduction

In modern history, nationalism has become a movement in which recognition as a nation-state is regarded as paramount for the realization of a people's economic and cultural aspirations. Nationalism is characterized principally by a feeling of community based on common descent, language and/or religion (Smith 1995). Prior to the eighteenth century, when nationalism emerged as a distinct movement, states were usually based on religious or dynastic ties – citizens owed their loyalty to their church or ruling family. In the formation of the modern nation-state, as a political substitute for traditional feudal systems, the nation is brought decisively into the equation of the sovereign, territorial state, thereby constructing a new source of legitimacy. The nation has become the body of citizens whose collective sovereignty constitutes them as a state. Since these elements are not ready-made ingredients of a nation, and since states have had to prove their legitimacy with reference to heterogeneous groups, nationalism has become the ideological tool used both by the states to create nations and by the citizens that composed them.

The contemporary global community exists at a historical crossroads, however, where the interaction between nations has a significant impact on how nationalism operates. Recent decades have witnessed two emerging developments: on the one hand, a trend towards more globalism, multilateralism, and internationalism – largely supporting interdependence, solidarity, and rule of law, and on the other hand, a tendency towards growing instability and insecurity. Recognizing the implications of shifting global arrangements, Jones (2005) notes that “World order, over recent decades has developed spaces for a range of concerns – human rights, gender, ethnic relations, peace, refugee” (4) – yet no concern is more perplexing than the issue of “failed states.”

The calamities of instability and insecurity have particularly stalked the African continent, mostly in the form of intrastate wars. Africa has “suffer[ed] by far the largest number of major conflicts during the 1990s, with more than 40% of the [world] total” (Novelli and Robertson 2007, 2): genocide in Rwanda; “ethnic cleansing” in Sudan; diamond wars in Sierra Leone and Liberia; and rebel-anarchy in Congo and

Uganda, to name a few. But the poster child of twentieth-century intrastate conflict is the former Republic of Somalia – what has been called “the planet’s foremost ‘failed state,’” (Bay 2008).

A discussion of the dynamics of the Somali “failed state” must include an examination of notions of nationalism, decolonization, and nation building. I consider these concepts in light of the implication that violence affects social transformation, as prefigured in the new humanism of the influential writer Frantz Fanon. As much blood as has been spilled in Somalia’s twenty-year civil war, much more ink has been spilled by academic and policy discourses to pathologize and dehumanize the Somali people: Yesterday we were “warlords,” today we are “pirates,” and tomorrow for sure we will be demonized in a new way; as Fanon wryly noted, “the European seldom has a problem with figure of speech” (1963, 7).

Consequently, I aim to trouble the reductionist narrative on Somalia and its people that is mired with cultural essentialism, social anomaly, and perplexity. This narrative, fraught with assumptions that have been constructed, conceptualized, and imbued with various meanings though historical circumstances, demarcates both society and its cultural heritage. The Somali ‘failed state’, with its extension of violence, has been used to shape a belief system about the social and political organization of its people. The collapse of the state has not only challenged the Somali people’s identification with their nation-state, but has also negated their humanity among and equality with other peoples of the world.

Fanon’s significance in contemporary Somalia

Fanon’s contemporary urgency is thoroughly bound up with the way his memory – precisely in its menaced and even contested character – represents for us the state of specifically cultural emergency in which we find ourselves. (Mowitz, as cited in Pinar 2008, 40)

Somalia, once heralded as the only true nation-state in Africa, is now nothing more than a “crude, empty shell.”¹ Once envied for its ethnic homogeneity, Somalia is now condemned for its ethnic differences. Once portrayed as a nation bound by primordial ties, it is now exposed for the primacy of its divisive disposition. This drama of human life, replete with strife, that transpires in Somalia – from Baydhabo to Boosaaso, from Marka to Mogadishu² – is the curse of the African nation-state, the land is referred to as hostile, lawless, and brutish, and the people are mere gangs, warlords, and militia.³ Therefore, any acts of violence are ascribed to inherent nature and

1 Fanon uses the term “crude, empty shell” in the chapter “Trails and Tribulations of National Consciousness” of *Wretched of the Earth* to describe national consciousness at the time of the independent movements in Africa.

2 Some of the cities and towns in Southern Somalia where most of the devastation and atrocities of the civil war had taken place.

3 These references appear everywhere in Western media’s popular imagery and sentiments of Africa, in general, and Somalia in particular.

proclaim neither historical circumstances nor impelling necessity (Makura 2005). The profound crisis, engendered by arrested decolonization in post-independent Africa, underlies our enduring fascination with Frantz Fanon's prophetic writings about the trajectory of colonization.

With hindsight informed by fifty years of "trials and tribulations," observers witness African nations' failure to resolve the conflict between state and nation and see such failure as the condition of decolonization that is the result of the retardation of national consciousness and the inadequacy of nation building. The curse of the African nation-state can be explained by examining the historical misalignment between *state* and *nation*, whereby "the post-colonial state has [either] failed to make the nation, or nations have descended into 'tribalism' in the process of carving out a state," as succinctly explained by Groves (2008). In present-day Africa, this conflict between nations and states has converged into what Mazrui, in a 1995 issue of *World Policy Journal*, calls an "institutional implosion and humanitarian crisis" (30). Mazrui's article draws on Fanon's theoretical framework of decolonization, with its extension of violence, to analyze the profound crisis of the present-day African nation-state, exemplified by Somalia. Homi Bhabha, however, reminds us that invoking Fanon allows us to use "the dismembered past to make sense of trauma of the present" (cited in Pinar 2008, 41). Bhabha says that Fanon's engagement with the colonial world of violence becomes, for us who try to understand the violence of such worlds as Somalia, "a process of intense discovery and disorientation." The premise and the contributing analysis of my essay, therefore, are the pedagogical possibilities that Fanon's theories offer to the nation-state of Somalia, and especially to the struggle of pursuing true decolonization.

Moreover, dialoguing with Fanon not only helps us "face the present in its moment of danger" (Pinar 2008, 40), but more important, it opens up different philosophical possibilities. For Pinar and countless others in the diaspora, that "moment of danger" is of course explicably tied to the present crisis of a beloved homeland – in this case, Somalia. The perplexing phenomenon that is Somalia has generated extensive discourse since the early 1990s. Central to this discourse is contestation over why, how, and who is accountable for state failure. This failure, as propagated by dominant discourses, precludes external structures of domination and exploitation both in the past and in contemporary times. In his discussion of the myth making of the African "failed state," Dolek affirms that state failure has hence been discursively conceived and subsequently perceived as the result of natural and internal problems or even of characteristics inherent in the African nation; thus the notion that "Africa is underdeveloped because it is already underdeveloped and because it is Africa." Being of Somali descent, such rhetoric naturally implicates me – either implicitly or explicitly, or both. I am the problem, and so must be responsible, due to what Dolek identifies in the modern myth as my "brutish, irrational, uncivilized and backward" tendencies (2008, 3).

Akin to previous hegemonic paradigms, this discourse functions first and foremost to legitimize imperialistic agendas through which Somalia is subjugated, exploited, and dehumanized time and again. It does this by fragmenting and redefining the

entire social fabric of the Somali nation – land, language, culture, faith, and history. One of the outcomes of dominant discourses is that persons and their communities are ascribed identities that embody universalized inferior status. Somali identities have thus been deconstructed, re-worked, and re-produced to emphasize what Gibson describes as “a *Manichean* personality split between rage and stupor” (2003, 103). Consequently, the lived experiences of the Somali nation can be summed up whereby those Somalis in Somalia constitute warlords and a frenzied mob, while those in the diaspora subsist between the trance and the trauma of perpetual statelessness.

Although identity is neither fixed nor innate, Abdi (1999) asserts, it is for all intents and purposes constructed from the subject identity. In other words, once identified, the subject becomes the source of that identity. As a Somali-Canadian, although born and raised in Somalia, my identity has been inexplicably linked to the “failed state,” as if I only came to “be” after 1991, when the state collapsed.⁴ My history and cultural heritage and my membership in humanity were essentially nullified by the collapse of the political state apparatus. I was no more than the political arrangements that legitimized me as a citizen and as an individual, that is, I am (or was) a Somali as long as there is a Somali government. Today, while my acquired hyphenated identity relegates me to invisible space, I nevertheless cannot escape the “gaze” of dominant discourse. This gaze locates me either as an inherently dysfunctional being incapable of autonomy, or as a starving refugee needing ‘humanitarian’ intervention. As part and parcel of hegemonic practices, ascribed and deformed identities are products of a “cultural situation”⁵ of sheer violence that permeates the mind and amputates the sense of selfhood, resulting in dehumanization. Understanding the prescription of hegemony, however, “does not lighten the oppression, nor seek to hide the domination; [it] shows them up and puts them into practice” (Fanon 1963, 38).

Yet the distinction of the violence in Somalia as the worst humanitarian crisis in Africa and the world’s uttermost failed state is real, and Fanon urges us to attend to this calamity in search of immanent outcomes and to understand what it might address. Could this violence be a painful re-conceptualization of what constitutes decolonization? Is this violence predicted on Fanon’s conception of absolute decolonization? Is this violence dismantling the fallacy of “pseudo-independence” – the changing of guard on Independence Day, the raising of flags, and the singing of national anthems? Has Somalia finally embarked on a collective and conscious eradication of the lingering and protracted colonial institutions and structures represented by both the ideology of nationalism and the polity of the state?

4 Although the civil unrest in Somalia has been in process for several years and many Somalis fled the country and sought asylum to other countries, near and far, the world only became cognizant of the ‘crisis’ in 1991 when the Western media started broadcasting the darkest moments of the history of the Somali people.

5 The discussion draws upon N. Gibson’s interpretation of Fanon’s understanding and description of hegemony in *Black Skin* and *The Wretched of the Earth*.

Nationalism (national consciousness) and Decolonization

With a large number of present-day African countries perceived, from Western standards of statehood, to be at a precipice of state failure, the implications of Fanon's ideas for contemporary African politics and the myriad and contentious processes of decolonization are as relevant today as they were in 1963 when his seminal book *The Wretched of the Earth* was published. Half a century ago "decolonization" was misguidedly equated with national liberation. It was widely believed that independence from colonial rule would usher in a period of vibrant and viable self-governing nation-states in Africa. Yet as early as 1961, Fanon's had been a dissenting voice in the chorus of optimism following "flag independence" and was one of the earliest to decipher the limits of such independence. With critical insight Fanon anticipated the fallacy of what he called "pseudo-independence" and was severely skeptical that national independence would lead to the genuine decolonization of the new African states. In a sense, as Taiwo remarks, "it was an independence that left the colonized with many superficial manifestations of self-rule – their own flag, national anthem, law making bodies – but without any real control over the land and its people" (1996, 257).

Moreover, in *The Wretched of the Earth* Fanon wrote that the independence movement of the 1960s was nothing more than "the substitution of one species of mankind by another" (1), a simple changing of the guard. Just before his death in 1961, Fanon concluded that there had been no effective liberation because there had been no authentic decolonization. The struggles for liberation, he lamented, have not made their impact sufficiently felt to achieve true decolonization. A distinction must be made between liberation, "the departure of the colonizer," and decolonization, "which sets out to change the order of the world," resulting in the complex transformation of both colonizer and colonized (Fanon 1963, 2). It is a distinction between Fanon's conception of absolute liberty and the reality of post-colonial Africa. It is the difference between the granting of independence and gaining new humanism; between partial liberty and total. Decolonization is not the antithesis, opposition, or reaction to colonialism, but rather the total and absolute destruction of colonialism that in turn eradicates both colonizer and colonized.

Decolonization as a revolutionary praxis must be concerned with both the need of individuals to attain a consciousness of freedom as well as the removal of the material constraints on their actions. Of the relationship between national consciousness and political struggle in the process of decolonization, Fanon concluded that the test of successful decolonization would lie in the degree of "people's perception and consciousness of nationalism" (Gibson 2003, 178).

National consciousness is thus required to further the anti-colonial struggle, which requires a common identity, a national identity that would enable the colonized to reject the colonizer's efforts to dehumanize them. Nevertheless, in an anti-colonial struggle, nationalism is not only a political doctrine; nationalism also has to translate itself to political, economic, and social consciousness. The pitfalls of

national consciousness, Fanon noted, lie in not being translated into social and economic realization; that is, nationalism has to be a collective social movement against poverty, dehumanization, oppression, and injustice. As Fanon has prescribed, the mobilization of the masses, born in the anti-colonial struggle, must induce into the nation's consciousness the ideas of a common cause, of a national destiny, and of a collective history, whereby the minimum demand is that "the last shall be the first" (1963, 2).

Monopoly on violence: colonial and the post-colonial state

Political analysts of the African nation-state once assumed that Somalia was unique on the continent, since the nation and the state nearly overlapped. The state had legitimacy and was sure to be viable given that the nation virtually shared such common social and cultural traits as language, mode of economic production, and religion. Thus it was quite a revelation when in the 1990s the state disintegrated and the entire nation was overcome by a civil war of all against all. Contrary to popular belief, however, the "ethnic" strife that ensued did not begin with the collapse of the state. The present-day Somali predicament has its origins farther back, in the arrival of European settlers and the creation of the "colonial-state." I argue that the imposition of the state – the colonial as well as the post-colonial variety – has irrevocably undermined and distorted Somalia's "shared cultural and social values" (Samatar 2001, 641).

Prior to colonialism, Somalia was an "acephalous society," to use Hashim's term for the Somali indigenous society (Hashim 1997), whose peoples formed tight bonds based on extended family, kinship, and clan. The traditional and egalitarian nature of the pastoral life was well suited to provide the foundation for a vibrant political society of the twentieth century and beyond. What has happened instead, as Abdi observes, is that now "Somalia, in today's interdependent, technologically advanced and selectively post-industrial world, is no longer a state, no longer a nation, no longer a nation-state" (1997, 34). This contemporary calamity is primarily the result of the imposition of colonial rule and, later on, the maladaptation of successive governments to the Western state model and their inability to nurture this social resource.

The Colonial-state(s)

If we had been interested enough... (and if the world had been sensible enough), all the Somalis... might have remained under our administration. But the world was not sensible enough, and we were not interested enough, and so the only part of Africa which is radically homogenous has

been split into such parts as made Caesar's Gaul the problem and cockpit of Europe for the last two thousand years. And Somaliland will probably become a cockpit of East Africa. (Lord Renell Rodd, cited by Laitin and Samatar 1987, 54)

The crisis facing the contemporary Somali nation was set in motion by the peculiar character of colonial occupation in Somalia and by the nature of the resistance that the occupation provoked. The colonial state and its institutions have been the most significant interruption to Somalia's way of life and social organization. By 1900 the Somali peninsula⁶ was divided five ways, "into British Somaliland, French Somaliland, Italian Somaliland, Ethiopian Somaliland (the Ogaden), and, for good measure, what came to be known as the Northern Frontier District of British Kenya" (Laitin and Samatar 1987, 53). Consequently, the entire map of the Somali peninsula was redrawn and redefined to constitute new political structures, and "Somaliness become a hyphenated identity: British Somaliland; Italian Somaliland; French Somaliland, Ethiopian Somaliland" (Nuraddin Farah, cited in Abdi 1997, 40).

The sheer force of colonialism shattered the social, economic, and political organization that had sustained the Somalia people for a millennium, irrecoverably damaging the entire social fabric of the Somali people. Socially and culturally, the Somali nation was divided for administrative purposes in a way that "mutilated kinship units into bewildering fragments ... [and] cut off entire clans from their traditional sources of water and/or pasture for their herds" (Hashim 1997, 49). Political exploitation came in the form of centralizing what was otherwise a decentralized, traditional political structure by vesting all effective power in the hands of colonial administrators and appointed local chiefs. This process emasculated indigenous political organization, based on family ties and kinship relations, by weakening traditional obligations and responsibilities. Economic ascendancy was administered by commercializing the subsistence economy, particularly livestock that had been the material backbone of the traditional way of life:

The imposition of colonial capitalism ushered the Somali economy into relations of production based on commodification and monetarization of livestock. The relations inherent in the process of production and distribution changed radically in the new environment of world capitalism. This process gradually weakened Somali society as there was increased exploitation of the pastoral producer by a powerful mercantile class of traders. (Hashim 1997, xiii)

All in all, the pervasive nature of the colonial conquest was not lost on the average Somali. The ferocity of land-grabbing and vigor of exploitation not only perplexed the Somalis, but they perceived it "in apocalyptic terms," as conveyed by these words of the Somali poet Faarah Nuur:

The British, the Ethiopians, and the Italians are squabbling. / The country is snatched and divided by whosoever is stronger. / The country is sold piece by piece without our knowledge. / And for me, all this is the Teeth of the Last Days! (cited in Latin and Samatar 1987, 54)

6 The peninsula is a semi-arid land of 400,000 plus square miles extending from the Gulf of Aden and the Indian Ocean westward into the Ogaden in present-day Ethiopia, northward into what is now Djibouti, and southward into northeast Kenya – the Northern Frontier District.

Post-colonial State

The post-colonial Somali state was in effect not the supplanter but the successor to colonial regimes. Rather than restoring traditional social and political structures, the newly independent state preserved state structures that the colonizer had founded. This adherence to the colonial blueprint, Abdi (1997) explains, resulted in the material and social disparities between regions, ethnic groups, and social classes, further undermining national unity and de-legitimizing state authority. After the unification in the 1960s of the former colonies of Italian Somalia and British Somaliland, post-independent Somalia had a promising start to 'modern' statehood. However, the euphoria of national independence was short-lived, as the new Somali civilian state was deposed in 1969 by military coup d'état, beginning a twenty-year reign of a repressive dictatorial regime.

The state, with its ruthless use of power and tactics of sheer force, imposed a strong central authority that did not take into account the needs of its pastoral society. The harsh brutality of state policies and the callous manipulation of clan politics to divide and rule "created an environment in which unrestrained violence flourished" (Hashim 1997, 13). In addition, the self-serving state politics did not foster citizens but only further alienated and disenfranchised the people. In reaction, the populace engaged in violence that not only matched the state's sheer force but surpassed it, as was demonstrated after the total collapse of the Somali nation-state in 1991.

The contemporary Somali region – for it can no longer be called a nation or a state – is afflicted by insecurity, violence, disease, and famine. While conflicts and war have been invariable occurrences of the Somali state from its inception, the civil war that broke out in 1991 is the longest and might very well be the darkest chapter of the Somali nation's history. The civil unrest, which ultimately threw the nation into a state of anarchy, began in the late 1800s, peaked in the mid- to late 1900s, and continues in the twenty-first century. As Bryden and Steiner note, what "began as a liberation struggle" against colonial domination and later against "the dictatorial rule and corruption of the military regime degenerated first into a murderous pattern of internecine aggression and reprisals, and later into a seemingly aimless stalemate between clan-based militia groups, punctuated only by irregular and unconvincing claims to supremacy by one leader or another" (1997, 2). The descent into a "failed state" began long before the nation disintegrated into rival domestic factions and the state lost authoritative legitimacy. The violent overthrow of the military regime in 1991 was only the culmination of a long term breakdown of law and order and the total collapse of state institutions.

It would be an understatement to say that the Somali nation has been shaped and affected by colonial and post-colonial states. Somalia was never truly a state to its pastoral-based and egalitarian nation but simply a relic of colonialism and pawn between Cold War superpowers. For the majority of the Somali nation, the state only represented violence, alienation, and subjugation. Thus, the dynamics of the Somali 'failed state' and the consequent humanitarian crises can only be contextualized by

analyzing the historic and developmental misalignment of nation and state within the Somali peninsula.

Violence: In search of immanent outcomes

In *The Wretched of the Earth*, Fanon stresses that the struggle for power in colonized states can only be resolved through violent struggle because colonial states were created and maintained by power relations that utilized violence and the threat of violence. Thus, violence has an indispensable utility in reversing these power relations. Yet it is more than a simple shifting of power or a taking of a position of responsibility, for the process of colonization has been more than one of simple physical domination. Instead, as Fanon notes, this physical domination has been accompanied by a well-executed psychological offensive on the history, culture, and sense of being of the colonized. Fanon prescribes that the multifaceted nature of violence on the colonized can only be countered through the process of decolonization – which is always “a violent phenomenon.”

Decolonization, Fanon theorizes, is a “cleansing force” that “frees the native from his inferiority complex and from his despair and inaction,” leaving him fearless while restoring his humanity (Fanon 1963, 94). Fanon provides us with an understanding of violence based on the specificities of the colonial encounter, stressing that the process of colonialism was realized by violence and that the colonial world was a “*Manichean*” one in which the colonized is reduced to permanent inferior status. Paraphrasing Fanon, Gendzier expresses his notion of the cathartic effect of violence that “decolonization could only occur successfully where the colonized not only seized their freedom through the liberation struggle, but participated in violent action to individually expunge themselves of the colonial heritage of inferiority and submission” (1974, 198).

Violence, according to Fanon, is not intended to provide some sort of irrational catharsis; on the contrary, it is precisely this violence that brings to light the full meaning intended in Fanon’s idea of the “creative necessity” of violence to cleanse and detoxify the colonized. This violence, he says, signifies the struggle against “all forms of exploitation and alienation of man” (Gibson 2003, 107). What this violence does for the colonized is to cleanse their minds, spirits, and bodies of the vestiges of colonialism – its “terrible and obdurate effects” (Makura 2005, 2). This detoxification produces “the kind of tabula rasa which from the outset defines decolonization” (Fanon 1963, 1). In this traumatic process the oppressed regain their dignity and humanity, since it infuses a new rhythm, specific to a new generation of men, with a new language and a new humanity. Decolonization is truly the creation of new men. But such a creation cannot be attributed to a supernatural power: The “thing” colonized becomes a man through the very process of *violent struggle*. (2)

Violence, as an organized force, is the absolute form of praxis for oppressed peoples; on an individual level, it is the indispensable means by which revolution is experienced. The individual violent act is part of one's transformation, for it implies the participation of the natural struggle for freedom (Mostern 1994, 264). Thus, communal violence is a strategy for not only engaging people in their own freedom, but more importantly, in reconstructing human relations and so producing a new society:

The violence which governed the ordering of the colonial world, which tirelessly punctuated the destruction of indigenous social fabric, and demolished unchecked the system of reference of country's economic, lifestyles, and modes of dress, this same violence will be vindicated and appropriated when, taking history into their own hands, the colonized swarm into the forbidden cities. To blow the colonial world into smithereens is henceforth a clear image within the grasp and imagination of every colonized subject. (Fanon 1963, 6)

Yet Fanon appreciated the inherent contradiction of violence. On the one hand, violence is an essential step in the search for a humanized world. On the other hand, it is *not* violence that would establish a world free of exploitation, since for such a world violence must be discarded when decolonization occurs, for violence is dehumanizing. Moreover, Fanon saw that violence exploits. Gibson, exploring Fanon's views on the effects of violence, finds that colonialism was (and still is) a condition that encourages the internalization of violence and assures the internal redirection of frustration and aggression of the colonized populations: "Part of the political project of creating the native is to channel the violent reaction to colonial violence inward, to areas where this disruptive energy can be 'released' without affecting the colonial set-up or status quo [and] the native's energy is directed or rather deflected toward the self" (2003, 103). That is why the hegemonic discourse of 'failed state' is so effective in mystifying the nature and root causes of violence within societies. The 'containment' policy notwithstanding, this narrative is staged around the African state and nation, "Africanizing" the crisis, and so deflects responsibility and thus accountability.

Problematizing (anti-colonial) Nationalism

Theories that attempt to explain African nationalism are preoccupied with what Asha Sen calls "Euro-centric privileging of modular socialism" (1996, 3). Accordingly, African civilization began with European contact⁷ and African philosophies and modes of thought are byproducts of European culture, from which they extrapolate the European underpinning of African nationalism. Moreover, such philosophies and ways of thinking pay particular attention to the role of the colonial state

⁷ Colonial conquest, powerfully expressed by Fanon's *Manicheanism*, is atemporal. History is the history of colonization: "This land was created by us says the colonizer, who sees themselves as the unceasing cause."

in creating and cementing African nationalities. Scholars of African nationalism, however, refute the assumption that African nationalism and nation-formation is a distorted reflection of European precedent. They instead emphasize the unique quality of the African context and the incomparability of this ideology in Europe and Africa. Markakis, for example, accepts the existence of a dichotomy that differentiates European and African nationalism (1999). African nationalism, Markakis says, is concerned with decolonization, independence, and development, whereas European nationalism aspires to power and prestige. In addition, European ideas regarding the nation-state have little or no basis in African social and cultural conditions or political traditions (Neuberger 2000).

The process of state-formation in Europe has long been based on the acknowledgement by ethnic communities of their common history and cultural identities. In Africa, however, this process was inverted and essentially diachronic. As Chatterjee (1993) points out, colonial states were created within artificial borders that hardly coincided with the limits of traditional politics. Social affinities or long-standing feuds and various communities whose cultures, traditions, and languages differ considerably were brought together, irrespective of their historical past, for the purposes of facilitating colonial administration. Often such colonial 'curving' led to situations where boundaries divided homogenous ethnic communities. The colonial state became the 'proto state' within whose limits African peoples had to forge a new sense of belonging and solidarity, creating a complex problem of national integration that today is the most serious political challenge to the survival of African nations.

In *Nationalism and the State* (1982), John Breuilly writes that "nationalism is, above all else, about politics [and] politics is about power. Power in the modern world is about the control of the state, the central task, therefore, is to relate nationalism to the objective of obtaining and using state power" (1). There are states in Africa and there is nationalism, and an established historical relationship exists between the two. Markakis (1999) claims that there is nothing obscure or mystifying in this relationship, as proposed when Smith (1995) asks "[d]oes nationalism create nations or do nations form the matrix and seedbed of nationalism?" (3).

The modern state appeared in Africa first in its colonial guise, when it became the incubator of a nationalism whose aim was to obtain and use the power of state created by colonialism. Nation building became a priority for the African nationalist, thus confirming Gellner's view that "nationalism invents nations where they do not exist" (1983, 169). The aim of this nationalism, Gendzier contends, has since been defined variously and contradictorily "as a wholesale return to the 'organic' values and assumptions of pre-colonial Africa; the progress of Africa out of the dark ages of traditionalism into the era of modern technology; the hegemony of an ethnic group over the others; or the transcendence of these very ethnic differences as a way of countering the imperialist depredations of Europe in Africa" (1974, 198). The general characterization of nationalism in Africa as a reaction of the colonial situation, however, is misleading because it exaggerates the scope of the nationalist movement and draws attention from its social composition to the character and the nature of the post-colonial state.

In the process of decolonization, the objectives of the nationalistic fervor were limited and concrete. Far from seeking to dismantle the 'colonial state', nationalists aimed to safeguard it. This explains the preservation of the economic structures created by colonialism, as well as the endurance of the state structures that the colonizer founded. Adherence to the colonial blueprint meant that the material and social disparities between regions, ethnic groups, and social classes (such disparities had appeared during the colonial period) subsequently widened and became a source of political conflict that undermined all nationalist regimes in Africa, leading to the collapse of such states as Somalia. Fanon had anticipated the co-opting of the rhetoric of national consciousness by the nationalist elite that today is attributed to unfinished nature of decolonization. He wrote,

Instead of being the coordinated crystallization of the people's innermost aspirations, instead of being the most tangible, immediate product of popular mobilization, national consciousness is nothing but a crude, empty, fragile shell.... As we shall see, such shortcomings and dangers derive historically from the incapacity of the national bourgeoisie [and its] apathy, its mediocrity, and its deeply cosmopolitan mentality. (Fanon 1963: 97-98)

The emptiness and superficiality of such nationalism has resulted in comatose consciousness and dormant decolonization.

(mis)Appropriating *Soomalinimo*⁸

In July 1960, the northern and southern parts of the area merged to form the independent Somali Republic. Independence, in the words of an anonymous Somali poet, has proved a "bitter harvest" for the Somali people (Laitin and Samatar 1987, 67). The newly independent republic faced a broad agenda of problems that required immediate attention. Chief among them was the repatriation of Somalis living in the three regions of Ethiopia, Kenya, and Djibouti. The creation of the new state excluded those Somali nationals living in the other three mini-lands under foreign rule. The situation thus confronting the newly formed Somali state in 1960 is best described in the Prime Minister Abdirashid's inaugural speech:

Our misfortune is that our neighboring countries, with whom, like the rest of Africa, we seek to promote constructive and harmonious relations, are not our neighbors. Our neighbors are our Somali kinsmen whose citizenship has been falsified by indiscriminate boundary "arrangements". They have to move across artificial frontiers to their pasturelands. They occupy the same terrain and pursue the same pastoral economy as ourselves. We speak the same language. We share the same creed, the same culture, and the same traditions. How can we regard our brothers as foreigners? Of course we all have a strong and very natural desire to be united. The first step was taken in 1960 when the Somali Protectorate was united with Somalia. This act was not an act of "colonialism" or "expansionism" or "annexation". It was a positive contribution to peace and unity in Africa. (cited by Lewis 1980: 178-179)

8 *Soomalinimo* is a term that constitutes Somali people's sense of nationalism and/or national consciousness.

Thus, in addition to the formidable task of nation building common to African states in the wake of independence, the Somalis have inherited what they see as a dismembered nation; three of the essential constituent parts are missing: Ogaden, NFD, and Djibouti. One of the features of Somali society that strikes the eye of even the most casual observer is the homogeneity of Somali culture. In contrast to the vast majority of independent African states whose challenge has been to forge out of a plethora of ethnic groups a common national consciousness within boundaries set by departed colonials, the Somalis essentially constitute a one-nationality state (Laitin and Samatar 1987). As such, one of the nation's major post-independence predicaments has been, ironically, to create a larger state whose boundaries embrace those of the entire nation.

What imbues Somalis with a sense of common national identity, notwithstanding a history of nearly one hundred years of colonial partition, is their long-term occupation of nearly 400,000 square miles of arid semi-desert in the eastern Horn of Africa: a common language; a way of life that is predominantly pastoral; a shared poetic corpus; a common political culture; a profound Islamic heritage; and a deeply held belief that nearly all Somalis descend from the same source and are therefore drawn together by emotive bonds of kinship and genealogical ties (Lewis 2004). This fervent sense of belonging to a distinct national community with a common heritage and common destiny is rooted in a widespread Somali belief that all Somalis descend from a common founding father, the mythical *Samaale* to whom the overwhelming majority of Somalis trace their genealogical origin.

According to Sheik-Abdi (1977), Somali nationalism inculcates in Somali consciousness a sense of distinct community with a common past and a common destiny. That sense of national self-awareness fuels Somali patriotism and the yearning for national political unification. Furthermore, Hashim (1997) maintains that reinforcing the powerful appeal of Somali nationalism is the reality of economic necessity. The Somalis live in a desert environment where centuries of experimentation and social adaptation have established a fragile balance between people and their natural environment. Any disruption of that balance can trigger economic, political, and social instability and set off a crisis. The fragile interdependence fostered by both Somalia's ecology and Somali ethnic/nationalistic particularism compels Somalis into an almost obsessive concern with the fate of their "lost brethren." This concern underlies the central fact of the Somali society; although organized on the basis of clanship and kinship ties, the Somalis nevertheless are drawn together by highly "emotive supratribal bonds" of nationhood (Laitin and Samatar 1987, 68).

Early proponents of Somali nationalism, led by such prominent figures as Sayyid Mohammed Abdille Hassan,⁹ showed acute sensitivity to this social cohesion, recognizing the need for cultural sovereignty and the preservation of human dignity. Those early nationalists galvanized the Somalis by appealing to their common culture and creed, demonstrating a sophisticated understanding of the pitfalls of foreign

9 Sayyid Mohammed Abdille Hassan (April 7, 1856–December 21, 1920) was Somalia's religious and nationalist leader during the height of colonialism (he was called the "Mad Mullah" by the British). For 20 years he led armed resistance against the British, Italian, and Ethiopian forces in Somalia. Some regard Mohammed Abdullah Hassan as a pioneer of Somali nationalism.

rule. Sayyid, commenting in verse on the path taken by Somali leaders, wrote that had they followed his lead,

They would not have consented to babble in a beastly tongue / They would not have carried back-breaking loads for the Hindus in Berbera / Nor would their shoulders be marked by running sores from the burdensome load / Nor would they have envied those who husband only worthless coins / Or coveted what belongs to the Hell-bound infidels. (translated by Sheik-Abdi 1977, 660).

In his famous letter to the colonial powers, he strips their motivation for rule in Africa to one of greed:

I have no forts, no houses. / I have no cultivated fields, no silver or gold for you to take. / You gained no benefit by killing my men and my country is of no good to you. / The country is jungle. / If you want wood and stone, you can get them in plenty. / There are also many ant-heaps. / The sun is very hot. / All you get from me is war. / If you wish peace, go away from my country to your own. (cited in Laitin and Samatar 1987, 58).

Such poetry, as the medium of national consciousness, was not only a formidable weapon of resistance and propaganda against colonialists, but it also had such strong cultural and religious dimensions that it transcended existing tribal rivalries among the Somali. Accordingly, in the late nineteenth century, the Somalis, though not under a single political system, were culturally and religiously united.

While the concept of Somali ‘national consciousness’, based on an awareness of homogeneity, preceded the development of modern nationalism, Lewis (2004) nevertheless argues that there was no tradition of political unity, no statehood based on Somali culture. Thus nationalism formed from nation to state rather than from state to nation, as happened in most African nations. What modern nationalism did was to politicize an existing cultural phenomenon where, as Lewis observes, “cultural nationalism became political nationalism” (493).

The “ethno-cultural” nationalism or traditionalism that sought a vision of national grandeur in the mind of the Somali peoples, as Mahadallah notes, was limited “in terms of source and inspiration as anti-colonialism” (1998, 29). Characterizing both “isms” as “counter” movements, Mahadallah, however, articulates the distinction between traditionalism and anti-colonialism:

By traditionalism we mean popular attachment to ancient institutions and social ideals, whose perpetuation people feel necessary for their survival. [On the other hand,] anti-colonial nationalism refers to a popular reaction to the destructive effects of colonialism – i.e. political oppression, economic exploitation, and cultural domination. (29-30, footnote).

Cultural homogeneity might have inspired Somali nationalists to pursue aspirations of “Greater Somalia,” however, as Deng (1996) has observed, colonialism, as it did elsewhere in Africa, was the fundamental framework from which modern Somali nationalism developed.

The Somali nationalism of recent times, Lewis says, “tends to be segmentary in character, as the clan divisions of the nation tend to unify reactively in response to external pressures, and to disassociate when these disappear” (2004, 493). This ten-

dency to segmentation was exemplified first during the struggle for independence and later, after the collapse of the state, where diaspora communities are vested in sentiments of nationalism and the idea of *Somaliness*. Yet the segmentary lineage system is where self-identification is constructed and a sense of belonging is cultivated, but has been misappropriated and has become a “divisive deadly undertow” that has hindered national unity and nation building. As Lewis describes elsewhere:

Genealogy therefore constitutes the heart of the Somali social system and is the basis of the Somali collective predilection to internal fissions and internecine sectionary conflicts as well as of the unity of thought and action among Somalis.... The result is a society so integrated that its members regard one another as siblings, cousins, and kin, but also so riven with clannish fission and factionalism that political instability is the society’s normative characteristics (1980, 30-31).

This system of the Somali genealogy which organizes Somali society on the basis of clans, lineages, and families and regulated by traditional norms, is on one hand the basis of personal and social identity. On the other hand, such a system is the source of the unity of thought and action among Somalis. That idea of a central genealogy has been reproduced and manipulated first to facilitate colonial control on a divide and rule basis and later “exploited conflictually by [the post-independent state] and subsequently by the warlords in the current conflict” (Deng 1996, 53). Such proclamations assume that there is an absence of traditional political institution or that Somali political culture is solely marked by conflict.

Categorically refuting the fundamentality of segmentary clannism as the Somali way of life, Samatar (1992) was one of the earliest scholars to challenge “the centrality of kinship in understanding contemporary politics and its tendency towards fragmentation and anarchy” (626). In the haste to pathologize the Somali cultural basis, the essentialist thesis stressed by Lewis (among others) does not account for why the very system that has sustained Somalis for millennia has not lead to “nihilistic fratricide” until now (629). In addition, Samatar believes that the logic of that misguided thesis underscores the dynamics of political and economic colonial imposition while negating the fabric of Somali society, or *Xeer*:

In pre-colonial Somali tradition a set of rules and norms, known as *Xeer*, was socially constructed to safeguard security and social justice within and among Somali communities.... [Since] pre-colonial Somalia was an egalitarian society...[w]hat gave this *Xeer* staying power in the absence of centralized coercive machinery was the voluntarism associated with the absolute necessity of relying on one’s labour/livestock rather than exploiting others. Such an ethic prevented and restrained centrifugal tendencies in the lineage system. This means that lineage in/of itself does not have any inherent causal power, and that its effects on community relations are contingent rather than necessary (Samatar 1992, 630-631).

Over the last century, colonial and post-colonial state impositions have mutated this organized indigenous agency with far-reaching implications for the past, present, and future progress of Somali society and its nation-building efforts. This misappropriation of *Soomalinimo* in recent history has materialized into Fanon’s prophecy of young nations “switching back from nation to ethnicity and from state to tribe” (Fanon 1963, 97). Nevertheless, the ideology of a common descent will continue to make it agonizingly hard for the Somalis that cut off large segments of Somali-

inhibited territories from future Somali nation-state. The idea that some kin must live, against their will, outside of the national fold simply goes against the very grain of the Somalis' ethnic and corporate world view. The sense of loss and calamity occasioned by the fracturing of the Somali collective existence is cogently expressed in the continuity of lamentation by Somalis everywhere for a united Somalia.

Somalia: A nation in waiting, a state in the making

As the nation drifts in perpetual statelessness, as it awaits the promises of a state to be fulfilled, the vital concern at the forefront of consciousness is not what is (or was) Somali nationalism, but rather who are the Somali nationalists today: the 'Clan demagogues' whose dogma is clan supremacy or the 'modern intellectuals', who champion Western hegemony; 'the ideologues' who want to fabricate a new social order or the 'nihilists' determined to expunge traditional heritages from our consciousness; the 'Arabized patriots' who spill domestic blood for global culture wars or the diasporic 'reactionaries', whispering *Somalinimo* from afar? In the years since the collapse of the state, that the supposedly homogenous Somali identity has been shown to be a spurious national identity, based on what one scholar has called the "pastoralist ideology" (Simon, cited in Hashim 1997, 56). Nearly twenty years after the collapse of the state, Somalia remains the only country in the world without a state. Somalia is still in dire need of national leaders who can build a state that is aligned with the needs of its nation. At this juncture, and for the future, who among them espouses the possibility of a nationalism that will bring Somalia out of its wretchedness? No matter who, the nation deserves the realization of a nationalism that decolonizes and restores its humanity.

Fanon's conception of absolute decolonization is a process derived from the understanding that colonialism, as an inherently violent encounter, can only be defeated with "greater violence." Fanon's thesis of "authentic decolonization" towards "new humanism," as expressed in his conceptualization of catharsis, is envisaged in this violence. For Somalia, this violence is a painful redefinition of what constitutes true decolonization; can this violence provide insight into the process of Somalia's detoxification from exploitation, oppression and dehumanization?

The epic of anti-colonial struggle in post-independent Somalia is fading. The colonial-state is dying with a torrent of blood and tears. The era of nationalism, with its promises of modernity, nation building, and progress, has ended, its promises sadly unfulfilled. The battle against oppression and exploitation run along the tracks of nationalism, however; as Taiwo observes, "true decolonization is less about creating new nations than it is about creating new modes of being human" (1996, 259). We now know the "pitfalls" of anti-colonial nationalism: it lacked any humanistic ideology that "infuses a new rhythm, specific to a new generation of men, with a new language and a new humanity" (Fanon 1963, 2). Independence that is "granted,"

Fanon bemoaned, does not constitute decolonization, for “in its bare reality, decolonization reeks of red-hot cannonballs and bloody knives” (3). True decolonization is a complete and decisive victory over exploitation, oppression, and dehumanization.

Despite Fanon’s evocation of the “creative necessity” of violence, Gibson stresses that violence is not an ahistoric act, and as such it can neither be allowed to speak for itself nor to have its own meaning. In order to give meaning to the current “crisis,” violence has to be contextualized and its significance articulated. What the seemingly senseless violence in Somalia signifies is a paroxysm attending the process of authentic decolonization of both Somalia and Africa. It expresses decolonization as a total rupture from the vestiges of colonial oppression. We must understand this violence to mean that, at long last, Somalia is at the cusp of Fanon’s vision of a new humanism, prefigured on a world free of exploitation.

Conclusion: The Pedagogy of Reclamation

The well-scripted and internationally staged narrative of the Somali ‘failed state’ has *de facto* constituted a new type of colonialism, one re-organized along lines of psychological oppression and domination. For more than two decades the Somali nation has solely been defined and judged by the absence of a centralized political state apparatus, rather than by the historical existence of people in the Horn of Africa. The collapse of the state has nullified the Somali people’s membership as a nation in a universe of self-determining nation-states. Despite the attempt to equate state-failure with the death of the nation, the Somali people’s strength and resilience to survive and thrive has perplexed the international community.

With their consequence of dehumanization, colonialism and re-organized colonialism have been conquests that imposed such wretchedness upon the Somali people that a pedagogy of re-humanization is now required. Fortunately, Fanon has left us with the hope that “the crisis-prone and oppressed population will achieve a social consciousness” (1963, 12). However, to achieve such a consciousness necessitates the whole work of pedagogy, because pedagogy is ultimately about the reclamation of being human. The most significant achievement for this re-acquaintance, Mostern proposes, requires the restoration of a people’s dignity by a re-evaluation of their history and cultural legacy, which has thus far been exposed to a systemic misinterpretation and debasement (1994). Revisiting history in no way, however, constitutes a regression to a past world of tribal villagers, but rather generates a dynamic society of the present and of the future through the very struggle for humanity. The recovery of one’s negated history and devalued cultural heritages, Fanon would urge, should only be concerned with present and future social transformation.

This dynamic interaction between past, present, and future must, of course, entail what Jeyifo describes as “an embrace of the past and the future: a moving outward and forward toward *the possibilities of tomorrow* as well as a moving inward and back-

ward in time to repossess *inherent wisdoms of yesterday*” (2007, 138, emphasis added). Envisaging the past is the way forward to self-definition and self-recovery. Now, more than ever, it is imperative to remember Fanon, to invoke his premonitions in order to inaugurate our own philosophical possibilities, to construct our own theories and narratives.

Perhaps the most significant legacy Fanon has left us is that “each generation must discover its mission, fulfill it or betray it, in relative opacity” (1963, 145). Our destiny is decolonization; it is all but inevitable. The betrayal lies in not being cognizant of the process and not deciding on a course of action. Beyond survival, we must be concerned with the praxis that will lead to societal transformation to new humanism. Nevertheless, this praxis is not divorced from *Soomalinimo* – the principle that binds us, our way of life and our philosophy of being. And so in this moment of history, for a “nation in turmoil” and the “failed state” of Somalia – at this time that Fanon would call a “moment of emergence” – what should be our guiding principle out of this wretchedness staged around our land, our culture and our history? How do we resume our interrupted humanity and fulfill our destiny? If we are mindful of the “trials and tribulations” of our recent history, then we must endeavor to resist the revival of a nationalism devoid of ideology but which assumes pseudo-power “under the watchful eye” of imperialism, and we must also resist the empty rhetoric of a nationalism that “unites one tribe against another.” Instead, *Soomalinimo* that evokes the truth about who we were, who we are and who are becoming. And so “*the last shall be first.*”

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The Assessment and Mapping of Initiatives on Women Protection and Livelihood Support in South Darfur

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This research assesses women's need of protection and livelihood in South Darfur's IDPs camps and host communities, and makes a database on the organizations (national and international) and government bodies working with livelihood and protection. The humanitarian crisis in Darfur leaves women more vulnerable to high rates of poverty, violence (domestic violence, sexual gender-based violence), insecurity and displacement. Many studies about the effects of war on women have been carried out but most of them focus on IDP populations and do not include the host communities, although they contain some of the IDPs. The objectives of the need assessment were to quantify IDP women's needs around their human rights protection and livelihoods in South Darfur and to establish a database on institutions working on women's protection and livelihood needs including national and international agencies, women's organizations, and government bodies in South Darfur. This needs assessment uses participatory rapid assessment techniques, applying gender analysis tools and processes and combines qualitative and quantitative tools (interviews, focus group discussions, story telling, participant observations, active listening). The first part of the research concerned the training of the team in holding field surveys, how the team deals with IDPs inside the camp to give the right information. The result showed that women in IDPs camps practice different income-generating activities (IGAs) to earn money. They need more training in IGAs and in new forms of work that let their products compete in the market and earn more money. Regarding protection, women need more training programs in human rights and violence. Most women need to see that reporting violence against them has a result. This report is the result of a study undertaken by a team of academic staff from the Peace Studies and Community Development Centre, invited and supported by UNIFEM and the University of Nyala in 2007 and comparing and assessing the situation in 2011.

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Introduction

1.1 Background

The humanitarian crisis in Darfur since 2003 has had a negative impact on livelihoods as a result of deaths, insecurity, displacement and impoverishment of people, giving rise to both refugees and IDPs in various camps, spread throughout the three Darfur states. The war has also affected women and children more severely, leaving them more vulnerable in various areas of their livelihoods. This situation called for an integrated response to verified human rights violations associated with low social status, high rates of poverty within a humanitarian context. In this context, more focused programming, targeting women and children as a specific vulnerable group, is necessary and urgent. While various initiatives for the protection of the human rights and livelihood needs of women are on-going from the international community, the government of national unity of Sudan and local NGOs in South Darfur, there are several gaps in the programme content as well as in effective delivery of services, including coordination among the various stakeholders.

Secondly, the existing initiatives focus mainly on humanitarian services in which services and goods are provided to IDPs without their informed and/or active involvement in key decision-making, such as in designing how they would like those services organized and how they would like to be involved. For example, women's experiences and perspectives on their protection and livelihood needs and the priorities therein have not been sought nor how best those priority needs can be met according to their own perspectives. Furthermore, development actors have little or no information about the relationships and the finer intricacies between women's vulnerability, domestic violence and gender-based violence (GBV) and women's coping mechanisms, that is how effectively they are able to access treatment and their experiences in trying to access legal redress for these violations within the IDP camp situation. The needs assessment exercise attempts systematically to understand various dimensions of the existing initiatives around women's human rights protection and livelihoods needs. It includes the specific focus and scope of the existing initiatives; how the IDP women are engaged and placed to participate in them from an empowerment and gender perspective; women's coping mechanisms for these experiences; the achievements, challenges, gaps and impact of these programme initiatives.

The needs assessment is intended to provide, among other key outputs, a chronological narrative and scan of women's experiences, events, timelines between their arrival in the IDPs camps and the situation now; what women in particular visualize for the future; how they can be supported to achieve their dreams around peace and security; basic and strategic needs using the human rights, gender mainstreaming and empowerment frameworks; how effectively they are able to access treatment and their experiences in trying to access legal redress to these violations within IDP camp situation.

The situation in Darfur affects the women in many ways. Women become vulnerable to violence (domestic violence, sexual gender-based violence (SGBV), insecurity, displacement and impoverishment. Their livelihood is affected, they lack skills, and ways to improve themselves and earn more money to live a better life. The situation calls for integrated initiatives which focus mainly on humanitarian services. Services and goods are provided to IDPs without their informed and/or active involvement in key decision-making such as in designing how they would like those services organized and how they would like to be involved, human rights protection and livelihoods needs. These initiatives do not include the host communities around the camps, which are also affected and most of which have taken in displaced women.

The objectives of the study were to quantify IDP women's needs around their human rights protection and livelihoods in South Darfur, and establish a data base on institutions working with women's protection and livelihood needs including national and international agencies, women's organizations and government bodies in South Darfur.

Findings of the Study

500 participants were reached from IDP camps around Nyala. Regarding host community respondents, the assessment reached and successfully interviewed 275 persons from all host communities around the targeted camps (table 1).

Database of organizations working with women's protection and livelihood support in South Darfur

1. International NGOs: The result showed that a total of 22 International Non-Governmental Organizations (INGOs) working with livelihood support and women's protection activities in South Darfur are covered by the research survey. 14 of these 22 INGOs are working in livelihood support activities, mainly nutrition, income generation, agriculture and water. But 20 of the above total number are also working in the field of women's protection, which includes several activities and issues, mainly women's education and health, human rights, and women's protection in general. There are 15 INGOs working in other fields which are not included in the main two sectors of research (livelihood and women's protection).

The main activities, which are shared by most of the international NGOs, are concern with environmental issues and community development, animal production and health.

These international NGOs are working in different geographical areas in South Darfur, covering all IDPs camps around Nyala city and host communities, in addition to some urban and rural areas like Kass, Zalige, El dian, Labudo, Rehaid el berti.

2. *National NGOs*: 28 non-governmental bodies are presented. Three have activities in women's livelihood support, seeing income generation as pivotal for women's support. In addition, the domain of nutrition is one of the important axes. Eight offer nutritional support. A lot of work is done on women's protection. Seven from the total number are interested in Gender (women) as an important question. Half (15) of the non-governmental bodies play a role in education while 17 focus on health, which is considered an important sector. The domain of human rights and environment has engaged less interest; three for these, and four for water. There are also other domains not denoted in the profile. There are many non-governmental bodies working in peace building and capacity building (5). The distribution of non-nutritional and agricultural materials is also one of the main interests. The study comes up with the fact that these non-governmental bodies focus much more on income generation and livelihood support that can lead to the stability of the targeted families.

3. *Government bodies*: The result of the survey also showed that there are four government institutions and bodies working in the above activities (table 3). The Ministry of Social and Cultural Affairs works with income generation activities for women in IDP camps around Nyala city and host communities. The Commission of Women and Child Affairs (CWCA) works as the main governmental body responsible for women and children affairs, so it has different policies and strategies concerning women activities. The CWCA is also working through a small body called Combating of Gender Based Violence Unit. It has direct responsibilities for finding alternatives for women's livelihoods and protection. It works in all of South Darfur state especially in IDP camps and host communities. The State Gender Based Violence Committee (SGBVC), has representatives from different governmental bodies, the Ministry of Internal Affairs (police), the Ministry of Justice, and the Commission of Women and Child affairs. The committee works as coordinator in women's protection, especially the issues concerning GBV.

Protection and livelihood issues for women

1. Women's perspectives on protection and livelihood issues for women

75% of women heard about issues of human rights from different sources like women's centers, through lectures, and from the radio. 31.3% of women know about issues of human rights through national centers inside the camp. 62.5% of women saw bad treatment as a violation of human rights in general (Chart 1).

2. Violence experienced by women as IDPs

93.8% of women answered that there were new forms of violence that differed from the forms they experienced in the villages before the conflict broke out.

Women defined the new types of violence they have in IDPs as being hit by strangers, rapes and the entrance of strange men into the camp at night (56.3%). 100% of the women agreed there were no outcomes of the attempts to address the violence experienced by women/girls.

100% of the women agreed that there was a difference in the impact experienced by women as IDPs.

68.8% of the women agreed that no one tried to help in addressing the violence against women and 6.3% agreed that some national organizations tried to give help, 12.5% that some international organizations tried to give help and 12.5% some camp leaders. Women in IDP camps came from different areas of Darfur. Some lived in South Darfur, West Darfur and a few were from North Darfur. The women's ages ranged between 15 and 65.

31.3% of the women were farmers before they became IDPs and 25% practiced farming and rearing animals; 31.3% were farmers and traders and 12.5% practiced other types of work like farming, trading and rearing animals.

In their villages, 56.3 % of the women interviewed said some women owned land for farming. Of the 56.3% only 14.34% owned land.

The women in IDP camps were involved in many types of IGA activities like handicrafts, pasta making and sewing (31.3%), woodcutting and handicrafts (6.3%), handicrafts and pasta making (25%), trading (25%) trading and farming (12.5%). (Chart 10)

Women in IGA groupings faced many problems such as the unavailability of capital (62.5%), unavailability of capital and raw materials (6.3%), absence of markets (6.3%) and 25% said there was no chance of work.

According to the results, the study found that there were only 28 non-governmental bodies working with livelihood and protection, which represents 32% of the total 86 organizations, reflecting a low percentage of organizations working in the humanitarian field.

The results revealed that 93.8% of women experience new forms of violence, indicating that there are new forms of violence brought by war.

According to the results, the existing initiatives focus mainly on humanitarian services without informed and/or active involvement in key decision-making and there are inadequate coping mechanisms for women in relation to their protection and livelihood needs.

Women practice (learn) new activities to earn money.

Women are not enrolled in groups. The percentage of camp leaders trying to give help in addressing the violence against women is small compared to the help coming from international NGOs.

6-Recommendations

- 1- Design program content as well as strategies.
- 2- Women have to organize themselves in groups.
- 3- Women need to be supported financially.
- 4- Non-governmental organizations must play a big role in IDP camps in services like health and education.
- 5- Women must have training in human rights.
- 6- There must action taken regarding reported violence against women and results shown.
- 7- Security and safety for women must be established.
- 8- Peace could be restored and sustained within IDP camps and communities through disarmed people and secure villages.

Table (1) Camps around Nyala

No.	Name	No of IDPs
1	Salam (south Nyala)	5406
2	Derage	18919
3	Elseraif	13862
4	Autash	34835
5	Mosay	3273
6	Sakeli	5333
7	Belale	24436
8	Domaya	6692

Areas of activities	Other activities	Main activities " Protection"	Main activities " Livelihood"	Name of organization
Ariaf, Kinein Area, Mireir, Gawaia	Orphans' support Non-nutritional materials	Gender (women) Health Education	Women livelihood support	1- Fatima Al Zahra'a
All Nyala camps, Nyala		Education		2- African Charity Organization
Al Radum, Kafia Kanji	Human development Support of small farmers Non agricultural materials	Health Education	Income generation Nutrition	3- Al Radum for Rural Development Organization RCO
Direij, Utash, Location of the organization		Health Education	Income generation	4- Basma Charity Organization
Utash, Nyala	School supplies Schools of health enlightenment Sports equipment (women)	Education Health		5- Rufaida Health Institution

Bileil camp, Al Diain, Al Naiem, Sailia, Wazarid		Gender (women) Health	Nutrition	6- Sudanese Social Development Organization(SUDO)
Id Al Firsan, Nyala, Al Diain		Education Water Environment Health		7- Massar for Nomadic Development Organization
Id Al Firsan, Riheid Al Birdi	Cultural Programmes	Education Water Health	Nutrition	8- Rural Development Associations Network
Utash	Child protection Capacity raising	Human rights		9- Bader for Development Organization
Karari, Hai Al Wadi, Al Sika Hadid, Direij, Utash, Sireif		Gender (women)		10- South Darfur Network for AIDS prevention
Mireir, Nyala, Hai Al Wihda, Alban Dgadid, Utash	Training workshops	Human rights Health	Income generation	11- Gadam Al Kheir for Child Charity Organization
Radio station (west), Al Sika Hadid, Al Nil, Al Yarmuk		Education Health	Income generation Nutrition	12- Mubaderun Organization
Hai Al Wihda, Sakali camp, Sarafaia		Health	Nutrition	13- Um Sadam Charity Organization
	Cultural symposiums	Education	Women livelihood Income generation	14- Divorced Women and Absentees Care Charity Organization
Kalma, Utash, Direij, Al Salam camp	Cultural and sport training	Education Health		15- Al Yafien for Child Organization
Kalma, Bakhita centre, Nyala	Protection Negociation skills	Gender (women) Education	Income generation Nutrition	16- Bakhita Charity Organization
Kalma, Zalindgei	Capacity building Awareness raising Legal support	Education		17- Good Will Organization
Al Madina centre	AIDS Prevention and bad tradition striving	Gender (women) Health		18- Al Madina Gender Centre
Utash, Al Muhafiz Area, Al Malaja Market, Al Fowz west	Children's clothing	Environment Health	Nutrition	19- Al Rahma Charity Organization
Dar Al Salam Area		Education	Income generation	20- Productive Projects Development
	Id jolliness Capacity building	Health		21- Haraza for Peace and Rural Renaissance Organization

Marla, Tulus, Abu Ajura, Direisa		Gender (women) Human rights Health		22- Ahlam for Child and Motherhood
Kass, Bileil, Nyala, Sireif		Health	Income generation	23- National Welfare and Development Organization
Hireiza, Gandura, Mukhabri, Dandura, Um Lawuta		Education Peace building Water	Nutrition	24- Relief and Development Association
Kalma, Yara faculty, Direij	Rehabilitation and training	Gender (women) Education Water		25- Jabal Marra Charity Organization
Utash, Location of the organization	Non nutritional materials distribution		Livelihood support Nutrition	26- Al Ajial Charity Organization
Direij camp, Sakali, University of Nyala, Manuashei, Bireir	Peace culture	Human rights Education Environment Health	Livelihood support Income generation	27- Raiahin Al Salam Charity Organization
Bileil camp	Capacity building of women	Human rights	Women livelihood support Income generation	28- Sudanese Initiative for the Horn of Africa
Nyala, Kass			livelihood support Income generation	29- People Organization for Development & Rehabilitation
Alsalam\Sharia			livelihood support Income generation	30- Sudanese Popular Committee for Relief and Rehabilitation
Nyala, Buram			livelihood support Income generation	31- Al Radoum Charity Organization
Nyala			livelihood support Income generation	32- Social Solidarity Organization(SSO)
Nyala			livelihood support Income generation	33- Peace Development National Organization (PDNO)
Nyala , Idd Elfursan			livelihood support Income generation	34- Noon Charity Organization (NCO)
Nyala , Tulus			livelihood support Income generation	35- Mubadrour Organization (MUBADRUN)

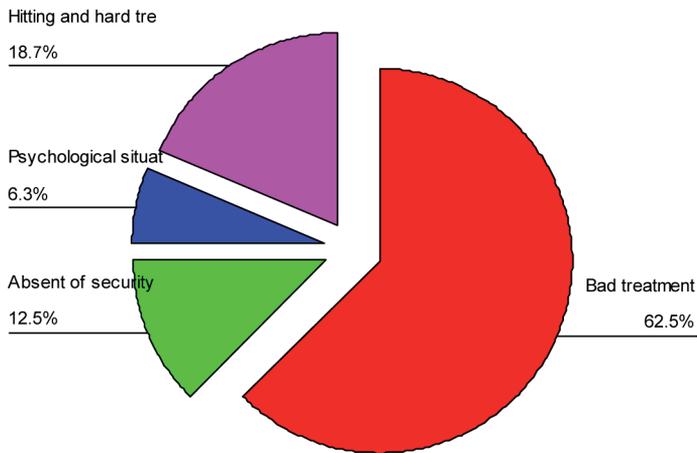
Nyala			livelihood support Income generation	36- Productive Project Development Organization (PPDO)
Nyala			livelihood support Income generation	37- Afag for Peace & Development (Afag)
Nyala			livelihood support Income generation	38- Mona Solar for Environment Organization (MSEO)

Table (3) International NGOs

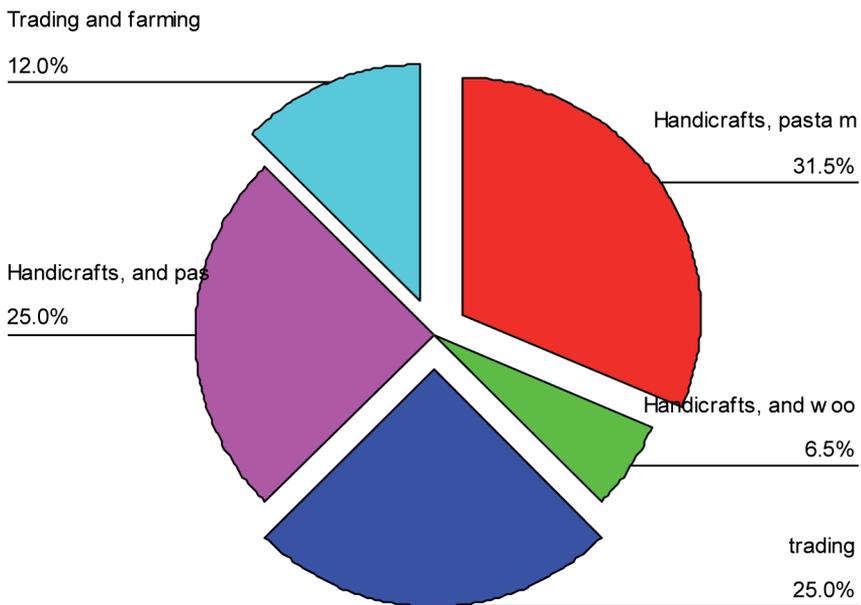
Name of Organization	Main Activities			Area of Work
	Livelihood support	Women protection	Others	
(1) ZOA	-income generation -water -agriculture	-Education	-Community health -Animal production - Environment	-Gerida -Abujora
(2) International Rescue Committee (IRC)	-Nutrition	-Human rights -Women's health	-Rule of law -child & youth care -coordinator camp - Environment	-Kass -Kalma -Otash -Drieg -Bleal
(3) Cooperative Housing Foundation (CHF) International	- Nutrition - Income generation		Animal Health Building houses Care of IDPs	Otach Driag El salam Kalma Umksar
(4) Development alternative (DAI)		Women Protection	Development of Nomadic communities Reconciliations	Nyala Kass Zalinga East of Jable
(5) Samaritans Purse	Nutrition	Education		Shiria Nyala East of Jable
(6) Muslim Aid, UK	Income generation	Gender (women) Education Health		Sakali Mosa Nyala El dian
(7) Care International	Nutrition	Health	Community Development Environment	Nyala Kass Zalinga
(8) International Services Aid		Health	Environment	Malam Shiria Derbat
(9) Spanish Red Cross	Nutrition	Health	Environment	Kalma Bilial Rehaid

(10) Soldieries	Nutrition	Education health	Coordinate Camp Community Development	El dian Mhagria Labodu
(11) Finland Red Cross		Health		Nyala
(12) Turkish Red Cross		Health		Nyala
(13) Tear fund	Nutrition	Health	Environment	Adila El dian
(14) Merlin		Health		Greada Sani afidi
(15) Medicine De Monde (MDM)		Health	Mobile Clinic	Kalma Kass Nyalas
(16) Oxfam	Water	Health	Environment	Kalma Greada Umdokhon
(17) Johannter		Health		Nyala Kass EL dian
(18) Medicines Sans Frontier		Health		Nyala Kalma Mahagria
(19) Action Faimme	Nutrition Water		Emergences	Nyala Kalma Greada
(20) World Vision	Nutrition Water Agriculture	Health Education	Social Welfare	Nyala Rehaid SHeria
(21) Norwegian Refugee Council	Nutrition	Education	Coordinate Camp	Kalma Aboajora Greada
(22) American Refugee Council	Water Agriculture	Education	Agriculture	Greada Tuols Demsoss

Violation of human rights



Type of activities



2-Charles Villa. (2002) The art of Reconciliation. South Africa: Life and peace Institute.

9-Tarekegn Adebo. (2005). Post Conflict Peace building and prospects for democracy with reference to Africa. South Africa: Life and peace Institute .

4-John Prendergast. (1997).Post conflict programming. South Africa: Life and peace Institute.

3-Elizabeth Ferris. (2004). Women War and Peace. Life and Peace Institute.

6-Peace studies and community development center (2002). Effect of war on women and children in South Darfur state.

1-Babike, Maamoon. (2004). Impact of current situation on women and children, The problem confronting them during war. Unpublished diploma. University of Nyala.

5-Margie Buchanan. (2006). The Darfur early warning and food information system.

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Caught between War and its Aftermath: The Experience of Internally Displaced Women in Sudan

Amira Awad Osman

Introduction

This paper focuses on the experience of internally displaced women in Sudan during armed conflicts and its aftermath, in particular in displaced persons' camps in the Triple Capital¹, Khartoum.

To enhance the analysis, the paper also uses fieldwork data gathered by in-depth interviews, discussion groups and oral testimonies to highlight women's experiences and to raise their voices during the armed conflict in Sudan. This includes their experience at the camps.

Moreover, as Vickers (1993) argues, war has an influence on gender relations, as it reinforces gender inequality and diverts resources from development. It is women who suffer most from lack of health services, poor education and economic stagnation. Nevertheless, and despite their great suffering during war, displaced women had managed to develop a wide range of livelihood strategies. These included taking new roles to provide for their families and to protect them.

The war

Armed conflict in Sudan was the major factor that led to displacement almost all over Sudan. However, my focus here will be on the war in Southern Sudan, which emerged in 1983 when Bor garrison, in the South, led by John Garang, refused to take orders from the central government and mutinied. This marked the birth of SPLA which led to the second civil war in the South (Ruiz 1998: 143; Deng and

¹ Khartoum is called Triple Capital, being composed of three cities, which are Khartoum, Khartoum North and Omdurman.

Minear 1992:17). This war has been regarded as one of the bloodiest wars in Africa, which has claimed the lives of two million people. However, it has also been labelled as a forgotten war (Ruiz 1998: 139). After many peace negotiations, eventually in January 2005 the Comprehensive Peace Agreement (CPA) was signed in Nairobi to end the fighting (Malik 2005: 33; Verney 2006, Online)².

A lot has been written on the human cost of war in Southern Sudan. Johnson (2003: 151), for example, argues that in Southern Sudan the activities of warring parties have massively widened the scope of the war. Battles between the warring parties, with the intention of capturing territory, are not the only aspect of fighting. From the outset of the war civilians have been systematically targeted, as well as their resources. Social resources such as houses, schools and clinics were destroyed. Economic resources such as farms and livestock were also burnt and stolen. Environmental resources such as wild animals and trees were killed or destroyed. Moreover, large areas were littered with landmines and anti-personnel mines (Johnson 2001: 115; Verney *et al*: 1995). This made the countryside unsafe and affected farming and rearing of animals, the main sources of livelihood.

Multi impact of war on gender relations

Feminist literature on women in conflict areas reveals and theorises the ways in which war is gendered in different ways such as its institutions, its agents and the destruction it causes (Macklin 2004:75). For example, the war in Southern Sudan led to a shortage of men, forced and early marriages and poor health and education facilities.

a. Shortage of men

War led to a shortage of men in Southern Sudan. Abdel Salam and de Waal (2001:103) indicate that women in Southern Sudan constitute 60% of the entire population because men either joined the SPLA or died. A UNICEF estimation in 2001 suggested that the male population of Bahr al-Ghazal was only 25% (IRIN 2003, Online; Chawla 2003, cited in Fluehr-Lobban 2005:273). This low rate of men in Southern Sudan could be explained by a variety of reasons. Men in Southern Sudan have joined the armed militia, others have moved to the North looking for educational or training opportunities, and some went abroad. Some have died (Abdel Salam and de Waal 2001:103; Macklin 2004:82)), but there is no quantitative data to reveal the numbers of those who died. In such situations women have to take up new roles. This affects gender roles as a woman from Juba says:

In the past there was a clear line between the roles played by a man and a woman. For instance, men in the countryside were responsible for digging, women used to fetch water and cook...now women can do more. (El-Bushra and Sahl 2005:37)

2 In January 2011 people from Southern Sudan voted for independence and on 9th July this year, Southern Sudan was declared an independent country.

Women were left behind in communities shattered by war with poor, or no education, no political voice, poor resources and poor access to income-generating activities. Nearly half of the households were headed by women (Fluehr-Lobban 2005: 273). Moreover, the war had made the countryside unsafe.

Abdel Salam and de Waal (2001: 109) point out that women's and girls' workloads, in particular their domestic tasks, had increased dramatically as they had to walk long distances, for instance, ten miles, to fetch water and firewood. Other domestic tasks women did included farming and building their huts.

b. Forced and early marriages

War also reinforced early marriages among families, in particular poor families, as a livelihood strategy and to ease their economic burden³. Girls accepted forced marriages in order to protect their families (El-Bushra and Sahl 2005: 35) or to help them financially. In such a harsh environment young girls became powerless when their families put pressure on them to get married. When a young girl gets married her husband should pay a dowry to her family in form of heads of cattle. Thus, marriage was seen as a material transaction rather than a personal bond between husband and wife. This family arrangement made divorce difficult as the wife had to get her family support and permission which may be difficult to gain since in the case of divorce the family would have to return the dowry (IRIN 2003, Online).

Second, marriage offered a girl a protection against sexual assaults and protection by a male guardian. Third, it was a strategy to avoid girls getting pregnant outside marriage (UNICEF 2005, Online). Fourth, for some families, it could be a strategy to start accumulating a new stock of animal wealth.

Box 1: illustrating girls' early marriages

In Southern Sudan, a teenage girl is more likely to be a wife than a student. Out of a population of over 7 million people, only about 500 girls complete primary school each year. By contrast, one in five adolescent girls is already a mother (UNICEF 2005, Online).

Payment of bride-wealth gave men a high position as heads of households and the right to control the labour and productivity of their wives and children (El-Bushra and Sahl 2005: 35). By contrast the wife had no power or right even to get a divorce and divorce became a family matter that had links to the survival of her family. In this sense, the gender relations within the household (husband and wife) were shaped by extended families, which had a say on marriage and divorce.

c. Health

War destroyed infrastructure including health clinics, transport etc and the suffering of women during war could be illustrated by the life expectancy of women from Southern Sudan, which was forty years (Macklin 2004:82). Furthermore, women's quality of life was one of the lowest in the world. In some war-affected areas, for

3 In Southern Sudan men pay *mahr*, bride-wealth, in form of cash and gifts or cows (El-Bushra and Sahl 2005: 35).

example, the rate of maternal deaths reached 862 per 100,000 (IRIN 2003, Online). Abdel Salam and de Waal (2001:104-105) claim that in Southern Sudan there was no discrimination in terms of provision of health services, however, men controlled their wives' access to family planning. This could be done simply by preventing their wives from attending a family planning clinic, where information and materials on family planning are available. This may lead to unwanted pregnancy and more children than women would like to have. Both would be an extra burden women have to deal with. Fluehr-Lobban (2005:267) also indicates that although contraception facilities may be available in cities and towns they were not available to single women especially after imposing the Islamic ideology.

The infant mortality rate is high. For example, in 2000 it was 73 per 1,000 live births whereas for under-fives the mortality rate was 115 per 1,000 live births (Fluehr-Lobban 2005: 267). These two high rates of mortality may explain men's behaviour in not allowing their wives to have access to birth control and to have many children. Also the high mortality rate could be a factor discouraging women from using birth control materials.

d. Education

The prolonged war had also affected the education system, leading to the closure of many schools, transferring some from the rural to urban centre or from the urban areas to Khartoum. These had many implications for the younger generations and deprived them from their right to education. However, it seems that poor girls suffered more from such policies as they were reluctant to go to school (or public places) in rags. Therefore, they may end up in early marriages or relationships with soldiers, who were more likely to get them pregnant (Abdel Salam and de Waal 2001: 106).

Box 2: showing the situation of girls' education

In some schools the average class size was five hundred pupils of which the number of girls ranged from five to thirty. In Rumbek and Yirol counties, the numbers of girls who went to school was only 6.6%. Girls' enrolment was half that of boys and fell sharply by secondary school level. At this age girls were prevented from going to school for many reasons, including lack of uniform and the belief that education would make them corrupt. Also marriage brings economic bonuses in the form of dowry paid to the family, (Abdel Salam and de Waal 2001:103).

Negative perceptions about girls' education were another barrier that hampered the education of girls and limited their chances in education. For example, men believed that women were their rivals and that educated girls would abandon their traditional roles as housewives and child-bearers. This perception made men reluctant to marry educated girls and prefer to marry those with less or no education, as the latter would be able to perform their domestic tasks. Moreover, educated girls were believed to be less respectful of social norms and traditions and their families feared that this would bring shame. Moreover, believing that girls' role was a reproductive one e.g., to help their mothers with child care, cleaning and fetching water, reduced girls' chances in education (Abdel Salam and de Wall 2001:107).

e. Violence against women

Women were subject to some sort of violence. El-Bushra and Sahl (2005: 33) state that when Sudan was in a state of war, many civil servants, in particular in war zones, did not get regular salaries and were unable to provide for their families. This had led to domestic violence between wives and husbands and some men turned to alternative ways to earn a living, such as taking guns and joining the army. Many men felt that they could take the law into their own hands by, for example, taking or abducting girls by force.

Box 3: showing a narrative by a woman who was living in Juba

There are a lot of cases where men go with young girls because they have money. They deceive the girls and because the girls are poor due to this present situation, they give in, thinking that the men will marry them and they will have a good life. In most cases when the girls get pregnant the men reject them...some girls give in to men at an early stage because of threats by soldiers: "if you refuse me I will finish you off" (El-Bushra and Sahl 2005: 33-36).

Moreover, women did not only suffer from the risk of public violence created by the external enemy but also from violence created by men from the local community. Domestic violence and coerced sex increased between husbands and wives (Jok 1999: 2000, cited in Macklin 2004:88). Domestic violence also occurred when combatants returned homes to find their wives with other men. This may lead to the husband killing the wife and her new partner (El-Bushra and Sahl 2005: 37)).

Women who were victims of domestic violence may not walk out of a violent relationship due to social factors such as a shortage of men, the stigma of divorce, or issues of custody of children as well as economic factors such as lack of income-earning opportunities (Pankhurst 2008: 311). Other factors such as fear of insecurity and violence outside the households created by armed conflict and insecurity, as is the case in Western and Southern Sudan, may discourage women from leaving their domestic abusers, "*Better the devil you know than the devil you do not*".

Displacement and its gender dynamics

To escape the armed conflict people had to seek safety in different areas such as Khartoum, the host of nearly 2 million internally displaced persons. People also needed to build their own shelters and to find a new source of livelihood. Here I will focus on the experience of internally displaced women in Al-Salam and Mayo displaced persons' camps in Khartoum which includes their role as breadwinners and protectors of their families as well as their role at the community level.

a. Women's role as breadwinners

Women at the camps managed to develop different livelihood strategies to earn income. This included trading in food and drink such as tea, which was legal as well as trading in alcohol and prostitution, which were illegal, according to *Sharia*

law. Prostitution. A remarkable perspective on prostitution, as an illegal livelihood strategy, comes from Aziza, my youngest prostitute respondent, in Al-Salam camp who narrates:

I have tried all means of survival but all did not work except prostitution. That is because there is much demand for it...I earn a lot from that...I want you to know that was not my choice. This is a choice I was forced to make, in darkness and behind closed doors...It is awful to earn money from something people around you even your daily customers are ashamed to speak about. It is scary to earn a living from something your government regards as illegal. It is so scary to know that you will be finished if the police catch you. On the other hand it is a job I do to survive here, and in urban places too. In this sense it is OK for me to do it otherwise me and my mother would die from hunger.⁴

Aziza's narrative illustrates that despite all moral, social and legal constraints, she had strong economic and social reasons to justify her involvement with this dangerous urban livelihood strategy which had proven to be profitable.

To minimise risk involved in prostitution, the prostitutes tended to limit their services to local people they knew, to their old customers or to new customers introduced to them by their old customers. Although this strategy may help to reduce chances of being caught, thus saving the livelihood itself, it reduced the income a prostitute would get.⁵

It is also relevant here to state that financial assistance such as getting a loan is very significant for running a business and developing new livelihoods. Based on that, some displaced persons sought loans from banks but were turned down, as explained by the following narrative from Scholl, a female who lived in Mayo camp, about the disregard of displaced persons by bankers when they approached them for financial assistance. She said:

I know citizens have the right to get a loan from banks. My husband read that in a newspaper but when I went with him to seek a loan nobody helped us...we tried many banks several times but without any success.⁶

This narrative illustrates that being a displaced person could jeopardise one's chances of getting a loan to build a new livelihood strategy. As help from banks, for example, is denied, some displaced persons are left in limbo. However, they had to keep searching for alternative ways to survive beyond the "money lenders" structure.

b. Women's role as protectors

Sadia, a 60 years old woman from Southern Sudan who resided in Al-Salam camp, was married but her husband no longer lived with her. She spoke about her ordeal and subsequently, the new gender role she had to take up:

I did not have a husband to protect me. When we moved here he started drinking heavily. He used to beat me and make a lot of noises that my neighbours could hear. I felt so insecure and embarrassed about that. I spoke to our *sultan* (leader) in the camp, who divorced us. I then be-

4 Oral testimony, Al-Salam displaced persons' camp, July 2002.

5 Oral testimonies, Al-Salam displaced persons' camps, July 2002.

6 In-depth interview, Mayo displaced persons' camp, June 2002.

came a free woman. Later I found a job and was able to take care of my children. I fed them and protected them...I had good neighbours who were always ready to help⁷

Sadia's narrative showed that she had to be not only the main provider for her family, but also the protector. Moreover, her neighbours offered help to her and her children. The narrator also revealed the main factor that triggered changes in her gender role, which was not loss or death of the husband, but choosing not to have a husband (by divorcing him) due to other factors such as him being abusive and drunk.

c. Independent access to information

In the absence of electricity and new technology such as computers and the internet, as sources of information, many displaced persons had to rely on other means to have access to information. One of these sources was radios that used batteries. That was common among men who would gather under trees by the road or at the market to listen to a radio owned by a friend.⁸ On the other hand, women, in particular those who worked in the city as maids and domestic servants, could watch TV and listen to the radio and chat with their employers on what they got from the radio and TV. Amona, from Mayo camp, who worked as a domestic servant in Khartoum North said to me:

I had been working with my employer for more than 5 years...they treated me as if I was a family member...I could watch TV once I finished my daily duties. I could also take food and newspapers home.

Women who traded outside the camps were also involved in marketing networks outside the camps. These networks included cash and carry shops, minibus drivers and shop retailers. From these networks, women could gather useful information.

Women tended to share information obtained outside the camps with women in the camps, their families and relatives. In this way women contributed to information gathering, sharing and networking in their community. Azia, a woman from Mayo camp who sold food in Khartoum North said:

We women created our own network of information...women who went to town had a chance to see what was going on there, spoke to their employers or customers, visited some officials and may get information from them. Even those who had been imprisoned brought some valuable information to us when they were released. This information was then passed on by word of mouth and shared with people in the camp... at least there was no need to depend on men to tell you about what was going on because they simply did not bother telling us...they thought that we did not deserve to know...this made us feel strong, informed, independent and powerful... we could also chat with our husbands and neighbours about what we knew.⁹

In this sense, women's newly developed livelihood strategies did not only help them to earn income, put also exposed them to the outside world and facilitated their access to information and helped them to gain an opportunity to be a source of in-

7 Women only discussion group, Al-Salam displaced persons' camp, July 2002.

8 Informal observation, Al-Salam and Mayo displaced persons' camps, June-September 2002.

9 In-depth interview, Mayo displaced persons' camp, August 2002.

formation, as men did, and not only ‘recipients’ of information. Thus, information gathering and sharing at the household and community level was no longer a male preserve. Women could get involved in conversations with each other and with their family members about issues related to their business such as a rise in fuel prices, and political issues such as peace negotiation, repatriation etc.

d. Community role and relations

At displaced persons’ camps women were able to develop relations across their gender and to provide assistance and support to each other. For example, newcomers to the camps would get help and support. Moreover, many women were able to develop a community-based revolving fund (*khata*), which was a women’s self-help saving scheme, where each woman paid a small amount of money each month, and every month a woman took that money to be used for different purposes such as paying school fees, buying new household furniture or helping husbands to repay loans.¹⁰ Here it worth mentioning that such revolving fund initiatives were not unique to Sudanese displaced women as other displaced women in different countries such as Uganda had developed a similar financial self-help scheme. For example, Acholi women from Uganda who were displaced in Kitgum had developed similar *kalulu* (revolving funds) to help members of the group to overcome financial difficulties associated with their displacement experience (Olaa 2001:108).

Some of these *tajamoat* also had *jameeiat* (informal co-operatives). Women who were members of these *jameeiat* had agreed to buy some households items such as big pots, serving plates, big tents, and blankets which could be used by the members or the community, for wedding parties and other social occasions.¹¹ In this regard, the *tajamoat* could be regarded as informal financial institutions which were meant to ease displaced women’s financial difficulties.

Pattern of return to the South

Displaced persons started returning to their place of origin in 1991 when SPLA managed to control much of the South, thus creating a positive atmosphere for displaced persons to return home (Ruiz 1998: 150). However, this did not last long. In the late 1991 SPLA-United attacked Dinka civilians in Bor. This decreased the returning pattern and increased displacement.

The second and the largest pattern of return emerged after the signing of the CPA, as the agreement itself focuses on voluntary return, thus bringing more hope for return to places of origin. Before returning, some displaced persons tended to send male relatives to assess the situation in terms of security, resources available as well as potential constraints, as information provided by the authorities was unreliable as it mostly based on political objectives rather than the reality there. In this

10 In-depth interviews, Al-Salam and Mayo displaced persons’ camps, June-August 2002.

11 Women only discussion groups, Al-Salam and Mayo displaced persons camps, June-August 2002.

context, the international community, such as NRC, has established an Information, Counselling and Legal Assistance (ICLA) to provide information to those who want to return (Mezza 2005: 40). For example, the spontaneous return of displaced persons at Mabia, South of Tambura showed difficulties that returnees would face on their way back home. Lorenz (2005:37-38) shows that several international organisations including IOM assisted some 5,000 displaced persons from ten different tribes to return to their villages in Bahr al Ghazal. They had to struggle with mines, mosquitoes, guinea worms, swamps and rivers etc. Their journey was planned to take 30 days but it took three and a half months. 43 lives were lost and 23 displaced persons were crushed to death by a truck before the arrival of IOM.

Research by the Livelihoods and Social Protection Cluster of the Joint Assessment Mission (JAM), UNHCR, suggested that by 2007 about 70% of displaced persons would have returned (Malik 2005:32). However, it seems that this estimation was exaggerated and did not reflect the reality, as many who it was thought would go back to their place of origin did not travel as planned. Moreover, sporadic fighting between government troops and SPLA in the South jeopardised such ambitions (Personal communication with Mr Ajan, a former soldier with SPLA, Khartoum 2008). Other challenges such as capacity and resources were also barriers to returning home (Malik 2005:32).

Kälin (2005:41) a representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons, undertook a mission to evaluate the situation of returnees to Southern Sudan. He found that displaced persons were not informed about the situation in their places of origin. For example, most of them had unrealistic expectations regarding social services and livelihood opportunities. Moreover, some returnees had been attacked and looted on their way back home. After arrival many remained without shelter, food and clean water. They also felt unsafe due to militia activities, land mines and the presence of armed activities. Therefore as Verney argues (2010, online) some returnees had to go back to their displacement sites, such as the capital, proving that displacement was not yet a thing of the past.

Nevertheless, the long return process to Southern Sudan continued. In 2009 at least 280,000 displaced persons returned to their areas of origin. However, IOM estimates that 10% of return movements to and within Southern Sudan were unsuccessful due to a lack of basic services and livelihood opportunities. This led to secondary displacement (NRC 2010: 17). In 2009, nearly 390,000 people were newly displaced as a result of inter-ethnic fighting in Southern Sudan (NRC 2010: 15).

Conclusion

War in Southern Sudan had a devastating impact on social, economic and environmental resources. It also destroyed people's livelihood by killing their cattle and landmining their farms.

War also had a gender impact. For example, it led to a shortage of men. This increased women's responsibilities, as many of them had to be heads of their households. It also led to mass displacement. Nevertheless, in displaced persons' camps women managed to build new roles and to be the main breadwinners and protectors of their families as well as a source of information. Moreover, women were able to build community relationships across their gender and to provide assistance to each other.

Since the CPA, many people had started returning back to their homelands hoping to live in peace and to sustain a source of livelihood. Moreover, as the country was heading for secession, a mass return to places of origin was more likely to take place. However, it is difficult to speculate on how displaced women would rebuild new livelihoods there. Therefore, further research is needed to articulate their concerns, worries, priorities and needs.

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Sitaat as Part of Somali Women's Everyday Religion: Peace-making and Religious Emotions*

Marja Tiilikainen

Allow muxubada Ilaahay nagu miisow
Allow meeshaan marnaba nagu meeri diintaa
Allow diintiyo sharciga deer nowgayeel
Allow na dhowee agtaadaa lagu dhargaaye
Kutala saaranaye Allow towbada nasuuxay
Agtaadana laguma qado oo qaxar mayaalee

God give more love to us
Wherever we go, teach us your religion
Make the religion and the law like a fence for us
God bring us near to you
We accept everything you say to us
Near you there are no difficulties and all our needs are fulfilled

The verses above are part of a *sitaat*¹ song, religious poetry performed by Somali women. *Sitaat*, also known as *Nebi-Ammaan*, *Hawa iyo Faadumo* and *Abbey Sittidey*, is a unique expression of Somali women's Sufi religiosity. *Sitaat* means Somali women's *dikri*, where women praise God, Prophet Muhammad, Sufi saints, and, in particular, the distinguished women of early Islam such as the Prophet's mother, wives and daughters. *Sitaat* is only sung by women and the events are organised and led by women.

Poetry in general is a central and highly valued part of Somali culture, and traditionally, it has been created and transmitted orally. Poems composed by women have not been collected or received publicity to the extent that poems composed by Somali men have (Jama 1991). *Sitaat* is part of religious Somali poetry (see Orwin 2001), but it is not well-known. Important studies of *sitaat* include the works of Lidwien Kapteijns (1996, 2007) and Francesca Declich (2000), both of whom have collected data on *sitaat* by ethnographic methods – Kapteijns in Djibouti mainly in the 1980s and Declich in southern Somalia between 1985 and 1988, that is, before the civil war that has brought profound changes in the Somali society on the societal, political as well as religious levels.

1 From Arabic *sittaat*, 'ladies' (Orwin 2001: 81).

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The aim of this article is to understand the role of *sitaat* in the contemporary lives of Somali women in north-western Somalia, often referred to as Somaliland. When and how are *sitaat* sessions organised? Has the practice of *sitaat* changed in the midst of the on-going Islamisation in Somalia/Somaliland?

The data for this article has been collected as part of my on-going postdoctoral study.² I conducted ethnographic fieldwork in Somaliland in the summers of 2005 and 2006, and in the winter of 2007, for a total of four months. The fieldwork was concentrated mainly in the largest city, Hargeysa, and its surroundings. As part of the data collection, I attended *sitaat* rituals organized by three different Sufi groups, belonging to the *Qadiriya* order, in Hargeysa. Moreover, I observed *sitaat* arranged on other occasions at homes and women's gatherings, altogether around 12 times. I spoke with participants of the groups and interviewed three *sitaat* leaders. All of the leaders were women between 50–60 years of age. In this article I use the Somali term *Sheekhah* (female religious expert) when I refer to these interviewees, together with their pseudonym names of Khadra, Nadiifa and Zahra. The smallest gatherings consisted of about 20 women and the largest of about 100. My Somali language skills are rudimentary, and hence, during the rituals as well as in the interviews, I was assisted by female assistants. I taped and video recorded part of the sessions. The material has been partly transcribed and translated to English/Finnish. I mainly use the Somali orthography. In order to pronounce Somali words properly, Somali 'x' can be thought to correspond the English 'h' and 'c' to an apostrophe ['].

The theoretical approach derives from comparative religion. My position towards the data has been to understand the Somali Muslim women as social and religious agents in their life-worlds in post-war Somaliland. In Muslim societies women's and mothers' agency is constructed in relation to gender-wise different roles and expectations. At the same time, however, Muslim women question these structures, actively interpret Islam and use their own strategies to challenge experienced hardships and suffering (Abu-Lughod 1986; Mahmood 2004). Through Islamisation, male knowledge easily becomes normative, and women need to develop strategies to prevent the eradication of traditional female knowledge (Evers Rosander 1997: 6–7).

2 The aim of my overall study is to explore how transnationalism organises and gives meaning to suffering, illness and healing among Somalis in exile. The study is a continuation of my PhD research on the everyday life of Somali women in Finland (Tiilikainen 2003) and funded by the Academy of Finland. I thank Professor Janice Boddy for insightful comments. I also want to acknowledge the financial support given by the Nordic Africa Institute and the Ella and Georg Ehrnrooth foundation for the fieldwork in Somaliland. I am grateful to Ibrahim Mohamed Hassan and Nasra Osman who helped me to translate and understand some of the Somali language material. Naturally, I am solely responsible for any errors.

Islam, women and daily life in post-war Somaliland

The population of the secessionist Republic of Somaliland, the former British Somaliland, is estimated to be around 2–3 million. The majority of the population live as pastoral nomads. Compared to the southern part of Somalia, the area has been relatively stable since the mid-1990s and it has been struggling to create democratic governance and improve the living conditions of ordinary people. However, Somaliland, as all Somalia, is among the poorest countries in the world. The unemployment rate is high and many households in Hargeysa are dependent on remittances sent by their relatives from the diaspora. Basic health care and educational structures as well as roads, water and electrical systems were ruined during the war, and continue to be severely under-developed.

The civil war has had an impact on urban households and the roles of family members. Traditionally, men have been responsible for earning the income for their families. As a consequence of the war, many previous breadwinners have died, or become disabled or mentally distressed. Moreover, the consumption of *khat*, the leaves of the *Khat* bush which have a mildly stimulating effect, has increased tremendously, especially among men. This makes the economic situation of poor families even worse and is a source of continuous dispute in families. Women have been forced to take greater economic responsibility than before. For example, many women sell products such as clothes, tea, *uunsi* (incense), vegetables or *khat* in order to provide for their families (e.g., Warsame 2004).

Islam is a natural part of everyday life in Somaliland and gives it a certain rhythm. *Aadaan*, a call to prayer, can be regularly heard all over Hargeysa including Fridays, the holy day for all Muslims. Islam underpins the basic values as well as everyday chores and practices. Somalis are Sunni Muslims and they belong to the *Shafi'ite* school of Islamic jurisprudence. Traditionally, Somali Muslims have been Sufis. The most important Sufi orders in Somalia have been *Qadiriya*, *Ahmadiya* and *Salibiya* (e.g., Lewis 1998). Until recently Sufi orders have had a great influence in Somalia and Somalis have been moderate in their religious views. The rise of Islamic movements in Somalia began in the 1970s as part of the international Islamic revival, and as a reaction to Somalia's tangled internal and international politics. Two main groups have been *Jama'at al-Islah*, which has identified with the Egyptian Muslim Brotherhood, and *al-Ittihad al-Islami*, which is close to the puritanical *Wahhabi* and *Salafiyya* movements of the Arabian Peninsula (Berns McGown 1999; Hassan 2003). According to Mohamed-Rashid Sheikh Hassan (2003), *al-Waxda*, the first Islamic organisation in Somalia, was founded in Hargeysa in the 1960s. On different occasions it had close relations to either of the previously mentioned Islamist groups, *al-Islah* and *al-Ittihad* (Hassan 2003: 234). Islamic political activity in Somalia has increased significantly during the past decade (Menkhaus 2002: 110). Islamist groups have gained wide support particularly in southern Somalia, where no government so far has managed to establish stability. Islamic groups have gained support among

ordinary people by providing schools, orphanages, aid agencies and services to poor people who have suffered tremendously during the war (ibid: 114).

As of result of these tendencies, Sufi practices such as the annual commemorations of popular Sufi sheikhs seem to be in decline. For example, I.M. Lewis described, based on his fieldwork in the 1950s and 1960s, how the annual pilgrimage, *siyaaro*, to the shrine of Aw Barkhadle outside Hargeysa attracted several thousand pilgrims from all over the northern regions and large numbers of livestock were killed for the feasting (Lewis 1998: 89–98). When I visited the same *siyaaro* in the summer of 2006, only a maximum of 500 people participated and the event was hardly noticed in Hargeysa.

The reconstruction of the city of Hargeysa includes the building of mosques. According to a sheikh, before the war there used to be 60 mosques in Hargeysa, but now there are about 300. Only a few of them are Sufi mosques. Moreover, Islamisation influences the local healing traditions: a new phenomenon is the establishment of Islamic clinics, *cilaaj*, where sheikhs claim to heal by purely Islamic healing methods. According to Gerda Sengers (2003: 146), healers in Islamic clinics in Egypt propagate the “Islamic” lifestyle and fundamentalist views stressing the role of women as wives and mothers. Islamisation is visible also in new ways of dressing, as an increasing number of women cover themselves with large veils, *jilbaab* and also face veils, *niqab*, which is a new dressing code in Somalia. Moreover, I have been told that an increasing number of women go to mosques to pray. What is the position of *sitaat* under these new religious conditions?

Sitaat in practice

The setting

I was introduced to three different *sitaat* groups by local friends, who had connections to people going to these groups. I mainly visited the groups of *Skeekhad* Khadra and *Sheekhad* Nadiifa. The third group had been initiated by a woman who had a personal interest in *sitaat* and wanted to create an opportunity for herself and other women to practise it. The group seemed to lack clear leadership, but *Sheekhad* Zahra was one of the main characters in the group. *Sheekhad* Khadra and *Sheekhad* Nadifa had practised *sitaat* for about 30 years:

I started doing sitaat about 27 years ago. I was born in Hargeysa, but I lived four years in Qatar. I was married and had four children. My husband did not like Sufis, but I started to study religion. Already as a young woman I started to love religion, but my husband could not accept it. We argued a lot and then we divorced. I came back to Hargeysa in 1976. I started to visit xadras,³ I learnt more about religion and gradually I became a teacher. I also married a Sufi teacher. He used to make dikri.

3 *Xadra* and *dikri* mean ritual song of praising of God. The interviewed women used the term *xadra* also to signify the place where *dikri* or *sitaat* is performed.

He had his own xadra, and we worked together. We had five children. He died in 1990. When the civil war started [in Hargeysa], I escaped to Ethiopia. I returned to Hargeysa in 1991 and after a year a group of women contacted me, and asked me to be their sheekhad. The previous sheekhad did not return to Hargeysa after the war, but went to Boorame. These women, who started at that time, still continue and also new women come. Only two women left the group. (Sheekhad Khadra)

In her story the *sheekhad* highlighted a long learning process, whereas another had gained knowledge of *sitaat* in a dream:

I have done sitaat for 30 years. I started after I had a dream, where Faadumo Rasuul [the Prophet's daughter] appeared to me. In the dream I saw a drum and I started drumming. It was like I had always drummed, I made no mistakes (Skeekhad Nadiifa).

The first group gathers at the home of *Sheekhad* Khadra, where a room is dedicated for *xadra*. The walls are covered with green and white silk textiles with Arabic writing and some pictures of tombs, in honour of Sufi sheikhs such as Sheikh Isaaq and Sheikh Madar. Along the wall there are long wooden rosaries, *tusbax*, which women use before the *sitaat* starts. The *Sheekhad* also has religious books with Arabic texts, some of which are recited during the *sitaat*. The same room serves both women and men. In the afternoons women have *sitaat*, and after they finish, men gather for their own *dikri*. The second as well as the third group pays rent for the room where they gather. Before each *sitaat* carpets are spread to cover the floor.

All of the three groups have regular weekly meetings, ranging from one to four times a week. I was told that the usual days for *sitaat* are Fridays, Mondays, Wednesdays and Thursdays. Specific weekdays are dedicated to different persons – Friday to the Prophet, Monday to the Prophet's daughter Faadumo Rasuul, Wednesday to *awliyo* (saints, holy persons) such as Jiilaani, Sheikh Madar and Sheikh Isaaq, and Thursdays for *awliyo* in general. One informant mentioned that *sitaat* can also be arranged on Sundays, and then it is dedicated to Hawo (Eve) and Adam. The specific days, however, may differ according to a group. For instance, a woman explained that in the group that she knew best, Thursday was specifically dedicated to Sheikh Isaaq. Moreover, *sitaat* is arranged during specific periods such as the month of the death of Faadumo Rasuul.

A *sitaat* session usually starts after afternoon prayer, *casar* (around 3.30 pm) and ends with the prayer after sunset, *makhrib* (around 6.30 pm). In one of the *sitaat* groups women usually continue even after they have prayed the *makhrib* prayer together. Each participant contributes to *sitaat* by bringing a small amount of money, perfume, incense or food/drinks. They may also bring gifts to the leader of the group. Incense and perfume are an important part of the ceremony. As a woman explained: "Whoever mentions the Prophet's name should smell nice". Occasionally, a woman goes around with a bottle of perfume, *cadar*, and participants stretch out their hands in order to be perfumed. Moreover, an incense burner creates heavy smoke. Sweet black coffee, *bun*, in contrast to otherwise common tea, is served during a pause. Most of the women who arrive, are married, divorced or widowed women. I have been informed that unmarried young women are usually too busy with other things and they start thinking more about religion only after they have had children. The

socioeconomic background of the women who arrange and take part in *sitaat* seems to vary. I have seen *sitaat* arranged in affluent homes and some of the women come from the upper classes, whereas some of the women are seemingly poor.

Women sit in a circle on the floor and all of them wear a large, covering scarf. One or two women beat drum/drums with wooden sticks, and women begin to chant. Different groups may sing different songs or use different words, and the order of the songs may differ according to participating women's desires. Moreover, women compose new verses and songs. First, however, women praise God and the Prophet. According to Lidwien Kapteijns (1996), after the Prophet, 'Abd al-Qadir al-Jilani, who was the founder of the *Qadiriya* brotherhood, and other *awliyo* like local saints or Sheikh Isaaq, the ancestor of the Isaaq clan that is a dominant clan in North Somalia, are praised. After these introductory songs, the main songs are sung to the distinguished women of early Islam: After greeting Aadan (Adam), Hawo (Eve), the first mother of humankind, is praised. Other women addressed and honoured in *sitaat* are, among others, the Prophet's mother Aamina (Amina), his foster-mother Xaliimo Sacdiyya (Halima Sa'diyya), Xaajra (Hagar), mother of Ismaaciil (Ishmael), Maryam (Mary), the mother of Jesus, the Prophet's wives and daughters, in particular Faadumo (Fatima) (Kapteijns 1996, 126–128). One of my interviewees, however, stressed that in her group after the songs for the Prophet, they next praise the women, and only after that *awliyo* such as Sheikh Isaaq because women existed before the *awliyo* and were their mothers.

Daughters of Faadumo Rasuul: Religious and social experience

All the women participate in singing and clapping the hands. The language of the songs is mostly Somali, but also some Arabic songs and/or words are included. One or two women may stand up and dance. When the songs pass, the atmosphere in *sitaat* becomes more intense and women become emotional. They swing their bodies in the rhythm of the songs, they may draw the scarf over the face, and gradually reach a religious trance, *muraaqo* or *jilbo*. A woman explained: "*Muraaqo* means a religious condition, a strong emotion. A woman feels deep love towards the person that is being praised. Sometimes she also may see this person". The breathing becomes heavier and she may stand up and bend the body back and forth at the waist. Sometimes a woman over-reacts: she does not control herself any more, but movements get wider and wilder, and finally she may fall down unconscious.

"In *sitaat* we praise Hawa, the wife of Ibraahim, the daughters of the Prophet and the relatives of Ismaaciil. They are our ancestors, hereafter we may become neighbours with them", *Sheekhad* Zahra reported. And not only hereafter, but Faadumo and other distinguished women and mothers, who are praised, are believed to be present among women who are performing *sitaat*. For example, *Sheekhad* Nadiifa said in a *sitaat* to participating women that Faadumo Rasuul was among them, but they did not know who she was. However, she could sit beside anyone and therefore everyone should be treated in a friendly way. At some point in the evening, women

shook hands with women sitting near them – this meant that at the same time they shook hands with Faadumo Rasuul. The *Sheekhad* identified her group as “daughters of Faadumo Rasuul” and welcomed also the researcher to become part of it.

According to women, after *sitaat* a person may get what she desired or hoped for. *Sheekhad* Zahra related that she calls the names of *awliyo* when she needs something: “*Awliyo* have secret knowledge that normal people do not have. *Awliyo* are soldiers of God”. She told how she was arrested before the war. The soldiers asked her for money and called her a prostitute. They said that she should be imprisoned for six months. She started to sing for ‘Abd al-Qadir al-Jilani, the founder of the *Qadiriya* brotherhood. Soon some other police came and asked the policemen why she had been arrested, and she was released.

In addition to singing, participants also pray together. A leader of the group, or whoever feels like it, may read *duco* [du’o] (prayer, blessing) and ask God, for, for example, good health, a husband for unmarried and divorced women and good children for mothers. A *Sheekhad* also gives general religious advice and instructions. A participant may ask others to pray for her if she is ill or has other problems. Once I was present when a woman started crying and as a result other women gathered around her, prayed and patted her on the back. A *Sheekhad* explained:

First a sick person should go to a hospital. If she cannot get help, we ask God. God has the decision, whether he helps or not. When people gather many times for the sake of God, other people may think that they are good people, and maybe God listens to their prayers. So, sometimes ill people come and ask us to pray for them. I do not use any other techniques than praying and reading the Koran, and often they get what they need. I have no other power to heal. I do not know if I am a chosen person, but God accepts the prayers of certain people more easily (Sheekhad Khadra).

Women also discuss and interpret their dreams and visions together. Dreams may carry religiously important symbols and messages (in Egypt, see Hoffman 1997). For example, a lion that appears in a dream is a symbol of *awliyo*. A *sitaat* group may also collect money if one of the women needs economic support. Each participant contributes according to her economic resources. The main purpose of the *sitaat* group is, however, to practise religion:

The only reason for the existence of a sitaat group is to praise God, to practise religion, to teach these ladies about religion and to warn about bad things. This is not for the tribe or personal interest; the main purpose is God. God said that if two persons gather because they love God, not because of personal interest, money or tribe, God will reward them. This is the only reason we come here. We do not care about colour or clan; we are equal. We like each other, because we all worship God. According to our religion, we have to respect all people, whatever religion they have. . . . Unbeliever or believer, our religion does not allow us to harm another person. We have to live together in a peaceful way. We do not have to look at their origin or to abuse them because of it. It is not allowed that you eat yourself, if your neighbour is not eating. If someone is going to take your property or to harm you, regardless of the religion, you are allowed to defend yourself. Otherwise, give peace to existing people, of whatever religion or clan they are (Sheekhad Khadra).

Unity between women and all humankind was often stressed as one of the basic values. In the case of a dispute between two women, the other members of the group may try to mediate. If that does not solve the problem, the *Sheekhad* has to interfere, and if needed, pronounce a punishment to the person who is creating problems:

Sheekhad Khadra reported that in those cases they will arrange a celebration in *xadra* and read the Koran, and the person has to pay the costs.

Through *sitaat* itself Somali women also try to promote peace on a larger societal level. In the summer of 2006 I had a chance to follow an interesting discussion during one of the *sitaat* sessions. The discussion followed events that had taken place in Darroor, a Somali-inhabited area on the Ethiopian side of the border between Somaliland and Ethiopia. Two clans, Ciidagale and Habar Yoonis, sub-clans of Garxajiis, had been fiercely fighting over water resources and this upset the women in the *sitaat* group. In the group there were women from both tribes. The *Sheekhad* gave a speech to the women, where she pointed out that Ciidagale and Habar Yoonis are brothers and sisters. She told the listening women that they should collect women from both sides, bring them together and make peace between these women. She also urged women to tell their boys that they should not continue fighting. In order to get God's blessing, *ajar*, they should arrange a *siyaaro*⁴ in Hargeysa the coming Friday. *Siyaaro* would be arranged in honour of Sheikh Isaaq, the ancestor of all the Isaaq tribes. This raised a lively discussion among the women, and it was finally decided that in addition to Sheikh Isaaq, the forefathers of both fighting clans – Dacuud from Ciidagale and Saciid from Habar Yoonis – should be praised. Moreover, their father, Ismaciil, the ancestor of the whole Garxajiis clan should be honoured.⁵ Hence, women decided to bring the fighting clans of Garxajiis together by arranging *siyaaro* for all the important ancestors of the fighting clans, and ask for *duco*, blessing, from them. Further they decided how they could share the costs, the rent of the room and food expenses. The women's act echoes an old Somali tradition. According to Judith Gardner and Judy El Bushra (2004: 145), in Somalia there has been a tradition of collective prayer meetings, known as *allabari* that have traditionally been arranged at times of common need, such as drought. During the recurrent conflict in Somaliland between 1991 and 1996, however, women started to hold prayer meetings for peace.

Even though women in *sitaat* are active in trying to resolve on-going conflicts, they prefer to forget past conflicts. One *Sheekhad* explained that it is strictly forbidden to discuss the civil war, in Somaliland referred to as *faqash*,⁶ in a *sitaat* group:

It is not necessary to speak about the past; it may hurt someone and people become emotional. It is one of our rules, not to mention the previous problems. Religion says that we have to forgive. If we discuss these problems, Shayddaan [Satan] gets a good opportunity to make the problems bigger. If I take an example: If you want a wound to heal, you should not touch it all the time. If you have a problem, it is better to forgive and not to discuss it all the time (Sheekhad Khadra).

In addition to regular *sitaat* groups, *sitaat* experts can be invited when a woman is pregnant in her ninth month: *sitaat* is arranged in order to ask for an easy delivery and a healthy child. *Sitaat* can also be specifically arranged when someone is ill.

4 *Siyaaro* means a visit to the graves of *awliyo*, but also commemoration.

5 Somalis venerate the clan ancestors – whether historical personages or not – in the same fashion as they do Sufi saints (Lewis 1998: 21–22).

6 Literally *faqash* means a dirty or corrupt person, and filth. Somalilanders use *faqash* to refer to the war starting in 1988, when the Somali government attacked the northern territories.

Moreover, it is nowadays common to arrange *sitaat* when a woman from the diaspora visits Somalia and is about to return to a resettlement country: through *sitaat* a safe return and continuous blessing can be asked. The event is usually videotaped, and hence, can be remembered later back in the diaspora. I have also seen *sitaat* at a wedding, where it was more like a cultural performance, and played out together with traditional women's dances. And once I also attended *sitaat* that was organised by a women's association. I was informed that their association had been running only a few months, and they wanted to receive blessing for their new activities.

Sitaat and religious change in Somaliland

As a consequence of the increasing influence of new Islamic movements, political upheavals and civil war in Somalia, religious practices and interpretations in Somalia are changing. As mentioned earlier, *Al-Waxda*, Unity, was the name of the first Islamic organisation in Somalia, founded in Hargeysa (Hassan 2003). Nowadays, the term *waxda* is commonly used by Sufis in Somaliland to refer to supporters of new Islamic movements, or in general Muslims who are seen to be different from traditional Sufis in the ways they practise religion. Sufis claim that Sufis follow the right path, the original Islam. A *Sheekhad* explained:

Waxda do not want to praise Prophet Muhammed. Waxda do not get excited over the Prophet in the way we do. But they are wrong. Those who belong to waxda have not yet seen what we have seen (Sheekhad Zahra).

Hence, Sufi women (as well as men) categorise religious people into two groups, *waxda* and Sufis, who follow the original way of Islam and have a deeper knowledge of the religion. However, they admit that an increasing number of Somalis are followers of *waxda*. *Sheekhad* Khadra explained:

Nebi-Ammaan started when the Prophet moved from Mecca to Medina. Ladies welcomed these things [sitaat] and since that Nebi-Ammaan has been increasing. If you are asking about the situation compared to how it was before the war, the number of people doing sitaat is decreasing, because people are going to the other side, waxda. They say that you are not allowed to sing, celebrate or mention these things . . . You don't have to make a great celebration for the Prophet, that is shirk [sin]. You don't have to dance, visit his grave, to celebrate his birthday. You just pray five daily prayers, it is enough. During the Prophet's time, people welcomed these things; they played durbaan [a drum]. We are like those people; we sing in both Arabic and Somali language. If you praise the Prophet, it does not matter in what language. Waxda says all this is xaraam [forbidden]. If we tell these waxda, bring your books and show where this is prohibited, they never come. Mainly they influence women and children. According to our culture, when someone dies, we slaughter animals and collect money to give his/her family. But waxda does not accept these things. We made more sadaqa [voluntary alms] before, not so much any more (Sheekhad Khadra).

My views on whether the practice of *sitaat* is in decline or not are somewhat contradictory. On one hand, I have often been told that the number of women, who take

part in *sitaat*, is decreasing. This has been explained by the influence of *waxda*, who do not accept praising the Prophet Muhammad and *awliyo*. “Women and Somali people in general are forgetting their own culture and the historical way of doing things. *Xadra* was originally religious culture, not Somali culture. Nowadays most women are going to a mosque”, *Sheekhad* Khadra explained. Another explanation given is that many women, who used to practise *sitaat* before the war, are now either dead or have moved abroad. Moreover, a woman explained that nowadays women do not have time to attend *sitaat* regularly, because they have to work and participate in earning the family income. Hence, according to her, *sitaat* is mainly arranged when someone asks for it. On the other hand, I have been told that the number of women in *sitaat* is increasing. And indeed, in many celebrations that I have attended, we have been sandwiched in overcrowded rooms. One of the *sitaat* groups regularly attracted 70–100 women. The group had plans to raise funds and build their own house for *sitaat*. What could be the reasons for the continued practice of *sitaat*, even though the official religious views do not encourage it?

“Sitaat is part of being religious, part of being good”

“*Sitaat* is part of being religious, part of being good”, *Sheekhad* Zahra explained. She had practised *sitaat* since she was six years old. Once, ten years ago, she wanted to end her practice. Then she had a dream that an animal was slaughtered in front of her. In the morning a woman came and gave her a sheep. Then she understood that she could not stop doing *sitaat*, as it was an important part of religion. She also gave another example of the necessity to continue *sitaat*: Once she had been invited to a village. Nine pregnant women from the village had died and the women who were left were very worried. She saw in her dream a lion, the symbol of *awliyo*, and the lion said that women had to continue doing *sitaat*. Hence, practising *sitaat* continues to be an inseparable part of being a good, moral and healthy Somali Muslim woman.

“A sitaat group is a women’s mosque”

“This is a women’s mosque”, *Sheekhad* Nadiifa noted. “We only read the Koran, we gather, say good things to each other, give advice, make *siyaaro*. We pray if a person is ill, if someone is getting married; we try to help each other. Everyone can pay what they can. This group is open for anyone who wants to participate”. Another *Sheekhad* explained the difference between *xadra* and a mosque:

The mosque and xadra are different. The mosque is only for praying and reading the Koran. In a mosque it is not allowed to eat khat and you have to be quiet. In xadra we can eat, sleep, we say nice things to each other; you can also eat khat. We teach each other good things. According to our religion, during menstruation it is not allowed to have sex, a man cannot touch the area between a woman’s knees and waist. She cannot read the Koran, she cannot fast or pray, go to hajj [pilgrimage], touch a Koran or enter a mosque. The man is not allowed to divorce her during menstruation; there are many rules. But in xadra a menstruating woman is allowed to join us; she can listen to the Koran and she can sing here (Sheekhad Khadra).

Any place where women gather to do *sitaat*, becomes a religious space. Moreover, a *sitaat* group is a unique female religious space, where Somali women can memorise and reproduce the chain of the “daughters of Faadumo Rasuul”. In *sitaat* women are the religious experts, who can define the rules and interpret Islam in a way that better takes into consideration the needs of women.

“*Sitaat has been renewed*”

I have been told that the performance of *sitaat* has changed after the war, and a new element, dancing, has been added. A participant in *sitaat* complained:

Before the war we did not dance in sitaat, it was forbidden to stand up. Every person had her own place where she sat, we did not watch others, we concentrated on ourselves and praising. But now a new generation has come; it does not know the tradition, they do what they want, dance.

Another woman reported:

Sitaat has changed, it has been renewed. When I left Somalia 20 years ago, there was no dancing in sitaat. People sat when they experienced muraaqo, they just swayed themselves sitting. At that time, women who came to sitaat were usually poor. But now everyone comes to sitaat, regardless of income or social class. Now there is also dance in sitaat, I was surprised when I came back 9 years ago. Sitaat has become a party. I do not believe that sitaat is going away. When I came here [sitaat] today, I was stressed, but now I feel refreshed.

The *sitaat* sessions that I have observed have had very different levels of emotional intensity. On some occasions, indeed, *sitaat* looks like a party: women have dressed up in beautiful, expensive clothes, they have on make-up, they seem to enjoy themselves and they smile, dance, and have fun together. But even in this “light” *sitaat*, emotional feeling gradually grows. On other occasions, women seem to concentrate more on their inner experience; they sit down and sway their bodies. They do not dance, but stand up and bend the body rhythmically when they become very emotional. The leaders of the two regular *sitaat* groups that I followed most were quite strict regarding the way women can behave in *sitaat* and the leaders stressed the religious content and meaning as well as the seriousness of the ritual. However, modifications in *sitaat* and a party-like atmosphere may attract new women to participate. *Sitaat* is a rare place of relaxation and joy for women, who otherwise struggle with everyday stresses and worries. Moreover, *sitaat* has become not only a religious, but also a cultural performance that can be staged at weddings or other communal events. For women in the diaspora, arranging and attending *sitaat* while they visit their country of origin is also a quest for religious and cultural identity.

A transfer from saar to sitaat?

Spirit possession *saar* (*zar*) is a widely known phenomenon in the Horn of Africa as well as on the East African coast and its hinterland, in North Africa and the Middle East (see e.g., Boddy 1989; Lewis et al. 1991). Spirit possession refers to different states, where a spirit, for one reason or another, has entered a person. Spirits, in the Islamic world known as *jinn*, may cause various health and other problems. In

Somalia *saar*, which includes many different cults and spirits, is common, especially among women in all social classes. Different spirits have their own specific ritual practices, which may also vary in different areas and groups. Healing rituals often include the use of special incense, different dance styles, music and animal sacrifices (Ahmed 1988; Pelizzari 1997).

The aims for doing *sitaat* and *saar* are different as in *saar* the aim is to pacify a spirit that causes suffering and illness. However, both rituals share similar features: slaughtering animals and eating together, drumming, clapping the hands, singing, dancing, the use of perfumes and incense, and the togetherness of women. Moreover, both rituals may lead to trance. Lewis has also pointed out that there are similarities between *dikri* and *saar* dance, and he suggests a syncretism between the two ceremonies (Lewis 1998: 28 29). Today, Somali *ulema*, religious scholars, as well as many ordinary people, regard *saar* as a non-Islamic practice and hence, forbidden.

Many Somali men, in particular, do not seem to be familiar with *sitaat*. They frequently regard it as not a proper Islamic practice, and also confuse it with spirit possession, *saar*. Somali women, who participate in *sitaat*, however, make a clear distinction between these two rituals, and stress that *sitaat* has nothing to do with *saar*. A *Sheekhad* explained:

A jinni cannot come here [to sitaat], he will be burned here, he escapes this area. Saar and mingis are forbidden. We have here dikri, we have nasri (religious things; also success, victory). Jinn, saar, mingis, rooxaan⁷ do not come; they are xaraam [forbidden]! (Sheekhad Nadiifa).

According to women in *sitaat*, *muraaqo*, religious trance, and a trance caused by *jinn*, are different states: a person who experiences *muraaqo* is not ill, but a person who enters a trance caused by *jinn* is. Most of the participating women seem to admit, however, that it is possible that sometimes a *jinni* inside a person becomes active during *sitaat* and causes a trance. This can be noticed when a woman reacts very strongly, is uncontrolled, screams, dances fiercely and finally falls down on the floor unconscious. A few times I witnessed this behaviour. Other women around then discussed whether the reason could be *jinn*. *Sheekhad* Khadra explained:

Sometimes when women come to xadra, some of them have jinn, something called saar; we do not know. When they are new to our group and the saar is with them, they may fall down with saar and become unconscious. But if they join us, saar leaves from these women. Saar cannot stay long with these women who stay with us. Saar is always looking for a group who likes it. Some jinn come with women and try to hide with them. Every group joins its own group. When saar does not find its own group here, it leaves. The person becomes normal (Sheekhad Khadra).

Sheekhad Nadiifa also wondered if those women who were eager to dance in *sitaat*, had previously participated in *saar*. This suggestion makes sense to me. As the participation in *saar* has become strongly labelled as non-Islamic and hence, something to be abandoned, at least some of those women who used to attend *saar* rituals, may find in *sitaat* an alternative ritual setting. The similarities in rituals lead to similar reactions in both rituals (see also Tiilikainen 2010).

⁷ *Mingis* and *rooxaan* are names for different spirits known in Somalia.

Conclusion

In this article I have described the organisation and the role of *sitaat* in contemporary Somaliland. On one hand, as a consequence of current Islamisation in the Horn, Sufi religious practices including women's *sitaat*, seem to be decreasing. On the other hand, my data shows that *sitaat* still has a strong foothold in the everyday religiosity of Somali women: *sitaat* continues to be an inseparable part of being a good, moral and healthy Somali Muslim woman. A *sitaat* group also provides women a unique female religious space where they can be the religious experts, define the rules and interpret Islam in a way that better takes into consideration the specific needs of women. Moreover, *sitaat* can absorb new, modern elements such as dancing, which may attract new women. *Sitaat* has also been renewed as it has been staged as a cultural and religious performance at weddings and other communal events. Finally, I suggested that some of those women who used to attend *saar* rituals, may find an alternative ritual setting from *sitaat* and hence, keep *sitaat* groups full and vital.

In analysing the data on *sitaat*, I found Danièle Hervieu-Léger's (2000) discussion on religious memory useful. She says:

In the case of religious memory, the normativity of collective memory is reinforced by the fact of the group's defining itself, objectively and subjectively, as a lineage of belief. . . . At the source of all religious belief, as we have seen, there is belief in the continuity of the lineage of believers. This continuity transcends history. It is affirmed and manifested in the essentially religious act of recalling a past which gives meaning to the present and contains the future. The practice of anamnesis, of the recalling to memory of the past, is most often observed as a rite . . . (Hervieu-Léger 2000: 125).

In *sitaat*, the female lineage up to the Prophet's daughters, especially to Faadumo Rasuul, and to other distinguished women and mothers of early Islam is memorised and enforced. This is a significant notion in the Somali society, which is strongly based on patrilineal clans. This historical female chain as well as a connection to Prophet Mohammed and *awliyo*, animated in religious trance, *muraaqo*, empowers women and supports them in the times of present uncertainty and crisis. Moreover, mutual help and sharing of problems and emotions in a *sitaat* group strengthens the unity and collective female identity of all participating women in spite of the clan. Peace-making with the help of divine blessings is one of the common goals for all women.

Finally, *sitaat*, as a comprehensive bodily and emotional experience, may appeal to Somali women more than the new puritanical interpretations of Islam. In the midst of current political and religious change in Somaliland, the separate worlds of men and women may even help women to maintain and revitalize distinctive female religious traditions such as *sitaat*. My data, however, raises many questions that need to be studied in the future. One of the interesting issues is the meaning of clans for the organisation of the groups as well as for women's religious identity.

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PART V

Economy, Natural
Resources and the
Environment

Hydro-Politics in the Horn of Africa: Conflicts and Required Co-operation in the Juba and Shabelle River Basins Need for Trans-boundary River Cooperation

Abdullahi Elmi Mohamed

Rivers, the most important source of freshwater available for human use and the lifelines of many impoverished nations in Africa whose primary economy is agriculture, are increasingly becoming under stress. In general, internationally shared rivers particularly those in dry climate regions could be a source of conflict or a reason for cooperation between countries sharing them. Second half of last century, it was experienced that the concerns relating to the use of international water are becoming increasingly more important and complex. Water, a basin human necessity on all aspects of human life, is a scarce resource in the Horn of African region where the Juba and Shabelle River Basins are geographically located (see the map in the next page). Examining the physical and developmental aspects of the two rivers in a way to analyse the resulting hydro-politics and the looming water conflicts, this paper presents some aspects of interaction between Somalia and Ethiopia over these common river systems.

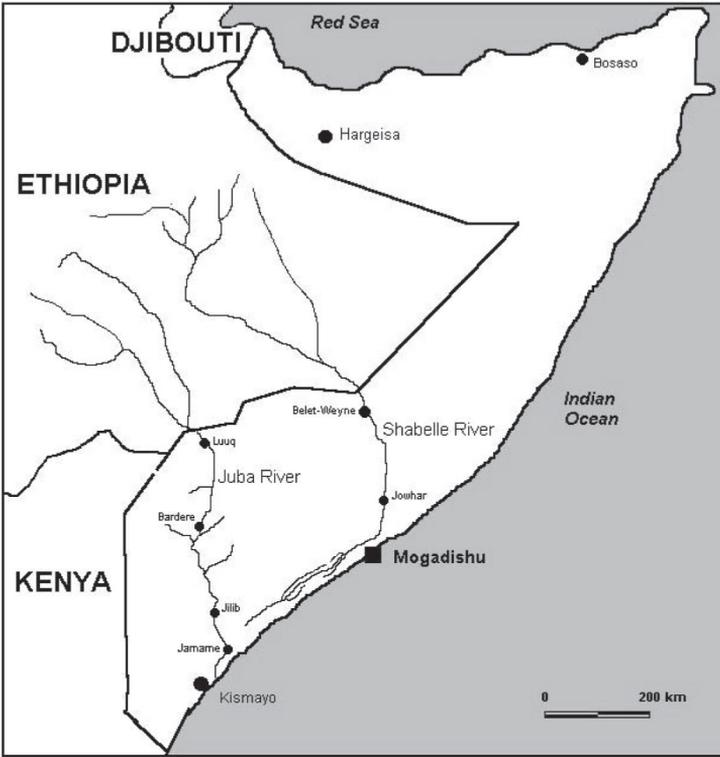
Physical Aspects

Ethiopia, Kenya and Somalia occupy parts of the Juba and Shabelle River Basins in the Horn of Africa. In contrary to previous estimations¹, the total drainage area of the two basins was recently estimated to 805 100 sq. km². Running a distance of about 1500 km, the Shabelle rises in the Ethiopian Highlands, where annual rainfall ex-

1 According to NWC (1989), the Shabelle River Basin, shared by Ethiopia and Somalia, is about 307,000 sq. km, more than half within Ethiopia, while the Juba River Basin is 233,000 sq. km, 65% in Ethiopia, 30% in Somalia and 5% in Kenya.

2 A study updating international rivers of the world (Wolf et al., 1999), gives the combined area of the Juba and Shabelle Rivers Basins to 805,100 sq. km, of which Ethiopia occupies 45.7%; Somalia 27.5% and Kenya 26.8%.

ceeds 1000 mm. Flowing generally south-eastern direction; the Shabelle River passes through an arid land in eastern region of Ethiopia³ cutting wide valleys in southern Somalia. The river does not normally enter the Indian Ocean, but into a depression area, where it is finally lost in the sand in southern Somalia. Only with exceptionally heavy rains does the Shabelle River breakthrough to join the Juba and thus succeed in reaching the ocean. With an average annual rainfall of 455 mm and much higher potential evaporation, mean annual runoff of the Shabelle River at Belet-Weyne is 2 384 million m³. Over 90% of the runoff is generated by catchments within Ethiopia. As the river crosses the existing international border between Ethiopia and Somalia, the Somali City of Belet-Weyne is the most important point where the river flow and its water quality could be observed in Somalia. The river has a high saline content even during high flows.



Juba and Shabelle River Basins in the Horn of Africa.

Like the Shabelle, the Juba River originates from the Ethiopian Highlands, where three large tributaries, the Gestro, the Genale and Dawa meet near the border with Somalia to form the Juba River. The rainfall at the source reach 1500 mm/y, dramatically decreasing southwards and the mean is 550 mm. Luuq, a Somali town,

³ Inhabitants of eastern part of Ethiopia are ethnically Somalis. This region was internationally known as Ogaden but in Somalia it is referred as Somali Western, while it is recently named as Region 5 in Ethiopia.

is the most important point to observe the Juba River as it crosses the border. The Juba, which enters the Indian Ocean at Kismayo City, has a total length of 1100 km, 550 km of which in Somalia. The mean annual runoff at Luuq is 6 400 million m³; Ethiopia again contributes over 90 %. Kenya, as there are no tributaries originating there, does not normally contribute to the Juba, and has no access to the main river thus any significant interests.

The Shabelle is larger in size and longer in distance than the Juba, but these did not lead the Shabelle to be larger in runoff due to climatic and geological conditions. As Somalia's most water resources exist in these rivers, runoff contributions by catchments in Somalia are normally minimal.

Developmental Aspects

In upstream areas of Ethiopia, there are few developments based on the two rivers' water resources. In 1988, Ethiopia completed the Melka Wakana hydroelectric project on the upper reaches of the Shabelle. Ethiopia has now built another large dam on the Shabelle for irrigation and hydropower generation. Due to the very narrow arable alluvial plains, there are few permanent agricultural settlements along the Shabelle River inside Ethiopia.

As the two rivers supply the Somalia's rice bowl and support important economic areas in southern Somalia, several agricultural development projects have been implemented based on the water resources of the two rivers. Irrigation projects that were implemented or planned on the Juba River include: Juba Sugar Project (JSP), often known as Mareerey, irrigating sugarcane near Jilib; Mugaambo Rice Irrigation Project near Jamame, using run-of-the-river via canal; Fanole Dam Project, multi-purpose dam development for irrigation, hydropower generation and flood mitigation, located near Jilib; Arare Banana Irrigation Project, Jamame; Bardere Dam Project (BDP), the largest ever planned but unimplemented development project, which will be discussed below.

No major dam development was built on the Shabelle River, but those agriculture activities along the Shabelle River are many and intensively use much of the available water. Off-stream facility with storage capacity of 200 million m³ was build near Jowhar. Another dam which would store 130 - 200 million m³, was proposed upstream of Jowhar. Several agricultural areas exist near Mogadishu.

Hydro-political Aspects Historical Conflicts and Current Tensions

The relations between Ethiopia and Somalia were complicated particularly in view of their long history, which is full of animosity, mistrust, conflict and border dispute, which resulted from the demarcations by the European colony during 19th and 20th centuries. During that period, Ethiopia played a key role in the colonial division of the Somali plateau into five areas. These tense relations resulted at least two military wars in 1964 and 1977. The relations have also been deteriorating since

the overthrow of the two countries' dictators in 1991. Since 1996, Ethiopia has several times been criticized for its repeatedly military and political interventions in Somalia, a country lacking a central government since 1991. In August 2000, when Ethiopian prime minister attended the inauguration of rebirth of the Somali government, many people looked upon it as a new era for Ethiopian-Somali relations, but this hope was dashed continuously since then. The transitional national government of Somalia (hereafter TNG) tried a number of times, with no encouraging results, to normalize the uneasy relations between them and Ethiopia. The ongoing international war against terrorism led by US, Ethiopian government officially said that there are terrorist groups linked to Al-Qaeda Network inside Somalia, which the TNG strongly denies. It is certain that these unfavourable relations will adversely affect the future required cooperation for the development of these shared rivers. The two countries have in the past never discussed agreements or joint commission for the utilization of the shared rivers.

Shabelle Development Projects in Ethiopia

During 1950s, there was a large scale Shabelle development scheme planned in Ethiopia, which is not implemented. Ethiopian plans in late 1970s towards development of the Shabelle River in most upstream areas for irrigation concerned Somalia. Resulted from its national policy of food self-sufficiency, Ethiopia has, since 1991, gone into a process of developing water resources. Taking advantage of Somalia's deep political crisis, Ethiopia started building large dams on the Shabelle River. Existing and planned dams on the river in Ethiopia function also as a political weapon for its rival downstream riparian. As many activities in southern Somalia, where the two river supply, depend mainly on this river's water resources, unilateral developments that Ethiopia currently carries out will severely impact on Somalia both in terms of economy and environment. Actions reflect and imply existing policies and perhaps the unilateral Ethiopian actions are based on its previous argument saying that it is the sovereign right of any riparian state, in the absence of an international agreement, to proceed unilaterally with the development of shared water resources within its territory. These new Ethiopian dams on the Shabelle will exacerbate the silent border dispute between the two countries.

Juba Valley Development in Somalia

The need to regulate the Juba River was recognized as early as the 1920s by the Italian colonial administration in Somalia. Since then and particularly after the independence in 1960, the Juba and Shabelle valleys became the focus of country's economic development. The largest ever-planned water development project was however Bardere Dam Project (hereafter BDP) launched during 1980s on the Juba River in the vicinity of the town of Bardere. It would fully utilize the river water. Regarded as a vital step towards food self-sufficiency and received priority in development planning, the BDP is intended for flood mitigation, irrigation development and hydropower generation. It would irrigate about 175 000 ha of agricultural land

and supply power to reduce the cost of petroleum imports. The BDP was economically and technically motivated but politically failed. The two political factors that played important role were: (1) the dictatorial regime which Somalia had at the time of project appraisal and the deteriorating political situation of the country during the 1980s, which resulted in the ongoing civil war, became a major hinder for the project development. The erupted civil war in 1991 interrupted and dismissed the entire project; (2) strong opposition from upstream co-basin country of Ethiopia impacted the project, as it argued that the river crosses disputed land and has no agreement on the utilization of its waters. Because of the Ethiopian opposition, the size of the dam has been reduced to irrigate only 50 000 ha.

The Role of the Rivers in Somalia's Economic Development

The Juba and Shabelle Rivers are important resource bases for Somalia, but there are growing fears that these rivers may impoverish the nation they would set on the path to prosperity, because of water scarcity and upstream activities. Somalia lacks significant alternatives to the two rivers as long as water development for agricultural productions are concerned. Current as well as traditional socio-economic activities in southern Somalia are strongly based on the availability of water in the two rivers, and without the guaranteed access to water the fertile areas between the rivers would have no value. Water resources in the two rivers are strongly linked to the survival of the Somali national economy as well as its social and environmental well-being, thus the security of the nation. Institutional structures and capacity for water affairs are currently totally absent in Somalia. Water infrastructures that have been set up for irrigation were also destroyed during the civil war.

Growing Water Scarcity and Looming Water Conflict

Considering the possible and potential future water development plans and taking into account the limited amount of water, the water resources in the two rivers will unlikely be able to fulfil the sum of all demands by the basin countries in the future. Potential disputes over the shared rivers are therefore likely to rise in response to political stability and desire of economic development. This may result competition over the utilization of scarce water in the rivers, which together with the current and historical relations between the two basin countries may lead to international conflict, shifting then the problem from water sharing to national security. However, the factors that increase the risk of future water conflict include severity of the water scarcity in the riparian countries; historical conflicts and current misunderstandings; relative economic strength and military power and; growing population.

International Legal Perspectives

In international rivers, there are several conflicting theories favouring either upstream or downstream countries. A move to reconcile them and resolve the alarming crisis in shared freshwater resources; the UN General Assembly adopted the UN Convention

on the Law of Non-navigational Uses of International Watercourses in 1997. This convention, which is not yet formally ratified and thus not operational, encourages cooperation in order to address equitable, reasonable and non-harmful utilization of the international freshwaters. Many argue that this new legal instrument is too weak to mediate disputing basin states over shared water resources.

Conclusion

In both basins, Somalia is a vulnerable end user located in downstream area, which is the least favourable position to be in hydro-political terms, as the upstream basin country, Ethiopia, can theoretically divert and pollute the water in the rivers. This makes Somalia to be permanently heavily dependent upon the actions taken by Ethiopia. Consequently, the downstream users in Somalia are the hostages of upstream activities in Ethiopia. Although the issue of the Juba and Shabelle Rivers is hidden and powerful one that could explode at any time in the future, no negotiations could be initiated before addressing and solving other more fundamental causes of the historical conflicts and the current tensions. In view of region's current political conditions as well as the historical facts combined with the future desire to increase the utilisation of the available resources in the river basins, it is unlikely to realize the desperately needed cooperation and future water conflict seems to be inevitable and it may also turn to be another layer of international conflict before the mid of the century, if nothing is done.

As these shared waters will play a key role in future relations between Ethiopia and Somalia, the desperate need to initiate cooperation through dialogue based on mutual security is significant and trust needs to be established. The only assurance that no harm is done to the interests of any party lies in the process of collaboration through negotiation, and a useful way to initiate and sustain dialogue is to seek opportunities for mutual benefits. One opportunity that demands political commitments but could be explored is to go into regional economic integration based on water through securing a reliable access to the sea for which Ethiopia desperately needs in exchange to undisturbed river flows for Somalia. Since Eritrea's independence from Ethiopia in 1993, Ethiopia was left in a desperate situation concerning its lack of a reliable outlet access to the sea for their economy. Perhaps, in view of this, the existing opportunity, which the two countries could mutually benefit, is to allow the two rivers to run into Somalia without any development implemented in upstream Ethiopia in exchange of freely accessible ports for Ethiopia in the Somalia's long coastal lines. This economic integration strongly demands political commitments that should be made by the two countries assuring a joint security and save co-existence in the future.

Environmental Management for Sustainable Development in the Horn of Africa

Bereket Yebio

Perceptions regarding Conservation and Development Interactions: The case of the Northern and Central Highlands in Eritrea

My presentation will focus on a case study of the northern and central highlands in Eritrea. It is as an example of environmental management and sustainable development. The study was conducted as a part of a regional research project in Horn of Africa.

Most of the so called ethnic conflicts are in fact environmentally induced conflicts. They are caused by conflicts in the use of natural resources. In fact, there is a good example in Sweden of such a conflict. The Sami people are an indigenous minority who live in the most northern part of the country. They have been and are still struggling to secure their traditional grazing land for continued reindeer keeping. A conflict exists because the central government also wants to satisfy the interests of groups who want to use the area for fishing, hunting and energy generating. There are many other examples of such conflicts in Europe. However, they are seldom described as ethnic conflicts in the same way as in Africa.

Nearly all governments in the Horn of Africa have plans underway to conserve and preserve certain portions of their territory as a means of protecting biological diversity and attaining sustainable development.

The government of Eritrea considers converting the Northern and Central Highlands (hereafter NCH) into a strictly controlled conservation area. The NCH contains the remnants of the closed forest – mixed evergreen tropical woodland – of Eritrea. Situated north-east of the capital Asmara, it is an escarpment between 1,000 and 2,400 m above sea level. It enjoys two rainy seasons (July-August and December-February). The area is relatively rich in biological diversity. At the same time, the ecology of the forest is very fragile, and once damaged, it will be difficult to restore. It represents the most promising ecosystem for in-site conservation.

The study area is roughly 77,000 hectares with an ethnically diverse population. The central government of Eritrea considers the urgent national necessity of conserving biological diversity and has the legal obligation in response to Article 8 of the Convention, to which Eritrea acceded on 12 September 1995.

However, there is also the need to accommodate the subsistence agriculture of the resident population (approx. 11, 000) as well as the need of the itinerant community, perhaps 200,000 that have traditionally earned their livelihood from the area by cropping and grazing.

The assumption is that there is an inherent conflict between conservation for biological diversity as a basis for sustainable development and the need to use the resource of the area by the people who live within the area or in its vicinity for their basic needs. How such a conflict is to be resolved without compromising any of the two desirable objectives is the key question to be researched. The purpose is to study the perceived conflicts and perceived solutions of the conflicting interests and objectives of different users and agencies. Initially six different users and interest groups of the NCH will be considered along with an objective function for each group.

	Users or Interest groups	Objective function
1.	The Eritrean Environmental Agency (EEA)	to minimize loss of biological diversity.
2.	The Ministry of Agriculture (MOA)	to maximize income from forest products.
3.	The Ministry of Tourism (MOT)	to maximize income from tourism.
4.	Local groups dependent on the NCH for seasonal grazing (LGSG)	to maximize economic benefits from grazing.
5.	Local groups dependent on the NCH for farming (LGF)	to maximize economic benefits from farming.
6.	Ministry of Local Government (MLG)	to maximize regional development.

The different categories of users were stratified according to degree of utilisation of the area for cultivation and livestock grazing. Data has then been collected from a representative sample of each category through an interview questionnaire and focus group discussions with different stakeholders.

A research group conducted the sampling, the designing of the questionnaire and the identification, selection and training of the interviewers. The interviewers collected the data in a field study will carry out during the month of August 1997. The analyses of collected data was put on halt due to several reasons but we hope that it will be resumed and a research report produced.

Likely contributions from the research

The study will explore the IUCN principles on resolving conflict in protected areas and assess their applications in Eritrea in so far as the proposed plan for the NCH is concerned. The principles are described below.

Principle One: Focus on Underlying Interests

A major challenge in resolving conflicts is to address the underlying interests that are really at stake rather than getting stuck arguing over positions. The term “interests” is used throughout this handbook to mean people’s fundamental needs and con-

cerns. The term “positions” is used to mean the proposals that people put forward to try satisfy their interests. The difference between interests and positions can be illustrated by this example.

Principle Two: Involve all Significantly Affected Stakeholders in a Fair and Respectful Process

To resolve conflicts, there has to be an effort to involve all significantly affected stakeholders. Stakeholders are those individuals or groups who are directly involved in the conflict, or who may be affected by how the conflict is resolved. People want to be involved in decisions when their interests are at stake, they want to have their opinions and ideas heard and valued, and they want to be respected as individuals.

Principle Three: Understand the Power that Various Stakeholders Have, and Take Into Account When Trying to Resolve a Conflict

Power is critical element in conflict resolution. A stakeholders’ decision on how they approach the conflict will depend to a large extent on their view of the power they have and the power balance among the various stakeholders. For example, a group that feels powerless to influence an outcome through a bureaucratic decision making process may choose to use illegal activity or armed force instead.

There are many different kinds of power, including:

- Power of position (having authority, being in a position to make or influence decisions);
- Power of knowledge (having information);
- Personal power (being personally forceful/persuasive);
- Political power (having a supportive constituency or access to political leadership);
- Legal power (having a “good” legal case, expert legal council, or access to courts);
- Coercive physical power (having police or military backing, or weaponry);
- Family power (being from a well connected family); and
- Group power (being a member of an ethnic, religious, or other type of group that has power or, for example, being male in a male dominated society).

There are often extreme differences in power between different stakeholders. In attempting to resolve a protected area of conflict it is especially important to involve both those with substantial power (especially those with the ability to thwart the implementation of a proposed resolution to the conflict) and those who are the least powerful.

The study will also develop some objective criteria and through a process of creating awareness and a sense of co-responsibility, prepare all stakeholders to find equitable method of resolving the potential conflict.

Environmental Degradation and Hunger in the Horn of Africa: The Need of a Survival Strategy¹

Mengistu Woube

Introduction

The Horn of Africa, which includes Ethiopia, Eritrea, Somalia, Sudan and Djibouti, is the primordial home of *homo sapiens* and an early outpost of human civilisation as recent archaeological findings confirms. The Horn is a region of great geographical diversity, rich in natural resources and inhabited by different ethnic groups who are engaged in different economic activities. Although no serious and detailed agronomic, hydrologic and land resources investigations have been undertaken, it is assumed that the abundance of rainfall, water, arable land and food plants (wild/semi-wild and introduced/perennial) would provide food self-sufficiency and surplus production.

However, the Horn is one of the poorest regions in the continent; and droughts, hunger and war often affect it. Except for the more privileged classes, hunger affects millions of poorer farmers, pastoralists and urban dwellers; and the international communities are responding with emergency food aid from time to time. Food aid saves life, but it has also prolonged hunger as long as environmental degradation is not alleviated. Environmental degradation disturbs the traditional balance between people, their habitat and political, cultural as well as the socio-economic systems in which people live. The mass-media image of hunger in the west tends to portray hunger in the region as a consequence of draughts, wars and floods. But draughts and floods are the meteorological phenomena that do not always bear direct relationships to hunger. The confusion between drought, war and hunger obscures our understanding of the root causes of hunger and delays the findings of its possible solution in the Horn.

The purpose of this paper is to: explain the meaning of hunger, identify the root causes and impacts of hunger, develop the on going debate on the impact of poverty on food security and propose hunger and drought coping strategies. The paper is based on the author's field investigation and observation carried out in some parts

¹ Part of this paper was published in Swedish in Uppsala Nya Tidning (one of the Swedish news papers) 13 November, 2000 and in the Ethiopian Development Forum, vol. 2 (3), April 2001:53-67.

of the Horn as well as discussions with local population and officials. It attempts to provide some basic factors that have led to the environmental degradation facing the Horn of Africa today and to propose sustainable use of the natural resources through the conservation of the natural and human landscapes and habitat - biodiversity.

This paper deals mainly with the type of hunger where a chronic relentless condition keeps people from working productively and thinking clearly, decreases their resistance to diseases and which can be intensely painful. Such prolonged hunger results in permanent damage to the body and mind and ultimately, if it goes on long enough, it kills.

Hunger is classified both as endemic and epidemic by nature. Endemic hunger (hidden hunger) results from food deficiency and under nourishment. It leads to hunger-related diseases and slow death. Social and political factors, as well as the difficulty of measuring calorie-intake level obscure endemic hunger. Epidemic hunger (famine/open hunger) is collective and results from lack of food, which leads to many deaths (Mengistu,1987 and Mesfin,1985). Even though millions of people have been killed by endemic hunger, less attention is given to it compared to epidemic hunger. Presently about 4 million, out of 67 million, in Ethiopia, 2.3 million, out of 4.3 million, in Eritrea, as well as millions more in the Sudan and Somalia continue to face persistence hunger despite a rapid response from individuals, national and international organisations.

The Root Causes of Hunger

The root causes of hunger is poverty (poverty of knowledge, material/financial, moral and ethic). Poverty is a phenomenon, which results from amalgamation of social, political and economic factors (human environment). The interaction of these factors over a long period of time produces a deleterious effect on the bio-physical environmental balance. The latter exacerbates the following factors:

- climate change to human induced droughts and floods through destruction of the natural, human and animal ecosystems;
- political and price instability;
- incidences of diseases such as Malaria, HIV/AIDS and others water-born diseases;
- regional wars, resource use and ethnic conflicts; and
- migration flows as environmental, political and economic refugees.

Climate change-related factors, which are mainly associated with tectonic movement, seismicity and volcanic activity, carbon and nitrogen cycle as well as sea temperature changes in the southern hemisphere/El-Nino and La-Nina events resulting in droughts and floods have been recognised as forcing factors that contribute to the insecurity of human existence (Hutchison, 1991). Through traditional institutions,

the people in the Horn had climate variability coping mechanisms through diversification of assets and activities. Such coping mechanisms were considered as important factor and management tool in shaping risk perception and risk responses in the region (Niamir-Fuller, 1998). In recent decades, however, the natural climate variability has caused environmental change or increased the number of severe droughts and damaging floods (Mengistu, 2001). Normal floods, for example, had been utilised by the local population in various different farming activities, but the region is presently affected by abnormal floods mainly due to lack of environmentally sustainable land-use systems, proper conservation and utilisation of the natural resources and El-Nino-related events.

These events have become one of the causes of epidemic hunger in the Horn, due to the biophysical and human environmental changes in the region. El-Nino and La-Nina are characterised by unusually warm and cold ocean temperatures/warm and cold events, respectively. These events are recognised as significant factors in the regional climatic variability of the world and held responsible for bringing tremendous changes in the incidence of rainfall and draught in many parts of the world including in the Horn of Africa. The latter was one of the regions that have been affected by heavy and prolonged rainfall, which led to the destructive flooding in the 1980s and 1990s. This was followed by outbreak of diseases of which the Horn of Africa was the hardest hit region. Following the cool sea surface temperature, draught related severe forest and bush/grass fires also occurred in the region although animal and plant species, as well as micro-organisms, seem to have lived in harmony with fire regimes. In Ethiopia, for example, the pastoralists and farmers use fire for re-growth of young green shoots of grasses/shrubs and food crops, respectively. However, this fire-adapted ecosystem is now disturbed by the rapid growth of population, unplanned settlement/resettlement morphology, large-scale farms and unsustainable post-fire management of the land (Mengistu, 1998). In general, flooding and fire events destroy the crops and kill thousands of animals and people and threaten millions with starvation in the Horn of Africa (WFP, 2003)².

Under these circumstances, the economic and social factors, widespread poverty and poverty-related population explosion have increased and the natural resources are being damaged through deforestation, extensive fuel-wood gathering, over-grazing and over-cultivation. Such short-sighting land-use activities have led to degradation and depletion of natural resources, soil moisture scarcity and compaction, agro-chemical pollution and desertification, incidence of insects, animal and human diseases as well as conflicts between and among land-users and the natural resources and the users. These situations led to ethnic and political unrest and policy changes, which weakened the capacity of the traditional institutions.

2 More Technical information on the global patterns of precipitation and temperature related to abnormal climatic and flooding data can be found at the National Atmospheric System Agency, National Oceanic Atmospheric Administration, Tropical Atmosphere Ocean and other operational satellite and observatory centres. For further information, see also my own publication, Mengistu, 2001.

Traditional Institutions and their Hunger Survival Strategies

Traditional institutions (informal and indigenous institutions) played important roles in conserving the natural resources, preserving culture and settled resource-use and land disputes. They were the basis for which to: avoid border/resource use conflicts before catastrophic consequences set in; they helped to restore the hunger and drought and promoted survival strategies; as well as improve local conflicts and regional wars. These institutions were also famous in terms of resource distribution, sustainable utilisation of the natural resources such as water utilisation, periodical hunting and grazing activities. In short, through traditional institutions the local people in the region adopted drought coping and hunger-survival strategies before harvesting months (pre-harvesting seasons) and in time of hunger (post-harvesting seasons). So far, today there is hardly any institution that has an emergency and concrete action plan to promote peace, regional integration, environmental conservation and mobilisation of the people for effective and long-lasting development activities.

Due to policy changes, traditional institutions have lost their roles; they no longer help to alleviate drought, flood and hunger, nor does responsive and responsible leaderships/good governance or autonomous apolitical development agency replaces them. Even wealthier community members in the past provided a support structure for the poor and contributed to the alleviation of hunger but now deepening poverty is eroding this traditional coping mechanism. Consequently, these countries produce little or no food, which lead to endemic and gradually to epidemic hunger. Such factors disrupt the environmental balance and in the balance of payments. As a result, every country is now dependent on or supplemented by food aid.

The following survival strategies, which are listed below, are briefly described in an interrelated manner:

- preservation of grains, pulses, enset, pumpkin, taro, etc. through well built and carefully constructed storage systems;
- gathering fruits, roots, tubers, leaves, hunting wild animals and fishing techniques;
- conservation and sustainable utilisation of natural resources;
- maintenance of weekly/daily open market centres, which are located between the pastoralists and the farmers' settlement geographical locations or the different agro-climatic zones;
- population and livestock seasonal movement to better economic zones;
- border dispute and conflict resolution strategies and regional responsibility;
- strong culture, pride and dignity;
- balance between the interrelationship of land, people, livestock and wildlife; and
- creation of employment opportunities and income generation.

Although the geography of the Horn is rich in agricultural land, water, food plants, livestock, wildlife and a great deal of tourist attractive sites, the population and civilisation of the region could deteriorate further if the traditional resources allocation, conservation and utilisation methods are not put in place. Traditional survival systems such as private and communal grain and non-grain storage, home gardens and communal work programmes were used as part of hunger coping strategies but they have now almost disappeared. What is observed in the region today is subsistence-based (self-sufficient) economy and traditional market, for example, are replaced by profit-maximising and modern market economy, respectively.

The smallholders and pastoralists are in no position to adopt or afford advanced technology such as post-harvesting, storage and food processing techniques and methods as well as modern marketing system. Regulation of market operation to control farmers and pastoralists did not work in the past and will not work in the future as long as the role of the traditional/local marketing system is not maintained. Presently, Structural Adjustment and Economic Liberalisation Policies try to capture the local market when most of the people are not economically integrated. Rather, the poor farmers, pastoralists and urban dwellers are exploited through unfavourable market forces. Market integration could lead to the increase division of labour, crop specialisation and the integration of the rural to global marketing system, if policies are in favour of the terms of trade for traditional commodities. Hutchison (1991) argued that surplus grain and important export crops could be achieved and the region could emerge as one of Africa's major economic centres, if the rural and urban poor are supported through market mechanisms and if they 'are not indebted to merchants, landlords and employers are often indebted to banks and state institutions, as well as proper international funds are channelled into the region. Otherwise, the poor people in the Horn will gain little from globalisation/economic liberalisation, since they are considered as poor credit risk-takers.

Through credit services, training, environmental education, financial and appropriate technology, well thought out land-use planning and formation of partnership between the farmers, pastoralists, private sector and governments can help improve the chances for growth and greater job creation which all this can eradicate poverty and hunger. Previously, employment opportunity was created through institutional infrastructure. Since the communities controlled land, individuals within a given region were entitled to own plots in different agro-ecological zones to plough and graze their animals. When people were not restricted by land-use and ethnic policies as well as by widespread wars, the people in the Horn had opportunities to move within and outside their own home region or across international boundaries to utilise natural resources, find seasonal or permanent employment or to settle in the less populated and productive areas or regions. Some adopted the new culture and settled permanently and others returned to their own regions or villages willingly. Through traditional institutions, the communities developed watering sites for their animals and small-scale irrigation systems as one of the drought coping strategies. In short, such traditional resources use and the periodic needs to cross both ethnic and international boundaries, as draught and hunger coping strategies, were ignored.

As concluded by Hutchison (1991:100) 'life sustaining relationships between the people of the Horn and their environmental and economic support systems is everywhere breaking down'. As a result the region, in my view, has become the geography of a beggar zone.

Presently, we can only observe the process of transformation of traditional food security by the state or international welfare agencies and the traditional market centres by feeding centres, which are financed through international donor agencies. Since one country's problems in the Horn spread to other areas in the region and since there is no real economic and social border, there is a need for genuine leaderships/good governance at all levels, who are responsive and responsible to the need and aspirations of the people. Such leaderships/good governance should have knowledge and commitment to: a) the conservation and utilisation of the natural resources; b) avoid past personal idiosyncrasies; c) iron out differences; and d) maintain respect for one another. Due to the absence of such leaderships/good governance, poorly planned and unsustainable land-use practices, industrial establishment and exploration of minerals, the draught and hunger coping foods (e.g. planted trees and wild foods, fishery sites, wildlife and their habitats) as well as grazing fields and watering sites have further deteriorated.

Not only leaderships/good governance and poor planning have historical responsibility for the death of millions of people and environmental degradation in the region but also the academics and business communities should be the blame. As has been observed, especially in the last 30 years, the poor in the Horn have been exploited in many ways. When the rural and urban poor produced plenty of products, the none-producers consumed and make profit more than the producers. When the situations are not conducive, some of the none-producers run overseas and others remain to exploit the rest. Emergency food and other aid are also shared among the producers and none-producers, people from the drought and non-drought areas. Our recent studies in Ethiopia show that, through 'Food for Work Programme' (FFWP), food aid distribution centres were established in many urban centres. However, they have neither improved the peoples' way of life nor alleviated environmental problems. Food aid has depressed local prices and created adverse supply disincentives for local farmers; encouraged corruption and nepotism and pulled massive numbers of population from hunger and food surplus agro-ecological zones to the unprepared urban centres. Despite the existence of various restrictive policies, administrative controls and other obstacles put in the way of migrants, many would go to considerable lengths to achieve their objective of gaining a foothold in towns and cities. Flight from rural poverty and conflict led to massive migration flow towards to unprepared urban centres. This has already created overcrowding, crime, depletion of natural resources and facilitates the spread of diseases (Mengistu et al., 1999 and Sjöberg et al., work in progress).

In short, although food aid has saved many precious lives, yet it has killed a working spirit, created dependency syndrome food aid and massive candidates to most catastrophic hunger in the future. We should not wait until another catastrophic famine occurs or waits until we see emaciated bodies of our people; the carcasses

of livestock or until aid giving organisations come and rescue the Horn from catastrophic hunger. We have to take action today and learn to avoid ideological and personal differences and rise up together and to make sure that the people from the Horn would have sufficient and adequate food through environmental conservation measures, genuine democratisation and concrete development action. By doing so, we would restore traditional institutions, confidence, responsibility, pride and dignity on the people as well as to live in harmony with one another which leads to permanent peace, political stability and self-sufficiency in food. To translate the above mentioned ideas into concrete operation, a program of actions is outlined below:

The Need for a Programme of Action

In order to banish hunger and poverty from the Horn of Africa, the following actions are urgently required:

From the moral, ethic and human rights' point of views, international funding organisations should come up with financial aid package (similar to the Marshal Plan in Europe). Their funds should go directly to the locally, regionally and internationally accepted co-ordinating body or New Agency. The New Agency should be recognised as autonomous and apolitical co-ordinating body that only concentrates on seeking solutions to the problems of poverty and hunger through the conservation of the natural resources, effective management of the economy, mobilisation of the human resources and the introduction of the physical and social infrastructure in the region. The New Agency would implement the new development plans and strategies with the co-operation of the African Union, international organisations, the Horn of African Diaspora, mobilisation of individuals, traditional and government institutions, business and NGOs in the region and abroad as well as the restoration of previous constructive local institutions.

Committed, responsive, responsible, correct and well-trained leaderships/good governance, who can understand the role of natural resources, traditional institutions, local, regional and international co-operation and who can create deeper understanding between and within nations and nationalities are urgently needed. The responsible governments would ease the artificial barriers that restrict citizens and allow people to move freely between regions within their own country's domain and even between countries. Such measures will create understanding between and within nations and relationships with international organisations and the New Agency. The latter would invite and encourage individuals, institutions or business communities, government and NGOs that live inside and outside the region to contribute in cash or in kind or through transfer of knowledge aiming to eradicate the root causes of poverty and hunger. It would also convince international financial institutions and donor countries to contribute to long-term financial package in the form of development aid and debt relief, etc. Debt relief and aid must be redirected into the

New Agency and conservation of the natural resources particularly in the land-water sectors in the region realising the goal of eradicating poverty and food insecurity.

Through the New Agency, the Horn of Africa would: a) be a political and food security region; b) be a training centre where the Horn of Africa can manufacture its own civilised, creative, broadly-thinking mind, efficient and disciplined leaderships/good governance³; c) bring attitudinal change of the people towards natural environment, local, regional and international relations, etc.; d) rehabilitate its natural, human and animal ecosystems; e) avoid ethnic conflicts, health problems and shortage of transportation; f) introduce human right and economic justice, appropriate and sustainable technologies, rural-urban industries, effective family planning, off and on-farm employment opportunities, effective protection and preservation of natural habitats and wildlife species, cultural sites and food items as one of the land-use options. Based on nutritional studies, adopting healthy and economically viable food culture, as well as sustainable utilisation of water should also be considered as one of the most important hunger avoiding components and conflict resolution mechanisms.

In the past, the crucial role-played by water in food security and employment has been given too little attention in the region. If the Horn tries to implement the Poverty Reduction Strategy Papers (PRSP), water should be a key issue. Through the New Agency, sustainable water utilisation, as a source of drinking water, ecosystem services, health improvement and means of drought mitigation is possible. Water, in the form of irrigation projects, should be given special priority as a key element in the fight against poverty and food insecurity. As the UN recently warned that unless Africa confronts the problem of proper water management, it will never escape the poverty trap or develop the food security system (quoted by UNECA, 2002). Furthermore, the role of water in other sectors such as fisheries, sanitation, industrial use, hydropower energy, ecology and disaster management should also be taken into consideration. Sustainable water use can alleviate damaging flooding or El-Nino-related flooding problems, which occur along the Nile region in the Sudan and the Rivers Awash and Shebele in Ethiopia and Somalia, as well as from the Baro-Akobo and Blue Nile River Basins in Ethiopia (For flood management measures, see Mengistu, 1999).

In order to alleviate current and future El-Nino and La-Nina-related flooding and drought problems and incidences of forest and bush/grass fires (see Mengistu, 1998 & 2001), the New Agency, with the collaboration of scientists from the Horn, Horn African Diaspora and with international assistants, such an unexpected climate change and weather variability can be predicted and minimised by: a) well-planned and well-managed land-water resource conservation and development strategies; b) political stability and early warning system; c) well developed Information Technology (IT) and long-term meteorological data; d) well-thought out land-use planning and environmentally accepted resettlement schemes, appropriate technology and

3 Knowledgeable, broad-minded, committed and genuine individuals who are carefully selected within the region and from different parts of the world will administer the training centres and the New Agency. The former will be co-ordinated by the latter.

farming systems; e) utilisation of water resources and local environmental monitoring techniques; f) capacity and awareness building concerning natural resource protection measures through environmental education to encourage community participation, health and family planning.

In short, the New Agency will ameliorate the flooding problems through the building of water reservoirs in the various agricultural and human settlement and resettlement sites, which will serve to collect and save sufficient water during good rainy seasons to provide supplies when the rains fail. Through water storage techniques and methods, people in the Horn would be acquiring new income generating and employment opportunities. Moreover, the land-users can turn gullies into gardens, divert water from rivers and harvest runoff water from roads into their fields for annual and seasonal crops, which will improve their standard of living.

The New Agency can also adopt water-harvesting and river harnessing culture on household, village and community levels. In order to mitigate drought and promote food security, small and medium-scale irrigation, dams and water-harvesting programmes are appropriate for the Horn as most of the previously built large-scale water projects have not led to food security. Our preliminary observation of the six large-scale irrigation projects (Omo Rati, Alwero, Meki-Zway, Gode, Tana Beles and Borkenna), constructed by the socialist government in Ethiopia, for example, were mismanaged despite hundreds of millions of dollars spent on planning and construction purposes. Similarly, Adams et al. (1983) contend that in order to mitigate drought and promote food security, governments in Africa have adopted river basin planning and large-scale irrigation projects, but many of these projects have not improved the problem of food security, due to poor planning and design as well as lack of stakeholders in policy formulation and project management.

Many factors such as political, financial, social and other factors account for the mismanagement of irrigation projects. Through the New Agency with the collaboration of the local communities/traditional institutions, such kind of irrigation and water harvesting projects could be implemented on a sustainable basis and people in the Horn would be acquiring new income generating, employment and investment opportunities, which will improve the standard of living. Based on Asian experience, Chamber (1998) contended that irrigation could improve the lives of the poor in general and food security in particular if careful planning and appropriate management is employed. Water can also be considered as a source of energy.

Since the activities of the New Agency would be based on local and regional hydro-geological and ecological knowledge, one of the indispensable food security components in the Horn is the development of energy. The energy from bio-mass sources such as dung, crop residues and woody bio-mass are the most contributing factors to the ecological imbalance and for food insecurity. Alternative energy from other sources such as bio-gas, solar, wind, geo-thermal, coal and natural gas are the prerequisites for food security and are economically viable and environmentally sustainable. In general, sustainable alternative energy can: a) be one of the solutions to the environmental degradation; b) supply the local people with improved and alternative technologies; c) off and on-farm employment opportunities and information

networking; d) explore mineral resources and develop agricultural-based industries; e) encourage the development of sufficient fodder for the pastoralists and farmers, sustainable population settlement and resettlement schemes, township and village enterprise programmes; f) provide environmental education and be indispensable for the utilisation and distribution of water, food storage and transportation; g) alleviate water contamination and poor sanitation; and h) encourage eco-tourism through wildlife and its habitats conservation strategy.

The New Agency would conserve wildlife as one of the land-use options and income generating sources. Wildlife conservation can be achieved through community/traditional institutions-based sustainable utilisation of natural resources or habitats. If habitats (wetland, waterfall, conservation of the natural landscape, etc.) are conserved and the local people are involved to participate in the project process, wildlife can: a) contribute to the recovery, maintenance and improvement of ecosystems; b) provide food, medicines, ornaments, and cash, in the form of eco-tourism; c) create jobs in the wildlife sector; and d) enhance regional development. Since wildlife in the region has no border and since they are the local, regional and global assets, we all have great responsibility to protect these precious species. Even though wildlife used to be and still are one of the food and income generating sources in the region, they are presently seriously declining due to: a) wars, widespread poverty, endemic- epidemic hunger; b) unsustainable land-use activities in refugee settlements and resettlement schemes; c) mis-management of natural habitats, deforestation and extent of fires; and d) lack of a responsible traditional institutions/organisations and biodiversity conservation measures (Mengistu, 2005). Although attempts are made to help human refugees, neither local nor national nor international organisations have tried to protect wildlife from being destroyed along the conflict zone and during bush and forest fires occurrences. The New Agency with active participation of local people and institutions, national and international organisations as well as the Horn of African Diaspora must introduce emergency wildlife protection measures.

Conclusion

The people in the Horn have suffered and will continue to suffer unless the root causes of hunger are addressed quickly and adequately. Through sustainable utilisation of the natural resources, water and energy based development (sufficient and adequate food production, income generation and livelihood) is possible. Such development requires human right and economic justice, proper methods and well thought out development strategies for balancing ecosystem resilience and human activities in the region. Besides, useful traditional and religious institutions have to be restored and various types of conflicts (between different political groups, natural resources and their users as well as between and among ethnic groups) in the region have to be resolved if poverty and hunger are to be banished. The author of this pa-

per strongly believes that through the New Agency, responsive and responsible leaderships/good governance will emerge; individuals, national and international organisations together with opinion leaders, traditional and religious institutions, NGOs and Horn of African Diaspora would be attracted; and through the conservation of the environmental and economic support systems, through physical infrastructure, economic competence/market integration, political, social and economic security, respect, dignity and healthy relationships with others, the living conditions of the people would be improved within a short period of time in the region.

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Environmental Degradation in the Greater Horn of Africa: Some Impacts and Future Implications

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Introduction

The Horn of Africa has faced an alarming rate of environmental degradation, which has produced famines, massive economic and social dislocations, and widespread resource-based conflicts. Over the last half a century the region's temperature has shown an rising trend while rainfall has had a decreasing trend (Ouma, 2008). During the same time period large parts of the region, which are arid or semi-arid, have faced rapid rates of degradation, in the form of deforestation, loss of vegetation and biodiversity, increased soil erosion, desiccation, and desertification. While the causes for the worsening degradation may not be fully understood, they relate to global climatic changes and various types of local human activities. The actual effects and potential implications of the growing rates of degradation are also hard to map out accurately. There is little doubt that they pose a growing threat to human security in the region, however.

This short paper has four objectives. The first attempts to examine the most important local human activities that have contributed to the region's environmental degradation. The second part examines some of the massive socioeconomic dislocations, including social conflicts that have resulted from the environmental degradation. The third part attempts to shed light on the future potential implications, if the countries of the region fail to contain the worsening degradation process. The concluding part briefly explores the factors that are likely to hinder the region's ability to contain the pending environmental crisis by linking the region's environmental crisis with its broader socioeconomic conditions.

1. Factors for Environmental Degradation

As noted above, the Horn of Africa's environmental crisis is attributable to two broad factors. One relates to global climatic changes, which have affected many regions of

the world, albeit differently. The second relates to regional human activities that lead to changes in land-use and land-cover. While there is much debate about the factors that cause global climatic changes, there is little doubt that human activities are major culprits. Global deforestation is related to the increase in the emission of carbon dioxide to the atmosphere. Changes in land-use and land-cover are important drivers of water, soil, and air pollution. Vegetation removal by land clearing and harvesting of trees leaves soils vulnerable to erosion. Mining and industrial emissions are also major contributors to global warming through emission of various greenhouse gases to the atmosphere. The destruction of the ozone layer by the emission of ozone-depleting substances, including chlorofluorocarbons (CFCs) and nitrous oxide is said to be a major factor in global climatic changes. Agricultural chemicals, including herbicides and pesticides, are also contaminants of water and soil and pose health risks to humans and animals. Dumping toxic waste in the high seas, which perhaps constitutes the cruelest human activity, has also been a factor of degradation.

The Horn of Africa is one of the regions of the world, which has been most seriously affected by the adverse impacts of global climatic changes, although the region is an insignificant player in the production of the industrial emissions that generate global warming. The attention of this paper, however, is on the role of regional human factors. A range of human activities have contributed to the degradation of the region's environment. Among them is the rapid population growth that has occurred over the last half a century. The region's population has more than doubled since the early 1960s. As a result, notable changes have taken place in the rate, extent, and intensity of land-use and land-cover. More land is cleared for agriculture and more trees are cut for construction and firewood. Another regional factor that has contributed to the environmental degradation is the resilience of the peasant and pastoral modes of production. Despite rapid growth in urbanization, the region still hosts the largest clusters of pastoralists in the world. With growing population and increasing size of livestock and longer and more frequent droughts, overgrazing and shortages of quality pasture have become serious problems in many parts of the region.

Declining standards of living and declining adherence to traditional conservation measures are other factors. Many of the communities in the Horn of Africa, such as the Borana of southern Ethiopia, the Meru and the Mijikenda of central and coastal Kenya respectively, had a strong culture of environmental conservation. With downward pressure on their standard of living, however, their traditional conservation measures are increasingly undermined. Marginal and more vulnerable land is increasingly brought under cultivation and grazing, due to growing land constraint. It is also rather common for peasants and nomads to engage in cutting of trees to sell wood and charcoal in order to earn a living, even though such activities are viewed as undignified, if not socially taboo in much of the region.

Land-Takings by the State: Another factor that has exacerbated the degradation of the region's environment is appropriation of communal lands by the state. Oblivious to the land constraint and land-based communal conflicts their populations face, governments in the region have increasingly engaged in awarding land concessions to foreign investors extinguishing the traditional land rights of their

citizens. The governments of the region have been giving land concessions to corporations in extractive industries for decades. In recent years, however, they have also engaged in awarding land to foreign investors in large scale commercial farming.

Growing food markets in the land or water-deficit in Middle Eastern and Asian countries, rising global food prices, and a growing demand for bio-fuels are some of the factors that have stimulated investments in farmlands in the region, as in many other parts of Africa. Middle Eastern countries, including Saudi Arabia, the United Arab Emirates, Qatar, and Kuwait, along with China, South Korea, and Egypt are among the newcomers investing in farmland in the Greater Horn region. Sudan and Ethiopia, in particular, have become major targets. Data on the magnitude of land concessions awarded to commercial farmers and on the fate of those stripped of their lands are not easy to assemble, partly because the transactions lack transparency and partly because the process of land-taking is still unfolding. Anecdotal data, however, suggest that land grabs and evictions of peasants and pastoralists are taking place at a rapid rate. The Sudan, for example, is said to have awarded over 1.5 million hectares of farmland to investors from Saudi Arabia, the United Arab Emirates, Qatar, Jordan, Kuwait, and Egypt (H.Knaup and J. von Mittelstaedt, 2009). Philipp Heilberg of New York has also claimed to have obtained 400, 000 hectares of farm land in Southern Sudan, even as hundreds of Nuer and Murle ethnic groups die in clashes often related to disputes over land and cattle raiding in the Jonglei area of the region (H.Knaup and J. von Mittelstaedt, 2009). Sudan is also said to be trying to find investors for an additional 900,000 hectares of arable land (J. Blas and A. England, 2008).

Investors from Saudi Arabia, Dubai, India, Italy, as well as Germany's Flora Eco-Power, and the United Kingdom's Sun Bio-fuels have also obtained considerable amount of farmland in Ethiopia. An Italian company has recently received 30,000 hectares in the Southern Nations, Nationalities and Peoples regional state, in addition to the 85, 000 hectares of land the company uses for rubber production in the same region. The country has recently awarded to investors some 250, 000 hectares in the Gambela and Benishangul and Gumuz areas. Even the President of Djibouti is said to have received 7000 hectares of land in Ethiopia (Genet Mersha, 2009). According to Ethiopia's Ministry of Mines and Energy, the country is said to have 23.3 million hectares of land suitable for the production of oil-rich jatropha. The same Ministry's study has also indicated that 700,000 hectares of land is available for sugarcane production. It remains to be seen how much, if any, of the identified land would eventually be awarded to foreign investors. A local newspaper (Daily Nation, September 15, 2009) has, however, reported that the Ethiopian government will grant 1.7 million hectares of arable land to foreign investors before the coming harvest season. The Director of the Agricultural Investment Support, a recently set up government agency, also reported that 1.6 million ha has been marked for investors (Genet Mersha, 2009).

Kenya is also said to have leased 40,000 hectares of the River Tana Delta to Qatar (Hartley, 2009). Pastoralists, who regard the land as communal and graze up to 60,000 cattle in the delta each dry season, are strongly opposed to the deal.

Dominion Farms, a U.S. agricultural producer, has also obtained some 3,600 hectares of land for 45 years in the Yala delta in western Kenya. The company is alleged to harass local farmers in order to take their lands (Knaup and von Mittelstaedt, 2009). President Museveni of Uganda is said to have declared that foreign investors should not be allocated huge chunks of land because such land should be owned by Ugandans. Yet, it is reported that Uganda has offered over 840,000 hectares of farmland, roughly 2.2% of the country's total land area, to Egypt to produce wheat and corn to feed its population (Butagira, 2008). Uganda has also given 18,000 acres to Bidco, a manufacturer of edible oils, to grow oil palms. A German agro-investor, NKG Tropical Management, was also given 2,500 acres. Uganda is also said to have leased 10,000 acres to around 300-400 Chinese farmers.

Concessions to Extractive Industries

The extractive industries sector is relatively small in the countries of the Horn of Africa. Yet the governments in the region have granted significant land concessions to foreign investors in the sector. Although the exact figures remain unknown, anecdotal evidence suggests that the concessions are significant enough to have an impact on the environment. The countries of the region, with the exception of Djibouti, whose mineral resources seem to be limited, have made efforts to expand their extractive industries. Somaliland, for example, has granted East African Mining corporation exclusive rights to explore all mineral deposits in its territory. Range Resources of Australia has also secured the rights to all mineral and fuel exploration in Puntland. Eritrea has also given concessions to a number of companies, including Nevsum Resources of Canada (the Bisha project), Sunridge (the Asmara project, which covers 1,100 square kilometers), and Sanu, with about 2,600 square kilometers in western Eritrea. Ethiopia has also given several concessions for oil explorations. Among them are Petronas Carigali Overseas Sdn. Bhd. of Malaysia has been given concession to explore for petroleum in the Gambella Basin. Afar Exploration LLC of the United States has also secured an agreement for petroleum exploration in Afar Regional State. AB of Sweden has secured a license to explore in the Ogaden. White Nile Limited of Great Britain has also been given rights to explore in the Gambella Basin (US Geological Survey, 2006).

Kenya's extractive industry is relatively small. Mineral exports account for only about 3% of the country's total exports. Kenya has, however, awarded exploration rights to several companies. Kansai Mining Corporation of Canada and Mid Migori Mining Company have explored for gold in the Migori district of Nyanza province. AfriOre Ltd. of Canada has also explored in the Siaya district of Nyanza and the Kakamega district of Western province. International Gold exploration AB of Sweden also has projects in Nyanza and Rift Valley provinces. In addition, the government of Kenya has awarded exploration rights to China's National Offshore Oil Company, which holds 28% of Kenya's petroleum exploration acreage.

Sudan is a major producer of oil in the region. Its oil is largely produced by joint ventures of China National Petroleum Corporation (40%), Petronas Carigali Overseas of Malaysia (30%) and ONGC Videsh of India (25%) and Sudan Petroleum Company (5%). The country is likely to award more concessions, including in Darfur and the Red Sea province. Uganda has also granted several concessions to mining companies. It has also given concessions to oil companies, including Heritage Oil Corporation of Canada and its joint-venture partner, Tullow Oil of the United Kingdom and Hardman Resources of Australia and Tullow, which operate in the surroundings of Lake Albert.

Despite the absence of accurate estimates, there is little doubt that considerable land is alienated from customary holders in the region. There is also little doubt that the expansion of extractive industries and commercial farming has contributed to environmental degradation both directly and indirectly. Both mining and commercial farming entail the clearing of land contributing to deforestation, decline in vegetation cover, soil erosion, desiccation and desertification. They also contribute to degradation of the environment by emitting various pollutants to the air, water and soil. Oil spills in Sudan have, for example, become major sources of water and soil pollution.

Land-takings have also contributed to the environmental degradation indirectly. They have exacerbated the land, pasture, and water constraints the peasants and nomads in the region face. Such constraints, of course, worsen the problems of overgrazing and over-farming. Since little compensation is given to those who are displaced, the land-takings also contribute to the problems of unemployment, underemployment, and declining standards of living of communities, which, in turn, resort to unsustainable use of land and forest resources.

2. Some Critical Impacts of the Environmental Degradation

The environmental degradation has already produced serious socioeconomic problems in the Horn of Africa region. Among the most conspicuous and serious impacts have been famines and food insecurity. With the rains becoming more erratic and droughts becoming more frequent and of longer duration, the Horn of Africa has suffered periodic famines. Ethiopia's 1974 and 1984 famines are the most devastating the region has witnessed in recent years. Beyond these large scale famines, however, pastoralist and peasant populations in the region regularly face famines and malnutrition, along with livestock starvation. The Ethiopian government, for instance, has recently appealed for urgent food aid to feed 6.2 million of its people. Another 7 million of the country's population are on government-run foreign-funded food-

for-work schemes (Reuters, October 24, 2009). Ethiopia is not alone since localized famines have become rather regular occurrences in every country of the region.

The region is also witnessing a growing number of climate refugees. Persistent droughts are forcing peasants and nomads to flock to cities or refugee camps to avoid starvation. The numbers of climate refugees and displacements are difficult to estimate since there are other factors that cause displacements. Climate-induced displacements have become a growing problem. U.N. officials, for example, estimate that about 10% of the nearly 300,000 refugees at the Dadaab refugee camp in northern Kenya are climate refugees (Edmund Sanders, October 25, 2009).

Water and Energy Crisis: With increasing frequency of droughts almost all of the countries in the region are facing growing water and power shortages that are producing serious economic disruptions not only in the peasant and pastoral sectors but also in other sectors of the economy. This past July, for example, newspapers in Kenya reported that Lake Kamnarok in Kenya's rift valley dried up (Standard, July 5, 2009). The death of the lake brought about the doom of wildlife including an estimated 10,000 crocodiles. Water points in Lake Nakuru National Park also dried up while Lake Naivasha shrank considerably. Nairobi's three reservoirs, including those at Ndakaini, Sasumua, and Mambasa were also dangerously low causing a water crisis in Nairobi. In addition, the critical power generating stations on the Tana River in Kenya had to be shut down due to a fall in its dam's water levels causing power shortages. Some factories had to shut down in Nakuru, including Flamingo Bottlers, Coil Product Kenya Limited and Kapi Limited, due to the water crisis.

During the same period Ethiopia also witnessed the death of Lake Haramaya in the Oromiya region. The country had also to engage in water and electricity rationing, due to low water levels of power generating dams. Shortage of water caused the rationing of power, which is likely to have affected the country's overall economy. Even gas stations in various parts of the country were either idle or operating in shifts, due to rationing of power. The water and energy crisis is not limited to Kenya and Ethiopia. Eritrea, Somalia, Sudan and even parts of Uganda have also faced serious drought problems. The dry river bed that cuts through Hargeisa, in Somaliland, gives no indication that the city of roughly 900,000 inhabitants once was blessed with a river flowing through it.

Soil Erosion, Decline of Productivity, and Extreme Poverty: Even when the rains come they have been of shorter duration. They have also been erratic, sporadic, and torrential, causing massive soil erosion. While top soil is said to be Ethiopia's largest export, all the other countries in the region face serious erosion problems. A combination of droughts when the rains fail and massive soil erosion when they come has, thus, subjected the inhabitants of the region to declining agricultural productivity and quality of pastures and has made their way of life increasingly more precarious.

Communal Conflicts: Another major problem associated with environmental degradation is communal conflicts. The relationship between environmental degradation and conflict is often disputed (Salehyan, 2008). The Horn of Africa, however, provides several cases of conflicts which are at least exacerbated if not entirely caused

by environmental degradation. There is little doubt, for instance, that the worsening environmental degradation has undermined the institutional mechanisms that govern access to land and water in the region. Incursions of pastoralists across customary communal and international boundaries in search of water and pasture have become common occurrences and have led to various clashes in the region. The gruesome conflict in Darfur clearly has links with dislocations brought about by environmental degradation, albeit largely indirectly. Water and land scarcity engendered by persistent droughts have undermined the traditional institutions that governed access to these vital resources by the different claimants, thereby creating conditions for conflicts. The periodic conflicts between the Borona and Guji and Borona and Somali populations in south-eastern Ethiopia are also, at least in part, caused by shortages of water and pasture exacerbated, if not triggered, by environmental conditions. Environmental degradation is also a factor in the conflicts between the Turkana, Pokot and Karamoja and those between Pian Karamojong and Bokora ethnic groups in Kenya and Uganda. Cattle rustling, due to depletion of stock by droughts, has also led to many inter-communal conflicts in the region, including those between the Lou-Nuer and Murle groups in the Jonglei of Southern Sudan.

At state level, water scarcity is beginning to build tensions among countries. Ethiopia and Kenya have, for example, faced tensions over the waters of Gilgel Gibe III hydroelectric dam, under construction by Ethiopia over a section of the Omo River that supplies water to Lake Turkana in northern Kenya. The concern on the part of Kenya is, of course, that the construction of the dam might lead to reduction of the volume of the water flowing to Lake Turkana. The water flow to Lake Turkana should not be affected significantly by the dam, provided that the dam is used for hydroelectric power generation only. The Nile countries have also, so far, failed to reach an agreement on how to share the Nile water.

Health Problems: The water and energy crisis has, of course, tremendous implications for the overall economy of the region. It also has serious implications for health. Cases of cholera are, for example, said to be rising in the region, due to sanitation problems.

Wildlife-Human Conflicts: Shortage of agricultural land and pasture is also a major threat to the co-existence of humans and wildlife as they have to compete for the same resources. The lucrative tourist industry in the region can be damaged if the wildlife habitat is not protected.

3. Future Potential Implications of Unmitigated Environmental Degradation

The more the environment is degraded the more unsustainable land use patterns become, as noted earlier. There is, thus, little reason to expect that the degradation

trend of the last half a century will not continue at an accelerated rate without sustained intervention by all stakeholders in the region, especially the states. If the trend is allowed to continue, the implications for human security in the region are likely to be grave. One potential implication is that the region can face mega droughts that lead to worsening poverty rates and widespread famines. More frequent occurrences of such conditions are, in turn, likely to bring about the end of the traditional subsistent farming and nomadic modes of production. These two economic systems, which currently employ over 70% of the region's population, would simply cease to be viable. The region will then face a rapid and large scale rural-urban migration. The states of the region under their existing economic systems are simply unlikely to be able to deal with such demographic movements. Huge rates of urban unemployment and urban congestion, along with poor health and educational services can make the region more unstable than it already is. All these problems are also likely to be exacerbated by lower growth rates, due to increasingly punishing temperatures. The region would also be likely lose some of its exports, including livestock and cash crops, which will contribute to a general economic crisis triggered by worsening water and energy shortages.

4. Can the Degradation Process Be Reversed?

As pointed out at the outset of the paper, the Horn of Africa's environmental degradation is attributable to global climatic changes and regional human activities. Reversing the global factors, even if possible, is beyond the region's control. Controlling the regional human activities, which contribute to the degradation by changing land-use and land cover-patterns, are within the region's reach, however. It is also possible, at least theoretically, to reverse the degradation process since there are many policy options that can positively change land-use and land-cover patterns in the region. Development policy geared towards transforming the subsistent farmers and pastoralists can, for example, create non-farming jobs for those interested in moving to new occupations. This will relieve the land and pasture pressure currently faced by the populations in the most degraded areas and enable them to practice more sustainable resource-use measures. Land cover can also be gradually restored by controlling overgrazing and cutting of trees as well as through large-scale reforestation activities. Rural electrification is also likely to help reduce reliance on wood energy and the cutting of trees for fuel.

Reversing the degradation process is neither easy nor quick; nevertheless, policies such as those identified above can slowly begin to rehabilitate the environment. The restorative process, however, requires the political commitment by the states of the region to reorient their development strategy. It also requires their ability to co-ordinate the efforts of all stakeholders. Failure by a single country, especially one of the larger ones, such as Ethiopia, to implement the restorative policies can undermine

the efforts of all the rest, since the effects of environmental degradation cannot be confined to national boundaries. Whether the region's alarming degradation process is reversed or the region continues in its present trajectory will, thus, depend on the political will of the states of the region to reorient their development strategies and to coordinate their restorative measures.

Reasons for Pessimism

Given the prevailing political conditions in the region, however, one can hardly be optimistic that the region will rise to the challenge and take the urgently needed measures to reverse the degradation process. The environmental degradation is not the only crisis the Greater Horn has faced. As a matter of fact, the environmental crisis is one aspect of the general socioeconomic crisis that has ravaged the region. It is beyond the scope of this paper to discuss in detail the region's general socioeconomic conditions. However, it is essential to at least identify the various challenges in order to be able to gauge the region's ability to address the environmental challenges. Among the most critical problems that afflict all the countries of the region are; (1) a crisis of nation-building manifested by various ethnic and religious conflicts; (2) a crisis of state-building manifested by regimes that see politics as a zero-sum-game and are preoccupied with monopolizing power rather than developing institutions of good governance; (3) opposition groups that mostly aspire to trade places with those in power; (4) a general population that has not yet been able to organize and bring the state under its control; (5) regimes that are incapable of adopting development strategies that advance the interests of their populations; (6) regimes that easily become agents of external powers and interests in an effort to secure external support in extending their stay in power; and (7) regimes that are incapable of promoting meaningful regional cooperation, manifested by the various direct and proxy wars they wage against each other. Given these conditions, the region is unlikely to effectively address the environmental challenge. Sadly, it seems disaster-bound.

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PART VI

Annexes

Recommendations

An essential part of the Lund Horn of Africa conferences has been to contribute to mapping, analysing and, not least, proposing solutions to various predicaments met by peoples, communities and countries in the region. The proposals have been presented and discussed at the conferences and thereafter formulated as recommendations to stakeholders. The following are excerpts of the recommendations issued each year. The excerpts have been made by the editor of this report and by the SIRC Chairperson Abdillahi Jama.

The 2002 recommendations

Four workshops were organized at this first conference. Topics for discussions were: economic co-operation; social- and cultural cooperation; democracy and human rights; and peace-building. The goal of the workshops was to produce recommendations in line with the title of the conference – “Co-operation Instead of Wars and Destruction”. Although – the workshops were divided into four themes, discussions and recommendations were not as distinct as the themes. It is obvious that any attempt to address the prevailing issues will include solutions that encompass all four areas.

At a general level it was stated that the region must work together as challenges and problems in the region are jointly shared. It was a common understanding among the participants that the initiative for peace and economic development should come from grass root levels:

- As the region moves towards peace, it needs a regional as well as a local strategy for building a viable and sustainable economy for the Horn of Africa.
- The Civil society plays an important role in organizing people and channeling the energy towards peace. Central authorities in the region are asked to work with local civic organizations.
- All stakeholders in the region need to be integrated in a regional peace-process. In this respect, it is of vital importance that educational institutions be re-built and restored to function as catalyst and focal point for peace.
- There should be international partnerships between partners in the Horn of Africa and Swedish counterparts.
- The participants urged political leaders in the region to make education both free and universal and to abolish any discrimination against women and minorities.

Equal rights between men and women are of absolute vital importance, and must prevail over any religious and traditional values.

- Local authorities in the region are asked to respect the United Nations Convention on the Rights of the Child, as well as the Convention on the Elimination of All of Forms of Discrimination against Women.
- The region must demilitarize and this must be accompanied by several efforts to establish an effective police force, rebuild the administrative and physical infrastructure, and provide vocational training and jobs.
- Ending conflicts and improving the poor outlook for the people in the Horn of Africa can only be achieved by a regional effort with broad support from civic societies, communities, and people. Solutions must be in accordance with the region's cultural context.
- The international community must have a more active engagement in the region of the Horn of Africa, and in particular in Somalia.

The 2003 recommendations

This year's conference focused on critical issues such as: Why conflict? How can it be resolved? What do people want? The region is highly diverse and each country has its own unique set of issues. Thus, to infuse the people in the Horn of Africa with new hope to move from a status of conflict to peace, we need a two-fold approach: One regional track, and a track for each country.

One cause of conflict is the lack of leadership in the region. Somalia was said to be an example where people have been and still are betrayed by leaders, which feeds into mistrust. The framework needs therefore to include a mechanism that ensures responsible leadership. We need to learn about the leaders influencing the peace building process locally and regionally. We need to find out who they are, and which role they play. For this reason, the two-fold approach is important. Where is the power today in Somalia? How does the clan structure play out in the peace building process? Where does foreign support come from, and how does it affect the power balance in Somalia? Another feature is human rights abuses. It is a very complex issue, because many abuses were committed by people in senior governmental positions, or by people with the potential to take on leading governmental positions.

For successful conflict resolutions, with justice and reconciliation to sustain, there must be room for human rights. But, what do human rights mean to the Horn of African countries? What role and place does it have? Can justice be built and reconciliation be promoted while at the mercy of leaderships with failing human rights records? We need to define what building justice means. How should it be designed? What does it include? What should it be based on?

The 2004 recommendations

This year's conference saw many different aspects of peace-building linked to the specifics of the region. The importance of bringing in women as an integrated part of all aspects of peace-building was noted.

The conference recommends therefore that all stakeholders, including donors and participants, adopt a plan to develop a new kind of exchange and dialogue between intellectuals from the region to build and enhance mutual understanding and solidarity. It is also vital that as a mechanism or instrument for this of a centre of anticipative studies and regional integration in the Horn of Africa is established.

The 2004 Appeal

We would like to convey an appeal to the governments in the Horn of Africa. We ask you and all non-governmental movements and organizations to resolve all existing and potential disputes and conflicts in a peaceful manner in accordance with the Charter of the United Nations and the African Union. We specifically urge the governments of Ethiopia and Eritrea to find a peaceful solution to the current stalemate in your relations. We also urge the government of the Sudan and movements in the Darfur region to find a peaceful solution to the current human tragedy. Finally, we urge the newly formed Somali Government to respect and fulfill the needs for national reconciliation, peace-building, and national unity.

To all governments of the Horn of Africa, we urge you to respect all the elements of human rights, and give women equal rights as men. We also urge you to serve all citizens of your countries, with respect to democracy and rule of law. We ask all citizens on all levels of the societies of the Horn of Africa to commit to a culture of peace instead of a culture of war.

Finally, we urge the international community to enhance its role in supporting peace-building and sustainable development in the Horn of Africa.

The 2005 recommendations

This year four workshops on different themes each adopted a set of recommendations.

1. Governance and Reconstruction of the State of Somalia

The governance and reconstruction of the state of Somalia was during the conference given special attention:

Governance and reconstruction of the State of Somalia – Conclusions

1. We all share a moral obligation to use the momentum of the conference, the visit and participation of the Hon. Sharif Hassan Sheikh Aden, Somali Transitional Federal Parliament Speaker and parliament delegates with him.
2. Our obligation is to solicit an official Swedish mediation initiative, with or without the participation of the United Nations Security Council. The aim of the mediation is to foster an improved atmosphere of co-operation between the political parties involved in the current transitional governing of the State of Somalia.
3. We direct our solicitation to the Swedish Government

2. Governance and Reconstruction of a failed State

The discussion focused mainly on the case of Sudan, with a heavy emphasis on the ‘incomprehensiveness’ of the so-called comprehensive peace agreement (CPA). A peace agreement is *per se* part of governance and if it is not comprehensive, it will not result in *good* governance. Four critical issues were identified in terms of rebuilding failed states in the Horn of Africa:

- The re-establishment of law and order
- The need for a shared ideology – a sense of what the country is to ‘become’.
- Decentralization of government: centralized nation states have largely failed in the Horn of Africa.
- A regional pact is necessary in order to guarantee regional security; without regional security

(e.g. a guarantee that states will not support insurgencies and rebel movements in neighboring states) peace-building and state reconstruction will not be possible.

§On the basis of the above discussions, the following general comments and recommendations were made:

- The starting-point of rebuilding a failed state is the need for a shared ideology or ideas framework, that is, a sense of what the country needs to ‘become’, an agreement on a vision for the future.
- A peace agreement should be genuinely comprehensive, taking into account the causes of failure and conflict, but also the effects of failure. The question of displaced people – therefore needs to be a priority.
- There is a need for building decentralized states, focusing on the most efficient levels of providing political goods to citizens.
- The development of civil society should be supported and encouraged.
- There is a need for cultural transformation in the sense of promoting tolerance. Economic justice is of importance and the development of a social market must be encouraged.
- At the regional level a regional pact is necessary in order to guarantee regional security that would allow the rebuilding of failed states.

- The African Union (AU) should implement its various aims and objectives by activating its different mechanisms aimed at promoting human rights and protecting refugees and internally displaced persons. External involvement should be based on the agreement reached internally on a vision for the future.
- In all of the above matters the position of women should be taken into account.

3. Building effective trust in the aftermath of the severe conflicts

It was argued that the nature of the subject cross cuts various institutions and therefore requires a multi-sectoral approach to identify the modalities for trust building in the Horn region. Among these the following issues were emphasized:

- Involve women in peace making process and empower them economically using the recognized models of micro credit systems, land ownership etc. Invest in women through education. This will yield good social capital and facilitate effective trust building process.
- The leaders of these nations have to be very good role models. The crucial importance of the expansion of the right to life, human freedom, freedom of choice, respect for human rights and gender equity are fundamental prerequisites for lasting peace and economic growth.
- Policy makers have to ensure that there is equal opportunity for all in terms of education, health care. Learning opportunities for those in need and in consequence education for all in turn influences the quality of freedom that people enjoy. This approach will improve trust both among the population, between one another and towards the state/government.
- Stimulate the process of mobilising the society towards communalities and common values. Emphasize what we share rather than what divides us. This is a crucial requirement for co-existence. The importance of shared and common humanity cannot be overemphasized. Foster the culture of dialog and negotiation also by drawing on tribal traditions in this regard.

4. On the rule of governance in eradicating poverty

The interplay between diasporas, local entrepreneurs and firms is important and needs to be further analysed, especially as to how these resources may be tabulated and improved.

Concerning the diasporas and remittance:

- Comprehensive cooperation between donors is needed.
- Reduction of transfer fees.
- Good direction of remittance e.g. to health, education and environmental issues.
- Encouraging the transfer of funds through official channels.

Concerning good governance:

- Political reform.

- Good leadership.
- Democracy.
- Human rights.

Environmental issues and needed survival strategies:

- Focus on environmental degradation and not least practical knowledge badly needed.
- Tasks based on priority and needs.
- Commitment to environmental issues.
- Thinking globally and acting locally (more practical).
- Concrete realistic practical ways.
- The negative effects of Kat need to be addressed.
- The negative effects of cash crops need to be considered and addressed.
- Post-conference practical action plan needed.

The 2006 recommendations

This year two workshops adopted the following recommendations. In addition, the idea of establishing a permanent Lund Horn of Africa Forum was also launched.

1. More research is needed to tackle constraints facing women asylum seekers and refugees from the Horn of Africa, in the West.
2. Women from the Horn in Diaspora should empower themselves in order to face challenges associated with life in exile.
3. Women from the Horn in Diaspora should strengthen their networking systems and promote their contributions to the social, economic and political development of their homeland.
4. More training for women organisations in Diaspora on peace building should be conducted.
5. Women from the Horn in Diaspora should appeal to the international community to support post-conflict reconstruction processes in their homeland.
6. Changes in gender roles and gender relations and their consequences on Diaspora populations from the Horn should be addressed seriously.

Proposal for a permanent Horn of Africa Forum in Lund

The Horn of Africa Conferences in Lund provide a unique platform for peaceful, enlightened and progressive discussions among parties representing the countries,

regions and interest groups of the region. The academic setting, the high number of scholars from the Horn of Africa as well as from the Nordic and other countries, the many returning participants, the frequent attendance of regional Horn of Africa representatives and the excellent arrangements in a neutral ambience have made the conferences an invaluable institution for exchange of ideas and increased mutual understanding between parties otherwise without regular contacts, thereby fostering peaceful exchange of opinions and ideas. Without any doubt, the Horn of Africa Conferences in Lund has been established as an invaluable peace promoter. At the same time, however successful in itself, the Lund Horn of Africa Conference platform cannot provide a continuous forum for representatives of the region in trouble. Thus, while highly promising initiatives and actions regularly result from the yearly conferences, the long time in between these events has all too often seen conflicts occurring without a working neutral meeting place for representatives of the parties in dispute. A corresponding standing, continuously open and accessible forum for dialogue seems an obvious complement and a most valuable contribution to the work for peaceful settlements of the many conflicts in the Horn of Africa. It is hereby proposed to create a Lund Horn of Africa Forum, hosted by Lund University. The neutral academic setting in a place distant from the scene of conflicts and with an interest in the region carried by a strong wish to contribute to a peaceful and prosperous future for all involved seem to provide a platform with good possibilities to prove attractive as an institution for respectful negotiations in a spirit contributing to mutual understanding and peace building. As a result, all regional parties in conflict would at all times have a place and an institution to refer to and to receive support from in order to embark on peaceful negotiations and conflict settlement. Further, the creation of a Lund Horn of Africa Forum would highly increase possibilities to attract more help and support than presently available. A number of Swedish and other neutral actors now engaged could be more regularly attached to and involved in the work for peace in the Horn of Africa at the same time as further actors could be attracted to participate. In a wider scope, seeming highly realistic and interesting, national and international agencies could be engaged, supporting the Horn of Africa peace project in various ways. A Lund Horn of Africa Forum should permanently be prepared for involvement in the interest of peaceful solutions. It should receive reports, complaints and proposals from and regarding the region. It should act as a permanent host institute of negotiations. It should be able to call on mediation support and provide other assistance promoting positive solutions to conflicts. It should act as a common attractor of international support and assistance. It should provide a much needed continuity between the yearly Horn-of-Africa conferences, thereby further improving their value for peace in the Horn of Africa. The Lund Horn of

Africa Forum should have a standing commission always and at short notice prepared for action. The participants of the commission should be selected with as wide a support from all actors in the Horn of Africa as possible but also so as to be as much as possible practically available for prompt action. Tentatively, it is proposed to act in favor of a commission profiting from direct membership of the wide academic Diaspora with close connections to Lund and local reference actors in the various

parts of the Horn of Africa. It may be of value to have the commission chaired by somebody of absolute neutral standing and with the confidence of supporting parties.

The 2007 recommendations

This year three workshops adopted recommendations on different themes.

1. The Role of Civil Society in Post-Conflict Peace-Building in the Horn of Africa.

The workshop emphasized the importance of understanding that the political and civil societies are inter-linked, and both have to exist in order to complement and encourage each other. Civil society should be part of the overall system of society including political system. Horn of African governments should accept the existence of civil society and their right to raise issues and questions including the politics.

A strong civil society is good for the nation as well as for good governance as they have roles to play.

Civil society should be totally different from political societies who are looking for power. The workshop also emphasized that the civil society needs to be supported and empowered by international society and donor communities.

2. State Building and Post-Conflict Reconstruction in the Horn of Africa

1. Peace negotiations and agreements should have a gender perspective through integration of women's concerns and their full participation in peace processes.
2. Women should be involved as active actors in post-conflict reconstruction.
3. More training for women's leaders in conflict resolution, negotiations and reconciliations should be conducted.
4. Training on different gender issues related to war and peace should be conducted for government officials, political leaders, clan leaders, aid agencies and civil society organisations.
5. Further research on the role of women in post-conflict reconstruction is needed.
6. Gender budget analysis is required to ensure that women benefit from post-conflict reconstruction funding.
7. New constitution and laws developed for post-conflict reconstruction should be gender sensitive.

8. The state in the Horn of Africa has an important role to play in the developmental endeavour, therefore it has to be strengthened.
9. Emancipation of the state from society is vital.
10. Pacification of society has to be ensured, the use of legitimate violence has to be a monopoly of the state.
11. Institutionalisation and democratisation of state organs is an important part of the state building process.
12. As external intervention distorts the indigenous process of state building, it has to be avoided.
13. The current endemic problem in the Horn of Africa stems from the fact that the state building process is not complete.
14. Country specific perspectives on Somalia are needed.

3. Governance, democracy-building, and protection of human rights in post-conflict peace-building in the Horn of Africa.

This workshop discussed governance, democracy-building, and protection of human rights in post-conflict peace-building in the Horn of Africa. Recommendations that emerged from the workshop can be divided into short and long-term responses.

In the short-term, there was an agreement on the need for immediate assistance for civilians in Somalia. This could be realized through securing human rights monitors on the ground, increased humanitarian assistance, and possibly additional peace-keeping troops to support the Ugandan effort and withdrawal of Ethiopian troops.

For the long term, there is a need to begin a reconciliation process. In the workshop, Sudan and South Africa were suggested as possibilities for guiding examples. In addition, there was a reminder that young people constitute over half the population on the African continent and the development of a culture of peace and solidarity will be vital to securing stability in the Horn of Africa.

The 2008 recommendations

1. Religious liberty is one of the most important core values which deserve preservation and protection provided it is kept within the bounds of the private sphere.
2. The state should maintain a neutral stance toward the religions adhered to by its citizens and others residing within its territories.
3. In a religiously pluralistic society, it is not possible to develop and preserve a fair and just society based on freedom, equality and neutrality without the separation of state and religion.

4. Islam is in reality a religion that promotes peace and understanding among people of all faiths, and it strongly prohibits all forms of violence and aggression against all people regardless of their faith or race. It has nothing to do with terrorism.

5. All religious organizations, institutions and leaders must step forward to contribute to shared security for the Horn of Africa. The Horn of Africa conflict system is complex and not static. Dealing with this complexity requires an expanded and multi-level holistic approach.

6. In order to create an environment where the multiplicity and diversity of societies in the Horn of Africa would be a source of enrichment in their daily life instead of a source of division and conflict, it is recommended: Firstly, celebrate diversity in all its dimensions. But above all recognise the duality of citizenship that is the hallmark of the societies. And subsequently design a genuine political arrangement that both reflects the diversity and replace the politics of domination by the politics of rights and equality.

Secondly, avoid political parallelism in locating the dual citizenship formations. That is, keep them apart at the national level. Their relation should be hierarchical, the national level should be represented by civic citizenship, and ethnic citizenship should be relegated to the sub-national. Thirdly, citizenship modalities should correlate with the nation building project. The fundamental problem of the region is the incompleteness of the project of nation formation. Therefore, citizenship modalities should serve the process of nation formation. Nation is not conceptualised here in its narrow meaning of congruence of the cultural and the political, but rather in its polyethnic conception.

7. Universal human rights values are not at odd with the fundamental beliefs of major religions, local traditions, norms and customs.

8. The Somaliland approach attempts to fuse the traditional community-based conceptual system of decision making with the modern institutions of democracy. This approach is recommended for the rest of Somalia.

9. The conference recommends that the Horn of Africa conflicts (Ethiopia-Eritrea border conflict, Somalia and Sudan civil wars) should be solved by means of dialogue, reconciliation.

10. The countries of the Horn have historically reflected external and cross-border political tensions and the spreading of internal conflicts across national borders. New diplomatic efforts and mediation processes are urgently needed to resolve or reduce these conflicts one by one, as they all bring enormously destructive and harmful consequences for human rights.

11. Why is it so difficult to win peace and so easy to pursue seemingly endless conflicts? Do we have a wrong approach to peace-mediation, to peace-building or conflict prevention? What new entry points are required to make peace and reconciliation attractive and how shall we make sure that peace once agreed also delivers on its promises?

The 2009 recommendations

This year three workshops adopted recommendations on different themes:

- 1: Environmental peace-making and environmental peace-building;
- 2: Identifying country level actors and issues and how people are working across borders around natural resource issues and what the challenges are.
- 3: Local adaptation to and coping with climate change impacts: Water, Desertification, Dumping of industrial wastes, Land use, Forests, Energy.

Preamble

All subsequent recommendations are pointless if there is no peace in Somalia. It is therefore essential that all neighboring countries should unconditionally support the peace process in the region.

Recommendations

- Environmental governance should be encouraged and supported. There are many relevant Multilateral Environmental Agreements (MEA) that require administrative input in order to be implemented. Countries in the Horn of Africa should coordinate among themselves to make their concerns audible. Even more important, MEA administrative settings should be easily accessible to those countries.
- Environmental challenges do not recognize territorial borders, especially in the Horn of Africa. This should be considered when developing strategies to meet these challenges.
- Patterns of pastoralism have changed with time and because of the current situation.
- There is a change in responsibilities between genders. This should be taken into consideration when making development projects and strategies.
- Evaluation should be made on how far it makes sense to introduce the classification “environmental refugee” into international law.
- The Western international community should respect the people of the Horn of Africa by not trying to impose their solutions on them, but rather should assist them to solve their own problems in their own way.

It is most important that plundering of the region’s natural resources is stopped; and this not only concerns fishing. The major issue at hand is to assist the people of the region to regain control of their own natural resources. When giving assistance to the region, attempts should be made to address the locally rooted expertise and leave the details of implementing development projects to them. In addition, local basic education initiatives should be encouraged and actively supported. It was emphasized that the determinants of famine could be classified into nature and dictator-

ship. Famine caused by nature could be alleviated through effective and inclusive policies that are based on assessment and preparedness. However, famine caused by dictatorship is difficult to address. This is due to the fact that dictatorship is associated with bad governance with bad policies, the building of wrong institutions, war and violence, and disintegration of social values that lead to poverty. Consequently, insecure communities remain indifferent to the matters related to environment that lead to deterioration of the physical environment and therewith diminish the coping mechanism to resist famine. Therefore the protection of environment and good governance are inseparable. Concern was raised on the existence of gross human rights violations in Ethiopia and that the protection of human life comes first in order to protect the environment. In general, severe famine and severe environmental degradation take place where there is dictatorship. Charcoal production that is mainly for export to the Gulf states, remains a main cause of deforestation, soil erosion, and desertification and also instigates local armed conflicts over resources. The introduction of new machines to cut trees compared to the traditional tools has further exacerbated the degradation of the already vulnerable environment. Therefore this issue should be addressed both in Somalia and in the Gulf states. On toxic dumping, it was pointed out that the production of waste in industrial nations is on the increase and 90% of the toxic waste is produced by high income countries. The pressure to get rid of toxic waste has resulted in the creation of the so-called “ecomaffia”. Somalia is attractive for waste dumping due to its geographic proximity; its lack of effective government; local self-interest and low awareness of the adverse effects of the toxic waste. In Somalia there is no technological means to store or process the toxic waste that affects marine life as well as human health. The action of waste dumping is unacceptable both from a legal and a moral perspective. Legally, many of the countries that are involved in waste dumping are signatories of the Basel convention on waste dumping and they should be held accountable for violating the convention. Morally, the industrial democratic nations are expected to act responsibly toward a country without government. The waste dumping, therefore, needs an international response to safeguard not only the marine ecology of the Somali coast but also the entire region.

The 2010 recommendations

1. Total stability will not come overnight

Somalia is a long running crisis, and at a crucial juncture. The key is to go beyond the present, national and international legacy of two decades of conflict, and equally important is to remain focused on a way out. Overall, a continued and responsible commitment is an obligation. Overcoming the current hardships and insecurity requires a determined, long-term effort to promote political cooperation and build

strong government institutions, while in the short term countering the pervasive influence of foreign fighters and other elements of extremism, but also those profiting from the conflict. Finally, there is a need for a coherent approach by all external actors (UN, IC, NGOs etc.), including professional meddlers and informal mediators.

2. Somalia needs minimum government

Somalia needs a minimum and effective government, parliament and fight against corrupt policy. TFG should be fully supported but this support should be coupled with accountability and transparency. The Somali Diasporas must be involved to help rebuild government institutions including taxation, justice, administration, management etc. The fight against corrupt policy should give priority to such aspects as:

Bad Governance

Lack of political will

Political patronage

Breakdown or erosion of societal values and norms

Weak or absent management systems, procedures and practices

Misuse of discretionary power vested in individuals or offices

Weak civil society and general apathy

Lack of professional integrity

Lack of transparency and accountability

Tribalism, favouritism, nepotism and cronyism

Inefficient public sector

Greed

Non-enforcement of the rule of law.

3. TFG

The Somali Government should aim at defeating their opponents on the political front before they try to defeat them on the battle front. It should try to win the hearts and minds of the Somali people.

4. Job creation for the youth

High rates of unemployment among the Somali youth lead many young men to turn to radical Somali groups for help and employment. Job creation for the youth should be given a high priority. Encourage and support the ongoing projects such as disarmament, demobilization and reintegration (DDR) and arms violence reduction project (AVRP). Joining the Al-Shabab militias is currently the only and the most potential recruitment channel for the unemployed youth in the country. The United Nations and international community should give more weight to creating jobs for the youth.

5. Sea piracy

Sea piracy is the act of high-jacking and attacking the ships on the sea. It is an act of crime. Piracy in Somalia does not have a fixed place, but merely moves on the sea, hunting cargo ships and tourists to get a large amount of ransom for freeing the ships and captives. They claim to be protecting Somalia from illegal fishing and dumping industrial wastes. Somali sea piracy can only be solved by setting up functioning government in Somalia. The millions of dollars being spent on chasing the pirates should be spent on building a viable Somali government, including the creation of well-equipped and well-paid military and police forces. In addition to this, a multi-polar framework is needed. This multi-polar framework should seek to find a cooperative multi-sided strategy that can address the interlocking piracies of illegal fishing, dumping of nuclear waste and sea piracy. This new framework would insist that the only viable means to ensure long term peaceful commercial seafaring off the Indian Ocean coast of Somalia and the Gulf of Aden is the restoration of a functioning government in Somalia. It should seek to find a cooperative multi-sided strategy that can address the interlocking piracies of illegal fishing, dumping of nuclear waste and sea piracy.

6. Horn of Africa conferences

Conference organizers have to approach and include all those who are part of the conflict on the ground, so they can have a say in conferences like this one in Lund. There is a need to increase the number of educated youth participating in the conference in order to increase their social, political and economic awareness of what is going on in the region and let them play a vital role in peace building and democratic governance in the Horn of Africa. It has become a unique forum for the Horn of Africa region. The conference is the only annual event which gathers different stakeholders of the region to discuss crucial issues affecting people and states of the region. The forum needs more marketing and advertisement and its proceedings need to be spread among academics, universities, libraries, international organizations and institutions.

7. International community's involvement in Somalia

There were two contradictory ideas on the involvement of international communities for the state building process. The international community should be actively involved in capacity building. The Eurocentric notion of state building should be deconstructed in Somalia. Instead the pre-colonial reality should be taken into account. Security infrastructure should be lifted by giving adequate support to the security and legal institutions.

8. Time for another major international military presence in Somalia?

There are some who now call for a massive UN intervention in Somalia with a mandate that would allow it to occupy the country. Supporters of such a proposal should remember that this approach did not work in the early and mid-1990s and it certainly is not the answer today. A multinational coalition with little understanding of the situation on the ground would immediately find itself engaged militarily with a host of radicalized Somali groups. While the larger international force would probably win most of its military engagements, it could not possibly occupy all of Somalia and its very presence would further radicalize additional Somalis. The sooner the TFG can stand on its own and the African Union forces can leave the country, the better it will be for Somalia, the African Union and the international community.

9. External Actors

The internal crisis in Somalia depends to some extent on external involvement and without external involvement, it could not be prolonged and sustained. It is necessary to reduce external influence particularly from neighbouring states.

10. Democratic governance and respect for human rights

The existence and effective operation of a national justice system and upholding the Rule of Law is an indispensable feature of an appropriately organized and operating society. The absence of an effective justice system signals the onset of social disorganization and, almost always, economic decline. In post-conflict environments, it foretells low to no economic development and high insecurity amongst ordinary people. A legitimate, functioning and coherent justice system is urgently needed to establish peace and stability in post-civil war Somalia. It is urgently needed to:

- 1) Strengthen the basic capacity of criminal justice institutions (including judicial institutions, legal professionals, legal education institutions) with the provision of basic, continued and specialized training in connection with international norms and standards and the development of case management and performance evaluation/ monitoring mechanisms.
- 2) Promote a broad-based dialogue to reach consensus between Somali political leaders and the Somali public on the need for harmonization of Somalia's formal and informal legal codes, in accord with basic international human rights standards, and support to the drafting of new legislation.
- 3) Empower the Somali public legally through legal clinics, legal aid, translation and dissemination of laws and judicial procedures, and coordination with community based justice initiatives.
- 4) Promote the establishment of a stable political environment for justice through a plan of action to address priority transitional justice issues.
- 5) Devote further efforts to mobilize prerequisite political and financial support for these efforts.

6) Somalia is the most human rights violating country in the world. The Somali people need protection under international law. All fighting forces including Al-Shabab, Hizbul-Islam, Ahlu-Sunnah, the Somali Government and AMISOM should be made accountable for their deeds. All those who have committed crimes against humanity should be taken to the International Criminal Court urgently on the basis of the UN Human Rights Commission report for Somalia as well as reports from international human rights defenders like Amnesty International, Human Rights Watch, and local Somali human rights defenders' reports. The Tribunal would have to be accountable: to hold perpetrators responsible for their conduct, through public acknowledgement of the criminal responsibility for violations of human rights and humanitarian law.

11. Somali constitution

The upcoming Somali constitution should be shared openly with the Somali people and particularly with the Somali academics and Somali Diaspora as a whole. The upcoming constitution should also respect the Somali customary laws, Islamic values and traditional practices.

12. Civil society

Grass root organizations should be given a platform in state building in Somalia. They are the ones who are doing the ground work and have direct and daily contact with the community.

13. Internally displaced people (IDPs)

IDPs should be entitled to protection as well as to provision of basic necessities such as water, food and shelter and they should be also be given basic educational and health services.

14. Environment

The international community has ignored for too long the illegal fishing, charcoal trade and the use of Somalia coasts as dumping ground for the industrial waste from industrialised countries. The international community must take all necessary measures to investigate, document and follow-up all criminal activities both national and international regarding the destruction of Somalia's natural resources.

15. Crisis caused by resource scarcity

The Somali crisis is mainly the result of resource scarcity fueled by widespread social injustice and mismanagement since independence. The widely perceived tribalism cannot be the only cause of the current conflict but could be defined as a traditional tool for survival and interest group identification and alliance in this harsh environ-

ment of resource scarcity. Resources available should be efficiently and effectively utilized to minimize the crisis.

16. A nation in identity crisis

The warlords destroyed the customary law and the traditions. The Islamic groups are destroying the faith of the Somali people and the sense of nationhood. The radicalization of the Somali youth is a dangerous and an ongoing process. Somalis are Somalis because of their culture and Somali culture has become the first victim of the conflict. Somali culture has been under-utilized in the state building. Traditional and cultural ways of resolving conflicts have played a pivotal role in the present peace and stability in both Somaliland and Puntland. The Somali way of solving conflicts is lacking in the south and central regions and it should be encouraged and supported.

17. Possible road map to exit the crises in Somalia

The above arguments suggest a different picture of Somalia compared to the one presented by the international community and represent starting points to work on for supporting peace-building initiatives and theorize a “constructive disengagement” from the country. The “constructive disengagement” option for Somalia has been recently put forward by a US policy adviser who suggests that “giving up a bad strategy is not admitting defeat” and advances the idea that in the Somali case, where foreign interventions have routinely produced the opposite of the desired effect, doing less might be better. This option referred to US policy against terrorism in Somalia, but can reasonably apply to the political and humanitarian strategies implemented so far in Somalia by the international community. Constructive disengagement of the international community from Somali politics, including the direct support to one part in the conflict (the TFG) with military training and arms supply will probably benefit the Somali population in the long term. Surely, reduced arms availability in the country and reduced military training would lead to reduced violence and consequently reduced loss of human lives and reduced human insecurity. With reduced violence, south central factions may gradually start negotiations, as happened in Somaliland in 1991 or agree on power sharing mechanisms as happened in 2006 during the Islamic Courts Union rule in Mogadishu.

Also, as noted during a recent seminar on the security situation in Somalia, lessons learned from extremist groups in Afghanistan and Iraq suggest that local factions have no interest in letting the population starve because this would turn the people against them; therefore, when the principles of neutrality and independence are compromised, constructive disengagement from humanitarian and development activities will probably force local factions to respect international aid activities in the field. This severity in sticking to humanitarian principles of neutrality and impartiality will possibly lead to reduced tensions around humanitarian and development aid diversion, thus impacting positively on the “do not harm” principle. If the most likely alternative to the mentioned option is a persisting and worsening conflict scenario among factions, being they clan or religious based, with increased human

insecurity, Somalia might be the first case in history where the “humanitarian imperative” imposes not to intervene.

The 2011 recommendations

At the tenth conference the three workshops’ recommendations were condensed under the following headings:

Legal issues

The conference recommends that national legal systems in the Horn of Africa be combined with international legal systems when dealing with transitional justice systems. The international community should provide protection and empowerment for the women of the Horn of Africa and guarantee accountability for crimes committed against women. The citizenship rights of internally displaced persons should be protected.

Political issues

The conference recommends that gender sensitive security sector policies be created that both protect and promote women’s participation in decision-making and reconciliation processes as stated in the United Nations Resolutions. The necessary resources and recognitions from both local and international communities must be provided. Regional approaches should also be designed to implement the UNSC 1325 such as the creation of coordinating mechanisms and organs. Security training should include human rights issues.

Aid issues

The conference recommends that logistically there should be a balance between men and women when both delivering and receiving assistance. Both local and international aid organizations should be made accountable and aid should be linked to development on the ground so that it cannot be used by dictators.

Education and economic issues

The conference recommends that the women of the Horn of Africa be given better access to education, which would have positive consequences both internally and externally. To emphasise women’s competence and capacity, sustainable financial support for their own activities needs to be provided and secured. Special attention should be given to women getting into business, giving support so that they can be self-employed and get involved in the business sector.

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