Order in Chaos:

Understanding Governance in Somalia

Orden i kaos:
Styring, politikk, aktører og institusjoner i Somalia

Mohamed Husein Gaas

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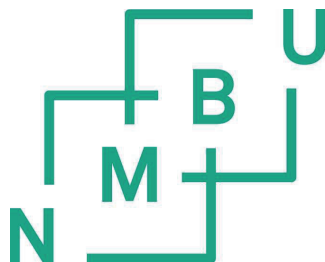
Philosophiae Doctor (PhD) Thesis

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Thesis summary

This thesis explores how governance has been established in Somalia, a country that lacks a functioning state and, thus, is considered as an ungoverned space. By combining theoretical frameworks from political sciences, anthropology and sociology, and drawing from qualitative data collected through participant observation, semi-structured and in-depth interviews with key respondents and a literature analysis, the thesis seeks to contribute new knowledge on governance, society, institutions, conflicts, and actors in the country's current context. The thesis consists of three separate but interrelated papers, which provide unique insights on subject matter.

The thesis finds that Somalia is not an ungoverned space, but rather is a space governed differently than the typical Weberian state. Although the Somali state collapsed in the 1990s, some of its governance institutions have not completely disappeared, and continue to function, albeit in a different form. Further, other forms of governance provided by social institutions and performed by non-state actors, such as clans, religious actors and regional states, continue to operate and exist in the absence of a Somali state. However, these institutions and identities founded thereupon are fluid and flexible, and their manipulation is characterised by bidirectionality and duality. Contemporary Somalia is, therefore, an example of a hybrid, multilevel type of governance, which is both different to and shares similarities with the Eurocentric model of governance and, therefore, needs to be analysed with a sensitivity to its social, institutional and cultural specificities. The effect of this is that the tendency to understand governance through a eurocentric state does not capture the Somali case. State development occurs based on the local context, social norms and political culture.

Thus, what we are dealing with in this case is not an ungoverned space, but an 'order in chaos` characterised by the coexistence of institutions and violence. This condition of order in chaos permits certain degree of order and predictability yet is characterised by the persistence of violence and may promote social and political

fragmentation and susceptibility to external manipulation. Therefore, to better capture governance in the country, the current political trajectories should be seen through a wider lens of hybridity that constitutes these elements rather than being viewed pathologically as an ungoverned space.

Sammendrag

Denne avhandlingen tar for seg stat og styring i Somalia, et land som mangler en formell stat og som ofte benevnes som *ungoverned space*. Gjennom å kombinere teoretiske konsepter fra statsvitenskap, antropologi og sosiologi, samt innsikt fra semistrukturerte kvalitative intervjuer med nøkkelpersoner og litteraturanalyse, søker denne avhandlingen å bidra med ny kunnskap innenfor fagfeltet. Avhandlingen består av tre separate artikler som hver på sin måte frembringer unik innsikt om *governance* i Somalia. I tillegg kaster avhandlingen lys på øvrige temaer som samfunn, institusjoner, konflikt og aktører in Somalia.

Selv om Somalia i lang tid har manglet funksjonelle formelle statsstrukturer, peker avhandlingen på at Somalia ikke kan karakteriseres som et område uten orden og styre (*ungoverned space*). Landet er derimot styrt på andre måter enn den idealtypiske weberske staten. Til tross for at den formelle staten Somalia kollapset på 1990-tallet, har ikke alle statsinstitusjonene forsvunnet helt. I tillegg har en rekke ikke-statlige samfunnsinstitusjoner og aktører, for eksempel klaner, religiøse aktører og regionalstater spilt en fremtredende rolle i utøvelsen av makt og styre på bakken, tross mangel av en formell statlig overbygning. Slike institusjoner, og identiteter knyttet til disse, er imidlertid flytende og fleksible, og deres mening og funksjon er gjenstand for konstant (re)forhandling. Dagens Somalia er derfor et godt eksempel på et hybrid styre med mange lag, som både er forskjellig fra, men også deler likhetstrekk med en eurosentrisk forståelse av statssyre. For å kunne gjennomføre en dekkende analyse av Somalia er det nødvendig å være sensitiv overfor sosiale, institusjonelle og kulturelle særegenheter. Hvis en eurosentrisk statsforståelse legges til grunn, vil verdifulle dimensjoner gå tapt. Utviklingen av staten skjer på bakgrunn av den lokale strukturer, sosiale normer og den politiske kulturen.

Hva vi står overfor i Somalia er altså ikke *ungoverned space*, men snarere 'orden i kaos', betegnet av en sameksistens mellom institusjoner og voldsbruk. En slik 'orden i kaos' gir en viss grad av orden og forutsigbarhet. Samtidig vil en slik orden være utsatt på grunn

av stadig tilstedeværelse av vold, fragmentering og ekstern innblanding. Denne tosidigheten er avgjørende for forståelsen av den videre politiske utvikling i Somalia

Chapter 1. Introduction

1.1. Problem statement

State failure and collapse[1] as a phenomena occurring largely across Africa over the last few decades is a major international concern and subject of much academic analysis.[2] International policymakers driven by concern over the possible security threats that failed states can pose to international security emphasise reconstituting failed states (Bøås, 2015; Bøås & Jennings, 2007). However, efforts towards that have largely been based on the incorrect assumption that law and order have vanished in the so-called collapsed states and, consequently, that this had the effect of exasperating the status quo of failed states by producing more conflicts (Menkhaus, 2003). On the other hand, recent scholarly evidence suggests that populations facing situations of state collapse or fragility adapt to different forms of social, political and economic organisation, such as those provided by social institutions, businessmen, insurgencies and Islamists (Bøås, 2015; Clunan & Harold, 2010; Hansen, 2006, 2013; Menkhaus, 2010; Raleigh & Dowd, 2013). The effect of this is that whenever the state as provider of governance fails or there exist pockets of its territory that fall out of its effective control, non-state actors in various forms compete to fill the vacuum and establish a form governance which may not be perfect but provides a certain degree of predictability to the inhabitants beyond the state (Bøås, 2015). Therefore, there is a growing realisation that it cannot be assumed that a space where there is "human interaction is an ungoverned space", regardless of whether the state has collapsed or is unable to control that space (ibid.).

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[1] State collapse is defined as 'a situation where the structure, authority, law and political order have fallen apart and must be reconstituted in some form, old or new' (Zartman, 1995, p. 1).

[2] See (Bakonyi & Stuvøy, 2005; Berger, 2007; Bøås, 2010, 2012, 2015; Bøås & Jennings, 2005, 2007; Hagmann et al., 2005; Hagmann & Hoehne, 2009; Menkhaus, 2007, 2010, 2014; Raeymaekers, Menkhaus, & Vlassenroot, 2008; Raleigh & Dowd, 2013).

Consequently, places that in the past were seen as ungoverned spaces are now being increasingly viewed as spaces that are governed differently (Berger, 2007; Bøås, 2010, 2015; Bøås & Jennings, 2005; Hagmann & Hoehne, 2007).

The concept of ungoverned spaces as a successor of the state collapse notion refers to a number of varying situations and degrees of state conditions (Bøås, 2015). The assumption underlying the concept is that spaces not controlled by a state are chaotic and serve as havens for terrorist groups and non-state actors. While the reasons an ungoverned space emerges vary, such spaces exist because of the weakness, unwillingness or incapacity of states to establish themselves. The later element can be due to violence and non-state actor control of that space. Different interlinked issues at times play a role in making a state fragile, or contribute to its failure and weakness. Alternatively, pockets of areas within a strong state can fall outside its control for various reasons (Bøås, 2015; Clunan & Harold, 2010; Hansen, 2006; Hansen, 2013; Menkhaus, 2010; Raleigh & Dowd, 2013). However, the concept is state-biased as it does not recognise governance beyond the state structure, such as societal institutions, especially in Africa, where institutions of religion and tribe (clan) play governance roles (Lewis, 1957; Lulling & Cassanelli, 1989; Hansen, 2006, 2013, 2017). This is clear in the case of Somalia (Bakonyi & Stuvøy, 2005; Hagmann et al., 2005; Hagmann & Hoehne, 2009; Menkhaus, 2000, 2007, 2010, 2014). Despite the absence of a functioning state in Somalia since 1991, the country is governed based on frameworks that are founded in social structure, local culture and political norms and ideology by non-state actors (Menkhaus, 2000, 2007, and 2009). These provide some order, but they are also in conflict with each other, and they cooperate, collude and compete. Such non-state actors provide predictability and facilitate a wide range of vital services commonly provided by the state, including regulatory frameworks, the relative security protection of businesses transactions and infrastructural development (Gaas, 2009; Hansen, 2006, 2009, 2013; Hansen & Mesøy, 2009; Powell, Ford, & Nowrasteh, 2008). Recent evidence suggests that Somalia in its failed context has a far better private economic sector and activity than many countries with state on the same continent (Powell,

Ford, & Nowrasteh, 2008). Furthermore, evidence suggests that violence has been reigned by modalities of governance provided by the institutions of religion and clan as enforced by non-state actors in the absence of the Somali state (Menkhaus, 2000, 2007; Hansen, 2006, 2013, 2017). These institutions have further facilitated the emergence of hybrid political orders in Somaliland and Puntland in 1991 and 1998 respectively. This demonstrates that despite the pronounced anarchy of the ungoverned space concept, the country has been far from being without governance (Menkhaus, 2007). Somalia in the absence of a state context is governed and the questions are not only how is it governed, but how does governance emerge and operate and what are the institutions that underpin it? The answer are undoubtedly poorly understood as theories in this regard have been criticised for failing to explain and continuing to focus on what it is not functioning or what is absent, for example, a strong central state, rather than what is there, which is 'governance beyond the state' (Berger, 2007; Bøås, 2010, 2015; Bøås & Jennings, 2005; Hagmann & Hoehne, 2007).

The notion of ungoverned spaces has been heavily discussed and scholars have presented tangible evidence of the presence of governance in these ungoverned spaces. These studies have advanced our understanding of governance in an ungoverned space. However, none of them has so far dealt with the modalities of governance in such places considered as ungoverned spaces. While in this regard some of the literature does discuss aspects of tribal structures and other arrangements of governance, none of them explores different modalities of governance in ungoverned spaces, the way in which they function within conflicts and the interactions between institutions and actors within the contexts that produce new governance modalities. These have been neglected[3], and so research that holistically captures modalities of governance institutions and important actors

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[3] Bøås (2015) is an exception to this; he explores interactions of actors in the Malian periphery.

underpinning them and their interaction remains missing. This is an important area, as, by not attending to it, we may fail to capture the issues of concern. Further, social institutions as governance structures are often understood in the current conceptualisations based on primordialist and instrumentalist precepts, which view such structures as static or solely manipulated by elites without consequences. However, social institutions are flexible, fluid and, thus, adoptive because of their character and the interpretation, negotiation and enforcement of governance underpinning them. These often vary across time and space even in a single country, in this case, Somalia. The manipulation by elites of these structures is bidirectional and a two way processes whereby both elites and clan manipulate each other, and the importance of this study lies in filling this knowledge gap as it generates new insights into the emergence of these structures, their manipulation the relationship between clan and the conflict and the way they operate, non-state actors' interactions and the modalities of governance that exist there. It does so by examining how governance is established and operates in Somalia in the absence of state. The study generates new findings that enhance our understanding of how governance and state formation in Somalia and elsewhere in Africa with similar traits to it happen and should be approached by actors with an interest in contributing to the establishment of more durable and predictable state order.

1.2. Objectives of the thesis

The overall objective of the study is to understand the ways in which Somali governance is established in the absence of a functioning central state. The research objective and questions of the study papers were:

1. To understand Somali society, the clan system and the conflict in the country.

   a. How do primordialist and instrumentalist theoretical models explain the relationship between clan and conflict in Somalia?

   b. Why do these approaches fail to comprehend the nature of the clan system and how it structures society and conflict in Somalia?

c. How can the relationship between clan and the conflict in Somalia be explained?

2. To examine non-state governance in Somalia in the absence of a functioning central

   state.

   a. What governance modalities exist in Somalia in the absence of a functioning state?
   b. How have the institutions of clan and religion been used as governance models in the absence of a functioning state in Somalia?
   c. How do local institutions and actors interact in Somalia?

3. To explore the development of Islamists in Somalia and their governance attempts.

   a. Why has Islamism emerged as an important actor in Somalia?

   b. What are the possible strategies Islamists employ to gain local traction?

1.3. Thesis structure

The thesis is divided into six chapters. These frame the study problem, provide the rationale and background to it and present the theoretical, analytical and contextual frameworks on which the overall findings and analysis are synthesised and presented. They further present the methodological choice and design of the research and the findings of the study.

The first chapter introduces the focus of the thesis, states the study problem, objectives and research question, and details the thesis structure. The second

chapter provides the background to the study. The third chapter provides the theoretical and analytical framework, and Chapter 4 details the methodology used in the study, the fieldwork and the interviews conducted and the area of study. Chapter 5, which covers the empirical analysis and the findings of the thesis, is divided into three papers sections, each dealing with one the three objectives of the thesis and its correspondent research questions. The first paper, *Primordialism vs. Instrumentalism in Somali Society: Is an alternative needed?* deals with the relationship between society, its clan structure and the conflict in the country. The second paper, *Modalities of Governance and Contradictions in Somalia,* explores governance modalities, actors and their interactions in the current political context of Somalia. The third paper, *Harakat al-Shabaab, and Somalia's current state of affairs',* examines the emergence of al-Shabaab as an important islamist actor in Somalia and the possible strategies it employs to gain local traction. Chapter 6 which is the conclusion presents why Somalia is better captured as 'order in chaos` rather than an ungoverned space. With this, the thesis identifies how governance is established in Somalia in the absence of state and operates as that has allowed it to cope with the protracted perils brought about by the collapse of its central state institutions in 1991.

Chapter 2. Background to the study

2.1. Geography

Somalia is located at the juncture of one of the most important sea corridors in Africa, along the Red Sea and the Indian Ocean. With a population of 12 million,[4] it covers a vast area of 637,657 sq. km of land mass and possesses the longest sea coast in the African continent, extended to 3,333 km. Somalia's geostrategic maritime location attracted colonial and global superpower interest in the 19th and 20th centuries.

Map of Somalia. Source: http://www.operationworld.org/files/ow/maps/lgmap/soma-MMAPmd.png

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[4] This is according to the 2014 population estimates of the Federal Somali Government (SFG), as announced by its Minster for Planning and International Cooperation.

2.2. Somali societal structure and institutions

Somalis belong to the Cushitic people and occupy Somalia, the north-eastern part of Kenya up to the Tana River, the Ogaden region of Ethiopia and Djibouti (Lewis, 2002; Cassanelli, 1982). Powerful Sultanates and city-states that traded with the ancient civilisations of Egypt, Greece and Persia existed in Somalia. For instance, ancient Egyptians knew the Somali peninsula as the land of Punt. In the period between 1600 and to 1900, there were Ajuran, Awdal, and Saylac sultanates and city-states, to name a few, all with advanced social and political organisations (Cassanelli 1982; Lulling, 2006). As a result of the colonial occupation and partition, the lands occupied by Somalis were divided into different political maps and Somalis thus found themselves contained within various political borders on the Horn of Africa (Waldron and Hasci, 1995; Drysdale, 1964). Where beside the Somali republic they are presented in the Northern Eastern Kenya, Eastern Ethiopia, and Djibouti (ibiden.).

The Somali population consists of Samale and sub-groups. The first makes up the larger part of Somali society and consists of the clan families of Darod, Dir and Hawiye while the latter group consists of the Rahanweyn (Digil and Mirifle) clan families (Cassanelli, 1982; Lewis, 1994, 2002). Clan families in the north are considered pastoral nomads, while those in the south around the Juba and Shebelle rivers are largely sedentary farmers (ibid.).

The clan system, which is a system based on a genealogical ancestry based on blood or clientele relations, structures the society (Cassanelli, 1982; Lewis, 1998b). Although it shares a resemblance with the commonly known tribal systems that are found in tribal societies, Somalis refer to clans instead of tribes, as all Somalis believe they share a common ancestor called Samaale, considered as a founding father (Cassanelli, 1982; Lewis, 1994). Clan families are very large and can range to more than few millions scattered across a vast territory of space, extending from Somalia and stretching into Ethiopian and Kenya (ibid.). Each clan family is divided into a series of clans and sub-clans, lineages and sub lineages that extend down to

households (Cassanelli, 1982). Clanship is one basic identity that, because of its flexibility, was heavily debated in Somali studies field in the 1990s (Besteman, 1996, 1999, 2014; Helander, 1998; Lewis, 1998a, 1998b; Kapteijns, 2004). However, its flexibility and dynamism cannot be denied, as will be shown later (see paper I).

2.2.1. The Somali clan system

Throughout history, Somalis governed themselves through the decentralised governance system provided by the clan system (Lewis, 1999), along with religious institutions. This means that prior to the establishment of the state system in Somalia in 1960, Somalis maintained their socio-political organisation and interactions based on such a decentralised system. The system consists of the institutions of the *Mag* payment and compensation for blood, clan elders, the *Xeer* (customary law) and *Shir* (the consultative assembly). In the event of a killing, clan members have a collective responsibility to provide compensation. *Mag* is paid in this regard, as per the dictates outlined by *Xeer* to avoid reprisals and likely clan conflict (Cassanelli, 1982; Gundel, 2006; Lewis, 1999; Samatar, 2000). It defines the overall framework within which issues and problems are managed in Somalia (Gundel, 2006). Although *Xeer* was weakened by sequential colonial forces, and state and non-state actors, it remains respected in Somali society and its practice has continued to the present, where it provides the basis for conflict settlement, protection and collective solidarity. Clan elders as enforcers of *Xeer* regulated the lives of Somalis for centuries (Lewis, 1994, 1999). In the aftermath of state collapse, society fell back onto the authority of clan elders and *Xeer* and other socially based institutions, such as sharia. The arbitration of conflicts and the protection of individual rights was enforced by clan elders with their *Xeer*, in that clan elders' authority in Somali society was reflected by them providing a degree of social order but also representing their respective clans (papers I and II). Yet the clan system was flexible and changed and interacted with other governance entities, as will be shown later in this thesis (papers I and II)

2.3. Islam in Somalia

Facilitated by its very close geographical proximity and trading links with the Arabian Peninsula, Somalia encountered Islam at an early stage. Coastal cities, Zeila in the north and

Mogadishu, Brava and Merca in the south served as commerce centres (Lulling, 1989; Cassanelli, 1982). Somalis traditionally practised Islam following the Sufi order of Qadiria before the civil war in 1990. However, other sects, such as Ahmadia and Salihia, established themselves in the country (Lewis, 1999; Cassanelli, 1982). Islam, since its arrival in the country, has played an important role in Somalia's political, economic and societal spheres (Lewis, 1961). It unites Somalis by providing an antidote to the clans' divisive nature(but it can divide also at times), as it cuts across clan lines and assigns Somalis as one common society united by faith and therefore strengthens the national bond of belonging (Samatar, 1998). Islam has been instrumental as a governance institution but also a social organisation principle in Somali society. In relation to this, it has been argued that politics and political leaders in Somali society are not considered as having a *wadaad* role. However, this is erroneous and only applies to specific cases. After all, a clan leader can be a *wadaad* and a clan chief at the same time (Cf. Lewis, 1999). This claim is difficult to generalise and sustain for two reasons. First, the *wadaad* has been instrumental in the political and social affairs of Somalis historically. For instance, in the early Somali conflict with Abyssinia (part of current Ethiopia) Axmed Gurey, a Muslim scholar and a military leader, led Somalis to defeat Abyssinia (Lewis, 2008). Furthermore, Sayid Maxamed Xasan also led the dervish state attempt to unite and liberate Somali territories against colonial occupation. In addition, the role of the *wadaad* in Somali society has changed since the onset of the civil war in the 1990 and many of the past and present conflicts political actors are *wadaads* of various sects. For instance, at present, Alshabab and Ahlu Sunah are armed non-state actors.

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2.4. The colonial legacy, state collapse and the civil war

Somalia is considered one of the most homogenous nations in Africa, as it is composed of one ethnicity, language, culture and religion (Cassanelli, 1982). However, since the colonial powers' infamous 'scramble for Africa' conference in Berlin in 1884, misfortune has dogged Somalis. As Somalis inhabited territory at the Horn of Africa, the area was divided into five sections by the colonial powers (Drysdale, 1964). The Ogaden, which is the present-day Kilil 5 of Ethiopia, the Eastern Frontier District, which is today's eastern region of Kenya, British Somaliland and Somali Italy. With the arrival of the colonial powers, Sayid Maxamed Cabdulle Xasan, a religious scholar and leader whom is considered as the founding father of modern Somali nationalism, initiated the dervish struggle against the colonial powers (Lewis, 1989). Faced with the air power of colonial Britain, the dervish state's attempt to achieve the liberation of Somali territories in the Horn of Africa was short-lived (Drysdale, 1964). This was followed by the Somali Youth League (SYL), which, was largely nationalist. The SYL succeeded in uniting the southern and northern regions and declared an independent Somali republic in 1960(ibid.).

Eventually the independent republic of Somalia has to deal with the colonially legacy, especially the inherited borders (Waldron & Hasci, 1995). The Somali territories administered by Britain were handed over to Ethiopia, and to Kenya. Consequently, reunification became the driver of the independent Somali republic's foreign policy (ibid.). The reunification oriented policy dictated the Somali government agenda and policy towards the former colonial powers, along with Kenya and Ethiopia. Although Somalia was one of the first democratic states in Africa at its independence, the democratic government failed to address the question of the reunification of Somali-inhabited territories into one single nation state political border (ibid.). Furthermore, the widespread corruption and nepotism diminished the popularity of the democratic government in the eyes of the Somali population (Lewis, 2002). This combined with political polarisation and an inability

to agree on a successor after the assassination of President Shamarke in 1969 encourages the Siyad Bare's military coup in 1969 ended the democratic rule (Waldron & Hasci, 1995). Siyad Bare introduced a socialist revolutionary and imposed single part rule to egalitarian society. The Cold War geopolitics impact on the country and its role in the country crises cannot be overlooked. It resulted in the country being a proxy playground for the superpowers, with converging agendas and priorities. This certainly contributed to the eventual downfall of the Somali state (ibid.)

Somalia went to war in 1977 with Ethiopia over the Ogaden region that Britain had annexed to Ethiopia. During the war, the then-Soviet Union and Cuban troops also shifted their support to Ethiopia, leading to the Somali armed forces' abrupt withdrawal from the Ogaden (Waldron & Hasci, 1995). This fuelled the acrimony over who had lost the Ogaden within the government and military circles of the republic and undermined national unity and the popularity of the regime. By 1978, returning Somali army officers from the Ogaden attempted a failed coup against the regime and the regime opted for a scorched earth tactic in retaliation (Ibiden.; Samatar, 1992). Following these combined developments the country suffered from political, economic and military decline, which heralded regime breakdown in early 1991.

As time passed, political, military and economic problems in the country were gathering momentum and the regimes became an increasingly unpopular as a result. Clan and political Islam-based insurgency groups emerged. The Somali Patriotic Movement (SPM), the Somali National Movement (SNM) and the United Somali Congress (USC) emerged and escalated their assault on the regime and finally ousted it in early January 1991 (Waldron and Hasci, 1995). Following this, civil war erupted, and the central state collapsed.

2.4.1. Peacebuilding and state reconstruction

Since the collapse of the Somali state in 1991, many attempted to end the conflict and reconstruct a central state in the country has failed (Menkhaus, 2007). There are a number of reasons for this failure. First, the conflict in Somalia is a complex one that has been characterised by the mutation of actors and the emergence of new actors. What is equally important is the externalised nature of the Somali conflict, where local actors are connected to the geopolitics of the neighbouring state (Gaas and Hansen, 2011). Third, Somalis, despite their clan-based divisions, have unity in belief (Samatar, 1992), which is often not well captured in international peacebuilding efforts and state-building proposals. However, major ones include, Addis Ababa (1993), Arta (2000) and Mbagathi (2002-2004) peace and reconciliatory initiatives. While the first two initiatives and many others were top down centralised state building oriented, the emergence of Somaliland and Puntland in 1991 and 1998 respectively as a relatively stable administrations gave a renewed motivation for a new block building approach (Boas and Rotwitt, 2010). This proposal has also been rejected by Somali actors that has instead adopted to the creation of centralised Transitional National Government (TNG). TNG faced political problems and fragmentation however, served the basis for a new round of negotiations. This peace negotiation lasted between 2000 and 2004, and became known as Mbgati peace conference. And has culminated with the creation of the Transitional Federal Government (TFG) in 2004 (Gaas, 2009). It was based on a 4.5 formula for power-sharing and the representation of the major and minor clans (ibid.) and a federal constitutions where regions have autonomy to manage their local issues.

2.5. Islamist actors: the resurgence of religion in Somali politics

An important feature of these years has been the emergence of a variety of Islamist movements in Somalia. In 2006, a coalition of Islamic courts, the Union of Islamic Courts (UIC), ousted a coalition of warlords in Mogadishu. Militias loyal to the UIC gained public support in June and July 2006 for creating an important degree of

security in the capital and expanded their control across most of south-central Somalia, in contrast to the failing warlords (Gaas and Hansen, 2011). Ethiopian forces, backed by the US, entered Somalia in December 2006 and the UIC was defeated. Following this Al-Shabaab emerged as an independent entity in reaction to the invasion. By September 2007, the defeated UIC leadership and the defected TFG parliamentarians, together with diaspora groups opposed to the presence of Ethiopian troops and its occupation in Somalia, established the Alliance for the Re-Liberation of Somalia (ARS) and spearheaded an insurgency (Gaas and Hansen 2011). Following this, the United Nations Security council (UNSC) authorised an African Union Peacekeeping Mission (AMISOM) to help protect the TFG. At this point the UIC remnants, and other groups as well as all Somalis including the diaspora groups opposed to the Ethiopian military presence (ibiden.). Initially, Al-Shabaab gained popular Somalis support for opposing and leading an insurgency that culminated ending the Ethiopian occupation, and for bringing about some order (Hansen, 2013). Eventually in June 2008, UN-mediated talks between factions of the ARS and the TFG forced Ethiopia's withdrawal and the establishment of a new TFG in January 2009 in Djibouti led by President Sheikh Sharif Sheikh Ahmed, the former leader of the UIC. However, the TFG faced structural problems and a crisis of legitimacy from its establishment. In August, 2012 new post-TFG parliament members have been drawn based on the 4.5 formula and a federal government was put in place (Bøås and Gaas, 2012). An advanced federal system of regional states was established by local communities. Puntland, Galmudug, Southwest, Hirshabelle and Jubaland are the new regional states under the federal arrangement. In early 2017, a new president as the head of a new Somali government was selected by the new parliamentarians. Currently, the Somali government lacks the most basic characteristics associated with a sovereign state and therefore exists only as a *de jure* concept. Despite the African Peacekeeping Mission for Somalia (AMISOM), the Federal Somali Government lacks the capacity to function and lacks those characteristics associated with a state (Gaas, 2014). AlShabaab continues to cause havoc and create insecurity across the country, including in Mogadishu.

Chapter 3. Theoretical and conceptual framework

3.1. Introduction

The central aim of this thesis is to understand governance in Somalia, a place where the state has collapsed and currently only exists in a *de jure* condition (Menkhaus, 2007). Governance is a contested, ambiguous and elusive concept (Newman, 2001), which is often approached from a state-centric perspective. Mainstream approaches often overlook governance in places where the state has collapsed or is absent. The uniqueness of the Somali context involving the absence of state and prevalence of order since 1991 falls into that category (Menkhaus, 2007; Hagmann et al., 2005; Hoehne and Hagmann, 2010).

There is no single theory or discipline that can address these challenges. Therefore, this study has adopted an interdisciplinary approach and a set of theoretical and analytical tools that bring unique and complementary insights to the subject matter. Such a strategy requires the utmost care to avoid theoretical contradictions that can undermine its analytical and explanatory rigour. The overall theoretical, conceptual and analytical framework deployed in this thesis is found in institutional theory, with some insights from the decentred conception of governance that is located within society-oriented approaches to governance which attempt to explain political and economic order in failed states (Raymaekers, 2005) and that can also help understand on the Somalia`s case.

The theoretical and conceptual approaches and analytical framework used in this thesis are addressed in this chapter. The first following section introduces and conceptualises 'order in chaos', that is governance in the absence of functioning state: This is because of the focus of this thesis, which examines governance where there is supposedly none and where disorder and chaos are perceived to prevail as the consequence of the collapse of the central state in 1990. However, social and economic evidence suggest governance must also exist in such places. The reason

for this conceptualisation of order in chaos is that it may remain elusive to meaningfully explain how order exists in the absence of state, especially in the context of mainstream approaches to governance being state-centric and, therefore, considering the country as an ungoverned space. Furthermore, without attempting this, the existence of alternative means of social contracts rooted in the social structure of stateless societies, would be less contextualised and the arguments supporting them less clear.

The section that follows locates ordered human interaction followed by a conceptualization of governance to frame the study's analysis and to situate the thesis in the wider relevant theoretical perspectives. Here is where relevant theories' merits and pitfalls are identified and outlined, and the ways in which this research addresses these when it comes to their conceptualisation is discussed. The section that follows discusses related and relevant theoretical conceptions of governance structures. It is followed by a section that conceptualises the emergence of Islamism in Somalia.

3.2. Conceptualising order in chaos

The order in chaos conceptual framework revolves around three basic conceptions. First, state collapse is not seen in this study as the end of governance, but rather as a process of 'social transformation' (Bøås and Jenning, 2005; 2007; Raeymaekers, 2005; Spanger, 2000). Second, the collapse itself is seen as a 'culmination point' of contention between varying groups (Raeymaekers, 2005). Third, the state is not seen as the sole creator of the social contract: institutions other than state do so as well. The effects of the preceding argument are that the violence that destroyed the Somali state and the emergence of non-state actors in its place are not sufficient to explain the realities of governance in Somalia. The notion of the emergence of a state of nature is misleading in such situations (Locke, 2000). Therefore, the study's analytical model departs from the realisation that, regardless of whether there is a state, social and political spaces are not ungoverned but rather governed based on local frameworks of culture, norms and institutions. If, as Charles Tilly (1978)

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argues, governance and state development happens based on local context, social norms and political culture, what we are dealing with outside of the western forms of state, especially where the state has failed or is fragile, is not an ungoverned space, but rather a space governed differently. Indeed, the social, political and economic evidence suggests governance must exist and structures of governance are found in Somalia in the absence of the state. Such structures, institutions and frameworks can be traditional or created by market solutions, and hybrid, established by non-state actors (Bøås, 2010; Menkhaus, 2000; Menkhaus & Prendergast, 1995; Menkhaus, Sheikh, Quinn, & Farah, 2010; Raeymaekers et al., 2008). However, no matter what form they emerge as, they will be a product of the country and, thereby, also of the state, even if it has disappeared.

Because of this, societies facing state collapse, or its prolonged absence, are able to maintain order or recreate order in the aftermath of state collapse based on these frameworks.

Institutional frameworks constrain violence to a certain degree, but not completely (Menkhaus, 2000). Consequently, Hobbesian warfare does not exist even in the absence of state (Locke, 2000). Indeed, the rational choice approaches to institutions from which this study draws insights (see for example, Vatn, 2015; Bardhan and Ray, 2006) regarding the analysis of actors' behaviours (clan, regional, states and Al-Shabaab) provide insights in this regard. Rationality exists at the individual and collective level, which implies the existence of multiple rationalities that balance each other (Vatn, 2015). Individuals and actors operate in the context of their society and families, and although they are personally motivated to maximise benefits, they also have a morality towards society (ibid.). Such morality and collectively are mediated by institutions that set rules, norms and regulations, which allow individuals and society framework to interact. Clan and religion are such institutions and are also trustworthy networks in the absence of state (Hagmann et al., 2005; Hansen, 2013; Little, 2005). They stratify society and power

becomes divided, rather than residing in one form of structure. But different segments and groups and actors in the society have varying and converging powers. This perfectly explains the case in Somalia. Non-state actors such as warlords, clan militia, regional states, religious organisations and Islamists operate within the individualist and collective rationality dictated by local institutions of clan and religion. The implication of this is that despite the violence that any of these actors can commit, they have to serve certain governance roles and facilitate order(Bakonyi, 2013; Clunan & Harold, 2010; Taylor, 2016) or risk a backlash due to the collective rationality and morality in the society(Samatar, 1992). This militates against the emergence of the so-called state of nature. Another factor is the nature of power, which is fragmented, and, thus, individual actors must compete with each other, which creates a further incentive for actors to have an interest in establishing governance (Bakonyi, 2013; Clunan & Harold, 2010). For these actors to tax, extort and extract resources from the areas they control, they must provide at least a certain level of security against criminality and violence. Thus, any non-state actor, whether religious or secular, must operate within the parameters of the institutions and norms accepted by the society or provoke alienation. Trust as a precondition for governance to operate or occur in the absence of state is provided by institutions, whether traditional, religious or hybrid, enabling collective action to take place at lower levels (Hansen, 2017; Lewis, 1999). At the national level, the compartmentalised and fragmented nature of institutions and society militates against this. The interaction of actors is characterised by convergence, collusion and cooperation, where no single actor is able to permanently defeat the others, which further militates against an abstract concept of trust occurring in the absence of state at the country level. Consequently, this produces state of `order in chaos`, created by the coexistence of institutions and violence that characterises Somalia today, where there is enough predictability that allows production and market exchange, on the one hand, and violence, on the other. However, such institutions are unable to stop violence, but can control it at manageable levels. The thesis applies this approach to Somalia in its failed condition.

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3.3. Conceptualising ordered human interaction

According to Weber's theory of authority, order follows from 'different aspects of a single phenomenon–the forms that underlie all instances of ordered human interaction' (Spencer, 1970, p. 124), which are the norms and principles that underlie human social organisation: 'In the one case organisation rests upon orientation to a rule or a principle; in the other instance it is based upon compliance to commands' (ibid.). Weber identifies these as traditional, charismatic and legal-rational authority, which underpin all ordered human interactions (Weber, 1958, p. 4). Traditional authority is primordial and inherited, and is found in traditional forms of social organisation. Charismatic leadership authority, unlike the traditional one based on heredity, is founded upon an individual capacity to lead others. In this regard, religious and movement leaders are based on charismatic authority, and this is connected or related to traditional authority (Riesebrodt, 1999) as it plays an important role in it. The legal-rational authority is the state system, but it also can lie in formal organisations that have a set of rules and regulations rather than an outright conformity to an individual leader. Unlike traditional and charismatic-based authority, legal-rational authority is the most sophisticated form of ordered human organisation. However, Hobbes (2006) argues that the legal-rational authority is the sole creator and enforcer of the social contract, where, without it, a state of perpetual war exists when law and order fall apart. Underpinning Hobbes' conception is that humans are selfish, as is explained by game theory. Locke (2000) rejects Hobbes' state of nature by pointing out that such a state of nature itself has laws that govern interactions. Locke (2000) further points out that the state is not a natural institution, such as the family, villages, tribes and clans, but rather is artificially invented and constructed under certain conditions and circumstances. Because of these opposing conceptions on the centrality of state power and whether it should be absolute (Hobbes' perspective) or participatory by people under its authority based on a social contract (Locke's perspective), academic disagreements continue to persist to the present day. Despite this, Hobbes' Leviathan conception continues to influence the state and how it should be perceived compared to

systems of authority that governed and continue to govern societies, especially these structured by tribes and clans. Therefore, the concept of state and what constitutes it remains unsettled. The applicability of the classical conception of state by Weber(1958), who defines state as a political community with jurisdiction over territory and population, and a monopoly over the legitimate use of violence, to Africa has been disputed (Clapham, 1998). Underpinning this is the notion that African societies were initially perceived as stateless but were anticipated to develop at independence by emulating the European state (Mamdani, 2000), which developed under entirely different conditions, context and culture (Tilly, 1978). In this regard, with colonial rulers' arrival in Africa, anthropologists studied the socio-political organisations of Africa societies (Fortes & Evans-Pritchard, 2015; Radcliffe-Brown, Fortes, & Evans-Pritchard, 1940). By drawing attention to the consequences of colonial Britain's attempts to centralise the authority of decentralised societies under its rule, these authors distinguished societies with a state and those that they considered as stateless. The latter is characterised by a segmentary lineage system social structure and thus has a decentralised nature of power and authority (Lewis, 1999). However, this has been criticised as it has been pointed out that segmentation which forms the basis for these authors' categorisation of African societies into those with state and that are stateless has occurred in two societies (Ayittey, 1991). Ayittey (2006) distinguishes between those two types, where the first is characterised by a centralised authority that manifests itself in a tribal or clan chief. Such centralised authority has a clear structure, an established managerial, judiciary and a defence apparatus. This form of political formation, where the centralisation of authority is paramount shares aspects of political organisations with the state. The other one lacks a central authority and is characterised, instead, by the decentralisation of authority and power. In the former case, authority is preoccupied with the collective welfare of its members (Lewis, 1956, 1994; Cassaneli, 1985). Similarly, in stateless societies like Somalia, lineage, clan and clan family members have common systems of collectively for welfare, defence and

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security. Certain mechanisms guard against concerted authority and power to avoid dictatorship and the misuse of authority (Lewis, 1957, 1994; Cassaneli, 1985). However, in post-colonial Africa during the 1950s and 1960s, the tribal structures of African societies were disregarded and state, as an imported product (Mamdani, 2000), was thought to consolidate by doing away tribalism and bring prosperity to its citizens. Initially, democratic in character and striving to emulate the European state, many states failed to sustain democratic governance and instead become autocratic (Bayart, 1993, 2000), and the root of this problem lay in the imposition of state without considering social culture and institutions as well as borders that split ethnic groups in Africa (Asiwaju, 1985) into more than one political map, as well as the conduct of leadership (Reno, 2000; Chabal and Daloz, 1999). These issues together, created crises of legitimacy and the emergence of violent struggles and, finally, state collapse or fragility in many places in Africa.

Institutional and leadership issues faced by the state are linked, and the two concepts of the shadow state and the patrimonial state explain these aspects of the problems faced by the state in Africa. Reno (1998) defines the shadow state as a parallel personal rule that exists within the formal authority which functions informally. Similarly, the patrimonial state is a system of governance operating inside the formal state (Johnston, 2004). The patrimonial system shares similarities with the shadow state as both are based on a personalised relationship characterised by operating outside the state bureaucratic system. In both cases, leaders adapt to patronage and shadow state systems as strategies to continue holding onto power. However, the outcome of both the shadow state and the patrimonial system is that they weaken the state by establishing parallel power networks and structures that are not accountable to the formal state authority and institutions. It is a misconception to think that as a result of the weakened state, a power vacuum emerges (Reno, 1998). Whenever the state appears weak, power and authority become located in exceptionally powerful networks embedded in the bureaucratic state, and which operate informally. Reno (1998) sees these shadow states not as a sign of state weakness, but rather the careful devised and adopted

tactics of leaders for their personal power and economic gain. This perspective suggests that leaders in Africa may not have the incentive to support state building and state institutions' checks and balances. Not only that but they may undermine initiatives of state-building, which further weakens the state. However, patrimony and the shadow state as two forms of authority can exist outside the state as networks created by the two systems can survive after the state's collapse. Both systems are sometimes also imbued with charismatic leadership, which can exist in other forms of social organisation, such as religious or clan-based ones. These concepts can, therefore, be used to guide studying the conduct of clan and religious institutions' and networks in regional states in Somalia. Despite both shadow state and patrimonial states concepts being state-centric, some of their elements can have some relevance to the focus of the study.

The nature of state and governance and violence in places where the state is fragile or has collapsed is heavily debated in academic circles. Much of this debate pertains to the analytical utility of different conceptions. Underlying this is the fact that governance is often approached from a state-centric viewpoint (Newman, 2001). Unsurprisingly, while this reflects the sacred position of the Weberian state and its superior philosophical power in the 21st century (Hagmann, et al., 2005), it mirrors the peculiarities of state failure phenomena and order in chaos, where the state is absent but governance continue to function in Africa. This indicates that there are other means by which the social contract is created and maintained. A good example of this is found in the stateless societies structured by tribe and clan, where societal institutions set in customary law create the social contract. Authority also exists beyond the state in many ways, as clan elders, tribal chiefs and a range of non-state actors can wield authority (Weber, 1958, p.4) and effect governance in the absence of the state by controlling the violence, and militating against the so-called 'all against all' to emergence. After all, the so called state nature implies a theoretical condition or situation that does not exist in the real world, including within collapsed states.

However, these forms of authority are overlooked by the concepts of collapsed states and ungoverned spaces. These concepts can be approached with various analytical tools. In the first variant, Zartman (1995, p.1) sees the collapse of governance as a collapse of state and its institutions. The second variant is one that links state failure to social failure and breakdown, where the former leads to the latter and state collapse is analysed as a state of nature (Rotberg, 2003). In the third variant, is that so-called ungoverned spaces and is preoccupied with the emergence of non-state actors as the state becomes fragile or fails. In these analytical perspectives, the failure of state and social breakdown are viewed as a continuum, where one leads to the other (Zartman, 1995). These concepts have been criticised for assuming that security provision, authority, institutions, order and social control are granted by the state per se (Bøås & Jennings, 2007; Clunan & Harold, 2010; Hagmann & Hoehne, 2007; Menkhaus, 2010; Raleigh & Dowd, 2013; Taylor, 2016) by focusing on what is missing rather than what is there and functioning, which can be called order in chaos. Therefore, these concepts are not entirely suited to this study, which seeks to understand governance where the state is absent. However, there are other theories that are relevant. Hybridity and the hybrid political order concept realises political authority exists in forms other than the state (Boegge et al., 2008). This approach departs from the realisation that weak or collapsed state are not synonymous with a lack of political order, but rather with the presence of competing political and social orders and actors. Therefore, in stateless societies characterised by the absence of state, the Hobbesian state of nature does not arise, and anarchy does not rule. Governance and political authority exist in stateless societies in traditional and charismatic forms (ibid.), but also in patronage and shadow state forms.

According to Boege et al., hybrid political orders are seen as:

> ...diverse and competing authority structures, sets of rules, logics of behaviour and claims to power co-exist, overlap, interact and intertwine. They combine elements western models of governance and elements stemming from local indigenous traditions

of governance and politics, with further influences exerted by the forces of globalisation
and related societal re-making or fragmentation (for example ethnic, tribal, religious).
(Boege et al. 2009b, p.24).

As hybridity acknowledges the existence of order of governance in places where the state has failed, it disregards the fact that some of the failed state institutions may continue to function in the state's absence, which also may apply to both shadow states and patrimonial networks. The concept rarely distinguishes between non-state actors such as a clan, a rebel group, a radical group or even economic actors contending over power, resources and legitimacy in such places.

As the focus of this research is on the emergence of governance in such situations, especially in Somalia, the concept, although relevant, is not entirely compatible with the objectives of this study because it approaches the whole issue of governance from the perspective of state building. This study draws insights from aspects of institutions' existence, the nature of actors and institutions and their interaction in conditions involving state absence. It is thus more appropriate to draw such elements and see them in the broad sense of hybridity in Somalia. This touches on the question of how governance emerges and operates in different societies, especially those structured by clan and tribal affiliations, in this case, the Somalis, but also on how to approach governance in the absence of the state. Therefore, understanding governance in such a context should focus not on the formal institutions that have failed per se, but on societal structure and the institutions of stateless societies that underpin and engender collective solidarity in a context characterised by hybridity and hybridisation (McGinty, 2013; Bøås, 2013). The implication of this is that hybridity is seen in this thesis as 'both a process and a condition of interaction between actors and practices' (McGinty, 2013, p.6) but also institutions (Boege et al., 2008) and the roles of actors (Bøås, 2013). This means that in the context of Somalia, social and political order and institutions are in a state of constant emergence, decline and reconstruction as they interact through various actors, arenas and processes that are dictated by contextual, situational and temporal factors, and actor`s negotiation and interaction. The effects of this is that

the resulting phenomena of different parts of post state collapse Somalia having different degrees of order and varying hybrid political orders.

Hybrid political orders are informed by the chaotic environment in which they are to be adopted and provide governance (Bøås, 2013). Hybridity is everywhere in Somalia as neither the institutions of clan nor religion exist in their pure traditional form or perform their societal functions and forms in classical ways both used to be (Paper I&II). This is confusing as both seem not as dynamic as the processes and the actors based on these and their shifting actions. This study adopts an understanding that in Somalia, processes, interactions, institutions, actors and political orders are hybrid, operating as a deliberate strategy to cope with the disorder resulting from the failure of the Somali state (paper II). Therefore, hybridity can have many functions in Somalia as for instance the clan system in such context can provide a constituency, a legitimacy and a governance model if drawn upon correctly. Religious credentials and wider religious local actors advance legitimacy claims to stay relevant and to open up a local traction (ibid.). Primordialist and instrumentalist approaches are relevant here as they dominate the study of social structures, institutions and solidarity (Anderson, 2012). Their significance lies in understanding political orders emerging in the absence of state that are embedded in societal structures.

3.4. Conceptualising governance

Due to the extensiveness of governance literature, definitions and approaches, it is beyond the scope of this thesis to review them all. However, to situate the theory of governance within the parameters of this study, clarification of the mainstream approaches of governance is needed and the thesis turns to this task in the following paragraphs.

The notion of governance has been widely used in different disciplines since the 1980s and is one of the most researched and contested concepts in the social sciences field (Newman, 2001). It has been argued that governance is the 'bridge

between fields' of the social sciences (Kersbergen & Waarden, 2004). Although the notion of governance is often used with specificity (e.g. Norwegian governance), it has nevertheless become a highly politicised notion in the 21st century (Rhodes, 2007). Governance is approached from different political, legal, economic and security perspectives, which has given rise to various sub-governance concepts and variations, including the state governance, legal systems, multi-level governance, system, corporate and non-state governance, and governance networks (Bevir, 2010). These perspectives reflect not a divergent understanding of governance concept but diverse philosophical and methodological underpinnings (Mayntz 2004, 2009).

In this regard, two approaches, institutionalist and interpretivist, emerge. Scholars such as Kjær (2011) and Baker and Stoker (2016) suggest that institutionalism should inform analysis aimed at understanding governance. Marsh and Rhodes (1992) and Baker and Stoker (2013) draw on institutionalism and see the determinacy of networked agency and actors for governance.

New institutionalism, with its focus on the implications of networked relations between nonstate actors and the state, informs much of today's insights into governance (March & Olsen, 1995; Court & Mease, 2004). However, state and society-oriented approaches are two perspectives within the institutionalism tradition. Generally, institutionalism is related to network governance, which is a societal rather state-oriented approach. Governance is seen to relate to the shift in how institutions are conceived and perceived, and how authority and power are located, exercised and enforced. This is also how institutions emerge and operate and how the traditions that underpin them come into being (Rhodes, 1996; Baker & Stoker, 2015; Lynn, Heinrich, & Hill, 2001). This preceding theoretical position is relevant for this study as it seeks governance where there is supposedly none and where the state has failed, and also seeks to understand how governance emerges and operates in such a context. This theoretical position also allows for locating where power and authority rest in such a context and how institutions and actors

that underpin them interact and how governance is enforced accordingly, which this study addresses.

The institutionalist perspective is then concerned with the nature by which institutions exist, their structural makeup, their capacity to govern and their influences on actions, identities, the institutions of society and outcomes (March & Olsen, 1995). Peters (2011, p.81) asserts that institutions facilitate governance by serving as an interaction node of 'structures and the processes *of governing*'. This analytical conception also fits with this study's objectives as it allows an examination of the nature of institutions, their structural makeup and the modalities of governance they provide in Somalia, which lacks a functioning state(paper I, II &III). Primordialist and instrumentalist approaches are relevant here as they dominate the study of social structures, institutions and solidarity (Anderson, 2012).

According to Bevir and Rhodes (2007), such network-founded governance privileges the structure over the agency. However, some institutionalists point to the dichotomy of ideas and norms' role in forming institutions and vice versa (Peters, 2011).

The interpretivist approach shares the institutionalist conception of a nature of governance which is changing, yet they remain primarily concerned with a 'decentred theory of governance' (Bevir, 2003, 2013). It emphasises approaching governance through shifts in our conception on the subject and focusing on how network and their connotations are created (Bevir and Rhodes, 2006a, 2006b). The dynamism of networks and institutions resulting from the action of deliberate and non-deliberate acts of agents within these networks and institutions are often pointed to by interpretivists to disapprove the institutionalist position (Bevir & Krupicka, 2011). This conception, which is rooted in a theory of state, is relevant for this study, which seeks to understand how governance emerges and operates in a stateless condition (Bevir and Rhodes, 2011; 2015) that characterises situations where the state is absent, yet where order exists. The study draws insights from this

approach when analysing governance in Somalia's order in chaos, adopting a system-based conception of governance where governance is approached from the bottom up by considering the role played by non-state actors in decisionmaking (Bevir and Rhodes, 2008). The state is absent in Somalia and, therefore, there is no top-down governance. Communities and territories within Somalia have been left to fend for themselves after the collapse of the state and the social construction of rules and patterns of rule rest on individuals' and networks aptitude for creating order and meaning, which satisfies Bevir and Rhodes' (2015) conceptualisation of governance.

The literature outlined above recognises various forms of governance, as previously discussed. The first is mostly seen as a government form of governance while the latter could well contain both forms of state and non-state governance and actors as it is centred on negotiation and navigating systems where actors collude, compete, position themselves, and navigate in the governance terrain. However, in places where the state has collapsed, such as Somalia, nonstate actors emerge to fill the governance vacuum, where the non-hierarchical form of governance thrives. This form provides a relatively predictable environment necessary for life to be possible in the midst of the chaos created by state collapse through societal, political and hybrid mechanisms and modalities of governance. The effect is a non-hierarchical mode of governance (Risse, 2010) that is relatively unstable due to the fluidity and variability of its application and structures it is founded on – social institutions and political culture.

3.5. Conceptualising governance structure

As this research focuses on the emergence of governance in Somalia, which lacks a state, theories that explore social structure and the governance structure in clan, tribal and ethnicbased societies are relevant. Primordialism and instrumentalism as two dominant approaches can provide some insights into governance structure but also issues affecting and effecting governance, especially the nature of clan, tribal and ethnic solidarity and the way social institutions and the mechanism behave in

the context of conflict and crises. The first approach is of primordial ethnic solidarity and the existence of parallel institutions to the state in a society, which explain the structural and institutional problems of state governance in Africa. The second emphasises that it is within the manipulation of governance structures and identities where the problems lies.

According to primordialism, ethnicity is static and often reinforced by strict boundaries (Esteban et al., 2012; Perez & Hirschman, 2009; Isajiw, 1993; Geertz, 1973). Therefore, ethnic identity follows the same pattern as ethnicity, where ancient ethnic hatred fuels ethnic conflict (Glazer, 1986).

Primordialism sheds light on why genocides occur (Turton, 1997; Connor, 1994). Elsewhere in Africa, similar views to these have been advanced by Helander (1998) and Lewis (1998) that explain the perpetual violence that occurs through primordial kinship loyalties provided by segmentary lineage. However, Kapteijns (2004; 2010), (Kapteijns, 2004; Kapteijns & Farah, 2001) and Samatar (2000) have argued that Lewis and Helander's argument that kinship cleavages caused violence and conflict, leading to the collapse of the Somali state, is incomplete. Others factors such as colonialism, social stratification, international relations and interventions have been suggested to better explain the perpetual violence that culminated in the collapse of the state (Besteman, 1998).

Primordialism's strength in explaining conflicts as stemming from primordial ethnic hatred that cannot be bridged is its very weakness as a model. The primordialist model is extemporal – it does not consider historical and contextual factors that often surround structures and groups within which such conflicts flare up. Another weakness is that it assumes homogeneous societies are less prone to group-based violent conflicts than heterogeneous ones even though there are many good examples to the contrary (Holm & Molutsi, 1992).

Such examples include Botswana and Somalia. Somalia's population homogeneity, rather than granting the country political stability, has become a liability to it. The

problem with the use of the ethnic conflict model for explaining the Somali conflict is that Somalia has social fissures, but its population in general is homogeneous and not divided by ethnicity. Clanship as a divisive group identity exists and has been used as a 'technology of power' in the 1990 civil war (Kapteijns, 2004), but clan-based group conflicts are short and often resolved by *Mag* payments among different clans in Somalia. The effect of this is that the clan conflicts in Somalia in the 1990s did not reflect the clan system, but rather its mutations (Kapteijns, 2004: Samatar, 2000). In contrast, in Botswana, with its heterogeneous population, primordialism predicts conflict along ethnic lines; however, the contrary has been the case.

Primordialism has been widely discredited for failing to explain the reasons for why ethnic solidarity becomes dominant at times per se and not in others (Jackson, 2004).

The instrumentalist view of ethnic identity as 'neither inherent in human nature nor intrinsically valuable' (Varshney, 2003, p.282) sees ethnicity as a tool manipulated by elite, who employ it to access power and resources, and remains relevant (Collier, 2002, p. 27). The instrumentalist model asserts that greed causes the conflict rather than ethnicity itself. Consequently, ethnic conflict is seen in this model as rational greed and the rationality of elites is the driver of their manipulation of group identity. The strength of this model lies in the manipulation of group differences as it illuminates the reasons why civil wars and ethnic conflict do not occur in all ethnically heterogeneous societies.

Primordialist and instrumentalist models also fail to explain why religious solidarity becomes stronger than clan solidarity and vice versa at different times, while both can be a basis for identity and, thus, solidarity and trust. Further they fails on comprehending the dynamism of clan identity, its flexibility as well as the character of manipulation of the two (paper I and II). Ramos-Pinto (2006) social capital and Thomas' (2004) resurgence of religion concepts can be relevant to understanding these. Social capital can be seen as a group solidarity founded where clan is the basis

for creating bonds and networks of trust and solidarity and engender collective group action. However, people who share networks and contacts can also establish social capital, similarly to clan members, and ethnic groups (Ramos-Pinto 2006). Thomas (2004) explains this by pointing out that religion creates basis for solidarity, a 'spiritual capital'. In the following section, the emergence of Islamism in Somalia is conceptualised.

3.6. Conceptualising the emergence of Islamism

The recent rise of Islamism[5] is not well captured in the literature. The development of Islamism has been examined through three related factors of that all fall under the repressive and dictatorial modes of governance. Repressive and dictatorial state policies and the lack of political space for opposition have been pointed to produced and exacerbated the rise of Islamism (Kepel, 1993; Moaddel, 2002). This, coupled with the economic crises that many states in the Muslim world face, enables Islamist to erode state legitimacy in the eyes of society. However, this approach has some problems. It is often pointed out that there are many situations where crises of governance and economy have not resulted in Islamism emerging. In relation to this, application of this approach to explain the Somalia case does not sufficiently produce compelling argument for a number of reasons. First, in the early days of Somalia and until late in the 1990s, state repression and violence against islamist did not result their rise in the country, and neither did it contribute to their eventual post state collapse development. The strength of the clan-based structure of Somali society, the Somali state and nationalism, oppression and control combined with the social aversion to Salafism, better explains why Islamism has not developed earlier in Somalia (Marchal & Sheikh, 2015). However, the increased contact between Somalis and the Gulf States facilitated the gradual flow of Salafism into Somali society. State collapse and the failure of secular leaders to win society's trust and to

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[5] Islamism is seen in this thesis "not as monolithic blocks, but as ideological arenas of dispute between competing and evolving social actors, operating in specific local contexts" (Gade and Bøås, 2018, P.5).

deliver better explain the eventual emergence of Islamism in Somalia(Hansen, 2009). Therefore, state repression and crises of governance are not per se sufficient to explain the development of Islamism in Somalia. However, because of the spiritual capital that creates cross clan network of solidarity islamist has been able to capture much of Somalis' private economy, schools, universities, hospitals and local NGOs which in turn have facilitated their popularity as governance actors in post-state collapse Somalia.

An exception to this may be Al-Shabaab which despite its brutality has been enforcing security and order (Hansen, 2013). Over the past two-and-a-half decades, Somalia's post-state collapse political landscape has been transformed by the rise of Islamist organisations and movements that have emerged from the ashes of the collapse and the civil war. With the demise of Somalia's central government in 1991, political Islam ascendance has contributed to the refocusing on Somalia by international actors. It has, however, promoted the polarisation and fragmentation of the political and social space in the country and vicious circles of violent conflicts and, thus, undermined the possibility of the revival of the Somali state as Somalia has become mainly viewed by international sectors within the prism of war on terror (Gaas and Hansen, 2011).

Chapter 4. Methodology

4.1. Choice of method and research design

This study utilises a qualitative approach. The reason for the choice of a qualitative approach is that it permits deconstructing and understanding complex societal phenomena by analysing the experiences of humans involved in such phenomena (Denzin and Lincoln, 2003; Bryman, 2016; Krauss 2005). The approach is interactive and focuses on descriptions of observable realities within their respective environmental and societal contexts (Bryman, 2004, 2016; Krauss 2005; Miles and Huberman 1994). Further, it allows the researcher to conduct a critical inquiry with the subject and capture the various aspects and issues involved in it within the context of which it occurs. In that, the perspective of people studied informs the qualitative method, which acknowledges that 'knowledge and practices are studied as local knowledge' (Flikc, 1998, in Denzin & Lincoln, 2003, p.15). This study adopts a case study research design.

There has been significant debate on what a case study refers to (see Bryman, 2008; Punch 1998; Miles and Huberman, 1994; Ragin and Becker, 1992). Consequently, there are multiple definitions of a case study. For instance, a case study can be a phenomenon, a country, a policy, an issue, a process, a place, a location, an individual, group of people, an organisation or set of organisations, a role, a structure or a historical event (Bryman, 2008; Punch 1998; Miles & Huberman, 1994; Ragin & Becker, 1992). A case study also entails an inquiry into these and the strategy that the research involves (ibid.). With a case study the subject of the research inquiry is embedded in the context of which the research aims to analyse (Yin, 2003). According to Bryman (2008, p.52), a 'case study entails the detailed and intensive analysis of a single case'. It is noteworthy that a single case study can consist of a number of cases (embedded cases or units), where one distinguishes between an entire case study and the cases it encompasses. While the first is considered a single unit of analysis, which could be, for example, a phenomenon or

a country, the latter is a number of analytical units, as, for example, different aspects of that phenomenon analysed (Yin, 2009). The study follows the definition of Yin (2009), where governance in the absence of a Somali state is considered as the entire case or the sole unit of analysis of the study while embedded cases are the three objectives of this study that form and provide a context to the entire case study.

A case study may not allow the drawing of a generalisable conclusion from the study findings. This is due to the uniqueness of the cases studied, in that the findings of this thesis may not be readily generalisable to other cases owing to the peculiarity of the case. Somalia has unique features that contextualises it and make it important in its own right because it allows the study of the interaction between tribal and religious structures and is important for international actors. Therefore, Stoecker (1991) suggests that to conduct a case study with rigor, the researcher must assess theoretical and conceptual frameworks, their positions, and the logic informing such conceptual and theoretical frameworks used for a study. The approach is flexible and allows for the studying of these within a particular context from different angles and through different lenses. This may lead to a broader understanding of the phenomena and their various aspects (Yin, 2004). This means the approach helps in gaining an understanding of the study's theoretical concepts, ungoverned space and governance in the form of non-state actors themselves, since the empirical findings of this research may also influence and remodel our theoretical perception, hence contributing to a 're-theorising' of the subject of the research focus. The responsiveness and flexibility of the approach makes it well suited to studying the peculiar phenomenon of 'order in chaos in Somalia. Above all, Somalia is a case that is very important in its own right (because of its international importance), and a case that allows the study of clan/tribal structures and other social instutions. Thus, the choice of the qualitative case study design that the study adopts is strategic and serves its need of understanding Somalia, which lacks functioning state (Gaas, 2014).

4.2. Methods of data collection

In the qualitative method, data collection and analysis have no clear boundaries and point of time where one begins and the other ends because the collection and analysis go hand in hand. The method allows for multiple methods and data collection tools to be used, which makes it flexible (Bryman and Becker, 2008). The data collected in each method enhances and complements each other. However, the general purpose the method serves is threefold. First, it enables the acquisition of an in-depth insights into the subject investigated (Denzin and Lincoln 2003). Second, as different tools of data collection are employed with the case study design data collected, it is extensive and has a high degree of superiority. Third, because of this, the qualitative approach allows for the triangulation of data collected using the different methods it employs, which strengthens the validly of the study (Berg 2009). The main data collection tools used for this thesis were interviews, participant observation and a literature analysis. To avoid the trap of having structured research phases that are rigid, data collection and literature analyses were conducted in parallel. A data collection plan was made to avoid confusion and a lack of organisation in the data collection. Short descriptions of each of these are outlined in following paragraphs. The fact that I was involved in Somali studies as a researcher and had the opportunity of studying Somalia as a Somali has advantages but also disadvantages. That I could network, connect and utilise my cultural and linguistic background has been tremendously helpful in several ways. First, I was saved from the hassle of using the interpreter and fixer that other researchers might need to conduct their studies. Second, the fact that I am Somali resolved also the issue of access to information in a Somali context, which is characterised by complexity and consequently distrust by local populations towards researchers. Third, this also gave me the edge in being able to triangulate information whenever such information might have seemed dubious. On the other hand, the liability of being Somali is that I have been away from Somalis for more than a decade, which created some subtle challenges initially in reconnecting and understanding local populations' ways, as well as in developing networks. Further, sometimes because

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of the clan factor, some interviews may have deliberately provided biased information, but this was resolved by triangulating it whenever that was the case. The fact that Somali diaspora members are often not seen as true Somalis may have been a disadvantage, especially when accessing certain elites that I had no prior connection with. However, whenever that was the case, the issue was overcome by opting to network to find an individual that could be a potential interviewee.

In Somalia, the interviews were conducted in Puntland, Somaliland, Mogadishu (via phone), and in Jubbaland. Also, some interviews were conducted in Nairobi, Kenya, in London, in Gothenburg, Sweden, in Oslo and in Minneapolis. The literature review was conducted to set the scene for the interviews and the participant observations.

4.2.1. Literature analysis

Relevant literature was analysed for the purpose of collecting data but also for the triangulation of collected data afterwards. The literature-based data collection process consisted of two phases. First, an attempt was made to acquire an overview of the literature relating to the research objectives. Second, collected literature in the form of books, scientific articles and reports were systematically analysed to uncover knowledge gaps in the scholarly work in the field of Somali studies relating to my research objectives. Also, this step was conducted with regard to the theoretical literature dealing with state, governance nexus conflicts in Africa. This helped me in gaining a deeper understanding of theoretical positions and perspectives on the subject. This enabled me to address the question of how to refine conceptual and theoretical problems and the challenges my study faced. A literature analysis was also conducted during the writing process, and was used whenever possible as a triangulation method to verify certain data collected.

4.2.2. Key informants and individual interviews

This study utilised individual interviews (defined as 'individual' where they might not necessarily have a deep knowledge on the subject) and key informant interviews (individuals with a deeper knowledge of the phenomena this research was dealing with, the history of Somalia and the wider issues facing the country). An interview

guide and questionnaires were produced. To avoid data loss, interviews were recorded or written during the interview in case some informants preferred not being recorded. Further, the translation/transcription of interviews was undertaken by me as I speak the same language as the interviewees. Interviews were conducted in two steps, a test step and the actual interview. In the first, a limited test interview was conducted before the actual departure to the field took place. This was followed by a second phase of conducting extensive face-to-face interviews with the respondents (present and ex-political figures, elders, intellectuals, business leaders and others, including staff of NGOs in Puntland, Somaliland and Jubaland, and in Nairobi, Kenya, as well as among the diaspora. Both key and individual interviews took place in different places and times as, for example, in the diaspora, in Somalia and in Kenya. Most of the political and economic elites of Somalis are mostly among the diaspora, including clan elders, Somali government ministers and officials, former ministers and officials, businessmen and intellectuals. Also included were individuals operating NGOs in Somalia. Some of the interviews, especially those with individuals in Mogadishu were done via phone. Also, some of the interviews were conducted in Nairobi, London, and Gothenburg in Sweden, Oslo, and Minneapolis between 2010 and 2016. In total, 71 interviews were conducted. The selection of interviewees was made based on purposive sampling. However, to capture the diversity of perspectives, the selection of key informants was made based on their extensive knowledge of the socio-political conditions of the country, the conflict and the nature of conflicts and the rise and development of Al-Shabaab and wider political Islam in Somalia. While interviews were used as a vehicle for the data collection, two issues underlined the use of key informants. First, key informants were used for data collection as they had unparalleled and contextualised insights into the subject, which was important to the understanding of the research focus. Second, they were used to triangulate the validity of some of the data collected through semi-structured interviews. While the first helped in collecting substantial insights on specific issues, the latter was a helpful tool in collecting detailed knowledge and insights into issues that arose in the study.

The interviews faced a number of challenges. First, some planned interviews did not materialise due to the time and shifts of schedule of some of the interviewees. In such cases, whenever possible, an alternative appointment for an interview was secured. Where that was not possible, a telephone interview compensated for it. Second, data was reliant on the memory of interviewees and in some cases, due to this, there were instances where historical facts became blurred. Also, the fact that the issues of federalism versus centralism in Somalia is politically contested and involves sharp divisions may have influenced some of the information provided by interviewees. However, those interviewed were senior people either in age or the positions they held or hold at present in society and in the administration of the regional states and the federal government. In this regard, the information provided by these people was triangulated with other sources. The fact that I was well informed by being a Somali and what is happening in Somalia also helped in dealing with any interviewees' distortion of information. Nevertheless, the more acute limitations of this study were that it was difficult to balance interviewee gender and generation. The second generation of Somalis in the diaspora lacks substantial knowledge on Somalia and that justified their unequal representation in the interviews. The researcher also faced difficulties in finding a number of well-informed women for interviewing. This is not to say that there is a shortage of their availability as, in fact, some women within NGOs and the media sector were interviewed, but rather that they are not equally represented in the collected data. However, attempts were made to represent their views whenever possible by including in the interviews the ones that were accessible so that the quality and validity of the study are maintained, and diverse perspectives and views are presented.

4.2.3. Participant observation

Besides the interviews, participant observation was deployed to clarify but also verify issues that either were not clear or where their validity was questionable. My participation in various activities including conferences, research projects and forums dedicated to Somalia and the wider Horn of Africa benefited the thesis study.

These activities made me travel to both the Horn of Africa region and to the wider diaspora, which gave me the possibility to interact with various Somali political, social and business actors. My rather substantial period of involvement in research and follow-up events and developments concerning Somalia contributed to gaining insights into Somalia. The fact that I speak the Somali language and have a cultural background from Somalia helped me access both different discussion platforms and also to participate and access insights of others into Somalia.

4.3. Ethical issues

The research conforms to the guidelines of the National Committee for Research Ethics in the Social Sciences and the Humanities (NESH) and NMBU's ethics. The issues of informed consent, confidentiality, anonymity, and do no harm were maintained prior to, during and after the research. Also, the researcher was conscious of any other ethical issues that might have arisen during and after the data collection. However, so far there have not been any unforeseen ethical challenges that arose during the interviews.

Chapter 5. Findings

5.1. Meta finding

This thesis finds that order and governance exist outside the state and that state collapse does not necessarily lead to a situation of ungoverned-ness emerging. Contrary to the ungoverned spaces notion, this thesis asserts that societies facing a situation of state collapse are indeed capable of creating governance or political order. Somalia is a case that evidences that. Somalis have recreated political, economic and governance orders that, although not perfect, work for them and make life predictable in the midst of the disorder resulting from the state collapse and even link them to global markets. In fact, under the Somali state collapse, surprisingly, a private-sector Somali economy has functioned and has grown and become even more integrated into the global economy. Schools, universities, hospitals, air transportation and telecommunications, and banking (in the form of the hawala system) have functioned as well despite the absence of a state. This is facilitated by societal institutions and actors. The implication of this is that state is not the sole provider of social contract, as has been advanced by the Hobbes Leviathan state thesis. Neither is it the sole provider of governance. In a stateless society such as the Somali one, the social contract is created by customary law and sharia and enforced by clan elders and local imams. This social structure and culture embedded in the social contract in the Somali case have been used as the basis for establishing hybrid governance modalities in the country in the absence of state.

5.2. The contributions made by each paper

5.2.1. Paper I

The strength of this paper lies in the fact that it looked at how clan is used by Somalis and whether the current theoretical models of primordialists and instrumentalists explain Somalia, and how the society and the conflict are viewed reflects the actual way that Somalis use clan and the reality of clan structure and identity nexus conflict. The paper generates new insights on the subject matter and finds that these models fail to capture the relationship between clan system, its manipulation and

the conflict. Clan is flexible and dynamic and its manipulation bidirectional and not is not something primordial and unidirectional manipulated by elites. However, thought dynamic clan is yet stable enough to be important and interact with other factors that form the political dynamic in the country. While rejecting these approaches as a theoretical framework, the paper suggests an alternative conception of Somali society and its clan system based on the notion of clan dynamism and duality of clan manipulation.

5.2.2. Paper II

This paper establishes that governance and modalities of governance that share aspect with and are different from the ideal western forms of governance do exist and can be found in Somalia in the absence of state. The institutions of clan and religion have facilitated the governance modalities found in the country. These institutions serve as models that always have been important in Somali society, and have become an even more important source of order in the absence of state. Where these institutions have facilitated the creation of hybrid governance structures that are non-state in the form of regional states in Somalia. Moreover, these models have been a founding step for the current weak federal government, though more so for the institutions of clan. Actors such as clans and imams, regional states, the Somalia diaspora and Al-Shabaab are important and influence the fate of Somalia. However, as result of the relative instability of these modalities of governance and their continuously hybridisation, while they serve as a coping and enabling and have sustained the Somali society in the absence of state they are prone to exasperate political and social fragmentation and are susceptible to external manipulation.

5.2.3. Paper III

This paper was published in 2012 and made important contributions in that it analysed the importance of Al-Shabaab, its strategies and survivability. Al-Shabaab as an organisation plays a governance role in Somalia as it controls parts of the country. The contributions of this paper lie in actors such as Al-Shabaab being difficult to study due to the issue of access to information and the country. However,

the paper is based on real interviews. In so doing, it provides unique details on the history, Al-Shabaab's existence trajectories and the strategies it has conducted. The fact that there have been predictions of its collapse for the last 10 years but that it continues to exist is one of the key findings that the paper has predicted.

Chapter 6. Synthesis of main findings and the overall conclusion

6.1. Somalia: An ungoverned space or order in chaos?

This thesis looked at governance in places where there was supposedly none but where the socio-political and economic evidence suggested otherwise. Various theories have largely conceptualised governance without the state to be equal to chaos and a state of nature and ungoverned-ness. The reason for this is that they overlook the empirical realities of ungoverned spaces, as they perceive non-state actors as being either incapable of, or uninterested in, creating order. This thesis has focused on the case of Somalia, examining the way in which governance has been established in the absence of state. The thesis research questions underline also why and how Somalia is not an ungoverned space but rather a space governed differently, how such governance exists and how it emerged and operates, as well as the nature of the actors and institutions that underpin that. These are key issues theoretically and empirically that continue to be underexplored in the case of Somalia and other so-called 'failed states' and ungoverned spaces.

It is often assumed within these concepts that whenever a state fails or is fragile, governance vanishes. However, that is a misconception as a growing body of research has provided evidence to the contrary. It reflects the ideological power of the state informed by Hobbes's notion of the state being the antidote to the emergence of a state of nature and consequently being the sole social contract creator. This research finds that the opposite to be the case, as Somalia shows. Somalia, despite lacking a viable state in the form known internationally, is not without an economic and political order of governance. Somalia shows survival in the absence of state. Enabled by societal structures, local culture and institutions and technology, Somalia works in the absence of state. However, it is working through a constant and often violent form of negotiation and navigation. On an individual and collective level, it works, but it also at times breaks down and violent

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conflict occurs.[6] Those that have come to become the nodal points in these informal and overlapping networks, institutions and actors of governance use violence, often taken to its extreme, to maintain a position of relative hegemony. Somalia is working, but the way it works also amounts to a state of affairs with severe limitations. It can at times provide a good and flexible business environment, but this is an environment that is non-transparent and works best for those well-connected and well-protected by certain 'big man' style nodal points of governance. For others, it is much more difficult, and for those without, they live a life of insecurity unpredictability. Moreover, the war and droughts show only all too well the most severe limitations of the way that Somalia works for its citizens. The argument has been advanced that Somalis are better off stateless and that the violence and chaos is the African way of how things work; but the idea that life is better is arguably too vague, as has been suggested (Leeson, 2007). In fact, despite the persistent limitations brought about by the collapse of the state, Somalia copes because remained far from being without governance in the period 1991 to 2012, when governance forms that are an alternative to the state developed.[7] Social institutions that have always been important in Somalia became an important governance foundation. While clan systems provided models of governance, these forms of governance often overlapped with the often clan-based political factions in the 1990s. They closely based themselves on clan support, but indirectly on its traditional structure (as elders).[8] Regional states were also organised, often around the clan system. The most successful of them, Puntland and Somaliland, based them-selves on clan-based consensus, at times spanning more than one clan. However, while state is absent and its development will take time, social institutions have been crucial for providing frames of governance that diverse local actors have employed to facilitate different aspects of life in Somalia. These arrangements

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[6] See, for example, Henrik Vaugh's social navigation for extensive explanations of the nature of the violence and actors in Africa.

[7] Menkhaus, K., 2007, Governance without Government in Somalia: Spoilers, State Building, and the Politics of Coping, International Security, Vol. 31, No. 3, pp. 74-106.

[8] Hansen, Stig Jarle 'Warlords and Peace Strategies,', *Journal of Conflict Studies*, volume xxii:2. Fall 2003

continue to play a vital role in state-building in Somalia. For example, clan itself is conducted as a reconciliatory and power-sharing framework under the new federal arrangement of Somalia. They, however, like the political enclaves facilitated by them, are prone to political and social fragmentation that make them susceptible to external manipulation. However, despite this, it should not be assumed that Somali society, its clan system and conflict are static, as has been advanced in certain theoretical approaches. Far from that, it has been changing and, given the magnitude of the crises of state that the country has faced, morphed in ways that are not recognisable from the outside. Further, the crisis that has contributed to the rise and development of Islamism in Somalia has also its hallmarks in Somalia and its governance and is likely to influence it for years to come. However, the survival of Al-Shabaab could be a sign of the magnitude of the social change of Somalis, as traditionally Islamism has been alien to the country and its people. This is, however, far more complex and multifaceted, as it seems that at times of crises and conflicts, religion in Somalia has been a rallying point and identity that cuts across clan loyalties and fragmentation.

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Compilation of papers

Paper I

Primordialism versus instrumentalism in Somali society: Is an alternative needed?

Mohamed Husein Gaas

Under review: *Journal of Contemporary African Studies*

Paper II

Modalities of Governance and Contradictions in Somalia

Mohamed Husein Gaas

Under review: *The Journal of Modern African Studies*

Paper III

Harakat Al-Shabaab and Somalia`s current state of affairs

Stig Jarle Hansen and Mohamed Husein Gaas

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Primordialism versus instrumentalism in Somali society: Is an alternative needed?

Abstract

Many of the explanations of Somali society, its state and its conflict centre on the clan system and contain elements of primordialism or instrumentalism. Yet the assumptions underpinning these models have not been critically analysed. In these models, the Somali clan system is seen as either being primordial or flexible but ultimately manipulated by elites. This article, based on qualitative interviews and observations, analyses the utility of these two approaches and finds that the narratives founded thereon fail to comprehend fully the clan system in Somalia and, therefore, the society and conflict in the country. For instance, the primordialists' conceptualisation of the clan system as an enduring and detrimental organisational principle naively overlooks the spatiotemporal context in which this system operates and from which it draws meaning. Similarly, although the instrumentalists' view of the manipulation of clanship provides a better analysis, it does not capture the bidirectional character of clanship manipulation. Clan manipulation is not unidirectional by elites, as both clans and elites manipulate each other mutually. While rejecting these approaches as a theoretical framework, this paper offers an alternative understanding of Somali society and its clan system based on the notion of clan dynamism and its bidirectional manipulation, where it serves as a highly adaptive framework of governance, and a network of solidarity.

1. Introduction

Over the last few decades, Somalia's conflict and state failure has been analysed through both the primordialist and the instrumentalist theoretical models (Anderson 2012).[1] The primordialist model holds that the Somali clan system is an enduring yet divisive organisational principle underpinning the conflict in Somalia (Lewis 1998:101). In contrast, the instrumentalist approach explains the flexibility of clanship and its manipulation by elites to service their strategic aims by invoking it as a group identity and resorting to its politicisation (Besteman 1999; Samatar 1992; Kapteijns 2004).

Those two modes were heavily debated in Somali studies in the 1990s. However, the debate has not yet been fruitful, as it has failed to transcend the 'straw man problem' and produce any tangible new insights into the Somali clan system, society and conflict. Clan is still seen as both static and enduring or as merely flexible and instruments that are freely manipulated and used by elites. This article argues against both views and aims to suggest a third way that can better capture the clan, its manipulation and the conflict in Somalia. I propose conceiving the clan as being dynamic rather than static, and its manipulation directional. In order to establish that, I will consider clan as a structure and as an identity and will review how Somalis use it in its temporal context. Based on these proceedings, I will show that clan is not a primordial identity or structure and thus an enduring and deterministic organisational principle in Somali society. Nor is it the most dominant one. However, clan is neither absent in Somali society nor dominant at all time, as I will show later.

Structurally, clan combines two different types of dynamism that give it its unique character. The visibly dynamic core of clan is its *xeer* (Somali customary law), clan elders and other norms and traditions that can change rapidly (Samatar 1992) due to temporal factors. Similarly, the less visible but dynamic other core of clan structure, which includes *abtirsi* (genealogy), changes at a slower pace. Individual and group choices of belonging shift as dictated by their own shifting interests, perceptions and priorities rather than by rigid biological relations or manipulated structure (Schlee 2007). Therefore, there are no fixed clan out there. Rather, clan is just a temporary social constructed conjuration. Clans do not have an independent existence on their own but are 'enacted' by people using it for the purpose of identification, making claims, dividing or competing for power to give their 'clan a reality that actually is not there'. This means that we cannot take clan for granted, as it does not have a static agency: yet we cannot equally entertain as if clan is not a political force – a form of organisation and social connection that can be manipulated (Kapteijns 2004). Clan is neither dominant at all times nor absent nor although it is always there, it cannot be taken for granted. Its power lies in collective solidarity (ibid.). This is not to deny clan's importance in Somali society and its manipulation but to show that clan is better captured

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[1] Many of the contributions discussing agnatic lines as tribes and clan in African studies can be divided into two categories – primordial and instrumental – even though the literature does use these terms explicitly

not as a primordial structure and identity but instead as one that combines aspects of what perceptually seems primordial but is dynamic. Through such reconsideration and examination of clan, this article argues that clan as a system can be better understood as a dynamic that provides a highly adaptive framework of governance, a network of solidarity and a political force and power when properly deployed. It also provides a form of identification (Lewis 1998) that is not primordial, enduring or deterministic (Kapteijns 2004; Luling 2006).

The primordialist narrative on Somalia draws on the view that sees clanship as an enduring, determinant identity and a major organisational principle in Somali society (Lewis 1957). Primordialists emphasise clan primordiality and believe that ancient hatred between clans explains the crises and civil war in Somalia as Somalis are 'doing what they have always done – only with greater access to more lethal weapons'(Lewis 1998:68). Such clan hatred is, therefore, impossible to bridge and trumps other principles, such as neighbourhood, city, region, Islam and 'Somaliness' (Lewis 1957, Lewis 1994, Lewis 1998, Lewis 1998, Lewis 1999). It is in this continuum both past and present conflicts in Somali are being reduced to clan conflict. The only difference over time, according to primordialists, is the means of warfare (Lewis 1998). Proponents of this approach argue that establishing centralised state authority in Somalia is impossible without bolstering the faded power of clan elders to better control the Somali anarchy that has resulted from the country's clan structure and heritage of endless wars (Lewis 1998). In this model, clan is seen as being the most appropriate analytical tool and unit of analysis to study Somali society and its institutions, and Lewis states that 'the nature of Somali political institutions is not immediately obvious and can only be elucidated by systematic study' of clan (Lewis 1957). However, this view has been criticised for concealing the realities of Somali society and the ongoing conflict (Kapteijns 2012).

The instrumentalist narrative revolves around the notion of the manipulation of structures and institutions by elites. Samatar (1992), Besteman (1996), Besteman (1999), Samatar (2000), Besteman (2014) and Kapteijns (2012) argue that clan has morphed and left behind norms and its central elements, and that new influences of political economy and factors have played their part. In this, clan is not the problem that has created the conflict in Somalia and, therefore, the collapse of the state. But the political elites manipulation of clan to achieve their desire of power and sustain their relevance. This narrative offers a more favourable interpretation of the role of clan in Somali society as it accounts for the temporal effects on clan, society, the conflict and the state. Instrumentalists, in contrast, see clan-based identity as perceptual and, thus, flexible; consequently, they do not believe that Somalia's conflict is a product of clan but rather the elites' manipulation of it. Although this understanding suggests a clearer political and economic approach to understanding the Somali conflict, it overlooks the fact that manipulation is a two-way process, in which both clans and elites manipulate each other.

There have been several debates between primordialists and instrumentalists on Somali society. The high-profile debate between Besteman and Lewis in the 1990s focused on providing an overarching narrative about Somali society, the state and violent conflict. While Lewis studied

current Somaliland, Besteman conducted her research on the Wagosha communities in southern Somalia. In this debate, Besteman (1998) insisted that instead of clan-based analyses, analyses of race and class combined with competition over resources better captures the nature of the conflict and the subsequent collapse of the Somali state.

Besteman (1996,1998,1999), Kapteijns (2004), Luling (2006), Kapteijns (2012), Besteman (2014), Samatar (1992), Samatar (2000), Samatar (2000)and Mohamed (2012) have all challenged the primordialist paradigm by presenting convincing arguments on the futility of relying on clan-based analyses to understand the Somali conflict and the collapse of the state. These scholars further demonstrate how Somalis' clanship system is not the sole social organisational principle in the country and how it has and continues to change. Luling (2006), in her *Genealogy as Theory, Genealogy as Tool: Aspects of Somali 'Clanship'*, stresses the existence of other modes of social organisation and identification. Kapteijns (2004, 2012), Kapteijns and Farah (2001) and Samatar (2000) show the importance of communal 'Somaliness' and Islam as principles in Somali society, and how clan itself has left behind the *xeer* that previously provided moral codes to regulate conflict. Kapteijns (2004) succinctly exposes the flaws of the primordialism that reduces Somali society to clans. In an interesting critique of Lewis' (1994) *Pastoral Democracy*, Kapteijns and Farah (2001) explain how the clanship paradigm emerged in a specific time and situation they refer to as a 'late colonial consensus'. Both Kapteijns and Farah (2001) and Samatar (1992) have suggested that any analysis based on clan should consider the historical context and specific conditions prevailing at that time.

Kapteijns and Farah (2001) have stressed the insufficiency of kinship relations without *xeer* to prompt solidarity or serve as a basis for collective group action. However, while such debates shed light on the failure of the primordialist approach as a suitable tool for analysing the Somali clan system and the instrumentalists' strength in doing so, the latter approach still fails to account for the two-way effect of clan manipulation. For example, while instrumentalists acknowledge the flexibility of clanship, their understanding of elites' manipulation of clan as a unidirectional process is erroneous. The process of clan manipulation by elites, and the relationship it involves, is bi-dimensional – individual elites and clans manipulate each other. For elites to secure support, they must serve the clans' interests or credibly pretend that they are doing so. When these codes of conduct are not adhered to, elites risk a backlash from their respective clans that can lead to the clan withdrawing its support. These phenomena is not well captured by the instrumentalist notion of manipulation of clan based group identity specifically and structures in general terms.

This article examines the utility of the primordialist and instrumentalist approaches in understanding the relationship between the clan system and conflict in Somalia by attempting to answer three research questions: How do primordialist and instrumentalist theoretical models explain the relationship between clan and conflict in Somalia? Why do these approaches fail to

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comprehend the nature of clan system and how it structures society and conflict? How can the relation between clan and the conflict in Somalia be explained?

It draws on qualitative data collected over the course of several years, mainly from interviews with Somali elders, intellectuals and academics, and participant observation. The paper is divided into three sections. The first section introduces the society, its clan system and conflict. The second section examines the utility of the primordialist and instrumentalist approaches in explaining Somali society, its clan system and the conflict. Finally, the third section presents an alternative perspective.

2. Segmentary lineage and societal structure

I.M. Lewis, the most widely published scholar of Somalia studies, introduced segmentary lineage as a system for the study of Somalia in the middle of the 20th century, and it has widely influenced on Somali studies ever since 1957. In this model, he identifies Somali lineage systems as structure where clan families as its upper limit that segments down into further segments all the way to *diya*-paying groups and kinship units that are unequal and unbalanced (Lewis, 1957). This segmentary lineage system structures Somali society into six major clan families and some minor clans that can be grouped mainly into Samaale and Sab groups (Cassanelli 1982, Lewis 1998). The Samaale group consists of the Darod, Dir, Hawiye and Isaq clan families; the Sab group consists of the Digil and Mirifle groups, which are considered to have somewhat lower social status (ibid.). In addition, there are also the Arab and Bantu and Yibir groups, along with other minor ones (Luling 2006).

Samaale groups have a strong clan structure, while subgroups have a somewhat mixed structure and unclear genealogical lines (Lewis 1998). Some minority clans lacked genealogical trees prior to the civil war in 1991 but since then have resorted to either creating their own genealogies or inserting themselves into one of the existing clan genealogies (Luling 2006). Each clan family segments into clans, sub-clans, lineage and primary lineage, down to *reer* (household). There is a similarity in the structure of clan families, in which each subdivides into larger segments and then into the smallest unit, which is often a kinship unit – the *diya*-paying group that shares the contractual agreement for common security, defence and solidarity, and acts as an effective political force. Each of them has a territory, *xeer* customary law and *sumad* (clan coat of arms or sign) that they are attached to and that is recognised by others (Lewis 1998:14-17). Traditionally, marriage within the kinship unit of the primary lineage or even in some cases sub-clan level is not permissible, and exogamous marriages were encouraged (Lewis 1999). Clans have *ugaas,* or clan chiefs, although clan chiefs do not have power over the autonomy of individual clan members.

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Clan families, clans and sub-clans, even those at the same level of a genealogical tree, differ greatly in size (Lewis 1961). Clans do not necessarily grow equally and similarly in strength over time. Lineages end up diverging in strength, and membership numbers, and wealth as well as power and prestige over time (Lewis 1961). However, every clan family possesses a historical origin as all of them trace their lineage from Qureshi of Arabia (ibid. 7-21).[2] Clan families in the north are mainly considered pastoral nomads while those in the south, especially from the banks of the Juba and Shebelle rivers, practise cultivation and sedentary farming (Lewis 1998). However, the clans in the south are more complex and diverse than those in the north and may not necessarily conform to the clan-based structure described above. For instance, clans in the north have a clearer hierarchical genealogical structure than some in the south, especially those found on the banks of the Juba and Shebelle rivers. Here, farms, villages and territory play a clearer organisational role than genealogy and are more centralised in a communal fashion. Some of them, such as the Reer Baraawe and Hubeer, lacked a clear clan genealogy before the civil war, or were part of other clans (Lulling 2006; Hellander 1998).

Clan families are too large and often too scattered to act uniformly; however, collective action takes place at the *mag*-paying group level. It is also in such segmentation of lineages that social and political divisions and fragmentation among Somalis emerge. The *mag*-paying group is obliged to collectively compensate for killing or injury and insults incurred by one of their members and to receive such compensation in cases where one of theirs is killed, injured or insulted by an individual belonging to another *mag*-paying lineage or group. In any case, whether *mag*-receiving or *mag*-paying, the *xeer* that binds them together can be deployed diminishingly or increasingly to determine the upper and lower limits of what establishes the *mag*-paying kinship unit – the *tol* (Lewis 1998:102).

The segmentary lineage-based principle organises Somalis socially and politically (Lewis 1957). Somalis' political identity depends on kinship and 'individual Somalis thus belong to a series of groups mobilised, as the need arises, in opposition to each other and following the genealogical relationships of their eponymous ancestors' (Lewis 1998:101). Through *abtirsi*, or traditional genealogical reckoning, individual Somalis trace their genealogy by recounting their ancestral forefathers. The number of ancestors counted differs among lineages and individuals and can range from four for the primary lineages to thirty for clan families. There are no rules governing the length of *abtirsi,* but it is often subject to the level and size of the lineage and even clan families (Cassanelli 1982). Some lineages individual members' *abtirsimo* tends to be longer. This has nothing to do with whether one is from a long tree branch (*laandheere*) or from a short tree branch (*laangaab*). It is through this system that two individual Somalis can discern how closely they are related. Kinship is thus central to identity and social organisation and should be considered the most important mechanism of politics in Somalia (Lewis 1961). Lewis states that Somalis constitute a society 'whose politics are cast in a genealogical idiom and whose dominant political

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[2] Exceptions to this are the Bantu and Yibir groups (Lulling 2010).

ideology is that political relations are a function of genealogical distance' (Lewis 1961:94). In other words, social and group relations, whether political or structural, match the genealogical distance or closeness of groups (ibid).

An understanding of Somalis' socio-political system and solidarity requires an appreciation of the nature of the country's kinship as this provides the 'locus of politico-jural identity' for effective mobilisation of Somalis (Lewis 1994:1). Social and political solidarity are still expressed at different levels, and are most robust at the lowest level of clans, but the strength of the solidarity and political loyalty among clan members is dictated by *xeer* and not agnation, as agnation alone is insufficient for a kinship group and blood tie-based relations to function properly. For this reason, Somalis differentiate between three types of relations: *xeer wadaag*, a group with common customary laws; *dhaqan wadaag*, a group of people with cultural and practical relations; and *dhiig wadaag*, a group with blood relations. In the first, *xeer wadaag* can involve people who do have blood relations, but this is not essential. However, this type of relationship is based on a specific feature that outlines socio-political relations, such as grazing, use of wells and other practical issues, including how to settle a dispute. This type of relationship is often more common in and between clans that are neighbours and is often referred to by Somalis as *ood wadaag* (neighbourhood, shared fence). [3]The second group is often found in similar settings, but also within clan and lineages in two ways. In some cases, and especially when a *sheegad* is not one single individual of a family and involves an entire lineage or clan, that clan is considered under the relationship category of *dhaqan wadaag,* where a specific *xeer* applies and regulates the relationship between the two. *Dhaqan wadaag* is a name that serves as an umbrella term (shared customs), with which both parties identify with and enforce. This name is not often reflected in the genealogical reckoning of any of the clans (ibid). The third type of relationship is founded by genealogy, and is also regulated by *xeer*. Therefore, blood relations grant no automatic solidarity in the Somali clan system without also having a common *xeer*.[4]

Contrary to that view, Lewis (1961) suggests that clanship is a political identity that relies on principles of agnation and contract and he sees kinship as key to understanding politics in Somalia. However, without understanding *xeer*, it is difficult to grasp kinship. While agnation is based on kinship relations that are biological, contract is a publicly negotiated agreement. Lewis further asserts that as clanship forms an enduring system, conflicts are embedded in Somali societal structure. He quotes the famous Bedouin saying to illustrate what he sees as the heritage of feuding and war among Somalis embedded in their societal structure and culture. In his view, the segmentary logic and philosophy revolves around:

> My uterine brother and I against my half-brother, my brother and me against my
> father, my father's household against my uncle's household, our two households…

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[3] Interview with clan elder in Kismaayo, 2014; interview with clan elder in Mogadishu (via phone), 2014.
[4] Interview with elder in Garowe, 2012; interview with clan elder in Kismaayo, 2014; and interview with clan elder in Nairobi, 2014.

against the rest of our immediate kin, my immediate kin against members of my kin... (Lewis 1999).

3. Social institutions: *xeer*, *ugaas*, clan elders and *shir*

The clan system relies on two fundamental principles of kinship: lineage or blood ties, and *xeer* or customary law (Lewis 1961). While the first denotes a genealogical connection reinforced by a patrilineal kinship of common ancestral lineages, the latter denotes *xeer* as a 'customary procedure founded on contractual agreement'(Lewis 1961: 62). Thus, *xeer* sets norms and standards for the basic values, roles and rules of interaction and comprises a set of laws, conventions and norms. These can arise from historical cases that have become an established norm. *Xeer* is related to Islamic *sharia* in certain ways, as many of its elements are derived from *sharia* law. However, x*eer* is not straightforward, as noted by Notten (2005), and consists of different customary laws, including *xeer darrod* or *xeer guud*, the general law; *xeer toleed* or *xeer sokeeye*, kinship law; and *xeerguri*, household law. The first applies countrywide and at times is called *xeer* Somali, while the second is applied with *sokeeye*, meaning kin and affinities. The third is used to regulate lineages conditions and criteria for collective defence, security and welfare terms and rights, responsibilities and roles (Lewis 1957*)*. However, *xeer* is unique in that its enforcement is driven by clan member's sanction of transgressors xeer (Menkhaus 2000).

Along with kinship lineage and *xeer*, clan chiefdom and clan elders[5] are fundamental elements of clan institutions. According to Lewis (1957), clan chiefdom is normally inherited authority but can yet be appointed clan elders or clan member through election. Each clan normally recognises clan elders who aid the clan chief (*ugaas*) or act independently of the interest of their respective clan, sub-clan or lineage. They are a central authority as they interpret and enforce *xeer*, resolve issues and conflicts and dispense *mag* (blood compensation) (ibid.). However, while clan elders perform these roles, their power and the authority they command differ significantly between different clans. Despite this, individual clan members are autonomous from *ugaas* and clan elders, while the latter two are accountable to their respective clan members. *Ugaas* can have political or religious roles. All adult men are classed as elders; however, respect is attached to age and lineage seniority (ibid). In the absence of a functioning state, elders have proven to be very important in filling the vacuum and upholding law and order, and have been central to all Somali-led reconciliation processes.

The fourth core element of the clan institution is *shir*, which is an assembly of all male adults of a lineage or clan who can participate in discussions, articulate their opinion and suggest ways to deal

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[5] In different Somali regions, there are different names, such as Isim, Suldaan, Garaad, Uqaas, and Malaq, Weber and Boqor used to indicate clan elders. However, these different names do not reflect any difference in the roles of elders; rather, they reflect the different clans' connotations of the clan elder.

with issues. For instance, clan elders or any member of the clan can call and facilitate a *shir*. At the assembly, individuals are free to raise issues or articulate their concerns on the issues under discussion without differentiation based on age, prestige or other characteristics. While in the past, *shir* has been largely considered an arena for adult males (Lewis 1957, 1998), recently, there has been an increasing trend of women becoming involved. For example, in cases where the issues at hand for the elders and assembly including considering the *mag* payment, the amount of compensation payable for death depends on the *xeer* (and historical precedents of similar cases, which have become incorporated into the *xeer)* rather than on the status of the victim *per se* (Cf. Lewis 1957). *Shir* is an open and democratic process that has been termed 'a pastoral democracy' by Lewis (1999). While these four core elements jointly establish clan institutions, they serve as a base for trust, and provide predictability, societal cohesion and a basis for conflict settlement in Somali society. These perspectives on clanship continue to dominate our understanding of Somalis, where clan can be viewed as a structure with a central, enduring and determinant political, economic and social role in Somali society. However, clanship, its use and its social and political roles have changed and are no longer what they once were. For the last few decades, the central tenets that have underpinned clan and its institutions have been eroded by spatiotemporal factors, including colonial intervention in the clan system and social, environmental and political shocks, which have altered clan locality and solidarity. For instance, the authority of elders has passed through significant changes (Menkhuas 2000), and the clans have left behind *xeer*, which has been only partially applied at times as the authority that would traditionally have enforced it has eroded. Although Lewis acknowledges the erosion of clan elders' authority, he nevertheless insists on the primordial and timeless nature of clanship (1998). However, these arguments have been increasingly challenged by successive studies, and Lewis' way of understanding and explaining Somali society and its conflicts through segmentary lineage has been found to be flawed (Kapteijns 2004). One of the main critiques of this approach reflects that the segmentary lineage system is not the only system that can be said to structure and organise Somalis (Besteman 1999; Luling 2006; Samatar 2000).

4. Primordialists on Somali society

Primordialists view clan as a basic identity and the structure enforcing it. Clan is, in their view, primordial, enduring and deterministic. However, the primordialist approach fails to explain the society, clan system and conflicts in Somalia (Lewis 1955; 1961; 1998a). This approach's strength of providing a macro narrative on Somalis is also its weakness. Its major shortcoming is its insistence on the primordiality of the clan system and conflict, which overlooks the historical context and relies on unstable mechanical relations (Kapteijns 2004). The primordialist perspective is founded on the perception of clanship as the major enduring organisational principle and the determinant identity implicated in every aspect of Somali social, political and economic life. This narrative was initially suggested by Lewis (1961) and remains the foundation of the primordialist narrative on Somali society.

Lewis' book, *A Pastoral Democracy: A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa* (Lewis 1961), has been criticised on a number of accounts. Kapteijns and Farah (2001) show the flaws of the clanship paradigm which Lewis' work represents. These authors argue that Lewis defined Somali clan system for colonial purposes and point out that he overlooked other principles structuring the society, such as *xeer*, marriage, Islam and neighbourhood. Lewis also equates clan with ethnicity (Lewis 2004) and clan identifies according to blood, with resulting differences leading to inter-clan hatred and conflicts. Lewis sees clan-based identity as primordial, enduring and deterministic, making clan conflicts inevitable (Lewis 1957; 1994; 1998; 1999). He (1961) also disregards colonial experience, history and the transformation of Somali society and of clan itself (Kapteijns and Farah 2001; Samatar 1992). Samatar (1992; 2000) shows how clan and the central tenets that regulate it have morphed, where he suggests clan has left behind *xeer*. He also points out the shift of modes in livelihood induced by increased urbanisation after independence.

Despite this, Lewis has maintained that the clan system is primordial and, thus, the determinant of the socio-political and economic realities of the Somalis. However, these realities are shaped by *xeer* and other prevailing conditions and factors. After all, clan is neither primordial nor a determinant of socio-political realities for Somalis. Changes to clan that are structural have often occurred but are not captured by primordialists. They can be detected and differentiated, such as whether such change occurs to the clan in terms of its structure or identity, or through clan`s institutions of collective welfare and protection. These changes can be brought about by the prevailing environmental and political conditions.[6] Neither the reference point of clan families nor the primary lineages of kinship are stable.[7] This also applies to anything that falls within what Lewis called the clan families and primary lineage(Abbink 2009) Both are relative. While the relativity of the latter is obvious, the first can be detected through uncovering how Somalis respond when they are asked about the clan to which they belong (ibid). In fact, when you ask any Somali this question, their response can include anything from lineage to clan families.[8] The same instability holds for the *diya*-paying groups, which is what Lewis termed as the most stable unit of collective solidarity. While that is the general perception, it does not reflect the complex reality of a *mag*-paying group, as the group itself is flexible and contract-based rather than based on blood relationships. *Mag*-paying groups can be drawn from any level based on contract and, thus, they are not stable at all.[9]

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[6] Interview with a Somali elder in Kismaayo, Somalia, in January 2014.
[7] Ibid.
[8] Interview 7 with an elder in Galkayo in July 2012 and Garowe in the same month.
[9] Interview 4 with a Somali clan elder in Nairobi, Kenya, in August 2012.

The *diya (mag)* paying and compensation itself depends on the solidarity provided by *xeer*, which can have an effect at any level beyond the kinship unit. It can be at the clan level and even at the clan family level subject to the amount of compensation needed and the wealth of kinship members. In any case, even if this had been the norm in the past, it was in a pastoral setting and not in the cities in Somalia, let alone the recently formed Somali diaspora. In the latter setting, the *mag*-paying groups are not predefined but rather are determined by the situation at hand and matter which must be resolved, which in turn dictates the level at which compensation for such matter is achievable.[10] In the case that for any reason, whether economic or other the original *mag*-paying group, cannot or is not willing to compensate for the blood, the next level clan higher is resorted for the *mag* to be covered. In some cases, if the compensation is too large, even higher-level clan is considered which at times can be at the level of clan families. In any event, different kinship levels and their appropriate *xeer* are invoked for that purpose.[11] There are even situations in which compensation contributions are collected at the level beyond the clan structure and with action taking place at the Somalia-wide level, meaning that the whole compensation and aid to individual members can be based on any of the clan levels or at the national level of 'Somaliness'. [12] This phenomenon has always been there and relates to the inherited nature of clan, where clan as structure has always continued to contain this aspect of adaptive and evolutionary capacity in its nature. Clan, like any other structure, must have both a centre and a periphery. If we assume genealogy as clan's central core, norms and institutions are at the periphery. Neither is primordial, timeless or unchanging. Both are susceptible to change and, thus, are dynamic. The conditions and factors that trigger such changes and dynamism are divergent. The first changes take place extremely slowly and thus may appear deceptively primordial (e.g. clan genealogy), while changes in the latter are more ubiquitous and obvious (clan institutions such as *xeer*, elders and solidarity). Generally, change in either of the two aspects is detectable and distinguishable as inherited and induced. Inherited changes are embedded in the clan structure and can be triggered by the internal dynamics of the clan structure. An example of this is the segmentation phenomena of clans into sub-clans, lineages and kinship units, which happens due to the increase in the number of members as well as their power. The latter case leads to smaller lineages, sub-clans or clans within the same clan or clan family joining together for survival and creating sufficient strength to protect their clan, lineage interest and stakes.[13] This phenomenon of the dynamic of clan is well known to Somalis. A good example is where some of the clans inhabit the periphery of Somali territories in the Horn. Some had a sort of dual identity dictated by their interests. This type of belonging changes depending on need into either Oromo or Somali lineages, regardless of the original one. When such clans cross into Oromo or Boran lands, they assume their Oromo identity and are mostly bilingual (Schlee 2007). Into this category fall the Ajuuraan and Gare clans, and the Jaarso. For instance, in the event of famine, pastoralist clans are forced to migrate with their herds into

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[10] Ibid.
[11] Interview 5 with an elder in Garowe, July 2012.
[12] Interview with two Somali sultans in Nairobi, 2011; interview 3 with a former Somali politician, Nairobi, in 2013.
[13] Interview with sultan in Nairobi, 2011; Interview 3 with a former Somali politician, Nairobi, in 2013.

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Borana territories in Kenya and shift their clan genealogy by assuming or claiming a Borana (an Oromo tribe) genealogy. This has been well described as a deliberate strategy adopted by the Ajuraan and Gare clans, both of which belong to the Hawiye clan family. While this type of process occurs more unevenly in clans and clan families, shifting one's genealogy or claiming another genealogy happens in Somalia as dictated by political and environmental shocks, such as large-scale conflict and drought. Due to these factors, such a shift can occur at any level below the clan family.[14] It can even take place at the clan family level. This change does not alter the entire clan genealogical system but shifts lineages and clans into new clans or hybrid genealogies. This happens practically through the invention of a new genealogical tree (or known genealogy) and inserting it into the original genealogy. A lineage or clan keeps its original genealogical tree while it inserts a borrowed one or an entirely newly invented genealogical tree at a higher level than its original genealogy (see (Luling 2006). Known examples include Wardeey, a clan in the Juba region that was part of the Ogaden clan in the past. However, during the presidency of Abdille Osman in the 1960s, they announced themselves as belonging to the Hawiye clan family. Similarly, opposition to the Somali president and government in the late 1980s created a new clan family of Irir, which contained Dir and Hawiye. In recent history, during the run-up to the civil war, the Galgala clan, which was traditionally considered part of Abgal, claimed to be a Majerten (Darod) clan. Elsewhere in Somalia during the civil war, clans that in the past were considered not to belong to any of the six clan families but a religious clan protected by the Somali customary law (as Sheekhaas) claimed to be part of the Hawiye clan family. Similarly, various sub-clans and lineages have broken away from their clans to claim that they originated from another clan – not to mention the well-documented *sheegad,* or client relationship of clans and lineages and groups that can occur at any level of the segmentary lineage genealogy (Lewis 1957, 1961; Cassanelli 1985). This also includes Rahanweyn, which consists of a mixture of mainly Dir, Hawiye and Darood clan families and, thus is, not agnatically different. Yet they have developed their own Digil- and Mirifle-based genealogy. For instance, until now to some extent the Hubeer clan of Rahanweyn has been a client of the Ogadeen clan in Jubaland.[15]

Another arrangement between clans, sub-clans and even clan families of this category are alliances that are invented, real and uterine-based, the latter of which are known as *bah.* However, this practice is not only seen in minority clans. Examples exist in all major clan families and are widely known to Somalis.

Clan institutions have changed tremendously and continue to change due to the erosion of the local specificity of clans and their collectively (Samatar 2000). Political and environmental shocks have induced the politicisation of clanship and clan elders' authority, *xeer*, urbanisation and migration. All of these have led to the weakening of traditional norms by inducing corruption, fragmentation and loss of legitimacy, along with the alteration of locality that serves as the glue for clan members'

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[14] Group discussion with three elders and a former Somali army general in Nairobi, 2011.
[15] Ibid.

collective defence, protections and welfare. The political solidarity of kinship groups is not based on blood relations, and the ties that bind blood relatives are grounded in social contracts, that is, in a public system of rules that are publicly negotiated (Mohamed 2007:226). Factors such as increased migration, urbanisation, displacement and alteration of the pastoral mode of livelihood have undermined the locality of lineage and the mutual need to support each other, which are reinforced by *xeer*. This has been caused by political and environmental shocks, such as large-scale violent conflicts, colonial struggles, the Ethiopia-Somali conflict and the civil war.[16] As such issues generally lead to migration, whether into urban areas or outside, they undermine the lineage's locality and collectively and the applicability of *xeer*. They also rupture the genealogy of lineage, especially in the case of migration induced by violent conflict and environmental shocks.

Beyond this, changing nature of institutions such as *xeer*, clan elders and *ugaas'* authority and legitimacy, coupled with the loss of locality of lineage, have made clan a hollow structure that has lost much of its meaningful collective solidarity.[17] Yet there is no alternative to its justice system in many rural areas of Somalia. Sequential colonial, state and warlord rule and the formula for political representation that was introduced recently have all furthered the trend of erosion of clan institutions by fuelling the decline of norms and culture and creating conditions for fragmentation and corruption of clan elders as well as their authority and institutions.[18] Changing patterns in the pastoral mode of production and dwindling pastoral livelihoods have forced many to leave the pastoral life. This has further eroded clanship and its institutions because of the loss of locality as a context through which clanship produces effective collective action among its members. Many of the *xeer* norms that laid down the criteria for clan *collectivity* in terms of defence, security, welfare and political issues are also no longer practised or are weakly enforced.[19] Third, owing to the dynamism of clan structure and institutions, clanship must also be flexible. Indeed, any individual, lineage or clan may alter, adopt or co-opt another genealogy and assume it. Therefore, blood kinship is insufficient for social and political relations to function without *xeer* – the customary law that sets out clear procedures (Mohammed 2015). Therefore, agnation alone cannot be the basis for political solidary as it is neither enduring nor determinant, although cross-clan family alliances have existed for political or economic or even power interests, for example, the Abgaal and Majeerteen alliances prior to the civil war.[20]

Alternative principles of social organisation have existed throughout Somali history. For example, alternative principles to segmentary lineages range from territory and religion to ideologically, politically and Somali-based ones (Lewis 1961; 1957; 1994). Alternative organisational models to

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[16] Interview with an elder in Nairobi, July 2012.
[17] Jama Mohamed, 'Kinship and Contract in Somali Politics', *Africa: Journal of the International African Institute* 77, no. 2 (2007):226.
[18] Interview with local Somali historian in Garowe, July 2012
[19] Ibid
[20] Interview with a clan elders in Mogadishu (via phone), July 2012; Interview with clan elder in Garowe, Puntland, Somalia, July 2012.

clan such as religion and territory have at times been even stronger than or equal to clanship in certain areas of Somalia (Kapteijns 2004; Höehne 2010; Luling 2006). According to Luling (2006), there are three social organisation and identification models that operate in parallel to or simultaneously with clanship, with varying degrees of dominance. Those are the segmentary lineage model, the urban model and the agro-pastoral model.

The segmentary lineage model is based on real, adopted or imagined blood ties. It exists in an unadulterated manner in pastoral nomad clans and to a lesser extent in urban areas inhabited by those originating from pastoral families (Hoehne 2010; Lulling 2006). It can be based on real biological connections or imaginary ones, on either collective or individual interests, or on both (Lewis 1955; 1961; 1994). There are practical aspects of resilience, such as adaptation to the harsh pastoral environment, and, therefore, it produces alliances that are dynamic and founded in a sense of autonomy and liberty that 'suit pastoral nomads who have to act quickly and often individually in pursuit of pasture' (Höehne 2010:35).

Agro-pastoralist models characterise the organisation of the population in the south-central regions of Somalia. Here, social organisation and identification are based on territory rather than genealogical bloodlines. This does not mean that clan-based affiliations are not crucial but rather that territorial relations override clanship (ibid). The implication of this is that clans can, over time, form various arrangements within the clan system. However, forming clan based on interaction takes a long time and is a gradual and generational process. According to Hellander (1998) and Lulling (2006) and Höehne (2010), outsiders are readily incorporated into the group. Höehne further notes that in this agro-pastoralist model, clanship is recessive as blood-based ancestry is only evoked in 'defining social identity' (p. 35). Here, it is not like *sheegad* (client or equal to it) because in *sheegad,* the client has to assume the social identity of their patron (Helander 1998, Lewis 1998).

Höehne (2010: 35) notes that urban communities are characterised by a 'confederation of different lineages' coming together under a principal umbrella structure. Variations among these models tend to lie in the degree of clarity of clan structure and its centralisation or decentralisation. For instance, clans in the north have very strong and clear clan structures in comparison to the agro-pastoral and urban ones in the south. Both agro-pastoral and urban models are territorial in the sense that location is considered to be far more important than clan identification in terms of belonging (Lulling 2006). This means that there is diversity in the way Somali society organises itself, despite Somalis possessing clan genealogy.

Known examples of organisation and identity principles other than clanship in Somali society include the Baardheer Jamaaca, a Muslim Sufi religious group that identifies itself with the Dariqa sect.[21] The Dervish state led by Mohamed Abdile Hassan is another example, in which being Dervish was the principle organising its identity. Clanship did not matter in the Dervish state but

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[21] Interview with local Somali historian in Garowe, July 2012

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rather the principle of liberating Somali territories from colonial powers.[22] The Somali Youth League (SYL) is another good example where Somali-based identity rather than clanship was the driving and organising principle with the aim of liberating Somalia from colonial rule. However, *Al itihad Al Islamiya*, the Islamic Courts Union, and *Al Shabab* transcended the clan and lineage loyalties that primordialists maintain are the supreme organisational principle in Somali society.[23]

Beyond this, identification with territory continues to exist in coastal cities such as Barawe and Marka and other major cities in Somalia (Luling 2006). Historically, cosmopolitan city-states such as Adal, Ajuran and Saylac have existed (Cassanelli 1982).[24] Today, despite the civil war-driven territorialisation of clan, major Somali cities have a multi-clan character although their populations have decreased significantly.[25] Additionally, there are those Somalis who have rejected clan labels even at times where one's clan affiliation was considered a matter of survival (Luling 2006).

Today around two million diaspora members are largely hostile to clan and clan-based affiliations. This group largely identifies itself as Somali or even African.[26] Despite this, clanship, although not the permanent state of identity that primordialists proclaim, has existed throughout the history of Somalis.[27] Identifying with clan, however, has been discouraged beyond certain purposes and outside remote rural areas. Although clanship is an extremely influential way of presenting Somalia (Kapteijns 2012), it has never been the sole identification of Somalis. Its recent prominence during the civil war is rather due mainly to its manipulation by elites and external actors.[28] While primordialists explain why clan-based mobilisation is possible, their arguments for the motives that facilitate such mobilisation do not fit with the Somali case. It fails to answer the question of what conditions fuel such mobilisation beyond the notion of emotive and ancient hatred. In other word, primordialists fail to explain why mass clan mobilisation for conflict has only been possible since the early and late 1980s and 1990s, although clan grievances have existed long before that period.

Hence, the notion of clan primordialism, granted its status quo by an ancient clan hatred that cannot be bridged, is flawed. Throughout the history of Somalis, even during civil wars, there have been cross-clan interactions of cooperation, alliances and attempts to lay down arms.[29] Such attempts often appealed to a common Somali heritage and Islam, making the primordialist notion of clan hatred incomprehensible in the case of Somalia. While there is no disagreement that elites have used clan for conflict, there is not sufficient evidence of clans instigating the civil war in Somalia, as claimed by Lewis (1998a). Use of clan for that purpose by elites has always fluctuated.

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[22] Interview with an elder in Mogadishu and another in Nairobi, 2011.
[23] Ibid.
[24] Interview with a local Somali historian in Garowe, July 2012.
[25] Interview with several Somali elders and intellectuals in Nairobi, 2014.
[26] Interview with several Somali elders and intellectuals in Nairobi, Kenya, 2014.
[27] Interview with a local Somali historian in Garowe, July 2012.
[28] Interview with several Somali elders and intellectuals in Nairobi, 2014.
[29] Interview with several Somali elders and intellectuals in Nairobi, January 2014.

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However, only when the level of violence is high does clanship become exclusively enforced (Hoehne 2010). Even then, other social connections such as neighbourhood, region, religion and 'Somaliness' play a role as a counterbalancing identity (Kapteijns 2004).

A good example is in the period preceding the civil war to the direct aftermath of the collapse of the state in 1995. Reviewing this period, one can see that while clan was used as a basis for mobilisation, other principles also played their part. Such principles included the strategic interests of leaders and individual militias' expectations of plunder and revenge. Power manipulated by elites' featured prominently during the Somali civil war, but such clan-centric conflicts contain factors other than clan identity. In this period, shifting alliances between groups were ubiquitous. For instance, groups from different clan families allied against groups that hailed from within their own clan families. In the early days of the civil war, and especially before 1993, parts of the SPM and USC led by Col. Ahmed Omar Jeer and General Mohamed Farah Aided respectively were allied. Similarly, the USC's Ali Mahdi faction was allied with the SPM's Adan Gabiyo faction. There are other similar examples of cross-clan and clan-family alliances.[30]

This cross-alliance against forces hailing from the same clan families substantiates clan conduct that does not conform to the primordial precepts of ethnic solidarity or emotive attachment and the ensuing irrationality of group conflict. Primordialists maintain that primordial ethnic hatred drives conflict (Lewis, 1998), yet this has not been the case for the Somali conflict. Neither the motivation for nor the commitment to conflict lay in clan hatred but in leaders' quests to access resources and build power, and the promise of plunder for individual foot soldiers.[31] Once possible plunder diminished and warlords were not able to offer alternative pay to their troops, the militia deserted their former bosses.[32] Militia desertions for that reason were a major feature in all major Somali rebel groups that were core rebels in the civil war.[33] Consequently, by 1996 many warlords were being deserted by their clan militia and they even became unpopular with their clan elders and members. As time progressed, they were no longer able to cover the costs of paying their militia.[34]

In Somalia, as in wider Africa, social deprivation is a reality resulting from exclusion from power and access to resources. Clan membership is effective for economic reasons and anticipation of mutual aid rather than for pure biological connections.[35] Classically, when individual and lineage interests were not met by clans, members would desert that lineage and join another lineage, clan or even clan family in what is known as *toloow* (Lewis 1961). The same logic pertains at any level when it comes to conflict involving clans.[36] Depending on whether such interests are achieved or not, mobilisation along clanship is difficult to maintain beyond strictly defensive purposes, as the

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[30] Interview with former SPM and USC officers in Nairobi, 2012.
[31] Ibid.
[32] Ibid.
[33] Ibid.
[34] Ibid.
[35] Ibid; interview with clan elder in Mogadishu via phone, 2011; interview with clan elder in Nairobi, 2013.
[36] Ibid.

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Somali civil war shows. The notion of Somalis' primordial attachment to clanship is, thus, not comprehensive and is flawed, as clanship is flexible as a structure and dynamic in its nature. It is a norm embedded in clanship that individuals, lineages and even clans can break away if their interests are not met by their clan. A clear implication of this ubiquity of *sheegad* is produced by *toloow* in Somalia society.[37] However, at the higher levels, clan sentiments and identity are also tempered by the common heritage of religion, language and ethnicity shared by Somalis. Common heritage continues to be effective beyond political actors' manipulation and the consequential politicisation of clan, culminating in the introduction of the clan-based formula for state building in Somalia.[38]

To insist that conflict in Somalia is a clan conflict, as suggested by primordialists, masks their failure to capture the flexibility and context-based nature in which clanship is constructed and from which its meaning is drawn.[39] If we assume clan is a set of personal relations and shared memories of its members, which change over time, this makes the primordialist readings of clanship tantamount to notion of 'archaeology of the Living'.[40] As it assumes that the 19th-century Somali clan system can still be used to explain a conflict that has, since 1991, been mutating, morphing and becoming very much externalised, and in which the original actors and their motivations have changed over time.[41] All this while, clan and its use have changed and continue to do so in response to the political and environmental shocks experienced by society. Therefore, beyond the logistical aspect of clan mobilisation and the susceptibility of clans to manipulation, clan is not necessarily conflict-inducing.

5. Instrumentalists on Somali society

The instrumentalist approach views clan identity as flexible and conflicts as not arising from clan differences but instead from elites' manipulation of clanship to sustain their positions, withstand any loss of influence and facilitate their own tactical and strategic objectives. In this approach, elites manipulate clan elders and members to advance their control and authority over political and economic resources. Elites manipulate clans by convincing members that their suffering and disadvantaged positions are the result of their clanship and, consequently, convince them to fight against other groups. The conduct of the conflicts does not arise from clan differences; empirical realities confirm the manipulation of clanship in the Somali context.

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[37] Interviews with several Somali elders in Kismaayo and in Nairobi, January 2014.
[38] Interview with former minister at the TFG and SFG in Nairobi 2012, 2014.
[39] Ibid.
[40] Marshal Sahlin's lecture on the early American anthropologist. Accessed on January 2016: www. youtube.com
[41] Interviews with former SPM and USC officers in Nairobi in 2012.

The conflict in Somalia arose from the manipulation of clan differences (Samatar 2000; Kapteijns 2004; Besteman 1999). Such manipulation and politicisation of identities in classical instrumentalist terms can range from socio-political to economic and security issues. In Somalia, all of these typify clan manipulation. From colonial rule to the emergence of the Somali state, from rebel movements and their collapse to the civil war in the 1990s and to the present political formula, clan has been manipulated and politicised.

Kapteijns (2004) and Kapteijns and Farah (2001) explain how, following colonial conquest and rule, Somalis were forced to be represented under the label of clan rather than one of their choice. This was in order to divide and rule. In the wider African context, (Mamdani 1996) shows how ethnic differences among Africans under colonial rule were manipulated by colonial powers. As this created a framework for clan manipulation, following colonial departure and under the independent Somali government in the 1960s, political parties in Somalia continued to manipulate clan affiliation to further their own ends. [42]

The country became infested by corruption and clanship politics, which led the military to overthrow the civilian government in order to eliminate the clannish practices and corruption in the sitting Somali government, or so it was claimed. Initially the military government introduced public rituals negating clan identification as a step towards banning it entirely. However, as the government became unpopular among Somalis, it resorted to the manipulation of clan and adopted the same divide-and-rule philosophy practised by the colonial forces.

This manipulation continues to the present day, so much so that current Somali leaders use it to legitimise their claims and to access power and resources. Such manipulation is made possible by grievances and the anticipation of benefits, and holds true in pre-, during and post-state Somalia, in which groups along clan lines were presented with economic advantages, excluded from power or put into a position of grievance and greed. In both the pre- and post-civil war periods, the conflict in Somalia remains a conflict of elites fighting over resources and power, drawing support from the shifting dominant networks of identities in the country. Such identities are not restricted to clan-based ones but involve a whole range of identities, such as city, region and even (among Islamist groups) ideology.

Instrumentalists offer a more empirical narrative that corresponds to the realities of society, the clan system and the conflict but fail to appreciate the nature of the manipulation that is ongoing. The instrumentalist view of elite manipulation of clan assumes that it is a unidirectional process and relationship but the reality is that those relations are bi-dimensional in process and affiliation, and both individual elites and clan-based groups manipulate each other in turn. For elites to secure support from the clan-based groups, they have to meet certain criteria. These include favours to clan members and serving the interest of the clan, or at least not damaging it.[43] When an elite is

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[42] Interviews with former Somali national army officer in Nairobi, August, 2012.
[43] Interviews with former SPM and USC officers in Nairobi, 2012.

observed as not fulfilling these codes of conduct, they risk the clan withdrawing its support or even adopting an antagonistic stance towards them.[44]

Many examples show that manipulation is a double-edged sword. Many Somali leaders of clan, state, religious and rebel groups and warlords were disavowed and had support withdrawn by their clans at some point in their tenure for failing to honour the anticipated reverse manipulation by their respective clans and, thus, became unpopular.[45] This led to their downfall and also to social and political fragmentation as failing elites attempted to survive by blaming their opponents for their failure to accept the reverse manipulation. This conduct could be clearly detected and identified among all Somali political actors, from former president Siyad Bare and the insurgent leaders who ousted him in the 1990s to the warlords and even the current political leaders of the federal and regional states in Somalia. [46]

For instance, the Siyad Bare regime came to power in 1969 due to political opportunism but then rejected reverse manipulation. Most political parties were clan-based, which reflected the nature of fragmentation that manipulation leads to, and they were not able to meet the expectations of their clan members. This ended with a situation where, regardless of clan affiliation, almost all Somalis were disappointed with the previous democratic regime. The military junta, led by Siyad Bare, seized the opportunity provided by the public mood in Mogadishu to announce a revolution that banned clans and emphasised 'Somaliness'. Clannism sentiments were thought anachronistic, but the regime soon came to rely on an alliance of the Marehan, Ogadeen and Dhulbahante (MOD) clans to maintain power. The basis of the alliance was manipulation and reverse manipulation.[47] While the regime manipulated clan elders and members of these clans, in return it provided them with certain benefits from the state. However, as these benefits dwindled, the regime was seen as not delivering on reverse manipulation. Following the regime's agreement with Ethiopia, Ogaadeen clan elites and elders withdrew their support and launched a failed attempt to overthrow the regime in 1989. The agreement with Ethiopia in 1985 was a watershed as it meant that the regime could not deal with the reverse manipulation. The regime turned away from clan manipulation and became contained within its own Marehan clan. By the time the SPM was formed, along with other clan-based rebel movements such as the UIC and the SNM, elders and clan members of each rebel group were expecting certain benefits in return for their support.[48] A similar story accompanied the eventual downfall of the Bare regime in the face of the warlords.[49]

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[44] Interviews with several clan elders and clan chiefs in Nairobi, Garowe and Kinmayo via phone in Mogadishu, 2013 and 2014.
[45] Ibid.
[46] Ibid
[47] Interviews with former SNM, SPM and USC officers in Nairobi, 2012
[48] Interviews with former SPM and USC officers in Nairobi, 2012
[49] Interviews with several clan elders and clan chiefs in Nairobi, Mogadishu, Garowe and Kinmayo via phone. June 2013.

The warlords themselves reflect the failure of the rebel groups to deliver the anticipated benefits to their clan members, and the fragmentation of those groups.[50] The fragmentation of rebel groups into and the emergence of the warlords can be explained by the commanders attempt to offset the disappointment of their respective clan members and sustain their manipulation. As they resorted to blaming their failure on other actors higher in the clan hierarchy and opponents, and promising rewards in return for continued support.[51]

This is not well captured by the instrumentalist notion of manipulation of structures, in this case, the clan structure. Instrumentalists stress that the fluidity of clan-based group identity is only partially valid. Though perceptual, it has also seemingly slowly changing elements that produce the perception of being primordial (i.e. genealogy).[52] While we cannot take clan and clanship for granted, or pretend that is fluid and, therefore, ignore it as though clan does not matter in Somali society, it leads to the question of how it is possible to manipulate something that is both fluid and flexible. The answer to this question lies in understanding the character of clan. Clan dynamism does not mean that it is instantly changing and shifting like desert sands as it involves not objects but structures, individuals and groups and their identities and perceptions. A clan has to consist of a number of levels – structure, norm and identity. The dynamism between these is different as each level changes at its own speed. This produces the perception of clans being primordial due to the slowness of any change in its core component, which is genealogy.[53]

For instance, individuals and lineages change their genealogy by co-opting, incorporating or even assuming an entirely new genealogy. However, because this does not alter their original genealogical clan tree, clan may seem static while, in fact, it is dynamic and changing.[54] However, the fact that *xeer* is nominally there produces the perception of it being static while in reality, it is changing, but discreetly. In either case, the speed of change and dynamism vary across different aspects of clan as they are dynamic and develop differently.

6. Conclusion: An alternative view of Somali society, clan and conflict

Somali society has undergone tremendous change and development induced by different factors, and the old ways of Somalis are no longer intact. Somalia is now a society that can best be described as in transition. Though clan remains important in Somali society, there is no doubt that it has changed and continues to change as a system. Despite clan have been highly contested issues

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[50] Interviews with former SPM and USC officers in Nairobi, 2012
[51] Interview with several clan elders in Mogaidhu (via phone), August 2012
[52] Ibid.
[53] Ibid
[54] ibid

among scholars, its flexibility and fluidity cannot be denied. In this regard, Primordialists view of clans' primordiality, endurance and determinacy, fails to appreciate the contradictory character that clan shows, where it appears to be static while, in reality, it is dynamic as a structure, institution and identity. Although clan as a structure and identity have been influenced by a succession of colonial, state, ideological and non-ideological actors, it continues to be the basis of the governance framework in Somalia. Primordialists' view of conflicts being caused by hatred between clans disregards the dynamic nature of the clan, the common heritage that facilitates cross-clan contacts and binds Somalis together as a society.

While there is no doubt that clan has been used as a technology of power by elites, it has never been the sole cause of conflict in Somalia. Rather, conflicts involving clan have always followed certain patterns of being caused by disputes over resources and, latterly, manipulation by elites. Thus, the so-called ancient hatred between ethnic groups that primordialists assert as the cause and driver of conflicts is not met in the Somali case. Often, conflicts carried out in a clan's name are brief, have few casualties and are resolved under an acacia tree by clan elders with their *xeer*. While clan elders are still relevant today in Somali society and continue to engage their traditional roles, their agency, norms and *xeer,* as well as operations, have changed. Clan institutions have changed enormously. The diminishing locality of clan, the vigour of *xeer* and the authority of elders, combined with the dispersal and the globalisation of Somalis, have all undermined the collective role of clan. Clan is no longer a source of robust collective action in the defence, protection, security and welfare of its members. While it has withered, it has not completely disappeared, but has become deformed and has completely eroded. However, clan has always been inherently dynamic but has also changed due to temporal factors, and socio-political situations and conditions. In the early 18th century, when most Somalis were nomadic, changes of clan emanated from internal clan segmentation or from individuals and lineages breaking away from their clan when their interests so dictated, in two ways. At first, internal segmentation resulted in the growth of clan size, which, as time went by, created new lineages and even clans, and new alliances. Such alliances could well be with clans outside the clan family structure. The result is the decrease in importance and the relevance of clan families in the longer run. Second, because of shifting alliances and the configurations of clan families and clans, and of political conditions and power shifts, today's clan cannot grant effective security, defence, or welfare to its individual members. In spite of these shortcomings, when properly mobilised, clan remains a framework and governance system, a source of nominal *collectivity*, flexible identification, a global network and a source of political power. The present polity best reflects this where the Somali state, with clan as its framework, facilitates the region and governance without a government. This governance without a government framework links the Somali society, economy and culture to the wider world. Clan is not static or primordial; neither is it inflexible or eternal in its meaning and use for Somalis. It is not completely fleeting, nor is it without importance and attachment for individual Somalis. Clan should be understood as a system in constant change yet with central perceptions that change very slowly, giving the appearance of being static while the entire system is changing at different paces and speeds. It is a structure manipulated by elites as a source of power that can

be used for the mobilisation of collective action at the social level, at the cross-clan level and at the lower levels, though the latter is decreasing. This was the case during the colonial era and remains so for the Somali state. Warlords have all used clan structures as a source of power. On the other hand, the Dervish, Somali Youth League (SYL), Ittihad al Islamiya and the UIC have all used clan structure to mobilise Somalis for a common national cause. However, that manipulation is bidirectional and involves mutual manipulation. Similarly, clan also exists today as a strong basis for cross clan solidarity and collective social humanitarian and philanthropic action, witness the diaspora's response to the Somali famine and involvement of building hospitals, schools and universities in Somalia. It also exists as an identification and trust network that facilitates transactions beyond the Somali border. This form of clan structure has facilitated logistics and vital services across Somalia, such as travel and transportation agencies, Hawala money transfer and telecommunications companies. Finally, clan exists today as a governance system. Though eroded at the lower traditional level, it has been strengthened at the higher regional and federal level as it has been adopted as a governance framework to resolve state-building challenges.

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Modalities of Governance and Contradictions in Somalia

ABSTRACT

This article, based on qualitative interviews and observations conducted between 2007 and 2016, maps governance modalities in Somalia, identifies local actors and analyses these actors' interactions. It argues that the institutions of clan and religion provide governance models that strengthen each other in the absence of a functioning state in Somalia. Their application across territory and time throughout the country fluctuates and, consequently, produces new governance models. Characterised by rivalry, convergence and collusion, local actors interact through big-man nodal points and networks. This induces social and political fragmentation and increases Somalia's susceptibility to external manipulation. Despite this, these governance modalities and the institutions and actors underpinning them have enabled Somalis to cope with the absence of a functioning state by providing order in the midst of chaos since the state collapsed in 1991.

1. INTRODUCTION

Places where the state has collapsed or is extremely fragile are often found to suffer from either a total collapse of governance or its functional weakness, which subsequently renders collective societal action elusive or futile. Somalia, since the collapse of its state in 1991, is said to fit that perception and is often cited as a classic case of a Hobbesian state of anarchy (Adan 1994; Lewis 1998a; Mathews 2017), a 'deficient polity' and 'an aberration' (Hagmann et al. 2005: 526). The emergence of the phenomena of piracy and Al-Shabaab has only added to this perception (Anderson and McKnight 2015). However, this discourse has been criticised for its failure to examine the distinctiveness of Somalia (Hagmann et al. 2005; Bøås. 2010). In this regard, Bøås (2010) and Hagmann et al. (2005), among others, have criticised the concept of state collapse underpinning this discourse and pointed to its analytically incorrect yet narrow focus on what is missing – state governance– rather than the prevalence of governance without state machinery in the country (Hagman et al. 2005; Menkhaus 2007). While there is no doubt that the absence of a functioning state in Somalia has dispossessed Somalis of services that a state typically provides and the roles it plays for citizens, the country is nevertheless far from being an anarchic one (ibid.)

A number of scholars (Bøås 2013, 2010; Menkhaus 2007, Hagmann and Hoehne 2007; Hagmann and Hoehne 2009; Hagmann et al. 2005; Bakonyi and Stuvøy 2005; Little 2005; Little 2003; Reno 2003; and Menkhaus and Prendergast 1995) postulate this by showing that Somalia has continued to function in the absence of a state and its institutional support. However, while these studies have contributed to our understanding of governance in Somalia, none of them have detailed the modalities of governance visible in the country in the absence of the state. The interactions of actors in this context have also been neglected, and so research that comprehensively and holistically captures governance models in Somalia, identifying important actors and analysing their interactions, remains either largely missing or outdated. While the current literature regarding Somalia, such as that cited above, does discuss governance in the absence of a state, it fails to explore how different modalities of governance function within conflicts and how interaction between actors within such a context produces new governance modalities.

This article aims at filling this knowledge gap. It is important for both theoretical and empirical reasons. First, theoretically-based research such as the work of Bøås (2013, 2015), MacGinty (2013), Raleigh and Dowd (2013), Bøås and Strazzari (2018), Menkhaus (2007) and Hansen (2017) has clarified our conception of governance in so-called ungoverned spaces. This article may help to add depth to that conception, which still remains in its infancy. Second, empirically, Somalia's experience is not unique, as the above scholars' work substantiates, yet this article, by holistically analysing governance modalities, their emergence and their existence, and local actors' interactions, brings a new insight to the subject matter. In doing so, this article, instead of focusing on the current state of affairs of Somalia and what it *is not*, focuses on the social, political and security structures and institutions providing modalities of governance that exist and that occupy roles which the state would have been supposed to carry out by default. The hybrid existence of these structures, especially in so-called ungoverned spaces in Africa, is an empirical reality that is becoming more obvious. This article adopts that perspective by engaging these structures, actors and the governance modalities they provide rather than assuming them to be abnormalities. Furthermore, these hybrid governance modalities raise the question of the nature of the coexistence of institutions that are modern and traditional in a single space, which so far has been ignored. In particular, the context and specific realities of such hybridity, and how in different circumstances it could either enable or inhibit order in the absence of a state, remain scant. Therefore, this article endeavours to broaden and deepen the theoretical and empirical conceptions of governance in so-called ungoverned spaces such as Somalia, as in this case, by answering three interrelated questions: What governance modalities exist in Somalia in the absence of a functioning state? How have the institutions of clan and religion been used as governance modalities in the absence of a functioning state in Somalia? How do local actors interact within Somalia's current political trajectory?

The approach adopted to address these questions is somewhat different from previous studies in two ways. First, I suggest that to understand governance in the absence of a state in Somalia, we must attend to the question of what types of actors exist in this context and how do these interact and connect. This is important as it determines the emergence of new modalities as a

result of actors interacting and enforcing existing models provided by social institutions. Without considering that when looking at governance, we may fail to capture the issue of concern. Second, unlike these previous studies, in this article, social institutions are viewed as flexible and fluid and, thus, adoptive (Gaas 2018) because of their character and the interpretation, negotiation and enforcement of governance underpinning them that often vary across time and space.

Governance in this article is regarded as that which enables the provision of security and the everyday economic, political and social order. It encompasses frameworks, networks, institutions and norms that serve as the governance models, authority and actors that enforce them. Here, the modalities of governance are seen as different frameworks that facilitate governance, including the institutions of clan and religion and practices that are invented by economic market activity, facilitated by technology and adopted by authorities and actors. They can also be the institutions of the collapsed state that continue functioning, such as the national currency, title deeds, national IDs and birth certificates. The institutions of clan and religion, and political enclaves, business actors, Islamists and the diaspora are the authorities that underpin but also enforce such governance modalities. All of these can also work as interrelated but decentralised nodes and networks of individuals sharing kinship, ideology and a common goal or interest, but due to globalisation are not constrained by space. These networks provide information, protection and access to social, political, economic and spiritual capital. This understanding perfectly captures governance and its modalities in Somalia, and is in line with the characterisation of networks and nodes of governance by Castells (1996), Thomas(2004), Horst and Gaas (2008), Little (2003), Hansen (2013) and Bøås (2015). In these, big men serve as movers, shakers and as gatekeepers to resources and networks[1] but also as nodes where different networks and actors crisscross in their interaction (Bøås 2015).

This system of governance can facilitate public services that the state would have provided, such as education, health, banking, transportation and connectivity to the rest of the world. These modalities of governance in Somalia succeed in providing order, security and predictability of some sort locally, which helps the country to cope and function to some degree. In that sense, governance modalities in Somalia share some aspects with 'sporadic

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[1] Former minister of the Somalia Federal Government (2015), personal interview. August 2015, Nairobi, Kenya.

governance', described by Bøås and Strazzari (2018)[2] as 'governance that comes and goes'. This type of governance is not omnipresent like a state but can work, improve livelihoods and facilitate business transactions. Bøås and Strazzari (2018) suggest that such sporadic governance only works for entities that are resourceful and have sufficient authority and that it tends to remain floating and thereby fails to institutionalise at a higher level, where it could become the basis of a new process of state building.[3] Somali modalities of governance have some of the aspects described by Bøås and Strazzari (2018), especially with regard to who such governance works for – the people who have authority and connections. This is because old checks and balances and the relative transparency provided by clans are eroding due to the politicisation of clan elders and increased urbanisation and migration (Gaas 2018). However, Somalia modalities are more than 'sporadic governance' as they have existed and sustained Somalia for the last 27 years. Furthermore, they have laid the foundations for emerging institutionalisation and state-building in Somalia. Also, in conditions of sporadic governance, it is suggested that transaction costs are high. In Somalia, business transaction costs have been very low, as reflected by the growth of the economy and the emergence of major internationally operating Somali businesses. However, the ways and the pace at which these modalities are able to institutionalise are fragmentary and not transparent, as they have been manipulated by those with authority, access to power and international connections and networks. Therefore, they are failing to deliver to average Somali citizens in that context. Consider the weak federal government and the regional state – while the regional state is better able to deliver services to average Somalis in their vicinity, it cannot enhance their basic security. And even that security and other public services most of the time work for the well-connected and resourceful rather than average citizens. The way they function is neither formal nor traditional. Rather, they function through 'bigmen' and brokerage networks that operate outside the traditional clan structure while at the sometime borrowing from it to benefit from the convenience of the clan structure without the associated accountability. Consequently, institutionalising modalities for the purposes of state building is an elusive affair complicated by the prevailing multiplicity of local actors in Somalia that compete, converge and collude. Another difference in the Somali case is that the Somali clan system as a governance model has always been there and continues to function with some mutations and appears there to stay for many years to come. Due to the

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[2] Bøås and Strazzari 2018, 'Front Liberation Macine, Hammadoun Kouffa and governance that comes and goes'. Forthcoming.
[3] Email correspondence with Professor Morten Bøås, 10 February, 2018.

power balances between clans, it is unlikely to institutionalise, but it can serve as a basis for state building if used correctly as it can enhance legitimacy. Thus, hybridity is seen in this article as both 'process and a condition of interaction between actors and practices' (MacGinty 2013:6) but also as institutions (Boege et al. 2008) and the roles of actors (Bøås 2013). This means that social and political orders and institutions in Somalia are in a state of constant and conflicting processes of regeneration and modernisation, dictated by temporal and circumstantial factors that include the ways actors interact, and where technology plays a role. the effect of this varying order and hybridity that is visible in different regions of Somalia in the absence of a state is that neither the institutions of clan and religion manifest themselves in their traditional society's functions and forms, which is confusing, as they both seem static but are yet dynamic and shifting (Gaas 2018). Furthermore, such institutional hybridity could have many functions as, for example, clan can also be a system of constituency when it is correctly drawn upon (ibid).

The article proceeds in five parts. The first section maps governance in Somalia in the context of statelessness, particularly between 1991 and 2012 – the period when the country was seen as a global example of chaos and an unparalleled case of anarchy. Sections 2 and 3 analyse clan and religion as two different but connected and complementary governance models in post-state Somalia. Section 4 identifies and analyses the most important local actors, and their interactions in Somalia's current political and social trajectories. Finally, the conclusion of the article is presented.

2.   SOMALIA IN THE ABSENCE OF A STATE

There are multiple definitions of a functioning state (Clapham 1998). One of the main criteria for a functioning state is a clear institutional organisation that allows it to have a monopoly over the use of violence in a defined territory. Ideally, the power invested in these institutions has its basis in a democratic process of election. The monopolisation of national military power and, by extension, the legitimate use of violence is seen as the minimum criterion of a functioning state. Somalia in the aftermath of its collapse relied heavily on institutions of clan

and Islam and is consequently referred to as a 'failed state'. Despite this, the country does not lack governance, as the institutions of clan and religion, which have always been an important basis for trust and, therefore, collective action in Somali society (Gaas 2018; Hansen, 2017; Lewis 1957, 1994), have become more important modalities of governance in the absence of a functioning state (Gaas 2018). Almost every aspect of Somali society falls back on these two institutions.[4] Local business and political, social and ideological actors have all adopted the governance modalities provided by institutions of clan and religion to organise socio-politically, enforce contracts and settle disputes and conflicts, and facilitate business transactions.[5] Local actors to conduct their activities across conflicts and clan fault lines and across regional and transitional frontiers used networks embedded in these institutions, which can serve as a logistical system.[6] These same modalities facilitated the establishment of political enclaves that included the regional states of Puntland and Somaliland. Clan elders, in collaboration with sheikhs, established sharia courts to settle local conflicts and enforce rulings. Thanks to clan elders, with their *xeer,* (customary law) and men of religion equipped with sharia law, criminality and conflict reduced considerably by 1996.[7]

Sharia plays a complementary role to *xeer* and influences it and informs many of the diktats of the latter (Hansen 2017), which it overrides.[8] These institutions dictate and enforce good conduct and the protection of weak groups and provide models to arbitrate disputes and settle conflicts (ibid.).[9] The institutions and modalities they provide are flexible. They are often varied in form and produced new modalities of governance. Examples of this include new practices of using aspects of clan genealogy-based identification of individuals for commercial and business purposes. The warlord system is another example that was new in the sense that it was outside the clan system, although founded upon it. Warlords rarely abided by the authority of clan elders and the clan structure and operated in their own autonomous way but the governance modalities they provided were hybrid ones. Similarly, until 2009, businesses used modalities that were founded on these institutions for contracts and their enforcement.[10]

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[4] Clan elders (2012), personal interview, July 2012, Nairobi, Kenya.
[5] Ibid.
[6] Clan elders (2015), personal interview, August 2015, Nairobi, Kenya.
[7] Clan elders (2012), personal interview, July 2012, Nairobi, Kenya.
[8] Ibid.
[9] Ibid.
[10] Clan elder, a businessman, and former Islamist (2010, 2012), personal interview, October 2010/July 2012, Nairobi, Kenya.

Yet such modalities, founded on the institutions of clan and religion, are fluid as they are subject to the interpretations of the respective actors.

As a result of the governance models provided by or based on these institutions, businesses grew as Somali ports serve as hubs for transit trade for much of the Horn of Africa (Gaas 2009). By then, social and political orders consisting of more than one region had started to emerge. The political enclaves of Somaliland and Puntland were formed in 1994 and 1998 respectively as a result of clans' de facto control over their own territories and their autonomy (Abubakar 2016). In reality, although Somalia has long been considered an ungoverned space, it is far from that. The governance vacuum left by the collapsed state was filled by these institutions and structures (Menkhaus and Prendergast 1995, Menkhaus et al. 2010; Raeymaekers, Menkhaus, and Vlassenroot 2008; Menkhaus 2000). The clan and sharia systems served as models of governance enforced by the clan elders, imams and other non-state actors (Gundel 2006; Menkhaus, 2000). However, such governance has overlapped with factions that are often political in nature. In the 1990s, several factions, including the Somali National Movement (SNM), the United Somali Congress, the Somali Patriotic Movement (SPM), *Al Itihad Al Islamiya* (AIA) and the *Raskamboni* Brigade, as well as various warlords, served as governance modalities in areas under their control.[11] At times, these models were beyond clan and religion and were newly created by need and the market. At times, they were hybrid in their form, function and practice in that they were both modern and traditional.[12] They do, however, provide services to their subjects, mostly in the form of increased safety and security. Regional states (political enclaves) have formal institutions of governance, ministries, police and security forces.[13] In addition to this, there is the federal government. In this space, governance by non-state actors overlaps, interacts, competes, cooperates, conflicts, converges, colludes and varies in its reach and penetration, and the power wielded with that of the government.[14]

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[11] Ibid.
[12] Ibid.
[13] Former TFG Minster (2012), personal interview. July 2012, Nairobi, Kenya.
[14] Two SFG officials (2015), personal interview. Nairobi, Kenya.

3. CLAN AS A MODEL OF GOVERNANCE

Somalis are organised into an extensive web of clans that unite and divide at different points of the clan genealogical tree (Lewis 1957, 1994, 1998b, 1999; Cassanelli 1982). Clan members are all drawn together at the clan family level, which at times can unite up to millions of individuals (Cassanelli 1982). Despite this, all clans in Somalia trace their genealogy to a common ancestor, Samaale, who is considered to be the father of all Somalis (ibid.). Somalis have through history governed themselves under the decentralised socio-political system provided by the clan and supplemented by sharia and other religious institutions (Cassanelli, 1982; Lewis 1957; Hansen 2013, 2017). Clans played a governance role prior to independence from colonial rule and under successive Somali governments, and again during the state collapse (Lewis 1998). They have been used as a governance modality in post-state-collapse Somalia (Hansen, 2017). However, their governance role continues to be adoptive and flexible and the institutions of the clan and their organisational aspect have served some governance functions in the absence of a functioning state.[15] As a flexible structure and institution that organises Somalis socially and politically. the *xeer* and clan elders including the *ugaas* (sultan) provide governance and serve as a basis for the mobilisation of collective clan actions and solidarity (Lewis, 1957, 1994).

In the post-state-collapse period, clans organised themselves along clan genealogy and affiliation lines to maintain common defence, security, protection and welfare. The terms of these are outlined by *xeer*, which is interpreted and enforced by clan elders (Nottoden 2005). In an environment characterised by the unpredictability resulting from the collapse of the state in Somalia through *xeer*, clan elders reinvigorated their traditional roles and provided social and political governance in the absence of a state.[16]

Clan elders' authority and legitimacy are manifested through their respective clan's representation. They serve as interpreters, guardians and enforcers of the customary law, *xeer*, and as negotiators, mediators, and judges. Clan elders assume their position based not on heredity but through a reputation earned through negotiation, mediation, communication and prudent judgment skills (Menkhuas 2000). However, the agency, structure and role of clan

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[15] Clan elder (2012), personal interview. July 2012, Garowe, Puntland, Somalia.
[16] Ibid

elders have changed. Today, their agency, authority and role do not follow their classical existence in Somali society. Yet they have not been completely transformed into purely modern and new norms.[17] The prevailing socio-political conditions in the country and the technology driven by globalisation often influence clan elders. This implicates at times clan elders being created outside traditional clan structures and procedures.[18] As a consequence of this the institution of the clan and the clan elders' agency shifts. For instance, to enhance their legitimacy claims in the eyes of the local population, Somali pirates and Al-Shabaab have at times appointed their own clan elders.[19] The politicisation of clan elders' agency has also contributed to fragmentation and the appointment of clan leaders outside the traditional structure. In recent times, it has become more common for individuals to declare themselves as clan elders.[20]

Xeer recognises, guarantees and enforces the protection of collective and individual rights, including rights to life, liberty and property, and prohibits unjust killings or bodily harm, theft and insults (Notoden 2005). *Xeer* also forbids the killing of certain groups such as guests, minorities, the elderly, women, children, in-laws and refugees, known in Somali x*eer* as *Birmagaydo* or the untouchable (Gaas 2018). X*eer* is flexible for two reasons. First, because it is negotiated, its application varies across time and the territory of the country. Second, it is inherently fluid as old codes may become broken and thus irrelevant and unenforced, or new incidents may lead to the adoption of new ones.[21] While the application of x*eer* is independent of the balance of power of clans, its fluidity affects the power balance between lineages and clans in two ways. First, when a certain *xeer* relating to two lineages, sub-clans or clans is revoked, it may lead to a new reality relating to *xeer.* And in cases where that revocation is, for example, the direct result of the abuse of a girl or a woman, it may lead to a breakdown of clan marriage traditions.[22] This will eventually reflect the relationship between the two clans or sub-clans beyond spheres of cross-marriage and into their political relations and solidarity.[23] Second, it may influence or hasten the creation of new alliances outside the traditional ones.

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[17] Ibid.
[18] Ibid.
[19] Interview with clan elders in Puntland, Somalia, in July 2012. Interview with clan elder in Kismaayo, Somalia and in Nairobi, Kenya, January 2014.
[20] Ibid.
[21] Ibid.
[22] Clan elder (2014), personal interview (via phone). August 2014.
[23] Ibid.

This leads to power reconfigurations between lineages and clans and, hence, a new reality with regard to the balance of power.[24] However, although the codes of *xeer* are not strictly adhered to and the authority of clan elders not always respected by everyone, they have, however, proven to be effective and to afford significant legitimacy in the eyes of Somali society.[25] This is best reflected by the fact that clan elders during the civil war have been able to protect many fleeing individuals and groups finding themselves in territory other than their clan's stronghold[26] and have generally played a role of reducing conflict and killings (Hansen 2017).

The structural aspect of the clan, which divides Somalis into clan families that further split accordingly into clans, sub-clans, lineage and primary lineages (Lewis, 1987; 1999), has been used in this regard. Through the organisation of society provided by the clan system, individual Somalis trace their genealogy through paternal lines, which allows them to identify others (Lewis 1993, 2002; Lewis 1994). Clan genealogy itself is flexible, as dictated by spatiotemporal factors and by various arrangements embedded in the structure of clans (Gaas, 2018). Temporal aspects are rooted in the changing nature of the clan system, which is further dictated by the *tolow* and *sheegad* and other arrangements embedded in the clan system (ibid.). In this regard, the invention of a new clan genealogy or insertion of other known ones into the clan's genealogy is a reality of today's clan system in Somalia (Lulling 2006) in that clan in itself is not static due to the effect of the agnatic segmentation of the clans (Gaas 2018). However, clan genealogy allows one to be certain of one other and establishes a basis for trust (Lewis 1957, 1994, 1999; Cassanelli 1982) in two distinct ways.[27] First, through genealogy, it is possible to ascertain relations and possible common causes and other features connecting one to another beyond ancestral relations and by *xeer*.[28] Second, genealogical recounting serves as personal identification in that it allows whereabouts to be determined, history ascertained and the reliability of any individuals in society to be established.[29] The clan system also enables individuals to have a web of social connections and bonding beyond the paternal line. The maternal line also gives connections to other clans that grant crucial ties to various webs of

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[24] Ibid.
[25] Clan elder (2014), personal interview. September 2014.
[26] Interview 27 with four former clan elders and a former Somali army officer and minster of the SFG government in Nairobi in 2012.
[27] Interview with clan elders in Kismaayo and in Nairobi, Kenya, 2012.
[28] Ibid.
[29] Ibid.

networks and relations to other clans and families (Hansen 2017). These links, whether established by genealogy or by bonds created through *xeer wadaag*[30] or affinity through the maternal line, can facilitate trust and provide welfare and access to resources. This system has been used for political, social and business purposes. For business purposes, it has been used to establish the trust needed to institute a business, enter into transactions, and meet the logistical needs of business to enter into interactions and deliver services and goods.[31] This process is further enabled by Somali society's oral tradition, where information is circulated by word of mouth. Somali businesses in the post-state collapse adopted that identification system and used trust networks provided by clan genealogy to navigate hostile clan territories in order to conduct their business operations.[32] These systems were enhanced by the *abaan* system, which, as dictated by the institution of the clan, protects business activities (Tharma et al. 2011).[33] These, alongside x*eer* and the authority of clan elders, have made businesses able to operate in Somalia and beyond despite the absence of a state.[34] Although this is simple and unsophisticated, it allows businesses to establish, operate and thrive across frontiers of conflicts, clan and region in Somalia and abroad.[35] *Hawala* money transfer companies[36]and telephone, travel and transportation companies have all used this framework.[37] What is unique about the logistical aspects of clan networks is that they are bond-based, relatively low-cost and rely on clan trust networks.[38] Prior to *hawala*, banking systems' adoption of technology to establish trust between individual money senders and receivers and agent, identification was provided by clan genealogy. Contracts were enforced through the clan-based system and by the authority of elders and *xeer* to deliver information and services and to trace individuals through the clan-based network.

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[30] *xeer wadaag* literally means sharing a common *xeer*, which is a specific *xeer* between two lineages, sub-clans, or clans that does do not necessarily share genealogical ties).
[31] Ibid
[32] Ibid.
[33] The *abaan* system protects business activities across hostile fault lines of clan and region and has been practiced by Somalis for centuries.
[34] Ibid.
[35] Hawala agents (2014), personal interview. June 2012. Nairobi, Kenya.
[36] Hawala is a trust-based, effective and speedy system of money transfer and banking (C.f. Horst 2002; Horst and Van Hear 2002; Yusuf 2006; Lindley 2005). *Hawala*-based banking systems initially used the institutions of clan and religion and evolved by adapting to technology.
[37] Ibid.
[38] Clan elder(2012), personal interview. June 2012. Mogadishu (via phone); Hawala managers(2012, 2104), personal interview. July 2012. Garowe, and January 2014. Kismaayo, Somalia .

The identification and trust network provided by clan have, as noted, been used to facilitate speedy delivery systems. A well-known example is the distribution of *khat* into the West. Through migration, Somalis have brought *khat* to Europe and North America, where it is listed as an illegal substance. It must be transported speedily to market because of its limited shelf life, and the clan system of networks guarantees that the product is transported to market before it wilts. It is smuggled into many European countries, the US and Canada through extensive networks that are speedier than global delivery posts such as DHL[39]. Although this is not purely a clan-based system, as it is not the clan that is behind the *khat* smuggling, it is a form of mutation – something new that does not follow the clan systems but draws on it. This morphing of the clan system was never intended to function like this; however, its effect is that it has created cross-clan networks and thus weakened the traditional clan system.[40] This aspect of clan-based trust networks and contact has been effectively used as a means to facilitate various businesses and commercial deliveries, interactions and transactions by Somalis, which has helped a resilient and robust private sector to flourish in the absence of the state.[41] Despite the challenges brought about by the absence of state regulators and protection, and the lack of logistical frameworks for businesses, the institution of clan (Gaas 2018), combined with the Somali spirit of entrepreneurship (Powell et al. 2006), has helped the country to endure in the face of absence of state. Therefore, despite the inherited divisiveness of clan as a structure for society, it has served as a socio-political frame for organisations that provides a way to bridge political differences between clans and actors. This is reflected by the fact that it is a core element in the process leading to the creation of regional administrations that often encompass several clans.[42] Clan elders' mediatory role has helped to bridge conflicting parties' differences in the process and has been successfully used to build the regional states of Puntland in 1994 and Somaliland in 1998 without international involvement.[43]

[39] Khat Trader(2010), Personal interview. October 2010. Nairobi, Kenya.
[40] 2014 *khat* trader (2014), Personal interview. September, Nairobi, Kenya.
[41] Business leaders (2012). Personal interview. Garowe, Punltand, Somalia
[42] Clan elder (2013), personal interview, April 2013.
[43] Former SFG minister (2014), personal interview, July 2012, Nairobi, Kenya.

4. RELIGION AS A MODEL OF GOVERNANCE

Islam is the sole faith practised in Somalia, and since its arrival, it has played an important role in society (Cassanelli 1982). The strength of Islam lies in its ability to generate bonds between individuals founded in a shared belief that engenders a mutual dependence, solidarity and collective action (Berger and Hefner 2003).

Unlike the divisiveness of clan, sharia emphasises equality, justice and *amana* (the delivery of what you are entrusted with to its rightful owner). It prohibits corruption, stealing and transgression. Sharia emphasises that all men are equal and creates a more readily accepted model of governance in Somali society for dispute and conflict resolution (Hansen 2017). It serves as a basis for trust while at the same time providing a more uniting identity that transcends the divisiveness of clan in Somali society. Therefore, men of religion play a significant governance role in Somalia. According to Lewis (1961), the role of religious men in Somali society has largely been limited to religious chores and thus considered irrelevant in political and military matters. Lewis (1961:63) also observes that the Somali *wadaad* are not characteristically 'political leaders' but are confined to religious issues and blessings. However, the role of the *wadaad* in Somalia does not follow the pattern outlined by Lewis. In his understanding of the *wadaad*'s political sphere, he misses the very nature of the *wadaad* in Somali society. While Lewis observes rightly lineage of *wadaad* and its apolitical clan role, *wadaad* has always been a political role beside its spiritual role in Somali society, at a parallel level to that of clan elders and even higher. In this regard, traditionally, any political or social and military matter *wadaad* has had the final verdict over these matters after the elder's decision due *wadaad* being considered men of Allah. Furthermore, religious groups have always acted as political and military protagonists in society. A number of *dariqa* (a religious sect) have always maintained their own distinct settlements and creeds in Somalia. Since the civil war in 1990, their governance role and involvement in the political, social and economic and security affairs of Somalia has become more obvious and visible, but men of religion[44] are still seen as a source of authority for implementing sharia law in Somalia (Hansen 2017 in Bøås & Dunn 2017). This authority is enhanced by the fact that, unlike clan which is viewed as a divisive identity in Somali society, Islam is seen as an antidote to the clans' divisive nature,

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[44] *Wadaad*, sheikh, imam and men of religion are used interchangeability in this paper as they have a similar meaning.

which strengthens national bonds of belonging to a common Somali society and faith (Samatar 1988, Samatar 1992). Religion provides identification – a network of belonging and trust resulting in being seen as religious in Somali society. The authority of *wadaad* can traditionally be drawn from the fact that Somali customary law, although secular and independent, is informed by sharia as it has various elements of it incorporated in it; where the former influences the latter. [45] This indicates that *wadaad* in the traditional sense is thought not to be on an equal footing with clan elders' influential role in the society. This is evidenced by the close-knit relationship between clan elders, the *xeer*, sharia and the *wadaad* in Somali society.[46] The relatedness of sharia and *xeer* and the cooperation between clan elders and imams on social, political and security issues continue in present-day Somalia.[47] At the individual level, both the clan elder and imam may belong to the same clan, at the higher level, that may not necessarily be the case. An example of the latter is the Union of Islamic Courts (UIC). Its eventual success in 2006 came down to its cooperation with clan elders.[48]

Ideological organisations such as Al-Shabaab, Ahlu Sunah Wal Jama, the Raskamboni Brigade and Dam Jadid have played a role in Somali politics. An affiliate of the latter presided over Somalia from 2012 to 2017, and some of these organisations, including Al-Shabaab and Raskamboni, control territories while others control various educational, business and humanitarian organisations and even state power in the country. This is seen as a shift that reflects increased Islamisation in the country (Levtzion and Pouwels 2000). The involvement of *wadaad* in politics and other aspects of society in Somalia is not new. Yet the rise of political Islam, which is a new phenomenon, is not due to the Islamisation of Somali society *per se*, as has been claimed by these scholars, but is rather the result of a combination of factors that include the opportunity brought about by the collapse of the state and Somalis' loss of trust in secular elites (Hansen and Mesøy 2009). However, the institution of religion has constantly retained certain political and social roles in Somali society.[49] Examples that illustrate this usually start from Imam Ahmed Gurey,[50] a figure considered by Somalis as the forefather of

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[45] Clan elder (2013), personal interview. April 2013.
[46] Ibid.
[47] Ibid.
[48] A Somali historian (2012), personal interview (via telephone), September 2012.
[49] Ibid.
[50] Known also as Ahmad ibn Ibrahim al-Ghazi, Imam of the Adal Sultanate of Somalia.

Somali nationalism, who led them to conquer and defeat several Abyssinian emperors.[51] Other examples of political activism include Sayid Mohamed Hassan, who led the Dervish state, and the Somali Council of Ulama (imams), which opposed the Somali government's political decision in 1978 on gender issues.[52]

The implementation of sharia in Somalia has differed across time and space (Hansen, 2017) and has been influenced by a range of factors, including the ideological flows from the Middle East, colonialism, the Siyad Bare socialist regime, conflict and the institutional and political collapse of the country in the 1990s.[53] However, in the absence of state-centred governance in Somalia, the sharia framework has served as a governance model, a regulatory framework and a basis for trust and collective action (ibid.). The roles played by imams as advocates and authorities implementing sharia at the onset of the civil war demonstrate that. Imams protected vulnerable groups, mediated between warring factions, enforced contracts and settled disputes (Hansen 2017). Similarly, in the aftermath of the civil war and during the era of warlord rule in Mogadishu, imams were able to conduct consumer protection and enforce litigation and contractual agreements in the city (ibid.). Although sharia decrees and the appeals of imams are not strictly adhered to by everyone in Somalia, imams often remind concerned actors about the good conduct, morality, equity and fairness dictated by sharia.[54] Therefore, the institution of religion has played an important role in curbing criminality, enhancing protection and security and enforcing arbitration, and litigating disputes related to business and commerce in the absence of state.[55] As a result of the role of the institution of religion, coupled with the cumulative discontent with secular elites and their apparent political failure (Hansen & Mesoy 2007), diverse religious organisations have been able to emerge and govern territories (Hansen 2013), administer resources (Hansen and Mesøy 2009), conduct business and even wield state power in Somalia.[56] While most of these organisations have clan dimensions, initial attempts by some of them to overlook the clan structure was one of the many factors that hastened the eventual downfall of many such organisations (i.e. AIA in 1996 and the *Xuma Diid* sharia

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[51] A Somali historian (2012). Personal interview (via telephone), September 2012.
[52] Ibid.
[53] A Somali historian (2012). Personal interview, August 2012, Nairobi, Kenya.
[54] Imam from Mogadishu City (2012). Personal interview. August 2012. Nairobi, Kenya.
[55] Former SFG minister (2012), personal interview. August 2012, Nairobi, Kenya.
[56] Ibid.

courts in 1992).[57] The UIC, learning from the initial failure brought by their attempt to ignore the clan divisions in 1992, eventually founded itself decentralised along clan lines.[58] Mixing both clan and sharia models of governance, they were clan-based but allied ideologically across clans to one another as a network of independent arbitrations, enforcing security and conducting consumer protection based on sharia in their respective areas of control in south central Somalia. Governance under sharia law, which emphasised justice and equity, strengthened their popularity, leading to their eventual triumph over the warlords in 2006.[59] Although sharia courts at times handed down severe punishments, they were effective in bringing law and order to south central Somalia. Therefore, for the first time in almost two decades, south central Somalia enjoyed peace and order. However, this success was short-lived as the UIC was removed from power by the Ethiopian invasion at the end of 2006. Other political Islamic organisations, most notably *Al Islah*, focused on charities, schools and universities. Others, including Aalla Sheikh in 2009 and Dam Jadid in 2012, captured power from the weak federal Somali government without implementing sharia. Another variant is Al-Shabaab, which is the most radical and capable Islamist group in Somalia (Hansen 2013). Al-Shabaab emerged from the ashes of the UIC in 2008 and continues to function as a state power, with its own administrative structure, political agenda and army to this day. The organisation conducts taxation, policing and other functions associated with the state.[60] and has introduced governance founded on the sharia legal system. Despite that, its governance system has been harsh. Being the only Islamist organisation that transcends clan divides in Somali society, it continues to rule many parts of the country. While this development partially reflects the increasing governance role of Islamist organisations, it also mirrors the increasing power of sharia as a governance model in the absence of state in the country.

5. HYBRIDITY: ACTORS AND THEIR INTERACTION

The influences of clan and clan-based actors on formal Somali governance structures are well known, as they have been the power-sharing basis built upon the current weak federal Somali

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[57] AIA official (2012), personal interview. August 2012, Nairobi, Kenya.
[58] Two former UIC officials (2010), personal interview. August 2012, Nairobi, Kenya.
[59] Ibid.
[60] Businessman (2015), persona interview. August 2015, Nairobi, Kenya

government but also regional states. The effects of religion and religious organisations on the formal ineffective structures of governance in Somalia are less so, in particular, how organisations such as AIA, UIC and Al-Shabaab influence these formal structures is less obvious to outside viewers. Enabled by Somali society's sustained dissatisfaction with the secular elite's failure, their contribution in reconstructing the Somali state can be summed up in three different elements. First, these movements and organisations overthrew the warlords (Hansen 2013) and reduced the number of impediments that would previously have been a major challenge to state-building. The success of Islamist organisations,[61] especially the UIC in its conflict with and the eventual defeat of warlord rule in south central Somalia in 2006 (Hansen 2007; Ahmed 2014) is an example. Second, this hastened the creation of a transitional federal government by redrawing the attention of international actors to Somalia after a prolonged period of complete disengagement (Menkhaus 2007).

Less visible but positive roles have been played by individual local imams as they, unlike these organisations, have had a direct influence over the conduct of all Somali-led reconciliatory conferences. They were often the ones that delivered opening speeches and reminded participants that they must be fair, must be true to their pledges and must reconcile. Religious scholars have on many occasions lobbied for the creation of an inclusive regional administration and a Somali state, and are not seen to have a hidden agenda of promoting particular interests. However, their effect often remains invisible to outsiders and is difficult to measure

Clan elders also played a more prominent role in the recreation process of the federal state. In these processes, clan elders representing their respective clans selected parliamentarians at both the federal and regional level based on clan power, sharing a formula dubbed 4.5 (full representation for major clan families and half of that for the minor ones), which determined the number of parliamentary seats and governmental posts through clan quotas.[62] Both the institutions of religion and clan were not only instrumental in non-state governance but also served as a reconciliation mechanism that enabled the establishment of the present ineffective but budding hybrid federal state and regional states in Somalia.[63]

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[61] Former spokesperson of Hisbul Islam (2010), personal interview. October 2012, Nairobi, Kenya.
[62] Former TFG parliamentarian (2013), personal interview. November 2013, Nairobi, Kenya.
[63] ibid

The same applies to the governance modalities underpinning the Islamist organisations and warlords system. Such hybridity goes beyond models, extending to actors. A closer look at actors which are supposed to be clan or religious reveals that they have mutated, as has the governance they provide. For instance, while Somali insurgent groups, warlords and other non-state actors in the 1990s were based on either clan or religion, they could hardly be said to have been either of those alone. In one sense, their operations and organisations were a hybrid form, combining both the clan and religious forms of institutions but also providing modern administration forms by collecting taxes, enforcing security and providing limited public services. In another sense, in many instances, they did not act on behalf of the clan or religious tenants and the interests on which they were based. The effect was the emergence of forms of governance that were neither religious nor clan but were something new. Consequently, both institutions produced new modalities of governance that were neither traditional nor modern, and neither informal nor formal, but rather were hybrid and of a form that is somehow in between.[64] This implies that the ways in which clan and religious institutions were used as governance models have changed over time and continued to evolve to the present day. The effect of this is that this undermines attempts to recreate a functioning state due to these institutions susceptibility to external manipulation. Hence, there are limitations to the hybridity of current Somali governance structures (Hoehne 2013), which is further complicated by the ever-shifting political landscape, the mutation of actors and social fragmentation in an environment that has been characterised by conflict since 1991. Consequently, what is political, business, commercial and even security becomes at times blurred in Somalia. Various nodal points of interaction connect commercial, economic, and power actors. Research from Mali – a country that shares some similar traits with Somalia – supports that assertion. The study by Bøås (2015) of actors on the Malian periphery points to a complex interaction of actors in such a landscape through a web of 'informal big man' nodes facilitating their interaction.

Actors and their interaction in the current socio-political trajectory of Somalia can be characterised similarly to those described by Bøås (2015) in Mali. In Somalia, there are a number of key actors who follow a similar pattern, where they converge, compete and collude through a dense network and nodes that make them at time difficult to clearly separate into

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[64] Ibid.

non-state and state actors, or clan, religious and even diaspora and local actors. They have different agendas, which include ideology, resistance, commercial, business, criminality and political issues. Business, politics and social and humanitarian organisations in Somalia's chaotic context are linked and interact with one another. This linkage is facilitated by the increasing commercialisation of the politics of state-building in Somalia. However, clan elders, elites, religious leaders and organisations such as Al Islah, Dam Jadid, Alla Sheikh, Al Itisam, the business community, the diaspora, and the Islamist Al-Shabaab interact through dense webs characterised by informality, which affect Somalia's socio-political realities and trajectories of stability. *Al Islah,* besides controlling some charities, also controls Mogadishu University, the largest university in south central Somalia. Individuals hailing from or allied with Ala Sheikh and Dam Jadid have occupied the presidency post for the last two successive governments in Somalia.[65] The president of the TFG from 2009 to 2012, Sheikh Sharif, was from Alla Sheikh, while his successor, who presided over the federal Somali government (SFG) from 2012 to 2017, is associated with Dam Jadid. The business community in Somalia continues to flourish (Powell et al., 2006) and remains important politically in the country. In 2006, their UIC funding was aimed at ousting warlords from south central Somalia (Menkhaus, 2007), and it influenced the outcome of the last two selections of parliament, the presidents, the Prime Minister and cabinet government members of the SFG I & II by funding candidates.[66] It also interacts with Al-Shabaab through coercion to protect their businesses and operate freely. Despite this, they are in a way connected to the clans and political elites and other networks and to structures of governance at all levels.[67]

The diaspora is another important actor in Somalia because of its position of power in accessing resources for political and civic activities in the homeland (Horst & Gaas 2008).The fact that the commercial, political and academic elites of today's Somalia are often from the diaspora reflect their increasing influence in Somalia. For example, 70% of cabinet members of Somalia's federal government and regional states and several of the latest Somali presidents have come from the diaspora.[68] Somali politicians running for presidential or other government posts normally seek the support of the diaspora to win their bids. In terms of reconstruction and

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[65] A former SFG minster (2015), personal interview. August 2015, Nairobi, Kenya.
[66] Ibid.
[67] Ibid.
[68] Speech at London Conference II by the Somalia former minister of industry and commerce.

investment in Somalia, the diaspora remains the most important contributor (Horts & Gaas 2008). It is estimated that almost two million expatriate Somalis send more than $1.8 billion of investment and remittances to Somalia annually.[69] Leading businesses, media, universities and NGOs in Somalia are also owned and run by diaspora members (Gaas, et al. 2012; Horst & Gaas 2008). Therefore, diaspora members are important players influencing the political landscape and actors in Somalia. Al-Shabaab, as a prominent radical organisation, has influenced the stability, security, internal politics of Somalia since it emerged, and it remains a lethal force. All other actors are influenced largely by clan elders except Al-Shabaab, which has been able to intimidate clan elders in the areas it controls.[70] The group conducts coercive taxation even inside Mogadishu, which is the seat of the government and where more than 22,000 AMISOM troops are based.[71] All of these actors are drawn from either the institution of religion or that of clan to access funds, win support, engender, and claim legitimacy. Clan and clan-based actors are the most influential element in Somali politics as they have influence at the local, regional and national levels. Actors such as the diaspora, the business community and political elites are influenced by and in return influence clan elders. Clan elders' power and the authority they command differ considerably across Somalia. Despite this, and despite the fact that clan elders' legitimacy has been significantly eroded over the past two decades, they remain a leading significant socio-political feature of the country, as reflected by their participation in all Somali-led reconciliation processes aimed at the establishment of regional administration. More recently, clan elders have gained a new influence and authority over other actors with their role of selecting the federal parliament members in Somalia since 2012.[72] This has enhanced their influence over other actors in Somalia and in the diaspora internationally.[73] Despite this, their influence over formal structures is not new. Except for during the early days of Siyad Bare, the central government has sought their support since the country's independence.[74] Currently, whenever the federal government faces challenges, it turns to clan elders for support and especially those from their own particular clan.[75] Similarly, one of the channels through which the diaspora influences political issues in Somalia is through clan

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[69] Ibid.
[70] A former Somali army general (2012), personal interview, July 2012, Nairobi, Kenya.
[71] Ibid
[72] Ibid.
[73] Ibid.
[74] A former Somali army general (2012), personal interview, July 2012, Nairobi, Kenya.
[75] A former SFG minster (2015), personal interview. August 2015, Nairobi, Kenya.

elders (Horst & Gaas 2008) as they have legitimacy in Somali society and in the current formal governance structures.[76] However, actors, whether a clan elder, an elite member, a religious leader, a broker, an official and even an Islamist, revolve around big-man authority.[77] Their separations are obscured by the fact that they shape-shift to maintain power by aligning with or opposing international actors' state-building agenda in Somalia. Those actors' ability to interact with other local and international actors, and the prevailing local political dynamics and opportunities that inhibit or allow them to promote their own political, economic and commercial interests, determines their fate and the possibilities of mutating into a new form of existence.[78]

6. CONCLUSION

There is no doubt that the institutions of clan and religion constitute important governance modalities in Somalia, which have enabled the society not only to survive but also to cope with the consequences of state collapse and its absence since 1991. While these models of governance and frames have always existed in Somalia, in the post-state years they have offset the regulatory, trust-related and logistical challenges brought about by the absence of a state and have become the *de facto* basis for governance, inducing collective action in the country. Different clan, religious, business and political and ideological actors have used the decentralised governance frames embedded in the institution of clan and religion to facilitate hybrid societal and political orders. However, these institutions are always in a state of flux, which has promoted political fragmentation and also makes them highly susceptible to manipulation. The fact that power in Somalia is in the realm of hybrid institutions and structures, networks, organisations and actors that are non-state makes the issues of state building in the country contested, cumbersome and more elusive.

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[76] Ibid.
[77] Ibid.
[78] Ibid.

The preceding analysis of this articles shows that the country is governed by local frameworks, actors and processes that are hybrid and are facilitated by networks and nodes adapting to technology. The economic, political, and ideological actors interact and conduct their activities beyond national borders into the regional global space. This produces the hybridity of actors, modalities and institutions that facilitate order in a chaotic situation characterised by the coexistence of institutions and violence. Thus, it produces a situation of order in chaos, where life is predictable enough in the absence of a state but yet violence remains rampant. In that sense, these modalities of governance presented in Somalia are a coping mechanism enhanced or created by the conditions of state failure in the country. The fact that the processes, institutions and roles of actors are hybrid makes the notion of hybridity problematic. However, at the same time, one cannot ignore the realities in Somalia and that continued adherence to the top-down, state-building approach has repeatedly failed to advance stability since 1991. Hybridity offers a better pragmatically-oriented framework and solution to state building, founded on what there is rather than what is missing. Despite this, if not carefully crafted, state building founded on hybridity can promote social and political fragmentation and is susceptible to external manipulation and, hence, crises of legitimacy of the would-be built Somali state. Therefore, one way to approach Somali state building, especially if a clan formula has to provide the basis for legitimate political representation, is to consider issues of land and territory ownership on a historical basis and devise tools to address grievances.

The findings of the article confirm the prevalence of governance in the context of limited statehood and in ungoverned spaces, as advanced by a number of scholars (Risse 2010; Bøås 2015; Raleigh and Dowd 2013; Menkhaus 2007). However, the way that governance exists in such places is different. Somali governance currently involves flexible social intuitions, shifting networks and nodes and actors characterised by hybridity. It further confirms that the policies and discourses of state building that are oriented to reconstruct western state forms in places where the state has failed ignore the fact that states develop different and in context-specific circumstances and conditions. Therefore, context-sensitive lenses and practical programming for state building towards so-called ungoverned spaces are needed.

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Kapitel 12
Harakat al-Shabaab, and Somalia's current state of affairs

Stig Jarle Hansen and Mohamed Husein Gaas

The *Harakat al-Shabaab* has been predicted to fragment since 2008. Yet it remains an important actor in South Somalia – despite facing overwhelming odds in the form of the armed forces from six African nations, backed by the United States. This article attempts to explain why Shabaab remains important, the possible strategies that the organization employs in order to survive, and the global and regional consequences.

1. Harakat al-Shabaab, a rough background

Harakat al-Shabaab al-Mujahideen has been predicted to collapse over the last four years, and has been seen as weak; only surviving because of the feebleness of the Western backed Transitional Federal Government (TFG).[1] It is important to underline that Shabaab has shown itself to be a very flexible organization. It has encountered crises and survived, and went from a small network of perhaps 33 persons to a larger organization controlling much of southern Somalia.[2] It morphed several times, changing itself from a small network, into becoming a sub-group of the Sharia court movement, into becoming what must be said to have been a terrorist organization, into an insurgency group, and then into an organization doing local governance.

For the last two years, the organization has been on the defense, after the so-called Ramadan offense in 2010. Shabaab attempted to dislodge the forces of the African Union in an all-out attack in Mogadishu, neglecting the superiority of the Ugandans and Burundian troops making up the AMISOM

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[1] See Weinstein, Michael A.: „Somalia: Al-Shabaab's Split and its Absorption of Hizbul Islam", Garowe online, 08.01.2011; Abdirahman ,Aynte' Ali: „The Anatomy of al-Shabaab", http://www.scribd.com/doc/34053611/The-Anatomy-of-Al-Shabaab-by-Abdi-Aynte, (24.10.2010).

[2] See Hansen, Stig Jarle: Harakat Al Shabaab in Somalia: The History and Ideology of a Militant Islamist Group, 2005–2012 (forthcoming 2012).

(African Union Mission in Somalia) forces at the time.[3]

Perhaps the Ramadan offensive underlines an important point, that Shabaab has always been most successful as an underground organization. However, and this is important, it also scored much neglected successes as a governing body. The key words for the *Harakat al-Shabaab* have been "jihad and justice", as it provided an alternative to the corruption prevalent in the western-backed TFG. Failed western-backed police aid packages were in many ways Shabaabs best allies, as the transitional police became highly predatory because wages were not paid out to them. This has been ongoing, and UNDP (the problem- despite their involvement since 2007. In one sense, the pictures published by the Shabaab of plundering TFG policemen were their best propaganda and Shabaab offered a more transparent form of justice than the chaotic transitional government. It was there to protect the locals, despite doing it in a harshly way, and despite implementing sharia in a confused/confusing way. They were the closest to some kind of justice in south central Somalia.[4] Shabaab also rose to power because of the Ethiopian 2007–2009 intervention in Somalia, being seen by some Somalis as a defender against the Ethiopia, the archenemy of Somalia. Shabaabs recruitment was encouraged by the Ethiopians' indiscriminate use of heavy artillery in Mogadishu.

Despite all mythology in Somalia, Shabaab remained in the back seat of the anti-Ethiopian insurgency from 2006 to late 2007. During this period the organization was building up capabilities, conducting assassinations, suicide attacks and road bombings inside Somalia, but at the same time refraining from large scale attacks.[5] Other parts of the anti-Ethiopian opposition played a much larger role in the initial fighting, especially other remains of the Islamic courts. Clan militias, motivated by what they saw as a national humiliation, suffered large defeats. By autumn of 2007, Shabaab was attacking police stations in Mogadishu and gradually stepping up their efforts, taking advantage of the vacuum left by the defeats of the anti-Ethiopian rebels in April–May 2007.

At the same time, the Shabaab seemed to build up one of East-Africa's most technology-intensive propaganda campaigns, launching several internet sites, and sending press statements to al Qaeda affiliated sites and organizations such as the Global Islamic Media Front. These messages were very different from all that had previously emerged from political organizations in East Africa. Shabaabs homepages put their struggle into a wider narrative of 'clash of civilisations' and an all-out fight between Islam and the West, led by America. It also used symbols, such as pictures from Palestine, Afghanistan and Iraq, combined with pictures of Osama bin Laden. However, Shabaab's focus in their tactical struggle was purely local. Their targets where in large Ethiopian troops, and what they perceived as Somalian

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[3]   Hansen, Harakat Al Shabaab in Somalia, p. 120.
[4]   Ibid., p. 200.
[5]   Ibid., p. 58–60.

stooges. In this sense, rhetoric was divided from action.[6]

The *Harkat al-Shabaab* was in this phase of its history surprisingly detached from the Somali clan system, the traditional lineage system that dominated Somali politics. However, this does not mean that it was completely alien to it. In fact, it floated on sympathy and nationalistic sentiments against Ethiopian troops and recruited more amongst some clans, than others and the Somali diaspora. By 2009 this was to change as Ethiopia withdrew from Somalia and a new transitional federal government headed by *Sheik Sharif Sheik Ahmed*, the head of the old sharia court alliance, emerged. There were many hopes regarding the Ethiopian withdrawal.[7] One hoped that this would seriously weaken the Shabaab by undermining the narrative that they were anti-national resistance. The Ethiopian withdrawal did create some stirrings in Shabaab's ranks and at least one foreign fighter and diaspora member wanted to go home.[8] The channeling of funds from the Somali diaspora to the *Harkat al-Shabaab* might also have started to exsiccate.[9]

However, Shabaab itself expanded drastically, taking over large parts of South central Somalia while the Ethiopians withdrew and their TFG allies more or less collapsed on their own. The Shabaab was very successful in using targeted assassinations to dismantle the militias of their former allies in the Sharia courts, understanding that these militias were based around charismatic leaders rather than formal structures. The result was that Shabaab went from controlling a few cities to controlling large parts of southern Central Somalia.

They were well received in many of the places they took over control, providing an alternative to the chaos of the TFG, and the harsh reprisal of the Ethiopian troops. While they expanded (geographically), they also gained access to alternative sources of income, gaining control over the valuable bakara market in Mogadishu, the Kismayo port, and taxes from the Somali transportation agencies and charcoal export. This income was larger than the previous financial support from the diaspora. However, the increase in territorial control also made Shabaab more fragile; they faced the clan-realities of Somalia. Their public strategy was to avoid clan interference by rotating leaders in a way that never allowed a Shabaab leader to stay in the areas of his clan, but the tempting rewards of playing the clan game became too large.[10] In several areas, clans were offering their services to the Shabaab in order to have their aid in showdowns with old clan-based enemies.[11] In some instances, the

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6   Hansen, Harakat Al Shabaab in Somalia, p. 130.
7   Gaas, Mohamed Husein: „A New Hope? Former Rebel Takes Over as Somali President", Jane's Intelligence Review, 24–29, 2009.

8   Hansen, Harakat Al Shabaab in Somalia, p. 130.
9   Vilkko, Valter: Al-Shabaab: „From External Support to Internal Extraction", Research Paper, Department of Peace and Conflict Research,Uppsala University, 2011.
10   Hansen, Harakat Al Shabaab in Somalia, p. 170.
11   Weine, Stevan et al.: „Community and family approaches to combating the radicalization of

temptation became too strong, and Shabaab chose to play the clan game. This meant that they in the end befriended the Murosade clan of the Hawiye, but managed to alienate the Ogadeen clan of the Darood. In several cities the Shabaab administration became clan based. The second problem was the creation of local training camps. Such training camps often had non-Somali instructors, and local sources talk of indoctrination by Pakistanis, and al Qaeda members. However, their recruitment was from the local areas, and this, since Somali clans are locally clustered, contributed to even more clan based recruitment. Clan politics gained influence inside the Shabaab.

Shabaab also saw internal conflicts. Clan allegiances created suspicion, first between *Muqtar Robow* and the rest of the group when he allowed government allied members of his own clan free passage out of his area.[12] Second, there were disagreements over sharia implementation, rhetoric focusing on a step by step approach to implementing Shabaab's strict version of Sharia, or an immediate implementation. There were some disagreements over how to deal with international NGOs as well. Analysts suggested that these agreements also had a nationalist–internationalist component, where parts of the Shabaab were nationalists. However, the authors of this article have interviewed several of the Shabaab leaders, both in the supposed nationalist and internationalist camp, and found their views quite similar. It should be noted that a radical approach to the Unity of the Ummah in East Africa has many similarities with Pan-Somalism, and that Somalis will dominate any entity of Muslims at the Horn of Africa. In this sense Pan-Islamism and Pan-Somalism are easily combinable. It is also to be noted that Shabaab avoided the fragmentation that broke down many of its rival by having internal procedures for handling discord – and they worked. They were much more able to handle such crises than their foes, and continued reinforcing each other for tactical reasons. Many of Shabaab's rivals actually had to negotiate for safe passage when clan-based reinforcements were to travel to the areas of other clans. Shabaab showed more unity in its tactics and policy.[13]

Perhaps this unity was a cause of the downturn in Shabaabs fortunes. It seems like the Shabaab *Amiir Godane* was one of the main architects of the 2011 Ramadan offensive, a plan where approximately 5,000 Shabaab militias attempted to route the more than 7,000 African Union troops in Mogadishu. The Burundian and Ugandan soldiers where better trained, better equipped and outnumbering the Shabaab, and the result of the offensive was almost a given.[14] The forces of *Muqtar Robow* bore the brunt of the fighting and he withdrew

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US Somali refugee youth and young adults: A psychosocial perspective", Dynamics of Asymmetric Conflict, Vol.2–3, 2010.

12 Weine, Stevan et al., Community and family approaches to combating the radicalization of US Somali refugee youth and young adults.

13 As for example the Hizbul Islam before the Shabaab-Hizbul union.

14 Hansen, Harakat Al Shabaab in Somalia, p. 120.

from combat after heavy losses. The critique against Godane became massive, also from Shabaab's al Qaeda allies, and the organization went into a limbo that lasted for several months.

The confusion was aided by the fact that Shabaab had won each campaign they had launched since 2008; they were simply not used to defeats. In the end the organization pulled together, after a large meeting in Merka. It was however to suffer several other defeats in February 2011, as the AMISOM launched their offensive, with heavy losses on both sides and few gains. However, while AMISOM troops could easily replace their losses, Shabaab could not. The drought of summer 2011 was a propaganda defeat for the Shabaab in the diaspora, although this was not entirely deserved, as the conflicts between the Shabaab and the high profile aid organizations at times were caused by other issues than pure Shabaab fanatism. Moreover some of the criticized practices that Shabaab conducted against the drought victims, as keeping them in their home areas, were actually encouraged by the international community.

By 2011, Shabaab was on the decline, but remained relatively unified. It had lost its "gloire" in the sense that events had shown that even the Shabaab could lose battles. Its losses had cost them manpower; however, it still had resources.

2. Roots of the TFG and its current state

During the years from 1991 to 2004 various efforts have been made to reconstruct Somalia but without any positive results, until Somalia's factions agreed on the establishment of the Transitional Federal Government (TFG) in early 2004. The TFG remained toothless and exiled until it moved into the country with the backing of the Ethiopian military.[15]

In June 2006 a group of local Islamic sharia courts (UIC) succeeded in capturing most of southern and central Somalia. The UIC brought relative peace by removing the warlords that held the country hostage. However, this led to the Ethiopian invention and the UIC was ousted in January 2007. Following its defeat, the UIC fragmented into the Alliance for Reliberation of Somalia (ARS), the militant armed Shabab youth wing, and others.

Ethiopian troops withdrew in January 2009 and a new Somali president was elected. Nonetheless, almost eight years after its creation, the TFG lacks legitimacy and effectiveness.[16] Shabaab Islamist insurgents, opposing the

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15 Seland Gomsrud, Lars/Gaas, Mohamed Husein: „Somalia's Transitional Federal Government at a Crossroads", PRIO Policy Brief 10, 2010.

16 Bøås, Morten/Gaas, Mohamed Husein: "What To Do With Somalia?".FAFO Policy Brief

presence of AMISOM troops and the TFG, continue to fight.

Infighting, political alliances, and interests emerge and disappear swiftly.[17] In this, it is all too common that yesterday's political allies become tomorrow's enemies. Rather than focusing on prioritizing many daunting tasks they are mandated for, they are preoccupied with prolonging their terms.

However, the recent security gains of the TFG in pushing Shabaab outside of Mogadishu, increasing their own number of troops and turning them from a clan militia to more of a national Somali army, are failing as much as the creation of institutionalized governance in the Mogadishu area and beyond. Progress is fragile and the situation is far from what one would have hoped for with the election of the current president in 2009: that the TFG under the new president *Sharif Sheikh Ahmed* would be able to defeat the Shabaab and lead Somali reconciliation. However, under the leadership of Sharif the TFG not only failed to cash in on international support and the public good will, but also failed to deliver commensurate progress by all measures.[18]

Despite the incremental improvements due to the current scaled up of international actors commitment towards stabalising Somalia and defeating shebaab that seems to be influenced by the recent London Conference, the immediate course of political, humanitarian and security events in Somalia will have important implications on Shabaab, which so often not only survives by its own strengths, but also due to the ineffectiveness and inconsistencies of the TFG and its regional and international allies.[19] At the present there are a number of challenges that the peace process is facing in Somalia.[20] How these are attended will either present an opportunity to declining popularity for Shabaab – or the opposite. The proposed federal constitution, the roadmap, the end of the TFG`s mandate in August 2012, reconstruction and relief of the country and the future of AMISON will matter to this end. All this at the time the international community, AMISOM, and the Ethiopian troops in Somalia set their preferences on the post-August Somalia.

Due to political fragmentation of the TFG top leadership, the TFG has now its fourth prime minster since 2009. The President and the current prime minster distrust each other and at times have been making conflicting policies and public interviews. For example, in late last year when Kenyan troops entered Somalia, the president publicly opposed the Kenyan move while the PM supported it. The fact, that both are planning to candidate for presidency in post TFG era, is another matter contributing to the internal political

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Feberuary 2012.

[17] Gaas, Mohamed Husein: „A New Hope? Former Rebel Takes Over as Somali President", Jane's Intelligence Review, 24–29, 2009.

[18] Seland Gomsrud, Lars/Gaas, Mohamed Husein: „Somalia's Transitional Federal Government at a Crossroads", PRIO Policy Brief 10, 2010..

[19] Ibid.

[20] Bøås, Morten/Gaas, Mohamed Husein: "What To Do With Somalia?"–"FAFO Policy Brief Feberuary 2012

dynamics. The cabinet is divided along that line into two groups. Each sustains political directions either from the PM or the president. Additionally some have allegiances to the Speaker of the parliament Sharif Sheikh Hassan whereas in reality a majority of the TFG parliament voted a no confidence against him. The parliament also remains divided into two parliamentarian groups, each with its own speaker. Those hallmarks of the TFG examination show that intervention from regional states or other actors – including the U.N. – are all influencing the TFG and its parliament for the better or the worse.

Elements that have the potential to either undermine or enhance the peace process in Somalia include: the division of the TFG leadership; the implementation of the road map components such as; presidential election; drafting the national constitution; dealing with the humanitarian crisis; and how to handle the national reconciliation. Already fingers have been pointed at the road map focusing on transitional institutions at the cost of wider peace building and reconciliation and doing away with the sovereignty of Somalia by Somalis. Regional states such as Ethiopia needs to be convinced by international actors such as the EU, United States and Britain to not undermine at the current process by siding with any of the current TFG political elites to either prolong their terms beyond the august 2012 or a comeback into power through calculated means and moves. Even if the Shabaab is defeated militarily, it is unlikely that it collapses .It will remain a major challenge for peace for some time in Somalia. The shortcomings of the TFG and the roadmap have been used by Shabaab for its propaganda at one time, and at other times to generate real opportunities, opportunities that made Shabaab stronger because of the public resentments against the TFG and the policies of its allies.

3. The Shabaab as an organization – and as a movement

The Shabaab should be put into a wider context. Its leaders paid lip-service to a global agenda, including the Unity of the Ummah, the belief in a wider clash of civilization and the idea of Islam under attack.[21] In pure practical terms, the organization was much more pragmatic than should be expected from a jihadi organization. Indeed it had to, compared with other jihadi organizations with al Qaeda sympathies, because it controlled more territory.

However, al Qaeda's influence was clear since an early stage of the organization's history. It is easy – but dangerous – to simplify this relationship. The relationship changed over time, and the Shabaab related to different parts of the al Qaeda, not necessarily the central leadership of the organization.

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[21] See Hansen, Stig Jarle: „Somalia's Al-Shabaab: Hijacked by Al-Qaeda?" In: Castro e Almeida, Manuel: Al-Qaeda After Bin Laden, 2012, p. 8.

Shabaab's contact with al Qaeda was carried out first and foremost through two of its subgroups. The first small subgroup was the remains of al Qaeda's East-Africa cell. It is important to underline that this was not the highly advanced team from al Qaeda that had been planning and implementing the 1998 embassy attacks against the American embassies in Dar e-salam and Nairobi, but rather the members of this cell that had chosen to stay alive, such as financier *Abu Taha al Sudani*, low-level members such as *Issa Osman Issa*, *Issa Tanzania*, and *Fazul Muhamed*, and last but not least *Saleh Ali Sale Nabahan*.[22] These six were connected to Shabaab from its beginning. A question to be discussed is how close they were to al Qaeda. *Nelly Lahoud* claims that *Abu Taha Al Sudani* was suspended from al Qaeda in this early period.[23] However at least *Fazul Mohamed* later interacted intimately with *Osama bin Laden* through couriers, which was proven by a letter to him found in Osama bin Laden's Abbotabad compound.[24]

The East Africa cell was under pressure, and the death toll was high amongst them. The only person being confirmed to be captured or dead today is *Issa Osman Issa*, although there are rumors that he is imprisoned as well. Nevertheless, the group had great influence on Shabaab, facilitating the stream of foreign fighters in the early phase of the organization, and transferring tactics and ideas into the organization. Both, *Abu Taha al Sudani* and *Fazul*, gained important positions inside the organization before they died. Moreover, all of the ones mentioned above were idolized by younger Shabaab recruits. The East African al Qaeda functioned as mediators attempting to hold the members of the Shabaab together. Seemingly it has a good relationship with all Shabaab parties, and even some parties outside of it.[25] They introduced a philosophy that transcended borders and clans, and could function as organizational glue. They also provided a network that could be employed to gather funds and support for the gulf, as did a "clash of civilization" narrative.

The Second part of al Qaeda had regular contacts with al-Shabaab was al Qaeda in Yemen, later to become al Qaeda in the Arab Peninsula.[26] After a prison break regarded as the re-birth of al Qaeda in Yemen in Sanaa in 2006 two of the escapees fled to Somalia. They were *Mansur al-Bayhani* and *Ibrahim al-Muqri*. *Al Bayhani* was a hardcore international jihadist, with two

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22 See Hansen, Somalia's Al-Shabaab, p. 8.
23 See Nelly Lahoud: „The Merger of Al-Shabab and Qa`idat al-Jihad", in: CTC Sentinel Vol. 5–2, 2012.
24 See bin Laden, Osama: „letter dated 7 August 2010 from ‚Zamarai' (Usama bin Ladin) to Mukhtar Abu al-Zubayr", the letter was found on the Abbotabad compound, CTC, http://www.ctc.usma.edu/posts/letters-from-abbottabad-bin-ladin-sidelined, (06.05.2012).
25 According to AMISOM sources, a letter concerning mediation attempts within the Shabaab and a condemnation of radical Shabaab leaders was found on the body of Fazul after he died. See also Hansen, Harakat Al Shabaab in Somalia, p. 110.
26 See Johnsen, Gregory D.: „Tracking Yemen's 23 Escaped Jihadi Operatives – Part 2", Terrorism Monitor Vol. 5–19, 2007.

brothers held at Guantanamo Bay, and one brother who escaped with him in the same prison break. *Al-Bayhani* had fought with the Taliban in Afghanistan, and with the rebels in Chetchenya. *Al-Muqri* also stayed in Afghanistan, charged of being trained by al Qaeda in Afghanistan. By 2006 he was cleared on all charges, but not released before the prison break.[27] Both were detained and escaped together with the top leaders of al Qaeda in Yemen – today's al Qaeda in the Arab peninsula. Among them were its present day leader *Nasir Abd al-Karim Abdullah al-Wuhayshi* "Abu Basir" and ideologist *Qasim Yahya Mahdi al-Raymi*. A third Yemeni jihadi from this period came up, the Bosnian veteran *Maalin Qalid Hashi Abdallah*, who was to become perhaps the most important Yemeni in Shabaab and is still active in the Shabaab. All in all, these three illustrate the close connections between the Shabaab and al Qaeda in the Arab Peninsula from quite an early stage in Shabaab's organizational history. In 2012 Shabaab, despite its problems, managed to reinforce AQAP and its local affiliate *Ansar al Sharia*, to the extent that Yemeni commenters, as well as the United States ambassador claimed that Somalis are the largest group of non-Yemeni fighters within the AQAP.[28]

The Shabaab thus had international connections; it was a part of al Qaeda's ideological world picture, and later would have strong connections to Boko Haram and loose connections to al Qaeda in the Islamic Magreb.[29] It did have these connections despite being anchored in a Somali context, and despite being influenced by clan dynamics, and despite having relatively primitive sharia implementation mechanisms.

Its adherence to a more general world view enabled Shabaab to transcend borders and to integrate foreign fighters as *Omar Hammami*, and the converted Californian Jew, *Ahmed Anwar*, into its ranks. However, while these foreigners where prominent in the western coverage of al-Shabaab it is perhaps the East African recruits that could be the potentially most destabilizing. Shabaab had at least two important Kenyan (of non-Somali ethnic origin) sub commanders, the rough estimate of Tanzanians within its ranks was around 75, and there were also Ugandan volunteers. Some of the volunteers fought for Shabaab because of money, but others fought for their ideas. Indeed Shabaab's propaganda output, targeting East African Swahili speakers (Uganda, Tanzania, Kenya, and parts of Burundi, Rwanda and Congo), increased since 2009.[30]

It is not uncommon for other Islamist organizations to be both movement and organization – movements meaning as a set of individuals sharing an idea

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27 See Johnsen, Gregory D.: „Tracking Yemen's 23 Escaped Jihadi Operatives – Part 2", Terrorism Monitor Vol.5–19, 2007.

28 See Ibid.

29 See Hansen, Harakat Al Shabaab in Somalia, p. 111.

30 See Hansen, Harakat Al Shabaab in Somalia, p. 111.

rather than sharing an organizational hierarchy. Mark Sageman describes al Qaeda as increasingly being shared ideas, than organizational commando lines, while Lorenzon Vidino sees the Muslim brothers in Europe as a movement.[31] Generally speaking, Shabaab is a heterogeneous organization, not a movement. However, it should be noted that the organization produces highly professional media products. It is active on the internet and it is also active in the Somali media, in this sense it is spreading its ideas.[32] Some of these ideas are about a global struggle between right and wrong, but other elements deal with reconstruction and anti-corruption: a very attractive message in East Africa. Muslim communities in Tanzania and Kenya could be attracted to these messages, seeing local grievances in a larger global perspective.

There are indications that Shabaab's hold of East-Africans has increased. For example, Kenyan papers report of Yemeni Shabaab fighters training inside Kenya and the monitoring group reporting on local allies.[33]

This highlights the challenge of the Shabaab: local grievances definitively play a role in recruitment, and Somali and non-Somali African recruits still join because of the pay because of adventure. However, they are exposed to an internationalist agenda during training. What does this mean? One of the authors meet an elder of the Rahanweyn clan who maintained, that at least for Somalis, clan affiliation remains stronger than ideology. However, the ideological component would be stronger if the individual enlisted because of ideological motivations. Some analysts argue that *Omar Hammami* was a nationalist, a paradox since he is not a Somali, and perhaps a signal that the nationalist-transnationalist divide inside Shabaab is about to end. However, *Omar Hammami* chose to transcend nation and go to Somalia. He is in many ways outside Somali clan politics and local causes. He came there because of global views, not because of ethnic ties; he does not have genealogical connections to Somalia. In these sense international recruits, not coming because of pay will be a challenge. It is not unlikely.

4. The challenges ahead from the Shabaab

In 2007, the U.N. Security Council supported the African Union (AU) to send up to 8,000 African Union troops on a peacekeeping mission to Somalia

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[31]   See Vidino, Lorenso: „The Muslim Brotherhood's conquest of Europe", Middle East Quarterly Vol. 12–1, 2005; Sageman, Mark: Leaderless Jihad: Terror Networks in the Twenty-First Century, Philadelphia 2008.

[32] Gaas, Mohamed Husein/ Hansen, Jarle Stig/ Berry, David: «Mapping the Somali Media: An Overview». Noragric Report 65 March 2012: Department of International Enviroment and Development Studies, Norwegian University of Life Sciences(UMB).

[33]   See UN Monitoring Group Report 2011.

(AMISOM). Initially, despite the repeated pledges of several African countries to deploy troops, only 3,500 Ugandan and Burundian troops were deployed. Since then the troops assigned to the mission have gradually been expanded to their current number of 12,000, mainly from Uganda and Burundi and by some Djiboutian troops. The number of AMISOM troops is to be raised to 17,000. Force are to be stationed in other major cities liberated from Shabaab such as Baidoa, and Baladwen, (now controlled by Ethiopian troops) and other areas of the country.[34]

At the later part of last year, Shabaab was fought off Bakara market, which is the biggest market in Somalia. The market has been one of the major sources of income for Shabaab along with the Kismaayo port. This move pushed Shabaab out of Mogadishu altogether. While apparently, the market takeover of AMISOM and TFG troops has denied a major source of income (and also recruitment) to Shabaab, the organization has resorted to intensifying its other sources. These include Kismaayo port, taxing its import and export as well as taxing farming, and businesses in other regions in Somalia that remain yet in their hands as well.[35]

The October 2011 Kenyan intervention in Somalia was driven among others by the kidnapping and killing of tourists.[36] However, it has been suggested that Kenya has long sought to establish a buffer zone in Juba regions by creating an allied regional state of Azania. The difference between the Kenyan intervention and the Ethiopian one a few years earliers is that Kenya has the support of the local Ogaden clan in Juba regions. This clan does not only populate Juba regions, but also north-eastern Kenyan regions, and the Ogaden region of Ethiopia. However, despite the initial success of Kenyan troops in capturing several cities, several internal and external challenges have hindered their advancement. Thought publicly displayed unity, internal disagreement within Kenyan Governement rooted in directional vision exists. The denouncement of the TFG president of the Kenyan intervention (while his prime minster has enforced and even defended the Kenyan troops) in Somalia, the power games between Uganda and Ethiopia, and Kenya's need for international and regional support of its intervention meant that Kenya had to put its troops under AMISOM command. Local power struggles in Juba regions between *Raskamboni,* which is supported by Ethiopia, and the Azania supported by Kenya, remain unresolved. The approaching general elections in Kenya, and the fact that Shabaab has increasingly recruited from Kenyan ethnic groups including two suicide bombers, is a challenge for Kenyan

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34 See http://news.xinhuanet.com/english/world/2012-05/03/c_131564771.htm; http://www.businessweek.com/news/2012-02-22/un-agrees-to-expansion-of-african-mission-in-war-hit-somalia.html, (21.05.2012).

35 See Ibid.

36 See Throup, David W.: Kenya`s Intervention in Somalia, Center for Strategic and International Studies, http://csis.org/publication/kenyas-intervention-somalia, (21.05.2012).

authorities.[37] Although the new Kenyan constitution seemingly has drawn Muslim and non-Muslim Kenyans together, the issue of support for Somalia's Islamists is highly sensitive inside Kenya's population, since it might promote the religious conflict. Such connections might also transfer ideologies from Somalia to Kenya, and work against the promotion of equal rights between the genders. However, religious-political interaction might also have several advantages. First, interaction between less moderate and moderate Islamists might lead to a form of moderation.[38]

The Kenya-Somalia nexus is a distinctive but critical as it connects two countries that has been affected by civil war, state failure and post-election violence. Kenya is apparently vulnerable to terrorism attacks as recent incidents in Nairobi suggest. Logistical reasons and the fact that Shabaab has its Kenyan factions make this possible.

The internal political dynamics and important elections approaching Kenya along with the feeling of marginalisation of Muslims in Kenya, combined with the fact that Shabaab has Kenyan recruits, may increase the possibility of Shabaab successfully carry out terrorist attacks eventually. Already, there have been several grenade attacks, allegedly carried out by Shabaab and their affiliates, on Kenyan soil.

5. The Ethiopian intervention

For the last twenty years and since the collapse of the Somali state Ethiopia has been and remains so foreign state with highest involvement in Somalia but that negatively influences and thus exasperating the conflict and the crises in Somalia and the local political situations .[39]

Ethiopia invaded Somalia to oust the United Islamic Courts in December 2006. Soon a mixture of clans and nationalistic insurgents started clashing. The Ethiopian troops and their tactics created what the UN called at that time the worst humanitarian crises, as half of the 1.5 million people in Mogadishu were displaced. This combined with the unholy history between Somalia and Ethiopia; Shabaab cashed in the nationalist sentiments of the Somalis and thus emerged as a beneficiary of the war. After two years, Ethiopian troops were forced to withdraw in 2009 without accomplishing any goal but providing the fuel for the unfolding cycle of extremist violence in Somalia.[40]

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[37] See The United Nations Monitoring Group: Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010), S/2011/433, 2011.
[38] See Ibid.
[39] See Gaas, Mohamed Husein/Hansen, Stig Jarle: „Revealed Political Preferences and Political Behavior of Conflict Parties in Somalia", Consultancy report, 2011.
[40] Gaas, Mohamed Husein: „A New Hope? Former Rebel Takes Over as Somali President", Jane's

The current invention in this year came as the world leaders and global institutions gathered at the London Somalia conference. Indeed, the Ethiopian Prime minster announced his troops had captured major cities of Bay, Bakool, and also cities in Galgudud regions by the time that the London conference occurred. Shabaab, learning from their recent past, withdrew their forces and begun hit and run attacks as well as carefully planned suicide bombing in Baidoa. Locally, especially in Bay and Bakool regions dominated by Rahanweyn, tensions arose between vying local leaders on creating a regional state for those regions with Ethiopian support. In the long term this could be problematic for the Ethiopian troops and may create conditions that strengthens Shabaab further if local power struggles are not resolved in a reconciliatory way.

While Ethiopians are aware of their bitter recent engagement in Somalia, the challenge for them will be to avoid repeating the same old mistakes, given the Somalis suspicion towards Ethiopian presence in Somalia. The longer these troops stay, and the more civilian casualties are inflicted, the more Shabaab will be presented with a unique opportunity to raise its declining popularity among the Somalis. Note the fact thatone of the highest ranking Shabaab leaders hails from these regions. However, a large number of the Shabaab militia originates from these areas. Although Bay and Bakool regions are not of any big economical importance, they provided manpower to Shabaab – in the form of militia. Maybe this economic weakness explains why Shabaab has pulled out of these regions, concentrating on the defense of more important cities such as Kismaayo and Marko. The Ethiopian troops are already facing insurgency warfare in areas they have captured from Shabaabs. Local power struggles in the region, the alleged arrest of *Ibrahim Haabsade* in Addis Ababa in April 2011, and further indictments against regional power players add to pressure on Ethiopia If local media reports are confirmed that the Ethiopians have agreed with *Sharif Sheikh Aden* to create a regional state, this could fuel local power struggles, which Shabaab has used to their own advantage in the past.

6. Consequences

The recent developments in Somalia and the involvement of troops from neighbouring countries make the overall security architecture of the Horn of Africa even more fragile. In fact, the UNSC 1706 resolution of December 2006, recognizing this, has made clear that neighboring states must not involve themselves in the Somali conflict. But the Horn has become under an

unprecedented scrutiny of international actors in the form of "war against terrorism" due to the rise of Shabaab as an indication for the spreading of religious extremism and ideological influences from the neighboring Arabian Peninsula. International actors, anticipating that troops from neighboring countries will be able to eliminate the threats of religious extremist, overlooked the fact that the Horn faces not a series of separate conflicts, but a regional system of insecurity in which conflicts and political crises feed into and fuel one another. Any further polarization in political or ideological terms has an impact on the region as a whole.

In Somalia, troops from Djibouti, Ethiopia, Kenya and Burundi are today present - while several other African countries such as Sierra Leone have pledged to send troops of their own. Despite this and the fact that today Shabaab has reached a low-point of its popularity, is depraved of economic resources, and has been defeated in several regions in south central Somalia, it is far from collapse. Simultaneously it has become more regional and globalised, reaching as far as Nigeria (Boko Haram connection). There is no doubt that Shabaab faces certain military, economic, and popularity decline at the moment; but the organization has shown strengths in the past to survive in such a situation and even emerge even stronger (witness the UIC case).

Recently, Shabaab has been defeated in Mogadishu, Bay, Bakool, and some areas in Jubba as well as the Galgududd and Hiiraan regions by quasi-joint efforts of the TFG, AMISOM, Ethiopia and Kenyan troops, as well as a number of allied local militia. This defeat creates an opportunity to de-radicalise defecting al-Shabaab fighters. Thus at present there is an increased realisation of international actors, much so Western actors that a failed Somalia s poses a considerable threat to international security elsewhere. As a consequence of this, the key actors are stepping up their efforts towards de-radicalization as way to stabilize Somalia.

Such moves are very important, especially in the context of Somalia. Designing sound de-radicalization programs that are tailored to the local context can be important in promoting peace, stability and development in the country. As the Shabaab now has been defeated or has withdrawn from large parts of the country, and although there is not disarment program yet, new de-radicalization projects are mushrooming. However, many of them are not properly grounded in de-radicalization concepts and their designs are flawed. Further, some of them are implemented without a thorough link to the local community and context.

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