# **UNHCR** Centre for Documentation and Research





WRITENET Paper No. 07/2000

# SOMALIA: A SITUATION ANALYSIS

By Ken Menkhaus

Associate Professor: Department of Political Science, Davidson College

November 2000

# WriteNet is a Network of Researchers and Writers on Human Rights, Forced Migration, Ethnic and Political Conflict

### WriteNet is a Subsidiary of Practical Management (UK) E-mail: writenet@gn.apc.org

THIS PAPER WAS PREPARED MAINLY ON THE BASIS OF PUBLICLY AVAILABLE INFORMATION, ANALYSIS AND COMMENT. ALL SOURCES ARE CITED. THE PAPER IS NOT, AND DOES NOT PURPORT TO BE, EITHER EXHAUSTIVE WITH REGARD TO CONDITIONS IN THE COUNTRY SURVEYED, OR CONCLUSIVE AS TO THE MERITS OF ANY PARTICULAR CLAIM TO REFUGEE STATUS OR ASYLUM. THE VIEWS EXPRESSED IN THE PAPER ARE THOSE OF THE AUTHOR AND ARE NOT NECESSARILY THOSE OF WRITENET OR UNHCR.

# **TABLE OF CONTENTS**

1.	INTRODUCTION	1
	1.1. BACKGROUND	1
	1.2. RECENT POLITICAL DEVELOPMENTS	
2.	THE CURRENT POLITICAL AND ECONOMIC SITUATION IN SOMALIA	3
	2.1. REGIONAL ASSESSMENTS	4
	North Mogadishu and Middle Shabelle	4
	South Mogadishu and Merka	
	Inter-riverine and Jubba Regions	5
	Central Somalia	
	Puntland	
	Somaliland	
	2.2. Economic Trends	
	2.3. LOCAL GOVERNANCE AND RULE OF LAW	9
3.	PROGNOSIS FOR THE TRANSITIONAL NATIONAL GOVERNMENT	10
	3.1. ASSESSMENT OF THE SOMALI NATIONAL PEACE CONFERENCE	10
	Representation	10
	Nature and Quality of the Deliberations	
	Agenda of the Conference	
	3.2. CHALLENGES FACING THE ABDIQASIM ADMINISTRATION	
	3.3. POSSIBLE SCENARIOS	
	The Government-in-Exile Scenario	
	Ineffective Government-in-Mogadishu Scenario	
	Armed Conflict Scenario The Proxy War Scenario	
	The "Marshall Plan" Scenario	
	The Islamist Scenario	
	The "Minimalist State" Scenario	
4.	CONCLUSION	
5.	BIBLIOGRAPHY	.20

United Nations High Commissioner for Refugees CP 2500, CH-1211 Geneva 2, Switzerland

> E-mail: cdr@unhcr.ch Web Site: <u>http://www.unhcr.ch</u>

# 1. Introduction

# 1.1. Background

Since the fall of the Siyad Barre regime in January 1991, Somalia has been a decade without a central government. In 1991-1992, the country was beset by state collapse, inter-clan warfare, banditry, and widespread famine, which claimed the lives of between 240,000 and 280,000 Somalis.<sup>1</sup> The fighting destroyed much of the capital, Mogadishu, laid waste to the agricultural communities in southern Somalia, and generated enormous refugee flows and internal displacement - an estimated one to two million Somalis were displaced either internally or across borders.<sup>2</sup> This complex emergency eventually prompted a UN peace enforcement operation in Somalia (UNOSOM) in 1993-1995.

The UNOSOM intervention succeeded in ending the famine and in some regions facilitated the return of refugees and displaced persons. But the peace operation was drawn into inconclusive, bloody armed conflict with the Somali National Alliance (SNA), failed to bring about a comprehensive national reconciliation in the country, and generated only modest support for the massive task of reconstruction. When UNOSOM forces departed from Somalia in March 1995, it left the country still divided, without a central government, and with an economic infrastructure mostly still in ruins.

In the years since the UNOSOM departure, Somalia has remained vulnerable to chronic armed clashes, poor food security, and lawlessness. The once relatively cohesive factions have splintered into quarrelling sub-clan militias, so that most armed conflict since 1995 has been within, rather than between, major clans. This has meant that the country is less vulnerable to major armed clashes, but more prone to smaller, localized, and less predictable armed hostilities in neighbourhoods and towns.<sup>3</sup>

In parts of southern Somalia, localized polities have emerged, typically drawing on a combination of traditional, clan-based authority and Islamic courts, often supported by local businesspeople. These polities have provided variable levels of legal protection and law and order to residents, but they have proved to be relatively weak and prone to collapse in the face of warlordism and clan conflict.<sup>4</sup> Only the northwest and northeast regions of the country (Somaliland and Puntland, respectively) have remained stable recovery areas with relatively legitimate and functional administrations. Efforts to assist Somali refugees to return home have been slowed by

<sup>&</sup>lt;sup>1</sup> Hansch, S. *et al.*, *Excess Mortality and the Impact of Health Interventions in the Somalia Humanitarian Emergency*, Washington DC: Refugee Policy Group, August 1994, p. 24.

<sup>&</sup>lt;sup>2</sup> Refugee Policy Group, *Hope Restored? Humanitarian Aid in Somalia 1990-1994*, Washington DC: Refugee Policy Group, 1994, pp. 114.

<sup>&</sup>lt;sup>3</sup> Menkhaus, K., Political and Security Assessment of Southern Somalia: Implications for Emergency Response, Report to the UN Development Office for Somalia, Nairobi, December 1998.

<sup>&</sup>lt;sup>4</sup> Menkhaus, K., Somalia: Political Order in a Stateless Society, *Current History*, Vol. 97, No. 619, May 1998, pp. 220-4.

severe economic pressures inside the country and by sporadic security concerns generated by chronic political tensions. Economically, Somalia continues to rank as one of the poorest countries in the world, reducing local capacity to absorb returnees. According to the 1998 UNDP Somalia Human Development Report, Somalia's "Human Development Index" is the lowest of any country in the world. Average life expectancy is 41-43 years; the mortality rate for children under five exceeds 25%; adult literacy rates are 14-17%; and portions of southern Somalia are periodically prone to severe food shortages.<sup>5</sup> Since 1995, Mogadishu and other major towns have gradually become more accessible to former residents, but internal displacement remains widespread. About a quarter of a million (256,000) Somali refugees remain in camps in Kenya, Ethiopia, Djibouti, Yemen, and other neighbouring countries;<sup>6</sup> many more reside in these countries illegally and hence elude documentation. In addition, hundreds of thousands - perhaps over a million - resettled Somali refugees are scattered across the globe, from North America and Europe to the Middle East and Australia. This diaspora has assumed a very important role as a source of remittances to family members in the country or in refugee camps.<sup>7</sup>

### **1.2.** Recent Political Developments

A political development of potentially great significance - the declaration and creation of a transitional national government - is now occurring in Somalia and merits careful monitoring.

After years of failed national peace conferences, in 1998 and 1999 the regional authority IGAD (Inter-Governmental Authority on Development) and the government of Djibouti proposed a Somali National Peace Conference (SNPC), to be based not on factional representation but rather on representation by Somali civil society. The "Djibouti initiative" was endorsed by the UN Security Council in December 1999. After months of preparatory work, the SNPC officially opened on 2 May 2000 at Arta, Djibouti. The conference was organized on the basis of clan, with an agreed upon formula for numerical representation by clan (Daarood, 175; Hawiye 175; Digle-Milifle 175; Dir 205 [of which 100 were Isaaq]; and minorities, 90. In addition, a cross-clan delegation of 100 women was invited.8 Clans were free to choose their representatives. Participants were mainly a combination of clan elders, civil society leaders, intellectuals, ex-civil servants, and in some cases faction leaders. Key players missing from the conference included most of the Mogadishu-based warlords, the Puntland administration, and the Somaliland administration. The Rahanweyn Resistance Army (RRA) leadership initially rejected the conference but later joined it. The Arta conference enjoyed explicit backing of most major external actors, including

<sup>&</sup>lt;sup>5</sup> Marchal, R. and K. Menkhaus, *Somalia Human Development Report 1998*, Nairobi: UNDP, October 1998, p. 12.

<sup>&</sup>lt;sup>6</sup> UNHCR, Nairobi, Personal correspondence, 27 October 2000.

<sup>&</sup>lt;sup>7</sup> Ahmed, I. I., Remittances and Their Economic Impact in Post-War Somaliland, *Disasters*, Vol. 24, No. 4, fc 2000; Ali, A. S., *Remittances in Somalia*, Nairobi: UN Development Office for Somalia, December 1997.

<sup>&</sup>lt;sup>8</sup> United Nations Integrated Regional Information Networks, Somalia: IRIN Guide to the Somali National Peace Conference, Djibouti, 30 June 2000,

http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20000630.phtml [accessed 11 November 2000].

the UN Security Council and Secretary-General, the Arab League, the OAU, and the EU, and nearly all neighbouring states.

On 13 August conference delegates selected a new 245-member Parliament, apportioned along clan lines. That Parliament-in-exile then elected a President, Abdiqasim Salad Hassan, a 58-year old former deputy prime minister and interior minister in the Barre government. After a brief appearance in Mogadishu and Baidoa, where the public demonstrated strong support for the new government, Abdiqasim Hassan devoted much of his time to travel abroad to seek recognition and support. In October 2000, the President and Parliament completed the politically delicate process of selecting a Prime Minister and Cabinet, and returned to Mogadishu to prepare to establish a national government. As of late October 2000, the administration had yet to begin operating as a functional government.

# 2. The Current Political and Economic Situation in Somalia

The Abdiqasim administration inherits a political and economic situation inside Somalia that has not measurably improved since 1995, and which poses a daunting challenge. Endemic political instability is the main problem; the administration will have to reassert public security and law and order if it is to establish legitimacy. Asserting its authority will be even more difficult because of the number of strongmen, warlords, and autonomous polities, which reject the transitional national government. At this writing, the collection of groups opposing the new administration includes the Somaliland administration; leaders of the Puntland administration; five of the largest remaining factional militias in the Mogadishu area (the militias of Hussein Aideed, Osman Atto, Musa Sude, Hussein Bod, and Qanyare Afrah); much or most of the Rahanweyn Resistance Army, led by Colonel Hassan Mohamed Nur "Shatigudud"; the Southern Somali National Movement (the Bimaal clan); and followers of General Adan Abdullahi Nur "Gabio" of the Aulihan clan.<sup>9</sup> Collectively, that constitutes a significant bloc of clans, regions, and militia which the administration will either have to co-opt or defeat.

Making matters worse, the administration will be attempting to govern on the basis of very minimal financial resources. The fledgling administration currently relies on support from the business community in Mogadishu, which is unlikely to continue indefinitely if the merchants perceive that their investment is not yielding expected results. Poor economic prospects highlight the single greatest obstacle to a central state - the absence of a viable economy from which to generate tax revenues. The recent ban on livestock imported from Somalia imposed by Gulf states, in response to outbreaks of Rift Valley Fever, only exacerbates the economic crisis.<sup>10</sup> The administration's immediate strategy - importation of large quantities of Somali

<sup>&</sup>lt;sup>9</sup> United Nations Integrated Regional Information Networks, Somalia: Faction Leaders Call for a Federal State, Nairobi, 31 October 2000,

http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20001031.phtml [accessed 11 November 2000].

<sup>&</sup>lt;sup>10</sup> United Nations Integrated Regional Information Networks, Somalia: IRIN Focus on Saudi Livestock Ban, Nairobi, 22 September 2000,

http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20000922.phtml [accessed 11 November 2000].

shillings printed abroad - touched off social protests in Mogadishu because of the hyperinflation it triggered, and is not a viable option in the future. The only alternative source of revenue for the Abdiqasim administration - generous and sustained external assistance - is probably unlikely to materialize.

The implication is that the administration will necessarily have to be very minimalist in nature, focusing on only the most essential aspects of governance. The danger is that this will collide with inflated public expectations of a windfall of jobs, contracts, and social services emanating from the public sector. The administration currently enjoys widespread popular support, but public disenchantment will be inevitable if jobs and services are not forthcoming.

### 2.1. Regional Assessments

Even in a best-case scenario, the Abdiqasim administration will not be in a position to exercise any influence over most of the country in the near future. Initially, the key regions for the administration will be Benadir (Mogadishu) and surrounding areas from Merka through Baidoa to Jowhar. For the rest of the country, external actors should presume that they will need to continue to work mainly with and through local polities.

# North Mogadishu and Middle Shabelle

Establishing basic governance over the greater Mogadishu area will be an immediate litmus test of the new administration. In North Mogadishu, the Abgal clan remains as politically fragmented as ever, and the area from North Mogadishu to Jowhar remains one of the most dangerous, bandit-infested zones of Somalia. Armed clashes between neighbouring clans in the region have worsened recently, with over 20 killed near Jowhar in disputes between Hawadle and Gaaljaal. Armed confrontations have also recently occurred at the natural beach port of El Ma'an due to disputes over pay between the company which runs the port and their armed guards. This part of the greater Mogadishu area may prove to be a greater challenge to the new administration than the threat posed by rejectionist warlords in south Mogadishu. North Mogadishu's anarchy, and the mixed reaction the Abgal will have to a Haber Gedir-dominated government, could prove to be an intractable problem. It is not out of the question that the Abdiqasim administration's response will be to ignore the north and try to operate out of the south of the city; the danger of that tactic is that it would only reinforce the perception of the government as a Haber Gedir, not national, administration.

### South Mogadishu and Merka

Since last year, the politics of south Mogadishu has been significantly altered by the coalition of businesspeople who have broken with the factions and have underwritten a new security arrangement in alliance with Islamic courts and militia (which are paid by the merchants and controlled by the courts). This coalition forms the main source of support for the Abdiqasim administration. Importantly, for the moment the *shari'a* courts and their militias are the main providers of policing and a formal judicial system, but do not answer directly to the administration. Instead, the judicial system in south Mogadishu and Merka appears to be a government function that has been "sub-

contracted" out to the *shari'a* courts via financing by the business community.<sup>11</sup> The business community is trying to get out of the business of funding militias and courts and is hoping to "sub-contract" the task back to the administration, but that has not yet occurred.<sup>12</sup>

The uneasy stand-off between the factions on the one hand and the alliance of merchants, Islamic courts, and the Abdiqasim administration on the other will probably not degenerate into armed conflict in south Mogadishu in the short term; that would serve neither side's interests. Both sides have long-term strategies that do not require direct armed conflict. For the merchants and Islamists, their aim has been to gradually melt the power base of the faction leaders; for the faction leaders, their strategy is to wait until inevitable tensions occur in the new administration and then exploit those divisions to bring it to a crashing end. This scenario could change, however, if the administration cannot persuade the faction leaders to relinquish control over key sites in the city, especially the airport and seaport; those two pieces of real estate are clearly the most dangerous flashpoints for armed conflict in Mogadishu between the factions and the administration.<sup>13</sup>

The security situation has not improved in Merka, where a complex power struggle pits the Haber Gedir-dominated *shari'a* administration against the Bimaal clan and a new front, the Bimaal Resistance Movement. The Bimaal regard the Haber Gedir as occupiers, and as part of their effort to discredit the *shari'a* administration attacked international agency compounds earlier this summer. They were also believed to have shot at an ECHO (European Community Humanitarian Organization) flight, in order to shut down use of the Merka airport as a transfer and refuelling stop by international agencies. The Haber Gedir have responded by allegedly inciting local interclan fights in a divide and rule tactic. Meanwhile, a radical Islamist wing is said to have emerged which, in contrast to the *shari'a* administration, strongly opposes the presence of western aid organizations. It is this group which conducted a grenade attack on the COSV (Coordinating Committee of the Organization for Voluntary Service) compound and which attacked two UN security officers visiting Merka last month. Merka, once an island of stability in southern Somalia, is increasingly politically unstable, though commercial port traffic is largely unaffected at this time.

### Inter-riverine and Jubba Regions

In Kismayo, the city is controlled loosely by the "Lower Jubba Alliance" comprising Haber Gedir and Marehan militia leaders. Reliable information is extremely difficult to get out of this area, but rumours exist of tensions between the top Marehan military leaders. If the past history of this city is any guide, we can expect the situation to be characterized by shifting military occupation, mainly by clans not indigenous to the region. The city of Kismayo, long seen as having enormous commercial potential, is increasingly dead as a result of ten years of armed conflict, stand-offs, and blocked commerce. It is very likely that General Morgan will eventually reappear in the city; he is currently biding his time in Wajid, Bakool Region, waiting for the right division

<sup>&</sup>lt;sup>11</sup> Simmons, A., Lawless Somalia Turns to Islamic Courts for Order, L.A. Times, 28 July 2000.

<sup>&</sup>lt;sup>12</sup> Fisher, I., Somali Business Stunted by Too-Free Enterprise, *New York Times* 10 August 2000.

<sup>&</sup>lt;sup>13</sup> Murray, K., Analysis: Taming Mogadishu No Easy Task for New President, Reuters, 18 September 2000.

to exploit in Kismayo. Kismayo has been consistently the most unstable and dangerous city for international agencies, a fact which is unlikely to change in the near future.

Upriver in Gedo region, the Marehan reconciliation is holding, despite ongoing tensions between indigenous and central region Marehan. All sides have supported the Djibouti process, which is understandable, since the Marehan constitute one of the clans most eager to return to Mogadishu and to a place in a central government. In Bay and Bakool region, the RRA is constantly under strain of possible splits along subclan lines, along leadership lines, and between eastern and western Rahanweyn, with the western Rahawenyn more supportive of regional autonomy. These splits have weakened the RRA leadership, leading to loss of control of some militia in the area. RRA military commander Hassan "Shatigudud" was only reluctantly drawn into the Djibouti initiative and has recently rejected the new administration after being passed over for a major leadership role in the government. The Abdiqasim administration thus faces a divided population in the Bay and Bakool regions, and cannot count on reliable support from the Rahanweyn clan. Meanwhile, Ethiopia continues to exercise strong influence over RRA policy. Ethiopia's own ambivalence toward the new administration - an ambivalence which is quickly shifting toward opposition, due to Abdigasim Hassan's strong tilt toward Arab donor states - could translate into more overt rejectionism coming from the RRA.

### **Central Somalia**

In Hiran Region, the Hawadle clan has long resented the dominance of Hawiye factions in Mogadishu and was the first to call for explicitly-clan based representation in political fora, so it came as no surprise that they were strong supporters of the Arte process. In retaliation, Hussein Aideed's Somali National Alliance (SNA) appears to be inciting the Gaaljaal clan to attack the Hawadle, leaving the entire riverine valley from Beled Weyn to Jowhar in a state of insecurity even more chronic than usual. More surprising are reports that the Haber Gedir clans in south Muduq region all embraced the Arte process - even Hussein Aideed's own Sa'ad sub-clan. This appears to be a reflection of their own frustration with the weakness of factions which have monopolized their representation for years.

### Puntland

At one point there was concern that this region, which has avoided direct armed clashes since 1991, would be brought into conflict as a result of the Arte process. That appears to be less of a threat now, but tensions remain high as the Puntland authorities accuse citizens who attended the Arte talks of treason (including some who had been high-ranking officials in the Puntland administration, such as Hassan Abshir Farah, until recently the Interior Minister). Divisions for and against the Arte accord have some sub-clan logic, with Omar Mahamud tending to be against it and Osman Mahamud for it, but within each clan there are high-level figures split over the SNPC. Individuals close to this region express a popular fear that the Abdiqasim administration will try to rally support in Mogadishu by mounting an armed campaign against Puntland, but this seems far-fetched. In the short term, Puntland will be pre-occupied with the enormous economic problems generated by the livestock import ban in the Gulf.

### Somaliland

What little support the Arte process could have culled from Somaliland dissidents was undercut by the low level of representation accorded the Isaaq clan. The Egal administration has effectively planted deep suspicions about the economic motives of Djibouti in hosting the Arte conference, arguing that Djibouti was hoping to undermine a rival port in Somaliland. The fact that the Puntland President, Abdullahi Yusuf, seems to have backed down on the dispute over the regions of Sanaag and Sool, and that some local non-Isaaq clans (the Gadabursi, Warsengali) were lukewarm about the Arte process, was a victory for President Egal. Only one sub-clan of the Dolbahante, the Farah Garaad, was strongly pro-Arte, and two of their leaders, Ali Khalif Galydh and Garaad Abshir were arrested at Berbera on charges of treason after participating in the meeting. Somaliland, like Puntland, will no doubt be wishing for the quick demise of the Abdiqasim administration, but will not be immediately threatened by it. Like in Puntland, the coming year will mainly be a crisis in Somaliland for economic reasons, due to the livestock ban.

### 2.2. Economic Trends

The economy in Somalia establishes the parameters of what is and is not possible for the transitional national government. Unless the administration coaxes a windfall of foreign aid from an external patron or patrons, which at this time does not appear likely, it will have to generate its own revenues mainly from taxes. The only methods through which Somalis have ever been able to effectively tax themselves have been customs duties at major ports, and in some cases road tolls. Taxes on imports and exports will necessarily need to be kept low, given the number of natural ports in the south (where smuggling would not be difficult) and the competition that the ports of Berbera (Somaliland) and Bosaso (Puntland) pose to the north. When one factors into this equation the depressed local economy, the revenue base for the administration begins to look impossibly low.

General household income levels, remittance flows, and imports of commodities have not changed appreciably in the past three years. But several new trends could threaten to pull the slow southern Somali economy down still further. First, and most dramatic, is the livestock import ban which Saudi Arabia and other Gulf states imposed in September 2000. The ban, issued because of a fatal outbreak of Rift Valley fever in Saudi Arabia and Yemen, targets livestock from Horn of Africa and East Africa, including Somalia. The last time the Saudis issued such a ban, in 1998, it was only partially enforced, due to widespread smuggling through Yemen. This time, however, Yemen appears to be clamping down as well, making this episode potentially much more disruptive. If the last ban is any guide, it will be at least a year or more before the ban is lifted. A recent World Food Programme report concludes that the 2000 livestock ban will have a much more negative impact on Somalia and surrounding states "due to the lack of alternative markets, general poor condition of livestock, and the fact that the ban came into effect before the peak period of Ramadan livestock sales."<sup>14</sup>

<sup>&</sup>lt;sup>14</sup> United Nations, World Food Programme, *Emergency Report*, No. 43, 27 October 2000, http://www.wfp.org/ereport/2000/001027.htm [accessed 11 November 2000].

The livestock ban deprives Somalia of its chief source of hard currency just as the new administration takes over. It is predicted to have an especially devastating impact on the northern polities of Somaliland (which rely on taxes on livestock exports for half its budget) and Puntland. Southern Somalia is expected to feel the impact more slowly, as only a small portion of its livestock is exported to the Gulf (due to closure of Mogadishu port). The inter-riverine and Jubba regions will not be affected much if at all, as their main livestock market is in Kenya. But the entire country will feel the ripple effect of the ban. Purchasing power will drop, so demand for consumer imports will drop as well. Worse, without a commercial outlet for surplus livestock, herders will build up their herds in anticipation of the reopening of the Gulf markets, causing still more environmental degradation on overgrazed pasture.

Agricultural production, meanwhile, enjoyed a solid harvest in August, with one of the best yields since the war began (though still about 40 per cent less than pre-war harvests).<sup>15</sup> Localized drought has severely effected some border areas, however, most notably in Gedo, Bakool and Hiran, as well as much of northwest Somalia. That, combined with insecurity, has led to a serious problem of food insecurity and rising malnutrition in Bay and Bakool regions, according to latest UNICEF alerts.<sup>16</sup> Still, the generally satisfactory harvest means that the interim administration will not find itself in the middle of a major relief effort, which would have put tremendous pressure on it. But these yields are mostly from subsistence production, and will not generate much if any tax revenue for the administration.

The economic dilemma for the Abdiqasim administration is thus clear - high public expectations of the government dwarf the meagre revenues the government can expect to generate locally. The natural reaction of the administration has been to seek a solution externally, hoping for high levels of foreign aid. Aid from Western and multilateral sources is clearly going to be modest in scope, so the only alternatives are Gulf states and Arab and Islamic donors. Accordingly, Abdiqasim has been actively wooing those potential patrons. The added dilemma for the administration, however, is that by tilting so overtly toward the Arab world for assistance it alienates Ethiopia, which has powerful security interests in minimizing Arab and Islamic influence in the Horn of Africa. Thus, the potential solution to the administration's financial crisis only provokes an even greater crisis with Ethiopia. The past decade suggests that no Somali polity, regional or national, can survive if it provokes strong Ethiopian opposition.

<sup>&</sup>lt;sup>15</sup> United States, Office of US Foreign Disaster Assistance, *Somalia Complex Emergency/Drought: Information Bulletin #1 FY 2000, 11 September 2000,* 

http://www.usaid.gov.hum\_response/ofda/somalia\_ib01\_fy00.html [accessed 11 November 2000].

<sup>&</sup>lt;sup>16</sup> Pan African News Agency, UNICEF Says 1.2 million People Face Starvation in Somalia, 2 November 2000, http://www.allafrica.com/stories/200011020103.htm [accessed 11 November 2000].

### **2.3.** Local Governance and Rule of Law<sup>17</sup>

Notwithstanding the general perception of Somalia as "anarchic," basic law and order is in fact the norm in most locations. Though hard data is not available, anecdotal evidence suggests that much of the Somali countryside - especially Somaliland, Puntland, and pockets of southern Somalia - is safer for local residents than is the case in neighbouring countries. There are, to be sure, shifting zones of very dangerous banditry and criminality in places like Jowhar, the lower Jubba valley, and parts of Mogadishu. It is also true that both Somali nationals and foreigners associated with an international organization or a profitable business are frequent targets of kidnapping for ransom, especially in Mogadishu. But it is important not to confuse the security problems of international aid agencies with security problems for average residents.

Public order, rule of law, and personal security throughout the country continue to be based on a combination of traditional mechanisms: kinship protection, or mutual obligations within blood-payment groups (diya); clan-based customary law (xeer) and mediation structures provided by elders or respected sheikhs; and protection of weaker social groups via the practice of *shegad*, or adoption into a stronger clan. These traditional mechanisms have fared relatively well throughout most of the country, and are the primary pillars of "rule of law" and conflict mediation for day-to-day matters at the local level. In addition, in many local areas in southern and central Somalia, shari'a courts have emerged to complement, but not replace, these traditional mechanisms. Shari'a law has always guided family law in Somalia. But in some areas, shari'a courts have been established to handle penal law as well. The courts are typically established and overseen by elders and local merchants, to provide a more effective and formal judiciary. They are usually explicitly identified by clan. These courts usually oversee a *shari'a* police force as well. In most instances, plaintiffs in a dispute first have the right of recourse to customary law or blood payments to resolve a grievance; imposition of *shari'a* law is usually only an option. Rarely have the courts tried to exercise autonomous power from the clans and merchants, and rarely have they tried to impose strict shari'a law. One major human rights concern is that when the option of *shari'a* law is chosen by families of victims, punishments have included amputations and stonings. The number of such cases of mutilation and capital punishment is low, and the Islamic courts are monitored by local human rights groups and pressured not to impose such punishments.<sup>18</sup>

<sup>&</sup>lt;sup>17</sup> This section of the paper draws on the following sources: M. Bryden, New Hope for Somalia? The Building Block Approach, *Review of African Political Economy*, Vol. 26, No. 79, March 1999, pp. 134-40; A. Y. Farah, Political Actors in Somalia's Emerging *de facto* Entities: Civil-Military Relations in Somaliland and Northeast Somalia. Draft manuscript, January 2000; C. Logan, *Overcoming the State-Society Disconnect in the Former Somalia: Putting Somali Political and Economic Resources at the Root of Reconstruction*, Nairobi: USAID/REDSO, September 2000; Marchal, R., The Private Sector: Its Role in Governance, Draft manuscript, October 2000; and United Nations Somalia, First Steps: An Operational Plan to Support Governance and Peace Building in Somalia, September - December 2000. Nairobi, October 2000, http://www.unsomalia.org [accessed 11 November 2000].

<sup>&</sup>lt;sup>18</sup> United Nations Integrated Regional Information Networks, Somalia: IRIN Interview with Hasan Shire Sheik, Co-director of Dr Ismail Juma'le Human Rights Centre, Mogadishu, Nairobi, 2 October 2000, http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20001002.phtml [accessed 11 November 2000].

Finally, two regional administrations of the country, Somaliland and Puntland, have re-established civil judicial systems, which also complement traditional mechanisms. Of the two, Somaliland's is considerably more developed. But in both Somaliland and Puntland, the high level of personal security citizens enjoy is less a reflection of a strong police and judiciary than a manifestation of strong civil and traditional practices. It also reflects the fact that both administrations have devoted most of their tax revenues to expenditures on "security forces" - a way to demobilize and control young armed militiamen who would otherwise constitute a major public security problem.

In practice, rule of law, guarantees of personal security, and protection of human rights in Somalia vary from location to location and according to the social standing of the individual. Most Somalis ensure their personal security by residing in the "home areas" of their clan, where they are assured full status and protection by their kin group. Ironically, for many Somali urbanites, this arrangement can lead to a situation in which they are simultaneously "at home" in their clan's territory, but "internally displaced", in that they are forced to live in areas far from their actual homes in the capital city. Somalis are increasingly able to both visit and live in cities outside their clan's traditional domain, but typically as a guest of more dominant clans, an arrangement which requires time and sometimes protection money to ensure. Politically weak social groups, such as the Bantu and Bajuni, are least able to secure protection from extortion, rape, and other abuses by criminal elements of more powerful clans; they remain somewhat vulnerable no matter where they reside.

# 3. Prognosis for the Transitional National Government

# 3.1. Assessment of the Somali National Peace Conference

The SNPC has inspired considerable debate and commentary inside and outside of Somalia. Debates have tended to focus on one of a number of issues: the nature and quality of representation at the conference; the nature and quality of the conference deliberations; the legitimacy of the agenda of the conference; and the legitimacy of the new administration that emerged from the SNPC. These debates are very important in the battle for public opinion inside Somalia, and hence important for external actors to understand. At this point in time, the debate is fairly evenly divided.

# Representation

This is a perennial debate in Somali politics - who may represent whom? In the case of the SNPC, the meeting was, after protracted debate, explicitly based on proportional clan representation, and, while open to all (depending on the choice of each clan), the core organizers were from "civil society" - intellectuals, clan elders, and NGO leaders. This aspect of the SNPC earned it many sympathetic supporters, who blamed past failures in national reconciliation on the fact that representation was invariably factional - and that factions/warlords were the source of, not the solution to, the Somali impasse. No doubt the appeal of bypassing the warlords helped to earn this conference the ample goodwill and support it enjoyed from key international players. It also helped partially to offset criticism that the SNPC was just another "top-down" reconciliation exercise.

Criticism of representation at the SNPC has been ample, however. First, some stress that the absence of Somaliland and Puntland authorities, as well as Mogadishu faction leaders, dooms the conference to irrelevance. Second, it is argued that the principle of clan-based representation is flawed. Even Djibouti President Guellah called for regional representation. These critics fear the longer-term impact of institutionalizing clannism in Somali national politics. Third, many Somalis are displeased with the proportional representation by clan. The Isaaq who broke ranks with Somaliland to attend the meeting were dismayed that they were folded into a broader "Dir" clan category, that they were not treated on equal footing with the Hawiye and Darood, as was past practice (they were allocated only 100 seats to 175 apiece for Hawiye and Darood), and that the Isaaq were out-numbered by non-Isaaq clans in Somaliland. That was only one of several decisions which solidified Isaaq opposition to the Arta process, even among Isaaq who oppose Somaliland and Egal.

Fourth, some contend that the conference was controlled by a clique of Mogadishubased Haber Gedir Ayr businessmen, and that it was erroneous to pass the proceedings off as broadly representative and democratic. This was evidenced in the selection of Abdiqasim as President. Abdiqasim is himself Ayr; he receives strong support from the business community in Mogadishu, which is dominated by Ayr; and he has the backing of the *shari'a* courts and the militia, the leadership of which is significantly Ayr. The ascendancy to leadership of the Ayr is irritating for the Sa'ad and Abgal, who have aspirations for top leadership. But it is also disturbing to many other Somalis, who see it as a reward for Ayr armed conquest of parts of southern Somalia.

Fifth, many argue that the Arte process included too many warlords, including the notorious generals Gani and Morgan. The Parliament includes a half dozen former generals from the Barre regime as well. A sixth complaint is that the conference was hijacked by former Barre regime officials, who assumed many of the positions in Parliament (about 60 per cent of the Parliament are ex-parliamentarians from the Barre era), and whose credentials for nation-building, given their past record, are poor. A related concern is that 30 to 40 per cent of the Parliament is said to be composed of diaspora Somalis. Inside Somalia, the conventional view throughout the 1990s has been that Somalis who did not live through the war and state collapse have limited claims on political roles. There are some exceptions to this rule, Hussein Aideed being the most obvious. But in general Somali attitudes towards their diaspora kin are marked by deep ambiguity - gratitude for the remittances sent back, envy for the better life they are perceived to be enjoying, and sharp rejection of any disapora initiative which smacks of an externally-imposed solution and/or a power-grab by exiled politicos. If this still holds true, the new Parliament is going to face severe legitimacy problems inside Somalia.

Much of this criticism is painfully accurate, and will provide useful ammunition for critics seeking to undermine the credibility of the transitional administration. Yet it is also the case that the SNPC was probably the most representative assembly yet convened for Somali national reconciliation. While very imperfect, it was adequately representative, and should be treated by external actors as a more-or-less legitimate reflection of the desires of the Somali people. The fact that clan elders were able to agree to fixed, proportional representation by clan is a major accomplishment in itself, and will serve as a benchmark for any and all future negotiations over national-level representation. The exceptions to this assessment are Puntland and Somaliland.

Therefore, the Abdiqasim administration cannot speak for those regions and should not be given any encouragement to claim that right. Separate negotiations will almost certainly need to be held with those polities at a future date.

### Nature and Quality of the Deliberations

Advocates of the Djibouti initiative stress that the proceedings were of a high quality. They blended traditional assembly customs with modern committee techniques; ample time (nearly four months) was given to the actual conference, in keeping with Somali custom; and the SNPC addressed all of the main issues (division of power, electoral procedures, etc.) in a deliberate and thoughtful way.

Critics felt otherwise. They claim that the quality of the SNPC was poor, and undermined its legitimacy. They argue that it was a major error to hold such meetings outside of Somalia (a common criticism of old UNOSOM practices); this prevented the delegates from vetting proposals with their constituents and hence weakened the accord. Critics also note that the process was rushed, due to Djibouti financial pressures (again, a common criticism of UNOSOM practices); that most discussion and negotiation was not over substantive issues but simply over the division of the spoils between and within clans; and that much participation was driven not by real concern for the nation but by the perception that the conference might lead to "UNOSOM III" - i.e., international recognition of a government, which would in turn open the floodgate of foreign aid. In such an eventuality, it was only prudent to ensure a good place at the table.

Some of these criticisms have merit. In particular, it may be that the UN allowed itself to appear too close to the proceedings, and in so doing triggered the speculative behaviour of ex-politicians "banking" a seat in expectation of access to future foreign aid. But collectively these criticisms do not invalidate the results of the proceedings themselves.

### Agenda of the Conference

Here, critics address a much more serious concern; namely, the right of the conference conveners and their international backers to lay claim to a national-level agenda. Advocates of the conference point to the broad popular support the SNPC enjoyed within Somalia as clear evidence that such a national-level agenda was justified. But critics note that the conference constituted a complete reversal of the "building block" approach which external actors (the SACB - Somalia Aid Coordination Body, the EU, the UN, the Ethiopians) had pressed hard for Somalia to embrace over the past three years. Why, some critics charged, was the building block strategy, which had enjoyed at least some modicum of success in Somaliland and Puntland, abandoned (and possibly destroyed) by the very actors who advocated it? For observers like I.M. Lewis, it represented the worst instincts of the UN, EU, and others who "imagine that state political organization can be dropped from UN parachutes." Instead, he argues that parts of Africa are experiencing "the withering away of colonial states and the rise of new political formation" - which he sees occurring in Puntland and Somaliland, and which he believes ought to be supported, not undermined.<sup>19</sup>

<sup>&</sup>lt;sup>19</sup> Lewis, I.M., New UN Adventures in Somalia, *Horn of Africa Bulletin*, No. 3, 2000, pp. 19-20.

There is a danger that some international actors, in their zeal to promote the peace deal that finally resurrects a central state in Somalia, were too casual in their silent abandonment of the building block approach, which, while slow and prone to setbacks, had numerous virtues. The great strength of the building block approach is that it insisted on a grass-roots rebuilding process, and that leaders claiming the right to national leadership had to first demonstrate their ability to govern at the local or regional level. That message may now have been lost by the abrupt shift toward support of the Djibouti process. If the transitional national administration fails to materialize, Djibouti and its international friends may have left Somalia worse off than before.

Another nettlesome problem related to the national agenda of the Djibouti process has been recognition of and support for the new administration. Some external actors were so enthused about the SNPC that they conferred legitimacy and even recognition on the new administration on procedural, rather than empirical grounds. That is to say, the international community reviewed the process of representation and deliberation at Arte, judged it vastly superior to past efforts, and, to paraphrase the language of election monitors, judged the new Parliament and President to have been chosen in a "free and fair" manner. But the Arte conference was not about an election, contend critics; it was about establishing a government. The legitimacy of a government is earned empirically, not just procedurally. From this point of view, the entire international community should have taken a "wait and see" position until the new administration demonstrated a capacity to govern. By contrast, those who argue for direct support to the administration dispute this interpretation, contending that reluctance to support the new administration runs the risk of creating a self-fulfilling prophecy. "Now is the time for Somalia's international friends to support Somalis' struggle for peace in tangible ways", stated UN Resident Representative and Humanitarian Coordinator Randolph Kent, in announcing a plan to support the transitional national government in early November.<sup>20</sup>

The result has been a split in the international community, with some embassies and agencies adopting a "wait and see" approach, while others have more overtly embraced the administration. This is likely to remain an undercurrent of tension within the donor and aid community in the near future. It will be resolved in one of two ways. If the transitional national government becomes operational and shows signs of at least being able to administration. Alternatively, if the administration fails to become operational, that creates a very difficult problem for agencies and states which have de facto recognized it; at some point those external patrons will have to extricate themselves from their support of a failing or defunct administration, a process which would not only be embarrassing but which could trigger accusations and political tensions inside Mogadishu.

The prospect of failure of the transitional administration has to be considered carefully for two reasons - first, because it is not at all unlikely, given the enormous challenges

<sup>&</sup>lt;sup>20</sup> United Nations Integrated Regional Information Networks, Somalia: UN Unveils Plan to Support Peaceful Transition, Nairobi, 2 November 2000,

http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20001102.phtml [accessed 11 November 2000].

facing the administration (see below); and second, because the costs of failure would be high. Failure would discredit the idea of allowing Somali civil society to lead; it would discredit a number of talented and well-intentioned Somali leaders who are risking their political future in this gamble; it would be likely to empower Islamists as the only group which can actually deliver, as opposed to promise, basic governance; and, in a worst-case scenario, it could drag down the relatively stable areas of Puntland and Somaliland with it.

## 3.2. Challenges Facing the Abdiqasim Administration

There are some reasons for cautious optimism that the current transitional administration will succeed where past efforts failed. First, the procedure and quality of representation at Arte was superior to past efforts; this was the first such national accord brokered by civil society representatives. Second, the international community has been sympathetic if not actively in support of the new administration - at a minimum, no external actor actively sought to sabotage the accord. Third, the new Parliament and cabinet appear to be genuinely committed to implementing the national accord, in contrast to many past peace conferences. Fourth, there is widespread public support for the process in Mogadishu, due in part to a warweariness which might suggest that the Somali impasse is "ripe for resolution." Fifth, the very evident weakness of the warlords in Mogadishu reduces (though by no means eliminates) the problem of armed "spoilers" which so effectively destroyed past efforts. Finally, the important role of the business community offers the hope of a "pax commerciale" transcending clan and factional lines. The powerful interests of commerce in a more predictable and stable operating environment could, some argue, prove to be decisive. The question is whether these changes are significant enough to warrant optimism that this transitional national government will succeed where past efforts have failed. This analysis concludes that while these new factors give some basis for optimism, the obstacles facing the new administration are still overwhelming. Odds are greater that this new administration will fail than succeed. The most daunting obstacle remains the absence of any viable economic base on which tax revenues can be generated to support all but the most minimalist of state structures.

Recent reports suggest that the administration may succeed in attracting some shortterm external aid from Arab states. Few observers believe this external aid will be sustained in the long term, but it may at least allow the administration to take some first steps towards establishing a working government. What, then, are the main challenges it will face in the next half year?

The administration's main test will be Mogadishu. Abdiqasim's administration does not need to establish control over the entire country to enjoy credibility; it only needs to tame Mogadishu. In Mogadishu, average citizens are generally very supportive of the bid to establish a government, and this buys the transitional administration a certain grace period and public goodwill. Mogadishu is also Abdiqasim Hassan's power base, where his commercial patrons and the Islamic courts are strong. Much of the administration's credibility will thus rise or fall on their ability to govern in Mogadishu. The key litmus tests will be: (1) establishing control of and reopening the main airport and seaport; (2) eliminating militia roadblocks; (3) establishing a paid and responsive police/security force (4) successfully demobilizing the militia; (5) attracting at least some international diplomatic/UN/NGO presence, which will be a sign of external confidence; (6) providing adequate security for those internationals. These are basic threshold accomplishments which, if achieved, will generate the level of public confidence the administration needs to begin to bring the city back into a sense of normalcy. That in turn would lead to a second, crucial phase, namely the return of Mogadishu residents from other regions back to the city. For a number of years since 1994, non-Hawiye Somalis have gradually been able to return to the city and in some cases reclaim or repurchase their homes. But they are treated as "guests", as subordinate clans in an essentially Hawiye city, and with limited political and commercial opportunities. A key indicator to watch will be the degree to which Mogadishu becomes again a cosmopolitan city, where all can reside and pursue business with full status as a citizen. This will involve monitoring both changes in patterns of residency and patterns of investment (e.g. are Mijerteen building new homes in Mogadishu?). Clans with large populations of professionals stranded in remote rural homelands of Somalia - the Marehan in Gedo region, the Mijerteen in Puntland, the Hawadle in Hiran region - are likely to be the first to return.

Taming Mogadishu will not be easy, even with the help of the merchants and Islamic courts. The first problem will be handling the various militia groups and warlords, who control key real estate. They will fiercely resist handing over assets like the airport or seaport, which they view as "theirs" and which they know will be a major source of income if reopened. The administration's choices are to confront them with force (a losing proposition, as it would polarize the city on sub-clan lines); try to buy off the militiamen from beneath the warlords; or try to buy off the warlords themselves. The most likely tactic is a combination of co-optation of both the warlords and their militia, but that is an expensive proposition.

A second, larger problem is recruitment. For the administration to manage the minimal functions listed above, it will need a large and armed police force; a court system; a port and airport management team, from manager to porters; and a small cadre of civil servants charged with various ministerial duties. At the highest levels of the government (cabinet and ministries) balancing competing clan claims will be tricky but feasible. But at lower levels, the dilemma appears insurmountable. There will be a crush of demands for employment in the police force and at the port from unskilled, unemployed citizens. If the administration hopes to defuse security problems in Mogadishu, the wise choice is to absorb ex-militiamen into the police and into other jobs at the seaport. This would also be the policy of choice for Abdigasim's business patrons, who are eager to shed the costs of hiring security guards (or rather to outsource the management of security forces to the administration). But nearly all the Mogadishu militia are Hawiye. The administration, to be credible as a national government, must have an integrated police. Otherwise it will appear to be a Hawiye municipal government that the world is expected to treat as a national government, and which other clans will immediately reject. Yet if the administration begins providing police positions to Ogadeni, Marehan, Mijerteen, Rahanweyn, and others, unemployed Hawiye gunmen may react violently. Only the most skilled negotiator will be able to manage this difficult issue.

To maximize the amount of services provided at the least cost, the administration will almost certainly have to "outsource" the judiciary to neighbourhood *shari'a* courts. This will raise concerns about a "fifth column" within the government, about

accountability of the courts, and about the proper place of Islam in Somalia. The administration may also have to outsource port management to contractors, as well as a variety of other functions normally assumed by a government.

The administration will also be confronted with the problem of security for international visitors. Part of the return to normalcy is a return of diplomats, businessmen, and aid workers; but they are increasingly the targets of kidnapping for ransom. A few high visibility assaults or kidnappings can lead to wholesale evacuation. As was recently the case in Merka, this gives any disgruntled group the power to play "spoiler."

Eventually, the administration will also be expected to extend its presence into the countryside. It is hard to imagine that Abdiqasim would be willing to employ force to do so, even in cases where the resisting clan was weak; it would discredit the regime and prompt renewed accusations that the administration was a Trojan horse for the expansion of Hawiye occupation of southern Somalia. Each region and district would pose its own set of difficulties, especially in areas where land rights are contested. On the positive side, the reopening of Mogadishu would make many conflicts in the countryside easier to resolve. The intractable conflict over Kismayo, for instance, would be far easier once the Marehan, Mijerteen, and Ogadeni urbanites displaced from Mogadishu were able to return to the capital.

Puntland and Somaliland would only be problems for the administration if it chooses to make them problems. The wise tactic would be to give them low priority until the situation in Mogadishu and vicinity had been normalized. Picking a fight with distant autonomous regions would virtually guarantee the failure of the administration.

### **3.3.** Possible Scenarios

It is impossible to predict at this time what direction Somali political developments will take in the next year, but it is also the case that some scenarios are more plausible than others. Prudence requires that international humanitarian and development agencies be prepared for a number of different outcomes, each of which has distinct implications for refugees, IDPs, food security, and rehabilitation efforts.

The scenarios presented below are listed as separate possibilities, but they are not necessarily mutually exclusive - that is, we could see two or more of these scenarios develop sequentially.

# The Government-in-Exile Scenario

This is, unfortunately, one of the more likely outcomes. In this scenario, the Abdiqasim administration will run into trouble forming a cabinet to everyone's liking, and the first defections by clan or faction will occur (this has already taken place with the RRA leader Hassan "Shatigudud"). Overwhelmed by the prospects of establishing a government from scratch in a destroyed city with few funds, blocked by a veto coalition of warlords, and confronted by very high expectations on the part of the population, Abdiqasim Hassan and his top aides will understandably gravitate to the international fund-raising circuit, where pressures are less and respect is accorded. There they will remain in orbit until the administration's legitimacy dwindles. In this

scenario, within a year the Arte accord and the transitional administration will be as distant a memory as the 1996 Benadir authority.

### Ineffective Government-in-Mogadishu Scenario

In this outcome, Abdiqasim Hassan and his administration bravely attempt to stay in Mogadishu despite the pressures and dangers, in the hope that a continued presence in the capital will legitimize their claims to be a government. The business community and foreign donors which provide them with initial backing eventually decide not to throw good money after bad, and the administration is left with virtually no funds. But even as a shell of a government, it continues to exercise sovereignty over the one group of actors which must respect that sovereignty - the external aid agencies. This is the scenario which already exists to some degree in Puntland, where a government is physically in place but does not govern, and devotes most of its energies to trying to capture aid agency funding. Eventually, this outcome could produce real operating problems for international agencies.

### Armed Conflict Scenario

What Abdiqasim Hassan and his associates are purporting to do is fraught with danger, and there is a possibility that if they begin to succeed in bringing the city under control that they will become targets of a threatened warlord, militia or clan, or the disgruntled unemployed. If the administration is reliant on business support, and if it is drawn into armed conflict with one of the militias, there is the real danger that the businesspeople will not be able or willing to provide adequate support, and that the Abdiqasim administration will be left vulnerable. It is worth emphasizing that the business community is hoping to achieve political stability at the lowest price possible, and each merchant will be trying to minimize financial obligations to the administration in hopes another will pick up the tab. If things start to go sour, these businesspeople are unlikely to gamble all they have - they are much more likely to withdraw their support. In a worst-case scenario, armed clashes between the administration and a militia could conceivably degenerate into widespread inter-clan conflict in Mogadishu, leaving the city worse off than before the Djibouti process.

### The Proxy War Scenario

If the transitional national administration continues to woo Arab and Islamic patrons without reassuring Ethiopia, it is almost inevitable that Ethiopia will come to view the Mogadishu-based administration as a threat, and will actively support Somali groups opposed to it. This is the "proxy war" scenario which plagued Somalia over the period from 1995 to 1999 - pitting Somali factions backed by Arab and Islamic patrons against Ethiopian-backed Somali factions.<sup>21</sup> The result would be continued division inside Somalia, the possibility of direct intervention by Ethiopian forces, and the eventual collapse of the administration.

There are a few plausible scenarios which will yield a "successful" outcome - success being defined here as a functioning administration.

<sup>&</sup>lt;sup>21</sup> Menkhaus, K. and J. Prendergast, Conflict and Crisis in the Greater Horn of Africa, *Current History*, Vol. 98, No. 628, May 1999, pp. 213-17.

### The "Marshall Plan" Scenario

In this outcome, an external patron or patrons provide an enormous amount of assistance, enough to enable the transitional national administration to co-opt armed rivals, employ militiamen, and provide enough basic services that the local population is won over and control over tax revenue-generating real estate (seaport and airport) is secured. Here foreign aid serves to "jump start" the administration, to buy it time and public confidence and a chance to set up its own revenue sources. Improved public confidence would almost certainly produce a flow of private investment funds into Mogadishu from the diaspora, in much the same manner as has been witnessed in Somaliland and Puntland. With Mogadishu under control and broad international support, the administration would then be in a position gradually to expand its presence in other regions of the country, culminating in negotiations with Puntland and perhaps even Somaliland to reunify the country. Abdigasim Hassan is clearly seeking out this option, and has correctly surmised that Arab and Islamic states are, for a variety of reasons, the most likely source of funding for such a "Marshall Plan". It is worth noting here that even if such a plan materializes, it would merely constitute a necessary but not sufficient condition for a successful administration. Misuse of the funds by elements within the administration could squander the opportunity this scenario would provide. Given the high proportion of ex-Barre officials in the transitional government, corruption is likely to be a chronic problem.

### The Islamist Scenario

Some observers contend that the shari'a courts, supported by some patrons in the business community, will use Abdiqasim's administration as a vehicle for gaining control over key portfolios - education, justice, etc. Eventually, they will assume de facto control over the administration, much as Hassan al-Turabi and the Islamists did in Sudan. At that point, they can draw not only on a committed corps of supporters from the business community, but also on external Islamist backers. It is certainly true that the business community, the moderate members of the shari'a courts and Al-Islah, the more radical Islamists, and the new administration are playing a multi-level game in which each aspires to use the other to its own advantage, and one possible outcome could be the Sudan scenario. But this seems unlikely, if only because of the strength of pragmatic Somali culture (and clannism) which tolerates Islamic courts but which would vigorously oppose imposition of strict Islamic law. This scenario would also bring Ethiopia directly into internal Somali politics, to the immediate disadvantage of Islamist groups. Islamist groups in Somalia are not united, but appear to share a common strategy of avoiding direct political control of cities and territories (which would make them fixed and easy targets) in favour of long-term work to prepare Somali society for eventual Islamic government. If this holds true, then Islamists will continue to prefer to work under the cover of secular administrations rather than challenging them outright.

### The "Minimalist State" Scenario

Could a viable state be established and sustained in Somalia without extensive external patronage? It is worth considering the possibility, however remote, of the institutionalization of a minimalist central authority, sustained only by modest customs revenues and modest levels of foreign assistance. In this scenario, the government would have to focus on only a few of the most essential tasks - diplomatic relations, passports, basic security, and convening of parliament - leaving all other functions either to local (municipal or regional) governments, or to the private sector

or international agencies. This would constitute a very loose confederal system. Since the only subnational polities that have really worked effectively in Somalia in the 1990s are municipalities, this scenario would be roughly akin to a league of commercial city-states. This scenario would in some ways be more "organic" in the Somali context. Such a polity would develop very gradually, over years and even decades. Given Somalia's weak tax revenue, this scenario is the only economically viable one, but this vision of a minimalist state runs deeply counter to the political instincts and habits of the current political class in Somalia, whose formative years were spent in large civil services supported by foreign aid and expansive government mandates. This minimalist vision of governance is occasionally articulated by Mogadishu businesspeople however; if it evolved, it would constitute an entirely new and in some ways revolutionary innovation in post-colonial, post-Cold War governance.

# 4. Conclusion

The transitional national administration faces considerable challenges, and even in the most optimistic of scenarios will only gradually be able to expand its control over Mogadishu and surrounding regions. Its presence will be largely undetected in most of the southern Somali countryside, and will have no impact in Puntland and Somaliland. In the short to medium term, international agencies working outside the Mogadishu area will necessarily need to continue to operate through and liaise with local authorities in matters of rehabilitation work and refugee repatriation.

No areas of Somalia appear to be facing imminent threats of armed conflict or human flight, though some regions - the Kismayo area, parts of Middle Shabelle, and Merka will remain tense and prone to sporadic instability. The most dangerous flashpoints of conflict in Mogadishu are over control of the seaport and airport. Meanwhile, the entire country, and especially central and northern regions, will be facing severe economic pressures due to the livestock import ban in the Gulf states. These economic constraints will reduce the capacity of local communities to sustain their own rebuilding efforts; dramatically erode the tax revenues for local authorities in Somaliland, Puntland, and Mogadishu; worsen household food security; exacerbate degradation of overgrazed pastures; reduce local capacity to absorb returnees; and could possibly trigger significant population movements within or across Somali borders due to economic duress. This bleak economic backdrop constitutes inhospitable conditions for the nascent Abdiqasim administration, and will put considerable strains on Puntland and Somaliland administrations as well.

# 5. Bibliography

- Ahmed, I. I., Remittances and Their Economic Impact in Post-War Somaliland, *Disasters*, Vol. 24, No. 4, fc 2000.
- Ali, A. S., *Remittances in Somalia*, Nairobi: UN Development Office for Somalia, December 1997.
- Bryden, M., New Hope for Somalia? The Building Block Approach. *Review of African Political Economy*, Vol. 26, No. 79, March 1999, pp. 134-40.
- Farah, A.Y., Political Actors in Somalia's Emerging *de facto* Entities: Civil-Military Relations in Somaliland and Northeast Somalia. Draft manuscript, January 2000.
- Fisher, I., Somali Business Stunted by Too-Free Enterprise, *New York Times* 10 August 2000.Gilkes, P.S., Somalia/Somaliland: Is There a Way Forward? Report for Save the Children UK, August 1999.
- Hansch, S., et al., Excess Mortality and the Impact of Health Interventions in the Somalia Humanitarian Emergency. Washington DC: Refugee Policy Group, August 1994.
- Lewis, I.M., New UN Adventures in Somalia, *Horn of Africa Bulletin*, No. 3, 2000, pp. 19-20.
- Logan, C., Overcoming the State-Society Disconnect in the Former Somalia: Putting Somali Political and Economic Resources at the Root of Reconstruction, Nairobi: USAID/REDSO, September 2000.
- Marchal, R., The Private Sector: Its Role in Governance, Draft manuscript, October 2000.
- Marchal, R. and K.Menkhaus, *Somalia Human Development Report 1998*. Nairobi: UNDP, October 1998.
- Menkhaus, K., Political and Security Assessment of Southern Somalia: Implications for Emergency Response, Report to the UN Development Office for Somalia, Nairobi, December 1998.
- Menkhaus, K., Somalia: Political Order in a Stateless Society, *Current History*, Vol. 97, 619, May 1998, pp. 220-4.
- Menkhaus, K. and J. Prendergast, Conflict and Crisis in the Greater Horn of Africa, *Current History*, Vol. 98, 628, May 1999, pp. 213-17.
- Murray, K., Analysis: Taming Mogadishu No Easy Task for New President, Reuters, 18 September 2000.
- Pan African News Agency, UNICEF Says 1.2 million People Face Starvation in Somalia, 2 November 2000, http://www.allafrica.com/stories/200011020103.htm [accessed 11 November 2000].
- Refugee Policy Group, *Hope Restored? Humanitarian Aid in Somalia 1990-1994*, Washington DC: Refugee Policy Group, 1994.
- Simmons, A., Lawless Somalia Turns to Islamic Courts for Order, L.A. Times, 28 July 2000.
- United Nations Integrated Regional Information Networks, Somalia: UN Unveils Plan to Support Peaceful Transition, Nairobi, 2 November 2000, http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20001102.phtml [accessed 11 November 2000].

, Somalia: Faction Leaders Call for a Federal State, Nairobi, 31 October 2000, http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20001031.phtml [accessed 11 November 2000].	
, Somalia: IRIN Interview with Hasan Shire Sheik, Co-director of Dr Ismail Juma'le Human Rights Centre, Mogadishu, Nairobi, 2 October 2000, http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20001002.phtml [accessed 11 November 2000].	
, Somalia: IRIN Focus on Saudi Livestock Ban, Nairobi, 22 September 2000, http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20000922.phtml [accessed 11 November 2000].	
, Somalia: IRIN Guide to the Somali National Peace Conference, Djibouti, 30 June 2000, http://www.reliefweb.int/IRIN/cea/countrystories/somalia/20001031.phtml [accessed 11 November 2000].	
United Nations Somalia, First Steps: An Operational Plan to Support Governance and Peace Building in Somalia, September - December 2000. Nairobi, October 2000, http://www.unsomalia.org [accessed 11 November 2000].	
United Nations, World Food Programme, <i>Emergency Report</i> , No. 43, 27 October 2000, http://www.wfp.org/ereport/2000/001027.htm [accessed 11 November 2000].	
United States, Office of US Foreign Disaster Assistance, <i>Somalia Complex</i> <i>Emergency/Drought: Information Bulletin #1 FY 2000</i> , 11 September 2000, http://www.usaid.gov/hum_response/ofda/somalia_ib01_fy00.html [accessed 11 November 2000].	