

The Resistance of the Somalian Society to “Good Governance”

Table of Contents

General Introduction	3
Outline of the thesis.....	5
Chapter 1: literature review	6
1.1. Summary:	8
Chapter 2: Theoretical concept	9
2.1. Governance	9
2.2. Good Governance	9
2.3. Summary:	11
Chapter 3: Methodology	12
Chapter 4: Background on case study	13
4.1. EU Somalia relationship	13
4.2. Somalia background.....	15
4.2.1. Constructivist approach applied to Somalia.....	16
Chapter 5.....	18
4.1. EU GOVERNANCE APPRAOCH: NOT APPLICABLE.....	18
4.2. THE CREATION OF REGIONAL GOVERMENTS	20
4.3. THE CREATION OF A FEDERAL GOVERNMENT WHILE FIGHTING TERRORISM: MORE CORRUPTION AND MORE TERRORISM	22
Chapter 5: Conclusion and recommendation	24
Bibliography	25

Abstract

Western European Countries have a long history of relationships with the African continent from colonisation to attempts to offer financial, military, developmental or humanitarian assistance. Among the types of modern interventions favoured by the European Union the concept of “Good Governance” occupies a favourite place. This notion is usually attached to the ideas of centralized government, disconnection of politics from economics and stable institutions promoting human rights, democracy and the rule of law. Despite the intuitively adequateness of such policies, their transfer to nations whose political systems is not accustomed to it may meet considerable difficulties. In this thesis the difficulties of transferring the “Good Governance” policies are studied in the specific case of Somalia, an country that became synonymous with the term “failed state”, and continues to resist the European attempts to create stable political institutions and absence of violence it. In Chapter 1, the literature is given and in chapter 2 important concepts such a Good Governance is explained. In Chapter 3, a historical background of Somalia and the European attempts to intervene is provided. This history covers on the one hand periods of colonization, dictatorship, civil war, and Islamic ruling, and on the other hand, the different agreements between the EU and African, Caribbean and Pacific nations as well as with Somalia. In Chapter 4, the factors responsible for impeding good governance to be implemented are discussed. Dimensions under consideration include the dependence on foreign aid, poverty and inequality, factional fighting, lack of trust in Somalian institutions and foreign intervention, and most importantly lack of knowledge of the Somalian context by the European actors. In Chapter 5, recommendations to improve the stability of the country are provided and discussed shortly. Recommendation 1 is to recognize the autonomy of Somaliland. Recommendation 2 is to better incorporate the Somali Diaspora in the development policy. Recommendation 3 is to allow local governing body to introduce more traditional form of governing that may not be directly in line with European values.

General Introduction

The African states have been historically seen important to the European Community – which later became the European Union and hence after referred as the EU – as manifested in the colonization of the continent by Western European Countries. To keep good relations with their former colonies, financial, developmental and sometimes military assistance was being provided to these newly independent states. These assistance were documented and translated since the Treaty of Rome in different agreements between the EU and African, Caribbean and Pacific (ACP) group of states which are known as the Yaoundé Convention (1963-1975), the Lomé Convention (1975–2000) and the Cotonou Agreement (2000-2020) that is channelled through the European Development Fund (Telò eds, 2007, p.151) as complimentary to the bilateral agreements between individual EU countries and their former colonies.

However, despite the unconditional support provided to the ACP states, people became more poor at the end of the 20th century and the gap between the rich and the poor has never been as high before (Milanovic and Yitzhaki, 2002; Chen and Ravallion, 2008; Glenn 2009). Africa and more specifically Sub-Sahara Africa, was in the worst situation with 32% of the population suffering from hunger and 48% of the population living below the 1 dollar a day threshold in the 90s. By 2000, the figures were respectively 30% and 47% showing hardly any progress (UNGA, 2002, p.22). Child mortality, HIV/AIDS was the highest and primary education, maternal health, and gender equality significantly the lowest in Sub-Sahara Africa (Ibid, p.26). The answer to all these problems according to the EU and the international community is a failing government and the lack of ‘proper’ governance structures.

Thus, with the introduction of the Cotonou Agreement in 2000, the EU had set conditions for its development aid in which it had put emphasis on the implementation of good governance policies as well as the respect for human rights, democratic principles and the rule of law. In order to make the new approach to development assistance towards African states more efficient, effective and cohesive, the EU endorsed the European Consensus on Development in 2005 (EC, 2006). Nevertheless, even with conditions set for development aid and the EU trying to create one voice towards African states, most Sub-Sahara African states continued to show low progress in the implementation of the conditions as stated in the Cotonou Agreement. The countries showing the least progress were now recognised as fragile states and the EU stated that a new approach is needed towards these fragile states¹. Therefore, a new and different approach to fragile states was emphasised with the signing of the Paris Declaration on Aid Effectiveness in 2005 and the Accra Agenda for Action in 2008 (**OECD no year given**). Later with the signing of the New Deal approach in 2011², it was emphasised to use the Peacebuilding and State building Goals (PSGs) as a foundational approach to development aid in fragile-conflicted states, wherein the focus is on: creating stable political

¹ Fragile states are defined as: states that – often weakened by endemic crises and conflicts or natural disasters – lack credible, legitimate and/or effective governance” (EC 2010, p. 11).

² The New Deal focuses stronger on the ownership and the leadership of policies by the fragile state as well as a focus on the country contextual situation. It is based on the Paris Declaration and the Accra Agenda for Action, but also on several other principles dealing with fragile states (IDPS 2011).

institutions; the increase of people's access to justice; generate employment and improve people's livelihoods; and to build a mutual trust among donors and fragile states.

Despite the new approach, almost 1 billion people still sleep at night hungry (FAO, 2012) and out of the 47 identified and labelled 'Fragile States' in the World, 26 are to be found in Africa (**OECD 2013 no page**).

The Federal Republic of Somalia as a former colony of both Britain and Italy was since its independence financially and technically supported by the EU and the EU became by far Somalia's main donor. When the country fell into a bloody civil war in 1991 and the UN intervention resulted in a failure, the EU intervened with a humanitarian and developmental assistance. Since the start of 'War on Terror' in post-9/11, Somalia was labelled as a potential heaven for terrorists and it was emphasised by the international community that a stable Somalia is urgently needed. In response to the rising Islamic ruling in Somalia and the piracy of the coast of Somalia, the EU increased its assistance to Somalia and initiated a civilian-military intervention **to fight terrorism and to train Somali forces. It further took a Statebuilding and Peacebuilding approach focused on creating Political Stability and Absence of Violence (PSAV)**. However, despite all these efforts, the recently created Somali Federal Government (SFG) in 2012 has proven to be weak and there is a general lack of trust that the SFG will achieve the objectives that is stated within the multilateral agreement of the EU-Somalia labelled as 'the Somali Compact': to establish federal institutions by 2015 and introduce popular elections in 2016 (**UNNC 2014**).

Due to Somalia's strategic location – having access to Arabian Peninsula and the Persian gulf, commercial route of oil pipes – and due to the fear of spill-over effect on the stable neighbouring countries, failing to create Political Stability and Absence of Violence (PSAV) in Somalia will destabilise the whole Horn of Africa, it will damage the normative power of the EU and its role as a global power. Furthermore, it will put at risk the EU's economic and strategic interest in the region.

Research question, objective

Given the importance to achieve a PSAV in Somalia, this thesis aims to analyse why the currently established SFG lacks any legitimacy and why there is a lack of trust towards the creation of PSAV in general. Throughout the thesis, the main argument is that a top-down approach in creating PSAV is bound to fail when not sufficiently taking into considerations the norms, values, identities, ideologies in the country.

The case study of Somalia is exceptional since the country became synonymous to state failure, but hardly any research has been done to take a closer look on what is causing the good governance failure in Somalia. As Marshall correctly mentions, academic study of Somalia was hampered by the Dictator Siad Barre, and then the civil war hampered research. Secondly, the crucial contributions came from consultants working for the UN or other international organisations, thus reflected the frameworks of international organisations rather than giving an objective understanding of the complexities surrounding Somalia. Thirdly, the approach taken by Somalia intelligentsia has been one of donor financed point of view in where Somalia is compared to Darfur or Democratic Republic of Congo, thus not challenging the international donor's perspective (Marchal, 2007, p.1092). This is also acknowledged by Browne and Fisher (2013, p. 3). Furthermore, a Somali scholarly contribution in the field of Somali study is lacking (Samatar, 2002, p.7).

The main limitation in this thesis is therefore a lack of consistent data on Somalia from donors side as well as from the scholarly side Somalia. Thus this thesis can only scratch the surface on what is actually happening in Somalia concerning the question raised above.

Outline of the thesis

The following chapter is the literature review and the gap in the literature review is exposed. Once a general background to the thesis is given, the theoretical approach is described in chapter 2. Then the methodology is described in chapter 3 emphasising the structure of the thesis and how the concept is used. In chapter 4, the background information on case study is given and finally, in chapter 5 the case of Somalia is explored in-depth and why the SFG lacks legitimacy is exposed. In chapter 6, the conclusion and recommendations are given.

Chapter 1: literature review

Today it is believed that any country implementing ‘good’ governance policies will achieve: sustainable development and economic growth (World Bank, 1989, 1992, 1994); will get more aid and investment (Kaufman et al., 2000); will see an increase of human development and respect for human rights (UNDP, 1997; OHCHR, 2007); achieve an effective government and a higher democratisation process (Schneider 1999; Hirst 2000; Santiso 2001; Kaufmann et al. 2007); a reduction of poverty (International Development Association, 1998; EC, 2003); as well as contribute to rebuilding post-conflict countries (Friedrich-Ebert-Stiftung, 2005). To achieve these outcomes, different theoretical approaches have been taken and described.

Since the 50’s and 60’s with development economics as a newly formed field after the second World War and based on Keynesian model, the approach was to create through a top down approach ‘institutional sophistication and management skills characterising the public sector’ (Hout, 2007, p. 10) in post-colonial Africa. This was based on the notion that these newly created African states had an institutional deficit: lack of proper governance structures and a centralised government to deal with poverty reduction and development.

In the 80s, it was then recognised by the international donors, and mainly the World Bank, together with the prevailing neo-liberal thoughts that politics had an adverse effect in Africa (Chang 2002). The approach taken now was to delink politics and the economy through the introduction of administrative reforms, the so called ‘Washington Consensus’³. With the ‘Agenda for Action’ initiated by the World Bank (1981) a set of guidelines focusing on the introduction of economic and administrative reforms were set as conditions for aid. After a purely an economical and administrative reform approach resulted in no significant changes of economic development improvements, the new notion of governance taken by the international donors then also included the political aspect of governance. Respect for the human rights, democracy and the rule of law were put central as a condition for aid focusing on the institutions and governments as the main actors as well as the use of Civil Society Organisations (CSOs) and Non-State Actors (NSAs). From this state centric point, different approaches have been described for the introduction of good governance.

Firstly, the role of the civil society in the creation and implementation of good governance policies has been put forward and emphasised much more. The use of network was seen by the international donor community and the EU as an autonomous and democratic entity, as a new form of governments and as an important factor for the coordination of activities in an institutional age where a government is losing its steering ability and its control: displaced upwards to international organisations and donors, downwards to regions and developed localities, and outwards to international corporations, NGOs, private companies and/or quasi-private entities (Pierre and Peters 2005).

³ A term that refers to the policy preferences of the Washington based institutions such as the World Bank and the IMF. The Washington Consensus consisted of a structural adjustment fund and a stabilisation fund. The first is used for the introduction of the reforms and the latter is used for the transformation of institutional structures (Callagly, 1989; Leftwich, 2000).

Secondly, the use of power became another approach and described from the lens of Modified Neorealism. Based on the Neorealism approach that emphasises that state can either participate or chose not to participate in international cooperation if it finds that the imposing policies and reforms are undermining its state sovereignty and power (Lamy et al., 2005), the Modified Neorealism approach puts emphasises on the external stimulus that creates the need and the basis for development aid (Brooks, 1997). This can be translated as the use of economic and military power as well as the use of conditionality for assistance in order for the recipient country to implement good governance policies.

In line with the state centric point of view, the literature on state building and fragility suggests that the creation of basic political authority and the limitation of violence are crucial and therefore the legitimacy of the state is essential and fundamental: lack of legitimacy contributes to state fragility (OECD, 2010). Booth (2011a) acknowledges that ideologies and international opinions as well as the intellectual knowledge in a recipient country matters for development aid, but that it is eventually the institutions in a recipient country that matter the most. Still in the literature on state building and fragility, 'Political Settlement' approach is describe as an assistance in the implementation of good governance. It is stated that fragile states are characterised as a 'limited access order' wherein the elites have control over the access to economic and political factors (North et al., 2007). Therefore, this approach states that the emphasis should be on the elites who have control over the economic rents and thus have a great impact on the political settlements and the development aid (Parks and Cole, 2010). Khan (2006) distinguishes between two types of governance that is advocated through the good governance discourse, namely a market driven governance approach – linked to the neo-classical and the new institutional economics approach – and a growth driven governance approach. He stresses that the current good governance approach is exclusively market driven, which is difficult to achieve in the developing countries since markets are inherently inefficient and that this market approach might result in governments diminishing capacities to enhance their growth. Therefore, he too stresses the need to emphasis on the elites.

This brings us to the current approach taken towards good governance, namely that of giving ownership and leadership in the setting-up and the implementation of good governance to the fragile states themselves. With the publication of the 'Initiative for Heavily Indebted Poor Countries' in 1996, the World Bank and the IMF, working closely with donors and creditors, introduced a new approach for governance reforms and demanded that eligible recipient countries had to set up a Poverty Reduction Strategy Paper (PRSP) and achieve that through: a participatory process and the inclusion of Civil Society Organisations (CSOs); taking more ownership of the policy; setting up priority areas to focus on; and finally to introduce possible ways of strengthening the institutions needed to achieve the priority focus (IMF, 1999). It was believed that if developing countries would have more responsibility in achieving the goals by themselves, it would result in good governance in the end. This new approach to recipient countries was further incorporated in the Paris Declaration on Aid Effectiveness in 2005 and the Accra Agenda for Action in 2008 (OECD no year). In these new declarations, it was stated that not only it is the responsibility of fragile states to create their own development strategy and to enforce it, but it is also the responsibility of donor countries to assist them in achieving that. Later with the signing of the New Deal approach in 2011⁴, it was emphasised to use the Peacebuilding and State building Goals (PSGs) as a foundational

⁴ The New Deal focuses stronger on the ownership and the leadership of policies by the fragile state as well as a focus on the country contextual situation. It is based on the Paris Declaration and the Accra Agenda for Action, but also on several other principles dealing with fragile states (IDPS 2011).

approach to development aid in fragile-conflicted states. The goals are: the creation of stable political institutions; the increase of people's access to justice; generate employment and improve people's livelihoods; as well as to build a mutual trust among donors and fragile states

Looking back at the good governance approaches to fragile states, the approach has always been a top-down approach and the focus has been on the formal institutions, the elites and the CSOs or NSAs while the underlying crucial factors were ignored and blamed for the 'bad governance' of the fragile states (IDS, 2010). However, it has widely been argued not for an imposing approach to reform governance based on 'good practices from the west' (Booth, 2011b; OECD, 2010; IDS, 2010), but rather a 'good enough governance' (Grindle, 2011) approach or one that fits best the country described as the 'best fit' model (Levy 2011). A 5 year research done by the Africa Power and Politics Programme tries to close the gap and found out 'which institutional patterns and governance arrangements seem to work relatively well and which work relatively badly in providing public goods' in patrimonial societies in African states (Booth, 2012, p. VIII). Booth states that not all the reforms are currently seen as 'good fit', but rather paused halfway in which the author terms 'principal-agent approach to public management reform' (Booth, 2012, p. VIII). Furthermore, the author emphasises to move away from the principal-agent approach and puts emphasis on the nature of the challenge in order to find a solution that is in the interest of both parties (Booth, 2012, p. VIII). However, Somalia was not included in this highly valuable research. In fact, the literature on Somalia has been mainly concerned describing the importance; the consequences of state failure in Somalia (Hagmann, 2005; Loubser and Solomon, 2014; Leeson, 2007); the international humanitarian intervention in Somalia (Bystrom, 2014; Gundel, 2002); terrorism in Somalia whether it is Islamic or pirate related (Elliot and Holzer, 2009; Moller, 2009; Ibrahim, 2008) the characteristics of clans in Somalia (Ssereo 2003, p. 25-40; Hagmann, 2007; Samatar and Samatar, 2002); and a slight focus on Somaliland and Puntland as well as the different local governance forms (Leonard and Samatar, 2011; Bulhan, 1999; Bereketaeb, 2012). Thus, by taking a practical process approach of good governance towards Somalia, bridging the gap between theory and practice, this thesis contributes to a better understanding of good governance implementation policies in a multi-complex environment and why it is so important to understand the local context before implementing any policies for the creation of political stability and absence of violence.

1.1. Summary:

This thesis will be analysing why the top-down approach did not work in Somalia and why the underlying factors are so persistent.

Chapter 2: Theoretical concept

This thesis tries to contribute to a better understanding of why good governance top-down approach is not working in Somalia. But what is good governance?

As it has been described in the literature review, the term ‘good governance’, is widely used in different respects. The term, however, raises questions of its conceptual and empirical nature. As early as in 1994, Moore and Robinson identified that there are 5 problems for the use of good governance in development assistance, namely: 1) that there are too many definitions, 2) confusing definitions, 3) that there is an inconsistency in the implementation of the concept, 4) an unreliability of exogenous pressure, and 5) an unbalanced policy agenda in which the political conditionality is linked to a declining aid flow (Moore and Robinson, 1994). Therefore it is of importance to describe its definitions and to be clear on what aspects of good governance is being transferred. First, a short introduction to governance is given and then good governance is described.

2.1. Governance

In 1989, the World Bank for the first time used the term governance, without using the notion of ‘good’, to describe the importance of institutional reform and a more efficient public sectors in African states. It defined governance as “the manner in which power is exercised in the management of a country's economic and social resources for development” (World Bank 1992, p. 1). Among scientists, governance was defined more broadly as “exercise of authority and control in a society in relation to the management of its resources for social and economic development” (Schneider, 1999, p. 8), as the ‘art of steering societies and organisations’ (Plumptre and Graham 1999, p. 3) or simply “as the means by which an activity or ensemble of activities is controlled or directed, such that it delivers an acceptable range of outcomes according to some established standard” (Hirst, 2000, p. 24). Taking another approach to governance, namely as: “the traditions and institutions by which authority in a country is exercised.” (Kaufmann et al. 1999, p. 1), it becomes clear that the local context and forms of governance is of importance.

2.2. Good Governance

After purely an economical and administrative reform approach introduced since the 60's and the structural adjustment and stabilisation funds resulted in no significant changes of economic development improvements, the new notion of governance taken by the international donors now also included the political aspect of governance. Good governance, emphasising on the introduction of the notion ‘good’, was now described as “predictable; open, and enlightened policymaking; a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions, and a strong civil society participating in public affairs; and all behaving under the rule of law.” (World Bank, 1994, p. 8).

The UNDP contributed to this new approach to good governance and stated that governance now is the “political, and administrative authority to manage a country's affairs at all levels” (UNDP 1997 p-2-3). Other main donor such as the OECD contributed to this term in 1995 (OECD 1995 p. 14) and OHCHR (2007, p. 2) both focusing on the political aspect of the

conditions to development aid. With the publication entitled ‘Assessing Aid: what works, what doesn’t and why?’ (World Bank, 1999) together with the shifting focus of the IMF on institutional reforms as a condition for loans, the new focus was on the ‘discovery’ of sound and accountable governments. The term governance which was previously based on the Weberian model – Western model – of legal-rational legitimacy was now used as a synonym for government (Khan 2012; Vymetal 2007) and used for legitimizing the politics (Dvořáková, 2011)..

At first, the EU and its Member States applied a narrow concept of good governance that differed from human rights, democracy and rule of law in its multilateral and bilateral agreements as it was centred on the state to be the major actor (Börzel, Pamuk et al. 2008). But with the introduction of the political dimension of good governance in the 90s, the EU started embracing these political elements and defined good governance for the first time in its latest bilateral relationship with the ACP States called the Cotonou Agreement as “the transparent and accountable management of human, natural, economic and financial resources for the purposes of equitable and sustainable development” (Cotonou Agreement Art 9. 3 in EC, 2010). Besides introducing a merit based approach and a greater role of CSO’s and NSAs in its bilateral relationship with the ACP states, the Cotonou Agreement emphasises good governance to be a fundamental element of the partnership as well as the respect for human rights, democratic principles and the rule of law as essential elements (Carbone 2010b). Any violation of the fundamental and the essential elements of the Cotonou agreement would results in the suspension of aid (Börzel, Pamuk et al. 2008; Del Biondo, 2011). The essential elements are also described as humane governance and democratic governance. In this thesis, humane governance is described as an “emphasis on people-centred criteria of success, as measured by declines in poverty, violence and pollution and by increasing adherence to human rights .. as well as by axiological shifts away from materialist/consumerist and patriarchal conceptions of human fulfilment” (Falk 1995, p. 14). Democratic governance is then seen as a concept “built upon the concept of human development in its full sense of the term, which is about expanding capabilities people have, to be free and able to lead lives that they would choose to” (Fukuda-Parr and Ponzio 2002, p.4-5). Both forms of governance include good political, economic and civic governance. Thus humane governance, democratic governance and good governance share common characteristics as they all seek efficient institutions and effective functioning of public services as well as a political environment that is necessary for economic growth (Landman et al., 2003).

To show its commitment towards the African states, the EU published the ‘EU Strategy for Africa’ and emphasises that: “Europe and Africa are bound together by common history, interlocking cultures and shared objectives” and “Sustainable social, economic and political development in Africa is therefore our common concern” (**EC 2005b** p 7). In this document, the EU states that 50% of all the aid will go towards Africa (p. 6) and a special focus will go to countries in conflict and fragile states. It defined these states as “states that – often weakened by endemic crises and conflicts or natural disasters – lack credible, legitimate and/or effective governance” (p. 11). In order to make the development assistance more efficient, effective and cohesive, the European Commission together with the European Member States (EMS) identified the fundamental and essential elements of the Cotonou Agreement as a common set of principles that will be implemented in their approach to

African states which are based on the European values⁵ (EC, 2006). In its new approach to fragile states, the EU now emphasised the PRSP approach taken earlier by the World Bank in 1996. The EU further emphasised this new approach to fragile states with the signing of the Paris Declaration on Aid Effectiveness in 2005 and the Accra Agenda for Action in 2008 (OECD no year), and the New Deal approach in 2011.

Within this area of focus, the Peacebuilding and Statebuilding approach, the EU is focused on transferring European values and its definition of ‘good’ governance through three instruments and two channels (Borzel et al., 2008). Firstly, technical assistance is provided to increase the Rule of Law and Security. Secondly, political dialogue is provided by supporting the institutions and constitutions building. And finally, financial support is provided to introduce the reforms and to support the state building. The EU is using these support instruments via two channels, namely by supporting the institutions and the government in place (if not, supporting its creation) and by supporting as well as strengthening the Non-State Actor’s to form a meaningful part in the good governance process (EEAS, 2011).

2.3. Summary:

Linking both the donor approach with the academic approach for this thesis, good governance then refers to the procedural aspects and the concept in such is not concerned on the concrete final outputs, it focuses more on the processes that could produce and ensure the ‘good’ outcomes as the creation of Political Stability and Absence of Violence in Somalia. The definition of good governance and its priority focus will be analysed in chapter 4 with the case study on Somalia. But first, the methodology is described wherein the descriptive framework and the analytical tool that will be used throughout the case.

⁵ Article 2 of the Treaty on the Functioning of the European Union describes European Values as ‘: .. freedom, democracy, equality, the rule of law.. (TEU p. 15).

Chapter 3: Methodology

As stated in the Cotonou agreement, good governance is fundamental in any EU bilateral relationship, as well as the humane governance and democratic governance emphasising the European values. In this thesis the difficulties of creating “good governance” structures are studied in the specific case of Somalia.

As mentioned earlier, the thesis tries to answer the question of why the currently established SFG lacks any legitimacy and why there is a lack of trust towards the creation of Political Stability and Absence of Violence in Somalia.

In order to answer the question, the constructivist bottom-up approach is identified as the most appropriate analytical tool focusing on the discursive knowledge (culture, language, identities and ideology) as well as the social structures within Somalia to determine the outcome of good governance approach towards Somalia (**Adler, 1997 p. 323**).

The hypothesis is then proven throughout the case to better understand why the SFG lacks legitimacy and trust among the Somalis. In chapter 5, recommendations are then given.

The thesis relies on primary qualitative data gathered from legally binding and non-binding legislations (European Commissions and Council Communications, Conclusions, Meetings Note), official statistics and reports collected by the Somali Government, Intergovernmental agencies, Non-State Actors, Development Organizations and scholarly contributions. This is also contributed with a qualitative data gathered from newspapers and articles.

Chapter 4: Background on case study

4.1.EU Somalia relationship

Before we go analysing in more details why the creation of PSAV is failing in Somalia, we first need to understand what the EU-Somalia relationship is and how the EU supports Somalia in achieving good governance implemented policies.

Somalia as a former colony of both Britain and Italy was since its independence financially and technically supported by the EU with the signing of the Yaoundé Convention (1963-1975), the Lomé Convention (1975–2000) and the Cotonou Agreement (2000-2020) which is channelled through the European Development Fund (EDF) and is complimentary to the bilateral agreements between individual EU countries and their former colonies (Telò eds, 2007, p.151). Since the Somali civil war started in 1991, Somalia was not able to ratify the last phase of the Lome Convention, the Lome IV and the Lome IV bis, and neither sign the Cotonou Agreement in 2000 as well as the Revised Cotonou Agreement of 2005 for the benefit of EU aid (EC 2007). However, following a proposal of the European Commission (EC) and the European Council decision of 1992 to treat Somalia as a special case, as well as the introduction of Article 93 paragraph 6 in the Cotonou Agreement, the head of DG Development signed on behalf of somali peoples and the somali people were able to benefit again from the EU funds (EC, 2010). Funds from the Lome V period were used to implement the First Rehabilitation Programme (FRP) in 1994 (EC, 1997) in order to create peace and stability.

Today, the EU approach towards Somalia is described as ‘comprehensive’ (EEAS, 2011) and combines developmental, humanitarian and civilian-military policies. Since 2002, with the creation of the Somali National Reconciliation Conference in Kenya, the EU has supported the peace and the reconciliation process in Somalia (EC, 2007, p 22). With the publication of ‘Strategy for the implementation of Special aid to Somalia in 2002, the EU stated the long term objective for Somalia to be one of poverty alleviation, to promote a peaceful, equitable and a democratic society (EC, 2002, p.3). Since the establishment of the African Peace Facility (APF)⁶ and since the creation of the African Union Mission for Somalia (AMISOM) in 2007, the EU has supported Somalia with over 325 million thus taking the lion share of the APF covering: ‘allowances, operational running costs, transportation, medical expenses, housing, fuel, and communication equipment’ (AMISOM Website). AMISOM was born out of the Joint Africa-EU strategies (Council, 2007) in which 8 strategic priorities have been formulated based on a shared vision and principles (p. 2). Emphasising where the main focus is of the EU, the first two of the 8, and which are of importance to Somalia, are: “Peace and Security” (p. 4) and “Governance and Human Rights” (p. 8). In 2008, the EU initiated the EU NAVFOR mission entitled ‘Atlanta’ in order to support UN ongoing missions in Somalia (UN, no date) and the EUCAP NESTOR in 2012 as a military-civilian instrument (Council, 2012). The first is to fight the pirates and the second is to train and create a costal police force. Out of these approaches, the EU published its EU strategy to the Horn of Africa, wherein the EU restated its commitment to the region, based on the “region’s geo-strategic importance, the EU’s historic engagement with the countries of the region, and the need for the EU to protect its own citizens from the threats that emanate from some parts of the region and address common challenges” (EC, 2011 p. 4).

⁶ The African Peace Facility (APF) is created in response to a request made by African leaders for support in 2004. The APF serves to support African led mission for peace and securities (EC, 2011 p.11)

While the military-civilian mission is taking place, the EU at the same time takes the approach of state-building as the solution for Somalia stated in the Somalia Compact. Within this area of focus, the EU is focused on transferring European values and its definition of 'good' governance through three instruments and two channels (Borzel et al., 2008, p.9). Firstly, technical assistance to increase the Rule of Law and Security by training the police force and legal professionals, to introduce reforms in the financial management structures and civil service, and to introduce democratisation process and local governance support; secondly, through political dialogue by supporting the Somali Constitution Process and the establishment of Constitutional referendum and elections; and finally, through financial support to introduce the reforms and to support the state building in Somalia. The EU is using these support instruments worth over 100 million Euro via two channels, namely by supporting the institutions and the government in place (if not supporting its creation) and by supporting as well as strengthening the Non-State actor's to form a meaningful part in the good governance process (EEAS, 2011).

Summary:

The EU's is focused on strengthening the institutions as well as fight terrorism and establish a rule of law reasons in Somalia. However, in this thesis the focus is made on the EU's contribution towards the creation of political stability and absence of violence, thus statebuilding and the civilian-military assistance will lightly be touched upon.

4.2.Somalia background

The EU-Somalia relationship is briefly described above and now a general background of the country is given, wherein the current problems are described.

Between 1884-1889 the country came under colonial power and was divided into 5 parts, with France colonising the outer North-western part which later became Djibouti, the Ethiopian Empire colonising the East of Somalia which later annexed the region called Ogaden, the Italians colonising the north eastern, central and southern part of the country, and the British Empire colonising the North-western part and Southern part of Somalia which is annexed by Kenya with its independence from the British colonial power and called the Kenya's Northern Frontier District (NFD) (Metz, 1990). In 1950, the Italian Somaliland came under the Trusteeship of the United Nations, but was maintained under Italian administration until its independence on 1 July 1960 (Metz, 1992). On 1 July 1960, the British Somaliland and the Italian Somaliland under the trusteeship united to form the Somali Republic Government (Metz, 1992). The first elections were held in 1964 the second elections in 1967. Two years after the elections, General Mohamed Siad Barre seized power in 1969 through a coup. This military coup ended with the establishment of the Supreme Revolutionary Council (SRC) and the announcement of Somalia to be a socialist state based both on Marxist principles and the Islam in 1970 in what he called "Scientific Socialism" (Metz, 1992, p.9). Two decades of ruling the country with an iron hand, Somali fell into a bloody civil war in 1991. Since the fall of Mohamed Siad Barre's government in 1991, for a decade, Somalia has seen 14 failed reconciliations and peace talks while clan related violence still continued (Menkhaus, 2006, p. 87). From this situation, the former British Somaliland emerged as autonomous and the Puntland region as semi-autonomous. In 2004, a peace process was signed to end the factional fighting in Somalia resulting in the signing of a Transitional National Charter in Kenya and in 2007 the Transitional Federal Government (TFG) was installed in Mogadishu (Dagne, 2011). With the support from the European Union since 2002, Somalia has established the SFG in 2012 (Federal Republic of Somalia, 2013). Today the SFG has proven to be weak and there's a general lack of trust in the established institutions from the side of Somalis (Warsame, 2012) as well as from the UN (UN, 2013). Also, Somaliland declined to participate in the making of the New Deal with the EU and aspires to become an independent state (EurActiv, 2013) Moreover, since 2006, forces united in the Islamic Courts Union (ICU) as a counterpart to the established TFG took control of Mogadishu until the Ethiopian forces backed up by the US invaded Somalia (Roitsch, 2014). This created a militant wing of the ICU named Al-Shabaab – which is labelled a terrorist group with links to Al-Qaeda – and since 2006 undermines the credibility and the legitimacy of the current SFG. The treat of piracy that was emerged since 2005 is not so much seen as a treat by Somalis, but rather as way to defend themselves as well as a source of income (Hari, 1999; Pham, 2010).

Summary:

From this analysis of Somalia, the following factors are taken as obstacles: lack of legitimacy and weak functioning of the SFG; the Al-Shabaab Islamic ruling as a counterpart; and autonomous regions declining to participate in the federal government. In the following analysis of the case study, the focus will be made on the lack of legitimacy and trust towards the federal institutions, while slightly touching upon the issues of Islam.

4.2.1. Constructivist approach applied to Somalia

Having identified the main focus areas from the EU and the Somali side as: a lack of institutional legitimacy; the threat of Islam and the strengthening of the rule of law, we will now describe the hypothesis using the constructivist approach.

To start with, the Somali peoples, with an exception of Burundi and Rwanda, consist of a homogenous and monolingual group of people compared to the multi-ethnic and multilingual society that characterises all the African states (Ssero, 2013). Another point that makes the Somali society different than the rest of the African states, is that according to Somali norms, every man participates in the decision making process through an ad hoc assembly that decides on all the important matters that directly affect the functioning of the clan, described as “the fundamental institution of [customary] government” (Lewis, 1999 quoted in Hagmann, 2007 p. 5).

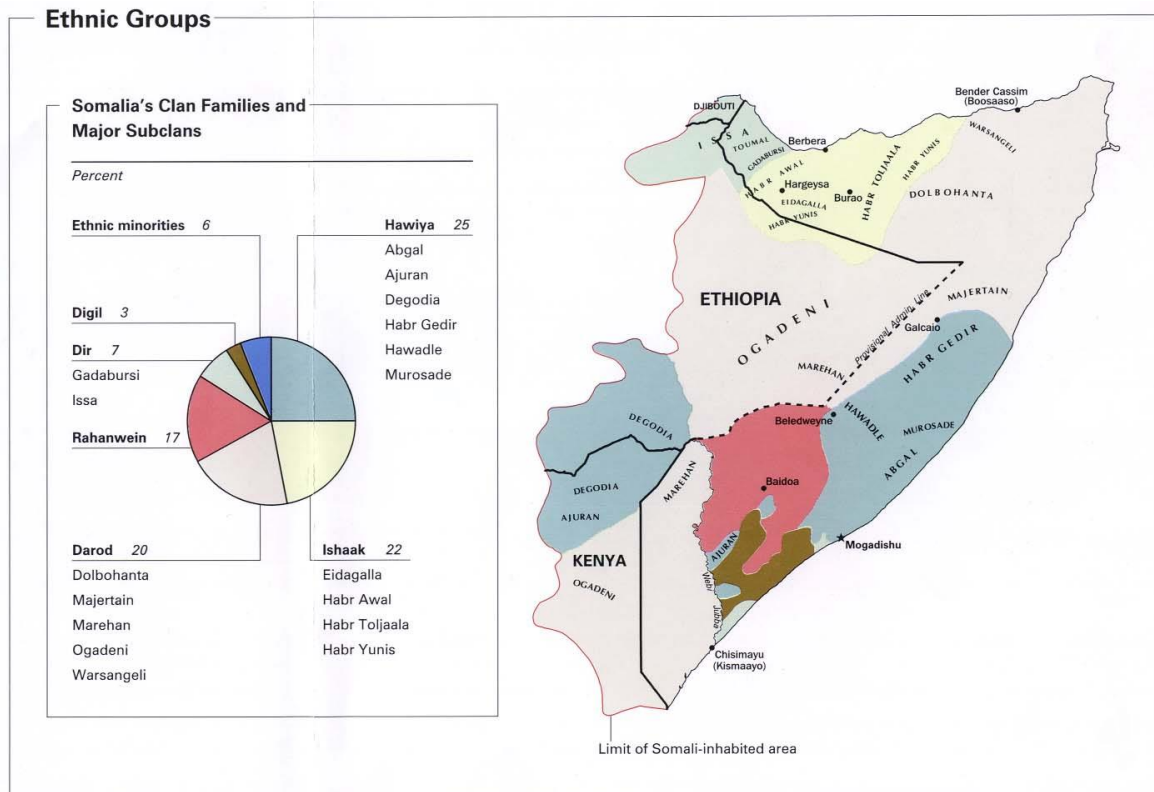
Historically in Somalia, economic production, political life and culture were interconnected by a way of ideology of kinship which suited a pastoral subsistence-based society and ensured peace, security and prosperity to its community members (Lyons and Samatar, 1999).). Furthermore, land was a public good wherein its access was linked to membership based on ethnicity, clan or by being part of a family (Bohanna et al., 2011). The ideology of kinship was formed around two elements: through blood-ties and heer. The blood-tie is a product of genealogical connections that was reinforced by a patrilineal system consisting of 6 major clans and their subclans that were geographically dispersed: Hawiye, Darod, Ishaak, Rahanwein, Dir, Digil and other ethnic minorities (see figure 1). To make the Somali clan system less difficult, only the main clans are being described.

These connections were reinforced and maintained through a system whereby the lineage had collective obligation to honour the clan and certain debts in forms of ‘blood payments’ also called diya as well as through the access of the communal range and ownership of the clans (Lyons and Samatar, 1999). The second element of the kinship, the heer, is the embodiment of the common ruling wisdom and contained the unwritten rules of Somali rule of conduct (Lyons and Samatar, 1999). It emphasised the interdependence values within the Somali society and therefore created the basis for the social order as a means to deal with disputes among clan members or with other clan members (Samatar, 1994). The blood-ties and the heer combined defined the private and the public milieu in Somalia. With the arrival of the Islam’s moral views to see another Somali as equal and part of a larger family, the heer was reinforced and deepened (Lyons and Samatar, 1999). The clan elders are the most important unit within the Somali society as they serve as the leaders and are chosen by all the clan members to settle disputes (diya). Clan elders could be any member within the community such as businessmen, a scholar or a member of the Diaspora to represent them (Leonard and Samatar, 2011). What defines ‘elders’ are attributes such as “experience, age, oratory skills, fairness and impartiality, ability to compromise and persuade expertise in heer and religious knowledge” (Ahmed, 2001 quoted in Hagmann, 2007 p 5). Elders are thus the most important unit of the community as they define the rights and obligations of their clan members, together with the rights and the limitations of neighbouring clans as well as the diya payments, (Sserro, 2013). However, the clan structure is fluid and alliances between clans shifts regularly.

The ideology describing the Somali society is the one described as the “Great Somalia” (Bulhan, 1999 p 13). After France, Ethiopia and Kenya annexed their colonised territory, the ambition to once again see all the inhabited land by Somalis become united emerged. This is what the 5 points in the star of the flag stands for, the unification of British Somaliland, the

Italian Somaliland, the Ethiopian annexed Ogaden region, the Southern Somalia which is now the Kenya's Northern Frontier District (NFD) and the French Somaliland.

Figure 1: Somali Ethnic groups and locations



Source: taken from Loubser and Solomon, 2014, p.3

Summary:

Thus, the blood-tie, the heer, Islam and the ideology of Great Somalia are fundamentally important to Somalis. In this thesis, this is taken as the underlying factors that create an obstacle for the implementation of good governance policies in Somalia.

Chapter 5.

According to the hypothesis, if the Somali traditional way of life is neglected, the creation of PSAV is bound to fail. From the analysis of the EU approach and the analysis of the Case study given earlier, the following obstacles have been defined: lack of institutional legitimacy and weak functioning of the SFG and Islamic extremists threatening the federal government. The underlying factors identified are: the heer and the blood-ties together with the ideology of Great Somalia.

In this chapter, the underlying factors are proven to be the problem for the implementation of good governance and without a better understanding of it, any top-down good governance implementation is bound to fail.

4.1. EU GOVERNANCE APPROACH: NOT APPLICABLE

As described earlier, the Somali society is something complex with a decentralised participative form of government and the roles of the elders were put central. As shown below, this does not complement the EU values to start with.

The roles clan elders have in conflict settlement is one of facilitator and not authoritative, as long as they are not labelled as too partisan and an involvement in politics, they have persuasion power and legitimacy and thus a considerable amount of influence in the acceptance of judgements without using any force (Bradbury, 2008; Gundel, 2006;). However, if the diya is not accepted by the rival clans elder group, revenge can then be taken upon any of the diya paying clan members (Leonard and Samatar, 2011). The social contracts or settlements thus emerge from a collective consensus negotiated by a group of elders and established with another group contrary to and with individuals. In the Somali society, there is no place for 'I', but people speak in terms of 'We'. Looking back at the definition of human governance and democratic governance given in page 10, these factors that constituted the Somali norms, values, identities, as well as the Somali pastoral democracy (Hagmann, 2007 p.4), are in direct contrast to the European liberal democratic foundations based on autonomous individuals as well as with the international human rights standards (Gundel 2006).

While it is legit to say that an institutional deficit occurred in the newly created states, the notion of bad governance is neither inherent nor a result of poverty (Moore, 2001), but rather direct effects caused by the colonial powers imposing to form a centralised government and the empowerment of the elites which did not suit the Somali decentralised and participative form of governance.

In the traditional Somali society, the clan had its own leaders and a council consisting of elders, land was a public good wherein its access was linked to membership based on clan or by being part of a family. This traditional structure which suited best a decentralised pastoral setting suddenly had to make way for a centralised, alien state that was replacing the clan structures to provide security, settle disputes and conflicts by a judiciary and a constitutional law (Sserro 2013). The colonisation by 4 different powers had considerable impact on the local form of governance and the traditional concept of land and power (Metz 1992). After Ethiopia and France annexed their colonised ground, the British Somaliland and the Italian Somaliland remained with both leaving different forms of governing legacy to their regions (Metz 1992). Britain, which ruled from 1884 until 1960, had an indirect ruling in its protectorate through the traditional leadership structures and was only contended with the extraction of the resources (Lyons and Samatar, 1999). The Italian part, however, introduced

a more direct administration, shaping the administrative structures, sent a significant numbers of Italians to its colonised region and imposed harsh facets of fascism (Lyons and Samatar 1999). During the Italian administration of the UN Trusteeship of Italian Somaliland, Italy further introduced administrative and educative reforms preparing the local citizens for self-governing as well as distancing them from the traditional social structure (Metz, 1992). When both parts, British and Italian, united to form the Somali Republic Government, this resulted in an unequal power distribution among clans and regions wherein the Southern Somalis trained Italy took the lead (Roble, 2013). Further results of this hasty government forming and the disappointment resulted in a weak coup d'état from the Northerners that was directly repressed (Samatar 1999).

Since the independence, the southern Somalis that took the lion share of seats in the Parliament as well as the presidential and prime ministerial seat were represented by the Darods and the Hawiye. In the second elections for the National Assembly and the President in 1967, political candidates identified themselves more around clan interests and sought the support of clan and sub clan members in order to win votes. Political power was then seen as leverage to promote one clans interest on a state and sub-state level (Gonnelli, 2013, p 8). This resulted in the rise of clanism and the society at large or the average Somali individual plight was hardly considered (Lyon and Samatar 1999). When Abdirashiid Ali Shermaarke from the southern Darood clan was elected President, he surprisingly appointed a member of the relatively small and quite Isaaq clan called Mahammad Ibrahim Igaal as the Prime Minister. This seemed to cool down some anger among other clan members towards the supreme ruling of the Hawiye and the Darod from the south, however, shortly after the assassination of president Shermaarke, Igal appointed another member of the Darod clan as president without any democratic elections or consultations. At this point it became clear that politics was ruled by the clan and that a centralised government only meant corruption and clan enrichment (Lyson and Samatar, 1999).

Two years after the elections during a time that corruption as well as clanism was at its height, General Mohamed Siad Barre – who belonged to the Southern Darood clan – took through a bloodless coup d'état power in 1969. After the coup d'état, Barre announced Somalia to be a socialist state based both on Marxist principles and the Islam in 1970 in what he called 'Scientific Socialism' to end clanism, corruption and the misuse of power (Metz, 1992). Many Somalis supported Barre with this change of power and the banning of using the blood-ties as merely a political tool. Barre then further introduced reforms in terms of replacing the traditional clan structures by introducing new committees to deal with conflict situations, he nationalised the land and companies as well as abolished the Islamic blood payment and limited the role of religious leaders in the country (Metz, 1992). This was very much in line with western model of governments wherein state and church are divided and there is a centralised government. However, this was not to the liking of the Northern people who were still close to the traditions. Due to a national pressure to fulfil his promise to create the Great Somalia, Barre went into war with Ethiopia over the Ogaden region in 1977. By doing so, he lost the support of the Soviet Union which took side with the Marxist regime of Ethiopia (Lyons and Samatar, 1999), however, he gained the support from the West and mainly military support from the US. The EU was giving aid to Somalia unconditionally throughout these period since Somalia signed the Yaounde Convention and the Lome Convention. Since Somalia needed more aid, it turned to the WB and the IMF, which had set the conditions for reforms. The reforms were made possible to be introduced since Somalia had a dictator. However, the introduction of the liberal reforms advocated by the World Bank and the IMF in forms of privatisation and administrative reforms together with the Socialist

reforms done by Barre resulted in an increased inequality among Somali people as the reforms were subsidised with very low wages and the use of child labour. It furthermore deprived Somalia of capital for reinvestment as around “75 percent of the capital was transferred to Italy and the Middle-East” (Samatar, 2002, p 41). Instead of enhancing development and increasing the living standard of the poor majority nomadic and agro-pastoral population, both did the contrary. Upon losing the Ogaden war and due to these reforms imposed by the WB, Barre’s popularity decreased and members of the Majeerteen clan in the North tried a coup to overthrow Barre’s regime. Barre retaliated harshly with the military aid provided by him from the US (Metz, 1992), not only on the Majeerteen clan in the north east, but also on other clans such as the Isaaq from the North West and the Hawiye in central Somalia which he saw as a risk to his power. He then increased his entourage by giving important posts to fellow clansman and clans close to his own clan to form the triad consisting of Mareexaan, the Ogaadeen and Dhulbahante all sub clans of the Daroods (Virginia, 1996, p 293). Moreover, aid from abroad and the socialism introduced by Barre created a strong, yet not a hegemonic, bourgeoisie in Somalia from the leading triad clan (Samatar, 2002).

As in many other African states, the hasty forming of a centralised government resulted in the creation of an instrumental and material situation between states and their citizens, wherein the state used the instruments of bribery and threats to accomplish political and societal outcomes (Moore, 2001). The intervention of Barre’s Scientific Socialism and the aid by the US, the WB and the IMF, together with the EU’s unconditional aid, further resulted in the creation of a basic, abstract, superficial state with strong elites (Moore, 2001; Whitaker, 1991). Although Barre banned clanism, in turn, he only increased it during his ruling. This eventually caused clans to form alliances in order to overthrow him.

4.2. THE CREATION OF REGIONAL GOVERNMENTS

Although it was not the use of blood-ties that resulted in the government to fail, it played a significant role in shaping the Somali political landscape until the end of Barre’s ruling. And it continued to play a big role during the forming of a government.

By the end of the 80’s, around 10 clan alliances were being formed to overthrow the dictator with the help of the “Ethiopian government, the Kenyan government as well as from Egypt and the Middle-East” (Virginia, 1996, p 294-295). By 1991, they successfully succeeded to overthrow the military regime as Barre fled the country to Yemen (Metz, 1992). Once Barre left, the opposition movements that united in order to defeat Barre were themselves sectarian and did not have any national reconstruction programs (Samatar 2001, p 644), resulting in the fight for power and thus the start of a bloody civil war that would take another 20 years to finish. The opposition movements were continued supported by the Ethiopian government, the Kenyan government and the Islamic governments (Bradbury 2010, p16).

Taking note of the different colonial legacy between the British and the Italian ruling, clan systems were more important in the North West and the North East than the South. On 1991, the former British region situated in the North West declared independence from the Republic of Somalia (Bulhan, 1999) and a couple of years later, the Puntland situated in the North East declared autonomous, but not independence in 1998 (Puntland Development Research Centre, 2010). The Dir together with the Isaaq ruled in the North West that became Somaliland and the Darods ruled the North East that became Puntland.

The forming of these two governments was based on clan representation – although Somaliland has moved to representatives being elected by the citizens through a secret ballot in 2005 – and elders played a significance role in disarmament and negotiation in the representation of other clans in the forming of a government (Leonard and Samatar, 2011). The Puntland still continues to have a government based on the heer and the clan system (Puntland Development Research Centre, 2010).

The heer and the blood-ties as described in the former chapter can thus be used for something that the EU and the international community has been unable to do, namely the creation of PSAV. However, the heer also has a very important and a dangerous side: the old Somali cultural practice of “revenge killing” as a way to enforce a non-compliant clan for compensation (Gundel, 2006, p.24). From this point, a fight between two individuals from two sub clans can easily escalate into an inter-clan conflict, and in fact, this is what happened in Somalia with the civil war as well as within both Somaliland and Puntland (Gundel, 2006). Because the South and Central Somalia consists of a less homogenous Somali people compared to Somaliland or Puntland, blood-ties became an instrumental survival method. As Virginia quotes an interviewee from the South: “We used not to know our clans. Now we have to.” (Virginia, 1996, p. 291). In the south, where the fighting continued and stabilisation was far from being realised, clan forming – which is not a framework to impose on people’s behaviour – was now being used by the elites as a means to mobilise people according to the elites preferences in order to enrich themselves even more (Samatar, 2002 p35; Virginia, 1996 p 294).

Nevertheless, by early 2000, the Hawiye clan alliances had control over the South and Central Somalia, the Darod alliances dominated the Puntland, and the Dir together with the Isaaq dominated Somaliland. The first advocates for a central government, the Darods are in strong favour for a federal government while the Dirs and the Isaaq would like to stay independent (Musau, 2013, p.16). Since Somaliland declined to participate in the latest forming of the SFG (EurActive, 2013), the focus is made on South, Central, and Puntland.

4.3. THE CREATION OF A FEDERAL GOVERNMENT WHILE FIGHTING TERRORISM: MORE CORRUPTION AND MORE TERRORISM

As stated earlier, Somalia has always been ruled first by the Hawiye and then the Darod. There are different peace negotiations taken for reconciliation between the different clans and their political parties since 1991, however, only the ones from 2000 is described.

By 2000, it has been clear that Somalia lacked the political will to unite and to form a government. However, Djibouti took the lead with the Arta conference and successfully established the Transitional National Government (TNG) based on the 4.5 notion⁷ introduced with the Soderre conference in Ethiopia and with the inclusion of the business community, Islamist courts, civic participation, clan elders (Bradbury, 2010, p 17). Nevertheless, this victory was short lived since community and political leaders in the Somaliland and the Puntland region united under the Somali Restoration and Reconciliation Council (SRRC) resisted the forming of a centralised government (Bradbury, 2010 p20). In 2004, with huge financial support from the EU (EC, 2007, p 22), the IGAD⁸ led by the Ethiopian regime took the formation of a government a step further and successfully made the creation of the Transitional Federal Government (TFG) still based on the 4.5 notion possible with a conference organised in Ethiopia. Since 2004, the EU officially recognised the TFG as the government of Somalia and started bilateral relations with the representatives of Somalia in 2006 (EC, 2007, p.9). Despite this achievement, the Mbagathi talks as they became to be known, however, further increased the dissatisfaction among Somalis back home. The reason was the exclusion of key stakeholders such as from the Islamic courts and the business community (Bradbury, 2010, p20). Furthermore, the created TFG is said to be corrupt as the Hawiye clan wields most of its power (Bradbury, 2010, p17). But more importantly, the notion to create a government based on the representation of the main 4 clans and 0.5 left over to the minorities and women is fundamentally against the Somali traditional way of governing: the pastoral egalitarian democracy stated in the former chapter. Since the establishment of the SFG in 2012, the Hawiye clan is represented with 60% and the Darod clan with 40% in the government. The President called Hassan Sheikh Mohamud is from the Hawiye and the Prime Minister called Abdi Shirdon from the Darod (Musau, 2013). This shows how corrupt the government really is. Clan politics comes back to show its face and it is here to stay. The lack of legitimacy of the TFG also stems from the fact that it was heavily relying on the support from foreign powers to impose a rule of law and to fight the Islamic Court of Union which was gaining ground in Somalia. This, however, was not a threat, but only became a threat once the EU and the US intervened to fight the so called ‘terrorist’.

As stated in the introduction, 99% of the population were Islamic and Islam was part of the Somali social structure. Islamic principles were used to build trust, linkages, to enforce contracts and order in the Somali society (Leonard and Samatar, 2011). Since during the civil war, which was based on clan differences and clan leaders lusting for power, clan protection alone was not sufficient and many turned to the religion to provide some common sense. Since 1996, Islamic groups and courts have risen mainly in the North East – the current Puntland – in Central and in the South of Somalia with financial and moral support coming from Saudi-Arabia, Iran, Sudan. The four Islamic organisations were identified as “Ittihad al-

⁷ The 4.5 in power sharing means that the government representation would be divided by the 4 main clans: the Hawiye, Darod, Rahanweyn and the Dir, The 0.5 would be occupied by the minorities in the country and women (Bradbury, 2010, p17).

⁸ The intergovernmental Authority on Development with Djibouti, Ethiopia, Kenya, Somalia, Sudan, Uganda and Eritrea (from 1993 until it suspended its membership in 2007) as members (Bradbury, 2010, p16)

Islami (Islamic Union); al-Ikhwan al-Muslimun (Muslim Brothers); Wuhdat al-Shabab al-Islami (Union of Islamic Youth); Majma al-Ulama (Union of the Clerics) (Virginia, 1996, p29). Dagne (2011, p6) contributes the list with two other Islamist groups called Al Islah (Reform), Al Tabligh (Conveyers of God's Work). The Islamic Courts Union as we know today, started as a union of Islamic clerics of the Hawiye clan established in 1999. In 2004 it was joined by other Islamic clerics across clans (Elliot and Holze, 2009, p.119). Since the outbreak of the civil war, these Islamic courts have achieved what the EU, the international community and the UN failed to do: disarmament, peace and stability (Virginia, 1996, p295; Dagne, 2011, p6). The Islamic court was not only supported by the regular Somali, but also by business men since they were creating a peaceful environment in which business prospered again. Nevertheless, with the policies taken to falsely label some of these Islamist groups as 'terrorist', including some of their leaders in the black list, this created the militant wing of today: the Al-Shabaab (Dagne, 2011, p5). However, only when the Ethiopian government intervened in 2006 to fight the Islamic Courts and to secure ground for the corrupt TFG in Mogadishu did Al-Shabaab become more extreme (ibid). And it was not only members of Al-Shabaab that were fighting the Ethiopians, but also local civilians who saw the Ethiopian aggression as unacceptable. So instead of creating stability and peace, as the EU highlights in its approaches to Africa and Somalia, it actually increased the insecurity, instability of the Somali people. As a counterproductive factor, the invasion by the Ethiopian government and the fighting of the international community against Al-Shabaab resulted in the creation of Hizbul Islam, another Islamic group that fights for the unification of Somalia and one in which former members of the ICU are incorporated (Elliot and Hozel, 2009).

The lost Somali great ideology is resurging among the youth and its given hope. But the question is to whom? The battle for Somalia still goes on, but one without for sure a region, namely Somaliland.

Chapter 5: Conclusion and recommendation

The Somali society is complex, even for a Somali, which results in not many scholars taking the adventure of analysing Somalia. Describing Somalis in a few words would be:

I and Somalia against the world.

I and my clan against Somalia.

I and my family against the clan.

I and my brother against the family.

I against my brother

Somali Proverb

Looking back at the hypothesis and the underlying factors described as the blood-ties and the Somali customs, together with the Islam and the Great Ideology, this case study has proven that it is indeed the underlying factors that we need to put the most focus on. Although this thesis could not analyse in deeper the terrorist Al-Shabaab case, the use and training of military forces as well as the use of civil society for the creation of PSAV, the author is convinced that these approaches wouldn't work either since they are clan linked. The first as mentioned briefly is born from a clan, the creation of a unified military force is frightening in the eyes of many Somali with the abuse of power still fresh in their minds, and the use of the Civil Society would only clash with the impartiality of the EU or any other international organisations wanting to use CSO's in Somalia. By enforcing all these, there is a high chance that the EU would actually reinforce some elites or create new elits, just as it is doing now reinforcing the Hawiye and the Darods in the SFG.

The underlying factors have always been there in Somalia and it is known to the world that tribalism is a major obstacle. However, the use of the heer and the blood-tie can also do something good and achieve what outsiders cannot achieve: the creation of a stable environment which leads to PSAV. Instead of paying more attention to these, it seems that EU is given priorities to fighting piracy and to support the War on Terror. As the case study has shown from the early 60s, the form of governance that is based on the Western model, will not work today or tomorrow in Somalia as long as the majority of people are poor, nomadic or agro-pastoral, and can find comfort in a traditional way of living that suits them the best. Somali heer and the blood ties – as the word ties describes – is what links the somali society together, however, when used in a state-level, this is exactly what divides them.

The EU at one hand holds its values high – which put against the Somali values are not compatible – and at the other hand it is open to accept a local form of government representation. However, accepting a 4.5 power sharing notion is neither good for the Somalis neither for the EU. In contrary, it is fundamentally against the EU and Somali values.

From another angle, it is remarkable that the EU and the Western states are taking the same position as they did with the independence of Somalia, namely: emphasising for the creation of a centralised government. A good further research would be to have the question: when will the EU learn from its mistakes?

Therefore, the author recommends the EU to recognise the autonomous region of Somaliland as well as other aspiring regions such as the Puntland to become independent. The EU should give up the idea that it will one day see a unified Somalia. Furthermore, although this thesis has not touched upon, it is of the author outmost belief that the use of the Diaspora should be included in further policy set-up and project implementation. There are thousands of Somali Diasporas in the EU, which could be an untapped resource for the EU. However, until today, hardly no outreach is done towards the Somali Diaspora.

Bibliography

Adler E., (1997). *Seizing the Middle Ground: Constructivism in World Politics*. European Journal of International Relations

AMISOM (no date). *Main webpage*. Available at: http://ec.europa.eu/europeaid/where/acp/regional-cooperation/peace/peace-support-operations/amisom_en.htm, accessed on 9 June 2014.

Bereketeab, R. (2012). *self-determination and secessionism in somaliland and south sudan. Challenges to Postcolonial State-building*. The Nordic Africa Institute.

Bohannan, P and Colson, E. in Johan P, (2011), “*Customary land tenure in Sub-Saharan Africa today: meanings and contexts*”, Institute for Security Studies

Booth, D. (2011a) *Aid, Institutions and Governance: What Have We Learned?* Overseas Development Institute (ODI) Development Policy Review, Vol. 29, pp. S5-S26, 2010

Booth, D. (2011b). *Introduction: Working with the Grain?* The Africa Power and Politics Programme IDS Bulletin 42.2

Booth, D. (2012). *Synthesis report-Development as a collective action problem: addressing the real challenges of African governance*. Africa Power and Politics Programme.

Borzal, T. A., Y. Pamuk, et al. (2008), ‘*The European Union and the Promotion of Good Governance in its Near Abroad. One Size Fits All?*’, in: SFB-Governance Working Paper Series, No 18, Research Centre (SFB), Berlin, December 2008

Bradbury, M. (2009). *The Search for Peace: A Synthesis Report of the Peace Mapping Study*. Interpeace and the Academy for Peace and Development, the Center for Research and Dialogue, and the Puntland Development Research Center.

Brooks, S. G (1997) *Dueling realisms*, *International Organization*, 51(3), 445-477.

Browne, E., & Fisher, J. (2013). *Key actors mapping: Somalia*. Birmingham, UK: GSDRC, University of Birmingham

Bulhan, X. C. (1999). *A Self-Portrait of Somaliland: Rebuilding from the Ruins*. Somaliland Centre for Peace and Development Xarunta Nabada Iyo Horumarinta Soomaaliland, War-torn Societies Project (WSP).

Bystrom, K. (2013). *Humanitarianism, Responsibility, Links, Knots. Interventions*, (ahead-of-print), 1-19.

Callagly (1989) *Towards state capacity and embedded liberalism in the third world: lessons for adjustment*, in J. Nelson (ed.) *Fragile Coalitions: The Politics of Economic Adjustment* (New Brunswick, NJ, Transaction Books), pp.115-38

Carbone, M. (2010a). *The EU in Africa: Increasing Coherence, Decreasing Partnership* in Bindi, F.ed. (2010). *the Foreign Policy of the European Union: Assessing Europe's Role in the World*. Washington, DC: Brookings Institution Press

Carbone, M. (2010b), *The European Union, Good Governance and Aid Co-ordination*, in: *Third World Quarterly* 31(1): 13-29

Chang, H. J. (2002). *Breaking the mould: an institutionalist political economy alternative to the neo-liberal theory of the market and the state*. *Cambridge Journal of Economics*, 26(5), 539-559.

Chen, S., Ravallion, M. (2008). *The developing world is poorer than we thought, but no less successful in the fight against poverty*. Policy Research Working Paper 4703, The World Bank Development Research Group, August 2008

Council (2007). *The Africa-EU-Strategic Partnership. A Joint Africa-EU Strategy*. Council of the European Union, Lisbon

Council (2012). *COUNCIL DECISION 2012/389/CFSP on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR)*. Council of the European Union.

Dagne, T. (2010, December). *Somalia: Current Conditions and Prospects for a Lasting Peace*. LIBRARY OF CONGRESS WASHINGTON DC CONGRESSIONAL RESEARCH SERVICE.

Del Biondo, K. (2011). 'EU Aid Conditionality in ACP Countries: Explaining Inconsistency in EU Sanctions Practice', *Journal of Contemporary European Research*. Volume 7, Issue 3, pp. 380-395

Dvorakova, V. (2011), 'The Metamorphosis of Governance in the Era of Globalization.' In *The Scale of Globalization. Think Globally, Act Locally, Change Individually in the 21st Century*, 11-16. Ostrava: University of Ostrava, 2011.

EEAS (2011). *EU Engagement In Somalia*. European External Action Service, Brussels.

Available at :

http://www.consilium.europa.eu/uedocs/cms_data/docs/missionPress/files/110106%20FACTSHEET%20EU%20ENGAGEMENT%20SOMALIA%20-%20version%2010_EN01.pdf, accessed on 9 June 2014.

EC. (1997). *Directorate General VIII. Final Report, Mid-Term Evaluation of the First Rehabilitation Programme (FRP) for Somalia*.

EC (2002). *Strategy for the Implementation of Special Aid to Somalia 2002-2007*. European Commission, Brussels.

EC (2003), 'Governance and Development', *Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee of 20 October 2003*, European Commission (COM(2003) 61d5, Brussels

EC (2005b). *EU Strategy for Africa: Towards a Euro-African pact to accelerate Africa's development* COM(2005) 489 final, Brussels 12 Oct. 2005.

EC (2006). *Communication From The Commission To The Council, The European Parliament, The European Economic And Social Committee And The Committee Of The Regions Governance In The European Consensus On Development Towards A Harmonised Approach Within The European Union*. COM(2006) 421 final. European Commission, Brussels

EC (2007). *Somalia: Joint Strategy Paper for the period 2008-2013*. European Commission, Brussels

EC (2010). *Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its member states, of the other part*. Cotonou, Benin. Revised paper 2010.

EC (2011). *Annual Report 2011 The African Peace Facility*. European Commission, Brussels.

Elliot, A., & Holzer, G. S. (2009). *The invention of 'terrorism' in Somalia: paradigms and policy in US foreign relations*. South African Journal of International Affairs, 16(2), 215-244.

EurActive (2013). *Why Somaliland does not attend 'New Deal for Somalia' conference*. Available at: <http://www.euractiv.com/development-policy/somaliland-attend-new-deal-somal-analysis-530481>, accessed on 9 June 2014.

Falk, R. (1995), *'Humane Governance'*, College Park: Penn State University Press

Fukuda-Parr, S. and Ponzio, R. (2002), *'Governance: Past, Present and Future; Setting the Governance Agenda for the Millennium Declaration'*, New York: UNDP

Glenn, John (2009). *Welfare Spending in an Era of Globalization: The North-South Divide*. International Relations 23 (1): pp.27–8, 30–1, 36–9, 45–6

Gonnelli, eds. (2013). *Clan and State Politics – Intro*. In Gonnelli, eds. (2013). *International Commentary on Somalia; Clan Politics*. ITCPM International Commentary Vol. IX no. 34.

Grindle, M.S. (2011) *Good Enough Governance Revisited*, Development Policy Review, Volume 29, Issue Supplement s1, pages 223–251

Gundel, J. (2002). *The migration–development nexus: Somalia case study*. International Migration, 40(5), 255-281.

Gundel, J. (2006). *The Predicament of the'Oday': the role of traditional structures in security, rights, law and development in Somalia*. Danish Refugee Council.

Hagmann, T. (2005). *From state collapse to duty-free shop: Somalia's path to modernity*. AFRICAN AFFAIRS-LONDON-ROYAL AFRICAN SOCIETY-, 416, 525.

- Hagmann, T. (2007). *Bringing the Sultan Back In: Elders as Peacemakers in Ethiopia's Somali Region*. *State recognition and democratisation in sub-Saharan Africa. A new dawn for traditional authorities*, 31-51.
- Hari, J. (2009). *You are being lied to about pirates*. The Independent, 5(01).
- Hirst, P. (2000), 'Democracy and Governance' in Pierre, Jon (ed.), *Debating Governance: Authority, Steering, and Democracy*, Oxford University Press
- Hydén, G., & Mease, K. (2004). *Making sense of governance: empirical evidence from sixteen developing countries*. Lynne Rienner Publishers.
- Hout, W. (2007). *The politics of aid selectivity: Good governance criteria in World Bank, US and Dutch development assistance*. Routledge.
- IMF (1999). *Heavily Indebted Poor Countries (HIPC) Initiative – Perspectives on the Current Framework and Options for Change*. Prepared by the staffs of the World Bank and the IMF. Available at: <http://www.imf.org/external/np/hipc/options/>, accessed on 9 June 2014.
- IDS (2010) *Upside down view of governance*, Centre for the Future State
- International Development Association, (1998), 'Additions to IDA Resources: Twelfth Replenishment A Partnership for Poverty Reduction'. World Bank, Washington D.C.
- Kaufmann, D., Kraay, A. Zoido-Lobaton, P. (1999), 'Governance Matters', Policy Research Working Paper No. 2196, Washington DC: World Bank
- Kaufmann, D., Kraay A., Zoidon Lobaton, P. (2000). 'Governance Matters: From Measurement to Action'. Finance and Development. 37
- Kaufmann, D., Kraay, A. & Mastruzzi, M. (2007), 'The Worldwide Governance Indicators Project: Answering the Critics', World Bank Policy Research Working Paper 4149
- Khan, M. (2006) *Governance and Economic Growth Since the 1960s: Background Paper for the World Economic and Social Survey*
- Khan, A.A. (2012), 'The Relevance Of 'Good Governance' Concept: Revisiting Goals, Agenda And Strategies'. Prepared for the International Conference on Governance and Public Policy in South and South East Asia North South University, Dhaka Bangladesh
- Lamy, S., English, R., & Smith, S. (2005). *Hegemony and Its Discontents: A Symposium*. International Studies Review, 7(4), 525-529.
- Landman, T. (2003), 'Map-Making and Analysis of the Main International Initiatives on Developing Indicators on Democracy and Good Governance'. Colchester: University of Essex – Human Rights Centre, July 2003.
- Leeson, P. T. (2007). *Better off stateless: Somalia before and after government collapse*. Journal of Comparative Economics, 35(4), 689-710.

Leftwich, Adrian (2000). *States of development : on the primacy of politics in development*. Cambridge : Polity

Le Sage, A. (2010). *Somalia's Endless Transition: Breaking the Deadlock*. Institute for National Strategic Studies, National Defense University.

Leonard, D. K., & Samantar, M. S. (2011). *What does the Somali experience teach us about the social contract and the state?*. *Development and Change*, 42(2), 559-584.

Loubser, H. M., & Solomon, H. (2014). *Responding to state failure in Somalia*. *Review*, 6(1), 1-17.

Lyons, T., & Samatar, A. I. (1995). *Somalia: State collapse, multilateral intervention, and strategies for political reconstruction*. Brookings Institution Press.

Marchal, R. (2007). *Warlordism and terrorism: how to obscure an already confusing crisis? The case of Somalia*. *International Affairs*, 83(6), 1091-1106.

Metz, H. C. (1992). *Somalia: a country study (draft copy)*. Federal Research Division, Library of Congress.

Milanovic, Branko and Yitzhaki, Shlomo, 2002. *Decomposing World Income Distribution: Does the World Have a Middle Class?*, *Review of Income and Wealth*, Blackwell Publishing, vol. 48(2), pages 155-78, June 2002

Moore, M. (2001). *Political Underdevelopment: What causes 'bad governance'*. *Public Management Review*, 3(3), 385-418.

Moore, M., & Robinson, M. (1994). *Can foreign aid be used to promote good government in developing countries?*. *Ethics & International Affairs*, 8(1), 141-158.

Musau, S. (2013). *Clans' and clannism's control over weak political institutions*. In Gonnelli, eds. (2013). *International Commentary on Somalia; Clan Politics*.

North, D. et al, 2007, '*Limited Access Orders in the Developing World: A New Approach to the Problems of Development*', Policy Research working paper, WPS 4359, World Bank, Washington, D.C.

OHCHR, (2007), '*Good Governance Practices For The Protection Of Human Rights*'. Office Of The United Nations High Commissioner For Human Rights. United Nations New-York and Geneva

OECD (no year). *Paris Declaration on Aid Effectiveness and the Accra Agenda for Action*. High Level Forum, Paris, March. Organisation for Economic Cooperation and Development Development Assistance Committee. Available at: <http://www.oecd.org/dac/effectiveness/34428351.pdf>, accessed on 09 June 2014

OECD (1995), '*Participatory Development and Good Governance*', Development Co-Operation Guidelines Series, OECD

- OECD (2010) *The State's Legitimacy In Fragile Situations Unpacking Complexity*. Organisation for Economic Cooperation and Development, Paris.
- OECD (2013). *Fragile States 2013. Resource Flows and Trends in a Shifting World*. Organisation for Economic Cooperation and Development, Paris.
- Pham, J. P. (2010). *Putting Somali piracy in context*. Journal of Contemporary African Studies, 28(3), 325-341.
- Parks, T. and Cole, W. (2010) *Political Settlements: Implications for International Development Policy and Practice*, The Asia Foundation, Occasional paper 2.
- Peters, B. G., Pierre, J., & King, D. S. (2005). *The politics of path dependency: Political conflict in historical institutionalism*. Journal of Politics, 67(4), 1275-1300.
- Plumptre, T., & Graham, J. (2009), '*Governance and good governance: international and aboriginal perspectives*'. Canadian Institute On Governance
- Roble, F.A. (2013). *The Culture of Politics: The Somali Experience*. Available at: https://d383x9er2dcb4o.cloudfront.net/wp-content/uploads/2013/05/The-Culture-of-Politics_Faisal2.pdf, accessed on 9 June 2014.
- Roitsch, P. E. (2014). *The next step in Somalia: exploiting victory, post-Mogadishu*. African Security Review, (ahead-of-print), 1-14.
- Samatar, A. (1994). *The curse of Allah: civic disembowelment and the collapse of the state in Somalia*. The Somali Challenge: from catastrophe to renewal, 95-146.
- Samatar, A. (2002). *Somalis as Africa's First Democrats: Premier Abdirazak H. Hussein and President Aden A. Osman*. Bildhaan: An International Journal of Somali Studies, 2, 1-64.
- Santiso, C., (2001), '*Good Governance and Aid Effectiveness: The World Bank and Conditionality*'. The Georgetown Public Policy Review Volume 7 Number 1 Fall 2001, pp.1-22
- Samatar, A. (2002). *Somalis as Africa's First Democrats: Premier Abdirazak H. Hussein and President Aden A. Osman*. Bildhaan: An International Journal of Somali Studies, 2, 1-64.
- Schneider, H. (1999), '*Participatory Governance: The Missing Link for Poverty Reduction*', Policy Brief No. 17, Paris: OECD Development Centre
- Smith, K. (2009) *The EU in the World: Future Research Agendas*, in Michelle Egan, Neil Nugent, and William Paterson, eds, *Studying the European Union: Current and Future Agendas* (London: Palgrave, 2009), 329-53)
- Ssereo, F. (2003). *Clanpolitics, clan-democracy and conflict regulation in Africa: The experience of Somalia*. The Global Review of Ethnopolitics, 2(3-4), 25-40.
- Telò, M. (Ed.). (2013). *European Union and new regionalism: regional actors and global governance in a post-hegemonic era*. Ashgate Publishing, Ltd..

The Friedrich-Ebert-Stiftung, (2005), *'Promoting Democracy Creating Peace Shaping Globalisation: The International Cooperation of the Friedrich-Ebert-Stiftung'*. Friedrich-Ebert Stiftung, Berlin, Germany.

UN (no date). *United Nations documents on Piracy*. United Nations Division for Ocean Affairs And the Law of Sea. Available at:
http://www.un.org/Depts/los/piracy/piracy_documents.htm, accessed on 9 June 2014.

UNDP (1997), *'Governance for sustainable human development'*. A UNDP policy document. United Nations Development Programme.

UNGA, (2002). *Implementation of the United Nations Millennium Declaration: Report of the Secretary-General*. United Nations General Assembly.

UNNC (2014). *Despite progress, Somalia nearing 'danger zone' in critical areas, warns UN envoy*. United Nations News Centre. Available at:
<http://www.un.org/apps/news/story.asp?NewsID=47863#.U5VHxPldWSp>, accessed on 9 June 2014

Virginia, L. (1997) - *Come back Somalia; Questioning a collapsed state*. Third World Quarterly, Vol. 18, No. 2 (Jun., 1997), pp. 287-302Published

Vymětal, P. (2007), *'Defining the concept'*. Working Papers No. 1. Praha: Vysoká škola ekonomická v Praze, Fakulta mezinárodních vztahů

Warsame, I. (2012). *Public Trust Deficit in Somalia*. Wardheernews.com. Available at:
http://wardheernews.com/Articles_12/October/Warsame/02_Public_Trust_Deficit_in_Somalia.html, accessed on 9 June 2014.

Weiss and Nzongola-Ntalaja (2013). *Decentralization and the DRC – An Overview Prepared for the DRC Affinity Group*.

Williams, David G., 1996, *Governance and the Discipline of Development*, European Journal of Development Research, vol. 8, issue 2, pp. 157-177

World Bank (1981). *Accelerated Development In Sub-Saharan Africa: An Agenda For Action*. World Bank, Washington

World Bank (1992), *'Governance and Development'*. Washington D.C.

World Bank (1994), *'Governance: The World Bank Experience'*. Washington D.C.