

SALVE REGINA UNIVERSITY  
THE RISE AND FALL OF  
THE UNION OF ISLAMIC COURTS

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IN CANDIDACY FOR THE DEGREE OF  
DOCTOR OF PHILOSOPHY

BY  
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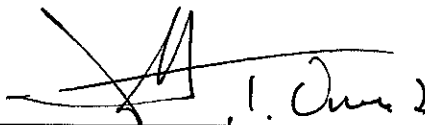


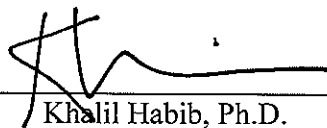
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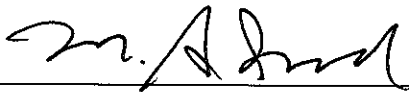
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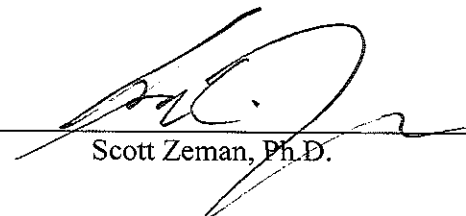
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## DEDICATION

This dissertation is dedicated to my wife

Alene Kavanagh Morash

for all your love and patience ...

and

my shipmates from

CJTF Horn of Africa

Especially their love of puffy clouds and the ellipsis ...

## ACKNOWLEDGEMENTS

I would like to take this opportunity to acknowledge the efforts of the late Dr. Peter Liotta for providing me a starting point for my dissertation way ahead. My heartfelt appreciation for Drs. Habib, Bradizza, Owens, and Budd for helping me get moving again after the tragic passing of Dr. Liotta. I wouldn't be here without the hard work and dedication of the entire Salve Regina University staff that enabled the Independent Research Cohort program to succeed.

## THE RISE AND FALL OF THE UNION OF ISLAMIC COURTS

### ABSTRACT

This dissertation examines the reasons behind the rise and fall of the Union of Islamic Courts (UIC) in Somalia. The UIC was born out of the chaos of the Warlord Era in Southern Somalia from within the fabric of Somali Society. The peace and stability that the UIC brought to the region had not been seen since before the fall of Said Barre's regime. However, the rapid martial expansion of the UIC and the perceived threat caused by their success resulted in Ethiopia invading Somalia thereby destroying the UIC and spawning the al-Shabaab movement.

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## CHAPTER ONE

### INTRODUCTION

*Sorrow is like rice in the store. If a basketful is removed every day, it will come to an end at last.<sup>1</sup>*

— *Somali Proverb*

On December 25, 2006, the Ethiopian Peoples' Defense Force (EPDF) accompanied by troops from the Somali Transitional Federal Government (TFG), and enabled by U.S. Special Forces, invaded southern Somalia intent on destroying the Union of Islamic Courts (UIC).<sup>2</sup> The Ethiopian Prime Minister, Meles Zenawi, declared, "Ethiopian defense forces were forced to enter into war to protect the sovereignty of [Ethiopia]... we are not trying to set up a government for Somalia, nor do we have an intention to meddle in Somalia's internal affairs. We have only been forced by the circumstances."<sup>3</sup> The goal of the invasion was to destroy terrorist base camps in Somalia as well as liberate Somalia from what they described as the "Taliban of Somalia,"<sup>4</sup> and to ensure the TFG was installed as the sovereign of Somalia, following the age old Clausewitzian adage that "war is a continuation of politics by other means."<sup>5</sup> However, the invasion also threw Somalia back into chaos, and the peacekeeping forces acting under an African Union (AU) mandate maintains tenuous control over Mogadishu to this day. The invasion succeeded in destroying the UIC, but it also spawned the al-Shabaab movement, which has been fighting to this day and is the major impediment to peace and security in Southern Somalia. This begs the question as to why this Ethiopian-led war was necessary, when the international community had failed miserably so many times

before, and the UIC had brought safety and stability to millions of people. This is the question that informs the central thesis of this dissertation.

## SOCIAL CONSTRUCT OF THE SOMALI PEOPLE

In order to attempt to answer this question one must look at the factors that allowed for the grassroots efforts of local elders to form into a loose confederation of local *Shar'ia* law based groups that would eventually rise up to become an unstoppable military challenge to the warlord factions in control of Somalia. This researcher will look at the complex, multifaceted prism that makes up Somali society, economics, and political dynamic, as well as the role of Islam in Somalia as a force to provide stability. This exploration will hopefully reveal key points that can be used in the future to assist in securing a true and lasting peace in the Horn of Africa.

The Somali ethnic group lives in large portions of Somalia, Ethiopia, Kenya, and Djibouti, as shown on the map of Somalia, in Appendix A, Map A-1. The political boundaries shown on the map do not mirror the ethnic distribution of the Somali people. This map also identifies the various higher-level Somali tribes, clans and sub-clans that nominally exist. While tribal and clan boundaries make sense to the casual observer, it is far too simple a description when dealing with the Somali people as a whole. Individuals do not appear to have a pragmatic binding loyalty to the tribe or clan; this is due in large part to the post-colonial industrialization and urbanization of Somalia, coupled with decades of forced population movement under the aegis of the Barre regime. Rather, an individual's association to a local group, called the *dia*-paying group, takes precedence.<sup>6</sup>

The *dia*-paying group has historically been the social, economic, and political body that binds Somalis to one another.<sup>7</sup> The *dia*-paying group is not simply a blood relation group of agnatic kin. It is formed around economic activities and is better defined as a social contract between individuals. The *dia*-paying group is a de-facto insurance policy, designed to ensure that a given member of a group is able to pay off a blood debt by leveraging the wealth of the group. As stated by Mohamed Jama, in the journal *Africa*, “The ties that bind blood relatives are grounded on social contract on a public system of rules publicly negotiated. Without an understanding of the public rules of kinship, it is impossible to fully grasp the form and content of Somali politics.”<sup>8</sup> Typically, members of a given *dia*-paying group have to conform to the norms of the group all within must behave in a manner beneficial to the collective. The collective nature of the *dia*-paying group is managed and governed through a system known as *xeer*. This system relies upon the *dia*-paying group’s elders to make consensus decisions on matters legal, economic and political rather than an individual leader or mullah’s diktat. Historically the use of *xeer* has encouraged moderation within the *dia*-paying group, with extreme decisions and capital punishment being an exceptional rarity, as it may be your family member judged next. In its basic form, the UIC operated within this socio-economic context.

Within the *dia*-paying group system, religious figures, called *wadaad*, act as mediators between various *dia*-paying groups. Because of this unique circumstance the *wadaad* are rarely allowed to participate in *dia*-paying groups’ *xeer* decision making process lest they lose their neutrality and impartiality. This system functions to allow

*wadaads* freedom of movement in regions controlled by hostile *dia*-paying groups without fear for their lives, in order to facilitate and enhance discourse between groups to reach an acceptable solution. The function and role of the *wadaads*' facilitating inter *dia*-paying group connectivity is in stark contrast to the warlordism and tyranny of the post Barre regime, the Warlord Era.

#### THE WARLORD ERA... BEGINNING OF THE RISE...

The Warlord Era was conspicuous in being bereft of the constraints of the traditional Somali concept of *xeer* and therefore, as described by Abdi Samatar, "Somali male behavior becomes unrestrained and is likely to turn into egotistic criminality."<sup>9</sup> In an attempt to bring structure and a framework of law and order, multiple *dia*-paying groups decided to use *Shar'ia* law. In essence, this desire for change set the stage for the rise of UIC from the ashes of the Somali Democratic Republic (SDR). Following this common approach the various *dia*-paying groups were able to interact with one another in a fair and repetitive manner, initially focused on stimulating economic activity and the movement of commerce to market.

Once a number of these *dia*-paying groups established safety and security in their area of influence they were able to create the pre-conditions for increasing local economic productivity including agricultural and pastoral husbandry. Improved economic productivity led to an increased need to bring goods to market in areas outside a given *dia*-paying group's area of control. The movement of goods to market in Somalia was not without its challenges, as commerce would have to move through warlord

controlled areas. Transit across these areas was subject to toll racketeering, payment of protection money, or the outright thievery of the goods enroute to market. Conversely, *Shar'ia* law allowed for good faith dealings between groups within a framework to deal with commercial transactions, further enhancing commerce by circumventing warlord held areas.

Over time, as the various *dia*-paying groups used their *wadaads* to negotiate the transport of goods and services across Southern Somalia, it allowed them to also discuss other matters as well. These early discussions were enough to set the stage to form into a loose confederacy of seven *dia*-paying groups.<sup>10</sup> This confederation formed the basic structure of the UIC, and with some minor exceptions, its primary membership was made up of numerous *wadaads*. In the formative stage of the UIC, the collective membership recognized that it was in their best interests to set the conditions for further prosperity, safety and security, if not outright peace and stability, with an eye toward increasing economic productivity.

At this point two major roadblocks existed to ensuring the safety and security of the Somali people. The first was the various warlord groups and factions that existed throughout the greater part of Southern Somalia. These were the successor or same warlord factions that rose out of the failure of the Barre regime over fifteen years earlier. The second was the latest iteration of UN sponsored governments, in this case the TFG - which was made up of various warlords and expatriate intellectuals. By the time of the UIC, the TFG had set up its forward headquarters in Baidoa Somalia, located 130 miles

northwest of Mogadishu. While the warlords were more of a tactical hindrance to the ambitions of the UIC, the TFG was a strategic obstacle that would be significantly harder to deal with given its external support by the UN and Ethiopia.

#### THE RISE OF THE UIC BECOMES APPARENT

The UIC began to band together the militias of the various *dia*-paying groups, in order to deal with the warlords, beginning around the fall of 2004. This larger UIC military force would be able to destroy any single warlord's militia where previously a given *dia*-paying group would be on par militarily, or ineffectual. The UIC attacked and destroyed these warlords, one by one, then installed new *Shar'ia* courts around newly formed local *dia*-paying groups from the liberated people. These new groups would assign a number of their own militia forces to the ever larger UIC militia in order to defeat additional warlord factions. As widely reported, the people freed by the UIC appeared to generally approve of the change and their new found safety and security. As described by Samatar, "...the public overwhelmingly rallied behind the Courts and a bloody war ended the long tenure of the warlords and liberated the population."<sup>11</sup> Eventually the majority of Mogadishu was liberated from the warlord regimes, with the larger portion of Southern Somalia following suit shortly thereafter, as shown on the map in Appendix A, Map A-2. In due course the UIC militia was unstoppable and held a unity of purpose, which was to liberate Somalia from the clutches of the warlords. This was an obvious challenge to the legitimacy of the TFG as Somalia's sovereign, and a very clear threat to Ethiopian hegemony in the region.



## THE NEXT FRONT IN THE GLOBAL WAR ON TERROR

The Ethiopian government perceived the threat of the UIC from a historically complex and multifaceted perspective. Four issues appear to be particularly important. First, large populations of ethnic Somalis live in the section of Eastern Ethiopia, known as the Ogaden (see the map in Appendix A, Map A-1). Many of these people had been fighting for independence from Ethiopia for years as part of a separatist group named the Ogaden National Liberation Front (ONLF). The ONLF was allegedly using UIC controlled areas as a terrorist “base area” of operations, an assessment backed up by U.S. intelligence agencies.<sup>12</sup> Secondly, Ethiopia had previously fought a major conventional war over the Ogaden in the late 1970’s against the Barre regime, while concurrently fighting a second front against a widespread insurgency in the North East of Ethiopia. This was further fueled by the Barre regime’s direct and overt support of the ONLF’s predecessor, the Western Somali Liberation Front (WSLF), providing weapons and a safe haven within Somalia. Third, a number of members of the UIC were former members of the al-Itihaad al-Islamiyah (AIAI), a designated terrorist organization allegedly aligned with al Qaeda (AQ). One senior member of the UIC, Sheik Hassan Dahir Aweys, was concurrently labelled as a member of the AIAI. Aweys was further identified by the Ethiopians and some in the United States as the true leader of the UIC.<sup>13</sup> Finally, there was a growing body of evidence that Eritrea was providing military and financial support to the UIC to fight a proxy war against Ethiopia.<sup>14</sup> The UIC’s growing military competency was setting up the base conditions for the very real possibility of having to fight another two-front war against Eritrea and an irredentist Somali based insurgency.

The exponential expansion and grassroots support of the UIC became a very real threat to Addis to Ababa and Washington D.C. in the first half of 2006. As explained by East Africa scholar Sally Healy, "...news that Islamists...wrested control of Mogadishu from the warlords [drew] a response. Alarm bells sounded early in the United States and Ethiopia went on the alert. The world press drew hasty parallels with the arrival of the Taliban in Afghanistan."<sup>15</sup> Unfortunately this analogous comparison was extremely detrimental to the long-term prospects of the UIC. This perception was further complicated by the inability of the UIC's organizational structure to effectively develop and engage in proactive political dialogue with external actors. This issue manifested itself such that any statement by a member of the UIC, such as calls for *jihad*, were consequently and immediately attributable to the UIC, and justifiably met with anxiety by both the Ethiopian regime and the Americans.<sup>16</sup> The stage was quickly set for war in Somalia as Ethiopian regulars moved forward to support the TFG's stronghold in Baidoa Somalia and along the main road into the Ogaden from Mogadishu. The United States was the only country that could have held the Ethiopians back. However, given the major commitments of American forces in the Middle East, a war to destroy the next likely Taliban-like regime was an acceptable solution, with the fighting carried by Ethiopian regulars with limited U.S. military support.

#### THE UNFORESEEN CONSEQUENCE OF THE INVASION

In the aftermath of the invasion the UIC splintered into disparate groups and factions. While some did eventually join the TFG, one in particular, al-Shabaab did not

and continues the fight to this day controlling the majority of the hinterland outside of Mogadishu.<sup>17</sup> It appears that even with the African Union Peacekeeping Mission in Mogadishu (AMISOM), and the TFG's marginal control of Mogadishu, there will be continued bloodshed in the near term. Al-Shabaab continues to make calls for *jihād*, and has become a new front in the Global War on Terror (GWOT) as it has now openly aligned itself with AQ.<sup>18</sup> In retrospect this outcome was the worst possible. Was it inevitable or avoidable?

This basic introduction identifies a number of the highlights that explain the basic story of the rise and fall of the UIC. However, the UIC also brought peace and stability to the Horn of Africa, a place where chaos reigned for nearly twenty years. This dissertation hopes to identify those key factors and elements that allowed for the rise of the UIC, while also identifying friction areas that were the root cause of the Ethiopian invasion. It is hoped that in the future an end to the violence in Somalia can be achieved that is acceptable to all participants in the discourse.

## RESEARCH QUESTION

The UIC may have been the solution to the violence that has defined the Somali experience for at least the past two and a half decades. This leads to the research question to be addressed by this dissertation which is, "In the absence of a nation state structure, what factors and conditions allowed for the rise of the Union of Islamic Courts, and what factors compelled the Ethiopian regime to invade Somalia to destroy it?"

## HOW THE HUMANITIES RELATES

This dissertation is an interdisciplinary approach connecting several humanities and social science disciplines that comprise the Salve Regina University Ph.D. program. The complexities are intertwined, and at the very least, this dissertation will feature multiple fields in the humanities including religion, law, sociology, history, political science, and economics. The findings are expected to lead to insights into nation building, war and conflict resolution, and peace and stability, all of which are critical elements of the human dynamic in the modern day.

## RELIGION

Religion appears to be a central element related to the rise of the UIC, and also may have played a critical role in its fall. There is no doubt that the UIC embraced Islam and its core tenets to provide a framework and structure of law and order. Further, as this dissertation will show, the freedom of movement afforded religious clerics in Somalia was one of the key elements in the early formation of the UIC. On the other hand, differences in religion between the primarily Coptic Christian Ethiopians and the Sunni Muslim Somalis may prove to be one of the root causes of the conflict between the two groups, or at the very least a contributing factor in the discourse. History is replete with examples of religious friction. Certainly there is openly available evidence that some of the leadership of the UIC claimed that the Ethiopian invasion was a modern religious crusade.<sup>19</sup> Indeed the al-Shabaab movement that splintered from the UIC continues to

fight in the name of Islam, determined to expel the TFG and African-led peacekeeping mission.

## LAW

Religion is also interconnected with the discipline of law. A fundamental element of the UIC's success was the use of Islamic *Shar'ia* law as the framework of law and order for use by the local communities, initially used to enable commerce. Since nearly all Somalis are Muslim, *Shar'ia* provided a framework of commonly understood laws that were enforceable, and distributed equally if not equitably for the average Somali. This was especially so when coupled with the ancient Somali way of local governance, *xeer*. However, in the wake of the War in Afghanistan the use of the term *Shar'ia* also generates the specter of the Taliban. This knowledge was used to great effect by the Ethiopian regime in their attempt to convince the Bush Administration that the UIC was little more than an African facsimile of the Taliban.<sup>20</sup> However, the UIC was not organized in the same fashion as the Taliban regime.

## SOCIOLOGY

An understanding of the social dynamics of clan structure and organization will help to explain the effects of the social structure at the grassroots level that enabled the rise of the UIC. The consensus decision making process of *xeer* is fundamental to how the UIC would be prevented from being co-opted by extremist ideologies counter to the greater good of the organization. The use of *xeer* within the *dia*-paying group allowed

for a consensus decision-making process in the absence of a centralized government structure.

## ECONOMICS

In this study, the discipline of sociology is related to the field of economics: the UIC's used *Shar'ia* to facilitate inter-clan commerce, which played a major role beyond just providing localized law and order. If it were not for the desire to increase economic productivity there may never have been any reason to move past the Warlord Era. In fact, the drive to increase economic activity may prove to be the single largest determinant for why the UIC formed in the first place.

## HISTORY AND POLITICAL SCIENCE

The disciplines of history and political science are also apparent throughout this dissertation. The interaction ranges from the history of colonialism in East Africa, to the failed and ongoing attempts at establishing a lasting peace in the region. The political history between the post-colonial nation state of Somalia and Ethiopia in more modern times has certainly set the tone for the discourse, as well as clouding the dynamic. This issue, coupled with the spirit of the post 9/11 world, also played a role in how nation states deal with threats emerging from perceived terrorist organizations. Further, an understanding of the external forms of government that the United Nations and other entities attempted to levy on top of the Somali people will also be critical to the discussion.

## DEFINITIONS OF THE TECHNOLOGY PRACTICAL FOR THIS STUDY

The research study of the UIC gets to the heart of the Salve Regina University's Ph.D. Program's central thesis of "what does it mean to be human in an age of advanced technology?"<sup>21</sup> As indicated throughout the Salve Regina University Ph.D. program, the definitions of technology are wide and varied. For the purposes of this dissertation, a number of definitions are informative and practical.

The primary definition used in this dissertation was proposed by the late Dr. Peter H. Liotta, who suggested, "Technology represents the application of human knowledge to the solution of practical problems... and technology [is] an agent that engenders change"<sup>22</sup> Liotta goes on to argue that establishment of political systems are designed to allow societies to solve a range of problems of production, economics, and day-to-day activities. In the case of the UIC it would appear that they used the social artifacts of Somali culture, coupled with *Shar'ia* law, in order to create a system to solve their localized problems. This allowed "change" to be effected, thereby creating a space for safety and security. Eventually, this change allowed the UIC to grow into a militarily capable force able to challenge any rival that stood in its path. However, with its newfound military capability, the UIC was now faced with a new problem, as it was woefully unprepared to interface with nation states and other international entities. It was painfully obvious that in order for the UIC to be the sovereign of Somalia it needed to broadly, if not fully, meet this requirement. If the UIC was able to truly gain this capability it would also present a direct challenge to the TFG for the right to rule the state

at the strategic level as a practical matter, but also risk running afoul of powerful actors, including the Ethiopians and United States. It would need to rise to the next level of bureaucratic efficiency to manage the state effectively.

The institution of the “nation state” and “political systems” dominates the modern technological world. One particular definition of the state that describes the situation in Somalia is Max Weber’s definition from *Politics as a Vocation*:

A state is a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory. Note that 'territory' is one of the characteristics of the state. Specifically, at the present time, the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it. The state is considered the sole source of the 'right' to use violence. Hence, 'politics' for us means striving to share power or striving to influence the distribution of power, either among states or among groups within a state.<sup>23</sup>

Using the definition postulated by Weber, multiple states formed in the seemingly lawless Southern Somalia in the early 1990’s, with each warlord faction struggling to define the outcome of the state through use of force. Hundreds of self-proclaimed warlords and their private armies kept the population under control through rampant tyranny at either the end of a gun barrel, or through the use of hunger, as the weapons of choice. Weber’s definition is valuable in that it describes the legitimacy of other actors in the discourse, especially with respect to the legitimacy of the TFG and its lack of ability to enforce its legitimacy via military means, until it was enabled by powerful outside actors. In essence did the UIC have the “monopoly of the legitimate use of physical force,”<sup>24</sup> as suggested by Weber?



Weber goes on to discuss the concept of territory, and in order to demarcate territory one necessarily needs a political map. For Somalia, as in other parts of Africa, the map itself is a technology that affects the dynamic.<sup>25</sup> The political boundaries on the Horn of Africa's map were forged in the post-colonial shakeout, and do not represent the Somali ethnic group - a group which overlaps the entirety or significant parts of Djibouti, Ethiopia, Kenya, and Somalia, as shown on the map in Appendix A, Map A-1. The political map of the region is a constant reminder of the colonial past. This is an issue that pervasively affects the situation to this day.

The rise of the UIC is also shown to correspond to Andrew Feenburg's definition in *Critical Theory of Technology*. Feenburg states:

Technology is not a thing in the ordinary sense of the term, but an "ambivalent" process of development suspended between different possibilities. This "ambivalence" of technology is distinguished from neutrality by the role it attributes to social values in the design, and not merely the use, of technical systems. On this view, technology is not a destiny but a scene of struggle. It is a social battlefield, or perhaps a better metaphor would be a parliament of things on which civilization alternatives are debated and decided.<sup>26</sup>

Feenburg goes on to say, "...the choice of civilization is not decided by the immanent drift of technology, but can be affected by human action. Political struggle, as a spur to cultural and technical innovation if not necessarily in its traditional statist form, continues to play a role."<sup>27</sup> The conflict in Southern Somalia is illustrative of his definition of technology, especially coupled with Liotta's assertion that technology is "an agent that engenders change."<sup>28</sup> Liotta builds upon what Feenburg postulates; in as much that commencing a struggle assumes that there is an outcome that will eventually be revealed.

The two serve to highlight the political struggle within, and the system imposed from the outside to force a change. There is no going back to the Warlord Era in Somalia, the outcome of the struggle may not have resulted in an increase in safety and security but change certainly has occurred. The UIC is no more, the warlords are either gone or have joined the TFG, and the rise of the extremist group al-Shabaab has occurred. The struggle continues and change is ongoing.

The UIC was a human centric organization that did not rely upon a broad and extensive bureaucracy with specialized functions that is so prevalent in a modern society. The challenge, *vis-à-vis* the UIC, arose when it was unable to communicate and interact effectively with the outside international community as to what it was and what it was not. Therefore, one must ask if this type of grassroots organizational structure, acting as a state sovereign, can possibly exist in the modern day without some of the trappings of a modern technological society, especially when viewed as a threat by powerful outside actors?

#### EXPLANATION OF THE RESEARCH METHODOLOGY

This qualitative study is focused on looking at the constituent parts to find a holistic understanding of the rise of the UIC. This research problem hopes to allow this researcher to understand and identify the overlapping issues in Somalia. Therefore, this study will make use of interpretive research to understand the full complexity of the situation in Somalia leading to the rise of the UIC. The research study must look at the aforementioned elements from the humanities and specifically identify those that have

historically survived threats to its existence and continued to thrive in spite of those threats (e.g. *dia*-paying group, *xeer*, *Shar'ia* law). This allows the researcher to develop a theory about how the experience of the Somalis, as a people, has developed through time in order to find those things that are replicable and survivable, therefore essential to any lasting peace. It is equally important to try to understand how the outside actors perceived the situation from their viewpoint as there is a clear interface between them and the Somali people.

In order to find predictive outcomes the need for an interpretive approach becomes necessary. As the current study focuses on understanding conflict and finding ways to resolve it, the primary focus is on exploration of interactions between different humanities disciplines that affect the dynamic in Somalia. As the literature review shows, there is a sufficient volume of material available. Therefore, as part of this analysis, hermeneutics was used to augment interpretive analysis. This allowed the researcher to attempt to understand how the different groups and individuals perceived their place and role in the dynamic at the time in which it occurred. The hermeneutic process is particularly useful in overcoming the observer's interpretive biases and prejudices. This is necessary to minimize the possibility of bias based on this researcher's personal experiences in Somalia as a career military officer serving in or near the region for over twenty years.

In order to better understand how hermeneutics fits best in the study, there is an expectation that hermeneutical analysis will give context to a given piece of research

material. Hermeneutical analysis attempts to interpret where different viewpoints become contradictory, for example, the different views of the Ethiopian troop advance into Somalia, which is perceived as an unjust invasion by some and liberation from extremism by others. Perception matters. This obligates the researcher to identify those contradictions and inconsistencies to tell the story as fairly as possible. As stated by Wallace, et.al, “When we read something, we ‘break it down’ into its component parts (words, paragraphs, and so on). But these parts only make sense in terms of the whole...”<sup>29</sup> The central principle of hermeneutics is that it is only possible to understand an action or statement’s meaning by relating it to the whole situation from which it originates. In essence, one must continually look at each point along a continuum, conceptualized as a spiral. Osborne states:

The spiral is a metaphor because it is not a closed circle but rather an open-ended movement from the horizon of the text to the horizon of the reader. [The researcher] is not going round and round a closed circle that can never detect the true meaning but spiraling nearer and nearer to the text’s intended meaning as [the researcher refines the] hypotheses and allow the text to continue to challenge and correct those alternative interpretations, then to guide my delineation of its significance for [the] situation.<sup>30</sup>

An important insight is that use of this process to augment the research will allow for the researcher to perceive and identify the alternative interpretations of the material. The viewpoint between the Ethiopians and the UIC couldn’t be more different. However, the use of hermeneutics can help to find where the divergence in those interpretations are. In turn this will uncover where the chasm is so vast that something needs to be done to

bridge the gap between parties to the dynamic. Figure 1 illustrates the hermeneutic spiral concept below.<sup>31</sup>

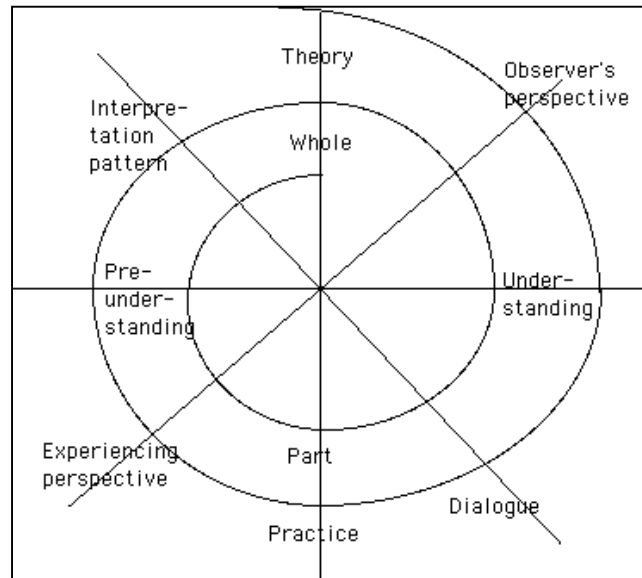


Figure 1: Hermeneutic Spiral

The hermeneutic spiral allows for looking into the deeper meaning of a document and, when needed, provides help in identifying its provenance. This is critical in order to find the meaning from the point of view of the author, including the specific time and place that the document was created. What events were occurring when the document was created? How did this affect the social backdrop from which it is formed? Asking these sorts of question helps find that deeper meaning. Additionally it helps to understand the value of a given document in the dynamics of the situation. Wallace, et.al. states:

Texts are not just more or less meaningful, they are also more or less useful. It is important to raise this point because the question of 'objectivity' is difficult to answer unless one knows the social context within which it is being posed. 'What is the best reading of this text?' really presupposes that we know for what purpose' and 'in what context.'... Therefore, from this point of view, there is no contradiction in positing a practical hermeneutics for a specific social purpose.<sup>32</sup>

The meaning and understanding revealed through use of the hermeneutical spiral process will hopefully allow an in-depth analysis and understanding of the true meaning of a document. This is important as many documents that emerged from within, or were attributed to, the UIC were used as *prima facie* evidence for the Ethiopian advance into Somalia to defend the TFG, and eventual invasion.

Compounding the issue of understanding what happened is that there was limited communication from the UIC to the outside world. Further, they did not have the governmental apparatus to establish, document, and catalogue decisions. This is in contrast to the discourse in the United States which is readily available, in an easily researchable format, as part of the National Archives system. Additionally, the record shows that there is a dearth of information available to show that the UIC attempted to transmit their intentions to the Ethiopians, much less the United States, via contemporary means (e.g. telex, email, diplomatic communique, etc...). The majority of the information that was released was only made available through disclosure by governments or even WikiLeaks.<sup>33</sup> Even the media's direct interface and embedded coverage of the internal workings of the UIC seems to be limited. This does not discount the fact that "...new technology does not necessarily make it easier to collaborate and communicate interculturallly."<sup>34</sup> However, it might have made it easier to reach a common understanding between the differing parties if the UIC possessed a more robust ability to communicate with external stakeholders.

## ORGANIZATION

This dissertation will attempt to follow a logical process to describe the rise and fall of the UIC. The dissertation will be divided into the following chapters:

**Chapter One...** presents an introduction on the research topic, its relationship to technology and the humanities; along with the evaluative framework to be used, and a brief history of events that framed the rise and fall of the UIC.

**Chapter Two...** is the literature review which will span a large body of body of journals, books, and articles from across the spectrum of Somali related humanities topic areas. This review will highlight where there is an abundance and dearth of literature available on the subject. It appears that there is adequate material to move ahead with this dissertation.

**Chapter Three...** will be an analysis of Somali culture and social structures that appear to have inter-relationships with the foundations of the UIC. This section will look specifically at the use of the basic Somali cultural unit, the *dia*-paying group, and how it is governed under the consensus decision making process, *xeer*. This will be followed by an analysis of the increasing irrelevance of the clan structure in Somalia, and therefore why it cannot be used as an entering argument for stabilization. This chapter will include a discussion about the historical use of religious figures, *wadaads*, moving between *dia*-paying groups acting as intermediaries to resolve conflicts. This will segue into the

following chapter with an examination of threats presented by the warlords toward elements of the social structure and their resilience in the face of those threats.

**Chapter Four...** will be an analysis of the role of Islam in Somalia in creating the conditions for stability. This will include a discussion about how Islam has worked in concert with the previous elements of Somali culture to form a framework for a state, and what elements have stood the test of time. This chapter will discuss the use of terms, such as *jihad*, in the Somali context and through the just war prism *vis-à-vis* the UIC, Ethiopian, and American viewpoints. This chapter will conclude with a discussion of how the UIC used *Shar'ia* to enhance and enable commerce.

**Chapter Five...** will start with a discussion about previous attempts at creating a Somali state under the leadership of Sheik Muhammad Abdullah Hassan with the establishment of the Dervish State in the late 1800's. This discussion will describe how the Dervish State survived only because it was able to fight off punitive military expeditions sent by Italy, Britain, and Ethiopia. The fall of the Dervish State only occurred when Hassan died and there was a lack of leadership to keep it together. Following the thread of nation building an analysis of the situation set up in the wake of African decolonization and the short lived post-colonial administration that eventually was usurped by Said Barre in a socialist inspired revolutionary government, the SDR. There will be a discussion about the Barre regime social changes that impacted clan homogeneity, *xeer* and *dia*-paying group structure, as an attempt to dismantle the traditional fabric of Somali society, and its resilience against those changes. This will be followed by an examination of Barre's



failed irredentist attempt at conquest in the Ogaden through warfare with the Ethiopians, and sponsorship of the ONLF, both of which ultimately played a role in the long term undoing of the Barre regime and Somalia's fall into chaos. This chapter will conclude with a short discussion about the rise of the Warlord Era, and the emergence of religious inspired groups in Somalia.

**Chapter Six...** will be an analysis of Ethiopian reasons for invading Somalia, and the United States' considerable military and political support. This chapter will describe how the various factors described throughout the previous chapters also made the UIC exceedingly threatening to the Ethiopian regime. Factors discussed in this chapter will describe the increased angst in Addis Ababa in light of the pending failure of the UN Mission to Ethiopia and Eritrea (UNMEE) peacekeeping mission, and Eritrean support for the UIC as a critical redline that had been crossed. Additionally, this chapter will highlight how the Ethiopian regime was able to convince the United States to support its decision to go to war, by making parallels between the UIC and the Taliban, coupled with its willingness to conduct the ground offensive.

**Chapter Seven...** will provide conclusions drawn from the analysis of the findings of the previous chapters. This chapter will also attempt to provide recommendations as to how to possibly bring "lasting" peace and stability in East Africa, by using those elements of Somali society which seem to have historically worked while minimizing the effects of those factors which have caused friction and conflict in the past.

## EXPECTED FINDINGS AND CONTRIBUTION OF THE RESEARCH

This dissertation expects to identify the specific factors that led to the rise of a Somali grassroots effort at safety and stability. Additionally, it expects to find those factors that must be considered in the future to ensure that efforts to create a lasting peace are not perceived as a threat from the outside. Revealing the factors that led to the closest attempt at creating peace and stability in Somalia can only help with finding the lasting peace that has been absent for so many decades.

## PREVIOUS DISSERTATIONS RELATED TO THE UNION OF ISLAMIC COURTS

A robust database search and analysis was conducted to identify dissertations and other theses related to Somalia in general during the course of the literature review. In this search 242 dissertations or theses discussed Somalia.<sup>35</sup> Of these contributions to the body of scholarship, eight dealt with Somalia as a failed state; six were written prior to the establishment of the UIC and the remaining two did not refer to the UIC. The majority of the aforementioned documents focused on issues related to what happened after the collapse of the Barre regime, or distinct elements of the failure of Somalia as a state, such as the lack of an educational system. Of the 242 dissertations or theses, six dealt with peacekeeping, with only a single one devoted exclusively to Somalia. This single dissertation looked specifically at the manner in which the Clinton Administration pursued peacekeeping operations from 1992 through 1996. Therefore, it would appear that not a single work published to date has presented a dissertation proposing an

examination of the rise of the UIC. The research presented here will attempt to remedy this deficiency and offer an original addition to the scholarship.

### BRIEF HISTORY OF SOMALIA RELATED TO THIS DISSERTATION

There are a number of events that this dissertation refers to that help frame the situation in Somalia leading up to the formation of the UIC. Many of these historic events continue to resonate in the Somali dynamic. This history is designed to give the reader a basic lens through which to view the dissertation.

The first major historical event that is pervasive throughout this dissertation is the rise of the Dervish State, in the late 1800's, as a counter to the incursion of the Ethiopian Empire and the establishment of the Italian and British colonies in the Horn of Africa. The impact of the Dervish State still resonates as a nationalist rallying cry to the establishment of a Somali State in particular with a focus on both a religious and irredentist agenda. The rise of the Dervish State occurred under the aegis of one man, Sheik Mohammed Abdullah Hassan. Hassan would later be hailed by many as the "Father of Somalia."<sup>36</sup> The Dervish State was formed from within Hassan's local *diapaying* group, itself within the Ogadeni clan, and was the first wide-ranging attempt in Somalia to use *Shar'ia* law as the foundation of law and order on the nation state scale.

The establishment of the Dervish State in 1896 was an opportunity to overcome the local differences in light of the greater threat posed by the combined powers encroaching into Somalia. Virginia Luling writes, "The determination to reform the

people's religious life was associated with resistance to foreign control... [The] appeal to those who see submission to Islamic law in its fullness, as they understand it, as the solution to the lawlessness of the country.”<sup>37</sup> The establishment of *Shar'ia* law as the great enabler of nationhood instrumental in providing a framework of order. However, the Dervish State was only held together by Sheikh Hassan himself, as a cult of personality. He was the embodiment of the state and his death led the way for the fall of the State itself. Robert Hess writes, “Hassan had been regarded by his followers as their only leader, and with his death his followers returned to their tribe of origin.”<sup>38</sup> The Dervish State was unique in its ability to hold off the outside for such a long time, but it was only as long as the Dervish could fight on an equal footing. The hopelessness of the Dervish position was only realized when the British renewed their focus on East Africa following the close of World War I. The military lessons and technology forged in the fires of Flanders Fields were applied to the Horn of Africa against the proto-industrial military wielded by Hassan, ending in disaster for the Dervish and a consolidation of the British colonial system in the region.

From the fall of the Dervish State through the Post-WWII decolonization efforts, the dynamic in Somalia was one of maintaining the *status quo*, with the British focused on containing the Italians, and the Ethiopians territorial ambitions. In the aftermath of the Dervish experience the Ethiopians made no further gains into Somalia. In fact, by the middle of the 1930's the Ethiopians were fighting for their very existence against Italian aggression in what would be called the Second Italo-Ethiopian War, also referred to as

the Second Italo-Abyssinian War.<sup>39</sup> In general Somalia would be relegated to a backwater of the international dynamic until the conclusion of World War II.

The United Nations efforts at de-colonization following WWII culminated in independence for the Trust Territory of Somalia\* and British Somaliland with the establishment of the Republic of Somalia. The boundaries were formed along the previous colonial lines and were not representative of the actual geographic distribution of the Somali people. In particular, the territory that had been annexed by Ethiopia, through the martial conquest of Emperor Menelik II at the Battle of Adwa, was not added to the new state. This situation eventually led to border clashes between the fledgling Somali Republic and the Ethiopians as early as 1961. In large part, this was caused by an already robust and widely held Somali irredentist agenda as a practical way to motivate ethnic Somalis to focus on an external enemy, to forget their local differences, and work together toward statehood. This policy was made part of the Somali Constitution of 1960, which read, “The Somali Republic shall promote, by legal and peaceful means, the union of Somali territories.”<sup>40</sup> The drive to unite all of the Somali Peoples under the Somali flag was a powerful theme throughout the Republic’s duration and beyond.

By the late 1960’s the dream of a Greater Somali Republic’s flag flying over all of the Somali people was clearly starting to struggle. The Cold War was well entrenched internationally and the bi-polar world was being felt in the Horn as well. This provided an opportunity for the senior general of the Somali Armed Forces to take the reins in a

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\* Formerly Italian Somaliland.

relatively bloodless coup in October of 1969.<sup>41</sup> The leader of this revolution was General Said Barre, who established the SDR, and proposed to “end tribalism, nepotism, corruption, and misrule.”<sup>42</sup> Barre would rule the country for the next twenty one years, establishing a Socialist state initially allied with the Soviet Union (USSR).

The critical juncture for the Barre Regime was pursuing a war of aggression aimed at liberating and annexing the Ogaden Region of Ethiopia in 1977. This war was pursued in the years following the Marxist Derg usurping power in Addis Ababa in 1974, and deposing Emperor Halle Selassie bringing the Ethiopian Empire to an ignominious end. Further the tribal regions in the coastal section of Ethiopia had been fighting to establish their own state,\* resulting in the Ethiopians fighting a two-front war. In an odd twist to the Cold War, two Soviet allies were fighting each other, with the Soviets eventually backing only the Derg and withdrawing aid from the SDR. The Ogaden War weakened the SDR militarily and undermined the authority of Barre in the long run. The Barre regime’s poor assumptions on the strength and veracity of the Ethiopians to retain the Ogaden completely framed the future of his regime. The lack of money and resources flowing into Mogadishu for the remainder of the Cold War set the stage for the regime’s eventual failure. Over time, the government became increasingly oppressive and local resistance movements were spawned, many directly supported by Ethiopia. The situation eventually led to the widespread outbreak of civil unrest and intractable warfare,

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\* Eventually gaining independence as the State of Eritrea.

culminating with the collapse of the Barre regime and the Somali Army. The country fell into chaos by 1991.

The situation in Somalia resulted in a wide-ranging massive civil war with hundreds of warlords vying for the seat of power vacated by the lack of central leadership. However, as no warlord could garner enough of an advantage to completely topple another, a generalized stalemate ensued. A widespread humanitarian crisis followed, with the average Somali living under chaotic and tyrannical conditions, coupled with an extensive lack of safety and security, climaxing in famine resulting from the utter collapse of the food distribution system. Whoever controlled that system could wield it as weapon to control the population.

The situation was eventually on the agenda of the George W. Bush Administration with the authorization and deployment of troops to attempt to re-establish food security in the country in 1992. This intervention quickly escalated into a full-fledged peacekeeping effort with the United States in the lead of a UN Peace Keeping mission under the mandate to feed the millions of internally displaced people experiencing famine. This mission also upset the control of the food system by the very warlords using it to control the population. Further, the peacekeepers found themselves supporting one warlord over another. The UN Security Council (UNSC) eventually established the UN Mission in Somalia I (UNOSOM I), through UN Security Council Resolution 751 (UNSCR 751).<sup>\*</sup> This American led intervention lasted three years,

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<sup>\*</sup> See Appendix E for all UNSCR related to the post Barre collapse through the Ethiopian invasion of 2007.

spanning the issuance of no less than twelve UNSCRs. Eventually this debacle resulted in the humiliating full-scale withdrawal of the UN and U.S. forces by 1995. The country fell into complete chaos and endemic violence.

After the withdrawal of the peacekeeping forces, the establishment of the Warlord Era reigned, and peace and stability for Somalia was a forlorn hope. The collective washing of hands by the international community did little to help the average Somali who lived in constant fear for their lives and their families. The time was ripe for a different solution. It was this situation from which the UIC was born.



## CHAPTER TWO

### REVIEW AND EVALUATION OF THE LITERATURE

*Dagaal nin aan aqoon baa ku orda.*  
*~A man who doesn't know about war is likely*  
*the one who rushes to it.<sup>1</sup>*  
– Somali proverb

#### INTRODUCTION AND ASSESSMENT

The literature review presented in this dissertation is not intended to be an exhaustive survey of every published relevant work. Given the interdisciplinary nature of this research effort that would be both inappropriate and unmanageable. The review of the literature has shown that no researcher has attempted to answer the research question presented by this dissertation. While there appears to be a reasonable amount of literature devoted to the disintegration of the Somali nation-state during and following the failure of Said Barre's regime, there is a dearth of, and therefore a need for, for additional literature on the UIC. At a minimum, there appears to be no single work that describes the development of the UIC from within the fabric of Somali society. This fact provides a space to allow this dissertation to add to the body of literature.

This literature review is offered to demonstrate the availability of sufficient historical and literary source material to facilitate a robust case study. It is also intended to establish that the proposed methodology is appropriate for the task. The literature review will attempt to place various elements of literature in a methodical manner to show how it has informed this researcher's understanding of the dynamic in Somalia during the time leading up to and during the UIC's tenure. There is a body of literature

available about Somali society, although the vast majority of it is from prior to 1992. Although the articles on Somali culture following 1992 allude and refer back to the previous literature as relevant. Much of the writing post 1992 is in the form of articles or reports from either media sources, institutes, or think tanks focused on peace and stability. Additionally, there appears to be a general lack of written literature from Somali-born authors prior to the 1970's. This is due in part to the oral tradition of the Somali people, as Somalia only adopted an official alphabet in 1972.<sup>2</sup>

## SOMALI SOCIETY

Reviewing available literature on Somali society hopes to show that the basic social organization, local governance, and ethnic factors have been resilient in the face of challenges from the outside, and matter just as much today, especially at the local level. It appears that the basic fabric of Somali society has stood the test of time, even with the tremendous disorder that has occurred in Somalia. The literature available shows that the Somali ethnic group is virtually homogenous across greater Somalia, and that the social organization of the Somali people is generally similar across tribe, clan, sub-clan, and *dia*-paying group. However, there are specific ways in which traditional Somali society organizes at the local level. It would appear that the Somali social and ethnic collaboration is the key reason that the UIC would never have become an extremist organization, without tremendous upheaval. Indeed, only as a consequence of the Ethiopian invasion did the al-Shabaab movement have the space to gain traction and flourish.

Among the foremost experts on the dynamic in Somalia is I.M. Lewis, Professor Emeritus of Anthropology at the London School of Economics and Political Science at the University of London, who has written extensively about Somalia since the 1950's. His earliest research resulted in the 1961 book *A Pastoral Democracy, A Study of Pastoralism and Politics Among the Northern Somali of the Horn of Africa*. He explains that the basic system of organization of the Somali people at the local level is effectively the same in the Horn of Africa although this text generally focuses on the tribes of Northern Somalia. This book outlines many of the core ideas behind how Somalis govern themselves, including introducing the concept of *xeer*, as being likened to a social contract. Lewis states, "*Xeer* ... denotes a body of explicitly formulated obligations, rights and duties. It binds people of the same treaty together in relation to internal delicts and defines their collective responsibility in external relations with other groups."<sup>3</sup> In this text, Lewis also introduces the concept of the *dia*-paying group and its importance in the civil dynamic. This group forms the core of the *xeer* system and is a reoccurring center of focus in Somali society throughout the literature available.

I.M. Lewis' next major book, *A Modern History of Somalia, Nation and State in the Horn of Africa*, has been continually updated over the years by providing additional historical details. This tome was first published in 1965 with the ultimate version issued in 2003, before the rise of the UIC. In this book I.M. Lewis lays out the overarching organizational structure of the Somali people, with a particular focus on the *dia*-paying group as the functioning social element of that structure that survived the Barre regime and allows for safety and security at the local level. This text has a robust examination

extending from the colonial period through the failure of the SDR and the failed UN intervention.

I.M. Lewis' latest and penultimate book, *Understanding Somalia and Somaliland: Culture, History, Society*, is in large part a rehash of his previous work confirming his previous arguments, however, it was published after the fall of the UIC. As with all of Lewis' works on Somalia, he continues to distill Somali society to the basic organizational units, with a continued focus on *dia*-paying groups. In this book Lewis devotes a short section to covering some of the issues related to the rise of the UIC during the period through early 2006. However, this discussion is limited at best, and only superficially deals with the issues. This appears to be an opportunity lost from such a venerable Somali scholar.

Dr. Abdi Ismail Samatar is another notable Somali scholar. Dr. Samatar is a professor in the Geography Department at the University of Minnesota, and an ethnic Somali. Samatar specifically disagrees with the relevance of I.M. Lewis' opus, *A Pastoral Democracy*. In his retort he states:

Somalis are said to be pastoral democrats who are equalitarian, albeit without marshaling any evidence to verify such a proclamation. What is amazing is that those who postulate the traditionalist thesis and subscribe to its assumptions have not seen the need to update *A Pastoral Democracy*, given the phenomenal growth of livestock and urbanization, and the development of non-traditional nodes of power.<sup>4</sup>

This is puzzling given that Professor Samatar specifically recommends a return to *xeer*, as the best way to enter into a future Somali peace process. In the same article he states the following:

*Xeer*, was socially constructed to safeguard security and social justice within and among Somali communities, with other values being added as the people of the region 'embraced Islam in the eighth century'. Thus, any evaluation of 'a Somali tradition' needs to consider the full constitution of communal relations; namely, the complex of *xeer*, Islam, and blood ties.<sup>5</sup>

Barring his rejoinder of Lewis, this researcher believes that Lewis and Samatar generally follow the same line of thought that Somali culture functions best when governed at the local level, not by an imposed externally designed organizing structure.

Virginia Luling provides a critical look at how Somali genealogy is applied to the individual Somali, in an article she wrote in 2006 for *Third World Quarterly*, entitled "Genealogy as Theory, Genealogy as Tool: Aspects of Somali Clanship." She has a fascinating ability to decipher the ideas about genealogy originally proposed by I.M. Lewis into a mental model that is understandable by those outside of Somalia.

Specifically she writes:

An interesting question is how the Somalis visualize their genealogical system. We know how European-educated people visualize it; we have all been trained to see a certain diagram, with the name of the originating ancestor usually at the top, connected by horizontal and vertical lines to his descendants, rather like a chandelier.<sup>6</sup>

She goes on to demonstrate that for the Somali they are effectively, "...at the center of a graduated circle of kin...in traditional Somali culture, since it is mainly oral, there is no standard diagram, and presumably each person forms his own mental picture."<sup>7</sup> This researcher believes that the salient point is that the model that the Somali understands is significantly different than what an American or European may consider an accurate depiction of their own family tree. This researcher argues that this is an incredibly important insight especially in the wake of the clan dispersion at the hands of the Barre

regime, and its long term impact after the collapse of the SDR. If the chandelier is shattered then it cannot be particularly relevant in forming the peace process entering argument.

In the wake of the collapse of the Barre regime, Luling wrote an article entitled “Come Back Somalia? Questioning a Collapsed State.” In this article, she postulates that the issue in Somalia revolves around the fallacy of the traditional nation state as applied to Somalia. Luling writes:

The state which has disappeared was, as in most of Africa, an essentially artificial one, 'suspended above' a society which would never have produced it and did not demand it. This 'mis-match' between state and society is the essence of the problem. Somali intellectuals are acutely aware of this, most often castigating not so much the inappropriate nature of the state as the divisiveness of their inheritance from a society consisting largely of nomadic livestock herders-the 'nomadic mentality'.<sup>8</sup>

She goes on to discuss the implications of allowing Somalia to fragment into a number of smaller states, rather than as one singular artificial nation state. Her views are important and could play a key role in identifying a long term political system that may work in Somalia.

While not specific to Somalia, Kimberly Marten wrote an article entitled “Warlordism in Comparative Perspective.” This article helps to establish how warlords could become established in the face of the *dia*-paying group and *xeer*. What is interesting is her insight as to how throughout history warlords have had exploitable similarities that could be leveraged to defeat them and allow for change. She states:

Warlordism has shared a remarkably similar set of characteristics across time and space. More important, the end of warlordism in both medieval

Europe and Republican China was sparked by two crucially similar factors: (1) the emergence of strong, aggrieved economic interest groups that led the charge against the existing system; and (2) the appearance of transformative ideas from outside the existing culture that supported those groups' aims and convinced an increasingly literate population of the desirability of change.<sup>9</sup>

In her view, it would appear that the great impetus for change was driven by economic necessity motivating the business community to remove the warlords. There is certainly ample precedent in Somalia where the business community led the way toward creating a stable environment to establish economic progress.<sup>10</sup> It will be left to the researcher to see if her second point is as relevant in Somalia.

## ISLAM IN SOMALIA

Islam has been established in Somalia since the eighth Century, quickly supplanting the animist religions in place before. The role of Islam must be considered a major factor in any attempt at safety and security in Somalia. In the past fifty years, Islam was met with active attempts to disrupt its influence in Somali society especially during the Barre regime. However, all of these attempts have been rebuffed. With respect to the UIC, Islam provided for the rule of law under *Shar'ia*, and the senior leaders were by and large religious clerics, the *wadaads*. However, in the post 9/11 world the West, and in particular the Bush Administration, did not necessarily view *Shar'ia* in a positive light, in particular if considered part of an extremist ideology. In many ways the Ethiopian regime leveraged this viewpoint to garner support for its invasion to rid Somalia of the UIC.

Returning back to I.M. Lewis' *A Modern History of Somalia, Nation and State in the Horn of Africa* for a moment, he articulates the historical impact Islam has had as the great unifier in Somalia. He argues that religion is one of two elements of Somali culture that can help to overcome local rivalries and discord, the second being an irredentist agenda. He states, "Muslim Orders contribute to national unity through Islam and seek to overcome the sectional rivalries which separate men in their secular activities."<sup>11</sup> This has proved to be an important aspect of the Somali experience as all Somalis relate to Islam in basically the same manner. I.M. Lewis points out in the later editions of this book the fact that Islamic nationalistic groups, such as the AIAI, were becoming an increasingly important force in Somali politics providing for basic social needs (e.g. schools, hospitals). He makes a particular focus on the historic case of the Dervish State's use of Islam as a galvanizing force coupled with an external aggressor's actions toward Somalis as a locus of focus.

In *A Pastoral Democracy*, Lewis refers to the use of *Shar'ia* law as the framework of law amongst the particular nomad population that he was studying in the hinterlands. *Shar'ia* was allowed to flourish there because the British colonial administration did not apply secular laws outside of the urban areas under its direct control. I.M. Lewis focused on the use of *Shar'ia* law as a fair system of justice and ordering *vis-à-vis* a *dia*-paying group, stating "compensation for physical injuries and homicide is based on the *Sharia*."<sup>12</sup> Another important element of Somali cultural interface with Islam, discussed in this book, is the *wadaads* acting as mediators between warring factions, transiting here and there without fear for their lives. He goes on to



describe that Somalis make a distinction between the warrior class (*waranleh*) and the *wadaads*. This distinction is critical in that *wadaads* are not full participants in the *xeer* system within a *dia*-paying group, in turn allowing them to remain nominally unbiased and able to act as an honest broker between factions.

I.M. Lewis has also written a number of scholarly articles related to religion in Somalia and the Horn of Africa. Two in particular are notable: the first, written in 1955, is “Sufism in Somaliland: A Study in Tribal Islam,” and the second, written in 1963, is “Dualism in Somali Notions of Power.” The first focuses on the particularities of Islam within Somali society, and how coupled Islam is enhanced by the local manner in which Somali’s govern themselves, albeit anathema to a Western style of governance. For example in the first article, Lewis states, “Tribal Sufism has always tended to form a conservative barrier against European administration and many of its adherents have strongly opposed the extension of education lest it should undermine their authority. Administrative hostility, real or imagined, has reinforced the esoteric and clandestine character of Sufi practice...”<sup>13</sup> Therefore, it should not have been a complete surprise that post-colonial Somalia could not universally install an external governmental structure that would be embraced by all. The second article points out that the Somali are a practical people and although they have a common bond in Islam, it has not blinded them to the realities of living in the conditions in which they have found themselves, rather, it has been combined with local customs to have a distinctly Somali character. Lewis states:

God then in Somali eyes is remote, all-powerful, judging, and just. Men turn to Him in sorrow and distress as well as in joy and thanksgiving. He is the ultimate focus of causation, the ultimate source of life: men, for instance, 'beget' children, but God 'creates' them. Sickness and health, ill-fortune and good, exist only with His consent and are ultimately in his control to withhold or bestow. Luck (*nassiib*) is in the gift of God; and although magico-religious procedures are resorted to remove sickness or to palliate it, misfortune and illness are rarely ascribed to the action of sorcery or witch-craft.<sup>14</sup>

This text also elaborates on Lewis' beliefs that Somali culture has the capacity to ameliorate the effects of extremism in order to ensure the collective good. This is a theme he carries through most of his writings.

Following on Lewis' foundational documents, Dr. Ken Menkhaus wrote an article prior to the UIC gaining control of Mogadishu. Menkhaus is a professor at Davidson University, and had previously served as Special Political Advisor to the UNOSOM I peacekeeping mission. His article is entitled "Governance Without Government in Somalia, Spoilers, State Building, and the Politics of Coping." This article identified some of the factors related to the grassroots rise of the courts as uniquely Somali, including the use of *Shar'ia* as the framework of safety and stability. Notably, he makes the point that the use of *Shar'ia* allowed for increasing the economy of Somalia. He states, "*Shar'ia* courts were formed and controlled by a coalition of local interests, including clan elders, businesspeople, and traditional sheikhs. The courts operated within, not in opposition to, Somali customs — parties to a dispute or crime could choose between customary or *Shar'ia* law."<sup>15</sup> This is an important distinction, as he recognizes the ability of the developing UIC to work toward the betterment of the Somali people by working within social and ethnic norms in concert with Islam. Unlike Lewis, Menkhaus

did not make the connection that the courts used *xeer* in combination with *Shar'ia* to minimize extremist behavior, although he alludes to the collectivist nature of the Somali people. Given his personal and continued connection to the U.S. Military it is not entirely surprising that this omission may have been overlooked.<sup>16</sup>

In, *Shar'ia: Islamic Law in the Contemporary Context*, Abbas Amanat and Frank Griffel provide an excellent treatise on the use of *Shar'ia* in the world today. This book works toward demystifying the term, and its usage, as well as decoupling it from groups that have hijacked Islam for their own nefarious purposes. They contend *Shar'ia* is all about law and order and not about oppression of the population. For example, they write, "... justice regularly appears first on the list of values, and not only in the writings of committed Muslims. Non-Muslim scholars equally consider justice to be the most basic and characteristic value, or virtue, of Islam, even though they may differ in their interpretation of its scope and meaning."<sup>17</sup> Their thoughtful discussion of the issues related to *Shar'ia* provides a jumping off point for understanding the legal framework the various courts to leverage for law and order. They make effort to discuss how certain groups (e.g. Taliban, AQ) have misused *Shar'ia* and that this has caused justifiable angst among secular governments including the United States. Additionally, they discuss the use of *Shar'ia* in states such as Turkey which has a blend of secular and religious law.

In 1980, I.M. Lewis wrote an article entitled "Islam in Tropical Africa," where he described the reasoning behind historical uses of *Shar'ia* law to facilitate in trade in Somalia. In this article, he elaborates on the use of the commercial and economic law

aspects of *Shar'ia* allowing businessmen to work around traditional cultural requirements to spread the wealth. He states:

Converts to Islam [took] advantage of their new legal position to deny specific kinsmen a share in newly acquired wealth. In this fashion, when new economic conditions favor individual enterprise and effort and at the same time reduce the need for collective solidarity in the old sense, those aspects of Islamic Law which stress the economic independence of the individual are readily seized upon. [Such a] conflict of laws as may ensue is likely to lead to a further entrenchment of the *Shar'ia*.<sup>18</sup>

His salient point is that using *Shar'ia* as a framework of economic law makes sense on multiple levels, especially in the absence of secular laws. In particular he highlights that there is an economic benefit to do the same to enhance the wealth of those with money.

Ken Menkhaus notes that *Shar'ia* law allowed for the development of commerce and economy, in a 2003 article in *Review of the African Political Economy*, entitled, “State Collapse in Somalia: Second Thoughts.” In this article he provides some ideas behind the rise of economic development at the beginning of the UIC’s formation.

Menkhaus states:

Businessmen who initially profited from a war economy have made the transition to quasi legitimate commerce in import-exports, telecommunications and transport, and in some cases hold valuable fixed assets which cannot be relocated in times of war. They thus have a greater interest in peace and paying customers, not armed clashes and famished people.<sup>19</sup>

This article provides a snapshot of the conditions in Somalia prior to the point that the rise of the UIC was obvious to outside observers. It also alludes to the fact that the business community was starting to retool itself toward a different economic opportunity afforded by changing conditions.

An International Crisis Group (ICG) report, *Somalia's Islamists* in 2005, further revealed the linkage between the business community and the early UIC. The ICG argued that a particular businessman would nominally have to be part of a *dia*-paying group, and the prosperity of his business would also ensure that of his fellow group members. This relationship included financially supporting the military capability of the individual group to ensure personal economic success. The ICG points out, that "...in the absence of a police force, each court maintained its own militia, usually paid for by contributions from the clan's businessmen."<sup>20</sup> This theme is reinforced throughout the report continuing to bolster the observation that *Shar'ia* was coupled to economic primacy for multiple reasons.

Hand in hand with an understanding of *Shar'ia* is a consideration of the UIC's use of the term "*jihad*" to describe their conflict with the Ethiopian regime. This is particularly important as this word, along with its various manifestations (e.g. *jihadist*), has been misused and misunderstood and has been an emotionally charged term. By the same token, in the wake of the events of 9/11, it is equally if not more important for those who call for "*jihad*" to be very careful in making clear their intentions. This word was used on both sides of the conflict in Somalia throughout the final months leading to war, albeit in different contexts and viewpoints.

John Kelsay's book, *Arguing the Just War*, argues that *jihad* is a corollary to "just war." It appears his view is primarily one-sided and is very conciliatory toward the Muslim side of the discourse. Kelsay does outline many of the historical uses of the term

and its application. He debates that Islam is not a religion of war and conflict more than any other. In his opinion it is a religion that promotes peace, and only resorts to violent conflict as a last resort. Kelsay states:

Islam promises peace to those who follow the natural religion of humanity. It commands its followers to strive for peace. It does not, of course, understand peace as a simple matter of the absence of conflict. Rather, Islam is associated with the idea that peace requires justice and that these terms signify a condition best served when human societies are ordered in ways that may be described as legitimate.<sup>21</sup>

Kelsay goes to lengths to ensure the reader that the term *jihad* in the context of military conflict requires reflective contemplation. This researcher believes that taking Kelsay's argument at face value is dangerous from the perspective that it is one-sided and requires that the external audience (e.g. the Bush Administration, or the Ethiopians) accept that the group or person declaring "jihad" is articulating their position as merely defensive in nature. However, there are certainly modern examples of the term being used in an offensive hostile manner that Kelsay pays little time or service to. The reality of the world is much more complex than this, and it was incumbent on the UIC to clearly and definitively articulate what was meant by its declaration of *jihad*.

The perception of the use of *jihad* being met with serious concern in the secular world is not simply an abstract notion. The venerable scholar Bernard Lewis describes the use of *jihad* as a corollary to the Crusades. However, he makes the point that in practical application it was not the same thing. In his 1995 book, *The Middle East: A Brief History of the Last 2000 Years*, Lewis states:

Even the Christian crusade, often compared with the Muslim jihad, was itself a delayed and limited response to the jihad and in part also an

imitation. But unlike the jihad it was concerned primarily with the defense or reconquest of threatened or lost Christian territory... The Muslim jihad, in contrast, was perceived [by Muslims] as unlimited, as a religious obligation that would continue until all the world had either adopted the Muslim faith or submitted to Muslim rule.... The object of jihad is to bring the whole world under Islamic law.<sup>22</sup>

This is a critical insight into the concerns of those in the circles that revolved around the Bush Administration. The perception is clearly that the use of the term in a martial sense could only mean a religious holy war of unlimited aims, to paraphrase Clausewitz.<sup>23</sup>

### SOMALI NATIONALISM AND THE ETHIOPIAN CONNECTION

The linkage between Somali nationalism and irredentism is in many ways the catalyst for conflict between the Somali people and any regime in Addis Ababa. This threat to Ethiopian hegemony has taken two forms. The first of these has been nationalist movements under the banner of Islam during the Dervish State, and the second under the socialist SDR. In both basic forms there has been a rallying cry to create a greater Somalia to place all of the Somali people under a single flag. However, this irredentist agenda has also focused the people on an external problem rather than on internecine conflict.

William H. Lewis' essay, "The Ethiopian Empire: Progress and Problems," gives an excellent backdrop to identifying how Ethiopia and its people perceive themselves religiously and ethnically, and the domination exerted by the regime in Addis Ababa on the Somali population in the Ogaden. This article provides an interesting historical perspective written prior to the establishment of the state of Somalia. He goes on to

explain that Ethiopia, as juxtaposed to Somalia, is not a land of a single ethnic group but rather an amalgamation of different groups under the dominance of whichever tribal group has control of the central government. They could not be more different in that respect. W.H. Lewis writes:

Ethiopia stands on the cultural frontiers of Africa and the Middle East. The country's varied population... is a reflection of Ethiopia's double heritage. It contains a mélange of Hamitic, Mediterranean, and Negroid peoples who speak more than 35 different languages and dialects and who follow Christian, Muslim, or pagan rites.<sup>24</sup>

He goes on ascertain that the tribes in control of the central government have historically been Christian and have proudly rebuffed any previous attempts of Muslim conquest. He elaborates that this significant point of friction has caused bloodshed and turmoil in the Horn of Africa for over a thousand years.

Bahru Zewde's, *A History of Modern Ethiopia, 1855-1974*, is a foundational document describing the background for Ethiopian nationalism, and its claims to the territory over which it is sovereign. To a certain extent Ethiopia is unique in its claim that it has not been conquered by an outside foe and in its assertion that it maintains a right to hegemony of East Africa. Their termination of the war against the Italians at the Battle of Adwa, in 1896, confirmed the Ethiopians place at the bargaining table with the European powers. Zewde specifically elaborates on the impact of the Battle of Adwa remarking:

Few events in the modern period have brought Ethiopia to the attention of the world as the victory at Adwa. As a counter-current to the sweeping tide of colonial domination in Africa, it shocked some as it encouraged others. It forced observers, politicians and businessmen to reassess their positions.



The racial dimension was what lent Adwa particular significance. It was a victory of blacks over whites.<sup>25</sup>

The long term impact on history to this military victory cannot be understated, as it forms the basis of the current political boundaries of Ethiopia. By and large, these borders have remained stable with the exception of the annexation and eventual loss of Eritrea in 1991.

The victory at Adwa also set the conditions to prevent further carving up of the Horn of Africa by the European powers. In the wake of this victory, the British were quick to safeguard their position by signing a treaty with Ethiopia. Somali scholar Mohamed Jama observed this in a 2004 article entitled “The Political Ecology of Somaliland,” in which he articulated that the establishment of a firm delineation of the colonial borders was established following Adwa, but was also not representative of the Somali people’s ethnic dispersion. In the article, Jama stated:

The social basis of ecological decline was politics: the signing of the 1897 Anglo-Ethiopia Treaty under which the Haud and Ogaden – one third of the territory of Somaliland was transferred to Ethiopia the impositions of boundaries which severely limited and hampered the traditional ways in which the people used and managed the land; and the wars of pacification and resistance. The imposition of boundaries as central to the whole colonial project and as many have pointed out had a dramatic impact on the life of Africans.<sup>26</sup>

He goes on to establish that Ethiopian hegemony was assured until at least the Abyssinian Crisis of the 1930’s. Even after the post WWII decolonization efforts these boundaries are still relevant and have a significant impact on Somalia as a state and the Somali people today.

Beyond the Ethiopian expansion, the establishment of the Dervish State in the 1880's is the first example of modern Somali nationalism, in this case also framed as part of an Islamic movement. Further, in the collective Somali mind, the Dervish leader Sheikh Muhammad Abdullah Hassan conjures up a nationalist figure to act as a rallying point. This notion is clearly expressed in an article from 1964, by Robert Hess, on Sheikh Hassan's development of the Dervish State. Describing Hassan's ability to rally the people around the notion of the State, Hess writes:

With the establishment of the Nogal protectorate and the Italian recognition of the Mullah as a political as well as a religious leader, the prestige of the Mullah rose high among Somalis of all tribes. Somali tribalism, however, asserted itself even in this non-tribal movement, which was dominated by the Darod; the dervish followers of Muhammad Abdullah Hassan were for the most part from the Dolbohanta ... other Somalis saw the Mullah as a symbol of revolt, the embodiment of their nomadic concept of freedom and liberty and of their dislike for the non-Somali.<sup>27</sup>

Hess' article highlights that there is great strength in using a common framework of law and order coupled with an external aggressor in order to focus the attention of the Somali people externally, rather than fixating on internal disputes.

I.M. Lewis elaborated on the Dervish State by showing that the leadership of a single individual, in the role of supreme *wadaad* or mullah, was able to hold back the tide of colonialism. He wrote:

[Hassan] led with conspicuous success the rebellion against the British, Italian, and Ethiopian governments, which earned him the nickname of 'The Mad Mullah'. He was a man of great learning, having studied religion in many Muslim centers outside Somalia, and combined the unusual measure of all those qualities of panache and skill in the management of human frailties which Somali most admire.<sup>28</sup>

However, I. M. Lewis describes the Dervish State as a cult of personality that could not survive the death of Mullah Hassan, providing some insight into how a single leader does not seem to work for any length of time in Somalia. Parallels would later be drawn with Mullah Hassan and the UIC's Sheikh Aweys, as nothing more than a modern Islamic extremist bent on establishing an African Taliban regime in the Horn.<sup>29</sup> Of course, Sheikh Aweys was not only a *wadaad*, but also a founding member of the AIAI; this effectively branded him as a lifetime terrorist. Thereby, working in the favor of the Ethiopian's ability to leverage his background and obfuscate any positive impact of his involvement.

At a minimum, the storyline that "Aweys plus the AIAI equaled AQ" was a narrative that resonated in Washington, that only a select few unenthusiastically attempted to dispel. A Congressional Research Service (CRS) booklet entitled, *Somalia: Current Conditions and Prospects for a Lasting Peace*, written by CRS analyst Ted Gagne, articulated that the view that the AIAI-Aweys connection may not have been particularly dangerous. Dagne expressed the opinion:

Hassan Dahir Aweys was elected to head the Legislative Council. Aweys was one of the top leaders of [AIAI] and was designated by the Bush Administration as a terrorist. Sharif Sheik Ahmed, the leader of the Courts, was appointed chairman of the Council's Executive Committee to lead the day-to-day affairs of the Courts. Some observers and government officials have erroneously described Aweys as the leader of the Courts. However, the moderate leader of the Courts, Sharif Sheik Ahmed, was never replaced by Aweys. Some observers argued that referring to Aweys as the leader of the Courts was deliberately designed by some groups and governments to give the Courts a negative image.<sup>30</sup>

This was a marked change of tenor from previous writings emerging from the CRS in the preceding years. This view was ignored by senior members of the Bush Administration, most importantly Ambassador Frazer the U.S. Assistant Secretary of State for African Affairs.

Iqbal Jhazbhay, the South African Ambassador to Eritrea, wrote a critical article outlining many of the issues related to the AIAI in an article entitled, “Islam and Stability in Somaliland and the Geo-politics of the War on Terror.” He drives home the point that the AIAI had become a major national security issue for the Ethiopian regime as a direct result of their sponsorship of the ONLF and the many splinter groups emanating from that organization. He wrote that from the Ethiopian perspective “the AIAI set the stage for one of Ethiopia’s major terrorist related preoccupations emerging from Somalia’s state collapse: the emergence of the Somali Islamist insurgent group...emerged as the most visible of several Somali Islamist movements located in and around Mogadishu.”<sup>31</sup> He goes on to show that the AIAI was an umbrella organization providing for the everyday needs of Somalis while at the same time supporting the efforts of the ONLF to break the Ogaden away from Ethiopia. In many ways the AIAI was similar to Hamas in the Levant, in as much as providing for basic needs and social institutions while concurrently fighting an insurgency.

While it is true that the AIAI did conduct military actions against Ethiopia, and supported the Ethiopian separatist ONLF, it is not as simple as it would appear. Sally Healy described the supporting role played by the AIAI in the increasing violence in the

Ogaden at the hands of the ONLF in her article “Danger Zone.” She stated, “the [AIAI] fomented rebellion in the Ogaden region through the mid- 1990s and carried out a number of terrorist attacks inside Ethiopia, typically bomb blasts in city hotels. In 1996 and 1997 Ethiopian forces attacked and destroyed Al-Itihaad strongholds in the Lugh region of Somalia.”<sup>32</sup> This is relevant in as much as there were multiple precedents of Ethiopian government military incursions, under the concept of self-defense, into Southern Somalia after the failure of the Barre regime. Nominally these were conducted in order to ensure that base areas and safe havens were not established to provide operational and logistical support to the ONLF. Keeping the connection alive between the UIC and AIAI would only play into the long-term ability to conduct cross border incursions with impunity in order to maintain the *status quo*.

To gain a true appreciation of the Ethiopian perspective there are numerous speeches and articles published by the Zenawi regime that have been made available on the internet, assisting in gaining insight into the Ethiopian view of the UIC. This is fortunate, as it provides a graphic picture of what was being represented to the Americans by the Ethiopian regime and the very real angst shown by the regime. The regime was able to leverage the Bush Administration by crafting arguments that seemed to work within the Bush Administration’s *National Security Strategy* and other supporting documents to provide the *causus belli*, as well as the operational and tactical support, for counter-terrorist operations under the post 9/11 mandate. While this last point is subjective at best, what is clear from these various statements is that the Ethiopian regime clearly articulated the position that the UIC was viewed as a terrorist organization,

aligned with Eritrea its arch enemy, and a very clear and present danger to its sovereignty not to be tolerated. In one particular example from June 2006, Prime Minister Zenawi proclaimed:

Ethiopia, naturally, like any country, [reserves] the right to defend ourselves against all attempts to destabilize our security and stability. We are aware of course that the Union of Islamic Courts is a Union of desperate forces...jihadists led by Al-Itihaad Islaami, which I am sure you know, is registered by the United Nations as a terrorist organization. Many of you would remember that Al-Itihaad had been involved in terrorist outrages here in our capital. And so, it is absolutely prudent and proper for us to take the right precautionary measures.<sup>33</sup>

This *prima facie* evidence was the kind of rhetoric being communicated to the U.S. State Department, but was also available to any external stakeholder, including the UIC. There appears to be a dearth of response officially attributable to the UIC, which is critical, as this one-sided message would work counter to the UIC's aims in the region. If the UIC had made positive attempts to communicate its message, the necessity of armed conflict between the Ethiopians and the TFG against the UIC may have been averted in the summer of 2006.

To be fair, the Zenawi regime was being presented with the prospects of fighting a war on two fronts, with the Eritrean army and a Somali insurgency. Therefore, an understanding of the threat perceived by Ethiopia *vis-à-vis* its archenemy Eritrea and its impact in the Horn is important. Prime Minister Zenawi made the connection between the UIC and Eritrea in a speech stating:

The Eritrean government has demonstrated no interest in conducting a peaceful policy in its relations with its neighbors. Instead, Asmara is pursuing a strategy it had devised to disturb the peace in the Horn countries including Ethiopia. Eritrea's actions of arming radical elements in Somalia,

which are well known, have been confirmed by United Nations reports and constitute concrete manifestations of Eritrean strategy of destabilizing the region. In short, the Eritrean government has confirmed, through its actions that it stands to be a source of destabilization in the Horn of Africa and a mentor of radicals and terrorists.<sup>34</sup>

This was further complicated by the pending failure and disbandment of the UNMEE peacekeeping mission.<sup>35</sup> Zenawi continued to make the connection between the actions of Eritrea and the shattered remnants of the UIC in another speech marking the year anniversary of the Ethiopian invasion, stating, “Eritrea has been actively destabilizing the African nations of the Horn... They give shelter and harbor international terrorists including [Sheikh] Hassan Aweys who is on the list of terrorists of the United Nations.”<sup>36</sup> It would appear that the Ethiopian government clearly made efforts to articulate its concerns and identify redlines in the Horn needed to ensure its own security needs. To the Ethiopian’s credit they never were duplicitous as to what they meant to convey and to whom the message would be delivered.

To some it was apparent that Ethiopia was attempting to keep Somalia fractured and weak, well before the rise of the UIC. Patrick Giles outlines the Ethiopian desire to keep Somalia a place where it could operate with impunity, and maintain de-facto control, in a 1999 *African Affairs* article entitled “Somalia.” Giles writes:

Ethiopia's long-term political interest is for a weak, enfeebled Somali state. It has made several attempts to try and organize Somali national reconciliation conferences, of which it has the [African Union] mandate; but more recently it has appeared ready to endorse the idea of regional administrations as an alternative to a national structure. It also has an active parallel military policy originally designed to crush the [AIAI], which has claimed involvement in a number of bombings inside Ethiopia and had been active in support of the ONLF in Ethiopia's Somali region. Ethiopia made the first of a number of cross-border attacks on al-Itihaad bases in 1996,

subsequently seizing and holding Dolo and several other small towns in the Gedo region of Somalia for almost a year in 1997.<sup>37</sup>

The Ethiopian desire to leverage what factors it could to enhance the factionalization of the Somali political process is not without surprise. In the process this active political meddling would ensure that a potential ally of Eritrea would never become militarily competent on the conventional battlefield.

#### U.S. INTERVENTIONISM FROM 1990'S TO THE PRESENT IN SOMALIA

The United States has had furtive starts and stops in its involvement in Somalia. The Barre regime became loosely allied to the United States during the Ogaden War, but never truly benefitted from it in any substantive way. However, it was in the failure of the Barre regime that the modern American approach toward Somalia was formed. The collapse of the state and the descent into chaos resulted in the U.S.-led and UN-sponsored humanitarian assistance mission in Somalia and eventually its spectacular failure resulting in the international community's humiliating departure. This resulted in the worst possible consequence of failure, with the rise of the Warlord Era and pervasive tyranny. The experience ensured that the United States would maintain its distance from future Somali peace efforts, beyond supporting basic financial and diplomatic engagement. In essence it was an arms length's approach to Somali statecraft and peacemaking.

The literature framing how the United States came accept the Ethiopian rhetoric to provide support for their war is readily available. Dr. Ken Menkhaus wrote a number



of critical articles about this issue. Due to his subject matter and real world expertise he is highly regarded in professional military circles.<sup>38</sup> Menkhaus authored a number of contemporary articles, one in particular, “Governance Without Government in Somalia, Spoilers, State Building, and the Politics of Coping,” is of particular interest. This article gives an overview of the history of Somalia from the fall of the Said Barre regime, through the rise of al-Shabaab from the ashes of the UIC. In this article he discusses the TFG’s lack of legitimacy in the eyes of the average Somali, and the impasse between it and the UIC. He also highlights that many of the members of the TFG were also warlords involved in fighting the UIC during the lead up to the Ethiopian invasion. The significant point is that he contends the UIC went from a broad consensus-based organization to a hard liner militant Islamist group, bent on creating a new Caliphate in East Africa overnight. While this view was contrary to the evidence presented by others, it did inform the argument for U.S. military and Department of State planners who in turn proposed that the UIC could only be dealt with by force.

Sally Healy’s aforementioned article, “Danger Zone,” goes further in making the connection between Ethiopian protectionism and American patrimony. She was able to outline many of the factual statements and highlight the efforts made by participants in the discourse. She outlines the general synopsis of her position as follows:

Ethiopia has warned that at least some of the Islamists in Mogadishu aspire to much more than the restoration of government under Islamic law. They allege it includes elements with a radical agenda and links to Al Qaeda that could indicate support for terrorism. Washington is listening and has gone from being a barely lukewarm supporter of the transitional government to taking an active interest in Somali affairs. U.S. Assistant Secretary of State Jendayi Frazer says that the Courts are led by 'extremists radicals right now,

not the moderates we hoped would emerge'. Jihadist enemies of the U.S. have no doubt pricked up their ears.<sup>39</sup>

Healy's insight displays that she believes that the dynamic between the Ethiopians and Americans has everything to do with the attempt to thwart any possibility of the spread of a Taliban-like government in the Horn of Africa, and exclusive to the Ethiopian's perspective, prevent a Somali irredentist agenda from arising again.

It will be important to identify what information was available to provide insight into why direct support was provided by U.S. government, and the Administration making clear its support for the Ethiopians to go to war. The Bush Administration's foreign policy was clearly and openly defined for all to read in the post 9/11 world. Analysis and understanding of both the *National Security Strategy* (NSS) and the *National Counter Terrorism Strategy* (NCTS) of the Bush Administration is critical to grasping at least the externally articulated national goals and objectives. These documents go together to describe in clear terms the U.S. foreign policy toward groups such as AIAI or the UIC. More importantly, these documents provide a de-facto checklist to make a justification for American military intervention or to convince American decision makers to accept other country's martial exploits, in the case of the UIC this was used to great effect by the Ethiopian regime. Armed with this knowledge any allied regime could make their argument fit nicely into the American mental image of what was a terrorist organization.

The aforementioned Bush Administration strategic documents were informed by other sources, such as the CRS booklet from January 2002 penned by CRS analyst Ted

Dagne, *Africa and the War on Terrorism*. This booklet identified the UIC as effectively run by the AIAI, in essence the same under a new name. This booklet and others like it framed the mental image of American policy makers in the Congress and the Administration. To be fair Dagne does point out that the Ethiopian regime was working in its own best interests. In it he states, “Ethiopia’s principal interest appears to be to ensure that a united Somalia does not pose a threat to Ethiopia and that the Somali-inhabited-region of Ethiopia remains stable.”<sup>40</sup> He also points out that the AIAI “is the only Somali group identified by the Bush Administration as a terrorist organization.”<sup>41</sup> The Ethiopian regime referred to this designation as a continual drumbeat in building the case for going to war. In the same report Dagne explained that the threat posed by the Eritreans could be moderated by ensuring the sovereign in Somalia was amicable toward Addis Ababa, or at the very least a weak Somali state that could be dealt with extreme impunity. He states:

Since the war with Eritrea in 1998, Ethiopia’s interest in ensuring stability and eliminating potential threats coming from Somalia has increased, in part because of concerns of fighting two wars simultaneously. If the perceived threat from Somalia and the Somali region is not dealt with decisively, Ethiopia could be forced to maintain robust forces in both the north and the south-east. But a friendly government in Mogadishu or Hargeisa could relieve Ethiopia of the burden of maintaining a large force along the Somali border, saving Ethiopia scarce resources and helping concentrate its forces along the Eritrea border.<sup>42</sup>

This sage advice did raise the bar for those in Washington looking to contain the fundamentalist threat and prevent general warfare between Ethiopia and Eritrea. Senior leaders in the U.S. State Department made the argument as well making the analogous connection between the actions of the UIC and the Taliban. With both the Afghanistan

and Iraq campaigns still in full gear, and the events of 9/11 still very much in recent memory, it would be a rational decision to assist the Ethiopians in their conquest of what was perceived as the next Taliban-like regime.

One voice heard loud and clear by the Bush Administration was Bernard Lewis, who wrote *The Crisis of Islam, Holy War and Unholy Terror*. This text outlines many of the core reasons that the Bush Administration was swayed to actively pursue Islamic fundamentalist organizations that were deemed anathema to the American way of life. Bernard Lewis states, “Obviously, the West must defend itself by whatever means will be effective. But in devising means to fight the terrorists, it would surely be useful to understand the forces that drive them.”<sup>43</sup> This book attempts to uncover those issues and where the increasingly complex intertwining of cultures cause friction. However, this book demonizes groups like the UIC with little room for compromise. Regardless, Bernard Lewis’ writings, and writings by many like-minded scholars, helped frame the Bush Administration’s response to Islamic fundamentalism. For example, in an 2002 article entitled “Time for Toppling”, Lewis states, “One is often told that if we succeed in overthrowing the regimes of what President Bush has rightly called the “Axis of Evil,” the scenes of rejoicing in their cities would even exceed those that followed the liberation of Kabul.”<sup>44</sup> His thoughts are mirrored throughout the Bush Administration’s global strategies. Therefore, a thorough understanding of his writings referring to the post 9/11 world and how they were used will help build the case why the U.S. policy was incompatible with the rise of the UIC.

The U.S. House of Representatives held a conference on the situation in Somalia in the summer of 2006. In this session, the Assistant Secretary of State for African Affairs, Jendayi Frazer, summed up the Bush Administration position saying, “[The U.S. must] be prudent and look at ensuring that a state does not come up in Somalia that is against all of our interests, that being a Jihadist Islamist state which provides a haven and base for terrorist operations throughout the region.”<sup>45</sup> This statement, and many others like it, demonstrates the approach used by the highest levels of decision makers, without really discussing the long-term implications of intervention, or the possibility of working diplomatically with the UIC. As the senior U.S. Department of State diplomat for the region, her comments were particularly important to bolster the U.S. support of Ethiopian martial efforts, and blunt dissent with the Department.

Another essential contemporary book was Marc Sageman’s *Understanding Terror Networks*, which attempts to explain the nature of Islamic terrorist networks, as understood by the Bush Administration and the U.S. military. Sageman, a former CIA officer, is a subject matter expert who is able to skillfully analyze terrorist networks while providing insight into terrorist organizations’ ideologies, motivation, and actions. His book lays out a framework for discovering parallels between what he describes as a terrorist network, and how it could be applied to the UIC. This is especially important as the core argument in the Administration for invading Somalia revolved around the connections between the UIC and the AIAI as a designated terrorist organization.<sup>46</sup> This is extremely useful as this nodal architecture was used as a simplified way to work out the nuances of a given network.<sup>47</sup> Sageman was also able to highlight what he perceived

as misconceptions by the American government, fueling its mandate to pursue terrorism on a global scale.

Another contemporary text, *Imperial Hubris*, is former CIA analyst Michael Scheuer's landmark 2004 book about U.S foreign policy related to the GWOT. Scheuer argued that the U.S. policy has been fatally flawed and will only serve to increase the ranks of Islamic terrorist organizations in the long run. He believed that long-term American policies only served to validate the beliefs of AQ, and likeminded organizations, and that the United States is on a modern crusade to destroy Islam. Of note, he writes about the possibility of the long term failure of the U.S. intervention in Afghanistan, which appears to have some parallels to the issues in Somalia, especially with respect to warlordism. Scheuer argues that the United States should move to stop active assistance to corrupt regimes. He goes further to point out that the vast majority of insurgencies, from Vietnam through the present, need only wait out the occupying power to win the war. While not specific to the approach toward Somalia, it does provide insight into the overall methodology of the Administration.

## OTHER LITERATURE AND SOURCES

There is a wide breadth and depth of other literature that is informative on the dynamic in Somalia. Notably, there is a vast amount of information on Somalia available on the internet. Fortunately, for research purposes the timeframe in which the UIC existed was also one in which the internet was quite open and unfiltered. Therefore there

is a wealth of information that is available as an effective archive to explore differing points of view on the UIC phenomenon.

Regardless of one's opinion on the legality or morality of WikiLeaks, the fact remains that they released thousands of diplomatic and political documents on the internet. Many of these documents were related specifically to the situation in Somalia during the rise of the UIC. This will prove to be instrumental as they released a number of UN memoranda and diplomatic cables outlining both the Ethiopian and American viewpoints on the situation. Further, they have also released one particularly inflammatory document purported to have been penned by Aweys himself, calling for, "Generous support [should be] given to the Oromo's and the ONLF to weaken the capability of Ethiopia which is our primary enemy as well as the administrations they are using to pursue their agendas."<sup>48</sup> There is significant debate amongst scholars as to the legitimacy of this document, given it was released over a year after it was supposedly written, and refers to events which had not really occurred at that time. This is another reason for the use of hermeneutics in this dissertation.

While not an exhaustive list, there are at least five Somali or Ethiopian based websites that provide a very granular look into what was happening during the timeframe covered in this dissertation. The websites are Banadir.com, Garoweonline, Hiiran Online, Ogaden Online, and Shabelleonline. These websites were written by people on the ground and intimately involved in the dynamic. A Mogadishu based website, Banadir.com, has a well-developed chronological listing of news articles related to

Somalia, as well as a blog. Many of these were written prior to and during fall of Mogadishu to the UIC. Garoweonline is a Puntland (Northeastern Somalia) based website with news that is published in both English and Somali. Due to the location of this source it allows for a critical look at the UIC as viewed from a Somali population that did not want the UIC to impose its rule on them. The third site, Hiiran Online is a news website hosted by Beledweyne University in Southern Somalia, which covered the issues from within Southern Somalia. This university is located in Hiiran, one of the last areas to be captured by the UIC. Ogaden Online is an Ethiopian underground web based news service written in English, Aramaic, and Somali that provides information about the Somali ethnic population in the Ogaden. It also includes a wide range of information about the broad issues affecting Somalia. Shabelleonline is a news website hosted from within Mogadishu itself. This website has a historical archive of information related to the UIC. Fortunately, this website's archive is hosted in both English and Somali.

In general the international press corps has provided a wealth of information giving some transparency in what "is" and "is not" reported outside of classified intelligence channels. AP News was able to obtain information about the Ethiopian troop deployment into Somalia well before official sources revealed it. In one such report AP correspondent Mohamed Olad Hassan, wrote, "6,000 to 8,000 Ethiopian troops are in or near Somalia's border with Ethiopia, backing the interim government. The report also said 2,000 troops from Eritrea are inside Somalia supporting the Islamic courts."<sup>49</sup> This insight serves to disprove the case made by the Ethiopian regime that they were not



deployed to Somalia, while at the same time giving the hardliners in the UIC validation for the call for defensive *jihad*.

Much earlier in the summer of 2006, the AP reported that the UIC was calling for the Ethiopian military to leave their country. This is shown via examples such as this particular report from June of 2006 where, Sheik Hassan Dahir Aweys, speaking on Radio Shabelle, said “Ethiopia's decision to send troops to protect the transitional government in Baidoa ... must be met with war... they came to protect a government which they set up to advance their interests.”<sup>50</sup> This on the ground reporting will assist in validating assumptions into facts, as it provides a view into the UIC during the prelude to war and how the rhetoric was perceived by both Ethiopia and the United States. This underscores the ability of the press to find critical pieces of historical information for conducting research into the underlying conditions in Somalia. This is especially important when so many on the outside had little access given the high risk of being on the ground.

The Associated Press is just one of many news sources and traditional media available as a resource. The British Broadcasting Company (BBC) has a page devoted to its reporting on the UIC and Somalia, which is fortuitous as it has been left as an archive. While written from a British perspective it does provide an authoritative non-American news outlet. The information contained is everything from news reports that are relevant to the UIC, as well as biographies of key participants in the discourse.

Finally, the Economist has written consistently and extensively on the subject of Somalia since the fall of the Barre regime. Their work has been exemplary in following the dynamic in Somalia. While the Economist does not give out the names of its contributing authors it is very balanced and generally written from a non-American perspective. As many of their staff writers are from the region in question, they have the ability to report from the frontlines in Somalia.

## SUMMARY

The review of the literature shows that there is a gap in the knowledge available on how the UIC developed and why it was deemed a threat to the Ethiopians. It would appear that there is adequate research material to move forward on the task of uncovering how the UIC was able to form and challenge the TFG for sovereignty over Somalia. The vast majority of the literature available on Somalia has been focused on aftermath of the Barre regime, primarily due to the international impact on peacekeeping and the resulting failure of bringing peace to the region. There is an increase in the volume of material being released by governments and other international organizations that will serve to help with the development of this research project.

The chapters to follow will develop connections between the disparate pieces of material to form a better understanding of what happened leading up to the December 2007 invasion of Somalia. Hopefully, this dissertation will prove worthy by adding to the body of knowledge available on the dynamic in Somalia and move toward a true and

lasting peace in an area of the world that has seen so much turmoil and bloodshed for the past two decades.

## CHAPTER THREE

### SOMALI CULTURAL DYNAMICS

*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.<sup>1</sup>*

– *Somali proverb*

#### INTRODUCTION

This chapter examines Somali cultural dynamics, aspects, and attributes that may have played a role in the establishment of the UIC. These include the interaction of the *dia*-paying group, the consultative arrangement of *xeer*, and the role of *wadaads*, that together were leveraged to facilitate inter-group dialogue. Somali culture has been under continual threat for some time, from the colonization of Somalia, the rise of the Somali nation state, the establishment of the Barre Socialist regime, and the rise of the Warlord Era. It would appear that any long lasting peace in Somalia would need to defer to these attributes, and the dynamic between them. This dissertation proposes that a solution to the violence be found only by paying heed to the basic fabric of Somali social structure. It would seem that the UIC was able to embrace these ideals.

The fairly homogeneous Somali ethnic group is made up of approximately 16 million people spread across four different countries, see the map in Appendix A, Map A-1.<sup>2</sup> The map shows the geographic spread of the Somali people, and the various clan families to which they nominally belong, falling within the borders of Somalia, Djibouti, Ethiopia, and Kenya. This map provides a simplified understanding of the clan

boundaries of Somali people as viewed by the casual external observer. However, this map is not completely accurate, due in part to the historical effects on the erosion of clan solidarity and homogeneity, caused by Somalis moving from a pastoralist lifestyle to a more modern urbanized economy, and various efforts to further disperse the population across Somalia. The efforts of the Barre regime were particularly damaging and extensive in weakening clan solidarity and the effects of local governance that threatened to counter the state's socialist agenda.

The Somali people governed themselves prior to the introduction of colonialism, albeit at the very local level. It was not until the imposition of foreign state structures did the opportunity exist for opportunists to usurp power on the grand scale and set Somalia up for widespread failure. These opportunists worked counter to the historical Somali way of governance that has historically allowed for peace and stability in Somalia, in particular during the Barre regime and the rise of the Warlord Era. This observation was made in 1992 by Abdi Samatar, who stated:

There is no precedent in Somali history, and hence tradition, of a small number of evil men dominating and brutalizing the rest of the population using kinship as an organizing and legitimating tool. The regard for leaders was voluntary and therefore had to be earned: those who broke the tenets of the two pillars of pre-colonial culture, the *xeer* and Islam, automatically lost the respect and the following of their group. In the absence of institutionalized bureaucratic structures and public largesse, such a tyrannical individual was isolated.<sup>3</sup>

Samatar was describing the recently failed SDR, as a system of cronyism that had purposefully and pervasively established policies to erode the status and influence of the clan, as well as the prominence of Islam. However, that much of the fabric of Somali

culture has survived, even in the face of ubiquitous threats to its existence. It is these survivable elements that this dissertation proposes were the reason the UIC was able to form from the ashes of the State.

## DIA-PAYING GROUP

What exactly is a *dia*-paying group? *Dia*-paying group literally means blood money paying group, as “*dia*” means blood in Somali.<sup>4</sup> This should not be confused with a particular agnatic kin blood relation, rather the ability to pay off a blood debt for having killed a member of a rival group. Historically, blood debts were paid off in camels, typically on the order of a hundred head of camel for the death of a rival group’s *waranleh* (warrior), and somewhat less for a woman or a child.<sup>5</sup> One can see the premium placed on the life of a *waranleh*, given the high value of a camel in a pastoralist society.<sup>6</sup> Today the debt maybe paid off in currency, or other commodity, but in essence the concept remains the same.

Beyond just acting as an insurance policy the *dia*-paying group is a cohesive entity providing the collective membership defense of both its military and economic interests. Generally *dia*-paying groups are organized around a specific economic activity.<sup>7</sup> This activity covers the entire spectrum including traditional ones such as pastoralism or fisheries, as well as more modern such as piracy or cell phone networks. Each member of the group is therefore reliant upon the other members to act in good faith for their collective survival both from a safety and security and economic perspective.

However, this social construct also has the positive impact of limiting extreme behavior of members, lest they place the group's collective welfare at risk.

While the entering argument for affiliation within a particular *dia*-paying group is nominally based on familial blood line, or clan affiliation, it is not a hard and fast requirement either. Membership in a *dia*-paying group is more analogous to a social contract than kinship.<sup>8</sup> This critical point allows for non-blood relatives to participate and join, especially important in the increasing dilution of clan homogeneity in Somalia. I.M. Lewis stated, "Everyone is born into a *dia*-paying group and everyone by birth affiliation in one. But contracts can be rescinded and new ones created."<sup>9</sup> The fungibility of the *dia*-paying group allows for changing economic and security conditions in a dynamic manner. Generally the overall size of the groups is "between some 300 and 3,000 males"<sup>10</sup> as any larger would possibly become unwieldy to make consultative *xeer* decisions, although would be quite powerful militarily. This number can fluctuate to meet a given group's interests and needs. While the upper limit is questionable, there is certainly a lower limit to the size of the group given the high cost of a blood debt payment in light of a group's ability to pay or to defend itself. Even at the largest scale an individual *dia*-paying group would be nominally similar in size to the average warlord faction.<sup>11</sup>

During Said Barre's regime there was a conscious effort to minimize the effects of the traditional *dia*-paying group, and especially the clan. Barre was highly successful in moving large numbers of the population across the State, which impacted local clan

affiliation, but would have less of an impact on *dia*-paying group membership. As described by Iqbal Jhazbhay:

Under Said Barre, “scientific socialism” was imposed as the official ideology that, combined with the suppression of clan-based affiliations, was a basis for political mobilization. This fueled resentment amongst Somalis, generally as a result of their continued adherence to more relaxed traditional forms of [governance.]<sup>12</sup>

This was also observed by I.M. Lewis, who remarked, “Stress was placed on the local settlement as a basic unit of identification in place of clan allegiance, and marriages, traditionally inter-clan affairs, were to be celebrated in Orientation Centers and stripped of clan significance.”<sup>13</sup> Even with this focus, the average Somali would still be compelled to join a local *dia*-paying group in order to assure their personal safety and security and pursue economic activity. The main impact of Barre’s policies was the weakening of the homogeneity of various clans; it would take a much more significant threat at the local level to destroy the *dia*-paying group.

### XEER

The *dia*-paying group is not led by a single leader as juxtaposed to the warlord factions. Rather, what is found is a consensus based organization where adult male warriors get a voice in the debate over group affairs. Where the *dia*-paying group is the structure of organization, it is *xeer* which governs how it is implemented and operated. The corollary would be a policies and procedures manual. *Xeer* is the Somali word that describes, “... the rope placed over the roof of the nomadic hut to give it stability and either fastened to the ground on each side or secured by stones ... thus the implication of



binding, fastening, and of securing.”<sup>14</sup> *Xeer* delineates what rules, rights, and obligations exist between members of the *dia*-paying group and how they are worked out. In essence *xeer* acts as the social glue to establish the rule set for the *dia*-paying group’s given purpose. I.M. Lewis states, “[*Xeer*’s] closest equivalents in English are compact, contract, agreement or treaty in a bilateral sense. Thus several men or parties are said to be of the same *xeer* when their relations are regulated by an agreement, either directly entered into by them or accepted as a legacy from their ancestors.”<sup>15</sup> *Xeer* assures that all elders are provided an equal and equitable vote in decisions for the group.

*Xeer*’s consensus arrangement also had the added benefit of mollifying extreme behavior by individuals. This is a marked difference from the warlord factions, or even the Taliban, with a single leader acting as judge, jury, and executioner. In point of fact, the stability of the *dia*-paying group has been historically compromised only by establishing hierarchical leadership positions. As observed by I.M. Lewis, “The appointment of [leaders] seems to weaken the stability of *dia*-paying groups... it appears that by singling out an individual elder and recognizing him as the leader of a group of equals, jealousies and rivalries are created or at least exacerbated which threaten the stability of the *dia*-paying group.”<sup>16</sup> Indeed, it would appear that the cohesiveness of the *dia*-paying group is a direct result of the *xeer* governance. While this may seem to be anachronistic and counter to modern political efficiencies, it seems to minimize conflict within the *dia*-paying group. During the UIC this arrangement facilitated getting to consensus decisions for the group’s betterment, especially during the early years of its development.

Under *xeer*, there is also a responsibility to attempt resolution of internal conflicts as quickly and justly as possible. Every member of the group is held to the same set of standards and rules to follow as any other member with no individual above the law or held in a higher position of authority. Historically these rules and rights were passed down as part of an oral tradition and were not necessarily part of a written body of law, or even *Shar'ia*. This is described by Lewis as follows:

As the *dia*-paying group is united politically against outsiders, so internally its members are subject to a common rule of law... What is important however is that within the group, although it may have no formally installed head, the pressure of cohesion - compounded by clanship and contract - is such that disputes are settled peacefully, while between *dia*-paying groups this is less likely since there is no over-riding traditional organization to enforce settlement.<sup>17</sup>

Another critical point uncovered by Lewis is that there is not an established group of elders above the level of *dia*-paying group to lead and interface between *dia*-paying groups, much less warlord factions. For that reason, the next higher level of Somali organization (clan or sub-clan) has no standing or formalized structure that has used *xeer* to mediate or manage conflict resolution.

In the end the *dia*-paying group is bound by their social contract and *xeer* binds together the membership for collective safety and stability like the aforementioned tent rope. Bound together, the *dia*-paying group, via *xeer*, has provided a Somali solution to safety and security that would be leveraged to great effect by the UIC. *Xeer* has always emerged as a constant in Somali society to provide stability, especially in the absence of a state structure. This was also noted by Abdi Samatar who remarked:

What gave the *xeer* staying power in the absence of centralized coercive machinery was the voluntarism associated with the absolute necessity of relying and living on one's labor [and] livestock rather than exploiting others. Such an ethic - in conjunction with Islam - prevented and restrained centrifugal tendencies in the lineage system, thereby inhibiting terrible men from plunging the community into a nightmare.<sup>18</sup>

The reliance on the historic elements of Somali structure has ensured that stability remained at the local level. Only by circumventing these principles have the wide ranging problems with safety and security arisen in Somalia.

Prior to the fall of the Barre regime and the descent into chaos, Somalia was an extraordinarily safe place. However, this safety was due in large part to the existence of local governance via the *dia*-paying group, not because of the socialist state structure. As described by Dr. Menkhaus, "Most of the law and order Somalia enjoyed prior to the late 1980s - and Somalia was unquestionably one of the safest places in Africa - was a reflection of social contract more than the capacity of the police"<sup>19</sup> Notably, he observes that the early *Shar'ia* courts grew from within the structure of various *dia*-paying groups in the mid-1990s timeframe.<sup>20</sup> However, this was only in areas where the control of local warlord factions was minimal, therefore allowing for the opportunity of an alternate solution to open up. This made space for the early formation of the UIC. Menkhaus later reflected, "The courts appeared where the power of local warlords and militias was already on the wane."<sup>21</sup> This was a gradual process where the local communities established or re-established the foundational structure of the *dia*-paying group from the ashes of the State.

The most significant consequence of the collapse of the regime was the rise of hundreds of local tyrants that established the Warlord Era. While the warlord factions that arose in the mid-1990's provided its warriors with provisional safety and security, it did little to improve the lot of the average Somali. However, even this modicum of security was tenuous at best, given the ongoing endemic internal and external warfare. Life in a warlord faction was a case of survival of the fittest, "where life [was] cheap and the future ... unpredictable, and incentives to consider either the long term or the public good sorely lacking."<sup>22</sup> This was a situation that could never allow for the development of long term stability, safety, and security of the average Somali; rather, he found himself subject to the whims and impulses of the local warlord... tyranny incarnate. In order to move away from this situation, average Somalis would need a structure in which they could survive and participate, in order to preserve individual safety and security and operate within a fair, if not equitable, system of law and order. This system was to be found within the fabric of Somali society itself.

The question is, could the *dia*-paying group model play an elemental role in establishing a state like structure? This researcher suggests that the UIC was able to leverage the structure of the *dia*-paying group to create a loose confederacy and *ipso facto* the State. The UIC raised *xeer* consultative model to the next level, bound by a common desire for peace and stability. As early as 1997, Virginia Luling may have foreseen that that the institution of the *dia*-paying group could form the entering argument for the establishment of a larger state. Luling argues, "The system grew up in a pastoral traditional situation, and it continues to operate in 'modern' contexts, because it is

not only emotionally compelling, but efficient-from the point of view of the individual, an effective method of organizing.”<sup>23</sup> Luling’s point is relevant given the UIC was able to operate in this basic manner even when it was in control of large geographic areas. This is compelling as the UIC was observed to be able to operate in a manner that was both supportive and acceptable of the *dia*-paying group and beholden to the individual Somali. This was certainly so during the early rise of the UIC.

### THE MYTH OF THE POWER OF THE CLAN

The next level of Somali organization above the *dia*-paying group is the clan. The perception from outside Somalia is that the clan has some sort of special organizational power and structure that can be specifically leveraged to control those within. Nothing could be further from the truth as the clan does not provide collective safety and security, especially so today where the dilution of the clan homogeneity has profoundly changed the landscape. Today the primary importance of clan affiliation comes from the ability of an individual Somali to trace his personal blood line back to the original to the legendary Arabian ancestry and little else.<sup>24</sup> The clan genealogy is outlined in the diagram entitled Somali Clan Families, located in Appendix F. This diagram presents the major clan lines originating from the ancestral Islamic families of the Tenth Century. Unfortunately, this diagram has been continually disrupted over the past seventy years, and therefore its true accuracy and usefulness is highly questionable.

Since at least decolonization in the 1940's the homogeneity of clan has been seriously impacted. This fact significantly complicates the possibility of the clan acting as a legitimate governmental ordering structure. While the Dervish State had a strong affiliation with the clan boundaries, forming its basic alignment, it is drastically less useful today as an ordering tool. Over time the continuing dilution of individuals to a given clan affiliation will continue to make the clan as an organizing structure increasingly irrelevant and unviable. As early as 1955, I.M. Lewis reported this trend stating:

[Clan relations] cease to be always expressible in terms of descent. Here the lineage system is disintegrating. The process of change is gradual; at first territorial units form having a mixed clan or lineage structure in which the political unit is co-ordinate with a dominant clan or lineage. With subsequent development and the continued settlement in the same territorial unit of increasing numbers of immigrants of heterogeneous clan origin, the agnatic lineage structure becomes so distorted and confused that the segmentation of the dominant lineage no longer represents territorial distribution and ceases to have political functions. The principle that neighbors must be agnatic kinsmen, that territorial proximity implies genealogical propinquity, no longer holds.<sup>25</sup>

Massive movements of the population over the past century have continued to impact the issue. On the other hand, the *dia*-paying group has no specific requirement for blood relation as a *sine qua non* for membership. Somalis moving from one area to another simply join or form new groups.

Trying to use the clan as the entering argument for a peace process is made further complicated due to the lack of a clan level of organizational structure that could act as the connector or node to manage lower level organizations in the manner described by Sageman. There appears to be no standing organization to bind it together in a *xeer*

like manner, comparable to the elders in a *dia*-paying group.<sup>26</sup> Another crucial dynamic is that each *dia*-paying group differs in size and composition, therefore, a representative from each group engaging at the level of clan, would have a widely varying military or economic advantage over others severely impacting the *xeer* negotiations. Yet, outside actors continue to focus on the clan as the entering argument for stability in Somalia. The focus on clan is continually referred to in non-Somali literature and lectures but has never proven to work out. The misconception that the clan is the center of gravity of the Somali people has only been perpetuated in this author's experience. Having served in East Africa in 1994, and again from 2007 through 2008, this author and his fellow warriors were told by various Somalia experts about the importance of the various clans.<sup>27</sup> Yet, not a single one was able to describe any sort of legitimate clan level leadership structure that could be engaged diplomatically, in order to make policy decisions, or have an enduring value for ensuring broad safety and security.<sup>28</sup> The United States fell into this trap in its failed humanitarian intervention in the 1990's by misguidedly backing one warlord faction over another.<sup>29</sup> If clan was truly a valid point of entry then it would have had sway over the warlord factions in a proactive manner years ago, which it obviously has not. It most certainly would have been effective at some point since the fall of Barre.

The false impression regarding the nature of Somali clans as a center of gravity in Somalia is not a new phenomenon. For example, the early British colonial administrations assumed that co-opting the Somali clan *aqils* (chiefs) would ensure loyalty and commitment. Somali scholar Mohamed Jama gives an account:

Colonial administrators did not understand traditional Somali politics. They believed that *aqils* (chiefs) ran traditional Somali society, and that they ran it along 'tribal' lines. The chief task of the administrators was to identify the 'tribes' and the *aqils* that rule them, and then to use the *aqils* as intermediaries between the administration and the 'tribes'. Indirect rule depended on the successful completion of that task... This puzzled British officers. They assumed that since the society was 'tribal', the *aqils* must have full authority to govern and mobilize the clan families.<sup>30</sup>

The view that the clan can be led for any length of time by a single figure has been shown to be a misleading assumption. If anything these attempts only served to create mistrust, as one elder was elevated to an artificial place of power, undermining the tenets of *xeer*. This same issue continues to bedevil the peace process today, as the search continues to find someone who can speak for the collective, with none to be found. Yet the TFG was formed along these arbitrary clan constructs to the exultation of many and the disappointment of most. Unfortunately, the apportionment of representatives on the TFG seems to be aligned along a clan affiliation which has been exploited by those with influence and financial resources.

The TFG is nominally made up of representatives of various clans, but was perceived as illegitimate by a large number of the Somali community. The apportionment and allocation of representation is highly questionable with warlords sitting as representatives, and others having never set foot in Somali for many years.<sup>31</sup> This was also observed by I.M. Lewis:

[The TFG] had no public electoral mandate, its UN and EU promoters, who largely sustained it financially, vigorously and suspiciously repeatedly proclaimed that the TNG was the 'legitimate' government of Somalia. But this was definitely not the view of the general Somali public, a significant discrepancy which appeared to be of little or no concern to EU officials and ministers— those purportedly seeking to 'democratize' Africa.<sup>32</sup>



The lack of meaningful inclusive representation at this body serves to alienate Somalis that cannot find safety and security in the TFG. Power and money seemed to be the price of admission. This continued focus on clan membership has only hampered efforts to seek peace and stability, especially coupled with the perception of lack of representation at the individual level much less *dia*-paying group level.

### THE WADAAD... FACILITATOR OF DIALOGUE

In the UIC the standard to participate seemed to be derived from religious affiliation as a *wadaad* and a willingness to come to a conciliatory solution. This was a key attribute that allowed for equitable and fair dialogue between *dia*-paying groups that permitted the early UIC to come together to caucus. The early UIC would not have been able to bring together the disparate *dia*-paying groups if it were not for the ability of *wadaads* to come together unencumbered by a fear for their lives.<sup>33</sup> This was truly a critical enabler of success. The *wadaad*'s capability to move unimpeded in hostile territory to work out collaborative agreements between groups may be the single most important aspect that allowed the UIC to form from out of the chaos. This is also why there were so many clerics forming the membership of the nascent UIC, coming together to work out collective issues.<sup>34</sup>

The ability to move about freely is consequential to an interesting feature of *xeer*. This feature is that that *wadaads* are traditionally not given a vote in the affairs of the *dia*-paying group. The vote is only given to members of the warrior class, the *waranleh*. This is a basic delineation in the *dia*-paying group. As stated by I.M. Lewis, "the Somali

... make a formal distinction between secular and religious activities in terms of *wadaad*, and *waranleh*. In contrast to the position in many other Muslim societies where sheikhs have temporal as well as religious authority... sheikhs are by definition excluded from full participation in political life.”<sup>35</sup> In essence the *wadaad* is the ultimate honest broker in Somalia. This distinction affords a degree of protection to the *wadaad* allowing free transit between various *dia*-paying groups in order to act as arbitrators as they do not take a part directly in the internal *dia*-paying group dynamics. The respect afforded the *wadaad* further underscores that Islam is broadly accepted, if not outright embraced, by the Somali community as a force that is both complementary and harmonious to the Somali way of life. Therefore, it should have come as no surprise that this feature was used to great effect by the UIC to organize early on.

Beyond simply managing conflict between neighboring groups, the primary reason that the early UIC initially came together was to discuss and establish agreements for transporting goods to market.<sup>36</sup> Prior to this, goods moving from one locale to another were subject to the myriad of warlord protection schemes and racketeering activities. This would have had an adverse and chronically negative effect on economic activities to the point that it was economically unfeasible. Where safety and security rested on a razor’s edge with little room for error, it was a critical issue moving forward out of the Warlord Era. To a *dia*-paying group increasing the profitability of economic activities would be of the highest priority, and it only made sense that *wadaads* would be the vehicle to work out the issues to thwart the warlords.

The ability of the *wadaad* to move between *dia*-paying groups and come together would later become problematic for the UIC. This is because it would fall into the post 9/11 basic architecture model for a terrorist group by distilling complex arrangements into understandable systems. As Sageman describes, terrorist networks are arranged as connectors and nodes, all of which can be understood and exploited.<sup>37</sup> Using his network architecture the *wadaad* would act as a connector, with the node being their coming together to caucus. In essence this was a very real perception issue for the UIC, for if any one of the *wadaads* were branded as a terrorist, the entire organization would be subject to treatment as a terrorist organization – a significant and paradoxical situation. As will be described later, this is exactly what happened. While this researcher believes that the node connector architecture that Sageman suggests is convenient, it could also miss important parts and create a misleading understanding of a complex organization, and therefore should be subject to scrutiny before being used as an entering argument for war.<sup>38</sup>

#### WARLORDISM AS A THREAT TO THE FABRIC OF SOMALI SOCIETY

With the failure of the Barre regime the Warlord Era emerged, with each warlord only responsible to themselves, and decoupled from the bonds of kinship. This was also the first time that the *dia*-paying group would be pervasively threatened with extinction as all of the mechanisms which made it work were erased by the warlords. Each warlord jockeyed for position motivated by acquisition of personal power and prestige with the hope of taking charge of Somalia and replacing the Barre regime with one of his own.

The tyranny at the hands of the warlords caused further upheaval in moving people around internally and causing a huge refugee crisis across the Horn. Abdi Samatar states, “each warlord dreamed of replacing Barre, and since there can only be one central seat of power in a unitary country, intra-faction conflicts ensued, reminiscent but more deadly than those witnessed in the highly competitive elections held in 1969. This process left the country fractured, and instigated hatred based on blood-ties not previously recorded in the annals of Somali history.”<sup>39</sup> This last insight is particularly important as the system of blood debts would continue, with no mechanism to stop violence in place; an eye for an eye was the rule, not the exception. There was a clear need for an honest broker to emerge. This was where the *wadaads* of the early UIC would be able to start to bring order between groups.

## OBSERVATIONS AND WARNINGS

The previous pages highlight the basic elements of Somali society that have stood the test of time. They also show the elements of Somali society where the UIC was able to effectively bring together disparate *dia*-paying groups for the greater good. Further success in establishing safety and security must pay heed to the historical importance of the *dia*-paying group; even during the Barre regime, *dia*-paying groups endured and provided basic safety and security in the face of active attempts to erode their influence. While the Warlords Era came close to destroying the *dia*-paying group, it did not. In areas where the warlords became weak, or were non-existent, the Somali’s established *dia*-paying groups to provide security. It was these nascent groups from which the UIC

was itself formed. Future solutions must take note of the waning influence of clan and what it really means for the individual Somali.

Failures of the past have been in great part due to individuals attempting to act as the supreme leader and not work within the traditional consensus organization. It would appear that by elevating some, creating a class distinction that excludes members of Somali society from the table, cannot work in the long run. Previous attempts at establishing these distinctions in Somalia have been ineffective from the colonial period until today. Mohamed Jama maintains, “The elite [have] no interest in a democratic system. They wanted the kinship relation but not the burden of the rules and ethics of kinship.”<sup>40</sup> Since the UIC was a grassroots organization there were really no elites that were motivated to work outside of the kinship system. Any potential solution must take into account that a sense of fairness and justice must be shared by all as something to believe in and look toward as an honest broker accepted and respected by the people.

## CHAPTER FOUR

### ROLE OF ISLAM IN THE RISE OF THE UIC

*Everybody else walked away.  
Oh! Man of God!  
From this valley of the Oonyood  
It is only because of your religious books,  
that you are here!  
But the Ogaden have given up  
At this valley colored in red; look at it! All that,  
You see is nothing, but blood. <sup>1</sup>*

—Xassan Tarabi

## INTRODUCTION

This chapter will focus on the role of Islam in Somalia, and its impact on the rise and fall of the UIC. This discussion will include how Islam has historically acted as a force to galvanize Somalis toward peace and stability, and enhancing the ability of the social fabric of the Somali people to function. This chapter will also examine the use of *Shar'ia* law as a framework of law and order, and its ability to enable economic and commercial activity in Somalia. It appears that this last issue is the motivator behind the development of a martial capability of the UIC to enable it to march on the warlords. Finally, this chapter will examine the term *jihad* as used by the UIC as it was an important part of the dialogue coming out of the UCI and was leveraged by the Ethiopians to build the case for going to war, and influenced the Bush Administration to support the invasion.<sup>2</sup> This last element is particularly important for if it were not for the support of the Americans the Ethiopians would have had a much harder time conducting military operations.

## ISLAM AND THE SOMALI PEOPLE

The spread of Islam from the Arabian Peninsula to Africa in the first half of the Tenth Century is shown on the map in Appendix A, Map A-3. Today the Islamic faith is widely practiced across the entire geographic region populated by the Somali people. There is no doubt that the flow of people between the Arabian Peninsula and Somalia had a direct impact on the concept of what it means to be a Muslim and a Somali. In I.M. Lewis' first major treatise on Somalia he wrote:

The historical foundations for the contemporary claim to descent from the Prophet lie in the existence of relations between Somaliland and Arabia from the earliest times. Immigration from and to Arabia has always been and still is a constant feature of Somali life. There has always been a considerable floating population of Arabs in various stages of absorption among the Somali. Moreover, there is little doubt that Islam reached Somaliland shortly after the Hejira and its establishment is recorded by Arab writers of the 9th and 10<sup>th</sup> centuries.<sup>3</sup>

The impact of the connection between one's religious life and bloodline affiliation cannot be understated. In many ways they are one in the same. Virginia Luling described this phenomenon as important in order to "validate one's membership in a group... [as] it structures the 'clan', which is according to one's point of view the foundation or the curse of Somali life."<sup>4</sup> While this is nominally important to know which clan one comes from, it really is all about one's connection with Islam's foundations. Beyond anything else, the religious connection seems to establish the real relationship with clan membership.

In Somalia, there is no conflict between the major branches of Islam, as there are no Shi'ite communities. Having said that, the spread of Sunni Islam in Somalia was influenced by the precursor animist faiths it supplanted in the region resulting in a

generally less conservative form of Islam than advocated by the adherents of AQ. One can expect to find different degrees of adherence to the conservative interpretations of Islam throughout the region. As stated by I.M. Lewis:

The Somali have been Muslims for many centuries, Islam having been introduced on the coast at least as early as the tenth century. Indeed they are orthodox Sunnis and follow the Shafi'i code of Muslim law. Not surprisingly, however, the segmentary lineage structure of their society strongly colors the content and character of the local practice of Islam.<sup>5</sup>

Therefore, it should not be a surprise that the UIC had only a token number of conservative courts handing down harsh sentences as observed by outside entities.<sup>6</sup> Generally this phenomenon was also due to *xeer's* consultative arrangement with all of the elders having a vote in the proceedings and the punishments awarded. This is a clear interface between the manner in which *Shar'ia* was implemented as a practical matter within a *dia*-paying group. It is important to note that this is significantly different than the application of *Shar'ia* observed under the Taliban in Afghanistan, and the views perpetuated by the adherents of AQ's worldview.

#### *SHAR'IA* THE FRAMEWORK FOR SAFETY AND STABILITY

There is little debate that the Somali way of life is interwoven with Islam. Rather the question really comes down to how was daily life impacted by Islam under the UIC? As a practical matter the UIC used *Shar'ia* as a framework of law, within the overlay of the *dia*-paying group structure as governed by *xeer*. With the fall of the Barre regime, the pre-existing Somali legal code became defunct, with only customary law and *Shar'ia* left to fill the void, or the alternative diktat by warlord. This was observed by the Economist



in 2001, well before the rise of the UIC, which stated, “Since the breakdown of the state in 1991, [*Shar’ia*] has been the only law of any kind.”<sup>7</sup> The average Somali would have known and understood that *Shar’ia* and its adoption by local groups was a reasonable start to put in place a system of law and order, supplanting the warlords’ tyrannical rule. During the Warlord Era, the lack of law and order directly impacted the safety and security of the average Somali. Life under warlord tyranny ensured that the struggle for daily survival was difficult at best, lethal at worst. Further, the Warlord Era was not harmonious with the traditional Somali *xeer* consensus structure. On the contrary, the structure had a single leader acting as judge, jury, and executioner. However, under the UIC, the concept of *xeer* was coupled with a commonly understood set of laws considerably more legitimate than anything in recent memory.

The term *Shar’ia* is a foreign concept to many in the non-Muslim world. In basic terms *Shar’ia* is Islamic Law handed down from Mohammed through today. Harvard University Professor John Kelsay, states, “[*Shar’ia*] usually translated as “Islamic law,” it is more appropriately rendered as “the path” or “the way.” The term suggests that there is a right way to live, and that is the way associated with Islam, the natural religion.”<sup>8</sup> *Shar’ia* as a body of laws covers a wide range of issues, including family law, commercial law, and criminal law, among others. *Shar’ia* that is used in Somalia is based on the Shafi’i school of thought, allowing for a much wider range of opinions, especially as refers to *qiyas*.<sup>9</sup> As mentioned earlier some believe it is also because Islam in Somalia was affected by the animist faiths it supplanted. Where *xeer* is used for consensus decisions on guilt and innocence, it permits for flexibility in implementation of

punishment, extremely useful in Somalia. This was most certainly observed in practice by the UIC.<sup>10</sup>

Renewed emphasis on collective decision making would have been highly palatable to the average Somali, having recently emerged from under the grip of the warlords. It is unlikely that the UIC would have been more like the Taliban if it were not for the combination of factors acting together to mollify the effects of extremists. Granted some courts did have a more Taliban than *xeer* like arrangement but that was the exception rather than the rule.

There is widespread evidence that the installation of *Shar'ia* under the UIC was met with great support by the average Somali.<sup>11</sup> While there is ample evidence to suggest that the Taliban practiced a conservative brand of *Shar'ia* as a tool of oppression, the same cannot be blindly applied to the UIC in Somalia. The use of the extreme punishments seen at the hands of the Taliban were rare at best, with little evidence to confirm punishments in the form of amputation or summary execution.<sup>12</sup> Certainly there is very limited reporting of the extreme punishments under *Shar'ia* law during the time of the UIC. It would appear that the local manner in which *Shar'ia* was used by a given *dia*-paying group defined its application rather than as a mandate on how to mete out justice imposed by the UIC.

In the post 9/11 world, the Western media is quick to point out excesses imposed under *Shar'ia* law, or at a minimum present the story in that manner. Parallels to the Taliban were made by the media, thereby creating an image of the UIC. One report

coming out of UIC controlled Mogadishu illustrates the misconceptions and preconceived notions observed from outside of Somalia:

They were happy enough to be liberated from the tyranny of the warlords by the Islamist militias, but that does not mean they would welcome a Taliban-style regime... It was perhaps a sign of things to come when several hundred youths rioted near Mogadishu this week after Islamist gunmen allegedly tried to stop them watching the football World Cup. There was no such ban, insisted the embarrassed Supreme Council. "Football is not against Islam."<sup>13</sup>

The article later reports that the "youths" in question were upset that they had to go to school rather than sitting in local cafes watching the World Cup.<sup>14</sup> There were many similar reports made by various media outlets during this time. Notably the aforementioned report shows that the UIC provided for, or at least enabled, social institutions to operate, such as schools (e.g. truancy patrol). This would have been an immense improvement in the provision of social services versus the dearth during the Warlord Era of the past two decades.

As with any system of law and order, the use of *Shar'ia* did not make everyone happy. The general focus of disappointment by Somalis in the UIC-held areas was primarily the banning of narcotics. In particular it was reported that the UIC banned the use of *qaat*.<sup>15</sup> As anyone who has lived in East Africa or Yemen can attest, the use of *qaat* is widespread and part of the backdrop of the region.<sup>16</sup> It became increasingly apparent that the development of the courts added to the safety and security of the average Somali who became increasingly willing to align with these groups. In general the institution of *Shar'ia* was met with approval across the region in which the UIC gained control.

## ISLAM INTERFACE WITH *DIA*-PAYING GROUPS

At a practical level the *dia*-paying group works complementarily within Islam.

The following note by the ICG, in its 2006 report, described how the UIC was able to work within the framework of *dia*-paying group and *xeer*:

The steady rise of *Shar'ia* courts across much of southern Somalia is widely touted as the most visible evidence of the creeping influence of Islamist groups. Most courts, however, are less a product of Islamist activism than of Somalia's two most common denominators: clan and the traditional Islamic faith. Authority is invested in the courts by the decision of the lineage elders who establish the institution and therefore derives primarily from Somali customary law (*xeer*). *Shar'ia* is applied by default, since no other legal system has functioned since the collapse of the government, and there are very few judges or lawyers left in the country. This effectively limits the jurisdiction of each court to its own sub-clan and means that the most severe Islamic punishments (*xudud*, from the Arabic *hudūd*) that contradict Somali *xeer* are rarely imposed.<sup>17</sup>

The UIC's ability to work across multiple groups at this early stage in its formation was also observed by the BBC. The BBC reported, "All but one of the 11 courts is associated with just one clan - the Hawiye, but they are divided into sub-clans."<sup>18</sup> They went on to describe that each court was responsible for its own members. They stated, "In order to avoid accusations of clan bias, each court would try members of their own sub-clan, wherever the alleged crime was committed."<sup>19</sup> In the summer of 2006, the Economist made a number of similar observations. One particular report pointed out that the social fabric of Somali society was stronger than any Islamist agenda. The Economist stated, "Although Islamic courts have for several years been the only dispensers of justice in Mogadishu, each one is controlled by a distinct sub-clan—and cannot try a member of a rival group. If previous feuds are anything to go by, family ties will prove stronger than Islamist unity."<sup>20</sup> This serves to add to the body of evidence that the UIC was working

within the framework of the *dia*-paying group and the concept of *xeer*, rather than against it. Each group was exclusively responsible for its own members and with the UIC acting as facilitators of dialogue as a caucus of *wadaads*, exactly replicating the model identified by I.M. Lewis years before but on a much grander scale. Using this model, the UIC was in turn poised to be successful, and keep multiple groups focused toward mutually beneficial outcomes, without a singular leader, thereby minimizing the threat of a single point of failure as seen during the Barre regime or the Dervish State under Sheik Hassan. This last issue is of great significance and a major difference between the UIC and either precedent. In all likelihood the UIC would have been survivable as an organization, even with the loss of any particularly important member of its senior leadership, had it not been utterly destroyed at the hands of the Ethiopians.

#### ISLAM INFLUENCE ON BUSINESS AND COMMERCE

It appears that another key reason behind the desire to adopt *Shar'ia* was its ability to enhance commercial activity. The adoption may have had more to do with enabling capitalism than anything else. Very likely, this was the prime use of *Shar'ia* outside of the confines of a *dia*-paying group, and quite possibly the most powerful use.

As reported by ICG:

Inside Somalia, many businesses exhibit a religious character and engage devout employees in order to instill confidence in their customers and overcome clan or regional divisions. Islamists may believe that business can advance the cause of Islam; many Somali entrepreneurs, however, simply recognize that Islam can be good for business.<sup>21</sup>

The salient point is that the reduction in illicit activity and violent behavior brought about by the use of *Shar'ia* would support the development of the economy. The more geographically spread the UIC became, the larger the marketplace, in turn enabling economic expansion and commercial success as a positive consequence.

The establishment of *Shar'ia* enlarged the personal wealth of individual businessmen. With *Shar'ia*, a businessman could avoid sharing the wealth beyond the minimum that was required to retain allegiance to his *dia*-paying group. This concept pre-dates the formation of the UIC as suggested by I.M. Lewis in 1980:

Converts to Islam taking advantage of their new legal position to deny specific kinsmen a share in newly acquired wealth. In this fashion, when new economic conditions favor individual enterprise and effort and at the same time reduce the need for collective solidarity in the old sense, those aspects of Islamic Law which stress the economic independence of the individual are readily seized upon. Such conflict of laws as may ensue is likely to lead to a further entrenchment of the *Shar'ia*.<sup>22</sup>

Conceptually this was a key motivator to enable ongoing business concerns using *Shar'ia*. In essence money talks... The implications would be enormous for a business concern in the region that was able to be a first mover and capitalize on the change in the economy emerging from under the warlords. The first to develop their businesses would be able to gain the largest share of the economic windfall along with the safety and stability brought by the UIC that would make less risky of a proposition on multiple levels.

Adding to the personal wealth of the business community argument, additional support of the UIC was also due to a desire to prevent the rise of a powerful centralized

state cutting into individual profit. As previous experience had shown, the rise of a powerful central government could act as an authority to cut into the economic margin of the business community. This insight was observed by Ken Menkhaus in *International Security* in 2007:

In Somalia, some spoilers have successfully undermined peace accords to perpetuate armed conflict; others have acted only to undercut local efforts to improve law and order and reduce criminality; still others support peacebuilding and the reduction of crime, but block efforts to revive an effective central government. The latter category includes many businesspeople who need a predictable, safe, and peaceful environment in which to conduct commercial activities, but who fear that a revived central government will become repressive and predatory at their expense.<sup>23</sup>

By design the UIC was locally focused, and it appeared by all accounts to be avoiding the creation of a centralized structure that would cut into the business community's bottom line. Given that the early UIC was formed by the business community they would in all likelihood have been extraordinarily beholden and considerate to the same. The establishment of safety and security through the use of *Shar'ia* by the UIC ensured a drop in crime, as well as enhancing commercial activity and connectivity. It would likely remain so, unless it developed into a more Taliban-like governmental structure.

The desire of the business community to overthrow tyrannical rule by warlords as part of the historical record is not limited to Somalia. A number of elements appear as a general pattern of emergence from warlordism by oppressed peoples. One particular observation was made by Kimberly Marten:

Warlordism has shared a remarkably similar set of characteristics across time and space. More important, the end of warlordism in both medieval Europe and Republican China was sparked by two crucially similar factors: (1) the emergence of strong, aggrieved economic interest groups that led the

charge against the existing system; and (2) the appearance of transformative ideas from outside the existing culture that supported those groups' aims and convinced an increasingly literate population of the desirability of change.<sup>24</sup>

The economic conditions that allowed for the business community to emerge as a powerful force didn't happen overnight, but it does dovetail into Marten's thesis. With respect to Marten's second point, the UIC emerging as a force would certainly appear transformative.

In the years following the initial chaos of the Warlord Era the frequency and excess of conflict decreased to an extent that some industry, pastoralism, and other economic activity began to emerge. As Menkhaus explained in 2006:

Most businessmen who initially profited from a war economy have made the transition to quasi legitimate commerce in import-exports, telecommunications and transport, and in some cases hold valuable fixed assets which cannot be relocated in times of war. They thus have a greater interest in peace and paying customers, not armed clashes and famished people.<sup>25</sup>

This observation was also made by Marten discussing how the business community would change its allegiance based on changing economic conditions. She states:

Powerful actors who benefit from warlordism have sought profit in the short term, paying little attention to the long-term development of economic or political institutions. Where life is cheap and the future is unpredictable, incentives to consider either the long term or the public good are sorely lacking.<sup>26</sup>

The dynamic of the economy changed in a way the warlords could not change. It became apparent that the economy was improving with the import of cellphone towers and export of goods surpassing the arms trade as the primary cash business. The increase of the export of Somali camels to the Middle East, and the establishment of the most modern



cellular phone network in East Africa by 2006 was clearly visible to outside observers.<sup>27</sup> This all served to undermine the waning influence and control of the various warlord factions.

### THE SWORD FROM THE PLOWSHARE

Weber believed that statehood required “[maintenance of a] monopoly over the legitimate use of violence across an extensive piece of territory, and to enforce consistent laws that are perceived to be rational and that endure beyond the short-term reign of individual leaders.”<sup>28</sup> In order to do that the UIC would need to acquire a military capability to enforce threats to trade, as well as supplant the remaining warlords that proved to be an impediment to economic success. The increase in business profitability motivated the business community to financially support their *dia*-paying group’s militias. The development of increasingly capable militias would decrease the risk of losses at the hands of warlords’ predatory practices, supported by the generous, if not altruistic, contributions of the business community. As reported by the Economist, “in the absence of a police force, each court maintained its own militia, usually paid for by contributions from the clan’s businessmen.”<sup>29</sup> In the long run this nascent military capability would coalesce into the larger UIC militia that would become capable of eradicating the warlords as well as ensuring the protection of individual groups. Eventually this monopoly on the legitimate use of force would move down the path to establishing the state, as described by Weber. There is ample evidence that the business community was starting to increase revenue and serious economic activity due to the

military exploits of the militia.<sup>30</sup> The stakes were increasingly high for all the parties involved.

Prior to the rise of the UIC the business community was required to pay protection monies to the various warlord factions along the logistical routes needed to enable commerce. This situation only cut into the bottom line of the business community and added to their desire to change the *status quo*. Ken Menkhaus identified that the early courts were enabled by funding from the business community to pay for, or otherwise convince, individual fighters to work for them against the warlords. He stated:

The latter half of the 1990s, commercial opportunities surged in Somalia, vastly increasing the movement of goods across the countryside and placing a premium on security along main transport corridors and in ports and urban markets. Frustrated with having to pay tribute to militias that provided no security in return (and that were usually the source of insecurity and banditry), leading businesspeople in Mogadishu refused to pay taxes to the warlords associated with their clans. Instead, they bought out the militiamen from beneath the warlords and assigned the gunmen to the command of local sharia courts. The sharia militias promptly became an impressive source of law and order, at the expense of the much weakened warlords.<sup>31</sup>

Interestingly this also identifies the ability of individuals to move between or form new *dia*-paying groups as the economic conditions changed regardless of blood relation or previous allegiance. Kimberly Marten expressed the opinion:

Warlords need militias to support them, and they have a hard time maintaining those militias if their men leave when someone offers them more money. Also, warlords are better able to husband their resources if they command the respect (or at least the obedience) of the population they control, rather than waging constant battles to defend their right to rule.<sup>32</sup>

This shift in power took time measured in years, but in general the slow decline in power of the warlords shifting inexorably to the local courts allowed individuals to have a

higher degree of safety and stability under the courts while at the same time being able to continue their profession.

It is highly likely that there would be new economic activities, or at least a re-establishment of historical activities, if widespread peace and stability reigned in Somalia. The map in Appendix A, Map A-6, “Somali Economic Sources,” identifies the areas that had previously had been economically viable. In general terms the areas are geographically located along the Shebelle and Juba River valleys and around Baidoa. Transport to and from these areas would be critical to the movement of goods to market both inside and outside of Somalia. Whoever controlled the region stood a good chance of being able to bring that industry back into production over the long term. In the short term the enhancement of increasing the bottom line by minimizing cost would be the preferred option. While it is unlikely that the invasion was a direct result of the UIC’s expansion impacting the economy of the Baidoa, this was the declared geographic redline by the Ethiopians that was crossed leading to conflict. It is more likely that the geographic importance of Baidoa as a staging area for carrying the fight into the Ogaden was more of a concern.

### FOLLOW THE MONEY

Along with the unique nature of the Somali business concerns *Shar’ia* enabled the development of a banking and remittance system used to great effect in Somalia. However, the manner in which financial transactions were carried out, and the other structural components of *Shar’ia* banking systems also brought it to odds with Western

banking systems.<sup>33</sup> The lack of transparency *vis-à-vis* their Western counterparts resulted in angst from international regulators who were convinced these systems were part and parcel of mechanisms financing terrorist networks. Without a doubt there was a perception that these were all part of the global terrorist financing network to obfuscate the flow of money. It was noted that the Somali diaspora, in the United States and elsewhere, sent significant remittances to Somalia through these type of brokers in particular the Somali owned bank al-Barakaat. One example of this issue was discussed by the ICG:

The ambiguities of the Islamic business establishment are well illustrated by al-Barakaat – a Somali remittance company accused by the U.S. of direct links to al-Qaeda. Al-Barakaat was established in the early 1990s by a former banker, Ahmed Nur Jim’aale, as a conduit for money transfers between members of the Somali diaspora and their relatives at home – a business estimated at \$300 million annually.<sup>34</sup>

This resulted in a significant amount of external money funneling into Somalia at a time when the rise of the UIC was just becoming established. The system enabled by al-Barakaat was shut down by international regulators by the end of 2005.<sup>35</sup> There were cries in the international community that al-Barakaat was not only funding Somali based groups, but was also enabling AQ operations in the region at large. ICG stated, “It stood accused of passing funds to the al-Qaeda network, allegedly a percentage of its handling and transfer fees, amounting to \$25 million annually.”<sup>36</sup> However, there appears to be a dearth of evidence showing this connection openly released by either the U.S. government, international organizations such as the Financial Action Task Force, or even through WikiLeaks.

## THE CALL FOR JIHAD

It is worth discussion to identify what *jihad* is, and how it was used within Somali context, as the concept of *jihad* played a central role in lead up to the conflict between the Ethiopians and the UIC. The basic translation of *jihad* means struggle. One meaning is used to describe a personal struggle to overcome a distinct issue or to provide a good example to others.<sup>37</sup> However, in the context of this dissertation it is the use of the word to describe an armed struggle in order to defend Islamic lands and is more commonly heard in the Western media. The term *jihad* reverberated in the dialogue, with the Ethiopians making the argument that use of the word meant the UIC was aligned with AQ, while the UIC by and large used the term as a corollary to a defensive or “just war.” In light of the use of the previous application of the term *jihad* at the hands of Bin Laden and associates to describe their war against the outside world it would be incumbent on the UIC to manage its message clearly and succinctly. There certainly was a viewpoint espoused by the Ethiopians that the calls for *jihad* from within the UIC were offensive in nature, meant to create a general uprising in the Muslim community, especially amongst the Somali people in the Ogaden.

There were a number of articles written in the Western media elaborating on the meaning of *jihad*. In many cases these viewpoints were written during the passionate times in the immediate aftermath of 9/11. A week after the events of 9/11 the Economist wrote:

Muslims do not differ on essentials such as the oneness of God, the literalness of his word as voiced by Muhammad, or the duty to perform

prayer, charity, fasting, pilgrimage and *jihad*, which means something like “struggle”. There is not much debate over the first four of these duties... But the last, which embraces everything from resisting temptation to attacking Islam's perceived enemies, is a much more contentious term.<sup>38</sup>

This report highlights that the use of *jihad* focused on attack in the name of Islam rather than defense of Islamic lands. In some cases there was little, if any, room to describe the use of the term in anything but a martial spirit. For example on September 27, 2001

Bernard Lewis stated:

Some Muslims, particularly in modern times, have interpreted the duty of *jihad* in a spiritual and moral sense. The more common interpretation, and that of the overwhelming majority of the classical jurists and commentators, presents jihad as armed struggle for Islam against infidels and apostates.<sup>39</sup>

Lewis’ article goes on to describe the difference between the use of the term *jihad* and the term crusade. However, the ideas and thoughts of Bernard Lewis, among other great scholars, resonated with the Bush Administration. Therefore, his thoughts are particularly important for understanding the mindset of the Administration in the years leading up to the Ethiopian invasion. This researcher argues that senior decision makers in the Bush Administration held the viewpoint that jihad meant crusade, and this was never moderated. This viewpoint played an elemental role in how the Ethiopians were able to convince the Administration to support its military exploits.

Lewis’ commentary is also important as it gives some additional context on the nearest corollary used in the West, the Crusades. Therefore it would have been equally incumbent upon decision makers in the Bush Administration not to send the wrong message. To some degree the crusade has lost its religious, and military, connotation.

Bernard Lewis opined:

President Bush's use of the term "crusade" in calling for a powerful joint effort against terrorism was unfortunate, but excusable. In Western usage, this word has long since lost its original meaning of "a war for the cross," and many are probably unaware that this is the derivation of the name. At present, "crusade" almost always means simply a vigorous campaign for a good cause. This cause may be political or military, though this is rare; more commonly, it is social, moral or environmental. In modern Western usage it is rarely if ever religious.<sup>40</sup>

This researcher believes that the use of the term "crusade" still retains a religious and military meaning in the Islamic world. It has been referred to many times by extremist organizations to describe the American involvement in particular. Certainly there was no reason to believe that the UIC perceived the use of crusade in a non-military context. Conversely, the term *jihad* has still retained the military character as described by Lewis and causing angst in those who were subject to it.

On the other side of the coin, and likely that espoused by the UIC was that *jihad* described a defensive war to protect Islamic lands, at least initially. John Kelsay argues that the term *jihad* is the equivalent of the "just war" concept familiar in the West. In his book entitled, *Arguing the Just War in Islam* he describes the concept of *jihad* as follows:

When Muslims argue about the just war, they use sources that are unfamiliar to most Americans or Europeans. Even Muslim democrats do not cite the Hebrew Bible or the New Testament... they do not typically refer to John Locke or John Rawls... they do speak about right authority, just cause, and right intention... Muslims understand the concerns of the just war tradition, and they speak about these in terms that resonate with a billion believers around the world. Beyond this, Muslim democrats speak in ways that resonate with non-Muslims. The judgments pertaining to *jihad* and the just-war tradition have much in common, in the hands of a conscientious interpreter.<sup>41</sup>

Kelsay goes on to elaborate that *jihad* should be used in a state of crisis rather than as an offensive war as advanced by Bin Laden and his cabal. As a framework to view this crisis Kelsay states:

The argument is that the Muslims are in an emergency situation, in which ordinary lines of authority are suspended. The justification for armed struggle is created by the incursion of non-Muslim forces into Islamic territory. It may be that ideally the struggle should be organized and carried out by publicly constituted political leaders. Failing that, however, the duty to resist falls to each member of the Muslim community, and the right of authority belongs to anyone able to organize the resistance.<sup>42</sup>

For the purposes of the UIC, *jihad* as a just war would only be validated in the face of Ethiopian aggression. Certainly this was debatable point. However, the UIC was with utmost certainty placed in a crisis given the serious military capability of the Ethiopians and the pending invasion. From the Ethiopian point of view they were helping defend the TFG from being overrun by the UIC in areas which were both economically and strategically critical. Therefore, the Ethiopians could make the argument they were only fighting a defensive action themselves, at the behest of the TFG.

The record shows that calls for *jihad* from members of the UIC, besides Aweys, only occurred following the Ethiopian incursion across the border in support of the TFG.<sup>43</sup> This researcher cannot find any reporting on the use of the term *jihad*, by senior members of the UIC, other than Aweys, prior to the Ethiopian movement across the border in the summer of 2006. The first open calls for *jihad* that were directly attributable to the UIC as an organization, not just Aweys, only occurred in November of 2006, well after the Ethiopians garrisoned Baidoa.<sup>44</sup> Along the same lines, calls for individuals to resist in their own personal *jihad* emerged openly only in the complete



failure of the UIC to hold back the Ethiopian juggernaut.<sup>45</sup> However, Baidoa was controlled by the TFG. So the UIC could only make the argument it was a defensive war if they perceived all of Somali lands as theirs. This of course is a conundrum as it played into the Ethiopian trepidations of a Somali irredentist agenda, and therefore could have been perceived as an act of war on its own merit. We will never know if the call for *jihad* would have continued if the UIC had gained control of the area extending to the Ethiopian frontier. Therefore one can assume that the UIC only made the call in the context of just war from their perspective, but it didn't really matter.

There is very little evidence to show that members of the Bush Administration believed that the UIC meant a defensive action by using the term *jihad*. Moreover, there was a general sentiment in the Administration that the UIC was nothing more than a knockoff of AQ or the Taliban. This belief was articulated by Ambassador Jendayi Frazer, who commented in front of Congress, “[we] have to be prudent and look at ensuring that a state does not come up in Somalia that is against all of our interests, that being a Jihadist Islamist state which provides a haven and base for terrorist operations throughout the region.”<sup>46</sup> Clearly her use of the term was meant to convey a disapproving connotation and only to argue that the UIC must in fact be terrorists, or at the very least sponsors of terrorism. On the other hand there was a clear need and obligation for the UIC to dispel the fear and concern over its actions and words. Given the United States was fighting two wars where Islam played a role it was incomprehensible that this wasn't managed better by the UIC.

## ALIGNMENT TO AL QAEDA

While much has been made about the alignment of various groups with AQ there is little to support that association in East Africa during the timeframe of the UIC. ICG's aforementioned report discussed the connection with AQ beyond the banking connection. ICG pointed out that there was little relationship between the world wide *jiḥad* declared by AQ and in the general sense the Somali peoples' desire for their own safety and security. ICG reported:

Somalis in general show little interest in *jiḥadi* Islamism; most are deeply opposed. Somali militant movements have failed to gain broad popular support, encountering instead widespread hostility. The most remarkable feature is that Islamist militancy has not become more firmly rooted in what should, by most conventional assessments, be fertile ground.<sup>47</sup>

There is little available evidence to pin a direct connection between AQ movement and the UIC, at least prior to the Ethiopian invasion beyond the litany of claims by the Zenawi regime in Addis. Some argued there was little need for external inspiration to make the religious movement possible. This is why the rise of the Dervish State is important as both a religious and nationalist rallying cry. I.M. Lewis adds, "With the memory of their nineteenth century anti-Ethiopian *jiḥads*, it was hardly necessary to import inspiration specifically from al-Qaeda to mobilize Somali religious fervor..."<sup>48</sup>

Press reporting from the period underscores the lack of connection between the two entities. One report from the Economist asserted:

No one knows how many al-Qaeda people, if any, are hiding in Mogadishu. Osama bin Laden apparently thinks there are a few; he recently called for Somalia to become a new battleground against America. That was a miscalculation. The radicals lean more towards... Somali nationalism than

the global jihad of al-Qaeda, distanced themselves from the statement and from Mr. Bin Laden.<sup>49</sup>

While the confirmation of a connection between AQ and the UIC was marginal at best, attempts were robustly made to connect the two as the *prima facie* evidence used by Ethiopia that the UIC were no different than AQ. However, this researcher cannot find any direct evidence connecting the UIC to AQ prior to the outbreak of hostilities with Ethiopia. In point of fact, even Sheik Aweys distanced himself from Bin Laden after the latter “singled out Somalia as a jihadist battleground and offered moral support to efforts to attack any international peacekeeping force that might be sent there, saying they would be agents of American “crusaders.” ”<sup>50</sup> Aweys may have been religiously inspired, but he appeared to have not been foolish enough to directly challenge the Ethiopians on the battlefield, at least in July 2006. Given the lack of a direct connection between AQ and the UIC the Ethiopians would require additional evidence to make the connection that it was a terrorist organization in order to acquire the large scale support by the Bush Administration that they really needed.

## OBSERVATIONS AND REFLECTIONS

The important takeaway from this Chapter is that Islam acted as the great enabler in the UIC’s bid for safety and security. It worked in concert with and alongside the core structure of Somali cultural dynamics and enabled the business community to get behind overthrowing the warlords. Through the use of Islam the UIC was able to emerge from the chaos of the Warlord Era and was very possibility on the verge of establishing long term safety and security for millions of Somalis. In particular the use of *Shar’ia* allowed

for the development of commerce and economic activity, beyond holding people accountable under a standard set of laws. The use of the term *jihad* means many things to different stakeholders and through differing viewpoints. Given the use of the term in the modern context it is incumbent upon the declarer of *jihad* to understand that there are implications that go along with the declaration. Finally, claiming that an organization is inspired or aligned with AQ is not enough, it should certainly not be enough to conduct sustained military operations preemptively. In the future the designation of a group as a terrorist organization should rest on its own merits and not just a convenient pretext to pursue a military solution.

## CHAPTER FIVE

### NATION BUILDING IN SOMALIA HISTORICAL ATTEMPT AND FAILURE

*My face is burning and will not be happy.  
Until I see all the five parts sharing the flag over us.  
Until I see brothers taking the oath to die together.  
I shall not be happy until our spears are wet and we do our duty.  
I shall not feel well until we go to war to unite Somalis.  
Until the leader gives us news of his determination.  
I shall be depressed until young and old men alike.  
Women and children, all put on signs of mourning and  
revenge.<sup>1</sup>*

— *Somali Liberation Song circa 1963*

#### INTRODUCTION

Previous states in Somalia have been destroyed when their leaders attempted to follow an irredentist agenda. The dream of creating a Greater Somali state, encompassing all ethnic Somalis, has been a galvanizing force in Somali politics that has a very real possibility of trumping the power of the clan and *dia*-paying group, at least in the short term. The examples discussed in this chapter highlight commonalities among various attempts to change the fabric of Somali social structure under an irredentist agenda which has historically ended in disaster, followed by a renewed reliance on traditional systems of safety and stability. This chapter will discuss the implications of the establishment of Dervish State from 1898 to 1920, the post-colonial Somali Democratic Republic regime from 1969 to 1991, and the vacuum created by its fall during the Warlord Era from 1991 to 2007 and beyond. Since the story of Somalia cannot take place without taking into account the Ethiopian perspective, this chapter will review how Ethiopian hegemony has influenced Somali statehood.

## THE DERVISH STATE

In many ways the UIC would never have arisen if it were not for the experience of the Dervish State. In particular, it would never have emerged if it were not for Sheik Mohammed Abdullah Hassan. This early attempt at Somali statehood and the leadership provided by Hassan is important on multiple levels as a historical narrative as relates to the UIC. First it was the first time that a Somali State had arisen that could significantly challenge external aggression. Second it was the first state that had a legitimate opportunity to force an irredentist agenda challenging external powers toe to toe on the battlefield. Third it was both religiously inspired and led by a single leader. Fourth, future attempts at creating a religiously inspired state, including the UIC, had always looked to Hassan and the Dervish State for inspiration.<sup>2</sup> While the existence of the Dervish State may have been over nearly a hundred years ago it still has incredible power in the Horn of Africa as a national symbol of pride.

As mentioned above, the Dervish State never would have emerged if it were not for the force of personality that Sheik Hassan provided as its leader. Hassan was euphemistically given the moniker “The Mad Mullah” by the British.<sup>3</sup> He was anything but. On the contrary, Hassan was a combination of calculated shrewdness, coupled with charisma and an ability to enforce rule of law. Through his leadership, the Dervish State was able to hold back the combined forces of the British, Italian, and Ethiopians for over twenty years. In essence the Dervish State was a cult of personality, able to work past clan and *dia*-paying group dynamics, focused on one man’s vision, by using the power of Islam and *Shar’ia* as a framework of unification. Hassan and his followers professed that

in order to get past the historical dynamic of Somali culture it would need to follow what Somali Scholar Scott Reese describes as, "... a strict reliance on the Quran and Hadith as the only sources of inspiration, and on the individual believer's relationship with God."<sup>4</sup> Timing is everything, and Hassan was operating at the height of the European colonial powers' efforts to colonize Africa, the aptly called "Scramble for Africa."<sup>5</sup> In the Horn of Africa the Scramble was complicated by the Ethiopian Empire's martial expansion under Emperor Menelik II.

The Scramble affected the political and geographic lines in the region, the impact of which affects conditions today. Unlike the situation in Western and Southern Africa, the colonial powers were late in establishing colonies in East Africa, and therefore late in dominating the local peoples. Notably, the Italians were particularly tardy in establishing a colonial presence in Africa, finally establishing two colonies in the Horn of Africa. The first was Italian Somaliland, and the second in what is today Eritrea. Standing in the way of Italy geographically linking up her two colonies was the Ethiopian frontier in the Ogaden, and the two British and French colonies on the Gulf of Aden. While the Italians were not reckless enough to challenge the European powers, they believed that the Ethiopians would fall victim to their imperial aspirations and military prowess.

Attempting to force the Ethiopian regime, the Italians marched on Addis Ababa in early 1896. This attempt resulted in an unmitigated disaster at the hands of the Ethiopians at the Battle of Adwa in 1896. The consequences of the failure of the Italians at the Battle of Adwa profoundly impacted the collective European powers' political

situation with Ethiopia. The outcome of Adwa ended further Italian attempts at expanding their East African colonial goals for nearly forty years.<sup>6</sup> This caused a situation in the Horn where Ethiopia was on an even playing field with its colonial neighbors. Further, this also ensured that the Italians would not make any further territorial gains toward the British and French colonies. It was this state of affairs that created the opening for the Dervish State to come together in the hinterlands between the Ethiopian Empire and the three European colonies, in essence acting as a buffer state.

The Dervish State effectively blunted any further advancement of Ethiopia toward the sea thereby stymieing the expansion of Ethiopia's territory and its regional hegemony. The Dervish situation would serve to sap Ethiopian energy while keeping the British and French solidly entrenched in their two colonies. The Italians would not have to worry about a significant threat to their geographically separated colonies if Emperor Menelik was busy chasing down Dervish fighters in the Ogaden. Of course this also meant that Italian dreams of expansion into the Ogaden would be conceded for the time being. This political situation created a vacuum in time and space allowing development of a political framework to organize the people, coupled with leadership and vision at the top provided by Sheik Hassan.

The rise of the Dervish State is entwined with Sheik Hassan the man, for in many ways they are one in the same. The vision of a Somali nation would not exist without Sheik Hassan supplying and guiding that vision. Hassan was literate, well-travelled, as well as educated in *Shar'ia*, and politics. I.M. Lewis commented, "He was a man of



great learning, having studied religion in many Muslim centers outside Somalia, and combined the unusual measure of all those qualities of panache and skill in the management of human frailties which Somali most admire.”<sup>7</sup> By focusing on the threat posed by outsiders Sheik Hassan was able to take advantage of his charisma and respect afforded to his *wadaad* status by fellow Somalis. An early Sheik Hassan poem that was recorded in the written word emphasizes this sentiment:

Grievous times are now upon us, times of death and woe.  
The sky has turned to smoke.  
There is uproar and shrieking, columns of dust and attacks.  
In truth this world is smoldering with strife.  
And with forebodings of war.  
Friends part and head their different ways.  
Close kinsmen align themselves in rival factions.  
And pierce each other's flesh with spears.  
Loyalty to one's kin, and respect for the parents of one's spouse.  
Are ways of life which are now dead.<sup>8</sup>

A masterful raconteur, he was able to bring together Somalis against the common enemy by shifting the focus away from fighting each other and appealing to their hearts and minds. Somali poetry professor Abdi Sheik-Abdi stated “[Sayed’s] brilliant poetry, [was] used effectively to galvanize the Somalis by appealing to them in the name of their common culture and creed, shows that this shrewd politician had a profound understanding of the forces at work in Somalia and beyond.”<sup>9</sup> Hassan was able to offer Somalis a chance at fighting back under the banner of the Dervish State against the invading powers and hopefully ensuring the future of all the Somali people, wherever they may live. However, this required a trade off by throwing off the restraints of clan and to some degree *dia*-paying group allegiance for solidarity under Islam. This served as a beacon of nationalism for Somalis of all tribes, clans, *dia*-paying groups, and

voracity of religious fervor, especially coupled with a common foe. Somali scholar

Robert Hess elaborates:

The establishment of [British Somaliland] protectorate and the Italian recognition of the Mullah as a political as well as a religious leader, the prestige of the Mullah rose high among Somalis of all tribes ... although the Mullah's message of religious prophecy was not well received outside the Darod tribal regions, other Somalis saw the Mullah as a symbol of revolt, the embodiment of their nomadic concept of freedom and liberty and of their dislike for the non-Somali.<sup>10</sup>

Certainly the tacit and official recognition given by the European colonial powers of Sheik Hassan played a significant role in legitimizing the Dervish State. However, his influence and power at the helm of the State would eventually become extraordinarily threatening to the Europeans. In their eyes the liability continued to increase the longer Hassan was established and Dervish increased in both military and political power. The Dervish State was only preserved through the maintenance of its military capability to blunt incursions into its territory. Over the Dervish State's twenty two years of existence multiple skirmishes and outright warfare occurred with the outside powers. In each case the Dervish were able to return to the *status quo* or expand its geography to some extent at the expense of its neighbors. Eventually, Sheik Hassan made a play to expand his influence through military conquest including pursuit of an irredentist agenda.

The focus on the conflict in Europe turned the gaze of the English away from its Somaliland colony, thereby allowing Sheik Hassan to effect the Dervish State's expansion during World War I. Hassan attempted this through the use of an offensive *jihad*, *vis-à-vis* an expansionist agenda, primarily focused on the Ethiopian frontier and neighboring Somali *dia*-paying groups not part of any state or colony. Hassan eventually

declared *jihad* on his fellow Somalis who were not willing to concede to his rule. This was not only worrisome to ethnic Somalis subject to his martial exploits, but also the regional powers in the Horn. Hess states:

With all the fervor of a man certain of the exclusive truth of his religion, he declared a holy war on all infidels ... at first aimed at Somalis of the Qadariyah sect, but it was only a matter of time before the term was applied to the Ethiopians and the British as well. The proclamation of the *jihad* led to an increase in the strength of the Dervishes, who in their religious enthusiasm soon turned to excesses of fanaticism and forced conversions.<sup>11</sup>

Eventually the gains made against the Ethiopians slowed, and the Dervish shifted their effort on the European colonial interests. This would prove to be a fatal mistake for Hassan and his followers. It also highlights the use of *jihad* by Sheik Hassan, who used it as a tool to motivate as conditions required. This was certainly troublesome for any neighbor who may have found themselves the focal point for a particular one, and should have been a learning point for any future use of the term in the modern world. In many ways this situation would be replicated by the UIC nearly ninety years later. The response would be similar, although the players were different.

The initial moves to expand into British held areas under the mandate of a *jihad* were made by aligning with the local *dia*-paying groups in the British hinterlands. This was eventually noticed by the colonial task masters in the colonial seat of power at Hargeisa, British Somaliland. The lack of control outside of the major towns in British Somaliland only served to alarm the British. The rhetoric in London escalated in its level of anxiety, and unceasingly painted Hassan as a pervasive threat to British interests. The

media only enhanced his reputation as the ‘Mad Mullah’ and the calls for action. Hess observed:

As Muhammad Abdullah's power and reputation grew, he became increasingly impatient with the British authorities, whose rule over the Somaliland protectorate was as nominal as that of the Italians in Somalia. The British, unaware of what was really taking place outside the coastal towns of Zeila and Berbera, soon attributed to the Mullah the goal of establishing his authority over southeastern British Somaliland and eastern Ethiopia. British information sources asserted that the Mullah was laying claim to supernatural powers and that there was no longer any doubt that he was organizing a movement antagonistic to the British Administration.<sup>12</sup>

Hassan’s efforts only enflamed the British who were consolidating their colonial possessions in East Africa, after defeating the Germans and absorbing German East Africa (Tanganyika). The calls for *jihad* against the “infidels” only added to the body of evidence for the British that Hassan was a threat to their interests.<sup>13</sup> This was becoming increasingly risky for the Europeans who were quite weary of intractable war. However, the post-World War I world had forever changed the landscape. Unfortunately for Hassan he was unable to change with the times and eventually overestimated the capabilities of the Dervish in the face of stark political and military realities.

In 1919, the British finally made a concerted effort to roll back the Dervish State, if not destroy it outright. He was now fighting a technologically superior combined arms force equipped with, and competent in, the use of aircraft and heavy artillery unlike the pre-World War militaries Hassan faced in the early 1900’s. The Dervish did not stand up long in the face of such aggression and end would be near. Sheik Hassan died of influenza less than eighteen months after the British commenced hostilities, coinciding with the final British push on the Dervish capital at Taleh. With his death, so died the

State. It was observed, “Hassan had been regarded by his followers as their only leader, and with his death his followers returned to their tribe of origin. Thus the Dervish problem resolved itself after twenty one years of free rein.”<sup>14</sup> After two decades of effort Sheik Hassan was never able to completely abolish the historic social structure of the Somali people. Only through the power of personality was Hassan able to hold the State together, coupled with a legitimate ability to punish those who challenged his authority.<sup>15</sup> In the end the Somalis fell back on what they knew, namely the *dia*-paying group and *xeer* working together to ensure personal and collective safety and security. Further attempts at creating a true Somali state in the modern context would have to wait until the end of the Second World War, and the push for worldwide decolonization via the United Nations.

The important take away is that while a strong single leader allows for focusing the Somali people toward the goal of nationhood it needs a mechanism to keep it together in the vacuum created by the loss of that leader. That goal coupled with an irredentist agenda appears to be reckless. The irredentist agenda of Hassan brought the full force of the British Empire to bear. However, with a single irreplaceable leader there is a vacuum generated with their loss. In the case of the Dervish there was no heir apparent, nor a group of elders to take the reins after the demise of Hassan. Even without the loss of Hassan it is unlikely the State would have survived given the martial efforts of the British to permanently settle the question. The use of Islam as a galvanizing force and system of law and order seemed to work well, with the exception of the pursuit of an irredentist agenda under a declared *jihad*. Ninety years later many of these patterns would be

repeated with the UIC, with the exception that there was no singular leader. It would take another forty years and another World War to see the emergence of another sovereign Somali state.

## THE POST-COLONIAL ERA AND THE RISE OF THE BARRE REGIME

The modern Somali borders were formed in 1960 in the wake of the UN decolonization plans, by the consolidation of British Somaliland and the Trust Territory of Somalia, formerly Italian Somaliland, into the Somali Republic. Reflecting the post war zeitgeist of the Somali people, an irredentist agenda was incorporated into the Somali Republic's Constitution, calling for the establishment of Greater Somalia. The Republic's Constitution called for "One unitary Republic. The Somali people one and indivisible."<sup>16</sup> This initial movement toward creating a Greater Somalia was met with consternation and eventual confrontation with Ethiopia over a potential change in the international borders. Zewde writes:

The new republic was committed to the unity of all Somalis, including those in the Ogaden, the then French territory of Djibouti, and the North Frontier District of Kenya. But it was the Ogaden which became the primary focus of Somali irredentism... Diplomatically, however, the cause of Somali irredentism was doomed. In the African context in particular, the Organization of African Unity (OAU), founded in 1963, for understandable reasons firmed the inviolability of international boundaries, however arbitrarily they might have been drawn in the past.<sup>17</sup>

However, the dream of a Greater Somalia would not sit quietly for a long term solution. Like the use of an irredentist agenda by Sheik Hassan fifty years earlier, there was power in focusing the Somali people toward this nationalist goal and away from inter-*dia*-paying group squabbles.

The fledgling Somali Republic irredentist agenda only enflamed the Ethiopian's sensitivities toward threats to its hegemony in the region. The Ogaden had been liberated by the British during the early stages of World War II, in the years following the 1936 conquest of Ethiopia by Italy. Following the war it was reintegrated back into Ethiopia through the considerable diplomatic efforts by Emperor Halle Selassie, thereby maintaining the pre-war borders overlaid on the Somali ethnic backdrop. The Ethiopian's position was that they were only maintaining the borders determined by the Battle of Adwa, and subsequent treaties with European powers. From the Ethiopian perspective they were never truly conquered by Italy, and therefore were no different than other nations fighting in exile (e.g. Free French, Polish) wishing to restore their pre-war territory. The Ethiopians believed the Ogaden was legally and forever theirs.

The situation on the sovereignty of the Ogaden did not sit well in either capital, and the vocal rhetoric in Mogadishu was met from Addis Ababa with a mute response. The speechmaking and elocution of agitated rhetoric only served to worsen the situation, eventually leading to small scale border skirmishes breaking out in early 1964. In turn this forced the Organization of African Unity (OAU)\* to broker a cease fire and establishment of a demilitarized zone between the two states.<sup>18</sup> The failure of a cohesive plan of action, to force the Ogaden issue in the Somali's favor, served to undermine the support of the Somali people for the central government. In Mogadishu the fecklessness

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\* The OAU is the precursor organization to the African Union.

in the face of adversity was eventually capitalized upon by General Said Barre, the head of the Somali Army.

Barre led an essentially bloodless coup in 1969 resulting in the establishment of Somali Democratic Republic (SDR). Reminiscent of Sheik Hassan, the SDR would be led by a singular leader under Barre, but with Islam replaced by communism as the unifying framework of safety and security. The socialist structure was maintained at the end of a gun barrel by the Army, which was in turn controlled by Barre's faction, in order to keep the population in line. Somali political scholar and former South African Ambassador to Eritrea Iqbal Jhazbhay states, "...under Said Barre, 'scientific socialism' was imposed as the official ideology that, combined with the suppression of clan-based affiliations, was a basis for political mobilization."<sup>19</sup> However, the socialist political system imported into Somalia was foreign and never really fit within the fabric of Somali society.

The establishment of socialism was designed to replace the clan, *dia*-paying group, and Islam at the village or town level. While the impact of socialism on the latter two was minimized, it had permanent and significant impact on the former. I.M. Lewis elaborates upon one example: "... stress was placed on the local settlement as a basic unit of identification in place of clan allegiance, and marriages, traditionally inter-clan affairs, were to be celebrated in Orientation Centers and stripped of clan significance."<sup>20</sup> The attempt at weakening and replacement of the fabric of Somali society was met with



mixed results. The preeminence of Islam was never truly overshadowed, and the *dia-paying* group could always be relied upon to provide security based on local conditions.

To keep the people focused something besides his attempts to disrupt the Somali social fabric, the Barre regime pursued an irredentist agenda, like the Republic and Dervish State before. The most significant of the SDR's attempts to take the Ogaden was during the nominal weakness of Ethiopia following the 1974 coup d'état of Emperor Haile Selassie by a military junta called the Derg. This attempt was made in the good weather afforded during the winter of 1977 and 1978, coinciding with the Derg suppressing countrywide separatist movements. This was the opportunity for Barre to do what others before could not.

The start of the conflict was nominally under the guise of supporting the efforts of the WSLF, a 1970's Ogaden based separatist movement, and the precursor organization to the ONLF. The early months of the war went very well for Barre, with the very near capture of the critical cross roads well within Ethiopia's border at the regional capital of Dire Dawa. However, the initial gains made into the Ogaden were finally blunted by Cuban backed Ethiopian troops, coupled with the USSR withdrawing its significant financial and military support of Somalia. The WSLF eventually retreated and found refuge within Somalia.<sup>21</sup> While the war did not meet its objective, it set the precedent of the SDR's willingness to support Ethiopian separatist movements. Equally this event would have a meaningful and significant impact on any future Ethiopian view of a Somali state that replaced Barre's regime, or later the warlords. This particular

experience would later frame the Ethiopian decision to invade Somalia in 2007, made all the more critical by the very real threat of fighting another conventional war with Eritrea.<sup>22</sup>

Following the Ogaden conflict the Somali-Ethiopian frontier was maintained at a simmer until Somalia imploded. This was due in large part to the impact of the USSR's withdrawal of significant support to Somalia, severely limiting the ability of the Barre regime's martial ambition thereby ensuring the existing state of affairs. The United States did provide some support to the Barre regime, but never on the grand scale provided by the USSR. In the meantime the Derg was fighting a bloody civil war, and only needed to maintain its borders, as it didn't have any particular expansionist agenda as access to the sea was assured for the time being by the stabilization of the Eritrean region, or nominally through a friendly Djibouti. However, it was the resolution of the Cold War in 1989, and the international community's malaise in light of the peace dividend that the end was near for Barre. The ability of Barre to suppress the population was broken with the withdrawal of all support from Russia and the United States by mid-1990. In early 1991 multiple regions across Somalia erupted in armed resistance against the regime with a general widespread uprising resulting in the Somali Civil War. With no internal or external support Barre was out of money, time, and friends.

When the Barre regime finally collapsed in 1991 individual Somalis fell back on what they could to establish safety and security. Somalis were compelled to rely upon personal allegiances and forming new ones at the local level to ensure their personal

protection. Since the SDR was controlled at the end of a gun barrel the fragmentation of the Army had a particularly widespread impact on the formation of the Warlord Era, as factions formed out of its fractured ranks taking control of areas they were stationed in. Kimberly Martin writes, “The army fragmented into clan-based militias, each supporting its own interests with armaments left over from the competitive Soviet and U.S. assistance packages that had been offered to Somalia in the past.”<sup>23</sup> These well-armed factions established local control over the population very quickly as the Somali society devolved into chaotic conditions.

#### ESTABLISHMENT OF THE WARLORD ERA

With the establishment of the Warlord Era, the average Somali was thrust into a chaotic world. Each warlord controlled area was insular like a *dia*-paying group, but without *xeer*’s collective decision making, each warlord was allowed to act as judge, jury, and executioner. There were now hundreds of strongmen, with substantial military capabilities, a general dearth of rule of law, and a complete lack of the mitigating effects of *xeer*.

As the SDR had recently collapsed there was still the chance that one of the warlords would be able to usurp all of the power for himself. If Barre’s regime was the framework to be reestablished there would be untold power and riches for a member of a particular warlord’s group that could rise to the top. From the warlord perspective there would be no upside to establishing a peace between factions as long as each had an

opportunity to win it all. Therefore, the stakes were very high for all of the factions as to who could assume overall control. Abdi Samatar noted:

Each warlord dreamed of replacing Barre, and since there can only be one central seat of power in a unitary country, intra-faction conflicts ensued, reminiscent but more deadly than those witnessed in the highly competitive elections held in 1969. This process left the country fractured, and instigated hatred based on blood-ties not previously recorded in the annals of Somali history.<sup>24</sup>

Overlaid on top of this was the ill-fated U.S. led and UN sponsored humanitarian intervention of 1993-1995, resulting in an international debacle, and framing the future approach to Somalia, most certainly in the eyes of American policy makers.

While the international community wallowed about in failure to keep the peace in Somalia, the chaos provided by the various warlords provided a certain amount of security for Ethiopian sovereignty in the Ogaden and the region in general. Since no individual warlord faction could possibly challenge the Ethiopian military, or truly support Ogadeni separatists, it worked within the interests of Ethiopia to have a general lack of peace and stability in Somalia. Further, a fractured Somalia accomplished the same objective in preventing the rise of a Somali state with an irredentist agenda through ensuring enfeebled autonomous states existed, such as Somaliland or Puntland, or other localized pockets of stability. In 2002, CRS analyst Ted Dagne commented, “Ethiopia’s principal interest appears to be to ensure that a united Somalia does not pose a threat to Ethiopia and that the Somali-inhabited-region of Ethiopia remains stable. Successive Ethiopian governments had to deal with Somali irredentism.”<sup>25</sup> This helps build the case on how a strong Somali state would never be acceptable to the Ethiopians and would

influence their approach and support of state building. It is with relatively high certainty that the UIC would have been a worst possible outcome from the Ethiopian perspective as it was geographically large, and increasingly strong.

### EARLY RELIGIOUS BASED MOVEMENTS

Along with the rise of the warlords, the final years of the Barre regime also featured the establishment of multiple religious based groups providing an alternative. Foremost, and most controversial, among these was the AIAI.<sup>26</sup> In the late 1980's the AIAI seriously challenged not only the Barre regime but also gave direct support to the ONLF in their goal of self-determination in the Ogaden, which would predictably place it square in the target hairs of the regime in Addis Ababa. The AIAI provided the ONLF with base areas in Somalia, allowing it to conduct cross border attacks on the Ethiopians, and the SDR turning a blind eye. On the other hand, the lawlessness afforded by the Warlord Era allowed the Ethiopians the freedom to conduct military expeditions across the ostensive border to deal with both the ONLF and the AIAI, or any challenge to its sovereignty. Patrick Giles writes, "Ethiopia made the first of a number of cross-border attacks on *al-Itihaad* bases in 1996, subsequently seizing and holding Dolo and several other small towns in the Gedo region of Somalia for almost a year in 1997."<sup>27</sup> From the Ethiopian point of view the AIAI was indistinguishable from the ONLF. The Ethiopian's believed the ONLF were clearly terrorists, therefore so were the AIAI. Since members of the UIC were also members of the AIAI, they were also considered terrorists for all intents and purposes.

While it is arguable that the AIAI were truly a terrorist organization they did fill a practical role. The AIAI provided social institutions and supports that positively resonated with the Somali people and “the peace and stability that prevailed in the areas it controlled.”<sup>28</sup> While many on the outside scorned it as just another Islamist terrorist organization, it was meeting a very real need at the local level, winning the hearts and minds of the people. Describing the AIAI the ICG reported “*Al-Itihaad*’s assertion that Islam could not be separated from politics offered a bold challenge to the regime at a time when Barre’s “revolution” had run out of steam.”<sup>29</sup> This was especially important in providing a stable structure for the people of Somalia.

The events of September 11<sup>th</sup> 2001 changed the international security situation in the world. Well before the rise of the UIC, the Ethiopian government was able to convince the United States government to deem the AIAI as a terrorist group through its active support of the ONLF.<sup>30</sup> In 2005, before the rise of the UIC was apparent, the ICG reported, “...less than two weeks after the 9/11 terrorist attacks in the U.S., President George W. Bush signed Executive Order 13224, which blocked the assets of 27 organizations and individuals linked to terrorism. Tenth on the list was the [AIAI].”<sup>31</sup> This was also the only Somali based group on the list. This designation was eventually used as the argument to connect the UIC to the AIAI, specifically by identifying one man, Sheik Aweys, as a member of both organizations.<sup>32</sup> This gave an opportunity to paint a direct link to the AIAI as a terrorist cabal that needed to be dealt with swiftly and with extreme prejudice.

## OBSERVATIONS AND REFLECTIONS

There are a number of critical takeaways from this chapter. First and foremost is that while there is great power in focusing the Somali people toward a common goal it can be detrimental if that focus is on an irredentist agenda. The historical record is punctuated with multiple examples of a focus on irredentism only to be followed by long term disaster at the hands of outside powers. The Ethiopians have proven time and time again that they are more than willing to defend their territory from the martial exploits of aggressors, especially as relates to the Ogaden region.

The second major takeaway is that while having a single leader, such as Sheik Hassan or Said Barre, has proven successful in creating a national identity it has also been instrumental in its demise. The issue of the warlords is somewhat a microcosm of this experience, albeit on a smaller scale but equally anathema to the Somali way of life. The cult of personality cannot survive with the loss of that leader, and in the absence of a succession plan or a *xeer* based system it will likely never work. This might be why some warlord factions became weak enough for the UIC to form in the vacuum. The failure to plan for the loss of the warlord could have led to internal strife while the lieutenants jockeyed for supremacy.

Third the Ethiopians had been able to flourish economically and maintain the Ogaden since the fall of Barre. To a large degree the chaos afforded by the Warlord Era allowed for the Ethiopians to operate with impunity in Somalia. In the absence of a friendly and beholden government in Mogadishu the next best solution would be to

preserve the *status quo* of endemic chaos in Somalia. The Ethiopians' economy continued to improve after the fall of the Derg even with the succession of Eritrea and the resultant loss of direct access to the sea. However, this access was only assured through the maintenance of the land lines of communication that run directly through the Ogaden to Djibouti, Somaliland, and the Mander Triangle in Kenya. Control of the Ogaden is simply critical to the survival of Ethiopia as a nation.

Finally, it would appear that in general the failure of Somalia as a state has not been directly associated with Islam. While the Dervish State was religiously inspired it was the irredentist agenda which caused the problems. In the case of the Dervish the use of *jihad* under the banner of Islam, was used to expand their geographic expanse into territory held by others. Clearly this was a case of an offensive military expansion and not defensive in nature. This certainly had parallels during the rise of the UIC although it is arguable if the UIC was conducting a purely defensive campaign toward the end of its existence. In the case of the SDR communism was never able to supplant Islam in its preeminent role.



## CHAPTER SIX

### ONCE MORE UNTO THE BREACH... REASONS FOR WAR

*The musical notes are only five in number but their melodies are so numerous that one cannot hear them all...*

*The primary colors are only five in number but their combinations are so infinite that one cannot visualize them all...*

*The flavors are only five in number but their blends are so various that one cannot taste them all...*

*but their combinations are limitless; none can comprehend them all...*

*For these two forces are mutually reproductive; their interaction as endless as that of interlocked rings. Who can determine where one ends and the other begins? <sup>1</sup>*

– Sun Tzu

## INTRODUCTION

The interconnectedness between the fortunes of Ethiopia and Somalia cannot be understated, as the change in one affects the other. The words of Sun Tzu are as useful in describing Ancient China as much as illustrating the complex nature between Ethiopia and Somalia. Changes in one have a profound impact on the other “as an agent of change”<sup>2</sup> as proposed by Liotta and used in this dissertation. Something in the dynamic changed allowing for the UIC to rise from the ashes of the Barre regime.

So why would the rise of the UIC cause so much alarm in Addis Ababa, given the Ethiopian regime had lived with the chaotic *status quo* in Somalia since 1992? At first blush, the grassroots rise of an internally stabilizing force in Somalia should have been met with praise and excitement by both the Zenawi regime and other outside stakeholders. On the contrary the rise of the UIC was met with urgent and sustained calls

for military action to defeat them before they effectively consolidated their gains, and created a functioning governmental structure. As this chapter will explore, the reason for going to war was centered on two key elements, first calls for Somali irredentism from within the UIC following its rapid expansion framed by historical precedents of the SDR and the Dervish State, and second the Eritrean's support for the UIC's military exploits and irredentist agenda coupled with the high risk of starting a second costly war with Eritrea with the approaching dissolution of the UN Mission in Ethiopia and Eritrea (UNMEE).<sup>3</sup> This chapter will also explore the argument made by the Ethiopian regime to convince the United States government to support its war against the UIC, and the American's decision making process.

## FAILURE TO START

Certainly there had been numerous failures of the international community to install a functioning government in Somalia since 1992. The development of a grassroots Somali solution when none of the international attempts had succeeded was an anomaly that could have been explored, yet was viewed with skepticism and fear. I.M. Lewis compared the TFG to the rise of the UIC by declaring, "None of the many grandiose (but dysfunctional) 'governments' introduced by external intervention, including the latest Kenya-based TFG, had managed to restore public services or security so spectacularly, or indeed to govern at all. The Courts' success was consequentially perceived as a serious threat by the Ethiopian government."<sup>4</sup> However, Lewis does not go as far as to outline why the Ethiopians felt so threatened. This researcher contends that the various attempts

at installing a government from the outside, such as the TFG, were generally weak and beholden to the government in Addis Ababa, falling in line with what Ted Dagne had postulated in a 2002 CRS Report. He stated, “Ethiopia’s principal interest appears to be to ensure that a united Somalia does not pose a threat to Ethiopia and that the Somali-inhabited-region of Ethiopia remains stable.”<sup>5</sup> The failure of either group to be installed as the sovereign in Somalia would serve to maintain the *status quo* of the Warlord Era, giving nominal security to the Ethiopians in as much as the EPDF to act with impunity if they so desired. The UIC was poised to upset that balance that had allowed for stability in Ethiopia.

The sentiment noted by Lewis and Dagne was also mirrored by Ken Menkhaus who wrote, “The most recent effort to broker a new central government in Somalia, the Nairobi peace accords, produced an agreement on a transitional federal government in October 2004, the culmination of two years of negotiations and considerable external pressure.”<sup>6</sup> Other organizations were less favorable in their comments, with the International Council on Security and Development (ICSD)<sup>7</sup> stating:

The TFG is an incoherent body characterized by a ‘zero sum game’ mentality. It is a loose collection of frequently opposed clan-based groups that seek to maximize their position at the expense of their rivals. It is failing to deliver any government services, security or aid, prompting the worst humanitarian crisis since early 1990s. It is unable, or unwilling, to provide a basic level of agreement and consent between the various factions, clans and sub clans, and is perceived to be guilty of clan favoritism... Aside from the Prime Minister's bloc, many key figures in the TFG retain armed militias. A number of internal and external forces continue to exert control over the TFG's various factions through a network of commanders that exist outside of the government's orbit.<sup>8</sup>

Others described the TFG as lacking legitimacy as the sovereign from the perspective of the Somali people since its establishment. Abdi Samatar wrote:

The [African Union] managers allowed Ethiopia to gerrymander the conference in order for it to reward its clients to form the Transitional Federal Government (TFG). Despite the preponderance of misgivings about the legitimacy of the process, the international community blessed the imposition of a government of warlords on the Somali people, and the population begrudgingly decided to accept the TFG as the government of the land in the hope that the warlords would act responsibly as national leaders. Once more the people's faith was dashed as the warlords failed to agree to work together for the common good.<sup>9</sup>

In essence the organization was made up of any warlord who wanted a piece of the post-conflict stability and riches to be gained. This served to undermine the trust placed in the TFG by the Somali people. This hodge-podge organization completely lacked the unity of purpose and effort that the UIC brought to the game. What the TFG lacked the UIC had. Of course the TFG may have had the trump card with the important distinction of having the political backing of Ethiopia and the AU.

Therefore, it would be foolhardy of the UIC to give the Ethiopian regime the pretext for going to war in order to usher in the TFG. While the UIC had enjoyed incredible military success against the various warlord factions, it was hardly capable of defending itself against the TFG backed by the EPDF. As reported in the Economist, “the Islamists, untrained and ill-disciplined with mostly small arms, are no match for one of Africa's biggest and best-armed forces.”<sup>10</sup> This situation should have compelled the UIC to be exceptionally careful in its external dialogue and at least the visual side of its agenda (e.g. expansion of territory).

## SOMALI IRREDENTISM HISTORICAL ISSUES FOR THE UIC

The irredentist agenda of the UIC became a critical issue, reminiscent of the previous attempts at creation of a larger Somali state at the expense of the Ethiopian's territory and hegemony. Each time this had happened in the past the Ethiopian government was compelled to expend military and financial resources in order to maintain its territory in the face of Somali aggression. One can conclude that the Ethiopian regime would be particularly focused on ensuring that a future government would not only be pro-Ethiopian, but also not strong enough to garner the military strength to make good on an irredentist claim to the Ogaden under the dream of a Greater Somalia. This appears to be a primary reasoning for the support given to the TFG as the Ethiopians clearly could live with the Warlord Era *status quo* and the dynamic had pragmatically changed under the UIC.

In real terms the span of control of the UIC was quickly encroaching on Puntland and the Ethiopian frontier, as can be seen on the map in Appendix A, Map A-2, entitled "Advance of the UIC 2006." The UIC had quickly become a force that was militarily capable, accepted by the local population, and increasingly anti-Ethiopian in its rhetoric. The record identifies numerous members of the UIC calling for the establishment of Greater Somalia, increasing with frequency as November 2006 approached. These statements became increasingly hostile in their rhetoric as the UIC's span of control approached the Ethiopian frontier, and surrounded the TFG's forces in Baidoa. In particular, statements made by Sheik Aweys resonated with the Ethiopians and

Americans. Approximately one month prior to the Ethiopian invasion the Associated Press reported:

The leader of the Islamic group that controls much of southern Somalia has revived the idea of a "Greater Somalia" that would incorporate regions of Kenya and Ethiopia - a move that could further stoke tensions with the neighboring countries. Sheik Hassan Dahir Aweys, chairman of the Council of Islamic Courts, told Shabelle Radio in an interview late Friday that his group would work to unite ethnic Somali peoples, but he did not say how it proposed to achieve a "Greater Somalia." This is the first time that Aweys has spoken about expanding the influence of the Islamic courts outside Somalia since his group seized control of the capital, Mogadishu, in June and then consolidated its control over most of southern Somalia.<sup>11</sup>

The irredentist rhetoric out of the UIC should not have come as a complete surprise to the international community given previous attempts to stimulate the spirit of Somalis by focusing on external aggression. However, what is missing from this report is an understanding that the UIC was not led by Aweys alone as he was only one man in the leadership of the UIC, not the leader.

### THE TERRORIST CONNECTION

While the UIC was not identified by name as a terrorist organization the AIAI was. As discussed in Chapter Four, there appears to be no direct connection between the UIC and AQ. However, due to the AIAI being placed on the list identified in Executive Order 13224, anyone associated with the AIAI would be nominally guilty by association, with their membership on the UIC *ipso facto* tainted the AIAI.<sup>12</sup> From the American perspective the rise of the UIC appeared to have some connections to terrorist networks due to this nuance.

As early as 2002, Ted Dagne noted how connections were being made between individual members of the AIAI as terrorists, in order to garner support for their actions under the guise of the GWOT, the wake of Executive Order 13224. Dagne wrote:

Since President Bush placed Al-Itihaad on the list of terrorism-related entities in September 2001, press reports and information about this group have increased. Somali warlords, especially those backed by Ethiopia such as the Somali Reconciliation and Restoration Council (SRRC), headquartered in Baidoa, and vehemently opposed to the Transitional National Government (TNG), have been actively engaged in a public relations campaign to portray their political enemies as terrorists. The government of Ethiopia has also been very vocal in portraying Al-Itihaad and the TNG as terrorist groups.<sup>13</sup>

The TNG was a previous AU attempt at creating a sovereign to rule over Somalia and in many ways the predecessor organization to the TFG, and the SRRC was an Ethiopian developed challenge. Both failed after a couple of furtive starts to assume control in Somalia. Regardless, the Ethiopians were quick to make the case that the UIC was a carbon copy of the Taliban. Any opportunity to portray this storyline only served to make the case for going to war. Further the Ethiopians were starting to make their case to the American public at large, rather than just interested parties in the Administration. In the days prior to the Ethiopian invasion Prime Minister Zenawi was interviewed by the Washington Post stating:

There is a group in the Islamic Movement in Mogadishu that is not interested in democratic secular government in Somalia that is hell-bent on establishing a Taliban regime in Somalia. Now, you can facilitate the Talibanization of Somalia through dialogue. If that is the intention, it perhaps makes sense. But you cannot stop a group that has clearly demonstrated that it wants to Talibanize all of Somalia, that is prepared to use dialogue to facilitate its military takeover. For someone to say in the face of such facts and stark realities, that facing the challenge on its own terms is what creates the challenge in the first place, such arguments in my view are worse than fecklessness in the face of a challenge.<sup>14</sup>

This is a very clear articulation that the Ethiopians were making the case that the UIC was no different than the Taliban in Afghanistan and that failure to deal with the UIC early and militarily would eventually create a much larger problem regionally. These ideas resonated with the many in the Bush Administration, especially Ambassador Frazer. Given the ongoing campaigns in Iraq and Afghanistan it would be increasingly worrisome to the Administration that a third front in the GWOT would emerge.

Beyond making the argument that the UIC was comparable to the Taliban, Prime Minister Zenawi needed to make sure that it was clear that the leadership was headed by hard core terrorists. Central to making this argument was creating the perception that Sheikh Aweys was to the UIC what Mullah Omar was to the Taliban.<sup>15</sup> As reported in the Economist, Prime Minister Zenawi made numerous statements to this effect, including that Aweys was responsible for bombings in Addis Ababa although without any specific evidence to back up those claims.<sup>16</sup> Regardless, the rhetoric describing Aweys was continually crafted in negative terms and this only played into the storyline being unfolded. This was similar in many ways to the rhetoric surrounding Sheik Hassan ninety years earlier, albeit with the critical distinction that the UIC was not led by Aweys as the supreme mullah, unless the argument could be made to the contrary.

Even groups that would have nominally supported the rise of the UIC were wary of Awey's involvement in the senior levels of the UIC. For example the ICG reported:

The decision to make Chairman Sheikh Sharif the visible face of the Islamic Courts is an attempt to present the movement as moderate, conciliatory and acceptable to most Somalis and external actors. But the emergence of



Aweys as head of the *Shura* and a high profile public figure raises the troubling question of whether the Islamic Courts could be used as a Trojan horse by radicals and *jihadis* operating under cover of a moderate Islamist movement either unwilling or unable to restrain its most dangerous wing.<sup>17</sup>

This was troublesome for the UIC, given the ICG had made previous reports supporting the rise of the grassroots UIC movement. Notably, this report also alludes to an observed change in the structure of the UIC to add layers of bureaucratic complexity, although this is unclear from the lack of other sources to validate this claim. On the other hand, many groups expected that Sheik Aweys was expected to usurp total power under an extreme ideology. This possibility would be worrisome to even the most liberal think tank or pundit.

#### ETHIOPIAN AND ERITREAN WILDCARD

The rise of the UIC also coincided with the pending failure of the UNMEE, which was established by UNSCR 1312, in the wake of the most recent conflict between the two states.<sup>18</sup> By the time the UIC had become established, the border between the two countries had become a fortified line, including minefields, and robust military facilities, reminiscent of the Demilitarized Zone in the Korean Peninsula. Both countries had by necessity maintained relatively large conventional military forces after the conflict, poised to attack each other in the event hostilities erupted again, as well as keep the population in check lest a separatist movement take hold.

The rise of the UIC also coincided with an increasingly hostile Eritrea, a situation that was beginning to mirror the situation faced by Ethiopia during the Ogaden War

decades earlier. The only difference would have been that in this theoretical war the insurgents would be the Somalis, and the regular forces fighting under the Eritrean battle flag. This situation was hypothesized by Ted Dagne in a 2002 CRS report:

Since the war with Eritrea in 1998, Ethiopia's interest in ensuring stability and eliminating potential threats coming from Somalia has increased, in part because of concerns of fighting two wars simultaneously. If the perceived threat from Somalia and the Somali region is not dealt with decisively, Ethiopia could be forced to maintain robust forces in both the north and the south-east. But a friendly government in Mogadishu or Hargeisa could relieve Ethiopia of the burden of maintaining a large force along the Somali border, saving Ethiopia scarce resources and helping concentrate its forces along the Eritrea border.<sup>19</sup>

One cannot underestimate Dagne's critical insight in the identification that it would remain in the best interest of the Ethiopian regime to have a friendly Somali government in Mogadishu. Everything from access to the sea, to ensuring a friendly neighbor not allied to Eritrea, was paramount in Ethiopian decision making. Additionally, Dagne identified the dual threat, posed by a strong Somalia bent on an irredentist agenda, and a hostile Eritrea looking to regain its lost territory. This adds to the body of evidence the Ethiopians would be keen to maintain the legitimacy of the TFG and ensure their military and political strength, or in lieu of that keep Somalia chaotic. Providing EPDF military capability to augment the TFG, rather than give the TFG the capability, would also prevent the TFG from becoming militarily capable on its own, therefore becoming beholden to Addis Ababa. Without a serious military capability, the TFG would not be able to pursue an irredentist agenda in the future through military conquest, in turn minimizing risk for the Ethiopians. This was made all the more critical as the UIC

increased its military strength which would be progressively hard to defeat on the battlefield if an immediate solution could not be found.

The observations of Dagne were held by others in the U.S. establishment. Rear Admiral (RDML) Hunt, the Commander of the American task force located in the Horn of Africa, the Combined Joint Task Force Horn of Africa (CJTF-HOA), discussed this situation at length on June 26, 2006 during a meeting with Azouz Ennifar, the UNMEE Coordinator and Senior UN Diplomat on the scene. This meeting was held six months prior to the Ethiopian invasion and therefore is very telling of the Bush Administration's view that Eritrea was a destabilizing force in the Horn of Africa.<sup>20</sup> In this meeting RDML Hunt stated his concerns that the Ethiopians would be taking a serious military risk if they did not deal with the Somali problem in the near future. Ennifar wrote the UN Secretary General as follows:

Rear Admiral Hunt also informed [UNMEE] of the military problems Ethiopia is facing with the Ogaden National Liberation Front operating on the border areas with Somalia, and predicted that, if Baidoa were threatened, the Ethiopian army would march towards Mogadishu. In this case, however, Ethiopia would need to pull troops from the Ethio-Eritrean border with the potential risk of Eritrea taking advantage of the situation and making a move... it would need to pull elements from the 21 divisions in the north and along the Temporary Security Zone. The Rear Admiral expressed the view that the Ethiopian army could not sustain two fronts simultaneously.<sup>21</sup>

Hunt's crucial military insight identifies that the Ethiopians faced very bleak prospects, and could not sustain combat operations against both Eritreans and an increasingly capable UIC. Time was not on the Ethiopians side and they were in an increasingly unenviable position. Beyond the strategic implications, RDML Hunt also identified

Baidoa was the key geographic feature to be defended. Baidoa is strategically located 135 miles from Mogadishu, on the main supply line to the Ethiopian frontier and also equidistant between the fertile Jubba and Shebelle River valleys. At the time Baidoa was the TFG's Somalia-based seat of power, although the majority of the senior officials were located in Nairobi Kenya. Whoever controlled Baidoa controlled the region, and would allow the UIC to have a base of operations poised to conduct operations in the Ogaden. Baidoa would later prove to be where the conflict transitioned into open warfare between the UIC and the Ethiopians.

Ennifar also identified that the American intelligence services believed that the Eritreans were aiding the UIC militarily. If true, this would be a significant threat to stability in the Horn. The memorandum also highlights the concerns of the Zenawi regime as observed by Ambassador Frazer and relayed by Ennifar as follows:

Dr. Frazer quoted Prime Minister Zenawi as saying “we make strategic decisions and everything flows from there.” Eritrea has made a strategic decision to go to war with Ethiopia (in the past). According to her, Asmara has also “crossed the red line in Somalia by supporting extremists, and they will pay for it.” It has also crossed the redline by arming extremists all over. Therefore, Eritrea has lost legitimacy in the Region. Finally, she cautioned that if Ethiopia intervened in Somalia, it would be a mistake for the international community to condemn it.<sup>22</sup>

With certainty this also added to the Ethiopian's growing body of evidence that the UIC was a being supported as part of a proxy war. This played into the Bush Administration's willingness to support Ethiopian's resolve to stabilize the region, even if the Ethiopians weren't exactly operating in self-defense. It also fit the model laid out in the

## Administration's National Security Strategy and National Strategy for Combatting Terrorism.

To add to the body of evidence, Zenawi claimed that support of the UIC came from beyond just the Eritrean connection, and was part of a wider Islamic nation based support. Specifically, he pointed out that other Muslim nations were involved in supporting the UIC's expansionist agenda. The Guardian newspaper reported, "Zenawi also repeated claims that Qatar and other un-named Arab Sunni Muslim states were financing Eritrea's covert operations against Orthodox Christian Ethiopia. He suggested Eritrea was intent on radicalizing Ethiopia's Muslims..."<sup>23</sup> This claim was disputed by members of the UIC, specifically Sheikh Aweys. Al-Ashraq Al-Awsat, a London based Arabic language news source that reported:

Accusations that funds and weapons were reaching the Islamic Courts from Yemen, Saudi Arabia and Eritrea... denying the Islamic Courts had received aid from outside the country... and warning against attempts to undermine the Islamic Courts' move to explain its political program to other Arab and Muslim countries.<sup>24</sup>

However, this sentiment was generally ignored as nothing more than evasive comments by the UIC to distract focus away from their agenda in the region.

As the start of the conflict loomed significant, military hardware was observed in the hands of the UIC. Beyond Ethiopian and American claims, there were other open sources that provided verification that Eritrea was providing direct support to the UIC. In one particular report the ICG stated:

UN monitors allege that between May 2005 and May 2006, it delivered at least ten arms shipments to Somalia, mainly to leaders aligned with the

Islamic Courts (including Aweys and Indha'adde) and to the ONLF. Two unidentified aircraft that landed at Mogadishu's international airport in the last week of July 2006 were reportedly carrying arms for the Courts from Eritrea.<sup>25</sup>

While the exact nature of the cargo could not be identified it is realistic to believe that this ranged from small arms and crew served weapons to smaller artillery pieces given the capability witnessed by outside observers.<sup>26</sup> Additionally, this report shows that the UIC was receiving heavy weaponry at least a year before its rise had become apparent in the West. In a complementary narrative, the Associated Press reported that the U.S. Ambassador to Kenya, Michael Ranneberger said, "There was ample information that foreign countries were providing weapons to Somalia.... [it is] generally known Eritrea is involved."<sup>27</sup> It was also the common belief that the Eritreans were directly supporting the UIC with observers as well.<sup>28</sup> At a minimum, Zenawi made overtures that the Eritrean involvement in supporting the UIC was redline that was crossed. Zenawi stated this emphatically in a July 2006 speech to the Ethiopian Parliament:

The Eritrean government has demonstrated no interest in conducting a peaceful policy in its relations with its neighbors. Instead, Asmara is pursuing a strategy it had devised to disturb the peace in the Horn countries including Ethiopia. Eritrea's actions of arming radical elements in Somalia, which are well known, have been confirmed by United Nations reports and constitute concrete manifestations of Eritrean strategy of destabilizing the region. In short, the Eritrean government has confirmed, through its actions that it stands to be a source of destabilization in the Horn of Africa and a mentor of radicals and terrorists.<sup>29</sup>

Given the strong body of evidence there was little doubt that the Eritreans were playing a crucial role in the military capability of the UIC. The increase in their support coincided with the rapid expansion of their territory. Without a doubt this was a clear and present danger to the Ethiopian regime. This researcher believes that the evidence does point to

the theory that improvements in the military capability of the UIC could not be attributed to sheer manpower increases due to adding Courts into the militia alone. In essence it couldn't be done without proactive support from a champion of the UIC, in all likelihood the Eritreans.

The effort by the Eritreans to support the UIC was forming a classic proxy war strategy setting the stage to force the Ethiopian government to become bogged down in an intractable guerrilla war to maintain its sovereignty over the Ogaden region. A strong and hostile UIC that was willing to support the ONLF would place the already tenuous control of the Ogaden at serious risk without garrisoning the region. As a result, this would sap critical strength along the Eritrean border and place the *status quo* at very high risk. The Ethiopians needed to act fast before the failure of UNMEE and the UIC consolidated their territorial gains. Delaying the Ethiopians ability to go after the UIC militarily months or years later could possibly provide the opening for the Eritreans to engage in hostilities again to take back territory lost a few years earlier, with less loss of blood and treasure.

#### FILLING IN THE BLANKS FOR THE BUSH ADMINISTRATION

While the connection to the Eritreans was one thing, it would be important for the Ethiopians to paint the UIC as a true terrorist threat on the level of AQ or the Taliban. Following the fall of Mogadishu the Ethiopian regime made very clear to the United States that the UIC was a rising threat, controlled by the AIAI, at the very least nothing more than a puppet regime of the Eritreans. The dialogue in the summer of 2006 made

suggestions that the UIC was born out of a chaotic situation but it was following the playbook of the Taliban, rather than as a grassroots effort at establishing safety and security. Prime Minister Zenawi stated in one example from late June 2006:

Now, as regards to the implications of the resurgence of terrorist groups within Somalia, on the security and stability of Ethiopia, naturally, like any country, we reserve the right to defend ourselves against all attempts to destabilize our security and stability. We are aware of course that the Union of Islamic Courts is a Union of desperate forces. There are those Somalis who have supported the establishment of such courts because of the desperation that came as a result of the absolute chaos and lawlessness in Mogadishu. So, in a sense for much of the supporters of these courts, the issue is one of order and stability. We understand their desire and we have nothing against that desire. And then, you have the messenger voice of the government of Eritrea who has been actively involved in the fighting in Mogadishu. Theirs is not a specifically Somali agenda. And finally, you have the jihadists led by the AIAI, which I am sure you know, is registered by the United Nations as a terrorist organization. And so, for us, the Islamic Courts Union is not a homogeneous entity. Our beef is with Al-Itihaad, the internationally recognized terrorist organization. It so happens that at the moment the new leadership of the Union of the Courts is dominated by this particular group. Indeed, the chairman of the new council that they have established is a certain colonel who also happens to be the head of Al-Itihaad. Now, the threat posed to Ethiopia by the dominance of the Islamic Courts by Al-Itihaad is obvious. Many of you would remember that Al-Itihaad had been involved in terrorist outrages here in our capital. And so, it is absolutely prudent and proper for us to take the right precautionary measures.<sup>30</sup>

The speech recounted above summarizes the Ethiopian assessment of the situation, and the argument made to the Bush Administration to support its agenda. Following the approach that to act preemptively to defeat a terrorist organization any connection to Executive Order 13224 was good enough. In this case, since Sheik Aweys was part of the AIAI and later the UIC, the UIC must be the same as AIAI and therefore a terrorist organization that must be defeated. This approach complemented the broader policies of the Administration following the events of 9/11. It was plainly articulated that the Bush



Administration was willing to support fighting against the greater terrorist threats faced in the world.<sup>31</sup>

It is no secret that the Bush Administration made the global pursuit of terrorist organizations as job number one following the events of 9/11.<sup>32</sup> In response the Administration developed a number of unclassified national security documents to describe their formula for prosecuting the campaign against AQ, and aligned, or allied groups. As these documents were made for wide consumption it would be a clear signal to be wary for any would-be enemies of the state, or as a framework to develop U.S. support for a likeminded ally. For example, the NSCT stated, “The United States will constantly strive to enlist the support of the international community in this fight against a common foe. If necessary, however, we will not hesitate to act alone, to exercise our right to self-defense, including acting preemptively against terrorists.”<sup>33</sup> The language of this statement leads one to believe that this tacitly approves other countries’ preemptive actions against terrorist groups as well, under the mantra of self-defense. The NSCT goes further by describing areas that are ungoverned provide for fertile ground and a sanctuary for terrorist groups, deserving particular scrutiny. The NSCT goes on to state:

The United States will work in concert with our international and regional partners to ensure effective governance over ungoverned territory, which could provide sanctuary to terrorists. Where there is a clear indication of terrorist activity in these areas, the United States, in conjunction with our friends and allies, will work to eliminate these terrorist sanctuaries and preclude any future access to these areas by terrorist organizations.<sup>34</sup>

In light of the Afghanistan experience and AQ’s safe havens provided willingly by the Taliban, or simply through tenuous control of the hinterlands, it could also be used as the

approach to frame U.S. policy in East Africa. Convincing the U.S. government would nominally hinge upon how the situation supported terrorist groups' activities. Making the argument that Somalia served as a base area for terrorist operations would only enhance the support for going to war, especially given the American view that Southern Somalia was generally lawless and ungoverned.

While the NSCT, among other documents, provided a blueprint for the Ethiopians to gain the support it needed to rid itself of the UIC and install the TFG government, it was not approved of by all. Some viewed this as a very cavalier approach to dealing with the problem of terrorism as a cookie cutter solution to the array of complex social problems leading to terrorism. The International Council on Security and Development described the Bush Administration's foreign policy as "both insular and divisive, with the overly simple 'with us or against us' axiom being a blanket formula applied to all parts of the globe with results that can best be described as unequal."<sup>35</sup> However, while the Administration's policies were not approved of by all, it worked to the advantage of the Ethiopians to make the case for going to war in Somalia. Given the war weariness of the American public in 2006 it would require a discussion in the U.S. Congress to truly ensure support for a new conflict. It was this debate which set the final conditions for American approval, and direct military tactical support for Ethiopian intervention.

## THE U.S. CONGRESSIONAL DEBATE

In the eyes of the American public Somalia was a morass not to be trifled with. Prior involvement by the U.S. government in the early 1990's ended in a political

disaster, punctuated by the “Blackhawk Down Incident.”<sup>36</sup> Therefore, before open and active U.S. military engagement, or support of Ethiopian martial exploits occurred, scrutiny would have to be made by Congress. The Joint Session of the 109th Congress, on June 29, 2006, debated the rise of the UIC. The session recognized the grassroots efforts of the early court’s ability to bring safety and security in the region and its connection to the business community, but the conciliatory tone ended there.

Representative Christopher Smith (R-NJ), senior member of the session, noted:

A rudimentary system of Islamic courts was funded several years ago by a group of Somali businessmen, hoping to create at least some semblance of law and order. This group of Islamic courts established a union, and it is this group that has spearheaded the effort that resulted in the overthrow of the Somali warlords a few weeks ago.<sup>37</sup>

The remainder of Smith’s discussion revolved around the connections between the UIC and various terrorist organizations, and other activities in the GWOT. In a new twist, Smith postulated that the UIC was providing sanctuary and safe haven to the suspects of the U.S. Embassy bombings in Kenya and Tanzania, making the leap that Sheikh Aweys was personally involved. His demonization of the UIC was apparent. Congressman Smith went on to say:

As I mentioned earlier, the attacks on the U.S. Embassies in Kenya and Tanzania are believed to have been planned and launched from Somalia, and individuals and groups responsible for those attacks are now in power. Sheik Hassan Dahir Aweys, the leader of the Council of Islamic Courts, is considered a terrorist with possible ties to al-Qaeda. Several of the factions which make up the Islamic Courts Union embrace global jihad, desire to establish Sharia law, and have declared their intent to make Somalia an Islamist state. The Union includes foreign fighters from Afghanistan, Pakistan, Syria and other Arab States and has been supported by Saudi Arabia and Yemen.<sup>38</sup>

These comments appear to have been made as a result of military intelligence briefings, but those reports have not been released the general public, nor is there other evidence to support this in leaked U.S. diplomatic cables.<sup>39</sup> Specifically, there is no documentation to support that the UIC ever used foreign fighters, and certainly never in numbers large enough to validate Representative Smith's claim. There is a dearth of reports from reputable news outlets or the various Somali based blogs to support this claim. Quite simply, there is an absence of open source material that was published during or after this time to validate a connection between the UIC and these supposed AQ operatives, as postulated by Congressman Smith. These comments belie a very similar parallel to the Taliban's inability to turn over Bin Laden and associates immediately prior to the U.S.-led invasion in October 2001. Representative Smith was not the only person who espoused this view.

Congressional testimony of Ambassador Frazer reinforced the opinion that UIC was a clear and present danger to stability in the Horn of Africa, and at the minimum providing sanctuary for terrorists. In her testimony she made clear that preemptive military action was warranted.<sup>40</sup> She went on to describe what she believed was the clear connection between the U.S. Embassy bombings and the UIC. Ambassador Frazer summarized the situation from her viewpoint as follows:

Our policy toward Somalia is we want a return to a central government. Particularly we want to support the Transitional Federal Institutions and the Transitional Federal Charter to establish a central government in Somalia... We also want to ensure that Somalia does not become a source of instability in the region, the export of criminality, the export of arms across the region. So we need to, again, help to establish a central government so that we can provide stability in the region as a whole, and clearly one of our priorities

is to prevent Somalia from becoming a haven for terrorists. There are terrorists there, particularly the three that we are pursuing who were responsible for the 1998 Embassy bombings, but there are others as well, and so we need to engage Somali society and to turn over those ones that we know are there and to prevent others from using it as a base of operation.<sup>41</sup>

While not directly denoting the connection between Aweys and the embassy bombing suspects it made the case that the UIC could turn them over if they wanted to. This was no different from the view that the Taliban could have turned over Bin Laden five years earlier but simply chose not to.

Some tried to assuage the concerns that the UIC was another Islamist organization bent on domination and control. One voice in the debate argued that the UIC was not Islamic extremists bent on a worldwide *jihad*. That voice was Ted Dagne who warned:

The rush to label Somali groups as terrorists or extremists may have led some Somalis to reach the conclusion that they are being labeled because of their religion. Somalis are Muslims and more secular than some of our allies in the Middle East. No Somali extremists or fundamentalist group has succeeded in dominating the political scene since independence. Moreover, there seems to be no reliable evidence showing the presence of an international terror network or a significant increase in such threat in Somalia. A heavy-handed approach in the absence of clear evidence could be seen as targeting a weak and defenseless country.<sup>42</sup>

This was a significant departure from Dagne's previous observations on the AIAI in 2002.<sup>43</sup> Frankly, this researcher is incredibly surprised over the change of tenor. His comments should have had more weight in crafting the U.S. approach to the UIC, especially given the incredible change of viewpoint and his long established expertise in East African Affairs with the CRS. While it may be conjecture, there is a high likelihood that many senior decision makers in the Administration already felt that a military

solution was the only viable option at this point, and Dagne's comments were too little too late.

Beyond the efforts of the hearing and the aforementioned statements it appears that the U.S. government did not make any direct request of the UIC to turn over specific individuals. Any attempt at giving the UIC a chance to engage in a positive manner with the American government was lackluster at best. For all intents and purposes the die was cast that the war would commence in the near future, and it would appear that the outcome of the Congressional hearing was not going to recommend against it. However, the political situation started to change by the end of summer 2006 that may have precluded the war.

#### POSSIBILITIES FOR RECONCILIATION ARISE

The UIC began to reorganize their higher level structure to better interface with the outside world in the late summer of 2006 after the fall of Mogadishu. This structure was designed to formalize the *xeer* structure that had previously served the *wadaads* well, while at the same time allowing for development of a government that could interface with the outside world more efficiently. Somali watchers observed that the *wadaads* raised the *xeer* concept to the higher level.<sup>44</sup> However, they elevated a small number of these elders to an even higher level of bureaucracy, called the Supreme Council (SCIC). This was a notable departure from the previous structure, although by most accounts was still following the *xeer* model. This change did appear to include some of the trappings

of a more complex bureaucracy able to conduct external political dialogue more efficiently. In one BBC article it was reported:

Somalia's Islamic courts, which control Mogadishu, have set up a new power structure in which a top Islamist wanted by the U.S. is to play a key role. Sheikh Hassan Dahir Aweys - on the U.S. list of terrorists with alleged links to al-Qaeda - is to head an 88-strong legislative council, or parliament. A new, eight-member executive committee, or cabinet, will be chaired by a moderate, Sharif Sheikh Ahmed. Discussions on the new structure are still under way in the capital. Mr. Ahmed is chairman of the Union of Islamic Courts, which wrested control of Mogadishu from warlords two weeks ago. The new legislative council is to take decisions, which will be then be implemented by the executive committee.<sup>45</sup>

Notably, this report does not state that any one member was the actual “supreme leader” of the UIC, possibly indicating the *xeer* style of consultative governance remained in place. Further from this report it would appear that Sheikh Ahmed, not Aweys, was the actual front man. However, it cannot be underestimated the impact that Aweys had on the discourse. Aweys’ pariah status was used to great effect by the Ethiopian regime and hawks in the Bush Administration to make the case for going to war given his previous affiliation with the AIAI. Other media outlets confirm this view with the Economist reporting, “[the UIC] have divided administrative powers between a legislative assembly and a smaller executive: all very orderly. But what alarms people, particularly in the West, is the appointment of Sheikh Hassan Dahir Aweys as head of the assembly.”<sup>46</sup> However, the nascent development of a governmental structure that allowed for an interface with the outside world delivered the possibility that political dialogue could be developed to find a peaceful solution. Of course this also highlights the incredible anxiety over the participation of Sheikh Aweys in the highest levels of the organization.

The newly reformed UIC commenced a dialogue in late July 2006 with the TFG, other nations, and even regional organizations.<sup>47</sup> In general the negotiations were held in the Sudan under the aegis of the League of Arab States, in the late summer and early fall of 2006. It was reported by Shabelle Media Network, “An Islamic Courts delegation met with U.S diplomats in Khartoum..., as part of a visit to negotiate with the transitional government.”<sup>48</sup> Another report released by the Associated Press stated:

During the first round of Arab League-mediated talks in Khartoum, Sudan, the government and the Islamic group agreed to stop all military action though the Islamic group has been engaged in clashes and military deployments since. The [TFG] first balked at a second round but agreed to resume talks under pressure from the contact group of foreign governments and international organizations.<sup>49</sup>

While this meeting did not have a long lasting effect, it displayed the willingness of the UIC to conduct political discourse. At the strategic level this was a significant increase in the international credibility of the UIC, but a clear challenge to the TFG’s sovereignty and Ethiopian hegemony. At the tactical level it had the effect of slowing the rapid and unfettered rate of expansion of the UIC, thereby buying time for the Ethiopians and TFG.

If successful, the UIC’s engagement on the political front would have been disastrous for the Ethiopian position. The stage was being set for the UIC to reach a political compromise including having a seat at the negotiating table with the decision makers, including conciliatory overtures made to the TFG. The Ethiopians’ desire to disrupt the UIC’s expansionist agenda would have been severely compromised if common ground could be found between the UIC and the TFG, especially if it was also an acceptable political solution for the U.S. This situation was developing counter to the



hypothesis that the Ethiopians desired to ensure a weak Somali government that was beholden to Addis Ababa as articulated by Dagne.<sup>50</sup>

Continued dialogue by the UIC and their erstwhile adversaries was met positively by both the League of Arab States and the Intergovernmental Authority on Development (IGAD),<sup>51</sup> the latter backing efforts to keep the lines of communications open. As the closing months of 2006 approached, the UN became increasingly involved in managing the situation. A diplomatic solution was turning out to be a viable option. The culmination the international community's efforts to reach a solution were finally blessed by the United Nations Security Council via UNSCR 1725 on December 6, 2006. The UNSCR declared:

Underlining the importance for stability in Somalia of broad-based and representative institutions and of an inclusive political process, commending the crucial efforts of the League of Arab States and the Intergovernmental Authority on Development to promote and encourage political dialogue between the Transitional Federal Institutions and the Union of Islamic Courts, expressing its full support for these initiatives, and affirming its readiness to assist as appropriate an inclusive political process in Somalia.<sup>52</sup>

UNSCR 1725 was particularly important from the perspective that it was the resolution that set the stage for establishment of a peacekeeping mission in Somalia. At a minimum this would have given the UIC the increased international legitimacy it needed to retain its territory. This would have apparently been acceptable from the U.S. perspective as well as their vote on the Security Council gave legitimacy to the peacekeeping mission. The text of UNSCR 1725 is as follows:

Acting under Chapter VII of the Charter of the United Nations.

1. Reiterates that the Transitional Federal Charter and Institutions offer the only route to achieving peace and stability in Somalia, emphasizes the need for continued credible dialogue between the Transitional Federal Institutions and the Union of Islamic Courts...
2. Urges the Transitional Federal Institutions and the Union of Islamic Courts to fulfill commitments they have made, resume without delay peace talks on the basis of the agreements reached in Khartoum...
3. Decides to authorize IGAD and Member States of the African Union to establish a protection and training mission in Somalia, to be reviewed after an initial period of six months by the Security Council with a briefing by IGAD, with the following mandate drawing on the relevant elements of the mandate and concept of operations specified in the Deployment Plan for IGASOM...<sup>53</sup>

This proposed mission would have been formed from seven IGAD, and other contributing AU peacekeeping nations. Nominally, this would have forced the Ethiopians to contribute peacekeeping forces to the mission as an IGAD member. This mission would have been heavily reliant upon the Ethiopians given the robustness of the EPDF, *vis-à-vis* their fellow IGAD nations' militaries capability and size. This would be a bitter pill to swallow for the Ethiopians who had made it clear that they considered the UIC as an unacceptable impediment to lasting peace and stability in the region.

The stakes were increasingly high for the Ethiopians who would need to act quickly to prevent this increasingly likely alternative scenario from materializing. From the Ethiopian perspective, the effect of a UN peacekeeping mission would have precluded forcing the decision militarily, put in question the viability of the TFG, and increased the likelihood of the UIC becoming sovereign of Somalia as well as a natural ally of the Eritreans. This scenario would increase the risk that the war with Eritrea

would erupt in the near term, possibly coupled with a military advance on the Ogaden at the hands of the UIC, or a general uprising by the ONLF.

Following the issuance of UNSCR 1725 the Ethiopian regime ratcheted up the alarmist rhetoric, as the very real possibility of a peaceful conciliatory settlement between the UIC and other stakeholders progressed. Zenawi's rhetoric framed the UIC's peacemaking overtures as nothing more than a delaying tactic to allow the UIC to consolidate their gains and achieve further momentum. Zenawi stated, "...on a more fundamental level it appears that this *jihadist* movement is hell-bent on controlling all of Somalia. That for them, the negotiations are a ploy used to facilitate their goal. They see Ethiopia as a stumbling block."<sup>54</sup> The stage was set for the final act. The political solution was simply too high a risk for the Ethiopians as the United States was now given an equally viable political solution with the issuance UNSCR 1725.

### ONE STEP OVER ... THE REDLINE

The Ethiopians made the articulation of their "redlines" obvious throughout the lead up to war. From their viewpoint they had maintained tremendous restraint up until this point. Again they made overtures to establish what "was" and "was not" acceptable. This view was observed by Ted Dagne who remarked:

Ethiopia has said two things to this Union of Islamic Courts: One, be careful in approaching our border; and secondly, don't try to attack the Transitional Federal Government. Don't try to take Baidoa. They basically established that as redlines and have gone into Mogadishu. They have talked to various clan leaders and clan elders to make it very clear what their national security interests are.<sup>55</sup>

It is fairly apparent that the Ethiopians made their lines in the sand very clear by directly conveying this message. There should have been no ambiguity on their intentions and desires at this point in the dynamic.

Within media circles it was increasingly apparent that conflict could erupt any time in the closing two months of 2006.<sup>56</sup> It was further apparent to the media that the friction between the UIC and the Ethiopians was not going to be overcome through political dialogue. In a contemporary report the Economist stated:

The Ethiopian involvement may have already triggered a conflict. The Islamists have consolidated their remarkable hold over central and south Somalia by appealing to nationalist as well as religious sentiment. By denouncing Ethiopia at every turn, the Islamists are reaching beyond the country's divisive clan politics. In response to the Ethiopian incursion, the Islamists in Mogadishu have declared a jihad, or holy war, against Ethiopia.<sup>57</sup>

This observation also implies that the UIC's made the same overstretch by following an irredentist agenda that the Dervish and SDR had made before. Further complicating the dynamic was that the UIC was never able to truly speak effectively to spread a message, with a single voice, that would bring calm to the region.

The UIC's inability to create a single voice would be problematic throughout the lead up to the open conflict with Ethiopia. Any statement made could be concurrently attributed to or denied by the group, which only served to complicate the situation, while at the same time playing into military preparations in Addis Ababa and Washington. For example, in September of 2006 the Economist reported:

Politically, the Islamic Courts remain an enigma. Statements about their political aims made by Chairman Sheikh Sharif in recent months have often

been contradictory; the actions and declarations of some elements have been denied or denounced by others; their decision making system is anything but transparent, and key policy decisions that will shed light on the political agenda have yet to be taken.<sup>58</sup>

This was hardly a situation that the UIC should have allowed to occur, especially given that the Ethiopians had made very clear their intentions toward the UIC. A better crafted message from within the UIC may have increased its case for legitimacy, at least in the eyes of the international community. With the changes noted in the structure of the senior levels of the UIC there could have been strides taken to minimize the increasingly hostile rhetoric of Sheikh Aweys. If the *xeer* dynamic was to hold true with the organizational change, it should have mollified this extreme behavior. However, Aweys appears to have been acting more reckless as time moved on and his unchecked statements and actions reflected more and more on the collective organization. An example is reported by Khaled Mahmoud of Al-Ashraq Al-Awsat as follows:

[Aweys] warned of severe consequences if Addis Ababa continued to violate Somali sovereignty. Accusing U.S President George W. Bush of “being ignorant,” Aweys called on him to alter what he described as his wrong policy towards Somalia. He also denied “U.S. accusations that funds and weapons were reaching the Islamic Courts from Yemen, Saudi Arabia and Eritrea.” Sheikh Aweys accused the current U.S. administration of launching a publicity campaign to distort the Islamic Courts’ image and tarnish their reputation and achievements to date, after gaining control of the Somali capital. Denying the Islamic Courts had received aid from outside the country, the president *Shura* Council said the group’s main source of income was the Somali people. Aweys warned Washington from attempting to undermine the Islamic Courts’ move to explain its political program to other Arab and Muslim countries. Yet, the Islamist leader expressed his support for Osama bin Laden’s alleged statement last week, in which he regarded Somalia as an open front against the United States. ‘Yes, we partially agree with what he said. However, there is no relationship between us. We reject foreign presence on our territory and will confront with force anyone who attempts to impose his views on us.’<sup>59</sup>

This statements and others like it, highlight the worrying and make apparent the lack of effective communication by the UIC, indicative of its inability to maintain a political dialogue that may have prevented war with the Ethiopians. Notably, Aweys does attempt to dispel the connection between the UIC and Eritrea, and to a lesser degree AQ.

However, given the Ethiopian regime's contempt for Aweys, his comments only served to work counter to the group's survival. Regardless, this was a huge miscalculation on behalf of the UIC, unless they actually desired to antagonize two countries who had invaded other states in the recent past when their sovereignty was threatened. Attacking the Baidoa would not have disbanded the TFG. The TFG leadership would simply have gone back to Nairobi so there was no upside to attacking Baidoa and provoking Ethiopian military action, especially following the issuance of UNSCR 1725.

It should be noted that in the closing days of 2006, the rhetoric and calls for *jihad* did not come from Aweys alone. However the calls by others only were made following UNSCR 1725 when it became apparent an international solution was being imposed on Somalia and the Ethiopians had started to increase their military activity. The Chairman of the SCIC, Sheikh Ahmed made a specific call for action. On December 10, 2006, Ahmed stated:

Ethiopia's capture of the city of Buur Hakaba constitutes a declaration of war on Somalia and an aggression against its sovereignty and territories. [Adding] Ethiopia has trespassed beyond all the redlines in the relationship between the two countries. Once again, it has armed the warlords and their militias to help trigger a new civil war in the country. As of now, we declare *jihad* against the state of Ethiopia whose forces have invaded Somali territories.<sup>60</sup>

This was certainly indicative that there may have been some others in the UIC that did not want to check the expansion of the UIC. It would appear that the sentiment held by Aweys was beginning to be held by other decision makers.

The UIC's call for *jihad* following UNSCR 1725 was not approved of by the Ethiopians. Unsurprisingly, the Ethiopians issued their own retort to this challenge with Prime Minister Zenawi stating:

The declaration is based on falsehoods. It is true we have troops in Baidoa, the capital, who are there to train forces of the transitional federal government, who are an internationally recognized government and who have officially asked for support from Ethiopia... Now, if the transitional government does not want our trainers, we'd be happy to withdraw them.<sup>61</sup>

There was clearly an impasse with an increasingly widening chasm between the two groups. The UIC held the belief that this was their country and the Ethiopians were the clear aggressors. On the other hand, it was the Ethiopian's belief that the UIC was a nefarious enterprise, bent on Somalia irredentism and the demise of Ethiopian hegemony over Somalia's future. Both viewpoints had merit.

The forward elements of the EPDF had moved well into Southern Somalia in order to reinforce the TFG forces in and around Baidoa by October 2006.<sup>62</sup> While various sources differ over the numbers and types of troops (e.g. direct support, trainers, or observers), they all agree that the Ethiopians had crossed the border frontier in significant numbers by that time. Within the UIC it elicited a response with Sheikh Aweys reaffirming his position that the Ethiopian incursion was an act of war, and that a state of *jihad* existed between the UIC and Ethiopia.<sup>63</sup> For Aweys, and other hardliners in the UIC, this was the evidence required to call for a *jihad* to defend their country from

external aggression or to validate their continued expansion into territory under the nominal control of the TFG. This was also complicated given that by November 2006 the UIC claimed all “Greater Somalia”<sup>64</sup> which was an unarticulated but readily apparent and historically relevant redline for the Ethiopians. The continued calls for expelling the Ethiopians only gained momentum as the weather improved and the UIC continued its meteoric expansion and control. The calls for *jihad* and the unfettered expansion of the UIC crossing the Ethiopian’s redlines would eventually prove to be its downfall.

### THE INVASION AND THE END OF THE UIC

There are conflicting reports as to what was the true trigger commencing the full invasion. However, it certainly started following a skirmish between Ethiopian regulars and UIC militia in the vicinity of Baidoa, in late December 2006.<sup>65</sup> Certainly a line in the sand was visibly crossed by both sides in the conflict. The UIC had approached and effectively surrounded Baidoa thereby crossing the declared Ethiopian redline. On the other hand, the EPDF was in Somalia in significant numbers, giving just as much credence to the UIC’s declaration of a ‘defensive’ *jihad*. It was apparent that the end would be decided militarily and not through political discourse. In a retrospective report the Economist declared the following insight:

With the benefit of hindsight, it is clear that the hardliners over-reached themselves, making some serious miscalculations. The first was to make a deal with Eritrea, the local pariah state, for arms and military trainers — some of the arms coming from third parties in the Middle East... The second and more serious miscalculation of the hardliners was to dismiss a deal that moderate Islamists were close to making with the transitional government: many moderates thus refused to fight. The third mistake was to attack the transitional government and Ethiopian positions in front of



Baidoa on December 19th. That gave Ethiopia the pretext it needed for a full-blooded assault on the Islamists.<sup>66</sup>

While this dissertation makes no attempt to describe the invasion itself, it happened very quickly and with little effective resistance from the UIC. The UIC was defeated handily on the battlefield once the Ethiopians decided to move forward supported by the TFG. The military capability that the UIC maintained was insignificant given the power of the Ethiopian juggernaut. The invasion was over in less than two weeks with the EPDF reaching the outskirts of Mogadishu in five days. The UIC was completely destroyed with no going back. However, aftermath of the conflict spawned the worst possible result, the establishment of a truly radical fundamentalist organization.

With the fracturing of the UIC the hardliners formed what would be called the al-Shabaab movement, with Sheik Aweys as its leader and without challenge its Supreme Mullah. The fracturing of the broad consensus organization resulted in the creation of an Islamic extremist organization with no counter to radical viewpoints. The al-Shabaab militants that broke away from the UIC formed new cells with their like-minded fanatics and have become more and more extreme since the Ethiopian invasion. The rise of al-Shabaab has resulted in all of the excesses of the Taliban being replicated in Somalia and more. It has become increasingly apparent to many in the international community that only through military action and garrisoning Somalia will the al-Shabaab movement be blunted. To the al-Shabaab movement the invasion of Somalia was recognized as a war against Islam led by the Christian Ethiopian Crusaders enabled by the United States. Nine years later, the outcome of the conflict is still being decided and the struggle

continues. Oddly enough even Aweys was eventually not extreme enough for al-Shabaab and was turned over by his own men to the Somali authorities in 2013.<sup>67</sup> This researcher believes this is indicative of the increasingly radicalization of al-Shabaab and the increasingly large chasm between the sides in the conflict.

The chaos that continues to pervade Southern Somalia works only to the advantage of Ethiopia and maintenance of their hegemony in East Africa. In the meantime the AU Peacekeepers and TFG have continued to fight for control with the bloodshed unabated. At what cost?

## CHAPTER SEVEN

### CONCLUSIONS

*War is not merely an act of policy but a true political instrument, a continuation of political intercourse carried on with other means. What remains peculiar to war is simply the peculiar nature of its means.<sup>1</sup>*

– Carl Von Clausewitz

### OUTCOMES AND THE FUTURE

Clausewitz was right: the war served to force a return to the political process as part of the continuum on the Ethiopians terms. Nearly nine years after the Ethiopian invasion the security situation in Somalia is still appalling. The AMISOM peacekeeping mission still maintains a stable peace within Mogadishu, but al-Shabaab remains unchecked outside of the city center. Chasing down elements of al-Shabaab in the hinterlands has done little to improve the lot of the average Somali in a profound manner. Further, the Federal Government of Somalia (FGS), the successor to the TFG established in 2012, continues to operate only through the largess of the United Nations and other external supporters.<sup>2</sup>

The expansion of al-Shabaab appears to be gaining momentum in the region. As recently as September 2013 highly deadly attacks occurred in neighboring states at the hands of al-Shabaab's reign of terror. One particularly violent attack in Nairobi Kenya killed at least 65 people at the Westgate mall.<sup>3</sup> The dramatic nature of such a violent attack and its effect on the willingness of the international community is still yet to be seen. Initial calls for Kenyan intervention have not materialized to stifle al-Shabaab

outside of a twenty mile incursion into Somalia to protect the Malindi Triangle in Kenya from cross-border attacks. Even attacks in the heart of Djibouti in May 2014 have only served to lock the Americans down on its base in Camp Lemonier.<sup>4</sup>

Meanwhile, the international community continues to maintain the cordon at sea in order to manage the piracy problem at an acceptable level in the Indian Ocean; at least as far as the maritime actuaries are concerned. While this has become the latest source of Hollywood movies, it is dealing with the symptom not the root cause. The areas controlled by pirate factions were under the threat of being overrun at the extreme limit of the UIC's expansion. It is unlikely the UIC would have allowed the coastal communities' *dia*-paying groups to pursue piracy as an economic activity. If the Ethiopians had waited a couple of months, the piracy problem may have had been resolved. On the other hand, the lack of law and order and resultant inability to protect and police Somalia's Exclusive Economic Zone has allowed the unrestricted access to Somali fishing grounds by European and Asian factory fishing vessels that have severely depleted Somali fishing stocks. Therefore, it is no wonder that the *dia*-paying groups on the coast have resorted to piracy as an economic endeavor given little other choice.

## THE QUESTION

Reflecting back, the research question was, "In the absence of a nation state structure, what factors and conditions allowed for the rise of the Union of Islamic Courts, and what factors compelled the Ethiopian regime to invade Somalia to destroy it?" In essence the very fabric of Somali society is what allowed the UIC to rise from the ashes,

but it also played a role in bringing about the Ethiopian invasion of Somalia. It was not the actual factors accounting for the rise that were the issue but rather the change toward an irredentist agenda from a focus on local problems that spelled doom for UIC. The threat to Ethiopian hegemony in the region simply trumped the positive change that the UIC brought to the dynamic.

In keeping with the spirit of the Salve Regina University Ph.D. program, the connection between technology and human outcomes is a paramount consideration. As discussed in this dissertation the late Dr. Peter H. Liotta's concept of technology was, "technology represents the application of human knowledge to the solution of practical problems... and technology as an agent that engenders change"<sup>5</sup> This researcher agrees with his premise and that something changed in Somalia allowing for the application of human knowledge to allow safety and stability to emerge from the abyss. It is this researcher's belief that at the very basic level it was the desire to enable the economy that was the catalyst for the change, but it was because Somali society is centered on the *dia-paying* group, and its formation is around economic activity. It was the use of *Shar'ia* that created a common system of rules that all could live by. It was the economy that drove the desire of the business community to support the early *Shar'ia* courts, and that same desire that motivated those disparate groups to look past their differences to band together militarily to devastate the warlord factions that stood in its way. The disaster ensued only when the UIC changed from a focus on the economy and instead directly challenged the hegemony and sovereignty of the Ethiopians. It was at some point in the summer of 2006 the UIC seemed to lose its way and forget that it was the economy that

was behind the establishment of safety and security, as well as the overwhelming support of the people affected. The use of an irredentist agenda to focus the Somali people away from local problems was a fatal mistake, rather than focusing on what accounted for their success in the first place. It may have been simply a situation of becoming a victim of its own success and the hubris gleaned from that success. If the UIC had better managed its rise to power it may have become established in a political manner commensurate with the level of military prowess it showed on the battlefield.

### FUTURE POSSIBILITIES AND SOLUTIONS FOR SOMALIA

If long-term solutions are to be made in Somalia, a bottom up approach to planning is required. There are a number of possibilities and conclusions that emerge from analyzing the rise and fall of the Union of Islamic Courts that may make future attempts at peace and stability in Somalia more likely. To paraphrase, Sun Tzu testifies that while there are nearly unlimited combinations there are some that seem to sound sweeter, or look more vibrant than others.<sup>6</sup> This is why it is so important to understand which combinations seem to provide proven techniques to reach an equilibrium point or a balance in the dynamic. While there is no checklist that can be applied, in a one size fits all approach, there are some commonalities that may show the way to peace, as identified in this dissertation.

First, based on the research, any attempt at building a nation in Somalia must take into account the fact that Ethiopia is the regional hegemon and has jealously protected this status for hundreds of years. This is an important aspect that cannot be overlooked;

this may need to be the primary element to success moving forward in building a new Somalia. In the long run the rise of another irredentist state will only be met with disaster. The fact that Eritrea is still problematic in the region only adds to the anxiety felt in Addis Ababa. Development of any plan must ensure that Ethiopia feels safe in the maintenance of its borders, access to the sea, and sovereignty assured. History has shown that external powers have come and gone, but the Ethiopian involvement is eternal.

It may be better to allow Somalia to fragment into smaller states that will allow a more locally-focused political structure, with the *dia*-paying group at the center. This will have the benefit of ensuring no Somali state will become powerful enough to challenge Ethiopia, nor realistically assist Ogadeni separatists. Keeping the government small may increase the chance that it will minimize the impact on the local economy, thereby enhancing the desire of the business community to support such a movement. At the most basic level this will allow individual Somalis not only to enhance their personal security, but also possibly pave the way for long term sustained growth in the industries that Somalia could conceivably re-establish, as shown on the map in Appendix A, Map A-6, entitled “Somalia Economic Sources.”

These notional smaller states could include porous border controls to allow for the free flow of nomadic peoples between regions, and assist larger scale industry moving goods to market. Allowing for fungible nationalities would pave the way for creation of new *dia*-paying groups to form as the economic conditions warranted. Semi-autonomous regions such as Somaliland and Puntland can act as the basic model for success. Both regions have operated for over two decades without external sanction as a nation state.

The Federal Government of Somalia, formerly the TFG, still has not come to terms with how it will integrate either region into a larger Somali state. It may be time to formalize the relationship and keep the states separate. While this may take away the dream of an irredentist agenda as a galvanizing force it will allow for the local focus that was used to great advantage by the UIC.

Any Somali solution must pay heed to individual security. A renewed focus on the *dia*-paying group and *xeer* as the entering argument for organizational structure can increase the likelihood of ensuring individual security. This has been shown to be a reoccurring theme throughout the Somali experience. Forming around the connectedness of the *dia*-paying group, to maximize the economic situation, will serve to motivate business community to provide support. This will also possibly advance the ability of international donors to target the communities or groups most in need of outside aid rather than funneling through a singular entity for all of Somalia, which may divert aid away from those who require it most. It may also prove to be the best way to get grassroots buy-in for any governmental structure. This will hopefully allow the Somali people to eke out a better standard of living with an increase in economic productivity and associated wealth gain.

Next, the role of Islam must be considered in any future development of the Somali state. Rather than acting as a point of conflict or something to be cast aside as Barre attempted, a central role for Islam and *Shar'ia* can improve individual outcomes for Somalis – especially given the way in which it was applied by the UIC, as juxtaposed to the al-Shabaab or Taliban model. Time and time again Islam has acted as a beacon for



individual Somalis to find their way toward the future. As I.M. Lewis suggests, Islam can be used to “overcome the sectional rivalries which separate men in their secular activities.”<sup>7</sup> Positive human outcomes may be realized with a renewed focus on Islam as a force to mend the ties that bind, rather than continue the decades-long blood lust and vengeance that continues to pervade Somalia to this day.

It is time that the U.S. government departs from its current approach to dealing with the problems in Somalia. President Bush stated, “Islam is a faith that brings comfort to people. It inspires them to lead lives based on honesty, and justice, and compassion.”<sup>8</sup> We need to follow that logic rather than look for similarities with the Taliban underlying every Islamic movement. The United States needs to get past both “Blackhawk Down” and the events of 9/11 as the only lens through which to view the issues in Somalia. Ongoing U.S. military operations in Djibouti underlie the importance of the regional security issue *vis-à-vis* the perceived terrorist threat. The focus of CJTF-HOA appears to remain focused on development of the regional security capacity and to a lesser degree covert action within Somalia.<sup>9</sup> The current Administration has had a checkered past on international engagement and Somalia has continued to remain marginalized as international efforts are occupied elsewhere.

The international community needs to take a leading role in finding an acceptable solution in the Horn of Africa. Finally the words of Pope Francis are particularly relevant and pragmatic. Pope Francis stated, in a recent speech in Turkey, “Interreligious and intercultural dialogue can make an important contribution to attaining this lofty and urgent goal, so that there will be an end to all forms of fundamentalism and terrorism,

which gravely demean the dignity of every man and woman and exploit religion.”<sup>10</sup>

Leaders, like Pope Francis, need to lead the dialogue and way toward development of the future. There is a tremendous amount of conflict in the world that will continue to fester without a positive and comprehensive attempt to find an understanding.

## FUTURE RESEARCH OPPORTUNITIES

The organization of Somali culture, as described in this dissertation, can provide for a number of jumping off points for future research opportunities. As Somalia continues to make furtive starts and stops toward peace and stability, the manner in which traditional Somali culture interacts with forms of governance at the higher level cannot be understated. For example, the *dia*-paying groups are organized around economic activity, therefore it is reasonable to assume that the rise of various Somali-based pirate groups are following a similar model of economic activity. The reports of formerly peaceful fishing villages developing into a den of piracy may in point of fact be a *dia*-paying group changing its focus due to changing economic conditions. This ostensibly makes sense in light of the riches that can be gained following the life of a pirate and the lack of law protecting Somali fishing rights, and the capability to enforce those rights, that has allowed foreign fishing vessels unfettered access to the Somali Exclusive Economic Zone.

Research into the governmental structure of the semi-autonomous regions of Somaliland and Puntland would make for a valuable dissertation topic. In particular, Somaliland appears to have all the trappings of the modern state, except international

recognition, and is able to integrate elements of *Shar'ia* law into day to day activities. By observing how this peaceful section of Somalia is organized, and works in harmony with Ethiopia, may pave the way for development of a better model for a future Somali state. There seems to be a dearth of information available on the topic of either state as to how they are organized and function.

Further insight into the dynamic between Ethiopia and other regional actors would also be a worthy area of research. In particular, the countries or regions that enable Ethiopia to have access to the sea, in order to facilitate trade and maintain its robust economy. This is a prospective friction point that has a high potential for becoming problematic if that access is compromised. In the case of Djibouti and Somaliland there are major rail and roadways that lead from their respective sea ports into the heartland of Ethiopia. Recently, Djibouti has had a tremendous influx of capital by DP World, a United Arab Emirates based multinational.<sup>11</sup> In the port of Berbera Somaliland the Omanis have made a large scale investment in the port infrastructure.<sup>12</sup> With the large scale withdrawal of French troops and the possibility of future retrenchment of U.S. presence in Africa, the sovereignty of Djibouti is becoming more precarious. During this researcher's tour in East Africa the Eritreans and Djibouti had a border skirmish that caused serious concern over the commitment of the French.<sup>13</sup>

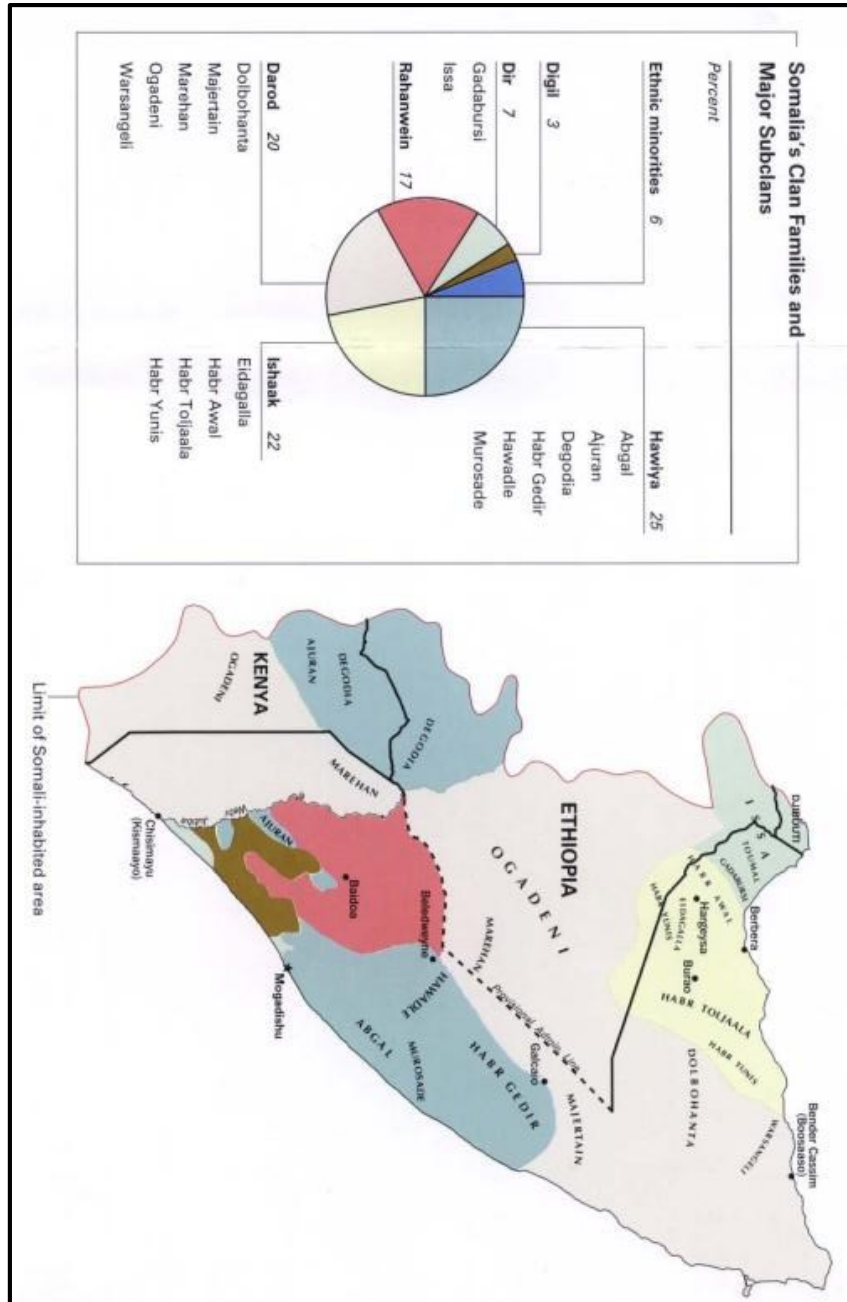
## FINAL THOUGHTS

Finally, this dissertation highlights the lack of understanding by the outside world to the situation in Somalia. The lack of understanding of the basic fabric of Somali society was illustrated during the ill-fated American intervention in the 1990's and it appears that this same lack of understanding is bedeviling the peace process today. While, the TFG has changed its name to the Federal Government of Somalia, the interlocutors and organizational construct remain the same. The continued bloodshed has only served to ensure that peace and stability are a fleeting dream for the average Somali unfortunate enough to live in Southern Somalia. The development of a true and lasting peace in Somalia will only come if something else drastic is done. The UIC was a radical solution to the problem of peace and stability in Somalia but it was a solution that has passed by.

Bridging the gap between the Federal Government of Somalia and al-Shabaab will be significantly harder to accomplish than it would have been with the UIC. This is incredibly unfortunate as it would appear that without adequately planning for the long term reintegration of the membership of al-Shabaab back into Somali society then another solution will have to be found. Regrettably this will probably require a martial solution rather than a political one. However, I am hopeful that over time the FGS will be able to coopt enough of the people of Somalia toward following its leadership and possibly reinvigorating some of the ideals that the UIC brought to the dynamic.

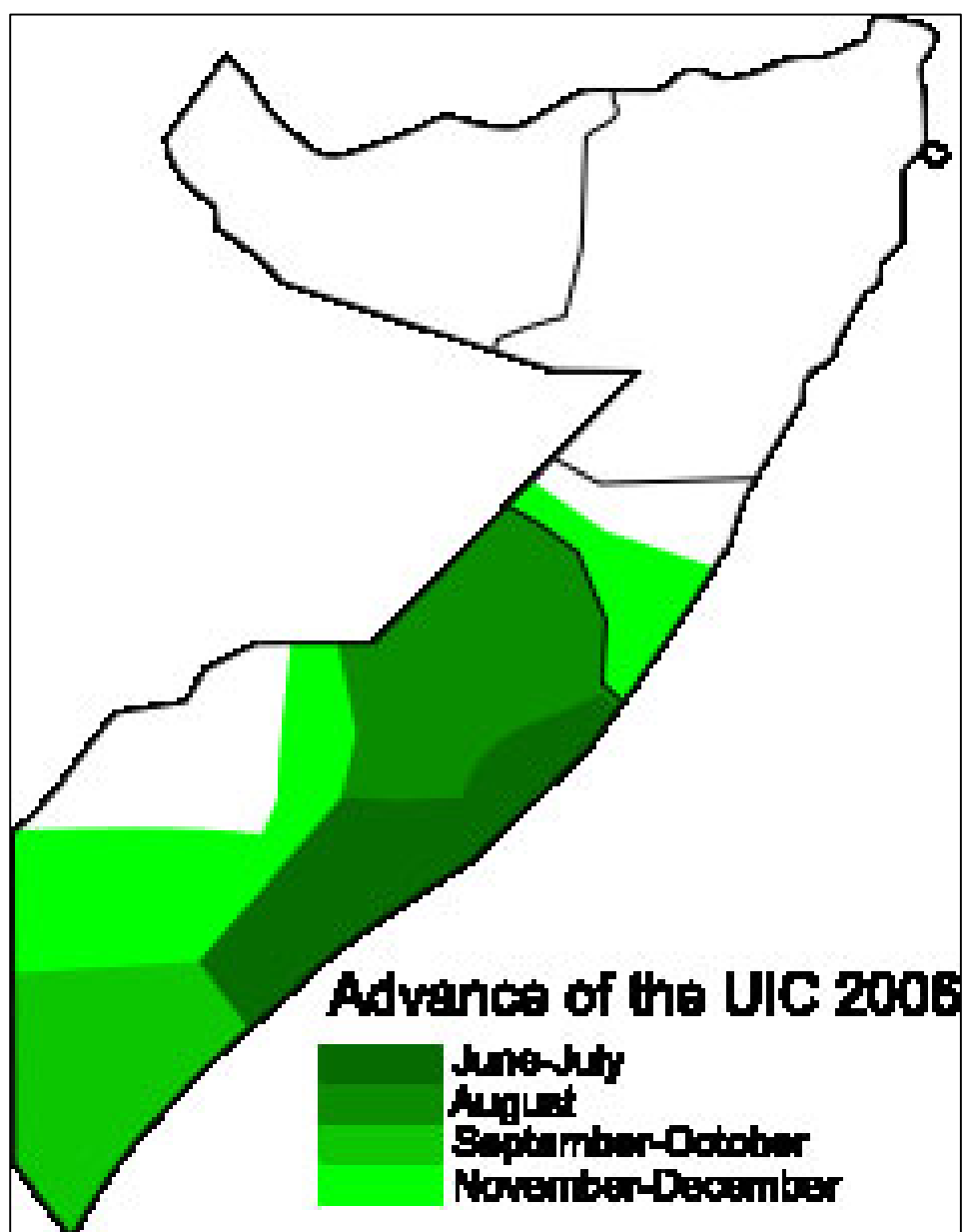
## APPENDIX A

MAP A-1 SOMALI ETHNIC GROUPS (CIRCA 2002)



Source: U.S. Central Intelligence Agency available online at:  
[http://www.lib.utexas.edu/maps/africa/somalia\\_ethnic\\_grps\\_2002.jpg](http://www.lib.utexas.edu/maps/africa/somalia_ethnic_grps_2002.jpg)

MAP A-2 ADVANCE OF THE UIC 2006



Source: James Dahl (Ingoman) released this work into the public domain 10 October 2010

MAP A-3 MUSLIM POPULATION IN EAST AFRICA (CIRCA 1987)



Source: U.S. Central Intelligence Agency available online at:  
[http://www.lib.utexas.edu/maps/africa/africa\\_islam\\_87.jpg](http://www.lib.utexas.edu/maps/africa/africa_islam_87.jpg)

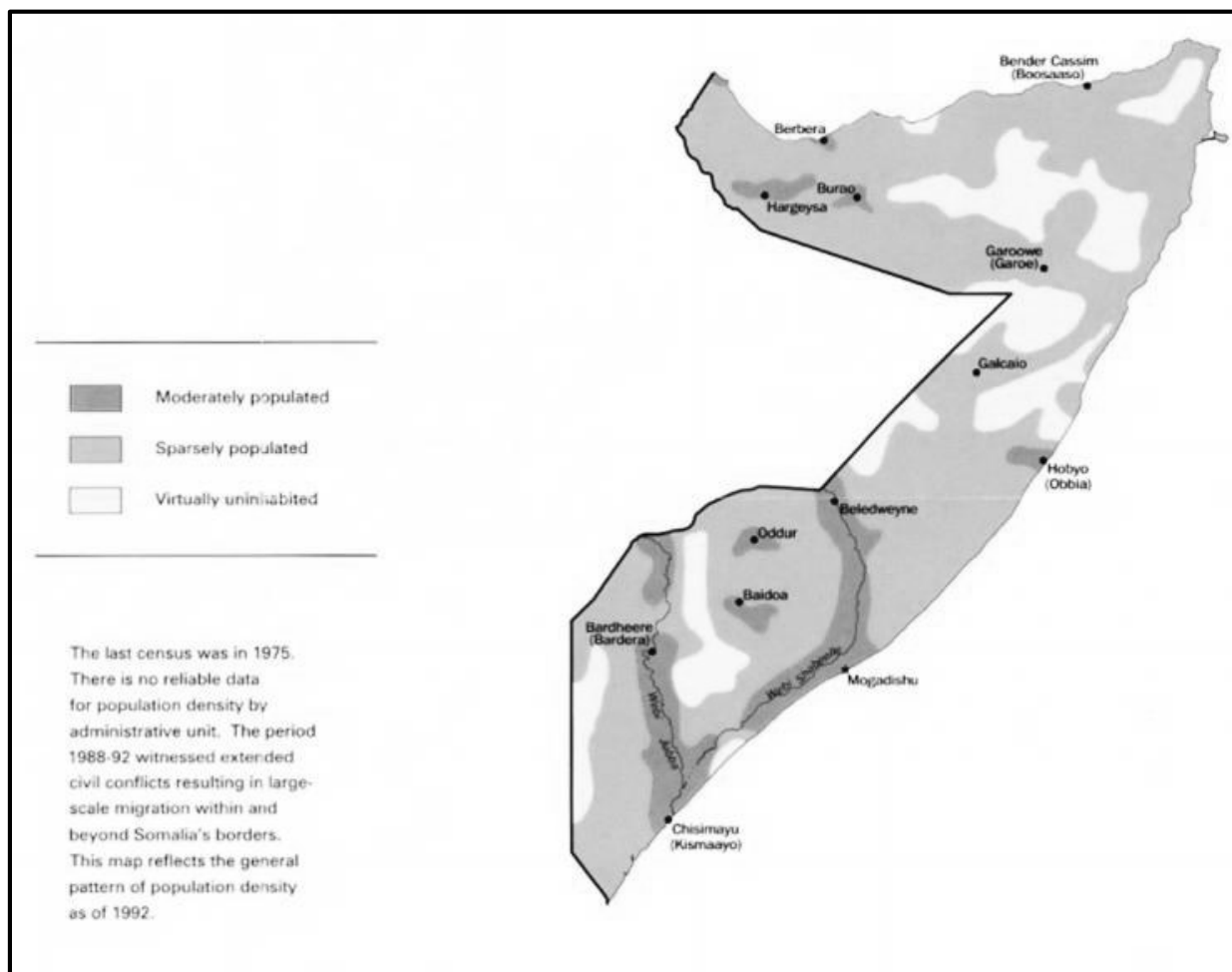
MAP A-4 SOMALIA POLITICAL MAP (CIRCA 2002)



Source: U.S. Central Intelligence Agency available online at:  
[http://www.lib.utexas.edu/maps/africa/somalia\\_pol02.jpg](http://www.lib.utexas.edu/maps/africa/somalia_pol02.jpg)

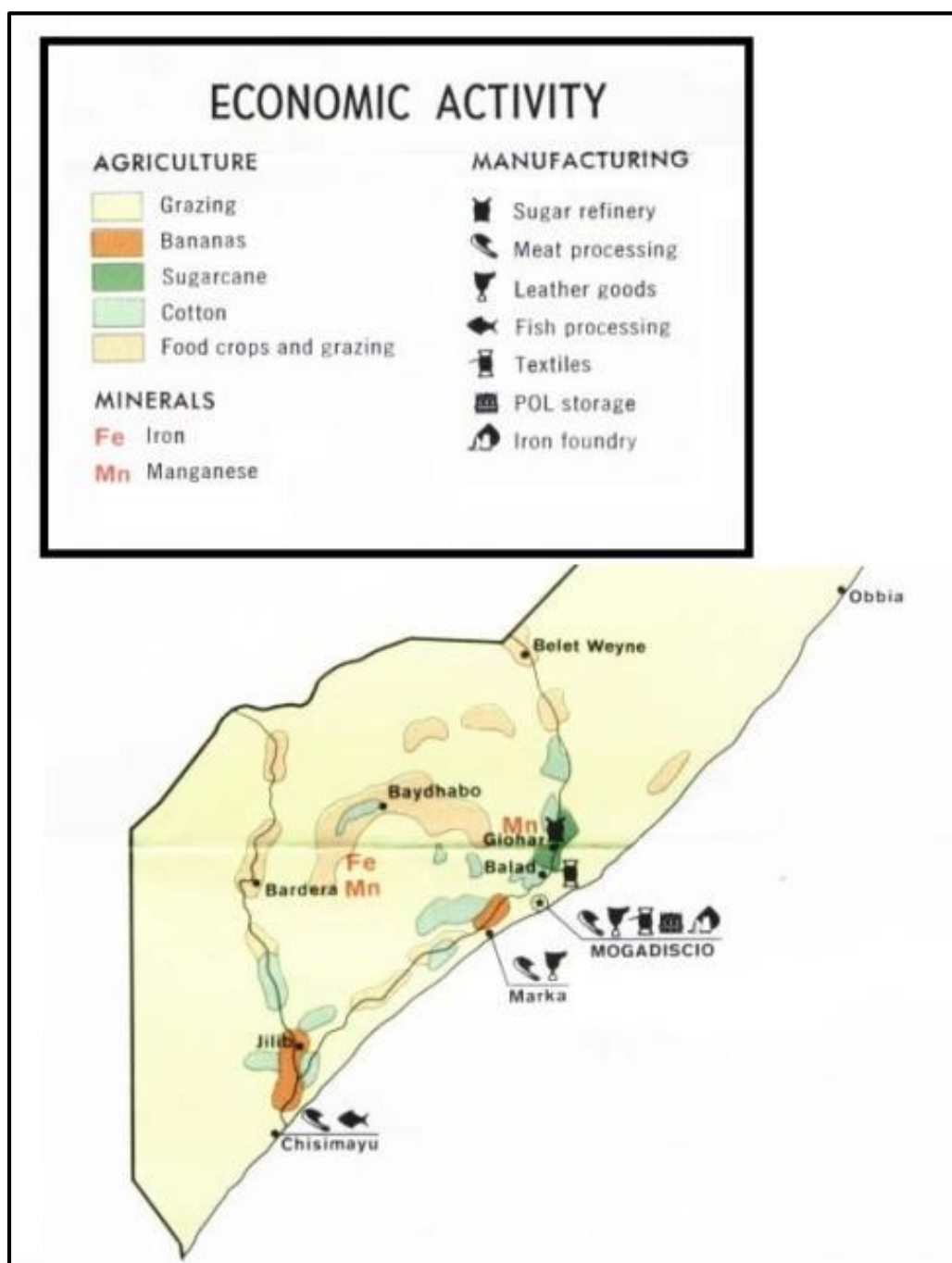


MAP A-5 SOMALIA POPULATION DENSITY (CIRCA 2002)



Source: U.S. Central Intelligence Agency available online at:  
[http://www.lib.utexas.edu/maps/africa/somalia\\_pop\\_2002.jpg](http://www.lib.utexas.edu/maps/africa/somalia_pop_2002.jpg)

MAP A-6 SOMALI ECONOMIC SOURCES CIRCA 1977



Source: U.S. Central Intelligence Agency available online at:  
[http://www.lib.utexas.edu/maps/africa/somalia\\_eco77.jpg](http://www.lib.utexas.edu/maps/africa/somalia_eco77.jpg)

## APPENDIX B

### KEY BIOGRAPHIES

**Abdulahi Ali Afrah.** Senior leader in the *Shura* of the UIC. Received an MA from a Texas Tech University. Killed transiting through Hiiran Somalia by Ethiopian troops on July 1, 2008.

**Abdulahi Yusuf Ahmed.** Last President of the TFG. Darood clan lineage; former warlord; former President of Puntland.

**Abdulqadir Ali Omar.** Member of the UIC. Longtime advocate of clan unity; religious scholar, and advocated against abuses by the warlords. Eventually left UIC and went back to his *dia*-paying group.

**Abdurahman Muhamoud Farah.** Senior member of UIC. Ph.D. in economics with specialization in monetary and international economics from George Mason University and two master's degrees in both applied economics and finance from John Hopkins University.

**Aden Hashi Ayrow.** The senior military commander of the al-Shabaab movement. Reportedly trained with al-Qaeda in Afghanistan prior to 2001. Ayrow was killed in an overnight U.S. airstrike on April 30, 2008.

**Hassan Dahir Aweys.** Former army officer in the Somali Armed Forces; fought in the Ethiopia-Somalia wars in the 1970s; former senior member of AIAI in the mid-1990s. Led the al-Shabaab movement until he was eventually turned over by his own men to the Somali government. Still remains in the custody of the Somali authorities to this day.

**Ibrahim Hassan Addou.** Senior member of UIC; Ph.D., MA, BA from American University, Washington, D.C. Worked at American University from 1981 to 1992. Held several positions at Benadir University in Mogadishu, including Vice President for Academic Affairs and President.

**Isaias Afewerki.** Prime Minister of Eritrea during the tenure of the UIC. In 1970 he co-founded the Eritrean People's Liberation Front.

**James Swan.** The former United States Special Representative for Somalia. Currently United States Ambassador to the Democratic Republic of the Congo.

**Jendayi Frazer.** Head of the Bureau of African Affairs, the division of the Department of State that advises the Secretary about African Affairs. She is a graduate of Stanford University, where she earned a B.A. in Political Science and African and African-American Studies, M.A. degrees in International Policy Studies and International Development Education, and a Ph.D. in Political Science.

**Meles Zenawi.** Prime Minister of Ethiopia. Studied medicine at Addis Ababa University for two years before interrupting his studies in 1975 to join the Tigray People's Liberation Front. Meles Zenawi took power after the Ethiopian People's Revolutionary Democratic Front marched to Addis Ababa on May 20, 1991. Became the Prime Minister of Ethiopia in 1995 following the general elections that year, and had been serving as prime minister until his death on August 20, 2012 due to complications from an infection in Belgium.

**Michael Ranneberger.** Served as U.S. Ambassador to Kenya, and as the U.S. Special Representative for Somalia.

**Nur Hassan Hussein.** Was the Prime Minister of Somalia from November 2007 to February 2009 as part of the TFG.

**Omar Imam Abubakar.** Senior member of the UIC *Shura*. He has since joined the ranks of al-Shabaab. Received his Ph.D. from a University in Saudi Arabia; lectured in Mauritania and Somalia for many years. Following the disbandment of the UIC he led the Hezb-ul Islam insurgent group until it was destroyed by al-Shabaab.

## APPENDIX C

### ABBREVIATIONS

AIAI	al-Itihaad al-Islamiyah
AMISOM	African Union Mission in Somalia
AP	Associated Press
AQ	Al Qaeda
AU	African Union
BBC	British Broadcasting Company
CJTF-HOA	Combined Joint Task Force Horn of Africa
CRS	Congressional Research Service
EPDF	Ethiopian Peoples Defense Force
FGS	Federal Government of Somalia
GWOT	Global War on Terror
ICG	International Crisis Group
ICSD	International Council on Security and Development
ICU	Islamic Courts Union (alternative spelling of the UIC)
IGAD	Intergovernmental Authority on Development
NCTS	National Counter Terrorism Strategy
NSS	National Security Strategy
OAU	Organization of African Unity... Precursor organization to the AU
ONLF	Ogaden National Liberation Front
RDML	Rear Admiral (Lower Half)... One star Admiral.
SCIC	Supreme Council of Islamic Courts
SDR	Somali Democratic Republic

SRRC	Somali Reconciliation and Restoration Council
SRU	Salve Regina University
TFG	Transitional Federal Government
TNG	Transitional National Government
UIC	Union of Islamic Courts
UNMEE	UN Mission in Ethiopia and Eritrea
UNITAF	Unified Task Force
UNOSOM I	United Nations Operation in Somalia I
UNOSOM II	United Nations Operation in Somalia II
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
WSLF	Western Somali Liberation Front

## APPENDIX D

### KEY EVENTS TIMELINE

26 June 1960	Independence from Britain and Italy.
1 July 1960	Somaliland and Italian Somalia unite to become the Republic of Somalia.
1969	Said Barre takes power in a coup, establishes a state based on scientific Socialism.
1973	National literacy campaign adopting Latin script for the Somali language.
1977-78	Somali-Ethiopian war over the Ogaden region of Ethiopia.
1991	After growing pressure from various rebel movements, the Barre regime falls. No central government institutions survive.
1991	Somaliland declares itself independent. Not recognized by any other nation.
April 1992	UN peacekeeping operation in Somalia December.
1992	U.S.-led Unified Task Force enters Somalia, but is soon drawn into heavy fighting March.
1995	UN and U.S. troops withdraw amid rising violence.
2000	Transitional National Government established, but is ineffective outside of limited areas within Mogadishu.
2004	Transitional Federal Government formed with support from Kenya and Ethiopia. Abdullah Yusuf Ahmed is named President.
2006	TFG parliament established in south-eastern Baidoa Militia force the Alliance for the Restoration of Peace and Counter-Terrorism is formed with U.S. support, to counter Islamist influences in Mogadishu.

- June 2006            Union of Islamic Courts defeats the warlords in Mogadishu.
- December 2006      Ethiopian troops invade to support the TFG The Union of Islamic Courts disbands under pressure from local business.
- January 2007        U.S. airstrikes in Somalia, aimed at alleged al-Qaeda cells operating there.



## APPENDIX E

### UN SECURITY COUNCIL RESOLUTIONS RELATED TO SOMALIA

FROM 1992-2007

<b>UNSCR Number</b>	<b>Date</b>	<b>Subject</b>
733	23 January 1992	Imposed an arms embargo on Somalia in light of the Somali Civil War.
751	24 April 1992	Established the United Nations Operation in Somalia I (UNOSOM I) and established a Committee to oversee a general and complete arms embargo against Somalia.
767	27 July 1992	Amplified the reason behind UNOSOM I, urging co-operation by parties involved.
775	28 August 1992	Authorized a significant increase in strength of UNOSOM I.
794	3 December 1992	Created the U.S. led Unified Task Force (UNITAF) in Somalia, under Chapter VII of the UN Charter.
814	26 March 1993	Established United Nations Operation in Somalia II (UNOSOM II) to take over American led, UN Sanctioned UNITAF.
837	6 June 1993	Condemned attacks on UNOSOM II.
878	29 October 1993	Extended the mandate of UNOSOM II.

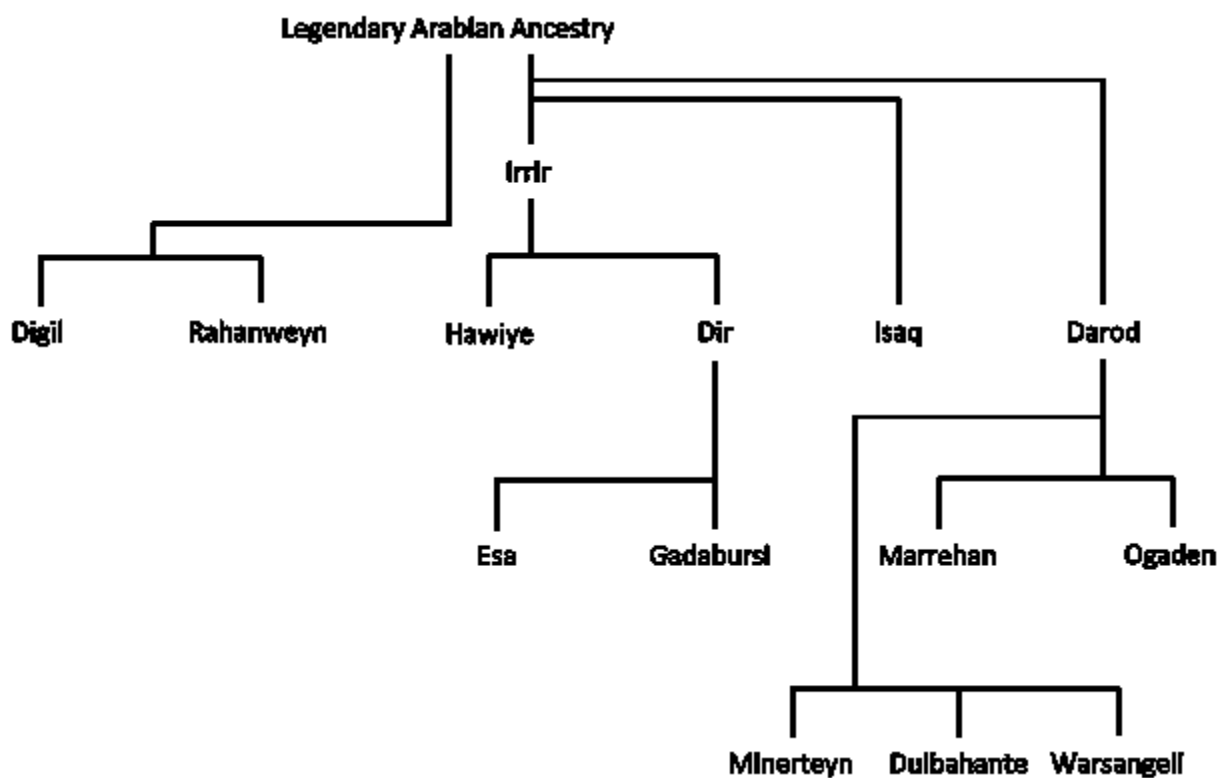
885	16 November 1993	Establishes Commission of Inquiry regarding attacks on UNOSOM II.
886	18 November 1993	Extended the mandate of UNOSOM II.
897	4 February 1994	Continuation of UNOSOM II; approached the subject of reconciliation and political settlement.
946	30 September 1994	Extended the mandate of the UNOSOM II.
953	31 October 1994	Extended the mandate of the UNOSOM II.
954	4 November 1994	Extended mandate of UNOSOM II for a final time and authorized the withdrawal of personnel.
1356	19 June 2001	Added exemptions for military equipment that was not weapons, under the arms embargo on Somalia.
1425	22 July 2002	Established and expert panel to strengthen and fully implement arms embargo against Somalia.
1474	8 April 2003	“ ” “ ” “ ”
1558	17 August 2004	“ ” “ ” “ ”
1587	15 March 2005	“ ” “ ” “ ”
1630	14 October 2005	“ ” “ ” “ ”
1676	10 May 2006	“ ” “ ” “ ”

- 1724      29 November 2006      “ ”      “ ”      “ ”
- 1725      6 December 2006      Supported efforts by the Arab League and IGAD to facilitate dialogue between the Transitional Federal Institutions and Islamic Courts Union. Authorized IGAD and AU to establish a plan for future Peacekeeping activities.
- 1744      21 February 2007      Authorizes the African Union Mission to Somalia.

APPENDIX F

SOMALI CLAN FAMILIES

Figure F-1



Source: Lewis, I. M. *Understanding Somalia and Somaliland: Culture, History, Society*. New York NY: Columbia University Press, 2008.

## GLOSSARY

Arabic words identified by (a), Somali words (s).

**Al-Shabaab (a):** Harakat al-Shabaab al-Mujahedeen or the "Movement of Striving Youth", is more commonly known as al-Shabaab the Islamist insurgency group in the ongoing war in Somalia.

**Aqils (s):** Chief.

**Dia (s):** Blood.

**Fatwa (a):** An edict from a learned theologian based on formal education in Islamic jurisprudence and is only binding on his own followers.

**Guddi (s):** Arbitrators (court) in Somali *xeer* proceedings.

**Hadith (a):** Are the sayings and deeds of the Prophet Muhammad seen or heard first hand.

**Haq (s):** Compensation.

**Ijtihad (a):** The independent or original interpretation of problems not precisely covered by the Quran, Hadith.

**Jihad (a):** Literally means “struggle” although also translated as “Holy War”. The former is the struggle to conquer our own desires and submit to God's desires and the latter is related to the defense of Islamic lands.

**Mag (s):** Payment in full blood wealth.

**Qiyas (a):** Analogical reasoning as applied to the deduction of juridical principles.

**Shura (a):** Informal councils.

**Wadaad (s):** Religious figures in Somalia.

**Waranleh (s):** Warriors or ‘spear-bearers’ as opposed to wadaads.

**Xeer (s):** Literally kinship and contract.

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## VITA

Brett Morash is a retired naval officer with over 20 years of military service. He is currently the Vice President of Veterans Programs at Services for the UnderServed Inc., a New York City based non-profit. His division is the largest provider of veterans' services in the New York City metropolitan area, besides the Veterans Administration itself. His final military assignment was as a faculty member at the U.S. Naval War College within the College of Operational and Strategic Leadership. He served on five different warships deployed globally, including in the Middle East, East Africa, the Mediterranean, and Pacific Ocean. Throughout his military career he has focused on the Horn of Africa, specifically focused on the issues related to Somalia, including assignments at the Combined Joint Task Force Horn of Africa, and the U.S. Mission to the United Nations. He holds a Bachelor of Science degree in Marine Transportation from the Massachusetts Maritime Academy, a Master's Degree in Business Administration from Framingham State College, and a Master of Arts in National Security Policy and Strategic Studies (with Honors) from the U.S. Naval War College. He was previously a Fellow on the U.S. Naval War College's Halsey Group and an Associate Fellow on the Chief of Naval Operations Strategic Studies Group. While a student at the U.S. Naval War College he was awarded Secretary of the Navy William Middendorf II Award for Student Research, the 2006 Surface Navy Association Award, and the 2004 Admiral "Ike" Kidd Intelligence Award.

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## ENDNOTES

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### CHAPTER ONE NOTES

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- <sup>5</sup> Carl von Clausewitz. *On War*, eds. Howard, Michael and Paret, Peter. eds. (Princeton New Jersey: Princeton University Press), 87.
- <sup>6</sup> "Dia" is the Somali word for "blood" or "blood money."
- <sup>7</sup> Lewis, I. M. *A Pastoral Democracy: A Study of Pastoralism and Politics Among the Northern Somali of the Horn of Africa*. (London UK: Oxford University Press, 1961), 170.
- <sup>8</sup> Mohamed Jama, "Kinship and Contract in Somali Politics." *Africa* 77, no. 2 (2007): 226.
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- <sup>10</sup> Economist, "Into the Vacuum." *The Economist* (September 20, 2001), under "World Politics Middle East & Africa," <http://www.economist.com/node/789329.html> (accessed October 22, 2014).
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- <sup>21</sup> *Graduate Studies Catalog 2008-2010*. (Newport RI: Salve Regina University, 2010): 84.
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- <sup>23</sup> Max Weber. "Politik als Beruf," *Gesammelte Politische Schriften*, (Munich Germany: Duncker & Humboldt, 1919), 397.
- <sup>24</sup> Ibid.
- <sup>25</sup> Cartography: defined as the art or technique of making maps or charts. French *cartographie* : *carte*, map (from Old French, from Latin *charta*, *carta*, paper made from papyrus;) + *-graphie*, writing (from Greek *graphi*) Source: Merriam Webster Dictionary
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- <sup>28</sup> Liotta and Hearn, 2.
- <sup>29</sup> Brendan Wallace, Alastair Ross and John B. Davies, "Applied Hermeneutics and Qualitative Safety Data: The CIRAS project." (2003) *Human Relations Volume 56*(5), The Teacock Institute Thousand Oaks CA, 590.
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- <sup>31</sup> Osborne, *The Hermeneutic Spiral*, 22-23.
- <sup>32</sup> Wallace, et.al. "Applied Hermeneutics," 592.
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<sup>38</sup> Robert M. Hess, "The 'Mad Mullah' and Northern Somalia." *The Journal of African History* 5, no. 3 (1964) 433.

<sup>39</sup> This culminated in the Abyssinia Crisis and the undermining of the League of Nations prior to World War II.

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<sup>42</sup> Ibid.

## CHAPTER TWO NOTES

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<sup>2</sup> I.M. Lewis. *Understanding Somalia and Somaliland: Culture, History, Society*. (New York NY: Columbia University Press, 2008), 41.

<sup>3</sup> Lewis. *A Pastoral Democracy*, 161.

<sup>4</sup> Abdi Ismail Samatar, "Destruction of State and Society in Somalia: Beyond the Tribal Convention." *The Journal of Modern African Studies* 30, no. 4 (December 1992): 627.

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<sup>7</sup> Luling. "Genealogy as Theory," 475.

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<sup>8</sup> Luling, "Come Back Somalia? Questioning a Collapsed State," 288-289.

<sup>9</sup> Kimberly Marten, "Warlordism in Comparative Perspective." *International Security* 31, no. 3 (Winter, 2006/2007): 41.

<sup>10</sup> During this author's deployment to East Africa in 2006-2008, the Somali cellular network was far and away the most robust system in East Africa and was the first in to have 3G digital service. The lack of a centralized governmental function of electromagnetic spectrum management (e.g. the FCC in the U.S.) only helped of course.

<sup>11</sup> I.M. Lewis. *A Modern History of Somalia, Nation and State in the Horn of Africa*. (Boulder CO: Westview Press, 1988), 63-64.

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<sup>13</sup> I.M. Lewis, "Sufism in Somaliland: A Study in Tribal Islam." *Bulletin of the School of Oriental and African Studies* 17, no. 3 (1955): 590.

<sup>14</sup> I.M. Lewis, "Dualism in Somali Notions of Power." *The Journal of the Royal Anthropological Institute of Great Britain and Ireland* 93, no. 1 (January - June 1963): 110.

<sup>15</sup> Ken Menkhaus, "Governance Without Government in Somalia, Spoilers, State Building, and the Politics of Coping," *International Security* 31, no.,3 (Winter 2006/2007): 85-86.

<sup>16</sup> During this researcher's training program to go to the Horn of Africa, Dr. Menkhaus did not mention *xeer* or consultative arrangements of the groups as a related concept.

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<sup>19</sup> Ken Menkhaus, "State Collapse in Somalia: Second Thoughts." *Review of African Political Economy* 30, no. 97 (September 2003): 416.

<sup>20</sup> International Crisis Group. *Somalia's Islamists*, (New York NY: International Crisis Group, December 2005), 20.

<sup>21</sup> John Kelsay. *Arguing the Just War in Islam*. (Cambridge MA: Harvard University Press, 2007), 40-41.

<sup>22</sup> Bernard Lewis. *The Middle East: A Brief History of the Last 2000 Years*. (New York NY: Touchstone, 1995), 233-234.

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<sup>24</sup> William H. Lewis, "The Ethiopian Empire: Progress and Problems." *Middle East Journal* 10, no. 3 (Summer, 1956): 257.

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- <sup>27</sup> Hess, "The 'Mad Mullah' and Northern Somalia," 422.
- <sup>28</sup> Lewis. *A Pastoral Democracy*, 223.
- <sup>29</sup> Captain Kevin Frank U.S. Navy (Retired). Interview with Brett Morash. Phone Interview. April 14, 2013.
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- <sup>34</sup> Meles Zenawi, *Annual Report to Parliament of the Federal Democratic Republic of Ethiopia*. (Addis Ababa, 4 July 2006), under "Reports," <http://www.ethioembassy.org.uk/Archive/Prime%20Minister%20Meles%20Report%20to%20Parliament%20Tuesday%204th%20July%202006.htm> (accessed September 13, 2013).
- <sup>35</sup> Per the United Nations website, in June 2000, after two years of fighting in a border dispute, Ethiopia and Eritrea signed a cessation of hostilities agreement. On July 30, 2008, the Security Council terminated the mandate of UNMEE with effect from the following day. This decision came in response to crippling restrictions imposed by Eritrea on UNMEE, including cutting off fuel supplies – making it impossible for the operation to continue carrying out its mandated tasks, and putting at risk the safety and security of UN personnel.
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- <sup>38</sup> Dr. Menkhaus was one of the only Somali experts that spoke during this author's three month pre-deployment training curriculum in preparation for deployment to the Horn of Africa and serving on CJTF-HOA.
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<sup>42</sup> Dagne. *Africa and the War on Terrorism*. CRS-15.

<sup>43</sup> Bernard Lewis, *The Crisis of Islam, Holy War and Unholy Terror*. (New York NY: Random House, 2004), i.

<sup>44</sup> Bernard Lewis, "A Time for Toppling," *Wall Street Journal* (September 27, 2002), under "Opinion," <http://online.wsj.com/articles/SB1033089910971012713.html> (accessed October 22, 2014).

<sup>45</sup> U.S. Congress, Joint Session. *Somalia: Expanding Crisis in The Horn of Africa*, 109th Cong., 2 sess. (29 June 2006), 9.

<sup>46</sup> International Crisis Group, *Somalia's Islamists*, 3.

<sup>47</sup> In this author's experience this nodal link model was used by military planners during the period of time that the UIC was being viewed as a threat.

<sup>48</sup> Sheik Aweys, "Secret Decision", *WikiLeaks* (November 9, 2005), under "UIC," [https://wikileaks.org/w/images/a/ae/Union\\_of\\_islamic\\_courts-1.jpg](https://wikileaks.org/w/images/a/ae/Union_of_islamic_courts-1.jpg) (accessed November 16, 2014).

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## CHAPTER THREE NOTES

<sup>1</sup> Andrew Cockburn, "Somalia." *Online Extra National Geographic Society* (July 2002), under "World Africa," <http://ngm.nationalgeographic.com/ngm/0207/feature3/fulltext.html> (accessed October 22, 2014).

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<sup>3</sup> Samatar, "Destruction of State and Society," 639.

<sup>4</sup> Lewis. *A Pastoral Democracy*, 170-171.

<sup>5</sup> Ibid., 170-171.

<sup>6</sup> During this researcher's deployment to Djibouti a child was killed by a vehicle driven by a U.S. Servicemember, with the Task Force paying no less than thirty camel for the loss. This cost nearly \$30,000

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for the Task Force.

<sup>7</sup> Luling, "Come Back Somalia? Questioning a Collapsed State," 292.

<sup>8</sup> Jama, "Kinship and Contract in Somali Politics," 226.; Menkhaus, "State Collapse in Somalia: Second Thoughts," 418.; Lewis, *Islam in Tropical Africa*, 251.

<sup>9</sup> Lewis. *A Pastoral Democracy*, 170.

<sup>10</sup> Ibid., 170.

<sup>11</sup> Too small and therefore incapable of destroying an adjacent warlord faction, the *dia*-paying groups would have to live in a tenuous coexistence until the UIC banded the multiple militias together with a collective mission to eradicate the warlords from Somalia.

<sup>12</sup> Jhazbhay, "Islam and Stability in Somaliland," 180-181.

<sup>13</sup> Lewis. *Understanding Somalia and Somaliland*, 40.

<sup>14</sup> Lewis. *A Pastoral Democracy*, 162.

<sup>15</sup> Ibid., 161.

<sup>16</sup> Ibid., 203.

<sup>17</sup> Lewis, "Dualism in Somali Notions of Power," 111.

<sup>18</sup> Samatar, "Destruction of State and Society," 631.

<sup>19</sup> Menkhaus, "State Collapse in Somalia: Second Thoughts," 418.

<sup>20</sup> International Crisis Group, *Somalia's Islamists*, ex 1.

<sup>21</sup> Menkhaus, "Governance without Government...", 87-88.

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<sup>23</sup> Luling, "Come Back Somalia? Questioning a Collapsed State," 292.; Lewis. *Understanding Somalia and Somaliland*, 104.

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<sup>26</sup> Marc Sageman, *Understanding Terrorist Networks*. (Philadelphia PA: University of Pennsylvania Press, 2004), 175-176.

<sup>27</sup> Captain Kevin Frank U.S. Navy (Retired). Interview with Brett Morash. Phone Interview. 12 September 2012.

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- <sup>28</sup> The same briefings made the point that individual relationships really mattered and we should focus on those during our dealings with the African stakeholders we engaged with.
- <sup>29</sup> There are numerous studies discussing the failure of the U.S. led intervention in Southern Somalia in the wake of the Barre regime's failure.
- <sup>30</sup> Jama, "Kinship and Contract in Somali Politics," 230-231.
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- <sup>32</sup> Lewis. *Understanding Somalia and Somaliland*, 80-81.
- <sup>33</sup> International Crisis Group, *Somalia's Islamists*, 19.; "Canadian in Somalia defends Taliban," *National Post* (October 23, 2006), under "World," <http://www.nationalpost.com/story.html?id=bb0abff7-7f2d-431f-8688-16b4a5180343&k=86986.html> (accessed October 22, 2014).
- <sup>34</sup> Menkhaus, "Governance without Government in Somalia..." 87-88.
- <sup>35</sup> Lewis. *A Pastoral Democracy*, 213.
- <sup>36</sup> Menkhaus, "State Collapse in Somalia: Second Thoughts," 417.
- <sup>37</sup> Sageman, *Understanding Terrorist Networks*. 176.
- <sup>38</sup> Brett Morash, "Maritime Interdiction and Intelligence," (Masters Thesis, U.S. Naval War College, June 2004), 14.
- <sup>39</sup> Samatar, "Destruction of State and Society," 638.
- <sup>40</sup> Jama, "Kinship and Contract in Somali Politics," 246.

## CHAPTER FOUR NOTES

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- <sup>2</sup> Economist, "A Holy War in the Horn?" *The Economist* (October 10, 2006), under "World Politics Middle East & Africa," <http://www.economist.com/node/8019365.html> (accessed October 22, 2014).
- <sup>3</sup> Lewis, "Sufism in Somaliland: A Study in Tribal Islam." 589.
- <sup>4</sup> Luling. "Genealogy as Theory," 471.
- <sup>5</sup> Lewis, "Dualism in Somali Notions of Power," 109.



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<sup>6</sup> International Crisis Group, “Can the Somali Crisis Be Contained?” 753.; Menkhaus, “State Collapse in Somalia: Second Thoughts,” 409.

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<sup>9</sup> Lewis, “Dualism in Somali Notions of Power,” 109.

<sup>10</sup> International Crisis Group, *Somalia’s Islamists*, 19.

<sup>11</sup> Economist, “Not the New Taliban Yet,” *The Economist* (June 29, 2006), under “World Africa,” <http://www.economist.com/node/7126330.html> (accessed October 22, 2014).

<sup>12</sup> Economist, “Into the Vacuum.”

<sup>13</sup> Economist, “Not the New Taliban Yet.”

<sup>14</sup> Ibid.

<sup>15</sup> International Crisis Group, *Somalia’s Islamists*, 7.

<sup>16</sup> During this researcher’s deployment to Djibouti there was a widespread and marked decrease in ability to work with local officials following the arrival and distribution of qaat by the government.

<sup>17</sup> International Crisis Group, *Somalia’s Islamists*, 19.

<sup>18</sup> “Profile: Somalia’s Islamic Courts,” *BBC News* (June 6, 2006), under “World Africa,” <http://news.bbc.co.uk/2/hi/5051588.stm> (accessed October 22, 2014).

<sup>19</sup> BBC, “Profile: Somalia’s Islamic Courts.”

<sup>20</sup> Economist, “Courting Trouble: The Comparison with the Taliban is Overdone, but America Needs to Push for Peace Now.” *The Economist* (July 13, 2006), under “World Politics Middle East & Africa,” <http://www.economist.com/node/7167234.html> (accessed October 22, 2014).

<sup>21</sup> International Crisis Group, *Somalia’s Islamists*, 23.

<sup>22</sup> Lewis, I.M. *Islam in Tropical Africa*, 49.

<sup>23</sup> Menkhaus, “Governance without Government,” 75-76.

<sup>24</sup> Marten, “Warlordism in Comparative Perspective,” 41.

<sup>25</sup> Menkhaus, “State Collapse in Somalia: Second Thoughts,” 416.

<sup>26</sup> Marten, “Warlordism in Comparative Perspective,” 43.

<sup>27</sup> This was personally observed by this researcher during his tour in Djibouti from 2007-2009. During this researcher’s tour in East Africa we tracked the export of camels from Mogadishu and Kismayoo as a key indicator of economic success within Somalia. We also tracked the expansion of the Somali cellular phone network which was the most advanced in East Africa due in large part to the lack of oversight by a

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regulatory body.

<sup>28</sup> Max Weber as reported in Kimberly Marten, “Warlordism in Comparative Perspective.” *International Security* 31, no. 3 (Winter, 2006/2007): 47.

<sup>29</sup> International Crisis Group, *Somalia’s Islamists*, 20.

<sup>30</sup> Healy, “Danger Zone.” 11.

<sup>31</sup> Menkhaus, “Governance without Government...,” 88.

<sup>32</sup> Marten, “Warlordism in Comparative Perspective,” 47.

<sup>33</sup> Financial Action Task Force. *FATF IX Special Recommendations, incorporating all subsequent amendments until February 2008* (October 21, 2001), under “Documents,” <http://www.un.org/en/sc/ctc/docs/bestpractices/fatf/9specialrec/fatf-9specialrec.pdf> (accessed October 31, 2014).

<sup>34</sup> International Crisis Group, *Somalia’s Islamists*, 23-24.

<sup>35</sup> *Ibid.*, 24.

<sup>36</sup> *Ibid.*, 24.

<sup>37</sup> Economist, “Enemies Within, Enemies Without,” *The Economist* (September 20, 2001), under “World Politics Middle East & Africa,” <http://www.economist.com/node/788362.html> (accessed October 22, 2014).

<sup>38</sup> Economist, “Enemies Within, Enemies Without.”

<sup>39</sup> Bernard Lewis, “Jihad vs. Crusade,” *Wall Street Journal* (September 27, 2001), under “Opinion,” <http://online.wsj.com/public/page/news-opinion-commentary.html?id=95001224.html> (accessed November 1, 2014).

<sup>40</sup> Lewis, “Jihad vs. Crusade.”

<sup>41</sup> Kelsay. *Arguing the Just War in Islam*, 223.

<sup>42</sup> *Ibid.*, 135-136.

<sup>43</sup> The earliest use of the term from Sheik Aweys to describe the Ethiopians was on July 21, 2006.

<sup>44</sup> Helni, Mahmoud, “Somalia: Islamic Courts Declare Jihad Against Ethiopia.”

<sup>45</sup> Rageh Omaar, “Once again, the west wages the wrong war,” *New Statesman* (February 5, 2007) under “Home,” <http://www.newstatesman.com/africa/2007/02/saudi-republic-islam-influence.html> (accessed October 22, 2014).

<sup>46</sup> U.S. Congress, Joint Session. *Somalia: Expanding Crisis in The Horn of Africa*, 109th Cong., 2 sess. (29 June 2006). 9.

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<sup>47</sup> International Crisis Group, *Somalia's Islamists*, ex 1.

<sup>48</sup> Lewis. *Understanding Somalia and Somaliland*, 86.

<sup>49</sup> "The Rising Fear of a War of Proxies." *The Economist* (July 13, 2006), under "World Politics Middle East & Africa," <http://www.economist.com/node/7174078.html> (accessed October 22, 2014).

<sup>50</sup> Douglas Farah. "The Challenges of Somalia in the New World Order," *International Strategy and Assessment Center* (July 14th, 2006), under "Publications," [http://www.strategycenter.net/research/pubID.114/pub\\_detail.asp](http://www.strategycenter.net/research/pubID.114/pub_detail.asp) (accessed November 1, 2014).

## CHAPTER FIVE NOTES

<sup>1</sup> Colin Legum. "Somali Liberation Songs," *The Journal of Modern African Studies* 1, no.4 (December 1963): 504.

<sup>2</sup> Lewis. *Understanding Somalia and Somaliland*, 86.

<sup>3</sup> Lewis. *A Pastoral Democracy*, 223.

<sup>4</sup> Scott S. Reese, "The Best of Guides: Sufi Poetry and Alternate Discourses of Reform in Early Twentieth-Century Somalia." *Journal of African Cultural Studies* 14, no. 1, (June 2001): 50.

<sup>5</sup> Thomas Pakenham. *The Scramble for Africa: White Man's Conquest of the Dark Continent from 1876 to 1912*. (New York NY: Avon, 1992), 2.

<sup>6</sup> Zewde. *A History of Modern Ethiopia, 1855-1974*. 81.

<sup>7</sup> Lewis. *A Pastoral Democracy*, 223.

<sup>8</sup> Abdi Sheik-Abdi, "Somali Nationalism: Its Origins and Future." *The Journal of Modern African Studies* 15, no. 4 (December 1977): 659.

<sup>9</sup> Abdi, "Somali Nationalism: Its Origins and Future," 659.

<sup>10</sup> Hess, "The 'Mad Mullah' and Northern Somalia," 422.

<sup>11</sup> *Ibid.*, 420.

<sup>12</sup> *Ibid.*, 419.

<sup>13</sup> A similar parallel to the response to Sheik Aweys' use of the term "jihad" 90 years later.

<sup>14</sup> Hess, "The 'Mad Mullah' and Northern Somalia," 433.

<sup>15</sup> This is located in modern day Puntland in the north east of Somalia.

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- <sup>16</sup> Republic of Somalia, *Somali Constitution of 1960*, June 26, 1960 as Amended 31 December 1963, available [http://www.somalilandlaw.com/somaliland\\_constitution\\_1960.htm](http://www.somalilandlaw.com/somaliland_constitution_1960.htm) (accessed October 22, 2014).
- <sup>17</sup> Zewde. *A History of Modern Ethiopia*, 1855-1974. 182.
- <sup>18</sup> MIT, "Somali Ethiopia Border Conflict 1964," *MIT Cascon System for Analyzing International Conflict* (October 22, 2014), under "Cases," [http://web.mit.edu/cascon/cases/case\\_sek.html](http://web.mit.edu/cascon/cases/case_sek.html) (accessed October 22, 2014).
- <sup>19</sup> Jhazbhay, "Islam and Stability in Somaliland," 180-181.
- <sup>20</sup> Lewis. *Understanding Somalia and Somaliland*, 40.
- <sup>21</sup> Dagne, *Somalia: Current Conditions*, 26.
- <sup>22</sup> Azouz Ennifar UNMEE Coordinator, Memorandum to UN Secretariat, June 26, 2006.
- <sup>23</sup> Marten, "Warlordism in Comparative Perspective," 52.
- <sup>24</sup> Samatar, "Destruction of State and Society," 638.
- <sup>25</sup> Dagne. *Africa and the War on Terrorism*. CRS-14.
- <sup>26</sup> International Crisis Group, *Somalia's Islamists*, 3.; Dagne. *Africa and the War on Terrorism*. CRS-17.; and U.S. President. Executive Order 13224. "Blocking Terrorist Property..."
- <sup>27</sup> Patrick Giles, "Somalia" *African Affairs* 98, no. 393 (October 1999): 574.
- <sup>28</sup> Dagne, *Somalia: Current Conditions*, 23.
- <sup>29</sup> International Crisis Group. *Somalia's Islamists*, 4.
- <sup>30</sup> Dagne, *Somalia: Current Conditions*, 26.
- <sup>31</sup> International Crisis Group. *Somalia's Islamists*, 3; U.S. President. Executive Order 13224. "Blocking Terrorist Property"
- <sup>32</sup> BBC, "Profile: Somalia's Islamic Courts," *BBC News*, 6 June 2006.

## CHAPTER SIX NOTES

- <sup>1</sup> Sun Tzu. *The Art of War*. Samuel B. Griffith, trans. (Oxford: Oxford University Press, 1980), 91-92.

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<sup>2</sup> Liotta, and Hearn. *The Ikon and the Axe*, 2.

<sup>3</sup> UNMEE eventually dissolved in July 2008 due in large part to Ethiopia pulling its logistical support of the mission and preventing the unfettered access of the Peacekeeping staff.

<sup>4</sup> Lewis. *Understanding Somalia and Somaliland*, 88.

<sup>5</sup> Dagne. *Africa and the War on Terrorism*. CRS-14.

<sup>6</sup> Menkhaus, "Governance without Government...", 74.

<sup>7</sup> The ICOS is a "think tank" that works in conflict and post-conflict zones using Cultural Analysis research to examine the perceptions of local people with regards to their own situation or their attitudes towards the political/security landscape in their country.

<sup>8</sup> The International Council on Security and Development, *Chronic Failures in the War on Terror* (London UK: MF Publishing Ltd, May 2008), 11.

<sup>9</sup> Samatar. "The Miracle of Mogadishu," 581.

<sup>10</sup> Economist, "Islamists Half-Ready for Holy War: A Look at Somalia's Islamist Conquerors: Who They Are and What They Want." *The Economist* (October 12, 2006), under "World Politics Middle East & Africa," <http://www.economist.com/node/8031141.html> (accessed October 22, 2014).

<sup>11</sup> Mohamed Olad Hassan, "Islamic Leader Urges 'Greater Somalia.'" *Associated Press* (November 19, 2006) under "Blog," [http://nazret.com/blog/index.php/2006/11/19/ethiopia\\_islamic\\_leader\\_urges\\_greater\\_so.html](http://nazret.com/blog/index.php/2006/11/19/ethiopia_islamic_leader_urges_greater_so.html) (accessed October 22, 2014).

<sup>12</sup> Dagne. *Africa and the War on Terrorism*. CRS-17.; U.S. President. Executive Order 13224. "Blocking Terrorist Property..."

<sup>13</sup> Dagne. *Africa and the War on Terrorism*. CRS-13.

<sup>14</sup> Zenawi. Interview with *Washington Post*.

<sup>15</sup> Mullah Omar is the spiritual leader of the Afghani Taliban

<sup>16</sup> Economist, "The Rising Fear of a War of Proxies."; Economist, "Islamists Half-Ready for Holy War."; Economist, "Not the New Taliban Yet."

<sup>17</sup> International Crisis Group, "Can the Somali Crisis Be Contained?" 753.

<sup>18</sup> United Nations Mission to Ethiopia and Eritrea, "UNMEE Website," United Nations (September 17, 2007) under "Missions Past UNMEE," <http://www.un.org/en/peacekeeping/missions/past/unmee.html> (accessed October 22, 2014).

<sup>19</sup> Dagne. *Africa and the War on Terrorism*. CRS-15.

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<sup>20</sup> During this researcher's tour in East Africa Eritrea was pejoratively referred to as the North Korea of Africa amongst the CJTF-HOA staff.

<sup>21</sup> Azouz Ennifar UNMEE Coordinator, Memorandum to UN Secretariat, June 26, 2006.

<sup>22</sup> Ibid.

<sup>23</sup> Zenawi, interview with *The Guardian*.

<sup>24</sup> Khaled Mahmoud, "Somali Islamic Courts Head Denies Receiving Funds from Yemen, Saudi Arabia." *Al-Ashraq Al-Awsat* (July 3, 2006) under "Africa," <http://www.aawsat.net/2006/07/article55266149.html> (accessed October 22, 2014).

<sup>25</sup> International Crisis Group, "Can the Somali Crisis Be Contained?" 756.

<sup>26</sup> Economist, "By Dawn the Islamists Were Gone." *The Economist* (January 4, 2007) under "World Politics Middle East & Africa," <http://www.economist.com/node/8502191.html> (accessed October 22, 2014).; Menkhaus, "Governance without Government..." 89.; and "The Rising Fear of a War of Proxies."

<sup>27</sup> Hassan, "Islamic Leader Urges 'Greater Somalia.' "

<sup>28</sup> Captain Kevin Frank U.S. Navy (Retired). Interview with Brett Morash. Phone Interview. April 14, 2013.

<sup>29</sup> Zenawi. *Annual Report to Parliament*.

<sup>30</sup> Zenawi. "Press conference" June 27, 2006.

<sup>31</sup> U.S. President. *The National Security Strategy of the United States of America*. Washington D.C.: April 2002. 2.

<sup>32</sup> Ibid., 2.

<sup>33</sup> U.S. President. *National Strategy For Combating Terrorism*. Washington D.C.: February 2003. 2.

<sup>34</sup> Ibid., 22.

<sup>35</sup> The International Council on Security and Development, *Chronic Failures in the War on Terror* (London UK: MF Publishing Ltd, May 2008) 6.

<sup>36</sup> The Battle of Mogadishu October 3-4 1993 is more commonly referred to as the Blackhawk Down incident.

<sup>37</sup> U.S. Congress, Joint Session. *Somalia: Expanding Crisis in The Horn of Africa*, 109th Cong., 2 sess. (June 29, 2006). 2.

<sup>38</sup> U.S. Congress, *Somalia: Expanding Crisis in The Horn of Africa*, 4

<sup>39</sup> This includes a review of the thousands of documents released by WikiLeaks.

<sup>40</sup> U.S. Congress, *Somalia: Expanding Crisis in The Horn of Africa*, 9.

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<sup>41</sup> Ibid., 9

<sup>42</sup> Ibid., 51.

<sup>43</sup> Dagne. *Africa and the War on Terrorism*. CRS-15.

<sup>44</sup> “Islamists Half-Ready for Holy War”; “Not the New Taliban Yet.”

<sup>45</sup> BBC, “‘Radical’ heads new Somali body,” *BBC News* (June 26, 2006), under “Africa” <http://news.bbc.co.uk/2/hi/africa/5113868.stm>. (accessed October 22, 2014).

<sup>46</sup> Economist, “Not the New Taliban Yet.”

<sup>47</sup> Including the League of Arab States and the African based Intergovernmental Authority on Development (IGAD)

<sup>48</sup> Ali Halni, “Somali Islamic Courts Delegation and U.S. Diplomats have First Meeting.” *Shabelle Media Network* (June 26, 2006), under “Stories,” <http://allafrica.com/stories/200606280131.html> (accessed October 22, 2014).

<sup>49</sup> Associated Press, “Somali Militant Urges Holy War on Ethiopia.” *Associated Press* (July 21, 2006), under “News,” [http://usatoday30.usatoday.com/news/world/2006-07-21-somali-ethiopia\\_x.htm](http://usatoday30.usatoday.com/news/world/2006-07-21-somali-ethiopia_x.htm) (accessed October 22, 2014).

<sup>50</sup> Ted Dagne. *Africa and the War on Terrorism*, CRS-14.

<sup>51</sup> A regional development organization in East Africa made up of seven nations, headquartered in the capital city of Djibouti, Djiboutville. No IGAD members were Non-Permanent Members of the UN Security Council during this time frame. Africa Region nations on the Security Council were Tanzania, Congo, and Ghana.

<sup>52</sup> United Nations Security Council. *UN Security Council Resolution 1725*. New York NY: 6 December 2006.

<sup>53</sup> Ibid.

<sup>54</sup> Zenawi. Interview with *Washington Post*.

<sup>55</sup> U.S. Congress, Joint Session. *Somalia: Expanding Crisis in The Horn of Africa*, 109th Cong., 2 sess. (29 June 2006). 19.

<sup>56</sup> Mary Harper. Interview with Brett Morash. Phone interview. Newport RI, 13 April 2012.

<sup>57</sup> Economist, “A Holy War in the Horn?”

<sup>58</sup> International Crisis Group, “Can the Somali Crisis Be Contained?” 752.

<sup>59</sup> Khaled Mahmoud, “Somali Islamic Courts Head Denies Receiving Funds from Yemen, Saudi Arabia.” *Al-Ashraq Al-Awsat* (July 3, 2006), under “Africa,” <http://www.aawsat.net/2006/07/article55266149.html> (accessed October 22, 2014).

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<sup>60</sup> Helni, Mahmoud, "Somalia: Islamic Courts Declare Jihad Against Ethiopia."

<sup>61</sup> Zenawi. Interview with *Washington Post*.

<sup>62</sup> Zenawi. Interview with *Washington Post*; "Somali Militant Urges Holy War on Ethiopia."

<sup>63</sup> Asharq Al-Awsat. "Somalia: Islamic Courts Declare Jihad Against Ethiopia." *Asharq Al-Awsat* October 11, 2006. accessed November 16, 2014. <http://www.aawsat.net/2006/10/article55264993>

<sup>64</sup> Mohamed Olad Hassan, "Islamic Leader Urges 'Greater Somalia.'" *Associated Press*, 19 November 2006.

<sup>65</sup> Economist, "By Dawn the Islamists Were Gone."; and Helni, Mahmoud, "Somalia: Islamic Courts Declare Jihad Against Ethiopia."

<sup>66</sup> Economist, "By Dawn the Islamists Were Gone."

<sup>67</sup> Abdi Sheikh, "Prominent militant arrested in blow to Somali Islamists," *Reuters* (June 26, 2013), under "World Africa," <http://www.reuters.com/article/2013/06/26/us-somalia-rebels-idUSBRE95P14F20130626.html> (accessed November 16, 2014).

## CHAPTER SEVEN NOTES

<sup>1</sup> Von Clausewitz. *On War*, 87-88.

<sup>2</sup> Staff, "Somalia." *BBC News*, August 21, 2012, accessed November 16, 2014.

<sup>3</sup> BBC, "Kenyan troops continue attempts to secure Nairobi mall." *BBC News* (September 23, 2013), under "Africa," <http://www.bbc.com/news/world-africa-24216547.html> (accessed October 22, 2014).

<sup>4</sup> Harbi Abdillahi Omar, "Djibouti hunts masterminds behind Saturday's suicide attack," *Sabhai* (May 26, 2014), under "Archive," [http://sabahionline.com/en\\_GB/articles/hoa/articles/features/2014/05/26/feature-02?change\\_locale=true](http://sabahionline.com/en_GB/articles/hoa/articles/features/2014/05/26/feature-02?change_locale=true) (accessed November 16, 2014).

<sup>5</sup> Liotta and Hearn. *The Ikon and the Axe*, 2.

<sup>6</sup> Sun Tzu. *The Art of War*, 91-92.

<sup>7</sup> Lewis. *A Modern History of Somalia*, 63-64.

<sup>8</sup> President George W. Bush, "Remarks on U.S. Humanitarian Aid to Afghanistan Presidential Hall," (Dwight David Eisenhower Executive Office Building, Washington, D.C.) October 11, 2002.

<sup>9</sup> *Al Jazeera*, "Is Kenya's heavy-handed response to security threats justifiable?" *Al Jazeera* (April 4, 2014), under "Opinion," <http://www.aljazeera.com/indepth/opinion/2014/04/kenya-police-require-reform-201444115130374466.html> (accessed October 22, 2014).



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<sup>10</sup> Pope Francis, “On Turkey Visit, Pope Francis Urges Dialogue in Battling Fanaticism.” *New York Times*, (November 28, 2014), under “World Europe,” [http://www.nytimes.com/2014/11/29/world/europe/on-trip-to-turkey-pope-francis-calls-for-dialogue-in-battling-isis.html?\\_r=0](http://www.nytimes.com/2014/11/29/world/europe/on-trip-to-turkey-pope-francis-calls-for-dialogue-in-battling-isis.html?_r=0) (accessed November 28, 2014).

<sup>11</sup> DP World Website, “Djibouti Doraleh Container Terminal” (November 16, 2014), under “Our-Business,” <http://web.dpworld.com/our-business/marine-terminals/middle-east-europe-africa/djibouti-doraleh/> (accessed November 16, 2014).

<sup>12</sup> Staff, “Raysut making moves in Somalia, Yemen and UAE.” *Global Cement* (July 1, 2013), under “News,” <http://www.globalcement.com/news/item/1766-raysut-making-moves-in-somalia-yemen-and-uae> (accessed November 16, 2014).

<sup>13</sup> Africa Confidential, “A Dangerous Invasion,” *Africa Confidential* (May 23, 2008), under “Articles,” [http://www.africa-confidential.com/article/id/2623/A\\_dangerous\\_invasion.html](http://www.africa-confidential.com/article/id/2623/A_dangerous_invasion.html) (accessed October 22, 2014).