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**“Assessing the Consequences of the Failed State of Somalia”**

**HEARING BEFORE THE HOUSE COMMITTEE ON FOREIGN AFFAIRS,  
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH AND HUMAN RIGHTS,  
AND THE SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION AND TRADE**

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I am grateful to Congressmen Smith and Royce, the chairmen, and to the ranking members Congressmen Payne and Sherman, for allowing me to contribute to the Subcommittees’ timely review of U.S. policy in Somalia. My remarks will explore the pitfalls and possible benefits of the proposed U.S. engagement with alternative forms of governance in Somalia. Particular attention will be given to “bottom up,” grassroots and regional alternatives to the current governing structure.

**INTRODUCTION**

Since 2006, the United States and its allies have provided unconditioned support to Somalia’s Transitional Federal Government (TFG). The unreflecting pursuit of this policy has had disastrous consequences, both for U.S. national security and for Somalia itself. The failings of the Somali “government” under the leadership of Sharif Sheikh Sharif Ahmed are so marked and egregious that continued U.S. support of the TFG seems virtually impossible to justify. So it may be helpful to point out that extended U.S. support of the TFG has actually fulfilled two primary policy goals.

First, and certainly foremost, the abject military weakness of the TFG has provided a justification for extended deployments of Ethiopian, Ugandan and Burundian troops to Mogadishu. While ostensibly engaged in a peacekeeping mission, these Ugandan and Burundian troop contingents have formed the backbone of U.S. counterterror efforts in Somalia. Given the uncertain nature of the threat posed by the Union of Islamic Courts and then by the radical youth militia al Shabaab, the presence of some foreign military force in Mogadishu was deemed essential.

Second, U.S. support of the TFG has seemed intuitive and necessary in the context of the counterinsurgency strategy that had emerged in Afghanistan. Counterterror and “failed states” analysts have argued that radical Islamist insurgencies can only prosper in the absence of good governance, and can only be defeated if and when local populations were provided with a “viable alternative” to radical Islamist rule.

The notion that Somalis require a viable governance alternative to al Shabaab – or any other form of radical Islam – is a fundamental error that has derailed U.S. policy in Somalia. While it is possible, for example, that the Taliban could provide a viable alternative to democratic rule in Afghanistan, Somalia’s radical al Shabaab militia is fringe, foreign, and already deeply despised by the vast majority of the Somali population. Efforts to create a “viable alternative” to al

Shabaab are not only superfluous, but have been deeply counterproductive: international efforts to impose a central government on Somalia since 2004 have not only catalyzed the re-emergence of indigenous radical groups in the Horn of Africa, but have actively sustained them.

Since October 2010, al Shabaab has suffered severe military setbacks at the hands of African Union troops. The movement appears increasingly weak and preoccupied with internal power struggles. No analyst would suggest, however, that al Shabaab's decline is related to the emergence of the TFG as a "viable alternative" to radical Islamist rule. On the contrary, Al Shabaab's decline has occurred just as international support for the TFG has visibly waned, as international attention has strayed elsewhere (to the surprising events in Libya, Sudan and Tunisia), and precisely because the Somali conflict has settled into an interminable and fruitless stalemate between African Union troops and the radical Shabaab. Washington's muted response to the Kampala bombings, when it wisely refused to bow to regional pressure to pump additional money and troops into Mogadishu, has made it painfully clear that the Obama administration will not allow Somalia to become a quagmire for U.S. funds or forces; that the utility of al Qaeda investment there is limited; and that the only real victim of the ongoing military stalemate is Somalia's endlessly suffering civilian population.

Viewed in this context, it is not surprising that both local and international enthusiasm for the conflict is gone. Popular discontent with both the "government" and the radical forces is rising, and—far more importantly—the foreign financial flows that have been galvanizing both the TFG and al Shabaab have all but petered out. The leaders of the TFG are now locked in a desperate internecine battle to secure the very last dregs of foreign funds. On the radical side, military defeats and counterterror efforts have deprived Al Shabaab of hundreds of fighters and several well-connected foreign leaders, the group has lost the façade of strategic and ideological cohesion previously made possible by controlled infusions of foreign jihadist funds. Like their counterparts in the TFG, Al Shabaab's leaders are mostly engaged in an undisciplined scramble for territory and funds. Clan affiliations and old, reliable alliances—such as the friendly patronage relationship between Sheikh Hassan Dahir Aweys and Muktar Robow—have reasserted themselves, and previously internal fractures between al Shabaab's "nationalist" and "transnational" factions have been plainly exposed. As a political organization, "al Shabaab" has fractured to such an extent that it is hard to say what the movement actually stands for. (And the moderate Islamist movement, Ahlu Sunna wa'al Jamaa, has suffered a similar fate.)

Policymakers in the State Department have clearly absorbed the significance of the current status quo, and have sagely resisted the temptation to press the African Union's apparent military advantage by the supplying the "peacekeepers" (known as AMISOM) with a significant infusion of troops, weapons or funds. Bolstering AMISOM to the desired level of 20,000 troops will not end the stalemate, nor will it magically transform the TFG into a government worthy of international support. At best, aggressive support of AMISOM may inadvertently re-focus and re-energize al Shabaab and its backers, and produce a new round of violence.

However, in an effort to cement the remarkable gains that have been made against al Qaeda in other theaters, the U.S. has recently stepped up its kinetic counter terror efforts in Somalia. Unmanned drones have been deployed over parts of the country, and have apparently killed and injured "mid-level leaders" of al Shabaab. The U.S. has not specified whether these leaders were local or foreign, nor whether they had been explicitly linked to al Qaeda. Worse, the decision to deploy the drones appears totally unrelated to conditions in Somalia, where al Shabaab is visibly less threatening than it has ever been, and it is a dangerous step in the wrong direction. Al Shabaab may be despised, but the use of drones and other surveillance devices is controversial and unwelcome in Somalia, as in all other theaters. Though it is prudent of the

United States to conduct its counterterror operations independently of AMISOM and the TFG, less controversial methods should be employed, and greater effort made to justify the use of lethal force against targets not proven to have directly threatened U.S. interests.

## CIVIL SOCIETY

### *South-central Somalia*

Prior to 2006, Somalia was religiously moderate, relatively stable, and enjoyed a rate of economic growth that was approximately on par with its East African neighbors. The country's civil society sector was underdeveloped and often unreliable, but thriving. Literally hundreds of community-based and nongovernmental organizations were employed in the delivery of services to local populations. Many of these NGOs were funded indirectly by the U.S. and its allies, and were slowly developing the administrative capacity needed to secure direct grants from donors. Today, few Somali NGOs remain functional in southern Somalia. Most have been reduced to signposts and skeleton crews. Those that remain in operation shoulder an ever-present threat of targeted and indiscriminate violence. The number of NGOs continues to dwindle rapidly, however, not as a result of violence, but because there is so little local or international funding available now to support them.

In the wake of the five-year battle between al Shabaab and the TFG, almost all of Somalia's fragile advantages have been lost. Prior to the escalation of the drought, some 2.4 million people (approximately 30 percent of Somalia's estimated population of eight million) had been displaced or driven over Somalia's borders by violence. The Somali economy has ground to a halt. The Somali currency has been drastically devalued by counterfeiting, much of it conducted by government officials. Strong new criminal networks, mostly devoted to piracy, have emerged in the northern and central territories of Somalia, and are currently holding some 650 international hostages, either as slaves or for ransom. Somalia's long-standing clan conflicts have also been deeply aggravated by political instability and a brutal scarcity of resources.

Impossible as it may seem, the situation continues to deteriorate. Somalia is poised on the edge of yet another humanitarian disaster, provoked by a confluence of conflict and drought, not unlike the 1991-92 crisis that served as a precursor to direct U.S. intervention in Somalia under the first President Bush. This disaster could be even worse: local NGOs report that a number of districts, including Adale (in Middle Shabelle Region), Qoryoley, Kurtun Warrey and Sablale (in Lower Shabelle Region), and Dinsoor (in Bay Region), are already suffering from famine – but are so isolated from press and humanitarian access that the international community has yet to realize the extent of the crisis.

Recognition cannot be long in coming. Some 1,600 Somalis are arriving at the Dadaab refugee camp in Northern Kenya every day. More than 30,000 rural Somalis have descended on Mogadishu in the past two months in search of food and alternate livelihoods. Policymakers must understand the significance of this migration: these rural families are fleeing to an active war zone in which civilians continue to face indiscriminate violence from both sides of the conflict, peacekeepers and terrorists alike. They have seen their livestock starve and have decided that even the Mogadishu warzone is preferable to slow death in the remote rural villages. Because the "long rains" of 2011 have proved insufficient to renew pasture, nor provide enough soil moisture to bear a crop to maturity, this trend of forced rural migration can only be expected to increase.

The desperate, unmet need for humanitarian relief threatens to overwhelm all other priorities in southern Somalia. In order for the "dual track" strategy to stand any chance of succeeding, the United States should urgently revisit its *de facto* decision to suspend humanitarian funding to the

Somali territories controlled by al Shabaab. While it is true that al Shabaab has rendered dozens of communities inaccessible to foreign aid, there are hundreds of communities in which aid is still entirely possible. Without a dramatic increase in humanitarian aid, tens of thousands of innocent men, women and children living in these communities will die painful, unrecorded deaths. The failure to meet the most basic human requirements of Somalia's population conflicts with every precept of counterinsurgency strategy, and will undoubtedly deliver some desperate communities into the hands of al Shabaab.

#### *Puntland and Somaliland*

The northern territories of Puntland and Somaliland have suffered far less disruption from the conflict raging in the south and from the drought. Their civil societies are nascent, but capable of implementing sound development programs with international donor assistance. Corruption and lack of capacity continue to be problematic, but can easily be minimized through good donor practices.

#### ALTERNATE FORMS OF GOVERNANCE

The failure of the Transitional Federal Government has rekindled international donor interest in finding "homegrown," "decentralized," "bottom-up," or "grassroots" solutions to the Somali crisis. Various attempts to engage Somali clan leaders, civil society and regional administrations at the sub-national level have been made over the years; most famously during the early 1990s, when, in partnership with the Life and Peace Institute, the United Nations essayed a "building blocks" strategy to create local and district-level administrations across Somalia. "Building blocks" is generally regarded as a failed strategy, but a number of more recent developments suggest that it may be time to give "bottom up" strategies another look. In particular: the many practical "peace agreements" that have been negotiated outside of Mogadishu by rival clans; the service delivery and resource-sharing arrangements that have emerged in a number of Somali towns, often as a result of voluntary investments by local or Diaspora businessmen; and, of course, the relative stability of unrecognized, regional administrations like Somaliland and Puntland.

The strongest justification for any regional or "bottom up" strategy for promoting security and governance is that it better reflects the reality on the ground in Somalia. When Assistant Secretary Carson unveiled the U.S. government's "dual track" strategy last October, he alluded to the TFG as a "government in name only," and it was an accurate description.

To the extent that functional governance exists in Somalia, it exists at the grassroots, local, municipal and regional level, where local leaders and communities have developed their own governance arrangements over time, through extensive negotiation, and on the basis of a practical, shared need for stability and services. These governance arrangements tend to be far more reliable, transparent and accountable than the national frameworks that have been brokered by foreign diplomats.

#### PITFALLS OF ENGAGEMENT

Unquestionably, international development initiatives that seek to engage local and regional "authorities" are more likely to promote stability, reconciliation and economic growth, especially over the short term, than initiatives attempted at the national level. But they still have the potential to destabilize and do harm.

### *Clannism*

Many Somalis fear that “dual track,” “building blocks” or “bottom up” strategies will encourage the splintering of Somalia into clan territories. The United States must therefore be extremely cautious in its diplomatic interactions with “regional,” district and even municipal entities. Efforts to bolster the military capacities of Puntland or Somaliland, for example—even in the service of anti-piracy or counterterror campaigns—may easily fuel clan tensions, and in a worse case scenario, could lead to conflict.

The State Department’s “dual track” strategy has been widely criticized by Somalis, both at home and in the Diaspora, and on many grounds. Predictably, though, the loudest complaint stems from the fear that the “dual track” strategy will catalyze the splintering of Somalia into ever-smaller parts. This fear is legitimate, but probably overblown. Given the extremely limited amount of U.S. funding available for development, humanitarian relief and institution building in Somalia, and the State Department’s lack of any coherent strategy to engage non-state actors in south central, it is unlikely that the “dual track” strategy will amount to more than a covert form of disengagement or containment. The small political shocks produced by its unveiling will probably be short-lived. The few district and regional administrations that have formed opportunistically in an effort to gain U.S. backing are likely to dissolve as it becomes evident that there is little funding and no military backing on offer. On the other hand, local, municipal and regional administrations that were functional prior to the announcement of “dual track” will continue to exist and could derive increased, and necessary, development support from the policy.

### *Corruption*

Somalia’s general population desperately craves normalcy, stability, an end to clan-based conflicts, and increased access to economic opportunities, but its preferences are largely irrelevant. Time and again in Somalia, the prospects for peace have been ruined by political leaders, businessmen, warlords, elders, parliamentarians, clan leaders, and even clerics, all of whom have used their power and status as an opportunity to steal public resources. Leaders from all sides of the spectrum have not hesitated to prolong conflict in the interest of personal gain. For the past twenty years, legitimate and accountable Somali actors have been crowded out of the political dialogue by these spoilers.

Somalia’s municipal and regional administrations have suffered less from corruption than the TFG. But as policymakers and donors begin to shift international resources down to the local, municipal and regional levels, spoilers and corrupt practices will not only follow, but, due to the relative opacity of local-level politics, will be much harder for donors to spot.

Grassroots governance processes will automatically be denatured by the involvement of international donors (and dollars). The distribution of per diems, honorariums, travel stipends and food allowances by donor-funded NGOs is an unfortunate norm in Somalia, as in most of Africa. The opportunity to derive profit from a peace negotiation that would otherwise be driven by practical necessity will tend to skew the incentives of participants. Of course, donors can (and often do) attempt to resist these practices. But they will find themselves confronted by an even more unfortunate reality: when they are not distributing money, international donors have precious few means to incentivize local communities—let alone local officials, elders or other leaders—to participate in their peace, governance, and institution-building workshops. Somalis have complained bitterly that the distribution of per diems, honorariums, and lucrative government portfolios has derailed dozens internationally-sponsored peace conferences and meetings that have been held in foreign capitals over the years, transforming what could have been viable peace negotiations into hand-out sessions for spoilers and opportunists. Policymakers

should beware that the threat of spoilers is equally present at the village level – and that international donor policies play a causal role in the problem.

#### *Cementing the status quo*

Donors must also be extremely careful not to romanticize the inter- and intra-clan peace and resource agreements that have emerged “spontaneously” (that is to say, without the spur of international funding) at the local level. While such agreements have certainly reduced resource and clan-based conflicts in parts of Somalia, they are not perfect instruments. They tend to preserve rather than challenge the status quo. Local peace agreements, like national ones, are negotiated, and armed majority clan groups have a much stronger bargaining hand than their smaller, weaker neighbors. Though majority clans often make important concessions for the sake of peace, they rarely concede to resource distribution arrangements that international donors would consider strictly equitable. Policymakers should be aware that unarmed minority clan populations tend suffer particularly intensely under “grassroots governance” arrangements that depend on the Somali traditional law (the *Xeer*) to distribute resources and security. International donors and their partners can attempt to correct these imbalances (to the extent that they are able discern them) as they distribute aid, but donor capacity to enforce equality is limited. Monitoring the impact of aid will also be extremely challenging, as the districts of Somalia that are most in need of development and humanitarian assistance are typically the same territories that are most inaccessible to foreigners. If U.S. policymakers wish to work on the ground in Somalia, they must steel themselves to tolerate an uncomfortable degree of imperfection and risk.

#### PRACTICAL GUIDELINES

The risks of ground-level intervention in Somalia are real, but the rewards are potentially enormous. Somalia has been so starved of development and humanitarian aid that virtually any assistance can have a tremendous impact on the political climate. Brilliant ideas for investment, infrastructure and development assistance abound – and policymakers will no doubt be shocked by the remarkable impact that can be achieved at relatively minimal cost. Prior to the release of any funding, the U.S. should simply be careful to develop coherent strategies to minimize the risk that local and regional engagement will backfire.

#### *Development without regard to governance*

The simplest way to do this is to adopt a strategy of “development without regard to governance.”

First, the U.S. must avoid the temptation to enthrone local leaders, or to create political winners and losers. This means, first and foremost, that the U.S. should resist any form of institution-building at the community, municipal or district level. Institution-building is an inherently prescriptive activity, and will work against the emergence of viable homegrown solutions. Traditional governance tends to depend on fluid, community-wide processes of dialogue, and the institutionalization of power by foreign donors will almost always lead to abuse. Even when extremely small amounts of funding are involved, officials have commonly been known to invest community development funds in the purchase of vehicles or build offices. Such purchases are usually perceived within the local community as ostentatious or worse, especially when they precede any visible program outputs, and are taken as a sign of corruption.

Second, the U.S. should deliver assistance directly to local communities, avoiding the use of local administrations as pass-throughs. A number of local NGOs have developed excellent community-based models for delivering services. A women’s NGO called SAACID-Somalia, for example, has successfully implemented an impressive variety of programs ranging from garbage collection to disarmament, demobilization, and reintegration in Somalia’s dangerous capital city

using a clan-neutral, district-based distribution model that requires neighborhoods to cooperate in the delivery of services, or suffer a complete stoppage of support. This model can and should be applied across the country.

*Using development assistance to achieve policy ends*

Targeted development assistance has the potential to stop piracy. It can also enhance U.S. security by further splintering radical networks, like al Shabaab, into their pragmatic and radical parts.

But development interventions cannot be narrowly driven by counter-piracy objectives. Enormous damage has been done to Somalia in the past by the United States' narrow focus on counter-terror goals, and any land-based development intervention that is driven exclusively by narrow counter-piracy concerns is likely to be equally dangerous. To stand any chance of succeeding, land-based interventions must be equally sensitive to counterterrorism, counterpiracy, development and human rights objectives.

This requires a delicate balancing act on the part of U.S. officials.

As noted above, the U.S. should not funnel development funds through local or regional administrations. Even the most stable of these administrations currently lacks the accountability mechanisms needed to handle large infusions of foreign funds.

The United States can and should provide development assistance packages to local communities in exchange for community efforts to stop criminal activities, including piracy. There is nothing wrong with a tit-for-tat agreement, provided that:

- Development packages are carefully negotiated on a community-by-community basis to reflect the specific priorities of the residents. The U.S. should consider relying on the assistance of one or more reputable local NGOs to ensure that all relevant stakeholders—including minority clan groups—are included in this negotiation process.
- Development packages are not provided only to “pirate villages.” If the U.S. focuses on delivering aid to villages that have profited from piracy, it will create a situation of moral hazard, in which development relief will be perceived as yet another benefit of piracy. Development assistance can only stop piracy if it is provided equitably – otherwise, pirates will simply shift their operations down the coast, and communities eager for development assistance will have good incentives to shelter them.
- Over the long term, development will reduce the incidence of piracy in Somalia by creating alternative economic opportunities for youth. In the short term, however, piracy can only be halted by the active intervention of local communities. The United States will, effectively, be paying communities to police themselves. In order for this system to work, the U.S. must be prepared to suspend its development support if the community fails to honor its contract. Otherwise, communities will simply be able to accept the development packages, while accepting pirate profits on the side. Though it sounds intuitive, this will no doubt be extremely difficult for the U.S. to manage – it will occasionally require truly awful decisions on the part of donors, such as suspending school or halting health care deliveries. However, this system will reward communities that do not tolerate piracy, and will penalize those that do. (The local NGO SAACID-Somalia has developed a very credible strategy for negotiating “community compacts” that clearly define the terms of continued international support.)

- Some analysts have suggested that the United States need only scatter modest “incentives” across Somalia’s coastal communities in order to stop piracy. On the contrary, policymakers must recognize that buying our way out of the pirate problem will not be cheap. Villages that host pirate networks reap concentrated rewards – and realistic estimates of the cost of the development incentives needed to pull them out of the piracy business are as high as \$10 million per district, per year, over the course of several years. Not all development packages need be that expensive, but piracy has become endemic in Somalia, and a land-based approach to curing it is growing more expensive by the day. The good news is that the land-based approach is still enormously cheaper – and more effective – than the approximately \$2 billion annual cost of the international naval flotilla. But it represents a huge increase in the U.S. development budget for Somalia, even when the costs are shared across several partner nations and with actors in the private sector.
- Finally, development can only stop piracy and terrorism in Somalia if the United States is timely and consistent in meeting its funding obligations. Somalis have heard many false promises from donors over the years, and will not invest in changing their behavior unless they believe that the United States is seriously committed to development. The financial rewards of piracy, after all, are clear and immediate.

## CONCLUSION

Since 2004, international efforts to impose a central government on the Somali people have not only catalyzed the re-emergence of indigenous radical groups in the Horn of Africa, but have actively sustained them.

Most Somalis have no living memory of the country’s last “effective” government: the military dictatorship of Siad Barre, whose systemic violence and corruption set the stage for twenty years of anarchy. Today, the only consistent source of security, economic connectivity and traditional law in Somalia is the clan. Somalis are increasingly disgusted by the clan system, but they have yet to develop the most basic ingredient of statehood: a common commitment to a national vision. International efforts to reconstruct a centralized state for Somalia, in advance of any meaningful national reconciliation process and without any baseline consensus on governance among the Somali people, will continue to fail. The U.S. “dual track” policy represents an important concession to this reality and will certainly do less harm than previous policy approaches.

Critics of the “dual track” policy are right to point out that no intervention at the “district” or “regional” level can establish the foundation for national governance in Somalia. Such interventions can, however, provide the space and resources for a much-needed period of stabilization, normalization and economic growth. Normalization is not a modest U.S. policy goal: indeed, it is the condition most likely to lead, over time, to reconciliation and to the emergence of a truly “homegrown solution” to Somalia’s crisis.

United States House of Representatives  
Committee on Foreign Affairs

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<b>3. Date of Committee hearing:</b>  JULY 7, 2011	
<b>4. Have <u>you</u> received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>5. Have any of the <u>organizations you are representing</u> received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>6. If you answered yes to either item 4 or 5, please list the source and amount of each grant or contract, and indicate whether the recipient of such grant was you or the organization(s) you are representing. You may list additional grants or contracts on additional sheets.</b>  <p style="text-align: center;">N/A</p>	
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