WAR CRIMES

How warlords, politicians, foreign governments and aid agencies conspired to create a failed state in Somalia

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AUTHOR'S NOTE

There are many fictionalised accounts of Somalia based on a combination of myths, lies and misconceptions. Somalia has become a canvas upon which anyone can paint a picture of his or her own liking or convenience.

Scholars have cast Somalia as a society that can only be understood through the lens of pastoralism, clannism or political Islam. While these factors are no doubt integral to any understanding of present-day Somalia, examining this battered country through only these lenses tends to obscure the fact that outside forces, and forces within Somalia, have cynically used them to advance their own personal, ideological or geopolitical agendas.

Journalists have tended to portray Somalia as a dangerous place where clan warfare, famine and terror are the order of the day. Accounts of Somalia range from patronising sketches of people in desperate need to horrific stories of pirates, warlords and terrorists. Aid workers, on the other hand, see Somalia either as a development project or a humanitarian crisis. The "Somalia Project" has become a never-ending enterprise in whose name millions of dollars are raised every year, with little to show for it. Meanwhile, Western governments and their allies portray Somalia as a failed state that breeds piracy and terrorism and which needs to be reined in and rehabilitated.

I must confess that until recently I too was among those people who have a one-sided view of Somalia. It was only after a chance visit to Mogadishu in 2011 that I realised that there was more to the Somalia story than what was being shown on television or written in newspapers. While there was ample evidence of violence and destruction everywhere in the city, there were also signs of incredible beauty and resilience. I felt oddly betrayed—as if a crime against humanity had been committed but no one had recorded it, or even noticed. Over the next few months, I met several Somalis who complained that the different narratives about Somalia had been terribly distorted to suit the interests of the narrators and that the real truth had got lost somewhere in between the lines.

This book does not pretend to be an authoritative study of Somalia. Rather, it tries to put recent events in Somalia in perspective and give a voice to those

who are not being heard. It focuses on the period between 2004 and 2013, a decade during which Somalia experienced major political and social upheavals that have been fraught with political intrigues, radicalisation and militarisation.

Somalia ushered in a Transitional Federal Government (TFG) in 2004, which proved to be weak, ineffectual and corrupt. TFG failed to establish state institutions that had been destroyed during the civil war or to deliver services to the Somali people. The Islamic Courts Union (ICU) tried to fill this void by taking control of Mogadishu in 2006, but it was ejected from the city by Ethiopian forces backed by the United States. The ICU then re-grouped; some elements formed Al Shabaab, an extremist and violent Islamic militia that took control over most of southern and central Somalia.

In a bizarre twist of fate, in 2009, the former ICU leader Sharif Sheikh Ahmed was installed as the president of the TFG with the support of the international community, and his government established itself in Mogadishu. Meanwhile Al Shabaab and other militia wreaked havoc in areas they controlled, and imposed their repressive form of governance on the Somali people.

In a bid to rid southern Somali of Al Shabaab and to create a safe buffer zone near the Kenya-Somalia border, the Kenya Defence Force invaded Somalia in October 2011, a move that would lead to retaliatory terror attacks by Al Shabaab in Kenya. The most audacious of these attacks took place on 21 September 2013 at the Westgate mall in Nairobi when 67 people lost their lives. Kenyan forces, who were fighting alongside the Somali Ras Kamboni militia, were re-hatted as part of the African Union forces in Somalia in February 2012 and eventually gained control over the port of Kismaayo, Al Shabaab's economic lifeline, in September 2012.

The Kenyan invasion took place when aid agencies had declared a famine of catastrophic proportions in Somalia. Millions of dollars were raised by international humanitarian agencies to feed the hungry. Refugees poured into Kenya, causing a crisis at the Dadaab refugee camp, whose population swelled to nearly half a million.

At the same time, the United Nations was helping Somalia draft a new constitution that would pave the way for a new post-transition government. President Hassan Sheikh Mohamud was elected as president of this post-transition government under a new constitution in September 2012. However,

he has so far been unable to consolidate his position or to successfully negotiate with regional entities that demand autonomy from Mogadishu. Somalia thus remains as fragile as it was twenty years ago.

This book tries to show how foreign governments and aid agencies conspired to keep Somalia in a permanent state of under-development and conflict, and how Somali politicians, clan-based fiefdoms, warlords and terrorists benefited from the ensuing chaos and anarchy. It offers some insights into why a failed state colluded in its own destruction and why the international community did little to stop it. It shows who benefited from the anarchy and lawlessness, and who paid the price. Specifically, this book looks at how various foreign and domestic forces inadvertently—or perhaps, deliberately—prolonged the conflict in Somalia and ensured the country's continued instability. The book is about the crimes of war committed by these various entities.

1

INTRODUCTION

"Nobody wants a strong and stable Somalia."
—Somali businessman in Nairobi

The spoils of war

In March 1994, Iliari Alpi, a young Italian television reporter, was shot dead on the streets of Mogadishu. No one knows who killed her or why. However, according to her acquaintance Michael Maren, a former aid worker who met the journalist in the Somali capital, Alpi was killed because of what she had unearthed. "Some people say she had information about the Italian military selling guns to the warlords," he wrote. "Some say she had information about the torture and killing of Somali prisoners by Italian soldiers. What I know is this: Forty-five minutes after I met Iliara Alpi, she was dead, slumped in a puddle of her own blood in the back seat of a white Toyota pickup truck."[1]

In Italy news of the journalist's death gave rise to various conspiracy theories. It was rumoured that Alpi had stumbled upon evidence about ships dumping toxic (possibly nuclear) waste near the Somali port of Bosaso. Some claimed that the Italian journalist might have uncovered a link between Italian arms manufacturers and local militia who were possibly involved in what was known as the "guns-for-waste" trade, whereby foreign companies would be allowed by Somali militias to dump toxic waste in exchange for guns and ammunition. If Alpi's reports had been aired, they would have been deeply embarrassing to Italy, Somalia's former colonial power. Maren is convinced that "while the men who pulled the trigger were Somali, the people who paid them, the ones who wanted Iliara dead, were Italian".[2]

A few years after Iliara Alpi's death, environmental movements began investigating whether Somali waters were being illegally used as a toxic dumping ground. In 1997, the environmental NGO Greenpeace published an

investigation that revealed that Swiss and Italian companies were acting as brokers for the transport of hazardous waste to Somali waters. In 2005, the United Nations Development Programme (UNDP) concluded that dumping of toxic and harmful waste was “rampant” along Somalia’s coastline. Field research showed that Somali coastal communities were developing acute and chronic diseases, such as cancer, and that there was an increase in the number of babies being born with birth defects.[3]

Somalia’s waters were also being exploited by by foreign fishing ships. In the 1990s, ships and trawlers from Europe and Asia began illegally fishing along Somalia’s largely unguarded 3,300-kilometre coastline (the longest in Africa), depleting the region’s rich marine life. In February 2012, the New York-based Global Policy Forum reported that illegal fishing was promoting piracy in Somalia and that “having over-fished their home waters, these sophisticated factory ships are seeking catch in one of the world’s richest remaining fishing zones”.[4]

The port of Kismaayo also became a conduit for international drug and gun smugglers. In 2011, the New York-based International Peace Institute published a study that showed that drug trafficking networks from neighbouring Kenya paid millions of shillings in protection fees to militias in Somalia to allow for the unhindered passage of drugs from Kismaayo through the areas they controlled. Besides narcotics, thousands of tonnes of sugar from Pakistan, Brazil and Dubai and cheap electronics from Asian countries are also believed to have entered Kenya through the Somali port.[5]

Later, the terrorist group Al Shabaab would lay claim on Kismaayo, which became its economic lifeline and a key source of income. It is estimated that when it controlled the port, Al Shabaab earned as much as $50 million a year in taxes.[6] The militant Islamic group also imposed “taxes”, or protection money, on farmers and businesses in the regions it controlled. Some of these taxes paid for the group’s terrorist activities in Somalia and neighbouring Kenya.

The collapse of the Somali state in 1991 thus gave birth to a war economy whose spoils benefited a small group of Somali warlords, politicians, businessmen and militia who became fabulously wealthy during the country’s two decades of conflict. Foreigners often worked in cahoots with these groups to loot the country’s resources and to undermine Somalia’s recovery.

These foreign interests benefited from the spoils of the war, and their hidden hands continue to wreak havoc in this war-torn country.

The looting of Somalia's resources began as soon as the civil war started. Warlords sacked the capital Mogadishu and took control over many parts of the country. The resulting lawlessness and anarchy was exploited not just by criminal elements within Somali society but by international syndicates as well. The lack of a functioning government in Somalia and the absence of Somali coastguards resulted in foreign governments and companies entering into deals with local militia and criminals to rob the country of its natural and other resources. These lootable resources not only helped to further arm the militias, they also became the reward against which the militias weighed the benefits of peace.[7]

How the war economy benefited Kenya

Instability in Somalia has benefited the Kenyan economy in myriad ways, in particular, through the aid and development industry. The many humanitarian crises in Somalia prompted aid agencies and international humanitarian organisations to start projects aimed at delivering relief and development to the country. The "Somalia Project" became a fund-raising opportunity for the United Nations and other international organisations. Millions of dollars were raised to provide food and other relief supplies to Somalis.

As the civil war progressed, and with each successive famine in the country, United Nations and other aid agencies intensified their fund-raising efforts; the bulk of these funds went to pay for UN staff based in Nairobi and logistical and administration costs.

As almost all of the UN's Somalia offices had relocated to Nairobi for security reasons since the mid-1990s, Kenya's capital became a big beneficiary of the Somalia Project. UN agencies were only too happy to re-locate their offices from Mogadishu to Nairobi as the Kenyan capital was seen as an expatriate's paradise. From this city, located right in the middle of "safari country", expatriates can easily access the country's many game parks and tourist resorts. Many of the city's shops, supermarkets, restaurants, bars and nightclubs are comparable to those in London and New York, and so UN employees have a wide choice in terms of what they can buy and enjoy.

Nairobi-based UN employees, who earn salaries significantly higher than the majority of the city's population, are immediately upon arrival thrust into the same league as the country's moneyed elite, and therefore suffer few of the hardships that a posting in Africa often entails. Perhaps this is the reason why many find the prospect of re-locating to Mogadishu so daunting.

The UN's Somalia offices in Nairobi rely on local goods and service providers, which also benefits the Kenyan economy. As Abukar Arman, a US-based Somali analyst put it, Nairobi has become the place where buyers meet sellers and where deals regarding Somalia are made or broken.[8] Many Kenyans also believe that illicit profits from Somalia's war economy, including from piracy, have ended up in real estate in Nairobi, which has been experiencing an unprecedented boom in recent years.

Because many parts of Somalia are considered a no-go-zone by international humanitarian agencies, and therefore rendered inaccessible, enterprising Somalis have formed non-governmental organisations (NGOs) that liaise with these agencies to provide humanitarian assistance and services on the ground. These businesses-cum-NGOs (referred to by UN agencies as "implementing partners"), have been signing lucrative contracts with aid agencies; some of them have formed cartels that control entire sectors of the aid industry, transport, for example. Others have been stealing the aid and selling it on the open market. Aid has thus become another profitable source of income for criminal elements within Somalia.

Warlords and businessmen with their own personal militia have also reaped from the benefits of insecurity in Somalia. Foreign companies and aid agencies hire these militias for their own security in Somalia. It is estimated that aid agencies spend up to half the budgets of their Somalia operations on security services.

Proxy wars

The United States and other powerful countries have for decades been meddling in Somali affairs, but their hands have mostly been invisible. During Siad Barre's regime in the 1970s and '80s, both Russia and the United States played Cold War politics in Somalia. Aid was given—or withdrawn—depending on the shifting priorities of these countries.

The United States government's more recent policies towards Somalia,

however, have been largely shaped by its experiences there in the early 1990s and by President George Bush's "war on terror" following the 11 September 2001 terror attacks in New York and Washington DC.

Americans have never forgiven Somalis for the October 1993 "Black Hawk Down" incident in Mogadishu that led to the death of eighteen US soldiers. At that time, the Bill Clinton administration had sent a group of US marines to rein in the various warlords who were controlling the Somali capital and hindering the distribution of UN relief supplies. Massive MH-60 Black Hawk helicopters were being used to strike at the most powerful warlord at that time, Mohammed Farah Aideed. The warlord's militia used rocket-propelled grenades to shoot down two of the US helicopters that were circling the Somali capital. A war that was intended to be fought from the air was brought to the ground as US forces scrambled to rescue their comrades who lay wounded and unprotected on the city's streets. In the ensuing battle, at least 500 Somali civilians were killed.

Some of the American soldiers who died were dragged through the streets of the city by jeering Somalis. The images of the dead American soldiers, which were aired on international television, and which shocked not just Americans, but the entire world, dramatically changed US policy towards African conflicts. US policies and interventions in African conflicts thereafter adopted a "no-American-boots-on-the-ground" strategy. This strategy entailed financially supporting African forces on the ground to act on behalf of the United States, but not actually sending US military personnel to the conflict zones.

The "no-American-boots-on-the-ground" strategy has in recent years been implemented through the African Union Mission in Somalia (Amisom) whose forces comprising soldiers from various African countries have been fighting Al Shabaab in the war-torn country. The Amisom forces are largely funded by the European Union and backed by the United Nations. The United States has also employed drone technology and "surgical strikes" against suspected terrorists in Somalia, which became more common during President Barack Obama's administration, which since 2010 has adopted a "dual track" policy in Somalia, whereby the US government deals with both the Somali government in Mogadishu while simultaneously engaging with militia and warlords. This dual-track policy has led to the bizarre and counter-productive scenario whereby former warlords and militia leaders are

on the payroll of this superpower while it engages with a government they oppose or undermine.

In its war against Al Shabaab, the United States has relied on Somalia's neighbours, Ethiopia and Kenya, for support. The pro-West Kenya and Ethiopia are considered natural allies in the United States' war on terror. Both countries have been deeply affected by instability in Somalia, and are more willing than other countries to secure US military assistance for their own anti-terrorism activities.

Some Somali analysts believe that both countries, which hold sizeable ethnic Somali populations that inhabit parts of the so-called "Greater Somalia"[9] territory that lies within their borders, do not want to see a strong and stable Somalia because the latter would pose a threat to their own national geopolitical and economic interests.

The Somali analyst Afyare Abdi Elmi explains:

> Ethiopia, and to a lesser extent Kenya, have important stakes in either installing their own proxy government in Somalia or in perpetuating the Somali conflict for as long as they can. The strategies that Somalia's hostile neighbours adopt differ. At a time when the world would not allow an opportunistic invasion, Ethiopia sent weapons and created warlords from different clans. After 9/11 Ethiopia and Kenya capitalised on the "war on terror" and used it to their advantage. As such, Ethiopia invaded Somalia [in 2006] as part of a "war on terror" campaign, albeit in pursuance of its own geographical interests. Kenya has also facilitated this invasion. This leads me to conclude that these countries are determined to block a viable and strong Somali state for as long as they can as their perception is based on a zero-sum understanding of power.[10]

Meanwhile, several Arab countries have been supporting various radical and moderate Islamic factions within Somalia. Clerics trained in Egypt and Saudi Arabia introduced the ultra-conservative Salafi ideology and its Wahhabi creed to the country. Radical Islamic militant groups in Somalia have also been manipulated by various Arab countries, who in a Muslim Brotherhood-type solidarity with the country's Islamists, have been known to sponsor radical elements within the Transitional Federal Government (which lasted from 2004 till 2012), thereby perpetuating instability and competition between rival factions.

Qatar, for instance, has even been influencing Somali politics by financially supporting individual politicians. According to a paper published by the Norwegian University of Life Sciences, the evolution of Qatari involvement in Somalia started as early as 1996, but was initially focused on humanitarian assistance that supported institutions owned and managed by Al Islah, the Muslim Brotherhood's chapter in Somalia, such as the Mogadishu University. Qatar started playing a more prominent role in Somali politics in 2006, when the Islamic Courts Union (ICU) gained prominence. Qatar engaged directly with Sharif Sheikh Ahmed, the leader of the ICU. When the ICU was removed from Mogadishu by Ethiopian forces, Qatar demanded the withdrawal of Ethiopian soldiers from Somalia, and even facilitated a meeting in the Eritrean capital Asmara where a group known as the Alliance for the Re-liberation of Somalia was formed.

According to Mohamed H. Gaas, one of the authors of the paper, when Sharif Sheikh Ahmed became president of the Transitional Federal Government in 2009, Qatar pressured him to include radical Islamic elements in his cabinet and to negotiate with known international terrorists, such as Hassan Dahir Aweys. It seems ironic, if not hypocritical, that Qatar, which fashions itself as a modern, outward-looking monarchy, would be supporting regressive forces within Somalia. In 2012, however, Qatar "changed horses" by supporting President Hassan Sheikh Mohamud, who it is rumoured even received money from this Arab nation to fund his election campaign.[11] Various Gulf countries, including the United Arab Emirates, have supported Somali politicians, even though many of these politicians have been known to be corrupt.

Thus foreign governments, while claiming to promote stability to Somalia, have conspired to ensure that the country remains a failed state. These governments fail to recognise or acknowledge that their actions are strengthening disruptive forces within Somalia and perpetuating injustices.

Meanwhile, Somali politicians have done little to restore good governance and sound public financial management in the country. On the contrary, many have engaged in the looting of public coffers and perpetuated a culture of impunity. Somalia, therefore, remains a failed and fragmented state where foreign and local players continue to engage in a game of chess where the majority of the Somali people are always the losers.

2

THE WHISTLEBLOWER

"When the madness of an entire nation disturbs a solitary mind, it is not enough to say the man is mad."—Francis Imbuga, *Betrayal in the City*

"Everyone likes to blame the international community for Somalia's problems, but the truth is that Somalis are to blame for ruining their country," said Abdirazak Fartaag as he ordered another cappuccino at a coffee shop in Yaya Centre, an up-market shopping mall in Kenya's capital Nairobi.

The coffee shops in the foyer of the Yaya Centre are particularly popular with Somalis living in Nairobi. When I arrived there to meet the former Somali Transitional Federal Government (TFG) official, several of his countrymen were milling about or chatting in small groups. Throughout the city of Nairobi and in several cities around the world where ethnic Somalis reside, there are several such "watering holes" where Somalis meet to catch up on news about "back home". Somali women are usually not part of these gatherings.

Somalis say that the habit of meeting in coffee shops reflects their largely nomadic lifestyle; herders often meet around wells to catch up on the latest news, to find out where there is pasture, to learn about which rival clan is approaching or even which young woman is eligible for marriage. I personally believe it is a reflection of a fragmented oral society where words are not trusted until they are spoken. In my several encounters with Somalis, I have always been intrigued by their insistence that we meet in person, rather than communicate via e-mail or on the phone. I believe our face-to-face meetings established trust (or mistrust, whichever the case) between us. Words had to be uttered in person before the conversation could move forward.

Fartaag (he prefers to be called by his last name) had arrived with the former Somali MP Awad Asharah who was also the chairman of the federal

information, public awareness, culture and heritage committee of the Somali parliament. My first impression of Fartaag was that he lacked the sharp suited-booted look that many educated Somalis carry, especially in cities such as Nairobi, where Somalis are regularly targeted by the state and where a slick modern look can potentially deter harassment by the police. He appeared to be in his mid-40s and was casually dressed in jeans, a long-sleeved shirt and sleeveless sweater. His facial features were not typically Somali—he could pass for a South Indian with his dark brown skin and curly hair.

The whistleblower also had the furtive and anxious look of a hunted animal. I could see that he was not quite sure whether to trust me. But then, how can a man who had done what no other Somali civil servant had dared to do—reveal the corrupt practices within his own government—expect to trust anyone? In present-day Mogadishu it is easier to get killed for lesser "sins". Young men in the city will kill each other for entertainment, or just because they are paid to do so. Several such contract killings have been reported. High on *khat* and numb to the violence they see around them everyday, many young men see killing as a profession. With few job opportunities and easy access to guns, youngsters in cities such as Mogadishu have formed armed gangs for hire whose sole job is to kill—or protect—for a fee. They ride around the city in "technicals"—stripped down pickup trucks mounted with Russian DShK anti-aircraft guns. This is what twenty years of war had done to a nation's youth.

I found Fartaag to be politically conservative (he often disparagingly referred to me as a socialist when I disagreed with him, which was often), but with a Western liberal outlook, probably the result of his schooling, much of which took place in England and Switzerland after he finished primary school in Mogadishu. He displayed none of the macho, self-assured tendencies of many Somali men I had encountered and was unperturbed by the fact that I was a woman. He belonged to Somalia's educated elite who had been forcibly pushed out of Mogadishu at the start of the civil war in 1991 and was from the Marehan sub-clan belonging to the Darod family of clans—the same sub-clan of the ousted president Siad Barre, which was dominant in the Gedo region of southern Somalia near Kenya's northeastern border.

Fartaag often said that Siad Barre was the only true nationalist that Somalia had witnessed and that the Somali leader had been misunderstood and

wrongly maligned. Barre, he said, had expanded literacy and women's rights in the country, and promoted a national identity. Fartaag may not have agreed with the military dictator's "scientific socialism" policies, but admired him for not destroying the country's institutions, including the military, which under Barre was one of the largest standing armies in Africa.

Fartaag's wife and children lived in Canada, but he spent much of his time in Nairobi after losing his job in Mogadishu where he had been head of the Public Finance Management Unit in the Prime Minister's Office. He told me he was not religious, a courageous admission by someone from a country that claims to be 100 per cent Muslim, and where radical Islamic movements have taken root. Fartaag was a nickname handed to him by his father. It means "one who raises his finger". He had clearly lived up to his nickname.

When we had spoken on the phone earlier that week, Fartaag had told me that he was working on an investigative report that would reveal massive looting of state coffers by Somali politicians. Some of the findings from an earlier investigation he had conducted had already been published in the international media so he had built somewhat of a reputation as a whistleblower. Quoting Fartaag's findings, the Associated Press had reported that the TFG government had spent only $1 million on social services despite having raised $58 million in revenue. [12]

This and other controversial findings had caused quite a stir in Somali and diplomatic circles. Matt Baugh, Britain's ambassador to Somalia, had called Fartaag's investigative reports "sobering reading". "If Somalia wasn't losing this money, it could afford to help pay for its security, reconstruction and the salaries of its own employees," wrote the ambassador. "If the TFG were able to tackle the alleged corruption, it could help finance the core business of government. And that, after 20 years of conflict, would be a pretty significant start."[13]

I was interested in meeting this Somali whistleblower not so much to learn about the contents of his reports, but because I had developed an interest in whistleblowers after reading harrowing accounts of the fate that befalls them after they have made their revelations public. Most whistleblowers never really recover after they are labelled as such; in fact, most succumb to depression or alcoholism. Some never find jobs again, or end up living poor, broke and dejected for the rest of their lives. The strain of joblessness affects

their family life and many end up divorced or separated.

Fartaag's case fascinated me because the risks associated with whistleblowing are so much greater in a war-torn failed state. One of Fartaag's sources, Mohamed Ali Hussein, the Deputy Director-General in the Ministry of Finance, had been shot dead in Mogadishu by unknown assailants in July 2012. Although Al Shabaab was blamed for the killing, investigations indicated that Hussein might have been killed by a hired hit squad. [14] Other people who had revealed information about corruption within the Somali government to Fartaag had also being threatened.

Journalists too have been killed for coming too close to the truth in Somalia. According to the Committee to Protect Journalists, more than 20 Somali journalists have been killed in Somalia since 2009, making the country the most dangerous place in the world to practise journalism. Many of these journalists were murdered by hired militia.

However, the current government in Mogadishu has not done much to protect journalists or freedom of speech either. Abdiaziz Abdinoor Ibrahim, a Somali journalist based in Mogadishu, was jailed in 2013 for interviewing a woman who claimed she had been raped by government soldiers. He was charged with "fabricating a defamatory story and misleading an interviewee". Both he and the alleged rape victim were only released from prison after a successful campaign launched by human rights groups and journalists. Ibrahim now lives in self-imposed exile in Uganda.[15]

A mortal illness

Whistleblowing is extremely risky business, not just in Somalia but any place where governments and corporations have something to hide. It can also cause deep anguish to the whistleblower.

When I met Fartaag, I had just finished reading a book called *Whistleblowers: Broken Lives and Organizational Power* by C. Fred Alford, a Professor of Government at the University of Maryland, College Park, which provides a chilling and deeply pessimistic account of whistleblowers who have exposed corruption in high places.[16]

"I think we will not understand what is happening in our society until we listen to the tears, the screams, the pain, and horror of those who have crossed a boundary they did not even know exists," writes Alford.[17] "To be a

whistleblower is to step outside the Great Chain of Being, to join not just another religion, but another world. Sometimes this other world is called the margins of society, but to the whistleblower it feels like outer space." Alford says he researched and wrote the book because he wanted to learn more about what organisations looked like from the perspective of someone who had been forcibly relocated to this other world. [18]

Most whistleblowers, he adds, are unable to assimilate the experience of whistleblowing or come to terms with what they have learned about this world. Whistleblowers see the truth, and that truth shakes their belief in the world they live in. "For many whistleblowers this knowledge is like a mortal illness. They live with it, and it with them, every day and night of their lives. They do not just know the sins of the tribe. They are afflicted with them."[19]

John Githongo, Kenya's most famous whistleblower who uncovered what Kenyans jokingly refer to as the "Anglo Fleecing Scandal" in 2005, told me once that the meaning of "normal" changed for him forever after he realised that the people he worked most closely with were involved in the theft of public funds, and when friends and colleagues disappeared from his life after he made the scandal public. [20] "It is like post-traumatic stress disorder," he explained. "The memories keep coming back and stay with you for the rest of your life."

Unfortunately, most whistleblowers' actions have little or no impact on their organisation's practices. On the contrary, these actions may merely make the corrupt practices go underground. Worse, in the course of denying these practices, the organisation in question may even create doubts about the intentions of the whistleblower, which puts the whistleblower in an even more awkward position and impacts his or her future career prospects. Since their exposures are usually denied by their organisations, and because most lose their jobs as a result of their revelations, most whistleblowers end up in a lose-lose situation.

Many whistleblowers naively believe that their revelations will earn them kudos from their seniors, but usually the very opposite happens. The entire system conspires to make their life so miserable that they quit voluntarily, or comes up with trumped-up charges of impropriety that lead to their dismissal.

"They called me a traitor," Fartaag recalled. "They even sent me threats and warnings through text messages." He warned me that I too could become

the target of such threats and name-calling if I dared to publish what he was about to reveal to me.

Most of the whistleblowers interviewed by Alford said that they decided to blow the whistle because they couldn't have been able to live with themselves if they had done nothing. One told him, "I just felt dirty whenever I was at work. I couldn't wait to get home and change."[21]

Whistleblowers, says the professor, believe the following to be true: that the individual matters; that there is something called justice; that one's friends will remain loyal even if one's former colleagues do not; that someone somewhere cares and will do the right thing; and that the truth matters and someone will want to know it. When whistleblowers realise that their revelations mean nothing to their organisation and have little or no impact on the careers of the perpetrators of the corrupt deed or practice, the truth becomes even harder to bear.

The case of the Kenyan whistleblower David Munyakei is illustrative of the fate that befalls whistleblowers. Munyakei is credited with bringing to public attention what is known as the Goldenberg Scandal that cost the Kenyan economy about one billion dollars in the early 1990s. In April 1992, the whistleblower, who was then a junior clerk at the Central Bank of Kenya, started noticing stark irregularities in compensation claims for gold exports that he had been processing. Believing that the government might not know about the scam (Kenya is not a gold producer or exporter), through a friend, he alerted two opposition leaders about what he had discovered. When one of them tried to table Munyakei's evidence in parliament, he was denied permission to do so.

However, a year later, in May 1993, the story of grand corruption involving the Central Bank, a local business tycoon and top government officials was published in a local newspaper. Two days after the story was published, Munyakei was arrested and charged with contravening the Official Secrets Act. He was denied bail and taken to remand prison. His mother could not take the strain of seeing her son in jail; she suffered a stroke and died two months after his arrest. While the case against Munyakei was dismissed some months later by the Attorney General, the whistleblower found himself on the streets. The Central Bank had fired him on grounds that they no longer had confidence in him.

Munyakei spent the next few years flitting from one job to another. He was clearly a broken man; at one stage, he even converted to Islam. While Transparency International and the Kenya National Commission on Human Rights recognised him for blowing the whistle on the biggest scam in the country's post-independence history, he was not financially compensated by the government, nor did the awards bring him any financial security. He died penniless in 2006 at the age of 38.[22]

Alford says that whistleblowers are tortured and sacrificed "so that others might see what it costs to be an individual in this blighted world". They are also political actors in a depoliticised world—they threaten the very foundations upon which power rests. The act of whistleblowing is, therefore, a deeply political act.[23] This explains why whistleblower protection policies rarely work. Once a whistleblower is taken seriously, he becomes a threat to the entire power structure.

Even within organisations such as the United Nations, which has the stated goals of protecting human rights and promoting justice, and which has had a whistleblower protection policy since 2005, it is virtually impossible for a whistleblower to get his or her case heard. The UN Ethics Office—which is responsible for receiving appeals from UN whistleblowers for protection against retaliation—failed to protect more than 98 per cent of the whistleblowers that approached it for help between 2007 and 2010, according to the Washington-based Government Accountability Project.[24]

Evidence of wrongdoing by UN employees is also often dismissed or ignored by the UNs' internal oversight bodies. In 2011, the Associated Press published the findings of an internal UN review that found that theft of taxpayers' money was rampant in the neediest countries and that the UN was unwilling or unable to bring the culprits to book. For instance, no action had been taken following an investigation that discovered that $1 million a day was being stolen from a reconstruction project in Afghanistan. Nor was anybody dismissed after it was found that nearly $350,000 intended for a UN-funded radio station in Baghdad was used to pay off personal loans, a mortgage and credit cards.[25] In 2000, when Kathryn Bolkovac, a former UN peacekeeper in Bosnia, tried to expose a horrific human trafficking ring involving her UN colleagues and a cartel of local traffickers, she was fired.[26]

They say whistleblowers are outliers—non-conformists with a strong sense

of duty and a particularly rigid moral code where the line between right and wrong is always thick and black, never porous or grey. I sensed that Fartaag belonged to a particularly courageous group of outliers.

Fartaag recalled an incident a few months after his appointment as head of the Public Finance Management Unit in the Office of the Prime Minister when his colleague Asha Omer Gesdiir, the then head of the Child Protection Unit in the same office, asked him to join her on a visit to Xalane where the African Union mission's hospital was located. When he entered the hospital, he found about 200 rape victims being treated there.

"Asha said to me, 'These women that you see lying here may not be from your clan but they could have been your mother, your sister, your wife or your daughter'," recalled Fartaag.

"Later on, when I got back to the office, I wondered, with all the money that the government is collecting, why was it that African Union military doctors were taking care of the raped women? I wondered why none of the Islamic charities were helping these women. Our leaders claimed to be good Muslims, yet they allowed their women to not just be raped, but be treated by Ugandan and Burundian doctors, that too in a predominantly male compound. I found it to be extremely hypocritical and unethical. I realised that Asha had taken me to the hospital so that she could open my eyes and let me see the reality of what was happening in Somalia."

The visit to the hospital was a turning point for Fartaag. It was then that he decided to follow the money trail and investigate whose pockets Somalia's public funds were lining. Since then he has been meticulously collecting information from informants in Mogadishu who have provided him with evidence of corruption among high-level government officials. When I asked him why he could not just move on, or find another job, he said it was because he could not bear to see his country ruined. "I am doing this for the Somali people," he said. "I can't sit back and watch their future being stolen from them."

* * *

We only accept cash

Established in 1960, the Central Bank of Somalia is housed in a small building located in Mogadishu's historic Hamarweyne quarter. It has been

largely un-operational since the start of the civil war in 1991. However, in 2006 there was an attempt by the first Transitional Federal Government (TFG) of President Abdullahi Yusuf to revive it, but the Bank appears to have held little legitimate authority under successive transitional governments. Hence, it is still a long way from becoming a fully functioning bank, let alone the country's leading financial institution. Its own website makes this startling admission:

> *Besides the outright cash transactions, the payment system in the country is fairly advanced despite the absence of a Central Monetary Authority* . . . thanks to the investments in telecommunications network by the private sector that have enabled operations of private remittance companies to make both local and international monetary transactions possible [my italics].[27]

In which other country would the Central Bank admit that it was not the principal monetary authority in the country and that it had outsourced this function to private money transfer companies? Which is not to say that money transfer companies are not doing a good job in Somalia. In the absence of formal banking institutions, money transfer companies, known as *hawala,* are the only banking system available in Somalia. People who have used them say that they are even more efficient than formal banks because money transfers are faster and more reliable. A *hawala* can transfer money from London to a small Somali village in the remotest part of the country within minutes. Dahabshiil, the largest and most successful of these money transfer companies, has more than 300 branches across the length and breadth of Somalia and agents in over 150 countries around the world.

It is estimated that Somalis in the diaspora remit between $2 billion to $3 billion to Somalia every year—more than the total amount of donor aid that the country receives annually. These remittances kept many Somali establishments and communities afloat throughout the country's civil war.

However, money transfer companies have also come under scrutiny in recent years for facilitating money laundering and terrorist financing. In July 2013, Barclays Bank plc even threatened to withdraw banking services from some 250 money transfer companies in the United Kingdom because it believed that there were not enough checks in place in these companies to prevent criminal activities, such as money laundering.

Unfortunately, the lack of formal banking institutions and the "outright cash transactions" by the government in Somalia led to massive theft of public funds by individual politicians, as Fartaag was to discover. The former government official claims that when he was head of Somalia's Public Finance Unit in Prime Minister Omar Abdirashid Sharmarke's office from May 2009 to September 2010 and Prime Minister Mohamed Abdullahi Farmaajo's office from December 2010 to May 2011, he saw various government officials misappropriate and mismanage millions of dollars in donor assistance and domestic revenue by under-reporting the amounts received at the Central Bank and by withdrawing cash for personal use.

The fact that the Central Bank only dealt in cash meant that donations received by the government had to be in hard currency. The cash policy provided a loophole that individual politicians fully exploited. As European and other Western donors preferred to channel their aid through the UN, senior TFG officials began appealing to Arab countries[28] for various kinds of assistance. This was when the practice of bringing cash donations in suitcases from Arab countries became routine. Fartaag said that on two separate occasions in 2011 he personally deposited cash donations from the United Arab Emirates worth $1 million and $5 million into the Central Bank in Mogadishu. He said that within minutes, the cash was withdrawn by senior government officials without due process. "The Central Bank of Somalia operated more like an ATM than a public financial institution," he quipped.

Following Fartaag's allegations, the Associated Press conducted its own investigations to determine whether the cash from the United Arab Emirates had been deposited in the Central Bank of Somalia. After more than 50 phone calls and e-mails over a period of six weeks, the government could produce only one document showing a deposit of $5 million. When contacted by the news agency, the foreign minister of the United Arab Emirates, Sheik Abdullahi bin Zayed Al Nahyan, seemed unperturbed about the missing million(s). "I really cannot recall what the financial aid that's been given to the Somali government [is] from the UAE," he said. "We are just, frankly speaking, trying to solve… the Somali conflict."[29]

The Central Bank of Somalia appeared to condone the practice of cash deposits and withdrawals, which was facilitated by what is known as the "*fadlan*" system (also known as the "chit" or "khaki envelope" system) of

cash withdrawals that Fartaag later brought to the attention of the international community through his various exposés. “Fadlan” means “please” in Arabic. The way the system works is as follows: The President, the Prime Minister or the Minister of Finance writes an amount on a piece of paper or a khaki-coloured envelope authorising a payment to an individual. That individual takes the piece of paper, or chit, to the Permanent Secretary in the Ministry of Finance. The Permanent Secretary signs the chit and gives it to the administrator. The administrator then goes to the Central Bank and withdraws the amount of cash indicated on the chit and gives it to the beneficiary. The name of the beneficiary may be recorded by the Bank, but these records do not normally indicate what the money is for.

A rogue cabinet

It was irregularities such as the *fadlan* system that Fartaag thought he would be putting an end to when he accepted to work in the Prime Minister’s Office in May 2009. Before he joined the Public Finance Management Unit, he had worked in Eastern and Central Africa’s Great Lakes region as a consultant with various NGOs, public sector institutions and the private sector. He had also been a lecturer at the Kigali Institute of Science, Technology and Management in Rwanda, where he had taught entrepreneurship. This new Unit was initiated by Prime Minister Sharmarke in 2009 ostensibly to enhance the Transitional Federal Government (TFG)’s financial reporting and coordination.

However, within just a few months of his appointment, it became apparent to Fartaag that Somalia’s public financial system was rotten to the core. He found that large amounts of donor aid from Arab countries were being diverted by various top government officials, with the Central Bank of Somalia serving as a personal bank of sorts. Fartaag claimed that these officials often deposited a fraction of the donor funds into the Central Bank, and did not account for the rest.

Throughout the TFG’s tenure and even before, governments, businesses, foundations and individuals in Arab countries have been supporting Somalia either through Islamic charities and organisations, or by directly giving cash to government officials. Many schools and universities have been underwritten by these donors. For instance, a Qatari foundation has been providing support to hospitals in Mogadishu and to Mogadishu University,

which was established by the Islamic group Al Islah, the Somali branch of the Muslim Brotherhood.

At first Fartaag blamed greedy individuals for the irregularities at the Central Bank; later he realised that the entire system was deliberately designed to facilitate graft and diversion of donor funds. He became acutely aware of the systemic corruption when he was asked by Prime Minister Farmaajo to write a proposal for a project that was to be funded by the Italian government for central Somalia's Galgadud state. In February 2011, Fartaag was dispatched to Nairobi to meet Stefano Dejak, Italy's ambassador to Somalia, to finalise the proposal, which was to be channelled through the United Nations Office of Project Services (UNOPS). The ambassador had suggested then that the Somali government should establish a committee to conduct a review of donor funding, which had never taken place in the seven years of TFG's existence. When Fartaag returned to Mogadishu, he passed on the ambassador's message to the Prime Minister, who took to the idea, and even appointed his brother-in-law in such a committee. However, the committee never really took off.

Fartaag then proposed that an internal review of donor funding be conducted. Doing so, he felt, would prepare the TFG for an external donor review and would pinpoint areas of concern. He knew that an independent external review could be potentially embarrassing for the government because his own preliminary review, which he had been conducting privately, showed glaring discrepancies in the books—figures were simply not adding up. He felt that doing a government-sanctioned review might also give the TFG an opportunity to confront the problem head-on. He thought that if the government could show donors that it was willing to review how it spent the money it received, it could salvage some of its tainted reputation and show the international community that it was committed to being more open and transparent about its public finances.

Fartaag told me that he presented his idea at a meeting convened by the then Prime Minister Mohamed Abdullahi Farmaajo. Almost everyone present, including the Prime Minister, agreed to the idea. He then proceeded to do a detailed review of how donor funds and domestic revenue had been utilised by the TFG. His findings showed that not only was the bulk of donor funding unaccounted for, but domestic revenue, especially taxes collected at the Mogadishu port, were also being siphoned.

During Fartaag's tenure, President Sharif Sheikh Ahmed had reclaimed the Mogadishu port from warlords. In 2009, the port came under the direct control of the president, who could decide how revenue raised from the port was to be allocated. This created huge opportunities for the diversion of funds. Fartaag found that in 2009, for instance, the port had generated $24 million, but the Office of the Auditor General had only registered $6.2 million of it. In 2010, the port generated $30 million but only $12 million was reported; of this amount, more than half went to the Office of the President for expenditures that were not made public.[30] The Mogadishu port had been a particularly lucrative source of income for warlords during the civil war; it seemed that the warlords had never left—they came back in the guise of politicians.

In addition, blurred lines of authority and poor accounting practices had led to situations where decisions regarding how public funds were to be used were often made unilaterally by the President, the Prime Minister, the Speaker or the Minister of Finance without the consent of parliament and, quite often, without informing key ministries.

"This informality in the management of public funds made it easy for political leaders to personalise these funds. Unfortunately this became the model for future leaders," said the whistleblower. "Public funds often bypassed financial institutions; even when they went through them, they were manipulated for personal gain."

Fartaag claimed that the "personalisation of public funds" installed a patronage system within government that rewarded loyal militia and warlords. In 2007, for instance, a notorious warlord was paid a whopping $8 million, ostensibly for "reconciliation" activities. Thousands of dollars were also wasted on hiring private jets for travel to Nairobi, which served as the *de facto* Somali capital.

Somalia's potential to generate domestic revenue also remained under-exploited, largely because the economy remained unregulated. Fartaag's estimates indicated that Somalia could generate millions of dollars in taxes from the three largest telecommunications providers in Somalia, whose annual turnover is conservatively estimated to be more than half a billion dollars a year. Remittances from Somalis in the diaspora could generate $45 million while taxes from the Mogadishu port alone could bring in another

$35 million a year. With more credible financial institutions in place and a better regulatory framework, the government would also be in a better position to earn revenue from other sources, such as VAT, income tax and licence fees, which were non-existent. These could also help make the country less reliant on external assistance, and ensure that revenue collected benefited the people of Somalia.

‘Who took the money?’

In March 2011 Fartaag showed the preliminary findings from his investigations to Prime Minister Farmaajo. The meeting did not go well. (Whistleblowers will be familiar with the tone and direction of the conversation that took place.)

“The Prime Minister asked me how much of the money was missing,” recalled Fartaag.

“I replied that over $70 million of Arab funds had disappeared.”

“He then asked, ‘Who took the money?’”

Fartaag named the four top government officials who he suspected of having diverted or stolen the missing funds.

“The Prime Minister looked around to see if anyone was listening and then stood up, extended his hand to me and said, ‘Goodbye cousin. Get out! Ciao, ciao ciao.’”

That was the last time Fartaag met the Prime Minister. After that there were attempts to undermine the Public Finance Management Unit. Fartaag was denied access to the port, the Central Bank, the Accountant-General’s Office, the Auditor-General’s Office and the standing financial committee of parliament. By that point Fartaag knew that he was no longer wanted and asked for a leave of absence with the intention of eventually releasing his findings to the public. He went to Canada to be with his family and then flew to Nairobi after a few weeks.

Two months after the encounter with the Prime Minister, the Public Finance Management Unit was disbanded. Later that same month, on 20 May 2011, Fartaag released some of the findings from his bombshell report to the BBC Somali Service.

That same night Prime Minister Farmaajo called Fartaag from Abu Dhabi, the capital of the United Arab Emirates, where he had apparently gone to collect a donation. The Prime Minister scolded the whistleblower and told

him he was being irresponsible and hurting his own people by talking to the media.

"History will judge if I am hurting the Somali people or not," replied Fartaag. "But let me tell you this, your Excellency, you're shielding thugs who are looting their own country in the name of religion. In no time, you too will be sacrificed."

Five days after the BBC story aired, the Associated Press published an article based on Fartaag's investigations that stated that more than $300 million comprising donations from Arab countries and revenue generated by the Mogadishu port, airport, the *khat* trade and the telecommunications sector had vanished from Somalia's public coffers.[31]

Two days later, the Minister of Finance, Hussein Abdi Halane, and the new Minister of Information, Abdi Karim Jama, held a press conference at the Somali embassy in Nairobi where they announced that Fartaag had not worked for the TFG government since January of that year and that he had been fired. In reference to Fartaag's former job within the TFG, Finance Minister Halane stated: "There is no watchdog of finance management in the government. The Ministry of Finance is in charge, but we also have an oversight from a parliamentary committee, as well as an accountant general. If you are looking for financial records then go to the accountant general or the Ministry of Finance, as there is no one else who can produce any accurate and untarnished information."[32]

Fartaag says he has yet to see his official dismissal letter. Besides, if he had been sacked in January of 2011, why was he sent to the Italian embassy in Nairobi in February of the same year to finalise a project proposal for a government that he no longer worked for?

* * *

A gathering storm

Exactly a year after stories of corruption within the Somali transitional government began appearing in the international media, key international development players began releasing their own reports on the TFG's mismanagement of public finances. In May 2012 the World Bank released a report based on Fartaag's findings that stated that the TFG did not account for millions of dollars in revenue and donations it received in 2009 and 2010.

The World Bank auditors found that the government had collected at least $94 million in revenue in 2009, but only reported $11 million and that in 2010, the government collected $70 million in revenue but reported just $22 million. The World Bank report noted that not all revenue was deposited in the Central Bank of Somalia and that there was a lack of proper accounting on how money was being spent. The report also stated that there was "a reluctance by the Ministry of Finance and other TFIs [transitional federal institutions] to provide financial documentation for transparency and accountability purposes". [33]

The World Bank report couldn't have been released at a worse time. On the day it was made public, Somalia's top leadership and civil society representatives were gathered in Istanbul, Turkey, at a Conference on Somalia that the Turkish government had convened in preparation for the upcoming elections that would usher in a new post-transitional government in Somalia.

The Turkish government was then taking a lead in Somalia's reconstruction and was engaged in a new model of development assistance that involved support in kind. It contracted and hired Turkish companies and personnel, such as doctors and engineers, to rebuild schools, hospitals and other infrastructure in Somalia. This "feet-on-the-ground" model of development assistance was widely lauded by Somalis as being less susceptible to the corruption of the TFG and one that showed visible results. The then Prime Minister Abdiweli Mohamed Ali had stated that Turkey understood that the best way to help Somalia was to have a tangible presence in the country. He told the International Crisis Group that "Turkey's visible presence on the ground ended the isolation of Somalia and the stigmatisation of the country as a no-go-zone".[34]

Turkish Prime Minister Recep Tayyip Erdogan had also made a landmark trip to Mogadishu with his family the previous year and in November 2011 Turkey became the first foreign government in more than twenty years to establish an embassy in the Somali capital. The following year, Turkish Airlines became the first long-haul international carrier in two decades to make direct flights to Mogadishu. One aid worker in Nairobi told Reuters that Turkey had "cut all the corners we cannot cut" and that its achievements in Somalia were making other donors look like "fools".[35] Critics, particularly

Western countries, secretly complained that Turkey lacked deep knowledge of Somali politics and would eventually become disillusioned with Somali politicians who had been cleverly duping the international community for decades.

Nonetheless, Turkey managed to do in just in a few months what other donors had not managed in decades. It built schools and hospitals and rehabilitated infrastructrure, such as roads and the airport. This aid was pegged on the belief that a functioning Somalia would be good for Turkish business. When I interviewed him a few months after he was appointed as Turkey's ambassador to Somalia, Dr. C. Kani Torun told me then that his country's long-term ambitions in Somalia had to do with Turkey's commercial interests, which were in line with Ankara's new foreign policy that sought more active trade and economic ties with African countries.[36]

TFG officials, very much wanting to look good in the eyes of the Turkish government, under-played the World Bank report. President Sharif Sheikh Ahmed, along with the Prime Minister Abdiweli Mohamed Ali and former Prime Minister Mohamed Abdullahi Farmaajo, were contesting for the presidential nominations that year, which were to take place before Somalia's first post-transitional government was to be constituted. President Ahmed issued a hasty denial, and was quoted on the Somali website raxanreeb.com saying: "It is simple to claim allegations but you [the World Bank] must make it clear and tangible. Where the money has gone is what we want to know also."

The president failed to explain why the TFG government that he headed had thwarted all attempts to streamline and regularise public financial management, even though the communiqué emanating from the Istanbul Conference, like that from the London Conference that preceded it two months earlier, supported the establishment of a Joint Financial Management Board comprising donors and the Somali government. The Board, which was spearheaded by Britain and other European countries, along with the World Bank, aimed to improve transparency and accountability in the use of public resources and to ensure that these funds went towards improving security and promoting economic and social development in Somalia. Britain's ambassador to Somalia, Matt Baugh, stated that the Board would provide a facility whereby the Somali government and its partners could demonstrate

that the money it was receiving from a variety of sources was being put to good public use.

The TFG resisted the idea of the Joint Financial Management Board. The government spokesman Eng. Abdirahman Omar Osman Yarisow told the Somali website shabelle.net that the government had rejected the idea of the Board, adding that it would not allow itself to be financially managed by outsiders and that this suggestion needed to be revisited. In the past, TFG officials had also shown little interest in a new funding mechanism managed by PriceWaterhouse Coopers, which had been established with donor support as a confidence-building measure. “As a result, corruption, embezzlement and fraud were no longer symptoms of mismanagement within the TFG, but had in fact become *the* system of management,” said Fartaag.

Soon after the Istanbul conference, a leaked copy of the 2012 report of the United Nations Monitoring Group on Somalia and Eritrea—a group mandated by the UN Security Council to monitor arms embargo violations in the Horn of Africa—showed gross under-reporting of public finances by the Somali government. The Somali president was quoted saying that maybe the money never reached Somalia and was “perhaps in the pockets of other people”.

Accusations and counter-accusations

The term of the TFG ended in August 2012. Traditional elders led the next phase of the political process, including the adoption of a new UN-brokered constitution and the appointment of parliamentarians who then elected the president.

The mild-mannered Hassan Sheikh Mohamud, a political novice who came from Somali civil society, assumed the presidency in September 2012.[37] President Mohamud has links to Al Islah, Somalia’s branch of the Muslim Brotherhood, and is known for helping set up
Simad University in Mogadishu in 1999. Prior to his election he had worked in Mogadishu as a consultant with various NGOs and UN agencies.

President Mohamud was elected with much enthusiasm and in the belief that things would be different under a government that had the goodwill of the people. In his first year in office, he had been named by *TIME* magazine as one of the world’s 100 most influential people. However, it would not be

long before his government would also be marred by corruption allegations.

In the first few months of 2014, Fartaag began working on another more detailed report based on analysis and scrutiny of official and unofficial government records
and balance sheets, supplemented by interviews with government officials and service providers within Somalia
(who chose to remain anonymous). The report presented a shocking account of "personalisation of public funds"
by the various Somali governments, both the first Transitional National Government (TNG) established in 2000 and
the Transitional Federal Government (TFG) from 2004
till 2012, and also the new post-transitional government
that was established in September 2012. The whistleblower claimed that a whopping $700 million of donor money
to Somalia over the period 2000-2013 had been
diverted by various politicians and warlords who used
the money for personal use or to fund their clan-based
militia.

Key findings in this report, which were published in a newspaper article I wrote for Kenya's *Daily Nation* newspaper in March 2014[38], came hot on the heals of another leaked report by the UN Monitoring Group on
Somalia and Eritrea that stated that misappropriation of public funds was continuing under the new post-transitional government.[39] The leaked report also claimed that the Somali government had allowed the diversion of weapons purchased after the UN Security Council had partially lifted the 1992 arms embargo on Somalia the year before, and that a key adviser to the president, from his Abgaal sub-clan, had been involved in planning the delivery of these weapons to an Al Shabaab leader.[40]

The previous July, less than a year after President Mohamud had assumed office, the UN's Group of Experts to the Security Council's Somalia and Eritrea Sanctions Committee had leaked a confidential report making similar allegations, even claiming that the Central Bank of Somalia was being used as a "slush fund" by individual politicians. The Group of Experts' report stated: "On average, some 80 per cent of withdrawals from the Central Bank are made for private purposes and not for the running of government,

representing a patronage system and a sort of social relations that defy institutionalisation of the state." It added that while President Mohamud's government could not be faulted for the continuing corruption, it could be held responsible for appointing individuals who had been involved in corrupt practices in the past.[41]

The Somali government refuted these claims, stating that they were based on "gossip, guilt-by-association
and hearsay". In an official press release issued on 23 July 2013, the government spokesman Abdirahman Oman
Osman responded to the UN group of experts' allegations
by stating that they threatened peace and stability in Somalia and that the Somali government would be requesting the
UN Security Council to appoint an independent adjudication panel for all future such reports "to ensure that the government's response and rebuttal were formally recorded and inappropriate, unsubstantiated allegations removed". The press release stated:

> To describe the Central Bank as a 'slush fund' and the process of Fadlan (Please) as a 'personal patronage system' is a gross misrepresentation and an insult to the many Somalis working hard in an extremely challenging environment for the recovery and renewal of their country. These so-called "personal withdrawals" are in fact proper and legitimate payments to Ministries and government personnel who have no other banking facilities available to them. Had the monitors come to Mogadishu and followed the system from request to withdrawal, they would have seen for themselves how things must work whilst we attempt to implement new procedures. [42]

The press release further stated that the government was in the process of implementing new public financial management mechanisms in liaison with the International Monetary Fund and would be soon installing a Board of Directors at the Central Bank.

Interestingly, the government then hired a British consulting company, FTI Consulting, and the US law firm Schulman & Rogers to discredit the UN Group of Experts' report and to clear the name of the Somali government prior to an important donors' meeting that was going to be held in Brussels in September 2013 and which was to pledge 1.8 billion euro to the Somali

government. The lobbyists were also given a contract to “unfreeze” Somali assets abroad.

Following pressure from the international community, President Mohamud finally agreed to sack the Governor of the Central Bank of Somalia, Abdulsalam Omer, who was singled out by the UN as a key figure in the financial irregularities. Interestingly, Omer had contacted me from Mogadishu prior to his dismissal and had requested me to visit the Central Bank of Somalia to see how it operated. Through a go-between, he offered to pay for my flight from Nairobi and for my accommodation in Mogadishu. I was rather intrigued by his offer and by the fact that he had singled me out as the journalist who would be given a guided tour of the Bank’s operations. I declined the offer, realising that it was probably a face-saving exercise.

Omer finally got an interview with the Reuters news agency, in which he stated that “it is a possibility” that the government decided to remove him because of the UN experts’ allegations, even though the government itself had dismissed their findings. He added, “My thinking is this: that if you play by the rules and you assemble a team, both diaspora and local people, and try to reform a dormant and important institution called the Central Bank, I guess you have no place in Somalia.”[43]

Omer was replaced by Yussur Abrar, Somalia’s first female Central Bank Governor, who had experience in commercial banking abroad. However, Abrar resigned in November 2013 after just seven weeks in the job on the grounds that she was being continuously asked to sanction deals and transactions that violated her responsibilities as governor. In her resignation letter, Abrar stated that she had “vehemently refused to sanction the contract with the law firm Schulman & Rogers regarding the recovery of the Somali financial institutions’ assets frozen since the fall of Siad Barre’s regime”. She said that the contract did not “serve the interest of the Somali nation” and “put the frozen assets at risk” while opening the door to corruption. She also stated that the Central Bank she had been assigned to manage was in a poor state, with payroll processing being the only semi-functioning unit.

* * *

The call of the clan

To understand the dynamics that influence contemporary Somali politics

and governance systems, it is important to look at the role of clan in Somali society. Various anthropologists, journalists and analysts have argued that in predominantly nomadic societies, such as Somalia, the clan is an important asset because in harsh environments clan solidarity is important for survival.[44] Somali analyst Afyare Abdi Elmi has argued that clan solidarity becomes even more important in times of uncertainty and that clan identity is "the last refuge one uses in order to safeguard one's life and property". Clan identity was strengthened after the Somali state collapsed in 1991 when "the use of clan identity as an insurance policy became normal".[45]

Traditionally, clans have fought and killed each other over natural resources, such as water, livestock and grazing land. However, with urbanisation and after the collapse of the state in 1991, clans began competing for other types of resources, including political power. Clan rivalry in Somalia, some say, is not so much about how much power and resources each clan has, but rather how much power and resources it has in relation to other clans.

Inter-clan and intra-clan conflicts over resources were traditionally resolved through ad hoc committees (called *guddi*) that administered customary law known as *xeer*. Somalis, they say, prefer compensational, rather than punitive, justice and have a great deal of confidence in clan elders. Elders decide what compensation (known as *diah*) the aggrieved party should receive when life or livestock is lost during a conflict.

Xeer is based on the notion of collective responsibility and collective punishment. The notion of collective responsibility, however, reinforces clannishness among Somalis because the clan, rather than the individual, is held responsible for crimes committed. For example, the entire Marehan sub-clan is often blamed for the real or imagined atrocities committed by the dictator Siad Barre, even though members of his own clan had suffered during his regime.

When outsiders try to explain Somali society, they tend to conflate nomadism with clannism. It is often assumed that because Somali nomads live a warrior lifestyle necessitated by the harsh physical environment, all Somali clans are inherently aggressive, a notion I find hard to accept as some of the gentlest people I have met have been Somali.

I also find it hard to accept the Western-induced depiction of the Somali

woman as meek, oppressed and hiding behind a veil. Traditionally, Somali women led a very independent (unveiled) existence, and often had to fend for themselves when the male herders were away searching for pasture for their livestock. This is evident even today; many of the shops and retail outlets, including in the informal sector, in Somalia are managed by women, who can be as assertive as men when it comes to doing business. The full-body veil for women known as *hijab* was introduced to Somali women during the civil war when radical Islamic factions gained more influence; traditionally, Somali women only covered their heads with scarves and wore long colourful skirts and blouses.

Clan identity forms the basis of social relations in Somalia and clan hierarchy constitutes a kind of caste system. Some clans are seen as inferior to others. For instance, the Jareer (derogatively referred to by Somalis as "Bantus"), who are descendants of former slaves, are particularly vulnerable to violence and exploitation as they are seen as not belonging to any clan. Many Somalis also tend to view themselves as part of the Arab world, rather than as Africans, though many espouse Pan-Africanist ideals.

Afyare Abdi Elmi, who teaches at Qatar University, says that the clan system, like the Hindu caste system, comes with its own advantages and disadvantages:

> Traditionally when two Somalis meet it is normal for them to ask each other about their respective clan identities. Somalis also use a traditional method for the issue of inter-clan marriages. For instance, depending on which clan one belongs to, a number of advantages or disadvantages might come with it. Some clans are small and considered as belonging to a "lower caste" (e.g. Madhibaan, Yibir and Jareer). Somalis from stronger clans discriminate against these clans and they do not often marry into them, even though urbanization has been changing Somali society. Benefits can be drawn from being a member of a clan that controls resources one way or another.[46]

However, clan identity is not immutable. People have been known to switch clan affiliations for protection, for grazing rights, and even for political reasons.[47] Nonetheless, clan, like caste, remains the key polarising influence in Somali society. Not even Islam, which is rooted in the notion that all Muslims are equal in the eyes of God, could eradicate clannism's

influence on Somali society. Most Somalis will agree that the unwritten rule of Somali society is that Islamic identity should complement, not challenge, clan identity.

"The main and real internal division of the Somali people (which has turned out to be their long-lasting curse) has been—and still remains—clannism," says Ismail Ali Ismail, a former Somali diplomat who worked for the UN Economic Commission for Africa in Addis Ababa for many years. "By clannism I do not mean mere clannishness but a more dominant and aggressive or ideological form of it."[48]

Almost all the conflicts witnessed in Somalia in the last two decades have seen different clans fighting for control of the country's resources. In more recent years, the fights have centred around political power and the resources that accrue through the attainment of political office. What to outsiders may appear as political wrangles are, in fact, battles about clan supremacy. Indeed the warmongers of the early 1990s initially sought to subdue rival clans. However, in the end, it appeared that the battles were not so much about clan supremacy but about individual greed. Two of the rival warlords during that period, Mohammed Farah Aideed and Ali Mahdi, belonged to the same Hawiye clan but fought each other bitterly and violently for the country's leadership.

Though President Siad Barre tried in the 1970s to create a clan-blind society, this task proved to be extremely difficult in a country where most people were illiterate and who had grown up with norms and traditions of their respective clans. In the end, no laws or directives could suppress clannism, which even Barre ended up succumbing to in his later years by appointing members of his family and his Marehan sub-clan in important positions.[49]

A deeper malaise

While all the alleged irregularities within the various Transitional Federal Government administrations were shocking in terms of their scale and in that they were occurring so regularly, is it possible that they reflected a deeper malaise? Could it be that the international community's expectations of the TFG were too unrealistic, and perhaps even too optimistic, given that Somalia was a failed state that had never really had an opportunity to fully

recover?

By the time the Transitional Federal Government was established under the guidance and support of the United Nations Political Office for Somalia (UNPOS) in 2004, the country's formal secular institutions were in shambles. Lawlessness and anarchy had destroyed public institutions and led to the informalisation and privatisation of the public sector. Entrepreneurs and charities had taken on the role of government, providing services such as water, electricity and schools.

Some analysts believe that informality and anarchy might have even helped the Somali economy. The telecommunications sector thrived under these conditions. Fartaag estimates that the three largest mobile phone companies (Hormud, Telecom and Nation) had an annual turnover in excess of half a billion dollars in 2011. As none of these companies were taxed, their profit margins soared. Peter T. Leeson from the Department of Economics at West Virginia University found that Somalia's export of cattle more than doubled between 1991 and 2000. In the relatively peaceful northern regions of Somaliland and Puntland, production and export of sheep and goats were known to have surpassed their pre-1991 levels.[50] Somaliland, which declared independence from Somalia in 1991, even has its own government, parliament, courts and security system.

The TFG also lacked legitimacy. It was not installed through a nation-wide referendum or general election; it was largely seen by a majority of Somalis as a Western-backed UN-led project that was established to please the international community and to create the illusion of a government in Mogadishu.

Afyare Abdi Elmi says that the process that produced the TFG was seriously flawed from the outset because it was viewed by Somalis as being managed by foreigners, including neighbouring countries, particularly Kenya and Ethiopia, both of which have had long-standing grievances against Somalia[51], and both of which are seen by Somalis as potential aggressors. Ethiopia, for instance, seemed to favour the appointment of warlords in the TFG who supported its policies and excluded those who might have challenged them, including civil society, nationalist intellectuals and Islamists. Kenya just followed Ethiopia's lead.[52] There is a general feeling among Somalis that neither the Ethiopian government nor the Kenyan

government wants to see a stable Somalia because the latter could pose a threat to their own security and commercial interests.

TFG was also the product of more than 20 peace and reconciliation conferences supported by the Ethiopia-dominated Inter-governmental Authority on Development (IGAD) and the United Nations. The governments of Kenya, Djibouti and Ethiopia have played host to these conferences. In fact, the swearing-in ceremony of the first TFG president Abdullahi Yusuf took place in Nairobi amid much pomp and ceremony on 14 October 2004.

During its entire eight-year tenure, from October 2004 till August 2012, the TFG did not have the capacity to become a fully functioning government, with a fully-fledged revenue collecting authority and robust ministries. Ministers had no portfolios and ministries had skeletal staff. The national army was weak and under-funded, and from 2007 onwards, the government relied almost exclusively on African Union soldiers for security. The various TFG leaderships often gave former warlords ministerial positions on the assumption that political power would placate them. This resulted in what the former Somali diplomat Ismail Ali Ismail calls “a cabinet of rogues”:

> The fact that they [ministers] were the criminals who had destroyed and were still destroying the country seemed to have been considered the ultimate qualification for office, for it was assumed that by giving them high office the warlords could be turned automatically into peace-lords. Nor was the fact that they were barely literate a disqualifying factor. The argument advanced to justify this astonishing step was that the warlords still had the means to destablize a government from which they were excluded, and, on the other hand, that they would behave more responsibly and pacify the country if they were made to feel responsible as members of the government… The argument, plausible though it was, did not convince the public, who wanted the warlords to be discarded altogether and who wanted to have a clean government composed of educated and experienced men and women who did not have anything to do with the atrocities that had taken place in the county. [53]

Moreover, the TFG’s authority did not extend beyond the capital Mogadishu. Much of the country, including the secessionist Somaliland and the semi-autnomous Puntland, was self-governing through a mix of clan-based systems, Sharia law and customary *xeer* administered by traditional

elders. As public institutions collapsed or became dysfunctional, traditional governance systems, such as *xeer* and Sharia law, became more important.

According to Ken Menkhaus, a professor of political science at Davidson College in North Carolina, these informal governance systems involved a hybrid of actors who shared a common interest in establishing security and the rule of law in conditions of anarchy and who comprised traditional elders, entrepreneurs, professionals and Muslim clerics. For Somalis under the age of 30, that is, roughly 70 per cent of the total population, he says, informal local self-governance is about the only political order they have ever known.[54]

These self-governing entities varied from region to region, and some were more stable and democratic than others. The secessionist Somaliland, for instance, has its own parliament and courts, and operates largely independent of the central government in Mogadishu, as does the semi-autonomous Puntland.

The TFG, therefore, did not enjoy the authority of a democratically elected government. Most Somalis held no real allegiance to it. Clans held allegiance to their clan members in government, not to the government *per se*. Politicians, on their part, supported their own clan-based militia or Islamic factions.

Meanwhile, new radical forces, such as the extremist Al Shabaab, formed a formidable opposition to the TFG after the ICU was ousted from Mogadishu in 2006/7, and aimed to overthrow it and institute its own system of governance across the country based on the Sharia.

It is also important to note that the scale of destruction during the civil war was unprecedented. While Barre's "scientific socialism" policies nationalised most enterprises, including large-scale farms, and curtailed many freedoms, he left most public institutions in tact, and in some cases, even strengthened them (for instance, by inflicting stiff penalties, including the death sentence, on those found to be corrupt, which, in a warped way, had a positive impact on governance and public administration).

The mayhem that followed Barre's ouster led to large-scale looting and destruction of public institutions and government buildings. Many Somalis who remember that period say that not a single government file or record survived the chaos. Official documents lay strewn or burnt in ransacked

offices. Valuable objects from national museums and even from public monuments were destroyed or stolen. In such a scenario, it was inevitable that formal public institutions, such as the Central Bank, would become dysfunctional.

In the twenty years of civil war the capital Mogadishu bore the brunt of the conflict. Large sections of this 1,000-year-old city, which has a unique blend of Arab, Persian, Omani and Italian influences, were almost completely levelled by the rival urban warlords Mohammed Farah Aideed and Ali Mahdi at the start of the civil war in the early 1990s. Later, the city witnessed attacks by Ethiopian, American, and more recently, Al Shabaab and African Union forces. All these sustained military actions have had a devastating impact on the city's infrastructure and historic buildings, many of which are badly damaged, if not completely destroyed. This is one of the reasons why, in the public imagination, Mogadishu remains the "world capital of things-gone-completely-to—hell". [55]

When I visited Mogadishu for the first time in November 2011, I found an entire city virtually bombed out of existence. I was deeply shocked to find the former triangular parliament building reduced to rubble. The Ministry of Health, which was a hospital during the Italian colonial period, had become a bullet-ridden shell that served as a camp for internally displaced people. Magnificent buildings that once housed government offices, museums, cinemas, hotels and mosques were badly damaged, and had never been repaired during the years of conflict. Cows and goats wandered aimlessly in buildings that had no roofs. The historic old part of the city was falling apart; dilapidated buildings facing the sea had turned grey and mouldy, yet many had satellite dishes installed on their roofs. Even the once-majestic Catholic cathedral in the historic Hamarweyne neighbourhood was gutted; however, the cross on its badly damaged façade had miraculously been spared.

Despite—or perhaps, because of—the devastation around them, the people of Mogadishu have demonstrated extreme resilience. I saw young boys playing football in crumbling stadiums and women selling groceries in shops that had no doors. It was clear to me then that it was not just Somalia's institutions that needed re-building but the entire capital city, which was once so beautiful that it was known as "The White Pearl of the Indian Ocean". [56]

* * *

Ismail Ali Ismail believes that the rain started beating on Somalia when "urban, corrupt, treacherous, power hungry, selfish, unpatriotic and unscrupulous" faction leaders replaced "rural, apolitical, straightforward, morally upright" traditional elders. The former remained immune to the destruction and displacement that conflict unleashed on the Somali people, who lived as internally displaced persons in their own country or as refugees in neighbouring countries:[57]

> It is true that Somalia was destroyed by Somalis, not by foreigners. To discuss the reasons is futile; the Somalis themselves cannot give any. While the Somalis had the classical attributes of a nation, they lamentably buried their nationalism. It is that same nationalism that Somalis had buried that helpful foreigners, of all people, were trying to revive—alas in vain…
>
> The Somali factions were glaringly un-Somali or even anti-Somali. They remained mindless throughout, for they were totally insensitive to the scale of the destruction and devastation they had caused; nor did they realize that the very clans they were fighting for—or on whose behalf they were supposedly fighting—were really much worse off, having been decimated, displaced, dispossessed, killed, maimed, and flung to the four corners of the globe. Yet, the so-called leaders, instead of being racked by guilt, were, incredibly proud of themselves and often posed as respectable political leaders, and they were treated as such by the international community.[58]

Fartaag says that warlords, politicians and Islamists manipulated clan identity to attain political power. He believes that the Darod, Hawiye, Dir and Digil-Miriffle (also known as Rahanweyne), the four largest clan groups in Somalia, hold competing views about how Somalia should be managed and have different views on governance. Even within clans, there are sub-clans that see each other as rivals, and quite often leaders represent their respective sub-clans, not their clans as a whole. Sometimes personal commercial interests override the interests of the clan or sub-clan. As some observers have noted, it is not clan loyalty that is dividing Somalia but the greed of individuals.

"While clan representatives who served as politicians were blind agents of

their respective clans, once in power, their sole priority became advancing their personal ambitions, not encouraging national or even inter-clan unity or raising the living standards of their own clan members," says the whistleblower.

"Meanwhile," he laments, "foreigners, including so-called Somalia experts and journalists, have failed to understand the clan-based dynamics of Somali society. This has led to a fictionalised account of Somalia."

The former Parliament building in Mogadishu after and before the civil war.

The bullet-ridden former Ministry of Health building, which until recently served as a camp for internally displaced people. © *Rasna Warah*

3

FEASTING ON FAMINE

> ***"I had learned to view development aid with scepticism, a skill I had hoped to put to good use to help ensure that aid projects, at worst, didn't hurt people. But Somalia added a whole new dimension to my view of the aid business. My experience there made me see that aid could be worse than incompetent and inadvertently destructive. It could be positively evil."***
>
> –Michael Maren, *The Road to Hell*

Two months after Abdirazak Fartaag blew the whistle on corruption in the Somali Transitional Federal Government, the United Nations declared a famine of catastrophic proportions in the Horn of Africa. On 20 July 2011, at the height of what journalists call the "silly season"—when government business is on a summer-induced go-slow and disasters in faraway places make headlines in the Western media—the world body declared that Bakool and Lower Shabelle, two of the most fertile regions in southern Somalia, had been hit by the worst famine in 20 years.[59] Mark Bowden, the UN's humanitarian coordinator for Somalia, warned: "If we don't act now, famine will spread to all eight regions of southern Somalia within two months due to poor harvests and infectious disease outbreaks." He further claimed that 3.7 million people across the country—almost half the total Somali population—were in danger of starving, of which 2.8 million were in the south of the country.[60]

Soon after the announcement, horrific images of naked and emaciated Somali children and their forlorn mothers began appearing in the international media. Since many foreign correspondents could not go to the famine areas, given that most of southern Somalia was a no-go-zone due to the presence of the dreaded Al Shabaab militia, foreign reporters and their crews descended on the Dadaab and Kakuma camps in northern Kenya, which were receiving refugees fleeing the famine.

Interestingly, while the UN had announced that a similar number of people were experiencing famine in Kenya and Ethiopia, the latter countries did not receive as much attention as Somalia in the international media. Nonetheless, soon after the announcement was made, Kenyan journalists scrambled to reach the drought-prone regions in northern Kenya to report the story. However, it appeared that the famine was mainly a Somali affair. One Kenyan reporter told me that when he got to the area near the camp in Kakuma, he was disappointed to find no starving Kenyans there. There was food insecurity, yes, but no one appeared to be on the verge of dying.

The UN was following a well-rehearsed script that has been perfected over the years by humanitarian agencies: Declare a disaster, feed horrifying statistics to the media, then make an appeal for donations. The script is usually accompanied by images of starving women and children, which are eagerly broadcast to the world by the international media. Pledges by donors soon follow.

The images of the starving women and children are meant to sensitise and mobilise do-gooders and prompt them to donate to a good cause. Michael Maren, a former food aid monitor who has worked in Somalia, says that these images serve to reinforce Westerners' age-old prejudices about Africans and their inability to help themselves:

> The starving African exists as a point in space from which we can measure our own wealth, success and prosperity, a darkness against which we can view our own cultural triumphs. And he serves as a handy object of our charity. He is evidence that we have been blessed, and we have an obligation to spread that blessing. The belief that we can help is an affirmation of our own worth in the grand scheme of things. The starving African transcends the dull reality of whether or not anyone is actually starving in Africa. Starvation clearly delineates *us* from *them.*[61]

Meanwhile, dozens of humanitarian agencies were clamouring to make an appearance in the refugee camps. Dutch journalist Linda Polman calls it "the crisis caravan". In her book with this title, the journalist says that an entire industry has grown around humanitarian aid, "with cavalcades of organisations following the flow of money and competing with each other in one humanitarian territory after another for the biggest achievable share of

billions".[62]

According to research conducted by Polman, major disasters attract an average of 1,000 national and international aid organisations.[63] This figure does not include the self-appointed "briefcase" charities that collect funds through churches, clubs and bake sales. Much of the money raised goes towards administrative and logistical costs of aid agencies, including the salaries of bright-eyed aid workers who drive big cars and live in nice houses, but tell people back home that they live in hardship areas where they help the poor, the homeless, the diseased and the starving. The nice old lady donating at a charity bake sale might be horrified to learn that her $20 contribution will probably end up paying the $100,000 salary of the head of a humanitarian organisation and, in the case of Somalia, may also be used to pay gunmen whose main job is to protect aid workers—for a hefty fee.

Disasters are a growth industry and often a godsend for financially-strapped humanitarian agencies. The January 2010 earthquake in Haiti, in which hundreds were killed and thousands were displaced, attracted an estimated $1.6 billion in relief aid, while the Indian Ocean tsunami of December 2004 managed to raise more than a whopping $14 billion from governments, corporations and private donors. However, as various reports have shown, two years after the earthquake hit Haiti, more than 500,000 people remained homeless in informal camps and were dying from preventable diseases, even though donors had pledged close to $11 billion for reconstruction. Janet Reitman, writing for *Rolling Stone* magazine, says that Haiti, the poorest country in the Western hemisphere, is a "poster child for the inadequacies of aid" and because of the plethora of NGOs that have set up camp there, is often referred to as "The Republic of NGOs".[64]

In the case of Somalia, despite the millions of dollars raised, living conditions in the country remain dire. As no nationwide census or household survey has taken place in the war-torn country for decades, it is difficult to vouch for any statistic on Somalia, but estimates indicate that more than 40 per cent of the country's roughly 9 million people live in extreme poverty. Per capita income is among the lowest in the world—about $600. Primary school enrolment is also low, around 20 per cent, and illiteracy rates remain among the highest in the world.[65]

Since there was no fully-functioning government in Mogadishu, Western

bilateral donors, such as the European Union, were channelling their contributions to Somalia through the UN and its various agencies. Most of these agencies' Somalia offices were, and still are, located in Kenya's capital Nairobi, as Somalia's capital Mogadishu was deemed a "no-go-zone" during most of the twenty years of civil conflict, particularly after the United Nations pulled out of Somalia in 1995. Nairobi is the *de facto* headquarters of all of the UN's Somalia operations and a whole industry has grown around the "Somalia Project", including myriad spin-offs, such as peace and reconciliation conferences and supply chains ranging from office equipment to air transport.

While UN agencies had been raising millions of dollars in the name of Somalia throughout the civil war, and even before, the most consistent appeal was undoubtedly for famine relief. Almost every year since the civil war began 1991, the UN has declared a food insecurity emergency in Somalia. It was the 1992 famine relief effort that, in fact, led to the United States intervention known as Operation Restore Hope that aimed to assist in the distribution of relief supplies, and which led to the eventual withdrawal of US troops from Somalia in 1993.

Predictably, the declaration of famine in Somalia led to a massive multi-million-dollar fund-raising campaign by the UN's World Food Programme (WFP)—the largest distributor of food aid to Somalia—and other international humanitarian agencies. Within a month of the declaration, $1.4 billion had been raised, with the United States alone contributing $173 million.

Buoyed by its successful fund-raising efforts, in September of the same year, the UN claimed that the famine had expanded and that a full 12.4 million people in Djibouti, Ethiopia, Eritrea, Kenya, Somalia and Uganda were at risk of dying from hunger. The world body added that in southern Somalia, 63 per cent of the population was either starving or at risk of it, and requested donor countries for an additional $1 billion for the relief effort. [66]

Manufacturing a famine

The UN figures did not convince many Somali analysts, including Ahmed Jama, a Nairobi-based agricultural economist and former consultant with the UN's Food and Agricultural Organisation (FAO). He told me that he was

disturbed by the UN's announcement because southern Somalia is the country's bread basket and had even experienced a bumper harvest the previous year. He added that he suspected that the magnitude of the famine might have been exaggerated as a fund-raising strategy, and that because the Somali government was not in a position to check or refute the extent of the famine, which was declared first in areas controlled by the Al Shabaab militia, the strategy had a good chance to succeed. [67]

UN agencies use an Integrated Phase Classification (IPC) scale developed by the FAO-managed Food Security and Nutrition Analysis Unit (FSNAU) to determine levels of food insecurity around the world, which range from "generally food secure" to "famine/humanitarian catastrophe". IPC uses a number of indicators to pronounce a famine: acute malnutrition in more than 30 per cent of children; two deaths per 10,000 people daily; a pandemic illness; access to less than four litres of water and 2,100 kilocalories of food a day; large scale displacement; civil strife; and complete loss of assets and income.

When I checked the data put out by FSNAU, I found that its estimates for the Somali populations "in crisis" in the period from August to September 2011 were highest in the most fertile southern parts of Somalia, and were highest in those areas controlled by Al-Shabaab. Significantly, there were only 490,000 people (about one-eighth of Nairobi's population) in the whole of Somalia who were experiencing what the IPC classifies as "famine" or a "humanitarian catastrophe". In fact, about half of the nearly 4 million people that the UN claimed were starving were actually experiencing what the FSNAU calls a "humanitarian emergency"; the rest were in an "acute food and livelihood crisis". The country was experiencing food insecurity and malnutrition (which some reports suggested could also have been the result of inflation), not widespread famine. Unfortunately, most media organisations failed to mention or comprehend this difference.

Besides, the IPC scale is too broad to be useful because it could apply to virtually every African or South Asian country, where malnutrition and poverty levels are generally high. Yet no humanitarian emergency has been declared in South Asia in recent years even though, according to UNICEF, the UN children's agency, malnutrition is more common in India than in Africa; one-third of the world's malnourished children live in India, nearly

half of Indian children are underweight and about 16 per cent could be categorised as “wasted”. In a country the size of India, the number of “wasted” children could run into millions.[68]

The timing of the UN’s famine appeal for Somalia also appeared suspect, as it coincided with the beginning of the peak harvest season in July and the start of the short rains, known as *Deyr*, in September. And this was not the first time that a famine has been declared. It seemed that Somalia had been in a permanent food crisis for at least three decades, despite the myriad development agencies that claimed to have projects in the war-torn country.

Ahmed Jama explained that, historically, people from Bay and Bakool moved to Lower Shabelle during a drought and went back during the short rainy season. So, even if there were migrants who faced food insecurity in their own regions, their movement to the more fertile south of the country was usually temporary, and did not warrant a declaration of famine.

Is it possible that the 2011 “famine” in Somalia was manufactured to raise funds? The sequence of events leading to the famine appeal certainly raised suspicions. According to Jama, the timing of the famine declaration was probably a response to the shortfall of funds that WFP had been experiencing and also to divert attention from the criticism that that the UN agency had been subjected to by the UN Monitoring Group on Somalia and Eritrea the previous year. Then WFP had been castigated by the UN monitors for colluding with corrupt Somali contractors who were known to sell or divert food aid.[69]

Sources interviewed by the UN monitors estimated that up to 50 per cent of food aid was regularly diverted, not just by transport companies owned by Somali businessmen, but by WFP personnel and non-governmental organisations (referred to as “implementing partners”) operating within Somalia. Some implementing partners, according to the UN monitors, even owned protected warehouses where food aid was delivered and then put up for sale in Mogadishu’s markets. They also suggested that one of the transporters belonging to a cartel had links to the Islamic Courts Union that had been ousted from Mogadishu by US-backed Ethiopian forces in 2006, which raised questions about whether food aid was being used to finance Islamic militia.[70]

The UN Monitoring Group’s 2010 report stated: “A handful of Somali

contractors for aid agencies have formed a cartel and become important powerbrokers, some of whom channel their profits, or the aid itself, directly to armed opposition groups. Percentages vary, but sources interviewed by the monitoring group describe an approximate diversion of 30 per cent for the implementing partner and local World Food Programme personnel, 10 per cent for the ground transporter, and 5-10 per cent for the armed group in control of the area."[71] The report's findings led some donors, notably the United States, to withdraw some of their funding to WFP's operations in Somalia.

UN monitors have known for some time that individuals and groups have been operating criminal networks that exploit vulnerable populations, particularly during a famine. Many of these networks act as "gatekeepers" who determine who gets aid and who doesn't, how much of the aid will be diverted, and who will benefit from its sale. In 2013, National Public Radio journalist Gregory Warner met one of these "gatekeepers" in Mogadishu, a woman called Adad Hassan Jimali, who had set up a private camp called "Najib Camp" on land given to her by her late husband, who had once been a powerful government official. Jimali admitted to the journalist that she had gathered children from other camps and neighbouring villages to "stock" her camp so that it could attract more humanitarian supplies. As Mogadishu was still too dangerous for humanitarian agencies to set up their own camps, such private camps had sprung up all over the capital city. One internally displaced woman told the journalist that her gatekeeper kept 85 of the 100 ration cards distributed by an aid agency and sold them on the open market. Such diversion of aid was common in all the camps, which were being run like mini-businesses. "To the West, the famine was a moral imperative," noted Warner. "To some Somalis, it was a business opportunity."[72]

WFP denied most of the allegations made by the UN monitors, but promised to not engage any of the transport contractors named in the report and to widen the pool of contractors to encourage competition. However, an Associated Press investigation the following year found that WFP was still relying on at least one of the transport contractors known as Eno, and cited eight Somali businessmen who had allegedly bought food from the same contractor. Eno's wife was the head of Saacid, an NGO that WFP regularly used to distribute hot food.[73]

A culture of denial

The European Commission (EC) has been one of the largest contributors to the UN's programmes and projects in Somalia. Between 2008 and 2013 it committed a total of 319 million euro to various UN agencies' programmes and projects in Somalia, including the UN's Food and Agricultural Organisation (FAO). In Lower Shabelle, the bulk of the EC's assistance has gone towards rural development and food security projects, mainly for irrigation rehabilitation and crop diversification.[74]

Given the high level of EC investment towards rural development and food security in Somalia, it seemed odd that southern Somalia—the country's bread basket—would continuously suffer from acute food insecurity. In order to understand why, I made an appointment with Georges-Marc André, the European Union (EU)'s representative to Somalia. In his heavily fortified office at the European Community's offices in Nairobi's fashionable Upper Hill area, André explained that this paradox could be due to the fact that the full impact of EC investments had not yet been realised in Somalia. Besides, he added, much of the agriculture in Somalia is rain-fed and the poor rains the year before could have contributed to the famine in 2011.[75]

Luca Alinovi, the head of FAO-Somalia, who I later spoke with on phone, blamed lack of sufficient investments in Somalia's agricultural sector. He claimed that while the EC funding was very welcome, a lot more funds were needed for agriculture to prevent another famine.

Ahmed Jama, who has studied EC-funded rural development projects in Somalia, found these arguments rather weak, considering that much of the EC funding is ostensibly used to rehabilitate irrigation infrastructure and to improve the capacity of farming communities. "Clearly, there is a mismatch between the resources made available by the EC to UN agencies such as FAO and the dismal picture emerging from what are generally considered the most agriculturally productive regions of southern Somalia," he said. "How is it possible that millions of euro of investment could not avert a famine in those regions? Either the UN is lying about the level of the famine, or the EC-funded projects are a failure."

The EU representative, in all fairness, could not give me an accurate assessment of EC-funded projects in Somalia, thanks to EC regulations. He told me that monitoring of project success or failure is hindered by the fact

that the EC is not permitted to evaluate UN projects, thanks to a 2003 Financial and Administrative Framework Agreement (FIFA) that permits UN organisations to "manage EC contributions in accordance with their own regulations and rules". In essence, this means that UN agencies monitor and evaluate their own projects, often without recourse to an external auditor or evaluator. And because the EC is a donor, and not the implementer of projects, it relies solely on the UN to provide it with the data and performance reports on EC-funded projects. This is problematic because it means that UN agencies can easily manipulate their monitoring and evaluation reports to suit their own agendas, needs and funding requirements.

Moreover, as consultants working on a report prepared in 2011 on behalf of the Norwegian agency for international development-NORAD discovered, most UN agencies are reluctant to divulge exactly what they spend their programme money on. According to the report, several of the UN agencies that had been investigated were unwilling, or in some cases, unable, to account for what happened to some of the money that they had spent. At the UN Population Fund-UNFPA, about $200 million (about 30 per cent of cent of the organisation's annual budget) had been handed over to various governments and NGOs in ways that did not allow the UNFPA auditors to examine the accounts. At UNICEF, the UN child welfare agency, the consultants found that officially available information about expenditure was limited and fragmented. At UNDP, the UN's flagship development agency, it was hard to measure whether any progress had been achieved in many of its projects worldwide. UNDP also had the largest pile of unspent cash among the agencies surveyed—about $5 billion at the end of 2009. Interestingly, the consultants gave WFP high marks for having the most transparent accounting system and for meeting an increased share of the needs of its hungry clients.[76]

In 2013 the UN Monitoring Group on Somalia and Eritrea admitted that a "culture of denial and secrecy continues to exist [within aid agencies] that prevents the humanitarian community from sharing bad experiences, learning hard lessons and developing common tools". It further stated that many donors were responsible for contributing to this culture of silence because of "inconsistent responses and reactions to diversion of aid that did not encourage transparency and openness".[77]

‘Slowing down’ Somalia’s recovery

André, the EU’s representative to Somalia, cautiously admitted that the European Commission was concerned that its efforts in Somalia were being hampered by UN agencies that were flooding Somalia with food aid. In an environment where free or cheap food is readily available, he explained, farmers do not get value for their produce, which suppresses food production. “The EU is against food aid that substitutes local food production,” he said.

André was surprisingly frank during the interview, which I attributed to the fact that he was approaching retirement age and so perhaps felt less constrained to admit to his organisation’s failures or weaknesses. He admitted that UN agencies such as WFP and UNDP could actually have “slowed down” Somalia’s recovery by focusing exclusively on food aid, instead of supporting local farmers and markets. He also said that many UN and international aid agencies’ staff based in Nairobi were not keen on a stable and prosperous Somalia “because if there is peace in Somalia they will lose their jobs”, a view also shared by many Somalis.

UN agencies also often work at cross-purposes without coordination, which means the work of one agency can, in effect, cancel out the work of another. Phillippe Royan, a technical adviser to the EC’s Directorate General for Humanitarian Aid (ECHO), told me that a number of donor agencies were also beginning to question WFP’s ability to deliver food aid in all regions of Somalia. “It seems that most of the food aid is concentrated in Mogadishu and does not extend beyond Gaalkayo (in central Somalia),” he added. “This means that affected populations have to walk long distances to reach the food, which carries other hazards. For instance, they could die on the way or be raped.”

WFP had conducted a very aggressive fund-raising campaign to cover the needs of south and central Somalia till the end of 2011. Some donors, Royan admitted, were concerned that this campaign could be an attempt to accumulate funds for future use, and was not based on real needs.

What were those needs, and who was assessing them? According to Royan, FSNAU—which is funded by the EC, and partly by the US and Italian governments and WFP—is the only setup that provides data on food insecurity in Somalia. Almost every humanitarian organisation relies on its figures to assess malnutrition and famine levels in any given country. However, given the fact that almost a third of Somalia was “governed” by Al

Shabaab, which had banned most UN agencies (including WFP), and even NGOs, from operating in areas that it controlled, it was difficult to understand how FSNAU managed to get so much detailed information on regions such as Bakool and Lower Shabelle, which were Al Shabaab strongholds.

Moreover, most international staff of the UN's Somalia programmes do not live in Somalia, and rely almost exclusively on local Somali staff and implementing partners (local NGOs) to report back to their offices in Nairobi. When they do go on field trips in the country, the trips last as little as two hours. The chartered flights that they hire to take them to Somalia also bring them back the same day. Many journalists complain that when they accompany UN staff on these flights, they often cannot get to the heart of a story because they barely have time to look around or interview people.

In Mogadishu, the situation is even worse. After Al Shabbab took control over the city in 2008, most visiting UN staff and diplomats did not go beyond the airport, which has only recently been secured by African Union (Amisom) forces. Those who stayed the night were put up in metal containers at the airport that served as rooms. No wonder most UN employees chose to come back to Nairobi immediately. Although there have been recent calls by the UN Secretary-General Ban Ki-moon for the UN's Somalia offices to relocate to Mogadishu, few agencies have complied so far.

When asked how FSNAU gathered its data on the ground, given the general insecurity in southern and central Somalia, Grainne Moloney, FSNAU's chief technical advisor, told a press conference[78] in Nairobi that her unit's nutrition surveillance project had 32 full-time Somali field staff and a part-time enumerator network of some 120 people all over Somalia who gathered data and did surveys on food security and nutrition.

"There is a common perception that (aid) agencies don't operate in the Al Shabaab-controlled areas," said Moloney, "but many agencies work well and quietly in those areas. However, most agencies do not publicise their presence for security reasons." A spokesperson for FAO, FSNAU's partner organisation, claimed that it worked in Afgoye, Awdegle and Wanla Weyne in Lower Shabelle through implementing partners.

What these UN representatives were probably trying to say, but couldn't openly admit, was that in order to negotiate access in areas controlled by Al

Shabaab, many UN organisations were paying "protection money" to Al Shabaab through their local implementing partners—an act that carries civil and criminal penalties in the United States as it is construed as funding a terrorist group. A paper published by the Overseas Development Institute explains how the system worked:

> The desire (among Al Shabaab) to regulate and benefit from aid agency activity existed alongside deeply entrenched suspicion of the aims and origins of aid agencies… Several Al Shabaab officials interviewed saw all agencies as potential, and in some cases actual, fronts for Western intelligence services. There was a widespread perception that food aid in particular was aimed at making Somalis dependent on the West… While banning some organisations, Al Shabaab permitted others to work—albeit under increasingly tight rules and regulations. With the consequences for disobedience clear, the threat of expulsion compelled agencies either to comply or to withdraw, which was seen by many as unacceptable given the scale of the need. In November 2009, Al Shabaab imposed 11 conditions on remaining aid agencies in Bay and Bakool, including payment of registration and security fees of up to $20,000 every 6 months.[79]

Some organisations resisted this form of "taxation", but those that complied had to factor in these fees in their project budgets.

What was surprising in the case of Somalia was that the FAO did not see the contradiction between admitting to implementing multi-million-euro rural development and food security projects in southern Somalia and at the same time declaring those regions as food insecure. If the projects had been successful, there might not have been a food crisis in the country—with or without Al Shabaab. And if they were not successful, then is it possible that the EC funds were diverted?

On 12 March 2012, Kenya's *Standard on Sunday* newspaper published an article in which the contents of a letter by someone claiming to be the "provincial commissioner of Gedo region in Somalia" was published. The letter, addressed to Luca Alinovi, the officer in charge of FAO-Somalia, stated that resources set aside for seeds and fertilisers had been embezzled by "shoddy local NGOs and private contractors who are mainly front agents for powerful groups with FAO, Somalia". The author of the letter further claimed

to have information about one such NGO that had links with one staff member at the FAO-Somalia office in Nairobi and who was, therefore, "untouchable". The newspaper could not ascertain the authenticity of the letter, nor did the FAO communications officer in Nairobi respond to the newspaper's request for a clarification.[80]

Meanwhile, FAO continued to blame the failed rains for the Somalia crisis. The FAO-managed FSNAU stated that the latest famine was due to the failure of the *Deyr* rainy season the previous year and poor performance of the long *Gu* rainy season from April to June of that year, which resulted in the worst crop production in 17 years. The question we might ask is: Why were Somali farmers still relying on the rains when the EC and other donors had contributed millions towards irrigation projects?

Ahmed Jama, the Somali agricultural economist, was convinced that the UN—not the EC—was to blame. "It is possible these projects were not successful—that most of the funds went to administrative overheads or were mismanaged by project implementation agencies. But I think the more likely scenario is that the WFP needed a famine to refurbish its coffers, and Somalia, which is largely ungoverned and has no reliable self-monitoring systems in place, offered the perfect opportunity to do so."

Aidan Hartley, a Kenya-based journalist and author made a similar assessment in a scathing article posted on the *Spectator* website on 6 August 2011, two weeks after the UN made the famine appeal:

> Let's get one thing right: the 'Somalis' are not starving. The victims are mainly the weak or minority clans—or anybody who has not armed himself to the teeth. Add to this political mix the failures of the United Nations and its main sponsors. The UN's diplomats evacuated Somalia in 1995, following the collapse of the Unosom peacekeeping mission. They have sat in Nairobi ever since.
>
> In the absence of useful action to solve Somalia's conflict, the UN through its World Food Programme agency has funnelled just enough grain to Somalia to make it appear as if a humanitarian policy exists. But shipping subsidised harvests of Nebraska to Africa year after year is not a clever thing to do unless you have a bigger plan. Across Africa's Horn, vulnerable populations have been kept alive with food handouts that do not allow them to live well—but maintain

their fertility so that their numbers have exploded. [81]

A few months later, the *Guardian's* globaldevelopment website, which is supported by the Bill and Melinda Gates Foundation, revealed that WFP had bought food worth more than £50 million from Glencore, a London-listed commodities trader that had attracted controversy for environmental breaches and accusations of dealing with rogue states. The trader, run by billionaires, controlled 8 per cent of the global wheat market. The deal was struck despite a pledge by WFP to buy food from "very poor farmers who suffer because they are not connected to local markets".[82]

Valleys of death

However, it is possible that Ahmed Jama and other sceptics failed to take into account the impact of conflict on the Lower Shabelle and other riverine areas of Somalia. It is not entirely inconceivable that the fertile Shebelle and Juba valleys in southern Somalia might have been experiencing a famine, or at least a significant decline in agricultural production. These regions—the only fertile river-beds in Eastern Africa situated parallel to a coastline—were once leading exporters of bananas, but nationalisation policies and the civil war severely impacted farming and led to large-scale human flight.

Researcher Christian Webersik provides a historical perspective on the decline of agriculture, banana production, in particular, in what was once a land of plenty:

> Before the [Italian] colonial era, communities in the Shebelle Valley had long-standing traditions (*dexda*) and local knowledge about soils, irrigation, agriculture and land measurement (*jibaal*, *darab* and *moos*). Somali farmers owned land collectively. All members of the community belonging to the same clan, sub-clan or lineage were entitled to usufruct rights to land. Respected clan leaders were responsible for the distribution of land and inter-clan bargaining mechanisms were employed to negotiate land rights…
>
> During the colonial period, especially in the 1930s, irrigation schemes were extended and developed by the Italians… Large farms, or so-called *aziendas*, were established on the fertile land between the river and the primary canals. The colonial state promoted the establishment of commercial plantations rather than smallholder agriculture. After independence [in 1960], the Italians faced increasing opposition from Somalis, who were claiming a fair share of the

> lucrative banana trade… Subsequently, the socialist government [of Siad Barre] attempted to expropriate unclassified and communal land by declaring it "state land", in accordance with provisions of the 1975 land reform. [83]

Nationalisation in the 1970s impacted the areas under banana cultivation so much that by time President Siad Barre liberalised the economy in 1981, production was less than 50 per cent of its peak in 1973. Under pressure from the World Bank and the International Monetary Fund (IMF), Barre introduced structural adjustment policies in the 1980s that had a positive impact on the agricultural sector. Between 1981 and 1990 bananas accounted for the second largest proportion of Somalia's earnings after livestock.[84]

The civil war in 1991 reversed all the gains of liberalisation. The Juba valley was particularly affected by the civil war and became the site of many massacres and famines. This region, in particular, has for decades been the victim of contesting forces and clans who sought to control its cash crops. Conflicts over the control of the Juba valley in the past 150 years, writes anthropologist Catherine Besteman, has seen the region undergo major upheavals, with the result that "the valley has alternatively been viewed as a refuge, as a frontier, as a dangerous place of magic and sorcery, as a place of fantastic agricultural potential, as a desolate back-water, as a national ecological resource, and most recently, as one of the premier 'shatter zones' and valuable prizes in Somalia's civil war".[85]

After 2009, the region came under the control of Al Shabaab. The militia began extracting its own form of taxation on the local (mostly smallholder) farmers. Al Shabaab banned NGOs from operating in the region in 2011 as it suspected them of being spies for Western governments. NGO interventions in the past had also not significantly improved agricultural production; on the contrary, these interventions, particularly the distribution of food aid, may have actually led to a decline in farming.

Some on-the-ground reports indicate that agricultural productivity may have actually improved under Al Shabaab, which has apparently built canals and also provided "tax exemptions" and subsidies to local farmers. One farmer told *Al Jazeera* in March 2014 that the higher yields were due to the NGO ban. The chairman of a farmers union said that NGOs were notorious for bringing in food aid just before the harvest, which suppressed local food prices and killed the incentive to farm. "They brought their food from abroad

and never bought from us local farmers… We were hostage to the NGOs", he said.[86]

This is a view also shared by Michael Maren, the former food monitor in Somalia, whose book *The Road to Hell* is an indictment of aid in general, and food aid, in particular. Maren, who lived in Somalia as an aid worker with the US international development agency, USAID, in the 1980s, believes that food aid to Somalia may have actually helped to prolong the civil war in that country. He quotes a former civil servant working for Somalia's National Refugee Commission in the government of Siad Barre who told him that traditionally Somalis never relied on food aid, even during droughts. There was a credit system; the nomads would come to urban areas and take loans that they would pay back when times were good. Nomads and agriculturalists also shared natural resources. Aid essentially destroyed a centuries-old system that built resilience and sustained communities during periods of hardship. The former civil servant blamed the aid for the distortions in Somali society, not the Somalis who responded to the distortions.[87]

Another scandal

On 15 August 2011, less than a month after the United Nations had sounded the alarm on famine in the Horn of Africa, the Associated Press made a startling claim—that thousands of sacks of food aid meant for Somali famine victims had been stolen and were being sold openly in Mogadishu's markets. An investigation by reporter Katharine Houreld revealed that sacks bearing the logos of the World Food Programme (WFP), the United States Agency for International Development (USAID) and the Government of Japan were being sold in at least eight locations within the Somali capital. Among the items being sold were maize, grain and Plumpy'nut, a type of fortified peanut butter specially designed for malnourished children. [88]

"International officials have long expected some of the food aid pouring into Somalia to go missing," wrote Houreld. "But the sheer scale of the theft taking place calls into question aid groups' ability to reach the starving. It also raises concerns about the willingness of aid agencies and the Somali government to fight corruption, and whether diverted aid is fuelling Somalia's 20-year civil war."[89]

WFP's spin-doctoring machinery immediately got into action. WFP

spokesperson Greg Barrow stated the following day that “the scale of the theft alleged is implausible” and that WFP estimates indicated that only about one per cent of food aid to Somalia was being diverted.[90]

When I met Katherine Houreld in Nairobi a few months later, she confirmed that she had witnessed sacks of food being openly sold in Mogadishu’s markets, and had even taken pictures of the sacks with donor countries’ logos on them. I believed her because on a visit to Mogadishu’s port in November 2011, I had seen UNICEF supplies being off-loaded from ships onto ramshackle lorries without much supervision. Given that until recently the port was controlled by militia, it was entirely possible that militia and their cartels still operated from the port and that they diverted food and other relief supplies.

Houreld’s revelations were not new. In its annual reports, the UN Monitoring Group on Somalia and Eritrea had also repeatedly reported diversion of food aid, often by militia groups, and had even named people involved in the racket. Michael Maren too had, as far back as 1981, witnessed military vehicles leaving refugee camps with bags of food aid donated by the US government.[91]

Meanwhile, in December 2011, just after the UN had launched a second appeal for an additional $1.5 billion for Somalia, Somali Prime Minister Abdiweli Mohammed Ali, a US-trained economist, threw a spanner in the works by declaring that there was no famine in Somalia. He told the *Telegraph* that aid workers had become “lords of poverty”—a reference to the book with this title by Graham Hancock that had caused quite a stir within the development community in the early 1990s as it had exposed incompetence, fraud and other irregularities within the aid and humanitarian industry. “I don’t believe there is a famine in Mogadishu. Absolutely no,” the Prime Minister stated. “You know the aid agencies became an entrenched interest group and they say all kinds of things that they want to say.”[92]

The UN’s humanitarian coordinator for Somalia, Mark Bowden, however, insisted that tens of thousands of people had already died of hunger in Somalia and that four million—about half the country’s population—remained “in crisis”. Of course, he could not admit that the UN might have exaggerated the crisis. Too many livelihoods and reputations were at stake.

Two months later, in February 2012, Bowden declared that the famine in

Somalia was officially over due to a good harvest and significant humanitarian assistance.[93]

The following year, for the first time in many years, the UN did not declare a food-related crisis in Somalia. Somalia was then preparing to usher in a new post-transitional government and declaring a famine under such conditions would have been inappropriate and ill-advised.

4

DOUBLE JEOPARDY

While Ethiopia has been regularly sending its troops into Somalia at the behest of the United States government or to pursue its own national interests, Kenya did not intervene militarily in Somalia until 2011. Kenya's opportunity for military intervention came in the last quarter of 2011 when two foreign tourists were kidnapped from Kenyan coastal resorts. The British tourist David Tebbutt was killed and his wife Judith kidnapped in September 2011 while on holiday at the Kenyan coast near the Somali border. Marie Dedieu, a disabled French citizen living in Lamu, was kidnapped from her bed a few days later. Judith Tebbutt was finally released after a ransom was negotiated, while Dedieu died in captivity. What appeared to be the work of pirates or criminal gangs was quickly attributed to Al Shabaab, the militant Islamic group that controlled large swathes of south and central Somalia, but which had retreated from the capital Mogadishu in August that year.

On 15 October 2011, some 4,000 Kenya Defence Force (KDF) soldiers entered southern Somalia in a bid to expel Al Shabaab, an operation that was severely bogged down with heavy rains. The Kenyan forces were assisted in their mission by the Somali Ras Kamboni militia led by Sheikh Ahmed "Madobe". Madobe had once been an Islamic insurgent who had fallen out with the Ras Kamboni Brigades founded by his brother-in-law Hassan Turki, a career jihadist who had joined forces with Al Shabaab to lay claim over the lucrative port of Kismaayo.[94] The main stated objective of Kenya's mission was to seize control of Kismaayo in order to cut off the economic lifeline of Al Shabaab.

This was the first time that war-shy Kenya had taken part in active combat against a neighbouring country. President Yoweri Museveni of Uganda, who had been a guerrilla fighter and leader of the National Resistance Army that liberated Uganda from years of dictatorship, and whose soldiers formed a large part of the UN-backed African Union Mission in Somalia (Amisom),

tended to look down on the Kenyan military, which he described as a “career army” that did not have the mettle to go into combat.

In fact, when it went into Somalia, the Kenyan government did not have the gall to call the action an invasion, and used the more innocuous “incursion” to describe its military’s actions. (Calling it an invasion might have offended the Transitional Federal Government, which apparently did not even know that there were plans afoot by the Kenyan military to enter Somalia.)

Kenya had been spoiling for a fight with Somalia for some time. The Mwai Kibaki administration had big plans for Kenya’s northeastern and coastal regions that border Somalia, including a large deep-sea port in Lamu and a new transport corridor linking the port to South Sudan and Ethiopia known as the Lamu Port and South Sudan Ethiopia Transport (LAPSSET). The corridor was a flagship project of Kenya’s Vision 2030, the blueprint for the country’s economic development and the government needed a safe buffer zone between Kenya and Somalia to implement the multi-billion dollar project. The raids by Al Shabaab were derailing the government’s plans and affecting tourism in the country.

However, had the Kenyan government’s security strategists paid a bit more attention to the mindset of Al Shabaab—which likes to provoke a fight in order to give an air of legitimacy to the violence it inflicts on others—they might not have acted so hastily. The invasion of southern Somalia by Kenyan troops gave Al Shabaab the perfect excuse to launch retaliatory attacks against the Kenyan “infidels”, and provided it with more ammunition with which to carry out its global jihadist agenda.

The Somali analyst Abdi Aynte explains the psychology behind Al Shabaab’s terror tactics:

> Tactically, al-Shabaab has instrumentalised some of the military methods articulated by Abu Bakr Naji, the so-called al-Qaeda military tactician, whose poignant ideas are articulated in his book, “The Management of Savagery”, in which he calls Jihadist organisations to compel the enemy to attack Muslim lands. The idea is that the enemy, frustrated by mobile urban insurgency, will falter in the face of sustained quagmire. The Shabaab, acting on that strategy, provoked Ethiopia to attack Somalia in 2006, so that, as Naji’s grand strategy articulates, it can “overstretch” the enemy’s military resources, expose its

> weaknesses, harness the popular anger that results from the invasion, and in the end create brutal savagery that will force people to yearn for someone to manage it. Clearly, the Shabaab is positioning itself to be the one that manages that state of savagery. [95]

Embedded journalists reported the early days of the incursion, dubbed Linda Nchi (Defend the Nation), and in the first few months Kenyans were regaled with stories about harsh terrains, nasty insects, scorpions and scorching heat experienced by the Kenyan contingent. Apart from one major battle in Dhobley, which the Kenyan forces won decisively, there were few direct or conventional engagements with Al Shabaab in the first few weeks of the invasion as Al Shabaab was using guerrilla warfare and launching attacks on Kenyan convoys with limited firepower.

Meanwhile, the propaganda machinery on both sides began using social media, including Twitter, to waylay each other. Al Shabaab posted insults, taunts and accusations under the Twitter account HSMPress, while the KDF used the army spokesperson Major Emmanuel Chirchir's personal Twitter account to boast about the military operation's successes. In one tweet, written in fluent English, Al Shabaab mocked Chirchir for threatening to bomb donkeys that were thought to be moving weapons for the militia. "Your eccentric battle strategy has got animal rights groups quite concerned, Major", one Al Shabaab tweet stated.[96] Unfortunately, apart from the sometimes amusing Twitter exchanges and self-congratulatory media releases by the KDF, there was no independent source of information on what was really happening on the ground.

Four months later, when it became apparent that the Kenyan incursion was not making substantial headway, and after the Somali government sent out feelers that it was not happy with a foreign force within Somali territory, a deal was made for the Kenyan forces to join the African Union forces enrolled under Amisom.

At that time there were nearly 10,000 African Union troops in Somalia, all of whom were stationed in Mogadishu; 5,200 of these troops were Ugandan while 4,400 were Burundian. Under the new arrangement, Kenyan troops were "re-hatted" as Amisom, and were allowed to continue with their mission in southern Somalia. The agreement also allowed KDF to claim compensation for equipment lost or destroyed during the invasion. According

to official sources, the military operation had been costing the Kenyan government about 200 million shillings (about $2.3 million) per month.[97] The new arrangement, funded by the United States and European countries, alleviated this heavy financial burden on the Kenyan taxpayer and also gained the mission legitimacy.

With a budget of about $800 million a year, Amisom is one of the biggest military operations in the world, but one that is also relatively inexpensive as it uses African soldiers to wage what is essentially a Western war in an African country. The European Union, its main funder, contributes through the African Peace Facility that pays for troop allowances, the police component of the mission and the salaries of international and national staff. The United States contributes through the UN and by giving aid to troop-producing countries.

In September 2012, almost one year into the incursion, Kismaayo, the prized port that was Al Shabaab's main economic base, fell to the Kenyan and Ras Kamboni forces. It was a major victory for the Kenyans, but one that would soon be marred by rumours of Kenyan and Ras Kamboni soldiers exporting charcoal from the port, despite a UN Security Council ban. It is estimated that before the Kenyan and Ras Kamboni forces pushed out Al Shabaab from the port of Kismaayo, the militant group was exporting about one million bags of charcoal to the Middle East and Gulf countries every month. When the Kenyan and Somali forces entered the city, they discovered an estimated four million sacks of charcoal with an international market value of at least $60 million. The UN Monitoring Group on Somalia and Eritrea alleged that the Kenyan and Somali forces continued exporting the charcoal despite the ban, and that the export of charcoal more than doubled under their watch. "If the current rate of production continues," warned the UN monitors in 2013, "charcoal exports will consume 10.5 million trees and the area of deforestation will cover 1,750 square kilometres, which is larger than the city of Houston in Texas."[98] The Kenyan and Ras Kamboni forces, like Al Shabaab, it seemed, had turned Kismaayo into a cash cow.

When James Verini, a Nairobi-based contributor to *Foreign Policy* visited Kismaayo after the Kenyan and Ras Kamboni forces had taken control of the city, he found freighters from India, Pakistan and Syria docked at the port. The Kenyan forces had occupied the port's warehouses and were inspecting

every ship. Meanwhile, the ill-equipped and poorly paid Ras Kamboni soldiers were tasked with guarding the villages around Kismaayo. Many slept on the floor of the airport terminal, whose halls smelt of urine and excrement. When Verini asked one of the soldiers why no local Al Shabaab leaders had been captured, even though they were personally known to their leader Madobe, he said he didn't know. [99]

Double dealing?

It is common knowledge that the Ras Kamboni militia's leader Sheikh Ahmed Madobe was a high-ranking official of the radical Islamic militia Hizbul Islam led by Sheikh Hassan Dahir Aweys—who has been designated as an international terrorist by the United States—before he joined the Kenyan forces. Madobe was once the deputy and protégé of his brother-in-law Hassan Turki, who founded the Ras Kamboni Brigades, which allied itself to Al Shabaab when Madobe switched allegiances. Madobe formed the Ras Kamboni militia to fight his former allies and to regain control over the prized port of Kismaayo, which was under the control of Al Shabaab.[100] (This could have been his primary motive for collaborating with the Kenyans.)

What could have prompted the Kenyan government to not only join forces with a known insurgent but even train his soldiers for its mission in Somalia? Was it not a huge risk to be partnering with a militant group that had previous links with terrorists? Wasn't supporting such a group a security risk to the Kenyan forces? What if the Ras Kamboni soldiers defected? Given Madobe's own record of defections, could he be relied on as a steady and committed ally?

Stories of defection had emerged prior to the Kenyan incursion. Two weeks before Kenya announced that it was going to invade Somalia, the then Kenyan Prime Minister Raila Odinga had told *Africa Report*[101] that the Kenya government could not account for at least 400 ethnic Somali counter-insurgents that it had been training since 2009 when the then Somali Minister of Defence, Mohamed Abdi Mohamed "Gandhi" had requested Kenya to host a training programme for Somali soldiers.

According to UN monitors, approximately 2,500 youth were recruited by clan elders and agents, both from within Somalia (mostly from the Juba

Valley) and northeastern Kenya, including the Dadaab refugee camp. Two training centres had been set up, one at the Kenya Wildlife Service training camp at Manyani, the other near Archer's Post in Isiolo.[102]

Recruits were lured by the prospect of high salaries, which apparently never materialised. During his investigations, *Africa Report* regional editor Parselelo Kantai met an ethnic Somali who had been trained by the Kenyan forces. He told him that prior to his training between April 2010 and March 2011, he had been promised a monthly salary of $1000. However, when he joined the training, he was only paid a stipend of between 2,000 Kenya shillings (about $23) and 4,000 Kenya shillings (about 46) a month. Several disappointed recruits had therefore abandoned their training.[103]

As no background checks on the recruits were conducted, it is also believed that the training camps could have been infiltrated by Al Shabaab. "In Isiolo, a be-spectacled man who was among the recruits was exposed as an Al Shabaab agent who had been for months communicating training strategies with his colleagues in Somalia," according to Kantai. "While Kenyan officials continue to justify the October 2011 invasion as necessary in eliminating the threat posed by Al Shabaab, the consequences of training and arming counter-insurgents, who then deserted, has never been properly factored into the emerging narrative of terrorists in Kenya."[104]

Why was the Kenyan government not admitting that some of the soldiers trained by Kenyan forces had left and perhaps even defected to Al Shabaab? And why had it abandoned an earlier plan to create the state of Azania in the Juba region?

In the early part of 2011, prior to joining forces with Ras Kamboni militia, the Kenyan government had plans to support Mohamed Abdi Mohamed Gandhi, the former minister of defence and an Ogaden from the Juba region, to administer a potential Jubaland regional authority called "Azania". It is believed that Ethiopia—Kenya's "big brother" when it comes to geopolitical affairs and military matters—opposed the creation of the Azania "buffer zone" between Kenya and Somalia as it was viewed as an Ogaden-dominated Kenyan project.[105]

It is likely that because of its propensity to support warlords in Somalia, the Ethiopian government, nudged by the United States, encouraged Kenya to work with Sheikh Madobe. Some analysts believe that in line with the

Ethiopian policy of supporting warlords in Somalia so as to create a permanent state of instability in the country (with US-backing, of course), the Kenyan government, prompted by the Ethiopians, decided to work with Madobe in a bid to fragment the country.

In May 2013 Madobe declared himself president of the self-styled state of Jubbaland, which was not recognised by the central government in Mogadishu; it is believed that the government had been supporting a rival group headed by Barre Aden Shire, who declared himself president of Jubbaland moments after Modobe did.[106] Despite an Ethiopia-brokered agreement in August of the same year that stipulated that Madobe's "interim administration" should hand over the port of Kismaayo to the central administration in Mogadishu within six months, there were no signs of a handover nine months after the agreement had been signed.

Meanwhile, three years after Kenyan boots entered Somalia, there seemed to be no stabilisation plan for the region, nor any exit strategy for the Kenyan forces. By mid-2014, Kenyan forces were still in Kismaayo. Like the Ethiopians, who invaded Somalia in 2006 and stayed on for two years, the Kenyans had started to look and feel like an occupying force. What will be the end-game of this "occupation" is anyone's guess.

Armoured pick-up truck or “technical” in Mogadishu © *Rasna Warah*

Rebranding the ICU

It is not just the Kenyan government that has been miscalculating its allies and forming alliances with known warlords and insurgents; in the name of “stabilisation”, the United States government has also over the years inadvertently, or perhaps deliberately, supported forces that have had a destabilising effect on the country.

American investigative journalist Jeremy Scahill says that the US policy towards Somali warlords and terrorists has been contradictory and quite often self-defeating. In an article published in the online *The Nation* magazine, the journalist claims that several Somali warlords have for years been backed by the US Central Intelligence Agency (CIA), and that some former Al Shabaab militants have even been coopted by Amisom.[107]

One of these warlords, known as Indha Adde (White Eyes), whose real name is Yusuf Mohamed Siad, was once a key paramilitary ally of Al Qaeda and Al Shabaab in Somalia. It is even alleged that he once ran a drugs and weapons trafficking operation from the Somali port of Merka. His violent and brutal control of the Lower Shabelle region during the civil war had earned him the nickname “The Butcher”.

When Scahill met the warlord in Mogadishu in 2011, he claimed that his militia and “technicals” (armoured pickups) were being funded by Amisom, supposedly to assist African Union soldiers in eradicating Al Shabaab. “Perhaps more than any other figure, Indha Adde embodies the mind-boggling constellation of allegiances and double-crosses that has marked

Somalia since its last stable government fell in 1991," wrote Scahill. "And his current role encapsulates the contradictions of the country's present: he is a warlord who believes in Sharia law, is friendly with the CIA, and takes money and weapons from Amisom."[108]

The American journalist also met Mohamed Afrah Qanyare, another infamous warlord, in Nairobi, who claimed that from 2003 till around 2006 the CIA had been paying him between $100,000 and $150,000 a month to use his private airport outside Mogadishu.[109]

The Islamic Courts Union (ICU), which took control of Mogadishu in May 2006, managed to oust most of the US-backed warlords from the city, but was driven out by US-backed Ethiopian forces in December of the same year. Ironically, and perhaps not so surprisingly, the United States would later install the leader of the ICU, the Muslim cleric and teacher Sharif Sheikh Ahmed, as president of the Transitional Federal Government.

The ICU came about in response to the anarchy, insecurity and lawlessness in the capital city. When the ICU took control over Mogadishu in May 2006, many parts of the country were being run by warlords and clan-based fiefdoms. As Ismail Ali Ismail, the former Somali diplomat, points out, Somalis had by then been through many "isms", starting with nomadism, followed by colonialism, nationalism, communism, clannism, anarchism, and finally Islamism, in that order.

The ICU—which comprised twelve largely autonomous clan-based entities that had united in 2004 to form the Supreme Council of Islamic Courts of Somalia, and which did not have global jihadist agenda—used Islam to unify the country in the absence of a functioning state. Ismail explains:

> As clannism proved to be too divisive and deadly, the only thing that could unite Somalis was Islam—not nationalism, which they had killed and buried in the back recesses of their minds. Islam was the only thing that could transcend all else and liberate the people from the scourge of clannism and moral decadence. This is a view to which nearly all Somalis subscribe, and as the clan factions faded away, so the Islamists rose. However, far from uniting the people, the Islamists brought division and discord, though of a different kind.[110]

During its tenure from 2004 till 2012, the TFG had no capacity to govern, and its members spent a large proportion of their time outside the country

(mainly in Nairobi, which people sarcastically began referring to as the capital of Somalia). The ICU promised to change all that by not just uniting the country (albeit under the banner of Islam) but also by providing essential services, such as security.

At first, the ICU appeared to be a positive force that managed to do what no transitional government had succeeded in doing—flush out the warlords. According to Ismail, the rise of the ICU was welcomed by the war-weary residents of the capital city:

> The mere fact that the courts routed the villainous warlords and their militias was enough to catapult the courts to high prominence. Theirs was a victory worthy of celebration, and the people did actually celebrate it, not so much out of love for the courts but out of relief from the oppression of the diabolical warlords… The courts were also successful in restoring houses to their rightful owners, for which they received unqualified praise. Throughout the country the Islamic Courts Union became popular and their good deeds and their good name eclipsed the TFG and relegated it to the background.[111]

Unfortunately, the ICU suffered from major weaknesses. Chief among them was that it had little experience in administration and its top leadership was dominated by one single clan, the Hawiye, which had a tendency to lay territorial claims over Mogadishu and its environs, and which many Somalis clans, particularly the rival Darod, blamed for the destruction of the capital city. It appeared to the other clans that the Hawiye were using Islam to gain political power. There were also extremists among them, who would have had no qualms about turning Somalia into another Afghanistan under the Taliban. (One of these extremists, Hassan Dahir Aweys, is a former air force colonel and a known international terrorist suspected of having links with Al Qaeda.) While the extremist Al Shabaab terrorist organisation appeared to have disassociated from the ICU, it did emerge from the latter, a fact that is often overlooked.

The potential “Talibanisation” of Somalia was probably what prompted the United States to back the Ethiopian forces that pushed the ICU out of Mogadishu in December 2006, just six months after the latter had taken control of the city. The ICU then broke up into factions, the most extreme of which was Al Shabaab, which took control over most of south and central

Somalia. Al Shabaab later broke away from the ICU itself, and now has its own command structure and leadership.[112]

An advisor to the US military told the journalist Jeremy Scahill that the Ethiopian invasion of Somalia in 2006 was a classic proxy war coordinated by the United States government, which paid for the roughly 50,000 Ethiopian troops that ejected the ICU from Mogadishu. The advisor also admitted that there were US forces, including the CIA, on the ground in Somalia, and that US air power had supported the Ethiopian forces.

Scahill had earlier reported the presence of American security agents in Mogadishu and had even talked to people who had been held by the CIA in a secret prison in the Somali capital that was allegedly being used by the US spy agency to interrogate suspected Al Shabaab members. The journalist claimed that the CIA presence in Mogadishu was part of Washington's intensified counter-terrorism efforts in Somalia, which included targeted strikes, drone attacks and expanded surveillance operations. A senior Somali intelligence official told Scahill that there were as many as 30 CIA agents in Mogadishu who had Somali intelligence agents on their payroll. One source said that the CIA was reluctant to deal with political leaders, who were regarded by US officials as corrupt and untrustworthy. [113]

The Ethiopian invasion was extremely costly in terms of the number of lives lost and the large scale displacement. Reports began to emerge of Ethiopian soldiers slaughtering Somali men, women and children "like goats". Ethiopia, which has had historical and bitter disputes with Somalia for decades, and which is feared and loathed in equal measure by Somalis, was beginning to look like a brutal occupying force. Al Shabaab eventually drove out the Ethiopians in 2008. In other words, the Ethiopian invasion succeeded in replacing the ICU with a virulent and lethal force of its own making.

Having failed to root out Islamists from Mogadishu, the United States government embarked on a strategy to include the same Islamists within the Transitional Federal Government, a move that astounded even the most die-hard critics of US foreign policy. It is rumoured that in 2008 a senior US diplomat convinced Abdullahi Yusuf, the Transitional Federal Government (TFG)'s first president, to resign in order to pave the way for a TFG leadership comprising members of the ousted ICU, which had splintered into various groups, including Al Shabaab, that were opposed to the TFG

government. Having invested so heavily in Ethiopian forces to remove the ICU from Somalia, it appeared extraordinary that the United States would now be planning for its inclusion in the TFG government.

It is widely believed that the United States had made a pact with the ousted ICU leader Sharif Sheikh Ahmed when he was crossing the border into Kenya during an American air strike targeting ICU leaders. According to Ismail Ali Ismail, the former Somali diplomat, no one knows what deal was made, but Ahmed was allowed to leave Kenya for Yemen a free man.[114] The facts and sequence of events are not clear, but according to Scahill, the then Prime Minister Ali Mohamed Gedi, who was backed by Ethiopia, had said that the US government had requested him to issue letters to the Kenyan and Yemeni governments to enable the ICU leader to travel to Yemen.[115]

President Abdullahi Yusuf finally ceded to US government pressure and resigned on December 2008, eight months before his tenure was to end. Subsequently, a meeting was held in Djibouti, where there is a sizeable US military and security presence and where Sharif Sheikh Ahmed, among others, was vying for the presidency of Somalia under the auspices of the United Nations Political Office for Somalia (UNPOS). Although the elections seemed to favour Barre, UNPOS, headed at that time by the Mauritanian Ould Abdallah, proposed and selected 275 additional parliamentarians drawn mainly from the ICU to the already bloated 275-member parliament. This skewed the election in favour of the former ICU leader who the US government viewed as “a moderate Islamist”.

“To veteran observers of Somali politics, Sharif [Sheikh Ahmed]’s re-emergence was an incredible story,” wrote Scahill. “The United States had overthrown the ICU government only to later back him as the country’s president.”[116]

Some Arab countries, such as Qatar, then began pressurising Sharif Sheikh Ahmed to include radical Islamic elements in his government. According to a paper published by the Norwegian Institute of Life Sciences, it appears that the Qataris wanted the TFG president to include Hizbul Islam, headed by Aweys, in his government.[117] Many Arab countries’ had been exerting this kind of “soft power” on Islamic factions in the country by funding them directly and encouraging their inclusion in the TFG government.

Abdirazak Fartaag believes that by endorsing Sharif Shiekh Ahmed

UNPOS gave a nod to Islamist factions within Somalia. The fact that Ahmed was the chairman of the Executive Committee of a group known as the Alliance for the Reliberation of Somalia (ARS), the military wing of the ICU that was formed in Asmara in neighbouring Eritrea after the ICU was chased out of Mogadishu, should have disqualified him for running for the highest political office in Somalia.

However, others believe that by the time the former ICU leader ascended to the presidency of the TFG, he had been isolated by both the ICU and Al Shabaab, who viewed his non-Salafi, non-Wahhabi orientation with suspicion and considered him an "apostate" for mending fences with the West.[118]

Fartaag, a devout secularist, strongly disagrees with this view. He believes that Ahmed may have continued to have links with extremist Islamic groups even when he became president in 2009, and being a Muslim cleric, probably viewed Somalia an Islamic state, if not a theocracy.

"By claiming to co-opt so-called moderate Islamic elements into government, ostensibly to bring about political stability and reconciliation, UNPOS ended up supporting disruptive forces within and outside government," says Fartaag. "UNPOS also failed to understand, or perhaps, deliberately miscalculated, the extent of the ICU's reach within government, and continued pretending that all of the TFG's leadership had secular credentials, even though UNPOS, with US backing, had itself placed members of the ICU, who were Islamists, within the same government. Various current and former politicians are still linked to the ICU through various moderate Islamic militia, such as Al Islah, Al Itihad, Ahlu Sunna Wa Jama and Al Sheikh, which compete with each other to gain access to power and resources."

The deception could not be unmasked because no side was accountable to the other. "Both the Somali politicians and the international community have been hoodwinking each other," claims Fartaag. "And by taking sides, UNPOS failed to be a neutral referee."

This hoodwinking and double-dealing would later manifest itself in the Barack Obama administration's 2010 "dual-track" policy in Somalia whereby the US government dealt with the government in Mogadishu while also engaging with regional and clan leaders, including warlords.

Somali analyst Afyare Abdi Elmi told the journalist Jeremy Scahill that the

US policy has inadvertently strengthened clan divisions, undermined inclusive democracy and created a conducive environment for the return of warlordism in the country.[119] The US policy, instead of bringing about stability, had the opposite effect: Al Shabaab became more powerful and caused more havoc, not just in Somalia, but in neighbouring Kenya as well.

5

THE WESTGATE FIASCO

> *"**Over the past few years Kenya has performed a curious mating ritual with its aid donors. The steps are: one, Kenya wins its yearly pledges of foreign aid. Two, the government begins to misbehave, backtracking on economic reform and behaving in an authoritarian manner. Three, a new meeting of donor countries looms with exasperated foreign governments preparing their sharp rebukes. Four, Kenya pulls a placatory rabbit out of the hat. Five, the donors are mollified and the aid is pledged. The whole dance then starts again."***
>
> —*The Economist*, 19 August 1998.

The Westgate mall epitomised the three C's of aspirational Nairobi: cosmopolitanism, capitalism and consumerism. Its restaurants had the city's finest cocktail bars and a multiplex cinema served a diet of Hollywood and Bollywood that reflected the diverse heritage of its regulars. The ground floor Artcaffe restaurant, with its dark wood décor, was a hangout for celebrities, politicians, diplomats, corporate executives and expatriates. Conversations over cappuccinos on the terrace stretched from juicy gossip to property deals and aid projects.

In a city where a third of the population lives in overcrowded slums with few basic amenities, the Westgate mall, which opened in 2007, was a fantasy land that insulated its visitors from the harsh reality of Nairobi's under-class. Even the drumbeat of security bulletins warning expatriates that it was a likely target for terrorists did not diminish its appeal.

This false sense of security was brutally shattered on the morning of Saturday, 21 September 2013, when a group of Al Shabaab terrorists entered the mall and began shooting indiscriminately, killing 67 people. Ghanaian poet Kofi Awoonor, who was in Nairobi for the Storymoja Hay literary festival, was killed in the attack, as were President Uhuru Kenyatta's nephew and his fiancé. Ruhila Adatia-Sood, a popular radio and TV presenter, who

was six months pregnant, was gunned down at a children's cooking competition taking place at the rooftop. The attack received a great deal of local and international media coverage. It was described as an unprecedented and unanticipated tragedy—Kenya's 9/11.

The terrorist attack led to overwhelming support not just for the victims and their families, but also for the Kenyan security forces. Members of Kenya's Asian community, which lost many friends and relatives in the attack, set up trauma counselling camps at a community centre nearby, and offered the Kenyan security forces and traumatised victims water and food. Under the hash tag #WeAreOne the country galvanised around a common cause, and showed a rare unity. The Kenya Red Cross opened an account to receive money for treating the injured. Within days, it had managed to raise millions of shillings from individuals and corporate bodies. Blood banks were similarly overwhelmed by the number of people donating blood.

Until the Westgate mall tragedy, Nairobians believed that terror attacks were the stuff of remote places, such as Garissa and Mandera in Kenya's northeastern region, where small-scale grenade attacks had been reported since Kenya's incursion into Somalia in October 2011. While the cities of Nairobi and Mombasa had experienced Al Qaeda-inspired terror attacks in the past—in 1998 the US embassy in Nairobi was bombed, killing more than 200 Kenyans, and in 2002 terrorists attacked an Israeli-owned hotel in Mombasa—Kenya's moneyed class did not think that it could be singled out as a target.

Not that Kenyans were not prepared for such attacks. Al Shabaab had promised to retaliate against Kenya's invasion of territories it controlled in Somalia, and Kenyan establishments had responded by increasing security on their premises. Security checks became routine at a hospitals, government and office buildings, hotels and shopping malls. The cars of motorists entering such facilities were checked for explosives and people entering them were frisked with detectors. Nairobi, in particular, felt like a city under siege.

The events that unfolded over the next four days may never be known; conflicting reports about how many terrorists there were and whether they had all been killed by security forces made it difficult to piece together the details of the attack. CCTV footage from the first day showed the attackers shooting people, then casually moving to a section of the supermarket on the first floor of the mall while talking on mobile phones. At one stage, one of

them even knelt down to pray. Survivors who fled the mall during the attack said that the terrorists appeared to look like Somalis.

Images from the CCTV footage could not be seen after there was a power blackout in the mall the following Monday, probably due to an inexplicable fire and explosion that the Kenyan Interior Cabinet Secretary Joseph Ole Lenku attributed to burning mattresses. Pictures seen later showed that the fire was probably coming from burning cars—on that day, the top floor parking lot had collapsed, taking several cars down with it.

Many people believe that the blackout may have been deliberate. CCTV footage controversially shown later on Kenyan television had shown security officers carrying paper bags full of goods from the supermarket within the mall. Security chiefs claimed that the bags were filled with water bottles needed to sustain their forces. When shop owners went to the mall after the siege, most found their shops emptied of almost everything. Money from banks and a casino had also been taken. The Artcaffe's bar had been ransacked; it appeared that the security forces had indulged in some drinking while trying to rescue the country from Al Shabaab. Kenyans were shocked because until then, most Kenyans viewed the Kenyan military as a disciplined force that was less corruptible than Kenya's notorious police force.

No one took responsibility for what appeared to be large-scale looting, though the Kenya Defence Force spokesman Major Emmanuel Chirchir is on record stating that his officers removed 300 million shillings (about $3.5 million) from the banks, forex bureaus and a casino for safekeeping.[120] It is not clear if this money was ever returned. While a couple of junior officers were charged with theft, the question of massive looting of the mall was buried under the carpet. What's worse, despite evidence that the operation had been badly bungled, no senior security chief resigned or was fired.

In an article published in the local press immediately after the attack, a retired military officer, Lietenant-General Njoroge, said that the rescue mission suffered from a broken command structure, poor screening of people fleeing the mall and outright incompetence, which may have handed the terrorists an upper hand.[121]

On the first day of the attack, the US-trained anti-terrorist Recce squad seemed to have isolated and cornered the terrorists, but the subsequent arrival

of Kenya Defence Force soldiers may have contributed to disrupting the chain of command, and may have even allowed the terrorists to escape. One eye-witness told a TV reporter that one of the terrorists had changed his clothes in front of him, melted into the fleeing crowd and left the mall undetected.

Meanwhile, the New York Police Department added to the confusion about what really happened in the mall by issuing its own report, which suggested that the terrorists might have fled from the scene of the attack on the first day. "It is unknown if the terrorists were killed or escaped from the mall," the report stated. "A major contributing factor to this uncertainty was the failure to maintain a secure perimeter wall around the mall."[122]

A judicial commission of inquiry on the attack promised by President Uhuru Kenyatta never materialised. However, a joint parliamentary committee later identified the attackers as Mohamed Abdi Noor from Somalia, Mohammed Hassan Dhulhulow, also known as Abu Baraa Al Sudani, a Norwegian of Somali origin, Yahye Osman Ahmed, also known as Arab, a Somali of Arab origin, and Ahmed Hassan Abukar, a Somali.[123]

While Kenyan security officials insisted that all four terrorists had been killed in the attack, one US State Department official seemed to suggest that the Federal Bureau of Investigation (FBI) was only given tissue samples (not bodies) for its own forensic investigations. [124] The mystery of who the attackers were, and whether they are all dead, thus remains a mystery.

* * *

A note on Al Shabaab and Sufism

Al Shabaab (The Youth) is a radical offshoot of the Islamic Courts Union that took control over Mogadishu in 2006, and which was ousted the same year by US-backed Ethiopian forces. According to a paper published by the Overseas Development Institute, although the militant group gained prominence after the defeat of the Islamic Courts Union, it has existed in inchoate form since at least 1993 and was nurtured and inspired by Al-Itihad, the oldest militant group in Somalia.

"Al'Itihad rejected what it considered European ideas, such as democracy and a secular state, and was organisationally woven into the Somali clan system, which provided a social base. Al Shabaab assumed many of the same

characteristics and beliefs," says the paper.[125] Al Shabaab's structure has been described as detached or decentralised. Nobody knows how many fighters it has, but estimates put the figure at around 5,000. Its current leader is Ahmed Godane.

In an essay published in 2010 Somali analyst Abdi Aynte explains the origins, evolution and structure of this radical militant group. I will quote excerpts from it at length as I believe it offers deep insights into how the group operates:

> Al Shabaab is a Somalia-based radical militant group with ties to al-Qaeda. Among other things, its declared objective is to overthrow the Western-backed moderate Islamist government in Somalia, and replace it with an Islamic state ruled in accordance with the strict, Wahhabi interpretation of Islam. The ultimate goal of al-Shabaab is to help other global jihadists materialise the grand vision of resurrecting the global Islamic caliphate. Before May 2008, al-Shabaab was a little known ragtag militia in Somalia. But the largely obscure entity became familiar to the rest of the world on the first day of May, when at least four Tomahawk cruise missiles, fired by US warships, flattened al-Shabaab's compound in central Somalia, killing Aden Hashi Ayro, the reclusive military leader of the group, and his top deputies. The attack came only two months after the US government designated the group as a terrorist organisation… .
>
> Viewed by many global jihadists as an effective Jihadist organisation with great potential, al-Shabaab attracted hundreds of foreign fighters into Somalia, aggressively expanded its territorial ambitions and, perhaps more importantly, made lasting inroads with the al-Qaida network… On February 1, 2010, al-Shabaab… , for the first time, declared that it would ally itself directly with the al-Qaeda Network…
>
> Al Shabaab was able to register this momentous military and organizational success because it deftly played to the irredentist and the anti-occupation psyche of the Somali public during the brutal two-year invasion of Ethiopia [2006-2008] —one that it provoked in the first place to undermine its moderate brethren and use as a cause célèbre for its ultimate global Jihadist agenda. Moreover, al-Shabaab cleverly steered clear of Somalia's salient clan intricacies—a crucial strategic decision that lent credence to its otherwise doctrinaire and bellicose

approach to governance and politicking.

> Notwithstanding its success, however, al-Shabaab is virtually isolated. With the exception of negligible elements within the larger Islamic Awakening Movement (IAM) of Somalia, a non-monolithic, big-tent type of loosely affiliated Islamist movement that gave birth to al-Shabaab, the vast majority of Somalia's IAMs, as well as secular nationalists and the public in general, have unequivocally rejected the group's Jihadist orientation and its kowtowing to al-Qaeda. In the latter part of 2009, schisms with its main ally, Hizbul-Islam… morphed into violent clashes over the control of the strategic port of Kismaayo. Though the conflict further isolated the Shabaab, it did help the group widen its territorial control, after it successfully ejected Hizbul-Islam from Kismaayo… [126]

It should be noted that prior to the advent of Al Shabaab and other radical Islamic movements in Somalia, the vast majority of Somalis were devout Sufi Muslims belonging to the Shaf'i sect. Sufis are Sunnis, like Al Shabaab, but their interpretation of the Quran is in many ways diametrically opposed to that of the militant group.

Sufis focus on the spirit, rather than the letter, of the Quran. Like the Protestant movement that opposed the opulence and rigidity of the Catholic Church, the mystical Sufism emerged as a reaction to the increasing emphasis on status and riches within Muslim societies. Sufis aimed to go back to a simpler time when Muslims lived as equals.[127] Religious music, chanting and dance—which Al Shabaab consider to be sacrilegious—are an integral part of the Sufi religious experience. Theologian Katherine Armstrong explains the essence of Sufism in her book *Islam: A Short History*:

> Sufism was… probably a reaction against the growth of jurisprudence, which seemed to some Muslims to be reducing Islam to a set of purely exterior rules. Sufis wanted to reproduce within themselves that state of mind that made it possible for [Prophet] Muhammad to receive the revelations of the Quran. It was his interior *islam* [surrender to the will of God] that was the true foundation of the law, rather than the *usul-al-fiqh* [Islamic jurisprudence] of the jurists. Where establishment Islam was becoming less tolerant, seeing the Quran as the only valid scripture and Muhammad's religion as the one true faith, Sufis went back to the spirit of the Quran in their appreciation of other religious traditions. Some,

> for example, were especially devoted to Jesus, whom they saw as the ideal Sufi since he had preached a gospel of love. Others maintained that even a pagan who prostrated himself before a stone was worshipping the Truth (*al-haqq*) that existed in the heart of all things…
>
> All over the world and in every major faith tradition, men and women who have a talent for this type of interior journey have developed certain techniques that enable them to enter deeply into the unconscious mind and experience what seems like a presence in the depths of their being. Sufis learned to concentrate their mental powers while breathing deeply and rhythmically; they fasted, kept night vigils, and chanted the Divine Names attributed o God in the Quran as a mantra. Sometimes this induced a wild, unrestrained ecstacy, and such mystics became known as 'drunken Sufis'.[128]

Wahhabism and the Salafi ideology propagated by Al Shabaab, on the other hand, apply a strict literal interpretation of the Quran. According to Abdi Aynte, the Salafi ideology and its Wahhabi creed first arrived in Somalia in the 1950s via Sheikh Nur Ali 'Olow, who was educated in Egypt and Saudi Arabia, the bastions of the Salafi movement. In the following years, many more Somalis trained as preachers in Saudi Arabia, and by the 1980s, the Salafi movement had taken hold in Somalia. When the government collapsed in 1991, the militant jihadist wing of the Salafi movement prevailed and morphed later into Al Shabaab.[129]

Many Muslim scholars believe that the Islam propagated by Al Shabaab and its ilk is not Islam at all. They say that Al Shabaab's interpretation of jihad, or holy war, for instance, is incorrect because "there is nothing more sacrilegious in Islam than to shed Muslim blood in its name", even when Muslims are collateral damage in the war.[130]

Hawa Noor Mohammed, a researcher based in Nairobi, explains that jihad is an Islamic concept that literally means "to strive the way of God". She says that there are two versions of jihad: the greater jihad, which is an inner spiritual struggle against one's ego, selfishness, greed and evil, and the lesser jihad, which is the physical outer struggle in self defence when a country in which Muslims reside is unjustly attacked. Although both versions of jihad are permissible, the Quran places more emphasis on the former.[131]

In recent years though, thanks to the "war on terror", an increasing number of Muslims are placing emphasis on the latter. Global jihadists see the

defensive and aggressive version of jihad as important in an era they perceive to have pitted Muslims against the rest of the world. “Muslim scholars maintain that conditions for jihad in Islam are compatible with international law on armed conflict,” says Hawa Noor Mohammed. “Radical Islamists, however, use the term jihad to generally mean defensive or retaliatory warfare against actors that they perceive to have harmed Muslims.”[132]

Al Shabaab, which has harmed and killed more Muslims in Somalia than Christians and other “infidels” in other parts of the world, appears to have adopted an obscurantist version of Islam for its own motives. The group has used Islam to exploit the poor, the weak, the vulnerable, the gullible and the young to carry out it brutal mission. Young Somali men (and an increasing number of Kenyan and other non-Somali youth), I believe, have been duped by this group and others like it and have sacrificed their lives to a cause that at its very core appears to be un-Islamic and opposed to Somali culture and traditions.

Meanwhile, there have been efforts to reclaim Sufism in Somalia, but these have been tainted by outside interference. Ahlu Sunna Wa Jama (ASWJ), a quasi-political organisation dedicated to Sufi scholarship, was founded in the 1990s to counter encroaching Wahhabism in Somalia. It remained a non-militant group until 2008, when Al Shabaab emerged. It then took up arms against the terrorist organisation. Unfortunately, ASWJ sought the military and financial help of Ethiopia, a proxy of the United States, and so gained the reputation as a foreign-funded project, which impacted its credibility in the eyes of the Somali people.

* * *

The ICC and the war on terror

The Westgate terror attack occurred at a time when both the Kenyan president and his deputy William Ruto were facing charges of crimes against humanity at the International Criminal Court (ICC) in the Hague. Both leaders, along with a radio journalist, Joshua Sang, were accused by the ICC of bearing the most responsibility for the violence that followed the disputed 2007 elections. More than one thousand people had died and hundreds of thousands had been rendered homeless after those elections.

Ironically, despite being ICC indictees, the duo managed to win the March

2013 general elections, which took place six months before the Westgate tragedy. The election had deeply polarised Kenyan society, pitting the duo's Jubilee Alliance party against their main opponent Raila Odinga's Coalition for Reforms and Democracy (CORD) party. (Odinga was Prime Minister in the coalition government formed after the disputed 2007 elections.)

The hotly contested 2013 election, like the one in 2007, was mired in controversy, with the presidential candidate Raila Odinga and some civil society organisations claiming that it was fraught with irregularities. The Independent Elections and Boundaries Commission declared that Uhuru Kenyatta had won by slightly more than 50 per cent of the vote though tallies by independent bodies suggested that both Kenyatta and Odinga may have received less than the required 50 per cent of the vote each, which would have warranted a run-off.

The Supreme Court, to the surprise and dismay of at least half the country, later determined that the election was free and fair. This judgement, many analysts believe, was a significant turning point in Kenya—the line between legality and illegality and integrity and dishonesty had become irreversibly blurred. It was like something had died, like something had been killed, commented literary critic Keguro Macharia a few weeks after the Supreme Court ruling.[133]

Kenyans had to live with the reality that the country's top leadership comprised suspected war criminals. Commentators suggested that Kenya's struggle for justice and democracy had been strangled by the Supreme Court, which was, ironically, headed by Chief Justice Willy Mutunga, a former human rights activist who had championed the country's pro-reform movement in the 1980s and '90s. Civil society activists felt betrayed by the Supreme Court decision; some described Kenya's new political dispensation as the return of dictatorship.

The contentious victory of the Jubilee Alliance surprised many because both Kenyatta and Ruto were associated with the repressive regime of Daniel arap Moi, whose Kanu party had been overwhelmingly voted out in 2002. Ruto was plucked out of obscurity to work for the notorious Youth for Kanu team that Moi had established to garner support for his party among youth prior to the 1992 election, though Ruto's allegiances shifted throughout his political career—he was once a leading member of Odinga's Orange

Democratic Movement party that had challenged Mwai Kibaki in the 2007 elections. He has often been described as cunning and highly ambitious. Uhuru Kenyatta, while less tainted, came with the baggage of being the son of the founding president of Kenya, the late Jomo Kenyatta, who had been linked to various historical injustices, including land grabs and political assassinations.[134] The younger Kenyatta was also a protégé of Moi, and was the flag bearer and presidential candidate of Kanu in the 2002 elections, which he lost to Mwai Kibaki.

Pro-Uhuru voters comforted themselves with the notion that the economy was safe in the hands of the same ethnic Kikuyu and Kalenjin elite that had dominated the economy since the days of Uhuru's father and his successor Moi. "Although the problem is in fact of elites writ large, Kenyan corruption is traditionally viewed in terms of economic rivalry among the country's main ethnic groups. A presidency under ethnic Luo leader contender Raila Odinga, the argument went back in 2013, carried the risk of unprecedented 'eating' by a long-sidelined group, hungry for the perks of office," commented British journalist Michela Wrong.[135] Kenyans assumed that since the Kikuyu and Kalenjin had already "eaten" when their tribesmen were in power, Uhuru and Ruto would be less greedy while in office, an assumption, Wrong says, that mistook the nature of human greed.

Although some analysts insist that the Kenyatta-Ruo victory was simply a mathematical probability, given that it united two of Kenya's largest ethnic groups—Kenyatta's Kikuyu with Ruto's Kalenjin—into one formidable voting bloc, others believe that the alliance between the two had to do with self-preservation vis-à-vis the ICC. "Though tribe was the watchword in this [2013] election, their alliance, and their victory, was nationalistic, not tribal," wrote James Verini, a Nairobi-based contributor to *Foreign Policy*. "Their unspoken but resounding message was this: *Yes, we killed. We killed for you, for Kenya. And we'll kill again.* It's the most seductive platform in politics."[136]

The Westgate attack occurred when relations between the new Jubilee government and Western governments, particularly the United States and Britain, were at an all-time low. Traditionally both the United States and Britain have considered the pro-West Kenya as a natural ally in their "war against terror". Kenya has also been a colony of Britain, and the two

countries maintained good relations even after independence in 1963. The United States remains the biggest donor to Kenya; in 2011, it disbursed more than $700 million to Kenya in bilateral assistance. The US also contributes about $7 million a year to Kenya's security sector that goes towards military and counter-terrorism training.

However, prior to the March 2013 Kenya elections, the United States Assistant Secretary of State Johnnie Carson had warned of "consequences" if the Kenyatta-Ruto (dubbed Uhu-Ruto) team was elected. At around the same time, the British High Commissioner to Kenya, Christian Turner, had said that if the Jubilee Alliance won the elections, his government would only maintain "essential contact" with its top officials.

In response to these perceived slights by Kenya's traditional allies, the Jubilee Alliance conducted an aggressive and highly successful anti-West campaign, which thrust the duo into a tight and highly contested race with their opponent, Prime Minister Raila Odinga, who was said to be favoured by the West. The campaign took on a distinctly anti-imperialist tone by discrediting the ICC—and its largely Western funders—as racist and anti-African.

Underlying the anti-West rhetoric was a sub-text that cast Western donors and donor-funded NGOs in the same mould. Prominent NGOs and civil society activists that had questioned the legitimacy of ICC indictees running for the country's top political offices were labelled as foreign stooges intent on disrupting the country's peace and sovereignty. The anti-West rhetoric seemed disingenuous, considering that Kenyatta's father, while paying lip service to "African Socialism", had firmly entrenched Western capital (and capitalism itself) into the Kenyan economy after independence and his family even had vast business interests that were linked to Western capital. Uhuru Kenyatta had even hired a London-based PR firm—BTP Advisers—to manage his presidential campaign and public relations. As Professor Horace Campbell noted, the "pseudo anti-imperialism" of Kenyatta was so layered that it would have required a high level of sophistication to grasp the subtexts of game playing that was going on.[137]

Kenyatta and Ruto employed a clever strategy that used their cases at the ICC as their main selling point. By presenting themselves as "victims" that were being used as sacrificial lambs by their opponents (presumably, Raila

Odinga and Mwai Kibaki, who had contested the disputed 2007 election, and who were forced by the international community to form a coalition government that ended the post-election blood-letting), they managed to gain the sympathy vote.

They also argued that by uniting Uhuru's Kikuyu tribe with Ruto's Kalenjin people, they had achieved a reconciliation between the warring factions in Rift Valley Province, which had been disproportionately affected by the 2008 post-election violence. In many of their speeches, they branded the election and their intended victory as a "referendum against the ICC", implying that a victory would dilute the charges against them as the people of Kenya would have endorsed their leadership through the ballot.

This view was also endorsed by Ugandan President Yoweri Museveni, who would later describe the Jubilee Alliance victory as a "rejection of the blackmail by the ICC and those who seek to abuse this institution for their own agenda", a reference to Western countries that had opposed an Uhuru leadership."[138] Ironically, Museveni's own government has since the 1980s been a leading recipient of Western largesse. Uganda remains among the top recipients of Western donor aid to Africa, along with Kenya.[139]

When he became president, Uhuru Kenyatta maintained a distance from Western governments, even refusing to meet with their ambassadors. Like his predecessor Mwai Kibaki, who had adopted a "Look-East" policy, he began cosying up to China. However, like Kibaki, while he wooed China, he remained ideologically committed to Western-style capitalism.

Uhuru Kenyatta's first foreign state visit was to China where an aid and investment deal worth $5 billion was signed, though it was not clear if the deal was in the form of grants, loans or investments. In May 2014, Chinese premier Li Keqiang made a high-profile visit to Kenya during which he signed a 327 billion shilling (about $3.8 billion) loan to Kenya to fund a 609-kilometre standard gauge railway line. It was speculated that China's "generosity" was premised on Kenya's recently discovered oil reserves.

Meanwhile, the case against Kenyatta and his deputy at the ICC appeared to be crumbling as witnesses disappeared or refused to testify

Western governments had to decide whether to deal with the government of a country that was of great economic and strategic value to them and was a key ally in their anti-terrorism efforts but which had also been marred by the

ICC trials. Some, notably Britain, recanted their earlier positions. Soon after the election, in May 2013, Prime Minister David Cameron invited President Kenyatta to a conference on Somalia in London, though it is not clear if he met the Kenyan president privately. The United States took a more cautious approach; President Barack Obama, whose father was Kenyan, skipped Kenya on his 2013 Africa tour, preferring to go to neighbouring Tanzania instead.

Later that month, Ruto attended a high-level conference on Africa's development in Tokyo, where he rubbed shoulders (and took photos) with the UN Secretary-General Ban Ki-moon, who, in an attempt to adjust to the reality of a Kenyan government being headed by people suspected to be war criminals, had the previous month issued revised guidelines to the UN secretariat on how to deal with ICC indictees. The guidelines stated that UN officials could interact "without restrictions with persons who are the subject of a summons to appear issued by the ICC and who are cooperating with the ICC."[140] These revised guidelines were no doubt formulated bearing in mind that Kenya's capital city Nairobi is the global headquarters of two UN organisations, and the regional base for most of the UN's programmes, offices and operations.

Perhaps judging that he may not face a trial at all, and realising that his government could not afford to lose key Western allies and their aid, Kenyatta became more conciliatory towards Western governments while at the same forging stronger ties with non-traditional donors, such as Qatar, Turkey, and especially China. The European Union was, after all, paying for the Kenyan forces in Somalia (re-hatted as Amisom) and a drying up of funds could impact Kenya's military operations there.

It is possible that the terror attack on the Westgate mall provided a window of opportunity to the government to show that it was just as committed to countering terrorism as the West. The common enemy—Al Shabaab—had to be crushed and there was need to be united in this effort. Conspiracy theorists believe that the Westgate attack provided a justification for Kenya's continued war effort in Somalia, which is almost entirely funded by the European Union and the United Nations. It should be noted that no Western government reduced its aid or imposed sanctions on the Uhu-Ruto government after it was elected. It is not clear, however, if relations between

Kenya and the West will deteriorate if the president or his deputy are found guilty by the ICC.

The dilemma facing Western donors, especially in the context of non-traditional donors gaining more clout, is how to balance their national economic and security interests with their support for human rights. With the discovery of oil in Kenya, and the possibility of large oil reserves in Somalia, it is likely that their economic interests will prevail and that the issue of the ICC will soon be forgotten. After all, both former President George Bush and former British Prime Minister Tony Blair are yet to face trials for atrocities committed during their "war on terror", a reality that President Uhuru and his deputy have alluded to when they have sought to be exempted from their own trials.

* * *

In May 2014, after a series of small-scale explosions in Mombasa and Nairobi, Britain, France and Australia issued travel advisories to their citizens cautioning them against travelling to Kenya. The advisories were preceded by warnings about an imminent terrorist attack by Al Shabaab. Travel companies subsequently evacuated more than 500 British tourists and holidaymakers from the coastal town of Mombasa. Meanwhile, the United Nations Offices in Nairobi declared that no visitors would be allowed to enter its Gigiri complex and encouraged its staff to work from home.

The Kenyan government described these moves as "economic sabotage". The government was more concerned about the economic impact of the rapidly declining tourism industry that was deeply affected by the Westgate and subsequent terrorist attacks than about an imminent terrorist threat. Munyori Buku, the director of media relations and external relations at State House insinuated that the travel advisories were a reaction to Kenya's increasingly cosy relations with China. "Could somebody be green all the face with envy over the recent visit by the Chinese premier?" he asked. "Well, Kenya as a sovereign nation picks its friends."[141]

The Kenya-donor dance, it seemed, had reached another level.

6

THE SOMALI QUESTION

"I am struggling to understand how Eastleigh—and Somalis via Eastleigh —has become available for genocidal imaginations."

—Keguro Macharia, Gukira blog posting,
21 November 2012

On the first weekend of April 2014, an army of 6,100 Kenyan police officers and soldiers—a larger force than the 5,000 or so Kenyan contingent fighting Al Shabaab in Somalia—descended on Nairobi's Eastleigh area, also known as "Little Mogadishu", and arrested more than 3,000 ethnic Somalis.[142] The detainees, who included pregnant women and children, were taken to the Kasarani sports stadium on the outskirts of Nairobi where they were interrogated and screened.

A few weeks before the Eastleigh raid, the government had, for the second time, ordered all urban refugees to go back to refugee camps, even though a High Court had determined the year before that the order was unconstitutional. Dubbed "Operation Usalama Watch", the April crackdown, according to security officials, was targeted at smoking out undocumented refugees, illegal aliens and terror suspects, including Al Shabaab, who they claimed had set up base in this Somali-dominated neighbourhood.

For those who were arrested and detained, it appeared that the raid was aimed not so much at weeding out terrorists and illegal aliens, but had become an opportunity to make quick, easy money. Eye-witness accounts of the security operation in Eastleigh suggested that they were following the pattern of previous such operations in that they had become major opportunities for bribe-taking and harassment by the Kenya police. One ethnic Somali claimed on social media that he was asked for a bribe of 10,000 Kenya shillings (about $120) by a police officer to secure his release. Those who could not afford to pay the bribe were detained. Witnesses told

Human Rights Watch that security forces confiscated and destroyed their identity documents and extorted up to $500 from some of them. Detainees described the cells in which they were detained as unsanitary and the food insufficient.[143]

As journalists were not allowed to enter the sports stadium on the day of the operation, reports about the detainees were only available through government officials, anecdotal evidence or posts on social media. SomaliaNewsroom tweeted: “In one shockingly tweeted photo, a group was shown en masse in a cage, prompting a commentator to ask: *“Gorme xoloo noqoney?* (When did we become livestock?)”

Human ATM machines

Ethnic Somalis living in Eastleigh often refer to themselves as “human ATM machines”. Police patrolling the area are known to extract bribes from refugees and Kenyan Somalis living there; bribe-taking and harassment accelerates whenever there is a government directive to raid areas deemed to harbour illegal aliens or terrorists. Not only are refugees targeted but Kenyan Somalis, many of whom have thriving businesses in the area, are under constant threat of being harassed by the authorities.

It is not clear how many Kenyan Somalis there are in Kenya, but estimates vary between 1 million and 2.5 million out of a total population of nearly 40 million. The 2009 Kenya census showed that there were 2.38 million ethnic Somalis in the country (excluding those living in refugee camps); however, the government later refuted these figures, claiming that they were too high considering that the 1998 census had counted less than 1 million ethnic Somalis and that the doubling of the population in ten years could have been due to a computing error. In a country where the “tyranny of numbers” is used to win elections, it is possible that the large number of Somalis posed a political problem for the government.

During colonial times, Nairobi was highly segregated racially, with each race allocated its own territory in the fabric of the city. The Indians, who came as migrant workers during the colonial period, were relegated to certain parts of the city where they could trade and serve as middlemen between the ruling British settlers and the indigenous Africans. Eastleigh was designated as an Indian settlement in 1912 but over the years has seen waves of different

ethnic groups settle there; Somalis are believed to have started settling in the area around the 1920s.

Since at least the 1990s, ethnic Somalis have dominated commerce in the area and turned it into a vibrant, bustling neighbourhood with shopping malls, hotels, restaurants and forex bureaus. It is estimated that the shopping malls in Eastleigh alone make about $7 million a year, or more than half a billion Kenya shillings. According to Hussein Guled, the vice chairman of the Eastleigh Business Association, ethnic Somali entrepreneurs have invested $1.5 billion in Eastleigh alone, and business worth $100 million is transacted every month. The Association further claims that Eastleigh accounted for about a quarter of the taxes collected by Nairobi's defunct City Council.[144]

Despite being an economic success story, residents complain that the neighbourhood suffers from government neglect. On my last visit there, I did not see a single road that did not have potholes and which was not in an advanced state of disrepair. Garbage lay around in heaps, and there was little street lighting.

The April sweep in Eastleigh appeared to be indiscriminate; as long as you looked like a Somali, you were a target. Among those netted was Tana River Senator Abdi Bule, who said he was driving to Eastleigh with his children and a bodyguard when he was stopped by police. When he produced his Kenyan identification card and a card showing that he was a senator, the police told him they were both fake. He was then detained for more than 30 minutes.[145]

Harassment and intimidation of ethnic Somalis by security forces is even prevalent in refugee camps. According to Human Rights Watch, in December 2011, Kenyan police responded to two attacks targeted at security officials in the Dadaab refugee camp by raping, robbing and beating refugees. One refugee told Human Rights Watch that he was beaten and robbed and had to pay a bribe of 7,500 shillings (about $90) to secure his release. He said he didn't file a police report because "I never thought they would listen to me since they are the ones who had detained and beaten me".

The report by the human rights organisation stated: "Both the military and the police are implicated in the abuses. Not only do the violent and indiscriminate responses of the Kenyan security forces constitute serious human rights violations, the abuses are also serving to alienate Kenyans of

Somali origin at the very moment when the security forces most need the trust and confidence of the local population in order to help identify the militants behind the grenade and IED [improvised explosive device] attacks and ensure public safety."[146]

In December 2012, when the Kenyan government unconstitutionally ordered all urban refugees to move to the Dadaab and Kakuma refugee camps in the arid north of the country, an Ethiopian registered refugee told a reporter that police had asked him for a $100 bribe. There were also reports of residents of Eastleigh being robbed, raped and beaten.

One refugee told a reporter that while life was much better in Nairobi than in Dadaab, the persistent demand for bribes from police had made life difficult for him. [147] The December directive by the government came just before Christmas, which is seen in Kenya as a period when demands for bribes from police officers escalate. Estimates indicated that almost 20,000 Somali refugees voluntarily went back to Somalia during that time and all flights from Nairobi to Mogadishu were fully booked.[148]

Earlier that year, following the killing of three soldiers by unknown gunmen in Garissa, soliders had invaded the town's Suq Mugdi market and set it ablaze, virtually shutting down the town's economic lifeline.

"The unintended consequence of Kenyan police brutality is the deepening mistrust between them and Somali refugees," states a report by the Mogadishu-based Heritage Institute of Policy Studies. "This attitude deprives the Kenyan security service a crucial source of information and cooperation. It also increases the risk of al-Shabaab sleeper cells finding a safe haven among the Somali refugees."[149]

Rendered stateless

The Kenyan state's antagonistic attitude towards ethnic Somalis has its roots in 1962 when the British colonial administration gathered public views on whether Kenya's Northern Frontier District (later named Northeastern Province), which was dominated by ethnic Somalis, wanted to remain part of Kenya when the country attained independence or whether it wanted to join the newly independent Republic of Somalia. Even though an overwhelming majority—80 per cent—of the population favoured secession, the British declared the districts of Mandera, Wajir and Garissa as part of Kenya.

This decision was probably influenced by a British colonial administrator named Sir Charles Eliot, who in 1905 advised what was then known as the East African Protectorate to ensure that Somalis north of Jubaland in what had then been declared Italian Somaliland did not enter the Protectorate's territory: "Our real task at present… is to see that they [Somalis north of Jubaland] do not encroach to the south, and to prevent them from raiding the Tana River and the Lamu Archipelago," he advised.

Sir Eliot's fear of Somali encroachment appeared to be based on what he admitted was an inability by the English to tolerate dark-skinned people who could challenge them intellectually. Thus while the Protectorate should tolerate some Somalis within its territory, he wrote, it should leave the Somalis to their own devises until they were sufficiently acclimatised to having white people in their midst, or until it was profitable to do so.

> It is certainly desired that we should utilise the Somalis. There can be no doubt that they are the most intelligent race in the Protectorate, though it may be urged with some justice that they are also proud, treacherous and vindictive. Too much stress, I think, is often laid on these bad qualities, and it is certain that the average Englishman has little sympathy for the Somali. He tolerates a black man who admits his inferiority, and even those who show a good fight and give in; but he cannot tolerate dark colour combined with an intelligence in any way equal to his own… What will happen in the wider limits of Somaliland, north of the Juba, it is hard to predict, but the area to the south is sufficiently small to offer an easy field for the extension of European influence when it is commercially and financially worthwhile. But meanwhile, I think we had better let the Somalis alone, and avoid these conflicts between a lion and a swallow.[150]

The Northern Frontier District's people protested against the decision by the British to not allow secession, which led Kenya's first president Jomo Kenyatta to declare a state of emergency in the region following independence in 1963. He was clearly following in the footsteps of the former colonial masters. Since that time, the region has remained marginalised and under-developed, and largely isolated from the central government in Nairobi.

In 1964, Kenyatta famously declared in parliament: "To the people who live in North Eastern region, I have this to say: We know that many of you

are herdsmen during the day and Shiftas (bandits) during the night." This statement ushered in what were known as the "Shifta Wars"—raids and counter-raids that increased the militarization of the region and led to much bloodshed. The Borana people of Isiolo have a name for that period: *Daaba*, which means "when time stopped". [151]

In an attempt to "domesticate" or "tame" the nomadic Shiftas (bandits), the government started a "villagisation" or "manyatta-isation" programme in the area that placed restrictions on the movement of the local population. The programme did not lead to increased investment in the area; roads remained dilapidated or non-existent and there were few attempts to improve the living standards of the people. Villagisation proved to be a failure as it did not take into consideration the fact that in arid areas pastoralists and their animals need to travel long distances to find pasture. Many locals viewed the "villages" as nothing more than detention camps.

Meanwhile, the state continued to victimise local ethnic Somalis, killings several thousands of them. According to Kenya's Truth Justice and Reconciliation Commission report, Northern Kenya was the epicentre of gross human rights violations by state agencies. Violations including raping of women and girls, looting and confiscation of cattle and collective punishments.[152]

The most brutal of these collective punishments took place in February 1984 in Wajir. Thousands of men from the Degodia clan, who had been blamed for attacking and killing members of the rival Adjuran clan, were detained, tortured and denied food and water for several days at an airstrip in Wagalla. There are conflicting reports about how many people died in the security operation; residents claim that between 3,000 and 5,000 people from the Degodia clan were shot dead, though government officials at the time claimed that only 57 people had died.

In 2013, Kenya's Truth, Justice and Reconciliation Commission stated that "close to a thousand" people had died in the operation (dubbed the Wagalla Massacre). A year after the Commission released its report, however, President Uhuru Kenyatta had still not signed it, which brought to question his government's commitment to addressing historical injustices, including those committed during his father's presidency in the early years of independence.

The lukewarm response to the Truth Justice and Reconciliation Commission's report, which listed a raft of atrocities, including political assassinations and land grabs, committed by various Kenyan administrations, also showed that Kenyans are not particularly interested in addressing historical injustices, especially if they are committed against an ethnic group other than their own. They do not see that they too could one day become victims of state-inflicted violence, which has been known to target the poor and the powerless, regardless of ethnic group.

The Kenyan government has yet to put up a memorial for the Wagalla massacre victims, many of whom lie buried in unmarked graves. In a posting titled "Un-memory", the Kenyan blogger Keguro Macharia made a poignant point when he wrote:

> There is no "great" Shifta war novel, no "unforgettable" Wagalla massacre film, no public memorial to the many Somalis murdered and erased by the Kenyan state. One might speculate that Somalis have been unmade as subjects and communities who have suffered harm, and who can suffer harm. Framed variously as "anti-Kenyan, "illegal", "alien", "terrorists", Somalis are framed as unassailable to a "project Kenya", that is, at base, devoted to keeping Somalis killable. In a very important way, Kenyan-ness is defined against Somaliness, even as Kenyan-ness requires disposable Somali communities, lives and bodies. [153]

In 1989, five years after the Wagalla Massacre, the Kenya government began implementing a screening exercise on ethnic Somalis to determine whether they were Kenyans or Somalis. Researcher Emma Lochery explains how the exercise was carried out:

> The screening team, which included the principal Kenyan Somali political elites of the period, used state machinery and extra-legal processes to interrogate Somalis in Kenya on their right to citizenship. Those who were deemed to belong to a lineage 'indigenous' to Kenya were issued pink screening cards; those declared non-citizens were deported… Upon successful completion of the screening process, Somalis were issued with pink booklets, which recorded their ID number, passport number if they held one, district of origin, present residence, chief and assistant chief, and clan information down to the level of *jilib* [sub-clan] . . . The screening reveals how historically the Kenyan state has

> dealt with its 'Somali problem' by marginalizing its Somali-inhabited regions, manipulating clan and lineage divisions, and leaving Somalis vulnerable to abuse by the security branches of the state. [154]

Lochery notes that the Kenyan state has often used physical objects (e.g. pink booklets for Kenyan Somalis) to signify belonging and "understanding the processes by which these physical objects are designed, produced, distributed, and used is of great importance in comprehending contemporary identity politics" in Kenya. She says that due to the way the Kenyan nation state has been constructed since colonial times, some groups have enjoyed more rights than others. The state decides who is an insider and who is an outsider and which territorial spaces they should occupy. This had led to the politics of exclusion based on geographical boundaries. Somalis, Nubians, Muslims, Asians and others lower down the "citizenship ladder" are, therefore, considered "second class citizens", and more vulnerable to state persecution and neglect. These second-class citizens are then forced to use personalised patronage networks to gain access to their rights as citizens, for example, to obtain an identity card or passport.[155]

What does it feel like to not belong to a country that one calls home? asked blogger Aleya Kassam shortly after the April 2014 raid on Eastleigh. "It is like having an abusive lover. One that beats you up, humiliates you, taunts you about whether you are worthy of belonging to him… I watch the inane swoop of alleged illegal immigrants and victimisation of Somalis in the name of terrorism, and it chills me to the core. It is illegal. It is unconstitutional… It could be us. It has been us before."[156]

Aleya Kassam was referring to the attempted coup in Kenya in 1982 when several Kenyan Asian women were raped and many Kenyan Asian businesses were looted. Then in the 1990s, politicians began talking openly about expelling Asians from Kenya, which brought back bitter memories of Idi Amin's Uganda. Asians subsequently retreated into their ethnic cocoons and kept a low profile for fear of being targeted.

Murders in Mombasa

Another group that has borne the wrath of the state has been Kenya's Muslim minority, which accounts for between 12 to 15 per cent of the country's population. Coastal Muslims, also known as Swahilis, and the

coastal Mijikenda group of tribes have borne the brunt of this wrath, especially in recent years, as they have been associated with seccessionist movements, the most recent being the Mombasa Republican Council (MRC), whose slogan “Pwani si Kenya” (Coast is not Kenya) had caused considerable panic in government circles prior to the 2013 elections, which the group had vowed to boycott. Although the MRC comprises both Muslims and Christians, it was painted as a group allied to Al Shabaab and was banned by the state in 2008.

However, as researcher Paul Goldsmith has noted, the MRC’s grievances against the Kenyan state had nothing to do with ideology, but with the general neglect of the Kenyan coastal region by the state since independence. The coastal region of Kenya is amongst the poorest and most under-developed in the country. Landlessness and poverty are endemic. Land tenure is ambiguous and more than 60 per cent of the region’s population has entered into quasi-squatter tenant agreements with land owners. The late President Jomo Kenyatta and his cronies have also been accused of grabbing land in the region and rendering local populations homeless. According to Goldsmith, there were few signs to indicate that the MRC was a violent movement or had links with Al Shabaab; rather it was akin to a peasant or class-based movement.[157] Indeed, if the group was aligned to Al Shabaab, why was it that its top leaders lived in abject poverty? (Pictures of their homes published in a local newspaper in October 2012 showed tin-roof and grass-thatched shacks with barely any furniture or luxury items. [158])

By conflating the MRC with terrorism and Muslims in general, the government was paving the path for a violent confrontation. In February 2014, Kenyan security forces raided the Masjid Mussa mosque in Mombasa, which they claimed was holding a “jihadist convention” to recruit Al Shabaab fighters. The security forces entered the mosque and violently arrested those gathered there, including school children. That raid generated some opposition from Muslim leaders, but was overshadowed by an attack on a church the following month.

On Sunday 30 March 2014, the week before the Eastleigh security crackdown, gunmen had raided a church in Likoni in the coastal city of Mombasa and killed six worshippers. One of the survivors of the attack was an 18-month boy called Satrin Osanya, whose mother had been killed in the

attack. Satrin had survived but a bullet from the gun of an attacker had lodged in his head. His inspiring story galvanised the nation; there was intense media coverage of his subsequent surgery and recovery at Nairobi's Kenyatta National Hospital. His father, Ben Osinya, appeared Christ-like when he told the media that he had forgiven his wife's killers. "Only God can judge them," he stated.[159]

Attacks on churches, restaurants, bus stands and other public spaces had become more commonplace in Kenya since the Kenya Defence Force (KDF) invaded southern Somalia in October 2011 ostensibly to remove the terrorist group Al Shabaab and secure the country's northeastern border. Al Shabaab promised to retaliate by attacking sites in Kenya.

Between October 2011 and March 2014, more than 50 terror attacks took place on Kenyan soil, mostly in Nairobi's Eastleigh area, Mombasa and the northeastern towns of Garissa, Wajir and Mandera, though it has not been established if all were linked to Al Shabaab. Apart from the Westgate mall attack, most of the other attacks were small-scale and were carried out using mostly grenades and home-made explosives. Al Shabaab did not claim responsibility for any of these attacks, except Westgate, which suggested that the terrorist attacks might be home-grown and the work of local groups. The security operation in Eastleigh appeared to be a case of scapegoating as it was becoming increasingly evident that it was not the Somalis in Kenya who were radicalising youth and recruiting them to join Al Shabaab, but radical Muslim clerics in Kenya's coastal belt.

Two days after the Likoni church incident, Abubakar Shariff, a fiery Kenyan Muslim cleric in Mombasa, was shot and killed by unknown assailants outside a law court where he was awaiting a decision to ease his bail conditions on charges of terrorist activities. Shariff, also known as Makaburi, had been blacklisted by the United States over his alleged links with global jihadists. After the Westgate attack, he was reported to have said that Al Shabaab was justified in killing Kenyans because the KDF had done the same to Somalis in Somalia. He was the third Muslim cleric to have been killed by unknown people in two years. In August 2012, the radical Sheikh Aboud Rogo, the chief cleric of the Masjid Mussa mosque in Mombasa, was killed when he was riding in a car with his family along the Malindi-Mombasa highway. Rogo was believed to be recruiting youth from his

mosque to join Al Shabaab. His replacement, Sheikh Ibrahim Omar, was shot dead the following year, in October 2013.

These killings appeared to have been sanctioned by the Kenyan government, even though the government denied any knowledge of the gunmen, and even claimed to have carried out investigations to find out who the killers were. Writing in the *Daily Nation* a week after Makaburi's death, Eric Ng'eno, the director of messaging in the Presidential Strategic Communications Unit, practically admitted the state's involvement in Makaburi's murder. In an op-ed piece in the *Daily Nation* a week after the cleric's death, Ng'eno wrote:

> The man [Makaburi] was a beneficiary of disgustingly generous constitutional protections, to the extent that he was a decree-holder against the government. A man who urged Muslims to have no truck with a 'kafiri' government had no qualms litigating in its courts and picking its coin. Many consider Makaburi's elimination to be a major blow in the war on terror, and *expect more of such decisive interventions* to push back the threat… This engenders its own conundrum: where is the balance of claims to constitutional protection? *Should we observe the rights of all suspects, including violent jihadists, and ignore the threat they pose to every member of the public?* (my italics).[160]

Father Gabriel Dolan, an Irish Catholic priest working in Mombasa, responded by saying that when the president's spokesperson treats the constitution with such contempt, "you worry that his views may represent those of his boss".[161]

Extra-judicial killings appeared to have become the modus operandi of the Kenyan security forces. During the week of the police raid on Eastleigh, the Inspector-General of Police, David Kimaiyo, issued a shoot-to-kill order and urged his officers to not to be afraid of using their guns.[162] His order echoed that of the former Minister of Internal Security, John Michuki, who in 2007 ordered the killings of hundreds of members of the Mungiki sect, a quasi—religious group from his own ethnic Kikuyu community, which had transformed into a criminal gang and was said to be behind a spate of robberies and other crimes in Nairobi and the Central Province. Police brutalised residents of Nairobi's Mathare slum, where the Mungiki were believed to be hiding, and shot several people. The operation and subsequent

extra-judicial killings of Mungiki members were widely condemned by international human rights bodies.

The late John Michuki was a “homeguard”, a lackey of the British colonial administration, who had a reputation as one of the people the British relied on to identify and torture members of the Mau Mau movement, which was waging a war of independence against the British. Like many of his cronies, he became one of the wealthiest Kenyans after independence. In the 1950s, at the height of the Mau Mau revolt, the British rounded up thousands of people in camps to separate loyalists from Mau Mau supporters. The Kenyan government appeared to be using the same tactics against the Somalis 60 years later.

Xenophobia gone amok

The Eastleigh crackdown was welcomed by a large majority of Kenyans, including influential newspaper editors and columnists. For most, the words Somali and terrorist had become synonymous.

An editorial in the *Daily Nation* supported the government’s anti-terror operations and reprimanded those who did not appear to support them:

> The country has borne the brunt of sustained terrorist attacks in Nairobi, Mombasa and the northeastern border towns in which many innocent people have been killed. The latest incident occurred in Eastleigh, Nairobi, hence the robust operation in the capital. Before this, there was an attack on a church in Mombasa in which gunmen sprayed worshippers with bullets. That these evil people are able to launch attacks and strike again a few days later is proof enough that the country faces a severe security threat. In the operation, police have found sophisticated weapons and bomb-making apparatus. It is sad, therefore, that instead of uniting fully behind efforts to eliminate the terror threat that lurks in our midst, some leaders are questioning the way the campaign is being carried out.”[163]

These kinds of opinions were not just those of conservative newspaper editors, but also of prominent Kenyan human rights activists, such as Makau Mutua, who in an opinion published in the rival *Standard* newspaper two months before the Eastleigh security operation had called on the Kenyan government to colonise Somalia in order to save it from itself:

> There comes a time when you've got to save your neighbour from himself. For, if you don't, you might be damned with him. Methinks it is time Kenya thought boldly—and compassionately—about the mess that's Somalia. One of the options—bold and compassionate—of salvaging a seemingly irredeemable and terminally dysfunctional state is to move in and take it up… As a state, Somalia is merely a romantic idea, nothing more. It's an unworkable, unviable and destabilising concoction—a total charade… Kenya doesn't face any rival or existential threat from any other source except "Somalia".[164]

Mutua then went on to suggest that all Somali refugees living in Kenya should be offered Kenyan citizenship, but that this strategy would only work if Kenya annexed southern Somalia, including Kismaayo, presumably so that the new Kenyan citizens could go and live there, among their "own people".[165]

"The current Kenyan imaginary, hard driven by the media, is that Eastleigh is just another country at our doorstep, the barbarian at the gate," wrote the New York-based Somali novelist Abdi Latif Ega, who happened to be in Nairobi during the Eastleigh raid, and had been appalled by the support the Eastleigh operation elicited among Kenyans. [166]

Not all Kenyans, though, had bought the xenophobic and ill-informed narrative about Somalia and Somalis. Activist and lawyer Maina Kiai quipped: "Isn't it ironic that the very people [President Uhuru Kenyatta and his deputy William Ruto] who have screamed themselves hoarse about being innocent until proven guilty for crimes against humanity, including mass killings, forced displacement and rape, can treat [ethnic Somali] communities as guilty until proven innocent?"[167]

Meanwhile, Aden Duale, the National Assembly Majority Leader in the government of President Uhuru Kenyatta, threatened to withdraw support for the government over what he termed as arbitrary arrests of "his people" (Duale is a Kenyan Somali). The parliamentarian's comments came as a surprise, as he had built a reputation of being a sycophantic and ardent supporter of the president.

Duale wasn't the only Kenyan Somali who was irked by the state's actions. Khalif Abdi Farah of the Northern Forum for Democracy, in a strongly worded open letter to President Uhuru Kenyatta, challenged the Kenyan

president by stating:

> Non-Somali Kenyans do not project the same hatred against Ethiopians, Sudanese and Congolese refugees. Security personnel seem to specialise in Somali dehumanisation, subjugation, extortion, rape, torture and killings… It is obvious that Kenyan Somalis will be never accepted as citizens if you, four decades later, accelerate the hatred and terror your late father inflicted upon them through massacres and putting them in concentration camps because they wanted self-determination. The reasons for secession are now stronger and justified. [168]

Osman Mohamed Osman, the son of a Kenyan military officer, recounted the experience of his Kenyan Somali friend, also the son of a military officer who happened to be fighting Al Shabaab with the Kenyan Defence Forces in Somalia. His friend Mohamed had gone to a Nairobi restaurant to watch a football match during the week of the Eastleigh raid. This is what transpired between him and a waitress at the restaurant, according to Osman:

> A few seconds after settling in, a waitress approached him and coolly asked for his ID [identification] card, which he declined to produce because the good lady was not a security officer. They had a verbal altercation during which Mohamed tried to convince the woman that there was no requirement for him to prove his nationality before he was served, and in the end, the waitress just got fed up and blurted it out: You are a Somali, she said, and that makes you suspect. Now, Mohamed could perhaps have avoided all this by either staying away from the restaurant completely, or reaching for his wallet and producing his ID as asked. But should he? Must he? As his father dodges Al Shabaab bullets in Somalia, where he has been holed for the past several months, Mohamed is being asked to prove his Kenyanness, his innocence and his allegiance.[169]

Many Somalis believe that the constant raids on Eastleigh are intended to drive out Somali businessmen from the area so that their businesses can be grabbed by non-Somali Kenyans. This view seems to be gaining ground among the Somali business community. At a press conference in Nairobi's Jamia Mosque, Kenyan Somali leaders, led by Mandera Senator Billow Kerrow, stated that the Eastleigh operation was intended to disenfranchise the Somali community, whose "entrepreneurial acumen is known worldwide".

"This is an economic war and not a fight against terror," stated the senator.[170]

Interestingly, there was only a muted response from the Somali government to what was clearly a violation of Somali citizens' rights. The Somali government declared its support for the ongoing security crackdown, but called for "humane treatment" of those arrested. Somalia's ambassador to Kenya, Mohamed Ali Nur, said that his country supported the deportation of illegal immigrants, but opposed any attempts to treat all Somalis as suspects.[171]

The Somali government was clearly in an awkward position because it should have been seen as encouraging Somali refugees to come back home, rather than allowing them to stay in Kenya and continue being mistreated. The Somali government could not convincingly argue for the humane treatment of Somali refugees in Kenya while failing to create a conducive environment for their return to Somalia.

Al Shabaab, on the other hand, vociferously—and predictably—denounced the Eastleigh raid. In an uncharacteristically caring tone, the militia's spokesman Ali al-Teiri stated on the group's online Andulus radio: "Al Shabaab will not stand silent in the face of [Kenya's] violation against Muslims. Detaining infants and elderly men in the name of fighting terrorism is a heinous act."[172]

Ironically, that same week, two Kenyans who had been held captive and tortured by Al Shabaab for more than two years, were rescued by Kenyan forces in Somalia. One of the rescued men said that his ordeal had been so physically and emotionally traumatic, it would take him a long time before he could talk about it.

Corrupt cartels

The security operation in Eastleigh obscured the fact that the state's security and immigration officers were complicit not just in allowing undocumented refugees to enter the country, but also in facilitating their acquisition of false Kenyan identities. The government was unwilling to see the log firmly lodged in its eye—that of corruption. It was not lost on many of the undocumented and illegal Somalis who were arrested and detained in Eastleigh that corrupt police officers had let them cross the Kenya-Somalia border for a small fee and that officers from the same police force were now

demanding bribes from them in Nairobi.

It is widely known that Somalis and other foreigners use corrupt means to enter Kenya and to obtain Kenyan identity documents. In April 2012, the *Daily Nation* uncovered a racket in Moyale showing how illegal immigrants from Ethiopia, Eritrea and Sudan are smuggled into the country and issued with Kenyan identification documents by brokers working with corrupt police and immigration officers.[173]

When Kenyan journalist Parselelo Kantai tried to investigate a similar racket, a former government administrator in Northern Kenya told him that that human trafficking at the Kenya-Somalia border was rampant and that top civil servants were fully aware of it but did nothing. The administrator had prepared a report that documented some of the cases, but when he handed the report to his boss, not only was he threatened by the traffickers, he was also interdicted. A section of the administrator's hand-written report read:

> Any junior police officer who dares to stop some of the vehicles used by these criminals (the human traffickers) quickly gets disciplinary measures from his boss [sic]. I witnessed in person an administration police sergeant who refused to open a road block for a lorry with an unspecified cargo in the middle of the night (from Somalia) summoned by his boss the following day and charged with failing to obey orders of his superior. The greatest concern is the number of Somalis pouring into the nation and the genuinity [sic] of the Ethiopian passports most them are travelling on. The police officer manning the roadblocks… is more concerned with the KShs. 100 [about $1] charged at every roadblock for an Ethiopian passport… when travelling without an Ethiopian passport, one has to pay KShs. 1,000 [about $120] at every road block from Moyale to Isiolo.[174]

In addition, security officers in the Dadaab camp and immigration officers are widely believed to be part of cartels that sell identity documents to Somalis and other foreigners. The cartels extend all the way to the immigration department's headquarters in Nairobi.

A week after the Eastleigh security crackdown, the *Standard on Sunday* newspaper published a shocking investigative story that showed that well-connected civil servants could create a whole new identity for foreigners—for a fee. For about 100,000 Kenya shillings (about $1,200) one could obtain a

birth certificate, a school leaving certificate, a national identity card, a certificate of good conduct, a driving licence, as well as a Kenyan passport.

During its investigation, the *Standard on Sunday's* team created a fictional character whose photo was lifted from the Federal Bureau of Investigation (FBI) website. The photo was of the terrorist Ahmed Khalfan Ghailani, who was serving a life sentence for his role in the 1998 twin bombing of the United States embassies in Nairobi and Dar es Salaam. Within ten days, the newspaper's investigative team had obtained five identification papers in the name of a fictional character called Charles Njehia Kinuthia, but using Ghailani's photo. The documents were: a birth certificate; a certificate of good conduct; a Kenyan ID card; a driving licence; and a school leaving certificate. The birth certificate showed that the terrorist was born in Nairobi's Pumwani Hospital on 25 April 1991. Asman Kamama, the chair of the parliamentary committee on security admitted to the newspaper that there was "grand corruption" in the departments of immigration and registration of persons.[175]

The winner takes it all

Since independence, various Kenyan administrations have consolidated their hold on power by pitting ethnic groups against each other when it suited them, while amassing fortunes for their own families and cronies. Kenya's first president Jomo Kenyatta alienated his own ethnic Kikuyu tribe when he disowned Mau Mau freedom fighters who languished in poverty and remained a proscribed organisation even after independence in 1963.

Some of the children of the disenfranchised Mau Mau and other poor Kikuyus formed the Mungiki sect that started off as a quasi-religious movement, but with the aim of asserting their rights over Kikuyuland. Mungiki later morphed into an urban-based criminal gang that extorted money in "protection fees" from some sections of Nairobi and which began controlling certain public transport routes within the city.

Both Jomo Kenyatta and his successor Daniel arap Moi amassed vast tracks of land across the country. Kenyatta also set up settlement schemes in the Rift Valley to accommodate the many Kikuyus who had lost their land in Central Province to colonial settlers, and later to the ruling Kikuyu elite. The Rift Valley would subsequently be the site of many clashes between the

Kikuyu and the indigenous Kalenjin, who sought to reclaim their land. The most violent of these clashes occurred after the 2007 election, when marauding gangs from both groups killed more than a thousand people and displaced hundreds of thousands of others. Interestingly, the Kikuyus formed the majority of the more than half a million people who were displaced during the clashes. These same Kikuyu would, ironically, vote overwhelmingly for Uhuru Kenyatta and William Ruto in the 2013 elections; both Kenyatta and Ruto were named by the International Criminal Court as the lead suspects who had instigated and carried out the killings and forced displacements.

In a sense, all of Kenya's more than 40 ethnic groups have suffered under various administrations. There are landless and poor communities among all ethnic groups. Inequalities within and between ethnic groups has created a society of haves and have-nots, one of the most unequal in the world. The freedom fighter Jomo Kenyatta did not reverse the disenfranchising policies of the colonial state. Land grabbing, the hallmark of the colonial settlers, became endemic under both his and his successor Moi's rule. Both presidents had also embraced and propagated a particularly insidious form of "winner-takes-all" capitalism in Kenya, which pitted ethnic groups against each other, and which instilled the "it's our turn to eat" mentality among Kenya's political elite.

Kenyan politicians, like their counterparts in Somalia, have cleverly used tribal or clan loyalty to achieve their own personal and political ambitions. Historical injustices remain unresolved and an increasingly smug and self-centred elite and middle class have accepted the status quo as normal.

Despite a progressive new constitution promulgated 2010 that sought to redress some of these injustices, the political leadership in Kenya appears to be determined to "accept and move on", a mantra coined by Uhuru Kenyatta at his inauguration in April 2013 that is viewed by many Kenyans as a smokescreen for past and present injustices, including those against ethnic Somalis.

* * *

It is likely that with its soldiers' boots firmly placed on Somali soil and with the renewed emphasis on counter-terrorism activities, the Kenyan government's attitude towards Somalis and Muslims in general may become

even more hard line. Without a strong and stable government in Somalia, it is also likely that refugees will continue to pour into Kenya. This time, however, their stay in the country will not be welcomed by the authorities.

Insecurity in Kenya is also likely to escalate as long as the Kenyan Defence Force is seen as partisan and pandering to the interests of the Ras Kamboni militia's leader Ahmed Madobe. Ironically, Operation Lindi Nchi, which was meant to increase security in Kenya, had the opposite effect. Kenya became more insecure after the invasion, with terror attacks occurring almost on a monthly basis, though it is not clear if all the attacks are linked to Al Shabaab; some of them appear to be the work of home-grown radicalised groups.

The solution is for Kenya to either withdraw its forces from southern Somalia or to operate under the command of the African Union force in other parts of the country where its interventions are less likely to be viewed as suspect. As long as Kenya is perceived as a hostile occupying force in Somalia—not just by Al Shabaab but by Somalis in general—there is little hope that terrorist attacks in Kenya will decrease. Having alienated a large section of ethnic Somalis in Kenya, the government can also no longer rely on ethnic Somalis for support in its war against terror.

Kenya should also not be seen as propagating the interests of Ethiopia and the United States, which have their own agendas in Somalia. By distancing itself from these two countries, Kenya can show the new government in Somalia that it is willing to partner with it bilaterally and for mutual benefit, and not as a proxy of other governments, whose interests in Somalia may not be in the interest of Kenya or Somalia.

EPILOGUE

THE SOMALIA CONUNDRUM

How can Somalia liberate itself from the dysfunction and destruction that have defined it for more than two decades? To be very honest, I really don't have the answer. Dozens of conferences have taken place in the last decade to find a solution to the Somalia conundrum but they have had only nominal impact on governance in the country. The UN-backed federalism proposed at these conferences and adopted through a new constitution appears to offer a solution to the perennial clan problem in Somalia, but the proposals emerging from these conferences have not really taken root or been implemented successfully.

Somalia remains fragmented at so many levels that even federal states cannot offer much-needed unity. The 4.5 formula for federal states based on the largest four clans and (0.5) minorities does acknowledge the reality of a clan-based society, but as Somalia's recent history has shown, clan can be, and has been, manipulated for personal gain by politicians.

Besides, the various federal states that will emerge in Somalia under the new constitution may end up as clan enclaves that are disconnected from the centre, and which actually work to undermine the central authority in Mogadishu. Already Somaliland and Puntland, and now the self-styled Jubbaland, are reluctant to be part of the new set-up, and appear to want to remain independent of the central government.

There are also many factions and forces within Somalia that would prefer not to work under a new constitution. As Abdirazak Fartaag, the Somali whistleblower, explained, the new constitution is viewed by the Islamic factions as too secular, and therefore, un-Islamic. "In reality, the argument against the new constitution has to do with the fact that it bestows too many rights to Somalis, rights that the Islamists want to deny the Somali people," he said.

Meanwhile, Somali politicians, warlords and foreign forces are

continuously undermining peace and development in the country. The looting of Somalia's natural resources and public coffers will continue as long as there are no accountable public institutions and systems of public finance management in place and no strong political will to end the mayhem. Many people within and outside Somalia prefer to maintain the status quo because they profit from protracted conflict, informality and the absence of regulations. A strong and well-governed state with in-built checks and balances would threaten their business and personal interests.

What's worse, none of Somalia's notorious warlords and corrupt politicians have been made to account for the atrocities and plunder that they carried out. No national or international institution has charged them with any crime. The International Criminal Court, which has vigorously pursued suspects in other African countries, is mute about the crimes against humanity that have been occurring in Somalia for the last two decades. Its silence lends credence to the assertion that the ICC is only interested in selective justice.

The foreign interests that have been propping up greedy warlords and corrupt politicians also have a case to answer. However, because these foreign interests wield more power than Somalia they will never be brought to book.

Even the United Nations, the bastion of justice and human rights, has been watching from the sidelines, and sometimes actively working to subvert peace and democracy in the country. While UN monitors have been diligent about bringing some of the crimes committed in Somalia to the attention of the international community, their findings have come to nought.

Sadly, the international community has not grasped—or does not want to acknowledge—the fact that vested interests will ensure that Somalia remains dysfunctional. During a talk he gave at the US Institute of Peace in April 2014, Nicholas Kay, the UN Secretary-General's Special Representative for Somalia, said that while there was progress in Somalia, that progress was in peril. He admitted that the international community had been too hopeful in 2012 when a new post-transitional government was elected. "Why did we ever think that there would be no corruption after 2012?", he lamented.

The UN Secretary-General's Special Representative added that the one-person-one-vote general election scheduled for 2016 was an "outrageously ambitious project" but that he was hopeful that by the end of 2014 there

would be a federal map of Somalia. Interestingly, he added that Somalia faced another food security crisis, and that the World Food Programme had appealed for more than $900 million for the impending crisis but had only received $110 million.[176] (I wondered if the supposed food crisis would once again be used to divert attention from the very real crisis of governance in Somalia.)

The Somali people themselves have to fight for the justice and the government they deserve. However, it is unlikely that Somalia will experience an Arab Spring-type revolution in the near future. The conditions for such a revolution simply do not exist. Such a revolution requires an enlightened—and sufficiently angry—mass of people with a common cause. No such common cause exists in Somalia. Somali society is simply too fragmented along clan lines. Islamic factions, meanwhile, instead of uniting the country, are fighting each other.

Some Somali scholars and analysts argue that Islam can provide the basis for unity in a country fragmented and destroyed by clannism, thuggery, terrorism and lawlessness. They claim that most of the Islamic groups in Somalia are moderate and have a nationalistic agenda. They must, therefore, be allowed to unite the country under the umbrella of Islam.

Given the Islamophobia in the West following 9/11, it is, however, unlikely that Islamic groups will be allowed to govern Somalia in the near future, as has been witnessed in Egypt in recent years. The Islamic Courts Union's forcible removal from Mogadishu by US-backed Ethiopian forces is a case in point. The appointment of the "moderate Islamist" Sharif Sheikh Ahmed as president in 2009, on the other hand, did little to placate the radicals, and may have actually fuelled radicalisation.

Moreover, as a secularist, I believe that people should have a right to decide which laws and justice systems they want applied to them. Perhaps Somalia can create a system where both secular and Islamic laws are applied but through different courts. In Kenya, for instance, Muslims who wish to seek justice through Kadhis Courts can do so, but they can also choose to use Kenyan laws and secular justice institutions if they wish to do so.

Somalia's case is not entirely hopeless. Other deeply polarised war-torn countries have emerged from conflict and managed to rise from the ashes, so why can't Somalia as well? Rwanda, for instance, experienced a devastating

genocide in 1994, but today has a fully functioning government and its economy is rapidly growing. No matter what people may think of President Paul Kagame, he cleverly and strategically used the goodwill of sympathisers and donor money for the benefit of Rwandans. Almost two million Rwandans have passed through the traditional *gacaca* village court system, which allowed perpetrators of the genocide to face their victims. This home-grown system of justice and reconciliation has proved to be far more effective than the dozens of peace and reconciliation conferences on Somalia that the UN and neighbouring countries have held in the last decade.

However, one must remember that the genocide in Rwanda lasted 100 days; Somalia's conflict has raged for more than 20 years. In those two decades, vested interests firmly entrenched their power and positions and formed groups and militia that are hard to uproot in a country that has seen no functioning formal system of governance for more than twenty years, and where clan-based fiefdoms have become the order of the day. These interests have also profited from the conflict and anarchy; stability will disrupt their profitable, and quite often illicit, economic activities. I include in this group businesses that have been extremely successful in the unregulated economy of Somalia who fear that a regulated economy may cut into their profits.

I believe that political will, long-term vision and a sense of nationalism and patriotism are key to effective reconciliation and reconstruction. Somalia's leaders, including the various warlords that took control of the country, were sorely lacking in all these attributes. It appears that the warmongers were motivated purely by greed.

Oxford University economist Paul Collier says that civil wars in Africa are either linked to "greed" or "grievance" factors. Grievance factors include exclusion, marginalisation, lack of political rights, unequal distribution of resources, historical injustices or ethnic hatred. Greed factors, on the other hand, relate to the wants and aspirations of political groups, militias and individual leaders. In the case of Somalia, greed factors seem to have prevailed. While the ouster of Siad Barre may have been originally linked to grievance factors, the pillaging and violence that followed his removal suggest that personal interests played a bigger part in sustaining the banditry.[177]

I end this book on a pessimistic and sad note. If there is hope for Somalia, I

have not seen evidence of it yet. Yet I know that Somalis are a resilient and resourceful people who are deeply wounded and disappointed by the fact that their country has remained dysfunctional for so long. When they go to the polls in 2016, I hope that Somalis will make the right choice and finally get the government they deserve—one that is accountable to the people of Somalia, one that is not greedy, fragmented or myopic, and one that will finally lift Somalia out of years of poverty and under-development.

Until then, I will continue to think of the children I saw playing football on the streets of Mogadishu and worry about their future. Who is looking out for them? I often wonder.

Runners training at Mogadishu's Stadio Conis, 2011. © *Rasna Warah*

Spare parts shop in Mogadishu, 2011. © *Rasna Warah*

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