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Abbink, G.J.; Ellis S., Kessel W.M.J. van

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income after other applicable deductions. But where the holder of a mining lease has yet to make a profit, or where the chargeable income is below 7% of the investment, the company pays a flat 3.5% rate of income tax. There are also the license fees paid for mining (minimal), dealing (also fairly insignificant) and exporting (at US\$ 500,000 annually, this is a significant sum). However all these taxes totalled less than US\$ 10 million in 2007. Still, the government considered it necessary to grant special tax concessions to some mining companies. For example, it granted the biggest diamond-mining venture in the country, Koidu Holdings Limited, duty-free facilities for the equipment and other mining-related goods it imports into the country, along with waivers regarding residential permits for dozens of its foreign employees. Such concessions are not limited to diamond companies. An internal government review of the mining industry estimated in 2006 that accumulated revenue losses from several concessions granted to the titanium mining company, Sierra Leone Rutile, will amount to US\$ 98 million from 2004 to 2016.

These concessions are part of the legacy of the war. Poor infrastructure and the image of a violent and unstable place have made the country unattractive to foreign investors and such concessions, the government argues, are needed to attract investments. The struggle continues in Sierra Leone.

The Islamic Courts Union: The ebb and flow of a Somali Islamist movement

Jon Abbink

The Islamic Courts Union (ICU) in Somalia was a social-religious movement with a political programme. This internally diverse movement emerged from local Islamic courts active in Mogadishu in the late 1990s. In the absence of state authority and public security in 2004, it responded to the social needs of local people and grew into a large militia force that, by late 2006, controlled much of southern Somalia. In December 2006 a military campaign by Ethiopia, in support of the Somali Transitional Federal Government, ousted the ICU. The movement subsequently declined, split and withdrew to transform itself into a new military grouping. Its socio-religious programme waned, its violent militant agenda re-emerged and it morphed into a new nationalist movement.

This chapter considers the ICU as a social movement and questions its precedents, its social-reformist agenda and ideology, and its mobilizational procedures. The reasons for the rapid rise of the ICU in 2006 within the unstable and militarized society of southern Somalia have to be understood against the background of Muslim movements that existed in the country in earlier decades and unsuccessful attempts to establish a national government. This is marked by a mixture of political segmentation determined by the Somali clan-family system, socio-religious innovation, economic competition and local political manoeuvring in the stateless environment of southern Somalia since 1991. While local political dynamics are very important, the analysis also relates ongoing conflicts in Somali society to global geopolitics and Islamist radicalism.

Introduction: Locating the Somali case in social movement theory

This chapter presents an interpretive case study of the Islamic Courts Union (*Midowga Maxkamadaha Islaamiga* in Somali) in southern Somalia, an Islamist movement that was active from c. 2004 to 2008 and had social and political aims reflecting both internal diversity (and division) and a new international positioning. A study of this movement reveals the crucial role of international contacts of all the actors on the Somali scene. This was not only evident in the persistent presence of neighbouring countries but also in the growing influence of transnational Islamic ideologies and networks, including that of Somali diaspora communities.¹ These external sources provided funding, new narratives of nationalism and religious identity, and foreign-trained cohorts that impacted on socio-religious practices and ideologies in Somalia. It can be argued that seemingly local developments, like clan-militia fighting, religiously motivated battles, piracy, looting, terrorist actions and the work of Islamic charities are inextricably linked to global flows and thus highly relevant to politics and security developments in the region as a whole.²

Somalia has been in the midst of major societal transformation since 1991, not only due to the destructive civil war and the internal struggle that wrecked the country (at least its southern part), but also the transformation of customary religious life and social structures. One part of the story is the emergence of radical forms of Islam and these, although representing a minority of Somalis, seem to have become entrenched in society and redefined people's social and religious identification. The ICU, originally known as the 'Supreme Council of Islamic Courts of Somalia', was founded in 2004³ and is an intriguing example of a movement that emerged in extreme conditions of statelessness, civil war, humanitarian crisis and social disarray in southern Somalia.⁴ It was characterized by mobilization and recruitment on the basis of (a specific form of) Muslim

¹ One in every ten Somalis lives in the diaspora, mainly in the US, Western Europe, the Middle East (Gulf States, Saudi Arabia) and neighbouring countries in the Horn. Cf. Said S. Samatar, 'Unhappy masses and the challenge of political Islam in the Horn of Africa', *Horn of Africa* 20, (2002), pp. 1-10. See also Andre Le Sage & Ken Menkhaus, 'The rise of Islamic charities in Somalia: An assessment of impact and agendas', Paper for the 45th Annual International Studies Association Convention, Montreal, 17-20 March 2004.

³ In Somali: *Golaha Sare ee Makhamaddaha Islaamiga ee Soomaaliya*.

⁴ I do not discuss Somaliland here as it is a quite different story. See Seth Kaplan, 'The remarkable story of Somaliland', *Journal of Democracy*, 19, 3 (2008), pp. 143-157, and Mark Abley, 'Successful country doesn't exist', *Toronto Star*, 11 September 2007.

identity as expressed via local (clan-based) *shari'a* courts. In a comparative sense, the movement was challenging and perhaps puzzling to outsiders.

While social movements in Africa were present in the late-colonial and post-colonial era as nationalist insurgent groups, neo-traditional movements or in the more classic form of trade unions and civic organizations, variations based on a predominantly religious agenda have been rare⁵ and little studied. Compared to other parts of the world, similar ideas on recruitment, ideology and socio-political agendas around grievances or political aims in Africa were always present but cultural commitments and value orientations of movements as well as their strategies differed markedly. In Africa, movements with an allegedly religious identity basis are growing in importance, often as their adherents see the classical social movements, such as trade unions, parties and civic associations, as ineffective or conservative.

This plethora of new socio-political movements in Africa has broken the framework of social movement paradigms that we know from the mainstream literature and that have been developed on the basis of mainly European and American cases.⁶ New combinations of social, neo-ethnic, religious and criminal elements of collective self-definition have emerged and are taking shape in semi-collective, often opportunistic, alliances resonating with recent theories about 'low intensity conflicts' and 'new wars'. When studying these movements in Africa, the challenge is to explain their emergence, mobilization potential and evolving agendas as they unfold.

In much of the literature one comes across a conception of social movements as primarily grievance-based and democratically oriented collectivities of people or social groups, usually neglected by the state, that are striving for the public good. This idea of legitimate grievances and of democratic aspirations cannot, however, be part of the definition of social movements, as it would prejudice their nature. As the Somali case will illustrate, some movements are political groups aimed at imposing their agenda and exercising power in a coer-

⁵ The Kenyan Mungiki movement, which emerged in the 1990s, is another example of a complex, 'neo-ethnic' social movement based on a mixture of religious and socio-political elements. However subject to brutal government repression, it lost its leadership and has transformed into a movement where criminal and violent activities have undermined its socio-political agenda. See for a recent study, Awinda Atieno, 'Mungiki, 'Neo-Mau Mau' and the prospects for democracy in Kenya', *Review of African Political Economy*, 34, 13, 2007, pp. 526-531.

⁶ South Africa is the only country in Africa where social movements have occurred in significant measure and been studied in recent years. See for example, Richard Ballard, Adam Habib, Imraan Valodia & Elke Zuern, 'Globalization, marginalization and contemporary social movements in South Africa', *African Affairs*, 104, 417 (2005), pp. 615-634.

cive fashion, with social aims or issues as secondary. Others want to impose an exclusivist programme on society, merging the social and the political in a comprehensive religious cloak. The definition of social movements must, therefore, be more nominal and open, focusing on mobilization and public action towards an aim at variance with the state, other movements or forces in society. In this chapter I use the general definition offered by Olzak⁷ and define a social movement in its broader sense as a purposive collective movement voicing demands for fundamental change in society, mobilizing around one or more public causes and following a strategy of change. A broad variety of issues can be addressed by a movement, ranging from state discrimination, neglect, socio-economic and political marginalization to perceived value differences.

In the case of the Islamic Courts Union (ICU), questions can be asked about whether it is, or was, a social movement and, if so, how it differs from those known from the literature. It was certainly a movement of people acting collectively with a social and political programme, claiming public causes and dressing their actions in a religious garb, sincere or otherwise. They addressed social problems that emerged in the vacuum of post-1991 Somalia and the collapse of its central state. However, according to sociologist Tilly,⁸ the ICU would probably not qualify as a social movement because in his strict definition, based on Western European experience, it seems to lack the specific complex of defining elements (campaigns against target authorities; action repertoires, public displays).⁹ However I claim that the ICU and its predecessors should be tested against historical examples and in this case it could be said to be a collective action movement adapted to the quite specific, *stateless* environment of a clan-divided society. It is of prime importance here to look at the emergence and actions of movement *elites*.

A challenge when studying African cases is how to address cultural frameworks¹⁰ and the – often disruptive – religious factor in social movement re-

⁷ See Susan Olzak, 'Ethnic and nationalist social movements', in: David A. Snow, Sarah A. Soule & Hanspeter Kriesi (eds), *The Blackwell Companion to Social Movements* (Blackwell/Malden, Oxford/Carlton, 2004), p. 666.

⁸ Charles Tilly, *Social Movements, 1768-2004* (Paradigm Publishers, London/Boulder, 2004), pp. 3-4, 7.

⁹ His definition of a social movement in his essay 'From interactions to outcomes in social movements' (in: M. Giugni *et al.* (eds), *How Social Movements Matter*, p. 257) is equally restrictive and although perhaps applicable to Europe may not be so for many other societies.

¹⁰ See Stephen Hart, 'The cultural dimension of social movements: A theoretical reassessment and literature review', *Sociology of Religion*, 57, 1 (1996), pp. 87-100.

search.¹¹ Cultural-religious factors are quite different and probably more important for social movements in Africa than elsewhere. A movement that observers may see as religious or social is often at the same time inherently political (or vice versa) because the domains are fused and drawn upon opportunistically. This is certainly true in the Somali case. It could be contended that religion was the 'master frame'¹² of the ICU for their view of Somali society and their course of action but it should not be forgotten that Somali clan-group thinking (i.e. social organization based on the segmentary patrilineal principle, or *tol* in Somali) interacted with this. I refrain here from fully answering the question about whether the ICU was really a social movement and instead aim to explain the movement with the help of insights from social movement theory (cf. van Stekelenburg's chapter in this volume). Within the various theoretical traditions of social movement research, a 'political process approach'¹³ seems promising in explaining the ICU, although a more comprehensive social-constructivist point of view would also be helpful in view of the strong identity aspects in the movement (Islamist ideology) that gave it additional mobilizing capacity.

The Somali civil conflict is fully connected to transnational global politics and can no longer be explained solely as a part of the country's socio-political crisis and its divisive clan system: the ICU was not only responding to a domestic agenda of social grievances. Somali actors have placed themselves in alliance with transnational flows of funds, organizational forms and ideologies. Indeed both the current Somali Transitional Federal Government (TFG) and the ICU were decisively influenced by foreign connections, with the ICU opting exclusively for those in the Muslim world.

The Somali arena today: Fragmentation, insecurity, persistent violence

Somalia has been bad headline news in recent years: political disorder, persistent civil strife,¹⁴ terrorist actions, military abuse, a catastrophic humanitarian

¹¹ Cf. Christian Smith, 'Correcting a curious neglect, or bringing religion back in', in: Christian Smith (ed.), *Disruptive Religion. The Force of Faith in Social Movement Activism* (Routledge, London/New York, 1996), pp. 1-25. The role of the symbolic-cultural dimension in social movement is treated well in: Donatella della Porta & Marco Diani, *Social Movements: an Introduction* (Blackwell/Malden, Oxford/Carlton, 2nd edition, 2006), but they do not touch on the role of religious elements.

¹² Cf. Della Porta & Diani, *Social Movements*, p. 79.

¹³ *Ibid.*, pp. 16-18.

¹⁴ See Hussein Adam, *From Tyranny to Anarchy: The Somali experience* (Red Sea Press, Trenton, NJ/Asmara, 2008).

situation for 30-40% of the population,¹⁵ extortion, the kidnapping and killing of aid workers, and a piracy-infested coastline unsafe for international shipping.¹⁶ While there are huge numbers of studies and reports on Somali and a good general understanding of the underlying problems of state failure, social (dis-)organization and economic life in the literature, the country's politics are exceedingly complex.

Although two parts of the former state of Somalia – self-declared independent Somaliland and the less-successful but fairly stable Puntland¹⁷ – are enjoying relative calm, southern Somalia and notably the capital Mogadishu and its environs have remained locked in insecurity and political fragmentation, first under warlords and clan militias (1991-2005) and since 2006 in devastating violence between parts of the ICU and TFG troops supported by Ethiopian forces that have been in the country since December that year. At least 10,000 people, about 60% of them civilians, have been killed since the December 2006 war, many more have been wounded and hundreds of thousands have become internally displaced persons (IDPs).

Since the collapse of the central state in Somalia, the various insurgent movements have not succeeded in forging a new state and have plunged the country into civil war and a predatory economy. The history of the ensuing civil conflict and war is too complex to cover here.¹⁸ However, communal conflicts and population movements have created deep antagonisms between various clan and sub-clan groups, opportunistic alliances for economic gain and massive victimization of minorities and non-clan Somalis.¹⁹ For example, in the wake of the expansion of the then-powerful USC militia of General Mohammed Farah 'Aydeed', Mogadishu was flooded with many Hawiye clan people (notably the Habr-Gedir sub-clans of Murosade, Suleimaan and 'Ayr) who replaced or

¹⁵ See the alarming report by the Food Security & Nutrition Analysis Unit Somalia, *Quarterly Brief* (Nairobi, issued 12 September 2008). Online at: www.fsasomali.org, accessed on 1 September 2008.

¹⁶ Piracy along the Somali coast was already being recorded in 1998. A major action was the capture on 4 January 1999 of the MV Sea Johana by units of the radical Islamist *Al Ittihad Al Islami* group. See S. Coffen-Snout, 'Pirates, warlords and rogue fishing vessels in Somalia's unruly seas' (www.chebucto.ns.ca/~ar120/somalia.html, June 1, 1999); R. Middleton, *Piracy in Somalia*. London: Chatham House, Briefing Paper, October 2008.

¹⁷ Their armed border conflict in 2007, however, shows that one cannot speak of stability here either.

¹⁸ See Hussein Adam, *From Tyranny to Anarchy*, p. 81f.

¹⁹ The popular perception of Somalia as a homogeneous country is not true. There are significant minorities and groups falling outside the clan system (with its five major clan-families of Dir, Darod, Hawiye, Rahanweyn and Isaaq).

chased out non-Hawiye inhabitants, a lot of whom were from the Darod clan. Similar displacement happened in the countryside, for example in the Rahanweyn agricultural areas. The many unresolved conflicts of interest and illegal appropriations constitute an important sub-text surrounding the perennial conflicts in Somalia today.

Heavily hit by repression and war in the final years of the rule of President Mohammed Siyad Barre who was in power from 1969-1991, Somaliland declared independence in 1991 and disassociated itself from the idea of a pan-Somali state. Puntland followed in 1998 by declaring autonomy but not independence. Southern Somalia has remained divided and stateless. In spite of the absence of a central state since 1991, not all has been chaos and mayhem. While Somali society fell back on clan territories, the rule of clan elders, local NGO activity and Islamic organizations, local self-governing units emerged and to a large extent stabilized the rural areas. In the cities, predatory militias and warlords were dominant and insecurity, especially in the large towns like Mogadishu, remained rampant. But even there, efforts at community regulation emerged, although largely within same-clan units.

Paradoxically, the Somali economy has had a mixed record over the past years. While poverty is deep-rooted, state services non-existent and the agropastoral sector in serious crisis, there is a free, mostly unregulated economy with a booming trade and telecom sector²⁰ as well as a transnational criminal/racketeering sector that brings in money. And in the last two years millions of dollars have also come from piracy off the coast. The qualified economic success of the entrepreneurial sector has allowed Somali businessmen and movements to tune in to global economic networks and forge new political-ideological connections. Not only are hundreds of millions of dollars being transferred from the Somali diaspora²¹ each year (flowing to all parties in the conflict but especially to the Islamic Courts movement) but religious funding and arms flows from Middle Eastern countries and Eritrea are also relatively easily arranged.²² The informal, trust-based and highly effective *hawala* money

²⁰ See Bob Feldman, 'Somalia: amidst the rubble, a vibrant telecommunications infrastructure', *Review of African Political Economy*, 113 (2007), pp. 565-572.

²¹ A recent World Bank report mentions the very high amount of \$ 1 bn annually, or 71.4% of GNP. See Samuel M. Maimbo (ed.), *Remittances and Economic Development in Somalia. An overview* (World Bank, Washington, DC, 2006), p. 5. The UNDP in 2007 estimated half this sum.

²² Well-documented in the reports of the UN Monitoring Group on Somalia. See for instance the amazingly detailed report of November 2006 (www.fas.org/asmp/resources/govern/109th/S2006913.pdf, November 21, 2006). Eritrea's support was also admitted by the former ICU leader back in 2006, see

transfer systems have undoubtedly contributed to the funding of militants and terrorists²³ in Somalia as well,²⁴ and economic interests are an important driver of the conflict.²⁵

Over the past eighteen years, various efforts have been made to rebuild a nation state, often at the instigation of outsiders such as the UN. These efforts were perhaps premature and unduly top-down because they sidetracked the then-ongoing 'building blocks' approach to Somali political reconstitution, which was widely seen as the best way forward.²⁶ The external state-building effort gave rise to the Transitional National Government (TNG) in 2000 which was constituted at a conference in Arta, Djibouti. After its collapse, it became a somewhat more representative Transitional Federal Government in 2004, with a five-year mandate. It was based on difficult negotiations in Mbagathi, Kenya, offering a compromise between clan-families on representation and the division of power. The TFG, led by the former Puntland president and veteran Somali politician/warlord Colonel Abdullahi Yusuf Ahmed (of the Omar Mahmud/Majerteen/Harti/Darod clan), was recognized, to an extent, that a future Somalia should be significantly federal in structure.²⁷ However it soon ran into trouble and was not able to relocate to Mogadishu due to the insecurity and lack of authority there. One problem was that Abdullahi Yusuf, although experienced and strong, was controversial due to his authoritarian style and his close relationship with Ethiopia. He was not a conciliatory president.

The other forces providing alternative sources of survival and social order were Islamic movements, notably the Islamic Courts in Mogadishu. Before they appeared on the scene as an organized movement in early 2006, they had been building a constituency based on a range of service-oriented Islamic associa-

²³ 'Somalia: Islamists refuse talks, acknowledge Eritrea', Reuters news message, 26 July 2006.

²⁴ Terrorism is defined in this chapter as unpredictable violent action against non-combatants and innocent people with the intent to kill and destroy, create existential fear and subvert the public order, usually with a stated political aim.

²⁵ Robert Feldman, 'Fund transfers-African terrorists blend old and new: *hawala* and satellite telecommunications', *Small Wars and Insurgencies*, 17, 3 (2006), pp. 356-366.

²⁶ Cf. Sabine Grosse-Kettler, *External Actors in Stateless Somalia. A war economy and its promoters* (Bonn International Center for Conversion, Bonn, BICC paper 39, 2004).

²⁷ Cf. Matt Bryden, 'No quick fixes: coming to terms with terrorism, Islam and statelessness in Somalia', *Journal of Conflict Studies*, 23, 2 (2003), pp. 24-56.

²⁸ Incidentally, its Charter also recognized Islam as the state religion and *shari'a* as an important source of national law.

tions and charities that had existed in the country for decades (founded on the Muslim duty of *zakāt*).

Earlier Muslim movements in Somalia: A religious infrastructure

Somalia has been a Muslim country since at least the thirteenth century and has known a wide range of (mostly Sufi)²⁸ Islamic associations with their important mystical orders and holy men as mediators and models of piety. Virtually all Somalis are nominally members of a Sufi order, the most important being the Qadiriyya, the Idrisiyya and the Salihyya. Women are also members. These orders are usually non-political but can be used as organizational vehicles for resistance when faced with external enemies, as in the rebellion by Mohammed Abdulleh Hassan against colonial rule in 1900-1920. While Islam is a core element in the identity of Somalis, they also recognize clan affiliation and customary or contract law (*heer*) as defining elements in their heritage. The rise of the ICU was due to the long, organized presence of Islam in Somalia. A number of the organizations are mainstream Muslim associations of a social, educational and/or religious nature, and some are militant, with a programme of coercive or violent expansion and international connections and ambitions. Among the indigenous Somali organizations the most important are:

- *Harakat al Islah* (Movement for Revival) This movement was founded in 1978 with the aim of reconciling Islam and the modern world. It did not openly operate under the Siyad Barre regime but was more of a network of educated urban professionals and students. It ran social, humanitarian and educational activities and was said to opt for 'Islamic democracy'. Their programme rejects Salafism and the use of force, and the organization is known to be open to contact with foreign organizations, also those in the West.²⁹
- *Ahl As-Sunna wal Jama'a* (People of the Sunna and the Community) This was set up in 1991 and has its basis in Somali Sufism, to which it claims to provide national leadership. It is a movement with branches elsewhere, is opposed to militant/reformist Islam and claims to represent traditional, main-

²⁸ See Lee V. Cassanelli, *The Shaping of Somali Society: Reconstructing the history of a pastoral people, 1600-1900* (University of Pennsylvania Press, Philadelphia, 1982); Ioan M. Lewis, *A Modern History of Somalia: Nation and state in the Horn of Africa* (Westview Press, Boulder, CO, 1988).

²⁹ International Crisis Group, *Somalia's Islamists* (ICG, Brussels, 2005, Africa Report no. 100), p. 14. A longer study of *Al Islah* is contained in Andre Le Sage, *Somalia and the War on Terrorism. Political Islamic movements and US counter-terrorism efforts* (Cambridge University Press, Cambridge, 2004, unpublished PhD thesis), pp. 159-184.

stream Muslims in Somalia.³⁰ They specifically tried to counter Salafist-Wahhabist versions of Islam, and thus inevitably became involved in politics. The group played a role in the peace negotiations in Mbagathi (Kenya) that led to the TFG in 2004. Its efforts to mediate between politics, radical Islam and Somali Muslim traditions have often placed it in a difficult position. In late 2008 it started to form militias to counter the *al Shabaab* insurgents.

- *Al Ittihad al Islami* (Islamic Unity) This movement was founded in 1984, bringing together the two earlier Islamic groups of *al Takfir al Wahda* (also called *Wahda al-Shabaab al-Islaami*) and the Somali branch of the Salafi *Ikhwan al Muslimiin* (Muslim Brotherhood) that were both formed in the 1960s but suppressed by former President Mohamed Siyad Barre. *Al Ittihad al Islami* was first led by the Somaliland *sheikh* Ali Warsame, a Saudi-educated Wahhabist cleric still active today.³¹ While *al Ittihad* had a social component, it was primarily a political Islamist movement of militants, aiming to islamize Somali society, install an Islamic state in Somalia and agitate among Somali Muslims in Ethiopia. It became embroiled in violent disputes and battles with a variety of opponents in and outside Somalia and had a record of imposing its Islamist agenda (see below).
- There are also Islamic missionary groups like the *Jama'at al-Tabligh*, the *Ansar as-Sunna*³² and an association of Somali 'ulemas called *Majma' Ulimadda Islaamka ee Soomaaliya*. While these have no social or charitable programmes, their ideological influence is significant and impacts on traditional forms of Somali Islam.

These various groups are best considered as religious rather than *social* movements with a clear programme and agenda of social protest. They were primarily organizations bent on fostering Somalia's Islamic identity and furthering the interests of Somalis in a state where political opposition was impossible. The exception is perhaps *Al Ittihad al Islami*. Since the early 1980s it has been a constant presence in Somalia in various forms, both as a social movement with its own services and propagandist-educational activities and as a religiously motivated militant movement.³³ It formed various opportunistic alliances with some of the Somali Muslim civil-society associations outlined above. It has a record of terrorist attacks within Ethiopia that were part of its attempt to stir up unrest among Ethiopian Somali Muslims. Its bases in the

³⁰ Matt Bryden, 'No quick fixes', p. 34.

³¹ He is a member of the Somaliland Habr-Ja'elo/Isaaq clan.

³² International Crisis Group, *Somalia's Islamists*, pp. 16-18.

³³ For a detailed account by an Ethiopian academic, see Medhane Tadesse, *Al-Ittihad: Political Islam and Black Economy in Somalia* (Mega Printing, Addis Ababa, 2002).

Gedo region just across the Ethiopian border provoked a campaign by the Ethiopians in 1996-1997 that dislodged them and killed many of their leaders.

After this defeat, *Al Ittihad Al Islami* abandoned its international ambitions and developed a domestic agenda aimed at creating a semi-legal social network within Somali society, which was reminiscent of the National Islamic Front in Sudan before the 1989 coup. Though never renouncing its international links, it went into social projects, education and organizational activities to win a grassroots constituency and gain adherence for its views on Islam and society among the general population.³⁴ It built up a network of sympathetic clerics, most of whom had trained in other Muslim countries and were asserting their views of 'proper Islam' as opposed to Somali variations, i.e. a rejection of saints and Sufism. *Al Ittihad Al Islami* became active not only in southern Somalia but also in Somaliland and Puntland, trying to gain a public presence by calling for stricter Islamic morality in the public sphere in the two countries. The assassination of various foreign humanitarian workers, teachers and civil-society figures were also attributed to the movement. Their actions were controversial and generated unrest,³⁵ but they had a following. After the TNG's formation in 2000 they were close to the new government³⁶ and are still around today although they have lost some of their momentum in the wider society.

Filling the state vacuum: From *Al Ittihad al Islami* to the ICU

The Islamic Courts Union, later called the Supreme Islamic Courts Council, emerged as an organized force in 2004 and, with a military wing, in early 2006. This marked their arrival on the political scene. The ICU's rapid rise and decline in the unstable and militarized society of southern Somalia are intriguing. The organization was led by several former *Al Ittihad Al Islami* figures, most importantly by former army colonel and *al Ittihad* leader Hassan Dahir 'Aweys', (of the Ayanle/'Ayr/Haber-Gidir/Hawiye clan) who became chairman of its *Shura* or Advisory Council. Sheikh Sharif Sheikh Ahmed (of the Agonyare/Abgal/Hawiye clan), a former teacher and an *Ahlu as Sunna wal Jama'a* member, has been its Executive Council head since 2004 and has always been presented as a moderate leader. When it was set up, the ICU was internally

³⁴ Cf. Andre Le Sage, 'Prospects for *Al Ittihad* and Islamist radicalism in Somalia,' *Review of African Political Economy*, 28, 89 (2001), p. 475.

³⁵ See Somali journalist Bashir Goth's interesting article, 'Thwarting the menace of Islamism in the Horn of Africa', on the Somaliland website (www.awdalnews.com/wmview.php?ArtID=4146, November 8, 2004).

³⁶ According to Medhane Tadesse, (*Al Ittihad*, pp. 113 and 126), the TNG was dominated by *al Ittihad* people.

diverse and had radicals, (ex-)terrorists, Salafists and mainstream Muslims within its ranks. Islamist clerics like *Sheikh* Fuad Mohamed Qalaf were its ideologues.³⁷ As stated above, the ICU emerged from a number of *shari'a* courts in the Mogadishu region and its predominant clan base was Hawiye/-Habr-Gidir. In the course of late 2005-2006 it evolved into a movement with a large militia force with its own 'technical' (pick-up trucks with machine guns mounted in the back) and other weaponry. It acted as another armed force, rejecting the TFG and planning its military downfall. The ICU could thus in many respects be compared with the warlord/clan militia forces, pursuing a similar armed struggle to power but in this case in the name of Islam.

Their significance can be explained by the practical concerns of ordinary Somalis and business people with improving public safety and eliminating the predatory warlords and loose militias. While many ordinary people had cooperated with and profited from warlord or militia activities (if they were of the same clan), the general perception was that the warlords and militias had overplayed their hand by holding with impunity the city of Mogadishu in a stranglehold of violence, abuse and extortion. The Islamic Courts responded to an increasingly felt need among Somalis for public order and an end to the wholesale insecurity that had become a serious impediment for business and progress. To consider the ICU *from its start* as a front for radical Islam is, therefore, a mistake.

New modes of national governance and judicial structures in the clan-ordered anarchy of Somalia had constantly been sought since 1991, with at least a dozen attempts to constitute a national government. It should not be forgotten though that in the meanwhile many local solutions to the problems of instability and state absence were also developed. Indeed before the formation of both the TNG in 2000 and the TFG in 2004, Somalia had already gone a long way to creating working local/regional units based on a combination of clan-elder rule, deep-rooted customary law (*heer*), Islamic law and NGO activity (mainly those of Somali women). This was the so-called 'building blocks' approach.³⁸ However, the hotspot of Mogadishu remained violent. In the socio-political and legal vacuum of the city – and several other towns like Beledweyn and Kismayo – the Islamic Courts emerged as the only force with authority, providing a pragmatic regulation of disputes, combating street crime and protecting business deals. In the urban context, clan elders and customary law had lost much of their relevance as sources of judicial regulation.

³⁷ Remarkably, he had worked in Sweden for 12 year as the imam of a Stockholm (Rinkeby) mosque before returning to Somalia in 2004.

³⁸ Cf. Patrick Gilkes, 'Briefing: Somalia', *African Affairs*, 98, 1999, p. 577.

The courts were originally regular *shari'a* courts, like those found all over the Muslim world. The first phase of the courts' movement began just after the collapse of the state in 1991 when the Islamic group *Al Ansar as-Sunna* set up the first court in the Madina neighbourhood of northern Mogadishu, and was active within the Abgal sub-clan of Hawiye. Others followed, in Mogadishu and elsewhere, like the Hawadle clan court in Beledweyn, but this first wave of courts declined in the late 1990s due in large part to intra-Abgal clan competition, radical elements trying to take them over and a growing resentment to harsh *shari'a* punishments like the amputation of limbs. After a few years, a second wave of courts emerged in Mogadishu and Merca, and in 2000 they formed a *shari'a* Implementation Council, on which Hassan Dahir 'Aweys' reappeared. He was chairman of the Ifka Halane court (predominantly of the 'Ayr sub-clan), which was founded in 1998 and was known to be a hard-line court.

At the Arta peace conference in Djibouti in 2000, the Islamic Courts were represented as a movement.³⁹ In the next few years, eleven courts appeared in Mogadishu: ten from Hawiye sub-clans and one from the Jareer-Bantu people. They tried to transcend clan interests and appeal to wider principles of conflict regulation and justice 'on the basis of Islam', and partly succeeded. Their spokesmen often drew explicit parallels with the time of the Prophet Mohammed who, when establishing Islam as the dominant religion, had agitated against Arab clan divisions. The courts forged an alliance, thus increasing their relevance as an incipient social movement, and the ICU found support among a growing number of local businessmen, some of whom became the movement's core financiers. Members of the individual courts were Muslim clerics but also business people and clan elders and they became popular by creating order, cleaning up the streets and finding solutions to the problems of crime and insecurity caused by the warlords and criminal bands. That an Islamic message was part of the deal was accepted for the time being. As Ken Menkhaus noted, 'Though many Somalis were deeply uneasy with the radical and reckless direction the ICU leadership gradually took, they were willing to tolerate almost anything in return for public safety'.⁴⁰ This was realized by mediation in intra-clan dispute resolution, a furthering of inter-clan cooperation, the imposition of fines and compensation payments, and the enforcement of judgements and agreements, for which militia were used. Most of the courts, interestingly, took

³⁹ See 'Interview with Islamic Courts chairman Hassan Sheikh Mohamed Abdi', in the In-Depth IRIN report 'Somali National Peace Conference' (www.irinnews.org/InDepthMain.aspx?InDepthId=54&ReportId=72096&country=y), July 2000.

⁴⁰ Ken Menkhaus, 'Who broke Mogadishu?', *The Guardian*, 17 January 2007.

care not to go against the principles of Somali customary law (*heer*), certainly not before their takeover of power in Mogadishu. They were usually supported in local communities and received voluntary financial contributions from both businessmen and the general population.

The ICU was formed in 2004 and sought an extension of the authority of the courts that morphed into a social movement with a more structured leadership and wider socio-political aims derived, in part, from Islamic charities and movements that existed before the Courts' movement emerged. They tried to bring the entire country under their influence, stabilize it and form a new structure of (religious) authority to replace the state.

This success, having responded to social needs and built up momentum, attracted Islamist militants, activists and former *Al Ittihad* leaders who saw in the Islamic identity and popular acceptance of the courts a way to move forward with their agenda of islamization, denying the relevance of Somali customary law and other sources of legislation. In addition, they saw the chance to subvert their main opponent, namely the TFG and its strongly anti-*al Ittihad* president Abdullahi Yusuf (who had prevented an *Al Ittihad* coup in Puntland in 1992).⁴¹ At this juncture and fuelled by former *Al Ittihad* members, the expansion of the courts, by taking on militias as their executive arm and enforcing their rule, went beyond its regular jurisdiction and brought them to the threshold of politics. It was a crucial moment in recent Somali history when a potentially positive social movement turned into a political force, but one jeopardizing the chances of its own success by embarking on expansion using violent means. This was also a development that most Somalis did not appear to approve of, although it was indicative of the fundamental changes in Somali society and Somali Islam.

ICU rule: June-December 2006

The ICU was a heterogeneous alliance of Islamic groups, Islamic courts and radical-Islamists in opposition to the TFG. As noted, it had its roots in the earlier *Al Ittihad al Islami* that was formed in 1984,⁴² which explains why parts of the ICU were already geared to a radical Islamist agenda. The ICU took over power in Mogadishu in June 2006 after it chased out a coalition of clan-militia leaders and warlords from Mogadishu. These warlords had divided southern Somalia and Mogadishu into personal business fiefs and were responsible for the road blocks, arbitrary rules, the extortions and most of the violence against

⁴¹ For a good survey, see International Crisis Group, *Somalia's Islamists*, pp. 5-6.

⁴² See Matt Bryden, 'No quick fixes', p. 28, and Sunguta West, 'Somalia's ICU and its roots in *al-Ittihad al-Islami*', *Terrorism Monitor*, 4, 15, 27 July 2006.

civilians. Some of them had loosely declared their allegiance to the TFG but did not submit to its authority.⁴³ In a notoriously ill-judged policy, the US government, concerned about terrorist *al Qa'eda* operatives in Somalia, had been supporting an alliance of such warlords with logistics and funds since early 2006.⁴⁴ Surrealistically called the Alliance for the Restoration of Peace and Counter-Terrorism (ARPCT), the US believed them to be a bulwark against terrorist elements within the ICU.⁴⁵

After the ICU defeated the ARPCT in June 2006, it reigned in Mogadishu for six months and extended its rule to most of southern Somalia, bringing increased security and public order. Road blocks were removed, garbage was collected and many criminal gangs were taken off the streets. Its ideology had, however, become clearer in its leaders' pronouncements⁴⁶ and was unambiguous. As the Islamic Courts' first vice-chairperson Abdelrahman M. Jinikow said in September 2006: 'We will only approve a constitution based on theology because an Islamic constitution is the only one that serves all of us justly'. He added that the TFG government's current 'man-written constitution has nothing to do with Islam' and that '[a] secular constitution, whether it is democratic or any other, is never fair and right, and Muslims have only one constitution which is entirely based on Allah's Koran that will avail all Muslims in the world now and Hereafter'.⁴⁷ They tried to impose strict *shari'a*-based rule, which soon evoked resentment. The idea that the ICU was a benign and fully accepted regime has to be dismissed in view of the violence they inflicted⁴⁸ and the un-

⁴³ Many warlords, notably in the countryside and the smaller cities, remained outside the ARPCT. An example is the notorious Yusuf Mohammed Siyad 'Indha'adde (Hawiye, 'Ayr sub-clan), who had established himself in Merca and appropriated plantations and other property there. In 2006 he joined the ICU and became one of its most uncompromising spokesmen.

⁴⁴ See 'U.S. secretly backing warlords in Somalia', *Washington Post*, 17 May 2006.

⁴⁵ See also Matt Bryden, 'Washington's self-defeating Somalia policy', CSIS, Africa Policy Forum comment (<http://forums.csis.org/africa/?p=18>, December 6, 2006).

⁴⁶ See for example an interview with Hassan Dahir 'Aweys' in Rod Norland, 'Heroes, terrorists and Osama', *Newsweek*, 22 July 2006, and also 'Militia leader calls for Islamic rule in Somalia' (AP news message, 13 October 2005). An interesting confidential document on their programme is a letter by Hassan Dahir 'Aweys' (http://wikileaks.org/wiki/Category:series/Inside_Somalia_and_the_Union_of_Islamic_Courts, November 9, 2005).

⁴⁷ See 'Somalia: we accept no constitution other than Islamic - Islamic courts', Shabelle News Media message (www.benadir-watch.com/2006%20News/0906_Islamic_courts.pdf, September 6, 2006).

⁴⁸ A few examples: after they took over they had women without veils publicly lashed, they introduced *shari'a* law punishments literally, like amputations and stonings,

popular measures they took.⁴⁹ The independent media and women's NGOs were threatened as well and is evidence of how the ICU quickly marginalized the role of civil society.

With inflammatory rhetoric, the ICU set out its wider political ambitions in the region: 'uniting all Somalis in the Horn of Africa',⁵⁰ '[the] installation of a *shari'a*-based Islamic state' and '*jihad* against Ethiopia'.⁵¹ This reflected the ICU's immaturity as a movement.

An important result of the ICU victory was its takeover and appropriation of many of Somalia's economic activities. Some of the ICU's major financial backers were indeed important businessmen, like Ahmed Nur Jim'ale, former chairman of the telecom/remittance company *Al Barakat*, and trader Abukar Omar Adani who had his own militia.⁵² In fact, the start of the ICU offensive in 2006 may have been sparked by a conflict over the control of the profitable El Ma'an port (30 km north of Mogadishu) between Adani, calling in ICU militias, and militia leader Bashir Raghe.⁵³ In addition, in late 2006 many of the thousands of former warlord militia members of the defeated ARPCT, the *moryaan* (marauding armed youths), turned up in ICU militias, perhaps less out of religious conviction than because of perceived economic prospects (a fixed salary of US\$ 70 to US\$ 150 per month).

they shot and killed people watching television, and in one incident they dragged wounded, loyal TFG supporters in Bu'ale from their hospital beds and killed them (cf. United Nations Joint Logistics Center, NGO-SPAS, 'Somalia - security update, report no. 44/06', 26 Oct. - 01 Nov. 2006). The *Al-Shabaab* militia, the main perpetrator, had already built up a record of abuse and violence in previous years, including targeted abductions, the assassination of aid workers and civil-society activists, and other grave desecrations. This fits with the record of terrorist actions of its predecessor *Al-Ittihad al-Islami*.

⁴⁹ This led Somali researcher Said S. Samatar to note that if Somalia were to be left to sort itself out alone, the movement would be absorbed by clan-based politics and lose its prominence and radicalism. See his 'Why Somalia is no territory for Islamic terrorists'

(http://wardheernews.com/Articles_06/August_06/15_somalia_no_territory_for_terrorists_samatar.html, August 16, 2006).

⁵⁰ For example, they also threatened Somaliland and made pronouncements against its budding democracy and relative stability.

⁵¹ For example, 'Somali militia declares jihad against Ethiopia', *International Herald Tribune*, 9 October 2006, and 'Somali hardliner calls for foreign jihadists', *The Observer*, 24 December 2006.

⁵² See: Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1676 (2006), UN document S/2006/913, p. 10.

⁵³ Both men were members of the Warsangeli/Abgal/Hawiye sub-clan.

In the six months up to December 2006 there were half-hearted negotiations between the ICU and the TFG on power-sharing. When in December that year the ICU threatened to conquer Baidoa, the town where the weak but internationally recognized TFG of Somalia was entrenched, the Ethiopians, who were fearful of an Islamist government on their doorstep and committed to the IGAD peace process,⁵⁴ moved in 'at the request of the TFG' with thousands of soldiers and defended the TFG. A quick push towards Mogadishu ousted the ICU from the capital, forced them to disperse and go back to their (mainly Hawiye) clan territories where they were reproached by clan elders for having provoked the Ethiopian intervention with their armed campaigns.

International dimensions: Impact of the Ethiopian intervention

Before 2006 Ethiopia had followed developments in Somalia with an apprehensive eye, wary of the ICU's Islamist element. Ethiopia sees itself as having legitimate security concerns regarding Somalia in view of two previous wars and a possible radicalization of its own Muslim population (ca. 38% of the total). While its role has not always been positive, Ethiopia appears to be working for a stable and manageable Somalia. Its relations with Somaliland and Puntland are good but the South is a problem. The Addis Ababa government also fears ethno-nationalist sentiments among the Ogaden Somalis, some of whom had links with *Al Ittihad al Islami* in the 1990s and have been waging an armed rebellion against the Ethiopian administration in Somali Region 5, which intensified in 2007 with a terrorist attack by the ONLF (Ogaden National Liberation Front founded in 1984) on an oil exploration site in eastern Ethiopia in which 65 people were killed.

Ethiopia has consistently supported the Somali Salvation Democratic Front (SSDF) of the current TFG president Abdullahi Yusuf and various non-Islamist groups among the Digil-Rahanweyn in the Bay-Bakool regions bordering Ethiopia. It rejected the previous transitional national government that emerged from the 2000 'Arta Process' in Djibouti and gave rise to an even weaker government with less legitimacy than the current TFG.

Within the IGAD framework, Ethiopia supported Abdullahi Yusuf's bid for the presidency in 2004 and made itself 'guarantor' for the newly constituted TFG. The seat of this government in Baidoa was protected in part by Ethiopian troops, as was the case when the ICU forces, having refused meaningful nego-

⁵⁴ This process of negotiations under the auspices of the IGAD (International Governmental Authority on Development, an organization of states in the region) in Kenya in 2002-2004 involving Somalia's various clan factions led to the Mbagathi agreement to establish the TFG in October 2004.

tiations with the TFG, advanced on Baidoa in December 2006 with the intention of conquering it. Their ultimatum to the TFG and the Ethiopians, made in the same reckless manner as most of their other actions, was met with a rapid offensive by the TFG and the Ethiopians that militarily cleared out the ICU from Mogadishu, destroyed much of their militia and infrastructure, and allowed the TFG (but not Parliament) to enter Mogadishu.

Ethiopia was aware of the (still ongoing) support that Eritrea was providing to those opposed to the TFG and their own forces, including *al Shabaab* and other militant groups. The UN Somalia Monitoring Group reports of 2006 and 2007 documented the arms flows and other foreign assistance in remarkable detail.⁵⁵ A proxy war is thus still being fought out, preventing easy domestic resolution of the conflict.

The impact of the Ethiopian intervention on the domestic scene since early 2007 has been substantial. It has led to the ICU dividing into at least three sections, reflecting the various social bases and ideological currents of Somali Islam, as well as different responses to the military defeat and offers by the TFG to negotiate.

ICU defeat and transformation

In addition to the military campaign by the TFG and the allied Ethiopian armed forces, there are also underlying societal reasons for the ICU's fragmentation, like centrifugal political segmentation (determined by the complex and ever-present Somali clan-family system), problems resulting from economic competition (land grabs, extortion and control over export products), local political manoeuvring in the stateless environment, and ideological differences rooted in ambivalent Somali nationalism and cultural identities.

While the ICU as such has been dissolved since its defeat, some remnants centred on the militias have slowly reconstituted themselves in the countryside with foreign and local support. And as the ICG noted in 2007, the 'grassroots network of mosques, schools and private enterprises' that was part of the ICU movement and had spread 'the Salafist teachings and their extremist variants remains in place and continues to expand'.⁵⁶ This includes Somaliland where

⁵⁵ Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1676 (2006), UN document S/2006/913, pp. 11-17; Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1676 (2006), UN document S/2007/436; Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1766 (2007), UN document S/2008/274, pp. 20-21.

⁵⁶ International Crisis Group, *Somalia: The tough part is ahead* (ICG, Brussels, 2007, Africa Briefing no. 45), pp. 1, 9.

several of the *Al Ittihad* and ICU leaders came from⁵⁷ and where Islamists have been working underground to disrupt the prevailing political system.

In January 2007, core remnants of the ICU militias renamed themselves the Popular Resistance Movement in the Land of the Two Migrations (PRM). Two other names also surfaced: the Brigades of *Tawhid* and the Jihad in the Land of Somalia. They were committed to armed resistance by every possible means and, in the meantime, also developed their commitment to a radical, though not well-elaborated Islamist ideology.

On the political front, the ICU leadership, including what the media always calls the 'moderates', reorganized in Asmara, Eritrea, and formed the Alliance for the Re-Liberation of Somalia (ARS). After being released from Kenyan custody and debriefed by the Americans in early 2007, former ICU head Sheikh Sharif Sheikh Ahmed became the leader, but with Hassan Dahir 'Aweys' still in the background. Initially supporting any kind of armed action against the TFG forces, government officials and the Ethiopians, including shellings, ambushes, targeted killings and suicide attacks, they later chose to negotiate. On 9 June 2008 a deal was struck at a conference in Djibouti by the TFG and the ARS. They agreed to end all violence (on condition that there was a timetable for the departure of Ethiopian troops) and work towards power-sharing and reconciliation.⁵⁸ But this approach lacked significance among the radicalized militias.

The ICU's legacy was notably claimed by a radical sub-group led by the *Al Ittihad Al Islami* veteran Hassan Dahir 'Aweys', and younger activists like Afghanistan veterans Aden Hashi Farah 'Ayro'⁵⁹ (of the Ayanle/'Ayr/Habr-Gidir/Hawiye clan), Mukhtar Robow (Leysan/Sideed/Mirifle/Rahanweyn clan) and Mukhtar Abdirahman (probably a Habr-Ja'elo/Isaaq). The latter three were leaders of a militant group known by the name of *Harakat al-Shabaab* (or *Mujahidiinta/Hizb al-Shabaab*, i.e. Fighters/Party of the Youth). This group engaged in systematic attacks on Ethiopian troops and Somalis loyal to the TFG. A campaign of classic urban terrorism was unleashed, resulting in hundreds of civilian victims. *al Shabaab* was in many respects a continuation of the *Al*

⁵⁷ When working on this chapter in late 2008, news was received of a fivefold suicide bombing by *al Shabaab*-affiliated militants in Somaliland that had left 28 civilians dead and dozens wounded. See 'Suicide bombers kill at least 28 in Somalia' (www.africanews.com/site/Suicide_bombers_kill_28_in_Somaliland/list_messages/21336).

⁵⁸ See 'Agreement between Transitional Federal Government and the Alliance for Re-liberation of Somalia' (www.iss.co.za/dynamic/administration/file_manager/file_links/SOMALIPAX9JUN08.PDF?link_id=29&slink_id=6044&link_type=12&slink_type=13&tmpl_id=3, June 9, 2008).

⁵⁹ He was killed in an American air strike on 1 May 2008.

Itihaad Al Islami movement, and had originally been a militia allied to two radical Islamic courts in Mogadishu (Sherkoolo and Ifka Halane). After defeat in December 2006 it turned to a violent, non-compromising insurrection, led by the figures mentioned above as well as other Islamists. Former warlord Yusuf Mohammed 'Indha'ade' and jihadist Hassan Hersi 'al Turki' followed the same path, although they are not formally part of *al Shabaab*. They were able to draw support from a network of radical Somali Salafist clerics known for their jihadist pronouncements and statements against westerners, non-Muslims and dissidents.⁶⁰

Al Shabaab-affiliated leaders in the 1990s undoubtedly served as contact men and protectors of (non-Somali) *al-Qa'eda* operatives,⁶¹ amongst whom were the three involved in the 1998 and 2002 bomb attacks in Kenya.⁶² *Al Shabaab* thrives on foreign funding from Arab countries and a radicalized/-nationalist Somali diaspora.⁶³ They thus flout the domestic Somali constituency and feel accountability to no one except Allah.⁶⁴

Despite the pounding the ICU and its militias received from the Ethiopians and the TFG and the unpopularity of their violent political agenda among large sections of the Somali public, including many of the (divided) Hawiye clan-family, the presence of a radical Islamist social movement in Somalia has now been established. This is in no small part due to support from foreign players, such as Eritrea and some Middle-Eastern Muslim countries, and will be a feature of the Somali political scene for years to come. In the process of their

⁶⁰ See, for instance, the statements of *sheikh* Nur Barud Gurhan, chairman of the Kulanka Culimaada, a Salafist group in Mogadishu, in 'Western aid workers accused of conversion', Reuters news message, 22 April 2004.

⁶¹ For *al-Qa'eda*'s presence in East Africa, see Andre Le Sage, *Somalia and the War on Terrorism*, Chapter 3.

⁶² Fazul A. Muhammed (who narrowly escaped arrest in Kenya in September 2008), Saleh Ali Saleh Nabhan, and Tariq Abdullah (Abu Talha 'al-Sudani'). Other *al-Qa'eda* men include Ali Swedhan, Samir Said Salim Ba'amir, Mohamed Mwakuzi Kuza, Issa Osman Issa and (probably) the Somali Ahmed Abdi Godane. Cf. International Crisis Group, *Somalia: Countering terrorism in a failed state* (ICG, Brussels, 2002). See also a report on Gouled Hassan Dourad, a Somali detainee in Guantanamo (www.dni.gov/announcements/content/DetaineeBiographies.pdf, September 15, 2008). See also Roland Marchal, 'Islamic political dynamics in the Somali civil war', in A. de Waal (ed.), *Islamism and its Enemies in the Horn of Africa* (C. Hurst & Co., London, 2004), p. 139.

⁶³ Cf. Stig Jarle Hansen, 'Misspent youth - Somalia's Shabab insurgents', in *Jane's Intelligence Review* (<http://jir.janes.com/public/jir/terrorism.shtml>, September 1, 2008).

⁶⁴ Cf. Robert Walker, 'Meeting Somalia's Islamist insurgents', BBC news item, (<http://news.bbc.co.uk/2/hi/africa/7365047.stm>, April 28, 2008).

(re-)emergence, the social agenda of Muslim movements, including that of the Islamic Courts, has been pushed aside in favour of a religious-political one that is bent on exclusive power and the coercive institution of a new 'moral regime', subverting the civic dynamics of Somali social forces and the agency of established grassroots interest groups.

The ICU and its associates have thus been militarized and transformed by a radical Islamist section that has defeated the aims of the social movement that established it. No doubt the brazen Ethiopian campaign and US anti-terrorism actions like air strikes on militants have contributed to this. But it is also a sign of the fundamental transformations that Somali Islam and its social infrastructure have been going through in the last decade: the decline of authority structures based on clan law and elders, the fragmentation of clans, the emergence of new independent economic power bases, and the rise of a new generation of foreign-funded and supported activists and religious men combating Somali culture, customary law and mainstream Islam dominated by Sufi orders. Apart from the subversion of customary law and the clan elders' influence, this development has marked the weakening of other social forces like traditional socio-religious associations and locally rooted Muslim movements, such as *Al Islah* and the *Ahl as-Sunna wal Jama'a*, that recognized the traditional dual nature of power in Somalia⁶⁵ and rejected an exclusivist, politicized Islam, as well as a decline in the fortunes of local NGOs, notably women's groups.

ICU fragmentation and the growth of the jihadist movement

The dominant insurgent force today is again the *al Shabaab* which, despite showing some internal diversity, is committed to an *al-Qa'eda*-type ideology. It has been the most important movement on the ground (up to mid-2009) and has done most of the fighting. It is organized in regional, relatively autonomous units and is becoming rooted in local communities that contribute funds and supplies, either on a forced or voluntary basis. *Al Shabaab* is trying to fuse Somali nationalism, which appeals to many (provoked by the presence of Ethiopian forces in the country), and radical Islamism conceived in global terms. In 2007, in a script well-known in global jihadist discourse, the PRM started showing suicide-bomber videos online. And in September 2008, some *al*

⁶⁵ See Ioan M. Lewis, 'Dualism in Somali notions of power', *Journal of the Royal Anthropological Institute*, 93 (1963), pp. 109-116. While religious leaders could become involved in (armed) struggle against a perceived external threat, within Somalia this duality was respected and reflected the socio-political organization of society, and political power was not translated or validated in religious terms (*Ibid.*, p. 115).

Shabaab spokesmen publicly admitted their affinity to *al-Qa'eda* ideology and were clearly set on the road to terrorism.⁶⁶ Their subsequent shelling of Mogadishu airport and the Ugandan and Burundian AMISOM forces, in which many civilians were killed, confirmed the trend.

Global militant-jihadist discourse has taken root among Somalis and is being spread by foreign-educated clerics and activists (in Saudi Arabia, Sudan, Egypt and the Gulf States), leading many of these groups to propagate a 'pure Islam' and an anti-clan and anti-Somali policy. Several Muslim countries and private individuals are providing funds for Islamic charities, mosques, *madrassas* and private universities, not to mention other material support including arms and supplies (from Iran, Libya and Syria).⁶⁷ Predictably, the above-mentioned Islamist fighting groups, following the global discourse of jihadist Islamism, started propagandist Internet sites⁶⁸ calling for jihad and the 'liberation' of Somalia.

The deal made by the ARS with the TFG in June 2008 is evidence of a careful road to rapprochement, but the chance that the radicalized past of the ICU will accept it is slim. It appears to be too late because militant armed elements, such as *al Shabaab* and related Islamist militias that follow a narrow and uncompromising agenda, are likely to fight on using terror tactics.⁶⁹ They have faced criticism from many of their own clan members, with parts of the Hawiye and Rahanweyn clan-families (where key leaders of *al Shabaab* come from) disavowing their violent tactics.⁷⁰ In response, *al Shabaab* activists have targeted those who speak out and assassinated several of them, including clan elders. This development shows that clan dynamics are again impinging on the Islamist agenda and may limit its appeal. Despite this, radical Islamist opposi-

⁶⁶ Cf. one of the most notorious *al Shabaab* leaders, Mukhtar Robow, cited in Ed Sanders, 'Conditions may be ripe for *Al Qaeda* in Somalia', *Los Angeles Times*, 25 August 2008.

⁶⁷ See the report cited in footnote 38, pp. 21-26.

⁶⁸ See (www.qaadisiya.com), announcing the PRM's formation on 19 January 2007. It soon appeared they were *al-Shabaab* and were regrouping. Other websites were: www.kataaib.net (the official *Al Shabaab* site until 23-01-2009, when it was closed down) and www.abushabaab.worldpress.com (in English), also closed down in early 2009.

⁶⁹ In March 2007 they summarily executed and mutilated several captured TFG soldiers. See 'Somalia, Events of 2007', in *Human Rights Watch Report 2008* (Human Rights Watch, Washington, DC, 2008). (<http://hrw.org/englishwr2k8/docs/2008/01/31/somali17757.htm>, 2008).

⁷⁰ See for instance, 'Somalia - Mogadishu community leaders appeal to *al Shabaab*', a news message (www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Mogadishu_community_leaders_appeal_to_al_Shabaab.shtml, October 7, 2008).

tion forces have been regaining the upper hand on the battlefield as a result of their international connections with other Muslim countries and networks in terms of funds and other support. In late 2008 they occupied the major city of Kismayo and installed an Islamist regime there, including *shari'a* criminal law.⁷¹ In December 2008 the announced withdrawal of Ethiopian troops materialized and in early 2009 *al Shabaab* forces took Baidoa as well. The reluctance of the Ethiopians to perpetually buttress the TFG is explained by the fact that the TFG did not meet their expectations of forming a government, and without the promised support from the AU and the international community, they withdrew. The TFG did not succumb to the pressure but saw the resignation of Abdullahi Yusuf and, in a surprise move, the election by an extended Somali parliament of Sheikh Sharif Sheikh Ahmed of the ARS-Djibouti as the new Somali president. His more moderate and conciliatory tone has invited support from Somalis and undermined the support base of the radicals. But the TFG will remain vulnerable, if not succumb, at some point,⁷² and there may still be an Islamist regime in Mogadishu. In March 2009 the new president declared that *shari'a* would be the main law of Somalia, giving in to another demand by the Islamist radicals. But *al Shabaab* showed themselves to be rejectionist by not accepting the new TFG under the leadership of their erstwhile ally. Hassan Dahir 'Aweys' of the ARS-Asmara initially rejected the new TFG but in April 2009 announced his intention to return to Mogadishu and conditionally work with the new TFG. However, when he had returned in May, he denounced contacts with the Sheikh Sharif government and called for its removal. As leader of the *Hizbul Islam* coalition of four smaller radical-Islamist factions, he clearly aimed to become government leader himself. Violence fuelled by *al Shabaab* and *Hizbul Islam* actions has continued. It also provoked the formation of militias under the banner of the mainstream Sufist-oriented *Ahl as-Sunna wal Jama'a* who in early 2009 chased *al Shabaab* out of several towns in central Somalia. Thus a new round of fighting began, indicating that *al Shabaab* had reconfigured itself as a militant movement superseding the ICU and was aiming

⁷¹ On 28 October 2008 it was reported that they had started to stone Somali women for committing adultery. BBC news message, 'Somali woman executed by stoning' (<http://news.bbc.co.uk/2/hi/africa/7694397.stm>, October 28, 2008) and 'Rape victim, 13, stoned to death in Somalia', *The Guardian*, 2 November 2008, (www.guardian.co.uk/world/2008/nov/03/somalia-rape-amnesty, November 2, 2008).

⁷² See Steve Bloomfield, 'Troop pull-out leaves government on brink', *Sunday Herald*, 11 October 2008. The ongoing offensive of the *al Shabaab*, supported by terror attacks, brought this moment near in June 2009.

to achieve its goals (of gaining power and installing a theocratic state) through violent means rather than a broad social programme.

Conclusion: The transformation of a social movement

The ICU and its constituent parts undoubtedly had traits of a grassroots social movement by being involved in dispute resolution and exercises in social justice and attempts to restore some degree of social order. It certainly was, to cite Olzak's definition, 'a purposive collective movement voicing demands for fundamental changes in society, mobilizing around one or more public causes and following a strategy of change'. ICU activities could be claimed to have been beneficial to an urban constituency and came to stake claims for fundamental change in a wider national arena, although they were not all democratic. The fact that in 2006 this movement quickly went on to take economic and political functions and violently claim exclusive socio-political space was because the state in Somalia had not only collapsed but had effectively dissolved so that the movement – and its religious currents – had no political structures or powerful state adversary to confront, unlike social movements in Europe, Latin America or South Africa. The ICU had to fill a vacuum to not only provide services but also create new narratives of legitimacy and authority. It decided to seek a basis in Islam, offered as an encompassing, absolutist ideology claiming to fill civic space and ground people's social identity. But any social movement, as an invented institution, is prone to change and metamorphosis, as Tilly noted.⁷³ That the ICU allowed itself – perhaps having no choice on a playing field dominated by violent competition for power and allegiance and no other 'unifying' discourse than Islam available – to be taken over and dominated by radical Islamists as to leadership and political ideology was a result of its inexperience and its unclear, perhaps underdeveloped, socio-political programme. It was likely also a reflection of the basic impossibility of developing a real political Islam. Many in Somalia feel this to be a contradiction in terms, notably in view of the deeply engrained duality of notions of power in Somali culture – the religious people (*wadaad*) versus the politicians or warriors (*waranle*).⁷⁴ Political power is, furthermore, usually seen as corrupting religious values, and perhaps vice versa. It is the old problem that beset *Sayyid* Mohammed Abdullah Hassan back in the early 1900s.⁷⁵

⁷³ Tilly, *Social Movements*, p. 14.

⁷⁴ Cf. Lewis, 'Dualism in Somali notions of power', p. 114.

⁷⁵ Cf. J. Abbink, 'Dervishes, *moryaan* and freedom fighters: cycles of rebellion and the fragmentation of Somali society, 1900-2000' in J. Abbink *et al.* (eds), *Rethinking*

The social movement of the ICU has fragmented and lost direction. The broader-based ARS has taken its place since 2007 as a political opposition force but as such was not present in Somalia. The courts could regain legitimacy and make an impact by refocusing on what they do best, namely dispensing justice in local social and other disputes, seeking reconciliation and accommodation between different groups and clan units, and refraining from politicizing their role. In these domains they can still do more than the perennially weak, erratic and unreliable TFG, which has not been able either to institutionalize itself or gain sufficient loyalty⁷⁶ and work towards national inclusiveness. It has the character of a phantom government without a social presence and with its various units like the army, police or security forces often operating fully on their own and not responding to the cabinet ministers who are nominally in charge. Its record of abuse and the bad name its Ethiopian allies have inevitably received in Somalia due to the ongoing violence are preventing progress. A compromise formula between the two – the TFG and the ARS – is inevitable but realities on the ground have so far prevented this.

The ICU movement yielded various moderate as well as militant/violent parts in 2008, with the latter subverting anything good that the ICU had achieved when in power in Mogadishu. Among them, *al Shabaab* turned in fact into an 'anti-social movement', targeting its own people and predictably rigidifying its policies with, as the core issue, the unconditional withdrawal of the Ethiopians (thereby hoping that an implosion of the TFG would follow) and the coercive establishment of *shari'a* rule in a theocratic state. Beyond this, no specific political ideas have been voiced. For them, all means to these ends are justified. The following incident is characteristic:

On 7 October 2008 the chairman of a traditional elders' council in the Hiraan region, Mr Da'ar Hersi Hoshow, was shot and killed. Hundreds of protesters took to the streets in Beletwein, the capital of Hiran, following the assassination. The protest turned violent with demonstrators throwing rocks at Islamic Courts fighters, who effectively control Beletwein and the surrounding regions after Ethiopian troops withdrew last month [September 2008]. No group claimed responsibility for the murder, but the assassination came a day after he publicly renounced the *al Shabaab* insurgents' threats against the aid agencies CARE International and International

Resistance: Revolt and Violence in African History (Brill, Leiden, 2003), pp. 328-365; and Hussain, *From Tyranny to Anarchy*, p. 76, 221.

⁷⁶ Although it probably commands the nominal allegiance of the majority of southern Somalis: the Darod and Rahanweyn clan-families, the larger part of the Abgal-Hawiye clan, and many minority groups.

Medical Corps. He had also suggested that *al Shabaab's* threat was intended to 'starve' the local people.⁷⁷

This killing, not the first to be directed against a legitimate social current in Somali society, namely the clan elders who represent legitimacy and authority in the local context, confirms that Islamist radicals have taken over the struggle and annexed the social-movement element in Somali insurgency. Clan-family divisions and competition for power and resources of any kind (money, guns, land, water and women) have come to dominate the struggle in southern Somalia based on earlier struggles in the 1990s and are not easily resolved.⁷⁸ This is reminiscent of the deep divisions and violence left by *Sayyid* Mohammed Abdulle Hassan, the anti-colonial militant and proto-nationalist of the early twentieth century.⁷⁹ It took decades to overcome the damage done by his Islamist armed movement and the current antagonisms in Somalia may indeed have revived the conflict and memories of the divisions he generated.

The present conflict shows that the ICU, which originally emerged as a partial solution to the challenges of social disorder and the problems of degenerated clan mediation mechanisms and failing social support systems in Somalia, has been overtaken by a radical Islamist ideology based on foreign models. This ideology is carried by certain clan groups and elites within those clan groups more than by others. The clan system is not, as often alleged, inherently divisive (see the experiences in Somaliland and Puntland) but only becomes so when Islamist ideology is let loose on it. The Islamist politicization of the country's problems has subverted the courts' potential and their socially reconstitutive role. It has made a particular form of Islam dominant: the Salafist-jihadist version that fuses religion and politics in a violent narrative, presenting armed force and terror as the apocalyptic means to the goal of Islamist theocratic rule, and which is not popular among most Somalis. This has prevented authentic social movements from developing.

The result appears to be a Somali society more divided than ever and one burdened by a discourse of violence and revenge. There is a Somali saying that

⁷⁷ Based on the news story 'Somalia: chairman of elders' council assassinated in central Somalia' (<http://allafrica.com/stories/200810080085.html>, October 7, 2008). Since October 2008 and in a fully predictable scenario, there have been many other reports of the stoning of rape victims, the cutting off of thieves' hands and even the beheading of sheikhs by *Al Shabaab* forces. One example is Abdi Sheikh and Abdi Guled, 'Somali Islamists behead two sheikhs' group', *Reuters news message*, 20 March 2009.

⁷⁸ See Ken Menkhaus, *Somalia. A Country in Peril, a Policy Nightmare* (ENOUGH Project, Washington, DC, 2008) (www.enoughproject.org/files/reports/somalia_rep090308.pdf).

⁷⁹ See Abbink, 'Dervishes, *moryaan* and freedom fighters', p. 346.

goes as follows: *Nabar doogi ma haro* ('An old wound will not go away'). If this is true, the Somalia conundrum, which is following a historically familiar cyclical pattern of group rivalry and violence, will probably be with us for another generation at least.

Movers and Shakers

Social Movements in Africa

Edited by

Stephen Ellis
Ineke van Kessel

THEORETICAL PERSPECTIVES

1 Introduction: African social movements or
social movements in Africa?
Stephen Ellis & Ineke van Kessel 1

2 Social movement theory: a perspective
Jacqueline van St. John 17

3 Speaking in global debates through a national and continental lens:
South African and African social movements in comparative
perspective
Adam Habib & Paul Opeke-Maswah 44

CASE STUDIES

4 African civil society, 'Blood Diamonds' and the Kimberley Process
Louisa Ghoris 63

5 The Islamic Courts Union:
The ebb and flow of a Somali Islamist movement
Jon Abbink 87

6 Liberia's women acting for peace:
Collective action in a war-affected country
Veronika Faust 107



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