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Engaging Corrupt Somalia

A thesis
submitted in fulfilment
of the requirements for the degree
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Abstract

This thesis addresses a fundamental question, which is particularly relevant in the Somali context; why has corruption remained endemic in international aid programmes in Somalia? In researching and analysing this question this thesis examined the characteristics of the aid systems in Somalia, which provide an enabling environment for corruption against the application of a consociationalist democratic model. Indicators of success for international interventions in Somalia surround expenditure, presence, influence, geo-political interest and security, and have not included the promotion of Somali-centric models for good governance, transparency and accountability – key actions necessary to help mitigate corrupt practices. Consequently, this thesis examines corruption in Somalia, and its presence in international aid based upon three key factors - adverse clan self-interest, international geo-political self-interest, and lack of effective state building support. While consociationalist theory provides an opportunity for Somalia to address such gaps, this will require a comprehensive and holistic approach and a commitment by the clans in Somalia to collaborate rather than continue to engage in corrupt, self-interested and opportunistic behaviours.

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Timeline of Significant Events

- 1600's Portuguese traders arrive in the territory of Somalia and begin rule of coastal towns
- 1800's Other European powers begin establishing presence in Somalia
- 1840's British East India Company establishes harbour facilities and trading ports
- 1860's France establishes presence in North Eastern Somalia
- 1884 The 'Scramble for Africa' begins
- 1886 Britain gains control of Northern Somalia - British Somaliland
- 1896 France establishes French Somaliland in North Eastern Somalia
- 1889 Italy establish an Italian Protectorate in Southern Somalia
- 1936 The Italian Protectorate merges with Somali-speaking parts of Ethiopia to form Italian East Africa Province
- 1940 Italians occupy British Somaliland
- 1941 Britain occupies Italian East Africa Province
- 1950 Italian East Africa Province becomes a United Nations trust territory
- 1956 Parliamentary elections in Italian East Africa result in granting of internal autonomy and re-naming 'Somalia'
- 1960 Britain proclaims end of British Somaliland
- 1960 British Somaliland and Somalia merge to form 'United Republic of Somalia'
- 1960 Emergence of 'Pan-Somalism' as a nationalist goal
- 1960 Aden Abdullah Osman Daar becomes first President of the United Republic of Somalia (1960-1967)
- 1963 Low-level insurgency 'Shifto Wars' between Kenya and Somalia (1963-1967)
- 1967 Abdirashid Ali Shermarke becomes President of the United Republic of Somalia (1967-1969)
- 1969 Major General Siad Barre installed as President of the Republic of Somalia (1969-1991)
- 1977 Ogaden War between Somalia and Ethiopia (1977-1978)
- 1977 French Somaliland becomes the Republic of Djibouti
- 1990 Famine in Somalia
- 1991 End of Siad Barre Regime
- 1991 Ali Mahdi Muhammad becomes President of Somalia (1991-1997)
- 1991 Somalia descends into civil conflict and state failure
- 1992 First peacekeeping intervention in Somalia - UNOSOM (April)
- 1992 General Mohamed Farrah Aidid challenges United Nations presence in Somalia resulting in attacks on humanitarian workers and Pakistani peacekeepers
- 1992 United States led military-humanitarian intervention - UNITAF (December)
- 1993 UNITAF transitions to a smaller less equipped UNOSOM II
- 1993 Peace and reconciliation processes initiated
- 1993 General Farah Aidid attacks United Nations peacekeepers resulting in the death of 24 Pakistani soldiers (June)
- 1993 United States attempt to arrest General Farah Aidid results in the death of 18 US Soldiers in the infamous 'Blackhawk Down' incident (October)
- 1994 United States withdraws from Somalia (March)
- 1994 First Sharia Court Established in Mogadishu
- 1995 UNOSOM II mandate terminated resulting in withdrawal of United Nations peacekeepers
- 1995 General Mohamad Farah Aidid declares himself President but receives no recognition
- 1996 Death of General Mohamed Farrah Aidid

- 1996 Ethiopian incursion in South Somalia
- 1997 Ali Mahdi Muhammad does not continue as President. There is subsequently no President in Somalia between 1997-2000
- 2000 Formation of Islamic Courts Union
- 2000 Dr. Abdiqasim Salad Hassan becomes President of Somalia (2000-2004)
- 2004 The Transitional Federal Government of Somalia established
- 2004 Abdullahi Yusuf Ahmed becomes first President of the Transitional Federal Government of Somalia (2004-2008)
- 2005 Emergence of al-Shabaab (militant arm of the Islamic Courts Union)
- 2006 Ethiopian intervention at request of the TFG to oust Islamic Courts Union
- 2007 Transitional Federal Government of Somalia convenes for the first time in Mogadishu
- 2007 African Union Mission in Somalia (AMISOM) created by the African Union and supported by the United Nations
- 2008 Incorporation of ASWJ into the TFG. Endorsement of Sharif Sheikh Ahmed as the next President of Somalia (December)
- 2009 Sharif Sheikh Ahmed inaugurated as President of Somalia (Jan 2009-Aug 2012)
- 2011 Famine declared in Somalia by the United Nations
- 2011 Kenya invades Southern Somalia - Kismayo (October)
- 2011 AMISOM oust al-Shabaab from Mogadishu. Al-Shabaab adopt insurgency tactics
- 2012 Al-Shabaab pledge allegiance to al- Qaeda
- 2012 Integration of Kenyan forces into AMISOM
- 2012 Adoption of 4.5 Formula for proportional representation of clans by the TFG
- 2012 Establishment of Federal Republic of Somalia
- 2012 Hassan Sheikh Mohamud becomes the 8th and current President of Somalia
- 2013 Al-Shabaab attacks the United Nations killing United Nations staff and civilians
- 2014 United Nations raises concerns that another famine may impact Somalia

Acronyms

AMISOM	African Union Mission in Somalia
ARS	Alliance for the Re-liberation of Somalia
ASWJ	Ahlu Sunna Wal Jama'a
CPI	Corruptions Perceptions Index
CSIS	Centre for Strategic and International Studies
DfID	United Kingdom Department for International Development
DPKO	United Nations Department of Peacekeeping Operations
DRC	Danish Refugee Council
EUROPOL	European Police Office
FAO	United Nations Food and Agricultural Organisation
FFP	Fund for Peace
FGS	Federal Government of Somalia
FSI	Failed States Index
GDP	Gross Domestic Product
ICAI	United Kingdom Independent Commission for Aid Impact
ICU	Islamic Courts Union
IGAD	Intergovernmental Authority on Development
IGADD	Intergovernmental Authority on Drought and Development
IMF	International Monetary Fund
INCAF	International Network on Conflict and Fragility
NGO	Non-Governmental Organisation
ODI	Overseas Development Institute
OECD	Organisation for Economic Cooperation and Development
PSC	Protracted Social Conflict
RMU	Risk Management Unit
SAVE	Save the Children
SEMG	Somalia and Eritrea Monitoring Group
SIGAR	Special Inspector General for Afghanistan Reconstruction
SRC	Supreme Revolutionary Council
TFG	Transitional Federal Government
TI	Transparency International
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNITAF	United Task Force
UNOSOM	United Nations Operation in Somalia
UNOSOM II	United Nations Operation in Somalia II
USAID	United States Agency for International Development
USIP	United States Institute of Peace
UNSC	United Nations Security Council
WFP	World Food Programme
WHO	World Health Organisation

I and Somalia against the world
I and my clan against Somalia
I and my family against the clan
I and my brother against the family
I against my brother

Somali Proverb

Chapter 1: Introduction

Background

Government, governance, corruption and the relationships between them have been topics of discussion for millennia. More than 2,300 years ago, Greek philosophers Plato, Socrates and Aristotle analysed the relationship between corruption and government. Aristotle wrote in 340 BC that “it is evident that the form of government is best in which every man, whoever he is, can act best and live happily.”

Despite accumulated knowledge and experiences over time and extended geographical scope, corruption is no less significant today and no less debilitating of the effective functioning of a state. Indeed, the world has now arguably more public and media scrutiny, has established global watchdogs and institutions to identify and highlight corrupt practices, implemented laws, policies and structures of civil society to ensure accountability and transparency, and politicians have entered office espousing anti-corruption rhetoric; yet corruption persists in all segments of Somali society and all layers of governance.

In recent years corruption has become the subject of much debate both within and beyond academia. Research on corruption has become interdisciplinary, as its various dimensions are examined by different social sciences including political sciences, sociology, philosophy, law and economics. All efforts to understand the complexity of corruption and to effectively address corrupt practices highlight the difficulty – if not impossibility – to clearly define corruption. The social and economic costs of

corruption have been identified as causes for conflict and under-development. For example, academics have generally agreed that corruption is not only bad, but deters foreign investment, creates inequality, harms democratisation and as a result, corrupt countries are more likely to be socially and politically unstable (Nye, J., 1967; Rose-Ackerman, 1999; Lambsdorff, 2007). Donor governments' and international organisations such as the United Nations acknowledge the challenges of corruption vis-à-vis development and humanitarian aid, which has now become a matter of increasing concern, scrutiny and action. This is evident with the various anti-corruption programmes and good governance activities that have been implemented globally by for example, the World Bank and the United Nations. Corruption is known to divert resources allocated by the international community to address humanitarian and development needs and the impact of this perpetuates economic hardship, exacerbates conflict and undermines legitimacy of state institutions. Donors themselves face increasing criticism domestically when implementing necessary fiscal reforms at home in the wake of economic crisis, which has resulted in a zero-tolerance mind-set because of the obvious loss of development gains and humanitarian aid to corruption. The flow-on effect of this is increased demand for accountability and transparency, particularly when it comes to international engagement in fragile states.

Somalia is one of these states. Somalia is socially, economically and politically unstable, and has been identified as the quintessential failed state. The country has experienced extreme conflict and systemic corruption throughout its turbulent history, resulting in poverty and weak (if not non-existent) governance structures. In efforts

to change this situation, the international community invested billions of dollars in the provision of security measures, governance and institution-building efforts, humanitarian and development assistance. Such support has been provided despite Somalia's rank in Transparency International's Corruptions Perceptions Index as the perceived most corrupt country in the world for the past seven years. Examples of bribery, fraud and outright theft of public resources continue to occur. This recognition raises a number of pertinent questions about the rationale for continued engagement by the international community, and the extent to which the perceptions and expectations of the international community are realistically aligned with the realities of engaging in Somalia. From a donor and international community perspective, spending money is in itself considered an indicator of success in engagement in Somalia, however.

This thesis therefore addresses a fundamental question, which is particularly relevant in the Somali context: why has corruption remained endemic in international aid programmes in Somalia? In researching and analysing this question, I have examined the characteristics of the aid systems in Somalia, which provide an enabling environment for corruption, to determine why, despite the knowledge, literature, experiences and international scrutiny, corruption not only persists, but thrives. This study has two objectives. The first is to examine the causes of corruption and reasons for its occurrence in Somalia. Thus, the study reviews relevant literature and research into corruption from the perspectives of political science, economics and sociology in order to identify causes and effects of corruption within a Somali context, which encompasses a theoretical discussion comparing *need vs. greed* corruption.

Introduced by Bauhr and Nasiritousi (2011), the distinction of *need vs. greed* recognises that the motivation or character of the activity itself is important, and this is particularly relevant in the case of Somalia. Second, the study will explore the relevance of the concept of consociational democracy, with a particular focus on its promotion and application in Somalia, and how this impacts upon corruption and the implementation of anti-corruption efforts. As noted by Laitin (1990:5), Somalia presents a “particularly relevant case” for the application of a successful consociational democratic system. It is this type of assumption that the analysis of the thesis intends to explore and challenge. Ultimately, the study will critically evaluate the engagement of the international community in the provision of development and humanitarian assistance, from the perspective of a participant observer, and demonstrate that there is a need to re-evaluate the appropriateness of donor and international community engagement.

Chapter Outline

The three key chapters, ‘Clan Dynamics in Somalia’, ‘Defining Corruption and its Impact in Somalia’, and ‘United Nations and International Community Engagement in Somalia’, follow the same structure: each has an introductory section that provides background information, and a question/proposition is formulated to focus the analysis. This is followed by an elaboration of the specific conceptual focus, which is used contextually to test and evaluate the hypothesis and the impact of the data and information provided. The results of this enquiry are brought out in the concluding chapter.

Chapter Two establishes the context, beginning with a brief resume of the complexity of Somalia's clan dynamics. This highlights some of the key events and experiences that have helped to shape the social, political and economic landscape, and presents some of the key legacies and challenges that face those who are involved in efforts to provide humanitarian and development assistance alongside promoting peace and good governance in Somalia. Clan division has been a significant factor in the failure of the state of Somalia and has directly impacted the efforts to establish democracy and stability. However, as highlighted by Lijphart (1969:216), electorally based parliamentary democracy is viable in divided states within a consociational democratic model: 'Consociational democracy means government by elite cartel designed to turn a democracy with a fragmented political culture into a stable democracy'. This chapter will also introduce the theory of consociational democracy and discuss its applicability to the Somali context. The focus of the chapter is to explore clan dynamics with respect to stability, governance and corruption, drawing from established literature on the subject in order to identify key issues, constraints and opportunities with respect to clan dynamics and engagement.

The third chapter, 'Defining Corruption and its Impact in Somalia', explores in greater detail the specific actors, factors, and interdependencies which characterise the corruption landscape in Somalia, recognising that corruption is not a 'new' phenomenon, but that it has historical and societal origins. This chapter examines and reviews relevant literature and research into corruption, and in particular the theoretical approaches to understanding corruption in fragile states, including the applicability of the concepts of *need vs. greed* corruption. It examines the various

roles actors have played which have impacted upon corruption and anticorruption efforts, and is complemented by relevant case studies drawn from the author's own work in Somalia, attempting to address fraud and corruption. The inclusion of this not only tests perceived or understood relevance of the points highlighted within the literature review, but hopefully adds an additional dimension to the research to ensure that discussion is practical as well as theoretical.

The fourth chapter examines the engagement of the international community in Somalia. With ongoing reference to the theoretical applicability of consociational democracy and the complexity of clan dynamics, this chapter considers engagement in Somalia *vis-à-vis* corruption. Drawing upon extensive literature and statistics, this chapter examines historical and more recent international community interventions in Somalia, which have contributed to shaping the political landscape and have also impacted upon levels of corruption. Somalia has had a turbulent history and has also suffered significant humanitarian and economic hardship. Natural disasters, territorial and border conflicts, emergence of Islamic extremism, internal power struggles and poverty have resulted in a confusion of international actors, providing both needed and often unwanted support. This chapter examines perceived indicators of success in Somalia from the perspective of the international community, and seeks to identify relevant lessons which might effectively instruct anti-corruption efforts, and inform future engagement.

The final and concluding chapter provides a summary, and attempts to assess the applicability and suitability of consociational democratic approaches with respect to

Somalia. In particular, it explores how such approaches may contribute to future stability, governance and anti-corruption efforts. The role of the international community in this regard, and also in relation to levels of commitment with respect to addressing complexities of clan dynamics and corruption, is also assessed. The differentiation and elaboration of indicators of success, which potentially impact upon levels of corruption in Somalia, help to explain the endemic nature of corruption in international aid. Results of this thesis, then, not only provide a greater understanding of decision making dynamics with respect to Somalia and corruption, but may be insightful for future international community anti-corruption efforts and may even contribute to the establishment of more robust systems capable of preventing corrupt transactions from continuing to impact upon the effective functioning of the state.

Methodology

The methodology applied herein is predominantly that of the ‘participant observer’, where the research undertaken is through the direct participation of the researcher in the situation of interest (Vinten, 1994). This may also be known as ‘first person methodology’ (Varela & Shear, 1999; Vallack, 2010). In this regard the first person methodology used in this thesis provides a subjective experience, although it is not used in isolation. Rather, it is linked to qualitative research to ensure a reasonably objective outcome. Fenno (1986:14) argued that “observation can be an aid to discovery, description, and theorizing”, and can also add value through a heightened sensitivity to context. Consequently, an important element will be the author’s own experience, knowledge, and information, gathered from working in Somalia from 2010 – 2013 in support of the Resident and Humanitarian Coordinator for Somalia,

and the United Nations Country Team. In this capacity the author designed, established and managed a Risk Management Unit, which worked to identify and analyse programme and operational risk, including risks posed by fraud, corruption and misappropriation of development and humanitarian assistance by NGO's, businesses and government entities. The role of the author was not to make decisions, but to assist United Nations agencies, funds and programmes by providing them with the information and knowledge required to decide what course of action best represented their interests. Additionally, and due to the unique nature of the programme (the first dedicated risk management unit and programme to be implemented by the United Nations), the author presented and participated in numerous international conferences and plenaries looking at the application of risk management processes and methodology in fragile, conflict, and post conflict environments.

The multifaceted case study approach utilised within this thesis seeks to provide insights into the issues identified. As argued by Flyvbjerg (2011), a case study approach is a necessary and sufficient method for completing a variety of research tasks in the social sciences, and is a method that holds up well when compared to other methods in the gamut of social science research methodology. The case study approach enables the researcher to gather data from multiple sources which, when combined, illuminate the wider reality of the case (Baxter & Jack, 2008). However, while a case study may provide valuable contributions and insight, this thesis is also necessarily supported by quantitative analysis. Data has been used from a United

Nations database (Contractor Information Management System¹). This database captures reporting and data related to corruption, fraud, diversion and theft in Somalia, and assists in identifying trends based on frequencies.

Supporting research for this thesis includes reports by the United Nations, Organisation for Economic Cooperation and Development, International Network on Conflict and Fragility (OECD INCAF), the Overseas Development Institute (ODI), as well as newspaper articles, reports by Non-Government Organisations and International Organisations, and academic publications on corruption, international aid dynamics, decision making processes, risk management, and political, humanitarian and development interventions. Theoretical inferences from related case studies have been tempered with extensive personal experiences and knowledge of this complex subject.

¹The Contractor Information Management System is a specific tool designed by the Risk Management Unit and is operational in Somalia and Afghanistan. <https://cims.so.one.un.org>; <https://cims.af.one.un.org>

Chapter 2: Clan Dynamics in Somalia

Maxaa igu jira? (What's in it for me?)

Background

The people of Somalia are unified by a common language, ethnicity and religion founded on a pastoralist tradition. Somalis are largely culturally homogenous, however, as the result of geography and territory, and have divided themselves into numerous clans, sub clans and clan confederations (Diriye, 2001). A clan is identified as a group of persons that claim common descent from an ancestor and were formed when the number of people and families in a tribe grew to a proportion where a new collective management and governance system was required (Dugger & Sherman, 2003; Duncan, 2007). In addition, the distinction between 'matrilineal' and 'patrilineal' clans has typically been determined by the division of labour within the clan:

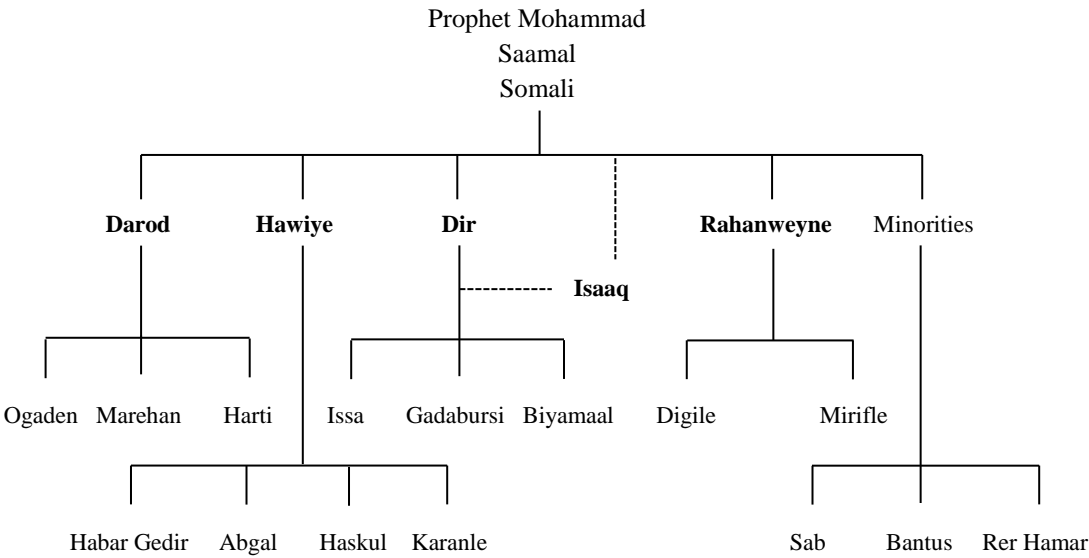
Where a society is almost totally agricultural and women do most of agriculture, descent and kinship are usually calculated from the female. Where a society is primarily based on animal herding and men do most of the herding, descent and kinship are usually calculated from the male, that is, the clan is patrilineal. (Dugger & Sherman, 2003:214)

Clan lineage structures in Somalia are based on patrilineal descent that can be traced back for generations. The genealogical length of a clan family is reported to count up to 30 generations to a common ancestor (Gundel, 2009). While the nature of Somali clans has been traditionally social, it is also linked to the land and to trade (De Waal, 2006), and as the result of political division, shifting allegiances, and mutually beneficial interests such as strength through unity (Diriye, 2001). Abbink (2009) elaborates further and comments that while the key organising principle as described

by Somalis is the practice of patrilineal descent “the actual lines of the genealogy have thus been determined in the course of history by alliances formed in the process of socio-economic life in conditions of nomadic pastoralism and other politico-economic considerations” (Abbink J. , 2009:2). In some cases clan division reflects the goals and ideals of the controlling elites (Gundel, 2009; Elmi & Barise, 2010).

Because of such shifting allegiances, conflict, political division and migration, a diagram of clan structures and families would be almost impossible to draw. The largest clan confederations in South and Central Somalia (Figure 1) are commonly recognised, however, as the Darod, the Hawiye, the Dir, and the Isaaq. There is some debate however as to whether the Isaaq are a sub-clan of the Dir, or due to their size are a separate major clan. There is also the large agro-pastoralist clan from Southern Somalia known as the Rahanweyne (Diriye, 2001; Abbink, 2009; Gundel, 2009).

Figure 1. Clan Lineage



In Table 1. ‘Clan Lineage’ (Gundel, 2009; Abbink, 2009; World Bank, 2005).

The Darod are mainly located in the Puntland state of Somalia with a large presence in Kismayo. The presence of the Darod has extended to Ethiopia and Kenya, as well as into south-central Somalia. The Darod have held a number of key political positions in Somalia. For example, the incumbent Prime Minister of Somalia, Abdiweli Sheikh Ahmed (who returned from the Canadian diaspora), and Abdullahi Yusuf Ahmed, former president of Puntland state of Somalia between 1998 and 2004 and former President of the Transitional Federal Government of Somalia from 2004 to 2008 are from the Darod, as was the infamous Siad Barre, third President of Somalia between 1969 and 1991. Politically the Darod tend to support a federal vision for Somalia and support the accession of Jubaland as a federal state (Bryden, 2013).

The Hawiye clan is located predominantly in central and southern Somalia and is one of the largest clans in Somalia, with the largest presence in Mogadishu. The Hawiye clan are also known as one of the 'noble clans' in that they believe themselves to be descended from forefather Saamal and the household of the prophet Mohammed. Reflecting the size and influence of the Hawiye is the fact that this clan has had a total of nine Prime Ministers and Presidents in Somalia, including the incumbent President, Hassan Sheikh Mohamud. Notably, the Hawiye clans from the Central regions played a leading role in ousting the former President Siad Barre from power (Gundel, 2009).

The Dir clan and sub-clans are in South Central Somalia as well as Somaliland. The presence of the Dir has extended to Djibouti, the Somali region of Ethiopia, and the

north-eastern province of Kenya. The Isaaq sub-clan falls within the Dir, although because of the size of the Isaaq and debate over origins, there are some questions as to whether the Isaaq should be represented as a separate clan. The Isaaq are largely concentrated in the north of Somalia, in particular Somaliland.

The Rahanweyne comprises two major sub-clans, the Digil and Mirifle. Members of this clan are traditionally agro-pastoralists, and have a strong notion of territoriality (Hoehne M. , 2010). The Rahanweyne are largely concentrated within the Bay and Bakool regions of south-central Somalia, although they have a presence in the Somali region of Ethiopia as well as in the north-eastern province of Kenya. The present Speaker of Parliament, Mohamed Osman Jawari, and the spokesperson for al-Shabaab, Sheikh Mukhtar Robow are both from the Rahanweyne clan. Rahanweyne currently make up a large percentage of the terrorist entity al-Shabaab (Marchal, 2011).

The Somali clans have been in conflict and competition with each other for generations. Water, land and commodities (including livestock), have been the primary sources of clan tensions and competition. It has been estimated that 95 percent of Somalia is dry and arid, with 57 percent of the population reliant upon pastoral or agro-pastoral practices. As a consequence, Somalia has witnessed decades of competition for access to water, grazing grounds and arable land. Such disputes have been exacerbated by political conflict and have always had the potential to escalate based upon the culture of clan versus individual responsibility (United Nations, 2010), as well as on the absence of a functioning public administration and

effective central government. Somalis have instead relied upon the resilient structure and social security provided by their clan, which has arguably fragmented any sense of national identity (United Nations, 2010). Clanism has been identified as the predominant conflict driver in Somalia, with the potential to play both a destructive as well as constructive role (Menkhaus K. , 2012). This is further supported by Adam (1992:13), who notes that “Somalia offers a classical example of a society where clanism is solidly rooted in popular aspirations and where the political dynamic can channel it towards constructive or destructive ends”.

Despite generational clan conflict, Somalis still maintain certain customary laws, or ‘*Xeer*’, which fall under the responsibility of the clan elders. The *Xeer* are historically based on precedent and are particularly important in rural areas where the presence of modern political and judicial institutions is weak. The *Xeer* is often the first recourse with respect to local dispute resolution/conflict management, cross-clan association, arbitration, dispute settlement and reconciliation (Gundel, 2009; World Bank, 2005). A key aspect of the *Xeer* is the responsibility of the clan to adhere to the ‘*diya*’ system. In Arabic, ‘*diya*’ is translated as ‘blood’; the equivalent in Somali is ‘*mag*’ (Abbink, 2009). The *diya* or ‘*mag-paying group*’ is a small corporate group of lineages who are able to pay compensation on behalf of individuals in the clan for wrongdoing, which is also recognized under Sharia law (Center for Research and Dialogue, 2004; Gundel, 2009).

While the *Xeer* may be relevant in the resolution of traditional rivalries over land, water and resources, such disputes have intensified and over time become

increasingly distorted and manipulated for political and economic ends. The 'Xeer' was developed to address disputes within a nomadic society. However the clan elders' authority has been gradually eroded and their application of the Xeer is increasingly perceived as irrelevant in more modern times. It is noted that even after years of Colonialism and a national desire to build a prosperous and strong country, the first government of a newly independent Somalia in 1960 did little to progress state building and instead actively engaged in nepotism, corruption and theft of government resources (Elmi A. , 2010). The departure of the Italian colonial power resulted in arguments over who should inherit residential properties and national assets left behind, which were subsequently divided amongst the political elite. It is further noted that "Less than ten years after independence the political system was riddled with corruption and clanism, in which politicians relied on the votes of their specific sub-clan so as to get in on the bonanza" (Grubeck, 2011:9). There is no doubt such visible corrupt behaviour eroded trust in state institutions and further fuelled division and clan-conflict.

Following from such actions and behaviour, we can make the hypothesis that 'clan dynamics are fundamental to levels of corruption in Somalia'. Generations of clan competition and conflict has entrenched clan divisions and also created a culture of corruption. The phrase 'maxaa igu jira?' (what's in it for me?) epitomises the perception that corruption is not only rife in Somalia, but is a socially acceptable and normative practise. The influence of clans can therefore not be underestimated vis-à-vis corruption as clanism is central to Somali culture, identity, politics, and life. It is

this recognition that influenced Siad Barre when he publically opposed the clan system in Somalia and attempted to introduce a socialist doctrine.

The Regime of Siad Barre

Clan competition and conflict further evolved under the regime of Siad Barre. In 1969, after a military coup, Major General Siad Barre was installed as the President of the Republic of Somalia by the Supreme Revolutionary Council (SRC). He began to consolidate power by removing democratic checks, and by implementing a socialist doctrine across Somalia. Through this process he began to nationalise and take control of the country's land and resources, intimidating those who spoke out against his regime (Leeson, 2007). Significantly, Siad Barre promoted a system of clan-based patronage and reward which resulted in the fragmentation of clans in pursuit of their own territorial and resource claims (World Bank, 2005). Based on the historical principle of "divide and conquer", he also encouraged factional power struggles at the local clan and sub-clan level in order to divide opposition (Compagnon, 1992; Bush, 1998).

Embezzlement of public funds, corruption of ministers and civil servants in connection with public markets and development projects, baksheesh's at all levels of the bureaucracy, illegal trafficking by relatives or friends of the president – all these were tightly linked to a direct access to state power" (Compagnon, 1992:8).

The end of the Siad Barre regime in 1991 resulted in a civil war among the clans, sub-clans and warlords for power and resource control. The acquisition of power and resources enabled clans to promote their own interests (Gonnelli, 2013). Such conflict and generations of clan-centric behaviour has continued to entrench clan divisions,

and effectively undermines efforts to promote stable and consensual governance in the interest of the majority (Center for Research and Dialogue, 2004).

Clans and the Somali Islamic Courts Union

After nearly four years of conflict at the end of the Siad Barre regime, the first Sharia Court was established by the Abgal sub-clan of the Hawiye in Mogadishu in 1994. As observed by Barnes & Hassan (2007:3) “The establishment of the Islamic Courts was not so much an Islamist imperative as a response to the need for some means of upholding law and order ”.

The emergence of the Islamic Courts has been widely recognised as successful in countering criminality and warlordism, and provided a sense of security after periods of conflict and instability. The Courts also provided social services, including schools and medical facilities. However, the Islamic Courts were effectively extensions of the clan. The enforcement arms of the Islamic Courts were local clan militias, and “at root, the Islamic Courts were part and parcel of clan power in Mogadishu” (Barnes & Hassan, 2007:2). The number of Islamic Courts subsequently increased and they eventually came together in 2000 with the formation of the Islamic Courts Union. This body wielded significant influence and adopted an increasingly contrary stance to what it perceived as efforts by the international community to establish pro-Western and Ethiopian state governance structures in Somalia (Brankamp, 2013). Eventually, Somalia once again descended into conflict with fighting between clans, warlords and the Islamic Courts Union.

Clanism and Al-Shabaab

Al-Shabaab (“Youth” in Arabic) emerged as the militant arm of the Somali Islamic Courts Union between 2005 and 2006 and has since been fighting for the establishment of an Islamic state based upon Sharia law. Al-Shabaab came to prominence during the Ethiopian intervention 2006-2009. In 2006 the Transitional Federal Government requested support from Ethiopia in ousting the Islamic Courts Union; the alliance of Sharia Courts that had taken control of Mogadishu. In July 2006 the Ethiopian armed forces entered Somalia, and Al-Shabaab subsequently grew as a resistance movement, gaining control of significant territory throughout south and central Somalia. Despite the successful ousting of the Islamic Courts Union, al-Shabaab thrived due the continuance of a politically divided government that was unable to establish effective governance structures, and was engaged in clan-centric practices. This ultimately aided Al-Shabaab: “Several factors helped facilitate al-Shabaab’s ascendancy in Somalia; the most prevalent of which is the failure of the various political ideologies and governments to establish law and order” (HSPI, 2013:4).

Al-Shabaab has expressed criticism of clanism or clan politics and has espoused ‘Somalian Nationalism’ as an attempt to unify Somalia under al-Shabaab. Despite such rhetoric, Al-Shabaab is still influenced by clanism: “The shabaab faces multiple internal divisions - over clan, leadership, tactics, and ideology” (Menkhous, 2009:9). Politically, the agenda of the clans has also had considerable impact upon Al-Shabaab. During the famine of 2011 Al-Shabaab blocked some United Nations and NGO’s from delivering humanitarian assistance in South Central Somalia. This

resulted in some communities reacting against the presence of Al-Shabaab, causing rivalries and rifts within its leadership.

Al-Shabaab has been enormously weakened by this crisis. Many are blaming Al-Shabaab for catalysing the [crisis] by locking out aid agencies. Al-Shabaab has been under enormous pressure from clan leaders in the region to act fast...Many in Somalia, even those who initially supported Al-Shabaab, are now blaming them and seeing them as culpable in this crisis” (Abdi R. , 2011:1).

Somali Diaspora

Another important factor with respect to the clanism is the influence of the Somali diaspora. It has been estimated that since the Somali civil war began in 1991, and as a result of conflict and natural disasters, now more than one million Somalis and their offspring live outside of Somalia (Healy & Sheikh, 2009). As a result, clans have become more intractable. Some clan connections are unclear, and the influence of clans within the diaspora communities is diverse (Abdile & Pirkkalainen, 2011). It has also been argued that within the diaspora there are increasing generational differences between attitudes and involvement in Somalia, with first generation Somalis more likely to be politically engaged and/or involved in financing, lobbying and supporting different groups involved in conflict, and second generation Somalis more concerned with addressing the collective needs and suffering of the Somali people, and seeking solutions to inter-clan conflicts rather than support for a particular clan (Abdile M. A., 2010). Furthermore, the second generation group is characterized by a tendency to manifest greater indifference and non-engagement. Although this group may have relatives inside Somalia, they tend not to provide remittances or contribute in any way to the development of their country of origin. Instead, in some cases at least, their main concerns are their personal lives in their country of settlement, and not Somalia (Schlee & Schlee, 2010).

The Somali diaspora has played an active and important role in providing financial resources and material support to the country. Thus, they are involved both in sustaining armed conflict as well as supporting peace efforts (Menkhaus K. , 2012). The current government of Somalia, its public administration, and its business community are now largely dominated by the Somali diaspora. This has been actively promoted and supported by the international community, which has viewed the diaspora as potential agents of political and social change. The international community has called upon the Somali diaspora to use the funds, skills, education and political culture that they have acquired in Europe and the United States to benefit the “new” Somalia (Schlee & Schlee, 2010).

There has been some debate and criticism of the engagement of the diaspora within Somalia. As commented by Ibrahim (2010:51), the diaspora are expected to advocate democratic values and behaviours however “the role of the diaspora in defending and promoting accountability, transparency, and human rights has been insignificant”. Furthermore, those in the diaspora who have returned to Somalia tend to pursue their own agendas and interests, and if they are unsuccessful (or living in Somalia becomes too difficult), are able to return to their country of residence (Hoehne, Feyissa, & Abdile, 2011). Nevertheless, they may also be bound by patrimonial obligations (Kleist, 2008; Leonard, D 2009). Diaspora Somalis may lack cultural sensitivities, may have little understanding of clan dynamics, and may be perceived as financial opportunists or, as depicted by the Somali artist Adan Farah Affey, an ‘empty suit’ (see figure 2).

Figure 2. ‘Empty Suit’



In Figure 2. ‘Empty Suit’ “Depicting a business suit without a body sitting next to a passport from the United Kingdom, representing politicians from the diaspora” (Joselow, 2013). (Image reproduced with permission by Voice of America. Refer: Appendix A)

Clan structures as a parallel with Organised Crime?

It can be argued that a number of parallels exist between organised crime, mafia, and Somali clans. Because of their role in the provision of shelter, security and structure in the absence of a state governance system, the people of Somalia have become fiercely loyal to their clans. It is also true that clans and families are prevalent structures in many organised crime syndicates, as Europol notes in their analysis of common features of Italian organised crime:

Family bonds and obligations vary according to cultural and historical differences. In areas historically affected by a strong presence of Italian organised crime, the emotional and affectionate character commonly attributed to Mediterranean people, combined with a secular mistrust towards the state, amplified the role and the power of the family in the community. Governed by distant and foreign powers that preserved obsolete feudal rights far into the 19th century, local communities in Southern Italy were deprived of a consistent network of social, economic, industrial and political structures that, in the rest of Western Europe, marked the progress of modern states since the Peace of Westphalia (1648). The state was often seen as a greedy and hostile entity imposing taxes without providing services, and the extended family was considered the only reliable point of reference. That sense of belonging to the family is often stretched to the point of superseding the rule of law

governing the community of reference, leading to actions for the benefit and aggrandisement of the family and its members, even to the detriment of the community” (Europol, June 2013:5).

This report further noted that the role of the ‘family’ also included the establishment of governance systems, such as Mafia rules governing behaviour, *omertà*, which is similar in many respects to the concept of *Xeer*. Additionally, the family in the *Mafia* is actively engaged in control of the labour market and trade, the imposition of illegal taxation, as well as the engagement in violence and corruption to obtain power and expand influence (Europol, June 2013). These activities are similar to clan activities identified so far. It is worth noting that outside of Somalia, links between clans and organised crime have been reported. As noted by the United States National Gang Intelligence Center (National Gang Intelligence Center, 2011:19-20), “Somali gang presence has increased in several cities throughout the United States...Unlike most traditional street gangs, Somali gangs tend to align and adopt gang names based on [their native] clan or tribe”.

While the influence of clans may be significant within diaspora communities, this is by no means a given. When we reflect upon the commentary by Schlee and Schlee (2010) and Abdile (2010) on the increasing generational differences within the Somali diaspora, which is said to weaken the influence of clans, the adoption of gang names based upon clan affiliation seems to be more likely in the interests of social identity and image by criminal youth, rather than related closely to the actual clans themselves. This argument is supported by the types of crimes reportedly perpetrated by Somali gangs in the United States: prostitution, sex trafficking and credit card

fraud (National Gang Intelligence Center, 2011), activities far from the agendas of the Somali clans.

We may see another parallel with respect to organised crime and corruption. Holmes (2013:1) commented that “there has been growing awareness that organized crime can also attempt to capture states through corruption of state officials”. In particular, adverse influence on state officials by businesses to provide advantages (such as contracts, taxation, and the impediment or passing of laws and regulations). In the Somalia clan context, the activities of the business community, gate-keepers, and government officials support the observation that a parallel exists between some aspects of clanism and organised crime.

Representation in Government

Clanism has been central to debates over the nature of representation in government and participation in peace talks. This has resulted in additional challenges that impact the day-to-day operations of the United Nations and the other representatives of the international community in Somalia, where clans must be consulted with respect to national staff contracts, security provision and facilities management personnel.

Ensuring fair and equitable representation is seen as essential to mitigate the risk of antagonising clans or instigating conflict. As stated by the Somali intellectual Ahmed Mohamed Sulayman, “psychologically Somalis hate central power” and will unite to prevent one from arising (Grubeck, 2011:9).

In June 2012 the Transitional Federal Government of Somalia, with the support of the international community, adopted the '4.5' formula for the proportional representation of Somali clans in government. The 4.5 power-sharing formula allocated an equal number of seats (61 each) in parliament to the four major clans: the Hawiye, Darod, Dir, and Rahanweyne. The remaining minority clans were allocated 31 seats in parliament. This represented a concession to Arendt Lijphart's (1969) concept of "consociational democracy," and for the first time since the end of the Siad Barre regime, official Somali representation at the United Nations and other international and regional bodies was possible. It also enabled meaningful dialogue on a Provisional Constitution, and paved the way for the new Parliament and an end of transition (i.e. establishment of the Federal Republic of Somalia) on 20 August 2012.

Consociational democracy ultimately seeks to engineer cooperation at the elite level to counter division and destabilising practices. Lijphart (1969) proposed that an electorally based parliamentary democracy is possible in deeply divided societies however requires the application of principles that depart from the classic majority based system, which is a typical characteristic of states where there is no significant segmental cleavage. The subsequent theory of consociational democracy has the following principles, which are essential to its success: (1) Grand Coalitions, which require the participation of all leaders from all segments in a parliamentary system based upon proportionality; (2) Segmental Autonomy, which entails provision of powers to different sectors in society to govern over their own affairs with the aim of providing political security especially to minority groups; (3) Proportionality, which

results in delegation of political and civil service representation and the allocation of government resources according to a proportion of the overall population (4)

Minority Veto, to provide greater protection to minorities allow the right to veto legislation that may be damaging vital interests. These principles work to promote consensus, rather than partition (Lijphart, 1969; Laitin 1990). Segmental cleavage encapsulates societal divisions that are not merely due to different cultural orientations of the actors involved, but also include attachment by the actors to their segmental groups. This results in a division of a country into separate communities (Flanagan, 1999). The clans in Somalia are an example of this. While Somali's have a common language, religion and ethnicity, the clans are distinct from each other, and deeply divided. As noted by Gupta, (1970:12) "in studying the political divisions of a country one has to know the extensiveness of the salient divisions. It is not enough to know how many types of divisions that exist in a country. One has to find out the nature of the divisive issues and the target of divisive politics". This is fundamental when working towards achieving the first principle 'Grand Coalition'. An understanding of the divisive issues should provide an enabling environment for cooperation amongst the political elite. It is this cooperation that is necessary (indeed fundamental) for the formation of a grand coalition, which in the Somali context entails a coalition of the major clans with representation from the minor clans. Success of any consociational democratic model requires willingness by the elite to compromise, coupled with a desire to collaborate. However, such a model also provides an incentive for elites as the prospect of mutual participation in government increases transparency, mitigates risk of being deceived, and provides some assurance

of political security (and ultimately stability). This is not without its challenges and as noted by Lijphart (1969:216):

Successful consociational democracy requires (1) That the elites have the ability to accommodate the divergent interests and demands of the subcultures. (2) This requires that they have the ability to transcend cleavages and join in a common effort with the elites of rival subcultures. (3) This in turn depends on their commitment to the maintenance of the system and to the improvement of its cohesion and stability. (4) Finally, all the above requirements are based on the assumption that the elites understand the perils of political fragmentation.

The application of the 4.5 power sharing formula represents an attempt at grand coalition although it has generated some controversy and there have been hurdles to overcome with respect to its implementation. Notwithstanding the fact accurate statistics with respect to identifying the number of minority clans have been difficult to compile after decades of conflict, internally displaced populations and adverse clan interests (with self-inflated population statistics²), the 4.5 formula is still thought to disproportionately to favour the major clans (Minority Rights Group International, 2011). There are also indications that the government (and former Transitional Federal Government) has had, and continues to have, difficulty in the application of the 4.5 formula. As stated by the Chief of the Somali Supreme Court, Aydid Abdullahi, “It is the clan affiliation-based power sharing where the system fails or works” (Warsame, 2014:1). As a result, there are a number of efforts by the political elite to mitigate the risk of antagonizing the clans or instigating conflict, which has been highlighted in the following example (see Box 1):

² For example, in February 2011 the author of this thesis the Head of Risk Management Unit for Somalia at the time met with all 16 District Commissioners in Mogadishu. At this meeting each District Commissioner was asked to verify the population in each of their districts. At the conclusion of this meeting, the total population of Mogadishu was estimated to be 4.5 million people. The District Commissioners had equated population statistics with the amount of aid and development assistance they would receive, and therefore inflated their population estimates.

Box 1. Matrix Technologies

In June 2012 the United Nations Country Team for Somalia Risk Management Unit (RMU) provided an assessment of the company Matrix Technologies. Matrix Technologies had signed a contract with the Transitional Federal Government of Somalia on 24 May 2012 which was supported by the Prime Minister.

In this contract Matrix Technologies were identified as the principal contractor for the renovation of the Mogadishu Police Academy in preparation for the Somali National Constituent Assembly (CA). This assembly attracted delegates and representatives from throughout Somalia. The risk assessment identified a number of concerns:

1. The United Nations requested details on a number of occasions surrounding the selection process of Matrix Technologies including, bid/quotation, vendor profile, ownership details and shortlisting criteria. The information provided was incomplete and did not highlight a transparent vendor selection process.
2. The owner of the company stated that he had prior experience working for the United Nations Development Programme (UNDP) however no record existed within the United Nations system to support this claim.
3. The documents provided by Matrix Technologies stipulated it had a contract with the United Nations Support Office for Somalia (UNSOA) however; no record existed of this contract within the United Nations system.
4. The schedule of works included in the contract between Matrix technologies and the TFG had minimal details.

A letter that was sent by Matrix Technologies to the Office of the Prime Minister included a request for *"....at least 40-50% advance payment for us to go forward with mobilization and commence work...."* This figure was in excess of the United Nations procurement rules and regulations where the maximum advance that could be provided could be 20% (in this instance the contractor would be required to provide a bank guarantee). The request by Matrix Technologies for such an advance indicated they may not have had the financial capability or resources to manage this project.

Consequently, Matrix Technologies was assessed as a HIGH risk by the RMU due to concerns about the transparency of the Vendor/Contractor selection process. Despite repeated requests for information from the TFG to assess the integrity of the selection process, very little information was provided.

The United Nations and the international donor community require accountability, transparency and effective due diligence practices. Consequently, the lack of corroborating information from the TFG and details of the selection process precluded the United Nations from providing financial support in this instance.

Later dialogue with the TFG determined the Prime Minister had pre-selected Matrix Technologies and no actual Vendor/Contractor process had actually taken place. The principle of Matrix Technologies was from a minority Somali clan and this decision was an attempt to ensure cohesion within the Government process and mitigate potential conflict. The TFG subsequently complied with UN Vendor/Contractor selection requirements.

Source: (2012) Risk Management Unit: Risk Report: Reference 12-33-13

Such an example addresses one of the requirements by Lijphart for successful implementation of a consociational democracy, which is the ‘elites understand the perils of political fragmentation’ and the necessity for elite accommodation of divergent interest, to ensure the maintenance of the system (in this case prevention of division and conflict). However, such accommodation entailed compromising transparency and accountability and arguably engaging in a corrupt manner. This then leads us to ask whether this is an acceptable compromise. Is it acceptable to engage in a corrupt practice, if that means reducing potential for conflict? Consideration in this regard could be given to the humanitarian principle of ‘Do No Harm’. This principle recognises that humanitarian aid may be used as an instrument of conflict and as a consequence, do more harm than good (Kahn & Lucchi, 2009). In effect, it entails an assessment of whether the benefits of a particular course of action, will outweigh the consequences of that decision. In the Matrix Technologies case, the political elite assessed pre-selecting a preferred company and not complying with a transparent and accountable Vendor/Contractor selection process was the lesser of two evils, and therefore justified in accordance with the consociational principle of accommodation. It also highlights the endemic nature of corruption within international aid, which in this case may not be the result of opportunism; but accommodation.

Power, Influence and Corruption vs. Public Accountability?

Despite the return of increasing numbers of the Somali diaspora, supported by the international community, individuals and power brokers within Somali society still

largely pursue their own interests and those of their clans. As noted by the Somalia and Eritrea Monitoring Group:

Since the collapse of the Somali government in 1991, successive generations of Somali leaders have engaged in corrosive political and economic practices that have aggravated the conflict and help thwart the restoration of peace and security. Under the Transitional Federal Institutions, the systematic misappropriation, embezzlement and outright theft of public resources essentially became a system of governance, embodied in the popular Somali phrase ‘Maxaa igu Jira?’ (“What’s in it for me?”) (SEMG, 2012:12).

This perception is also mirrored by the World Bank: “Most of Somalia’s armed clashes since 1991 have been fought in the name of the clan, often as a result of political leaders manipulating clanism, for their own purposes” (World Bank, 2005:10). Somali clans recognise that the responsibility of holding office comes with significant benefits: it endows them with control over resources and security institutions. As observed by the World Bank (2005:22) “clan groups continue to view the State as an institution that will enable them to acquire political and economic control and provide benefits to their clan kin”. In view of such deliberate actions on behalf of individuals, clans and political elites to obfuscate social responsibility, or act in a manner deliberately contrary to the public good, which runs counter to the “responsibility of governing”, Chabal and Daloz (1999) argue in a wider context that:

Even if it is wise not to be naïve about the extent to which the Western legal-rational bureaucratic practices have managed to eradicate graft, it is proper to point to the differences both of kind and degree with what happens on the African continent, where corruption is not just endemic but an integral part of the social fabric of life. For those at the bottom end of society, like lowly civil servants, the sale of the limited amount of power they possess is virtually their only means of survival. Higher up, extortion is one of the major avenues of enrichment; it facilitates social advancement and the upholding of one’s position” (Chabal & Daloz, 1999: 99).

In May 2011 the former Head of the Public Finance Unit within the Office of the Prime Minister in the Transitional Federal Government issued an ‘Audit Investigative

Financial report 2009-2010'. This report highlighted significant irregularities in government revenue and raised concerns with respect to transparency and accountability by the Ministry of Finance (Fartaag, 2011). The World Bank subsequently commissioned a report and finding that USD \$131 million in government revenues was unaccounted for in 2009-10. This supported the findings of the Head of Public Finance Unit, and equated to 68 percent of the total recorded country income for that period (World Bank, May 2012). The World Bank also stipulated that a failure to obtain relevant documentation coupled with the lack of transparency of the Ministry of Finance and other government institutions demonstrated an unacceptable lack of accountability. The Monitoring Group for Somalia and Eritrea, moreover, noted that the levels of corruption were actually much greater, given that a substantial amount of revenue was unrecorded (SEMG, 2012). The Somalia and Eritrea Monitoring Group further observed that the political elite routinely engaged in extensive corruption and fraud. This included profiting from the production and issuance of national passports, where between 2010 and 2011 approximately US\$1.5 million in passport revenues was not accounted for (SEMG, 2012).

These examples highlight not only issues surrounding public financial management and administration, but also the need for increased transparency and public accountability particularly with the provision of development and humanitarian assistance. Somalia is presently ranked as one of the least developed countries in the world, which is perhaps unsurprising after decades of conflict, natural disasters, clan rivalry and corrupt practices. There are 49 countries presently designated by the

United Nations as ‘least developed countries’ (LDC’s). The list is based upon three key criteria (UNCTAD, 2013):

- (1) Per capita income: based on a three-year average estimate of the gross national income per capita (presently set at USD 992);
- (2) Human Assets Index: evaluation of indicators on nutrition, health, child mortality, school enrolment, and adult literacy;
- (3) Economic vulnerability: an analysis of Gross Domestic Product (GDP) and exports as well as the impact of shocks such as natural disasters and market.

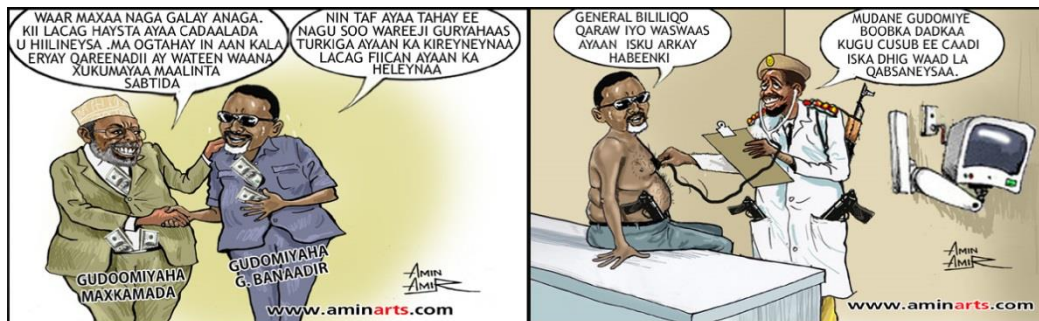
To effect change, the United Nations and the international donor community recognise that, with respect to LDC’s, there is a requirement for investment of both physical and fiscal resources to encourage state-building and development. In 2006 Menkhaus noted that “state-building – whether organic or inorganic – is constrained by the economic base of the country” (Menkhaus K. , 2006:91). While this is logical, investing in Somalia (or any LDC) is not without its risks. LDC’s have common problems, including limited human, fiscal (government revenue as well as private sector) and institutional resources. Furthermore, in Somalia it is widely acknowledged that high levels of corruption, weak domestic controls and a lack of oversight and accountability have benefitted elements of the business community and political elite engaged in the provision of legal and illegal goods and services (Bakonyi & Stuvoy, 2005; Weberisk, 2006) and have subsequently constrained economic growth. Activities such as looting, extortion, informal taxes at sea and air ports, as well as increasing ‘gatekeeper’ activities³ (Menkhaus K. , 2012), are included in this analysis.

³ In Somalia ‘Gatekeepers’ are typically landowners, business people, political elite, or senior members of the community or clan, who often decide who should receive aid or development assistance. Over the last few years gatekeepers have increasingly acted to divert and control aid to pursue their own personal or political agendas. (Jackson & Aynte, December 2013; Collinson & Elhawary, April 2012; Somalia and Eritrea Monitoring Group, June 2012).

The business community plays a significant role in the Somali economy. The ability of powerful elements of the business community to “purchase personal consideration, elected offices and policy consideration” must figure as central here (Leonard & Samantar, 2011:572). Such activities have in some cases necessitated cooperation between clans. Attempts therefore to regulate and legitimise these sectors of the economy to enable the generation of state revenue run the risk of igniting tensions (World Bank, 2005). The alleged relationship between the former Mayor of Mogadishu, Mr Mohamud Ahmed Nur Tarsan and the Chief Justice is significant in this regard. The Mayor was himself from the diaspora and belonged to the Udejeen sub-clan of the Hawiye, which is a relatively small clan. The Chief Justice however, is from the clan Isaaq, one of the largest and most influential clans. The Mayor’s powerful position meant that all formal local government representatives were appointed by him. He had significant influence over prioritising development in the district, and as a result was able to accumulate power and favour within the political elite. Ultimately state-disorder and inefficiency work to the advantage of those in power. Furthermore, “Empirically, as well as analytically, corruption is best explained as one key aspect of the instrumentalization of disorder” (Chabal & Daloz, 1999:103). This may then explain the increasing disquiet of Somalis vis-à-vis leaders, government and state institutions. As observed by the United Nations in this regard “the paramount desire of the Somali people is to find an appropriate governance system that is beyond the narrow clan affiliations which will deliver peace, justice and development” (Somalia Context Analysis 2010:4). Supporting this statement are clear examples of an increasingly vocal Somali public in their criticism of levels of corruption among the Somali political elite. In April 2013 the Somali media reported

on a large group of demonstrators expressing their anger against former Mayor Tarsan, who was accused of stealing land. The demonstrators also expressed anger at the administrators of the courts who were alleged to have supported corrupt activities (Maalik, 2013). This was followed in August 2013 with a cartoon produced by the Somali political satirist Amin Amir (figure 3), commenting on the corrupt relationship between the Benadir Administration and the Courts, followed by another in December 2013 that caricatures the political leadership in Somalia as no different from past leaders with respect to corruption.

Figure 3. Public Perceptions of Corruption



Description/Meaning

Man wearing hat representing the Chief of the Somali Supreme Court Mr. Aydid Abdullahi (a.k.a Ilka Hanaf): “We don’t care; justice will always favour the person with money. Do you know, I chased away all the lawyers they brought and I am going to make a judgment on Saturday.”

Man wearing sun glasses representing the former Mayor of Mogadishu (Benadir Administration) Mr. Mohamud Ahmed Nur Tarsan: “You are tough. Make sure the ownership of the houses is transferred to us. We are going to rent them out to the Turks and we will make a tidy sum of money.”

Description/Meaning

Man on doctors table representing former Mayor Tarsan of Mogadishu “I have this strong urge to loot, I get nightmares and I am anxious, fearful and suspicious.”

Man with stethoscope representing a warlord dressed as a doctor: “Honourable leader, it is only that looting and corruption is new to you; don’t worry you will get used to the corruption and everything will be fine.”

In Figure 3: ‘Public Perceptions of Corruption’ (Amir, 2013) (Images reproduced with permission by Amin Amir of AminArts. Refer: Appendix B)

Exacerbating this issue, in December 2013 Mayor Tarsan issued a decree warning owners of properties in the district of Shangaani in Mogadishu, which had been destroyed during the civil war, that unless they re-built their properties, the land would be confiscated by the Benadir Administration. Property owners were given three months to comply with the decree, and this resulted in further distrust and a perception that this was simply another tool to steal land. However, former Mayor Tarsan himself has been vocal about corruption: “Corruption is a big problem in Somalia; patronage means that there are frequently no qualified people available to do certain jobs. Similarly, some people without experience are placed in high positions. Such behaviour keeps institutions weak” (Chatham House, 2014). Interestingly, his rhetoric also recognises that political elite are not the only actors involved in corruption as evidenced in a recent social media (twitter.com) conversation (Tarsan, 2014):

Mohamud Nur (Tarsan) @MohamudTarsan Jul 22

Do Somali people understand the meaning of a political corruption? Is corruption legal in Somalia, is it crime if someone commit corruption?

Fpost @farahpost Jul 22

@MohamudTarsan you are part of the political elite

Mohamud Nur (Tarsan)@MohamudTarsan Jul 22

“@farahpost: @MohamudTarsan you are part of the political elite” corruption is not from the political elite only. Is how all society deals

Former Mayor Tarsan is right in his commentary on corruption in Somalia.

Corruption is systemic and permeates all segments of society. Geography, natural climate, and the scarcity of resources has resulted in families developing a clan system, which as a social construct has provided security, legitimacy and structure in an environment where there were no formal state governance systems. Over

generations, Somalia (despite its common language, ethnicity and religion) became divided along clan lines. Often violent conflict involved land, water and resources. Such conflict was largely resolved through the intervention of the *Xeer* and the elders, who were able to provide a type of governance and legal structure. Consequently, clan members' providing for and protecting the interests of the clan became not only a means of survival, but a sense of obligation and a social contract that has now been ingrained throughout generations of teaching and clan practice. The Siad Barre regime intensified the divisions between the clans. The practice of playing one clan off against another, using resources and power as bargaining chips, and creating fierce and violent competition, became the *modus operandi* of ruling in Somalia. Traditional rivalries became distorted and manipulated for political and economic ends. Survival of the clans entered a new phase and became directly linked to influence and power. Those who wielded power (political and economic) and who had influence could better protect the interests of clan.

The Somali diaspora is also influenced by clanism. The diaspora has played an active role in fostering peace as well as supporting conflict. In some cases, it is apparent that some groups in the diaspora have engaged in Somalia for personal gain. In such an environment of competition, violence, conflict and lack of state governance structures, there have been opportunities for exploitation. This has included the activities of Al-Shabaab, which seeks to unite Somalia under Sharia law. Even Al-Shabaab, however, is still influenced by clanism and there are criminal elements of clanism, where parallels may exist with organized crime and mafia behaviour, and

where the objective of the clan is seen to supersede the authority of the state, and corruption of state officials is encouraged in order to obtain revenue and influence.

Clanism has also presented challenges for the Somali government. Ensuring the representation of clans in government has resulted in the *consociational* 4.5 formula. While controversial, the 4.5 formula has enabled the passing of a draft Constitution for Somalia as well as somewhat effective Somali representation at the United Nations and other international and regional bodies. It has though entailed a need for the political elite to make compromises and issues of fair and equitable representation of clans are likely to persist. This also impacts upon the United Nations and international community. Ensuring fair and equitable representation is seen as essential to mitigate the risk of antagonising clans or instigating conflict. Another important consideration is whether the elite are able to transcend historical rivalries, opportunistic behaviours and corrupt practices and work together to counter societal and political division. This has not happened so far. Despite application of the 4.5 formula and dialogue on fair representation of clans, efforts to enhance growth and development of the country have been adversely impacted by clanism and corruption. We are therefore able to demonstrate that clan dynamics are indeed fundamental to levels of corruption. High levels of corruption, coupled with weak domestic controls have benefitted only some elements of the business community and political elite, and have thus negatively affected growth and development.

In turn, Somalia has (for successive years) been identified as the most corrupt country in the world (TI, 2014). This has impacted on the aid and development environment.

However, there is an increasing disquiet among the Somali public with the levels of corruption and, importantly, this has been directed at the political elite. The centrality of the clan, and the influence it has on corruption, cannot be underestimated. There are though other key considerations that need to be examined in order to address the fundamental issue of ‘why is Somalia so corrupt, and why does the international community accept this’? In their examination of constraints to aid reform processes in failing states, Chauvet and Collier (2006) identified the most common binding constraint to be ‘political will’, often due to a clash of interests - those of the elite in power, and those of wider society. Consequently, the following chapters will explore further the nature, drivers and interdependencies of these interests. It will also consider corruption and the influence of such corruption upon United Nations efforts to address aid and state building in Somalia, as well as the elements of corruption, particularly the distinction between ‘Need’ versus ‘Greed’ corruption.

Chapter 3: Defining Corruption and Its Impact in Somalia

In Somalia, corruption is not only systemic, but has been promoted by the clans as a means to further their own interests. This has included through the political transitional process and despite public and international scrutiny. In the preceding chapter we were able to demonstrate the adverse role of the clans with respect to levels of corruption however a lack of equitable representation of the clans and weak governance structures also play a significant role. In order for consociationalism to work there is a need to make compromises. Actors need to recognise the advantage of maintaining the system, rather than continuing to engage in divisive activities and the political elite need to cooperate and compromise in order to establish a grand coalition. The subsequent principle of accommodation entails the settlement of divisive issues and conflicts through compromise, which is based upon perceived mutual benefit and necessitates weighing the cost of one action against the opportunity of another. It is due to these factors that we are able to make the hypothesis that ‘consociational democracy is linked to corruption’.

Defining Corruption

Corruption is multi-faceted with many causes and effects, and for decades has been the subject of empirical and theoretical research. It is widely accepted that due to its diversity and nature, corruption is difficult to define (Nye, 1967; Rose-Ackerman, 1999; Abbink, 2002; Collier 2007; Lambsdorff, 2007; Warsame, 2011; Bauhr & Nasiritousi, 2011; Cockcroft, 2014). Definitions typically center on the actions of those in power, including political elites and public officials engaged in dishonest or

fraudulent acts that may involve some form of bribery, influence peddling, nepotism, or election tampering. Corruption can also refer to the altering of a state of something into something less desirable, i.e. distortion, contamination, or even a process of decay. 'Corruption' as an act, an event, or process has strongly negative connotations. In exploring this phenomenon, however, and its relation to present-day Somalia, consideration also needs to be given to the sources of corruption, including identification of those sorts of individuals who tend to engage in it, those who tend to benefit, and the impact of corrupt practices on political, social and economic life.

Studies on corruption have largely focused upon the central role of the state, e.g., individuals representing the state, misusing their positions of responsibility for personal advantage or private gain from public goods, assets or services. Joseph Nye (1967: 417), defined corruption as "behaviour which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence". This is a view largely supported by Klitgaard (1998:3), who defines corruption simply as: "the misuse of office for unofficial ends". Our perspectives on state-centric corruption have however been shaped for centuries. For example, corruption is the central theme in Shakespeare's Hamlet, was discussed by Frederich Nietzsche, and was a major concern of US President Abraham Lincoln.

The World Bank references literally thousands of scholarly articles on corruption on its website⁴, while stating simply that “[corruption is] the abuse of public office for private gain” (World Bank, 1997). While the formal definition of corruption does not include actions that might commonly be called ‘corruption’ in the private sector, it is clearly used in the context of the work of the World Bank, and represents the orthodox conception of corruption that the World Bank witnesses and attempts to address:

Public office is abused for private gain when an official accepts, solicits, or extorts a bribe. It is also abused when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. Public office can also be abused for personal benefit even if bribery does not occur, through patronage and nepotism, the theft of state assets, or the diversion of state revenues. Like most other definitions, it places the public sector at the center of the phenomenon. This should not be taken to mean that corruption cannot occur or that its effects are minor in private sector activities. Bribery occurs in the private sector, but bribery in the public sector, offered or extracted should be the World Bank’s main concern, since the Bank lends primarily to governments and supports government policies, programs and projects (Bannon, 1999:2).

It is also apparent that the World Bank definition of corruption has helped to reinforce traditional perceptions. The international Monetary Fund (IMF) notes that “corruption is generally connected with the activities of the state and especially with the monopoly and discretionary power of the state” (Tanzi, 1998:10). In particular the IMF acknowledges the role of the state in the provision of regulations and authorisations, which are controlled by state officials. These officials are subsequently able to use their positions to extract bribes, or obtain personal gain from those who require the authorisations or regulatory permits (Tanzi, 1998). This is supported by Aidt & Dutta (2008:2) who notes the close correlation between regulatory frameworks and corruption and argue “... entry restrictions are

⁴ This includes an extensive bibliography provided by Professor Matthew C. Stephenson, Harvard Law School: <http://www.law.harvard.edu/faculty/directory/10845/Stephenson>

implemented and maintained by corruptible politicians because of their corruption potential. The relevant vested interests - businesses that benefit from protection, bureaucrats who enjoy the power of enforcing regulation, and politicians who can sell more favors in a regulated economy make it difficult to initiate reforms”.

The notion that corruption is directly related to Government was emphasised by Gary S. Becker in his well cited article *“If You Want to Cut Corruption, Cut Government”*. In this article Becker argues that corruption and bribery are not unique, and whenever there is a large government with the power to dispense regulations, laws and provide opportunity to others, corruption tends to exist. The key message in this article, however, is the notion of power; either through the ability to control or to influence “the worldwide trend toward democratic governments is helping to expose political corruption more quickly. But it will remain disturbingly high as long as governments continue to have so much power over the fortunes of business” (Becker, 1995:1).

This helps to explain corruption in the Somali context. Somalia for generations has been divided along clan lines, which in the absence of formal state governance systems have provided legitimacy and structure. The clans have controlled and fought over territory and resources and have implemented various regulatory processes and systems. In the absence of the formal state, corruption has existed in the form of nepotism, bribery, misappropriation of assets and resources and abuse of positions of authority for private gain (Chêne, 2013). It is therefore not the state that has provided an enabling environment for corruption, but those who have held power and positions of influence. This recognition that corruption is not a ‘new’ phenomenon, and that it

has historical and societal origins, was observed in the case of Somalia by Jean-Pierre Olivier de Sardan (1999). Actions that today may be identified as corrupt practice are in fact examples (or could be recognised as examples) of customary social norms and behaviours. This includes the giving and receiving of gifts and the provision of familial / clan opportunities. Those who attain positions of influence or power are expected to share benefits within their extended families and social networks. Not supporting such activities risks criticism, reproach and even ostracism and conflict. In this fashion, corruption is not only entrenched, it becomes a social norm (Sardan, 1999). In a general sense,

The salience of corruption is the carry-over into present-day political behaviour of cultural values inherited from a patrimonial past, like negotiations, gift-giving and unconditional solidarity with extended families, clans and other communal group (Amundsen, 1999: 20).

Torsello (2011) endorses this view, adding that while there is not a great body of anthropological studies focusing on corruption, there are many examples of discourse on ‘informal’ economic practices, nepotism, gift exchange processes, redistribution and patronage, all of which are recognised as corrupt practices (Torsello, 2011). Consideration of social and cultural norms and experiences may also help to define corruption, to explain why it remains so prevalent, and to better inform global efforts to respond to it (Sissener, 2001). Corruption is not purely a ‘cultural phenomenon; when it becomes systemic it becomes a ‘way of life’ with varying levels of influence of social and cultural norms (Blundo & Sardan, 2006). Furthermore, almost all literature will contain some analysis associating corruption with social practices and behaviours. This is certainly pertinent to discussions and efforts to define corruption in Somalia.

The United Nations Somalia Risk Management Unit has attempted to operationalize the definition of corruption. This unit, which was designed, established and managed by the author of this thesis was, until January 2014⁵, the first dedicated risk management programme in the United Nations global system, and was established to support all United Nations agencies and programmes in a specific country team, ensuring that collective risk mitigation measures were introduced to address risks such as fraud, corruption, misappropriation of assistance and diversion. The United Nations Somalia Risk Management Unit has gone beyond traditional definitions of corruption as supported by the World Bank and IMF and defined it as:

The deliberate act of offering, providing, receiving or soliciting, either directly or indirectly anything of value to influence the actions of a third party (United Nations contracted employee or a person / entity contracted or sub-contracted under a United Nations programme / project / activity); includes acts of nepotism or cronyism; also includes an act to induce another person/ entity from acting, or to refrain from acting, in the exercise of their duties / role. (United Nations, 2013).

Such a broad reference highlights the complexity of defining corruption, is not limited to the political elite or public officials, and recognises corruption within a wider context. Acts of bribery, coercion, political manipulation, as well as adverse influence for personal gain, are actions and activities that could be considered corrupt practices. However, this is clearly another perception-based definition, and is reflective (like that of the World Bank) of the operating and programmatic environment in which the Risk Management Unit operates.

⁵ In January 2014 the second United Nations Risk Management Unit was established in Afghanistan and in May 2014 discussions have initiated to establish a third Unit to support the United Nations in Palestine.

We can therefore acknowledge that most, if not all, definitions of corruption are contextual, and that a number of dynamics may influence this phenomenon. A simple model that may be appropriate for Somalia was suggested by Klitgaard (1998: 4):

$$\text{Corruption (C)} = \text{Monopoly (M)} + \text{Discretion (D)} - \text{Accountability (A)}$$

In this equation, corruption results from an environment where an entity (person or organisation) has a monopoly over resources, has the discretion to determine access or opportunity, and has little accountability. When examining this conceptualization against what we know of Somalia, we could potentially add 'P' (Power) to this equation. Monopoly ('M') and Power ('P') are fundamental factors of corruption.

$$\text{Corruption (C)} = \text{Monopoly (M)} + \text{Power (P)} + \text{Discretion (D)} - \text{Accountability (A)}$$

Power brokers, with the discretion to allocate goods and services, arguably in this setting at least, hold a monopoly in Somalia⁶. It is important not to underestimate how perceptions of strength and power impact on Somali society; where individuals wield more power than formal institutions (Brown & Fisher, 2013). On 27 February 2014, Mohamed Ahmed Nur Tarsan was replaced as Mayor of Mogadishu with Hassan

⁶ In the Somalia context reference here is made to a 'coercive monopoly' insofar as a coercive monopoly results where there is no opportunity for competition. The power broker or monopoly is able to make decisions with the assurance that no competition will arise. Through this lens we then view corruption as appropriation through power and coercion. An example of this was the recent investigation into the operating company of crude oil loading terminals in Nigeria (Intels Nigeria Ltd). The investigation concluded that Intels Nigeria Ltd created a coercive monopolistic regime of logistics and support services resulting in the company 'creating a state within a state, with its management of the ports' Furthermore weak governance, poor infrastructure and insecurity were some of the factors promoting corruption in the ports. For more please refer Report of Corruption Risk Assessment in the Ports Sector in Nigeria (ICPC, BPP, & TUGAR, 2014:14). In Somalia, similar corrupt practices in the Port of Mogadishu have been reported in the 2011 and 2013 SEMG reports.

Mohamed Hussein Mungab, from the Abgal Hawiye clan, which is the same as the incumbent President. His appointment came in the wake of a number of directed attacks undertaken in Mogadishu by al-Shabaab. Mayor Mungab is a former Brigadier General and chief of Somalia's military court. Since his new appointment Mayor Mungab has removed a number of the District Commissioners who had served for a long period with former Mayor Tarsan. He has also proposed to move the entire security apparatus in the Benadir region (Mogadishu) under his direct command, thus controlling all police and security services including intelligence agencies, and has supported a disarmament campaign in conjunction with the African Union Mission in Somalia. This has not been without its criticism as "some Somalis believe the campaign is a political witch hunt aimed at weeding out rivals of the country's leadership as the country gears up for a proposed 2016 national election" (Guled, 2014).

Transparency International also recognizes the significance of those in positions of power vis-à-vis corruption. In 2010 Transparency International produced a handbook of good practices, '*Preventing Corruption in Humanitarian Operations*'. TI defined corruption in this source as: "The abuse of entrusted power for private gain" (Transparency International, 2010). This further clarified the concept, explaining that 'It hurts everyone who depends on the integrity of people in a position of authority' The influence of 'power' and 'people in a position of authority' encapsulates more than state authority. Perhaps it is appropriate here to include the famous quotation of Lord Acton, 'Power corrupts and absolute power corrupts absolutely'. Power in this sense is not limited to leadership and political elite, although the quotation appears to

relate directly to those who hold a form of power, leadership, influence, or authority who use this position for personal gain. This does not mean to say that they do not engage in activities to support others, but that such actions tend to be designed to strengthen their own positions. Somalia represents a striking example of this, such that the definition, ‘abuse of entrusted *power* for private gain’, seems appropriate. Clans, business leaders and the political elite have all been entrusted with power, have occupied positions of authority, and have been implicated in abuse of that power/authority for private gain and/or to increase their power base. However, it does not adequately explain the complexity of corruption in Somalia, nor how it has permeated all levels of that society.

Defining Corruption in Somalia

As observed by Menkhous (2007), Somalia is able to provide important lessons as to how informal institutions and systems of governance and security have developed in the absence of central government. For generations communities in Somalia have fended for themselves and created regulatory mechanisms and governance structures. In this environment corruption has not only been able to thrive, but has become a logical recourse for individuals to survive and prosper. In a pertinent intervention to this debate, Cassidy (2009) reflected on the global financial crisis and introduced the theory of ‘Rational Irrationality’. Cassidy argued that financial markets are comprised of people reacting to the behaviours and actions of others. It is in effect a version of the Prisoner’s Dilemma, where decisions are made that may affect the welfare of others; and the actions of others may affect one’s welfare. Cassidy states that “the root problem is what might be termed ‘rational irrationality’ – behavior that, on the

individual level, is perfectly reasonable but that, when aggregated in the marketplace, produces calamity” (Cassidy, 2009:1) In this, Cassidy was referring to the reaction of the banks, that logically and individually introduced austerity measures as a means of protection. However this resulted in the disruption of credit, and the need to increase the sale of stocks, bonds and assets, which culminated in the market crisis.

While this is a simplification of the global financial crisis, potential comparisons can be drawn with the Somalia experience and corruption. In Somalia corruption is systemic and arguably rational when measured against the actions of others, including the political elite, and as a result has had a considerable impact on Somalia’s development. This thesis is supported by (Zaum, 2013:3), who notes that “The centrality of patronage and corruption to managing politics in fragile states, in an atmosphere of pervasive uncertainty and insecurity, makes it rational for both elite and non-elite actors to engage in corruption, if only to deal with the vagaries of daily life”.

Transparency International provides further insight into the complexity of corruption, acknowledging its more systemic nature:

It has become recognised that corruption is rarely an isolated phenomenon found only within a specific institution, sector or group of actors. Rather, it is usually of a systemic nature, and therefore fighting it also requires a holistic and systemic strategy. In turn, a successful anticorruption strategy is premised on the involvement of multiple stakeholders, including government, civil society, and other governance actors, since it requires both, supply-side political will as well as demand-side civic pressure for greater transparency and accountability (Transparency International, 2011:1).

In 2013 Transparency International ranked Somalia on the Corruption Perceptions Index (CPI) as the most corrupt state globally. Somalia has held this position for the

last seven years. Since the CPI began in 1995 it has been used as the primary source and measure of corruption by media, governments, international organisations and academics (Lambsdorff, 2007). The CPI is effectively a poll of a number of different surveys on perceptions of corruption, which are then subject to simple mathematical formula resulting in a final score that ranks a country from zero to ten (with zero representing significant levels of corruption and 10 very little). There has been some debate about the use of this methodology, including by Thompson & Shar (2005:1), who state:

We find that there are many limitations to corruption indicators due to the methodologies used in aggregating or averaging, the reliability of the sources on which they are based, and the varying definitions of corruption utilized. In particular, we find the large standard errors of the aggregate corruption indices problematic. This lack of precision of the scores leads one to question the feasibility of compiling meaningful rankings across countries or trends across time.

Nevertheless, the CPI is the most acknowledged tool to measure corruption; the CPI has proven to be reliable, and not only generates debate about corruption, but highlights the need to address corrupt practices. Furthermore “while TI [CPI] might be at best a flawed method for measuring corruption, it serves the purpose of keeping the issue of corruption at the vanguard of politics” (Hawthorne, 2013:27). It is also worth pointing out that the Government of Somalia has condemned the reporting of TI’s CPI, as exemplified in a public media statement by Somalia Deputy Minister of Finance Ahmed Hassan Adan:

We want to see any evidence to these allegations. It is only just someone's idea written on papers without any proof...Corruption is not good for any country, it is [a] killer so it is shameful that such [an] NGO writes a report to damage the dignity of Somalia (as cited: All Africa, 2013).

This is somewhat contrary to statements made by the President of Somalia, Hassan Sheikh Mohamud, who in his campaign for office and subsequent success in the

election, publicly pledged to address corruption, clean up politics and promote good governance in public administration. Indeed, the public resignation of Somalia's central bank governor, Yussur Abrar, in November 2013, after she refused to approve transactions that would violate her fiduciary responsibilities, and was then critical of constant government interference in central bank operations, reinforces this point.

In the review of relevant definitions of corruption it becomes clear that we are referring to entities (including, but not limited to, people, organisations, and governments) that have been entrusted with positions of power or authority, and that have little accountability regarding those who use such organisations and positions for personal advantage. It is to states like Somalia that Thomson & Shar (2005:28) may have been referring when they commented that “governments and citizens are fully aware of the corruption which pervades their country. The problem is that the people are powerless to stop corruption”.

Corruption and the Failed State

In order to fully understand the different dimensions of corruption in Somalia, it is useful to explore some of the issues and challenges that the country and people face. Somalia has been ranked by the Fund for Peace as the most failed state in the world for the sixth consecutive year. The Failed States Index (FSI) is an annual ranking of nations based on twelve primary social, economic and political indicators. These rankings are based on an average of 14 sub-indicators, each of which indicates risk of state failure. They include relative levels of corruption, discrimination, political

participation, criminality, power struggles, political competition, displacement, ethnic violence and poverty (Fund For Peace, 2014). The 2013 FSI notes that

Somalia has been what many would describe as the quintessential “failed state” since the inception of the Failed States Index (FSI). Struggling with an occasionally unforgiving semi-arid topography in much of the North, widespread poverty as a result of tight competition for few resources, and mired by high levels of insecurity, an inchoate political system, and a disjointed sovereignty, Somalia has performed poorly in virtually every indicator measured on this and other global indices (Umaña, 2013:1).

Typically we recognize a failed state as one that has lost physical control over its territory or its monopoly over the legitimate use of force, as well as its inability to provide reasonable public services and its erosion of legitimate authority and inability to make collective decisions (Rashid & Hamashuk, 2011). More simply, the collapse of political processes combined with widespread violence is seen as the catalyst for state failure (Rotberg 2004; Rashid & Hamashuk 2011). While Somalia has recently been able to demonstrate some progress with respect to governance and security, targeted attacks against the United Nations and the International Community, as well as against federal government institutions in Mogadishu⁷ raise concern about how much control and authority the Federal Government actually has. A lack of control and authority from state institutions results in a vicious cycle and further weakens or prevents the emergence of state institutions, where corruption is able to have an adverse influence.

⁷ Such incidents include the April 2013 attack on the High Court buildings, the June 2013 attack on the United Nations Common Compound, the July 2013 attack against a Turkish Embassy convoy, the February 2014 attack against a United Nations convoy, the February 2014 attack on the Presidential compound ‘Villa Somalia’ and the May 2014 attack against the Somali Parliament. All of these incidents resulted in loss of life, including that of United Nations staff and civilians. In response to increasing violence and a lack of support or control by the Federal Government in August 2013 the international medical humanitarian organisation Médecins Sans Frontières (MSF) announced the closure of its entire programme in Somalia. This decision was made due to extreme attacks on its staff, and “an environment where armed groups and civilian leaders increasingly support, tolerate, or condone the killing, assaulting, and abducting of humanitarian aid workers” [As cited] <http://www.msf.org/article243/msf-forced-close-all-medical-programmes-somalia>.

Drivers of Corruption

But what drives such corruption? Bauhr & Nasiritousi (2011) comment on the relatively unsuccessful international and national anticorruption programs that focus upon identification of the scale of corruption, rather than efforts to better understand its different forms. “At the root of the most commonly used distinctions between forms of corruption lies the scale or the profitability of different types of corruption. The distinction between petty and grand corruption, for instance, also involves the scale and level of the problem” (Bauhr & Nasiritousi, 2011:5). There are a number of examples of such focus on scale rather than motivation:

“Grand” corruption refers to malfeasance of considerable magnitude by people who exploit their positions to get rich (or become richer)—political or business leaders. So grand corruption is all about extending the advantages of those already well endowed. “Petty corruption,” small scale payoffs to doctors, police officers, and even university professors, very common in the formerly Communist nations of Central and Eastern Europe (and many poor countries) is different in kind, if not in spirit. Petty corruption, or “honest graft” as New York City political boss George Washington Plunkitt called it (Riordan, 1948), does not enrich those who practice it. It may *depend upon* an inequitable distribution of wealth—there should be no need to make “gift” payments in a properly functioning market (Uslaner, 1999:3).

In his discourse on corruption and inequality Uslaner, (1999) provides the theory that corruption is the result of unequal distribution of resources, which leads to increasing inequality and therefore increasing levels and instances of corruption. Transparency International provides explanations of what they identify as ‘*grand corruption*’. Grand corruption consists of acts committed by the political elite that distort policies or the central functioning of the state thus providing personal benefit to leaders. Political corruption can be included in this as it entails the manipulation of policies, institutions and rules of procedure in the allocation of resources, to enable the sustainment of power and accumulation of wealth (Transparency International, 2010). Conversely, petty corruption refers to everyday abuse of entrusted power by low- and

mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments and other agencies.

The United Kingdom's Department for International Development (DfID) refers to the scale of corruption with respect to Somalia: "Corruption in Somalia manifests itself through the misappropriation of state funds, as well as 'petty corruption', such as the use of informal payments for the provision of basic services" (DfID, 2013:3). This is a view supported by Transparency International: "Both petty and grand forms of corruption are prevalent in Somalia, permeating key sectors of the economy such as ports and airports, tax and custom collection, immigration, telecommunication and management of aid resources" (Chêne,2013:1). Bauhr & Nasiritousi, on the other hand, comment that "insufficient attention is paid to the implications of the different basic motivations for paying a bribe" (Bauhr & Nasiritousi, 2011: 4). In their examination of different forms and motivations they propose two distinct categories of corruption: `need` and `greed` corruption. This distinction recognises that the motivation or character of the activity itself is important. *Need corruption* occurs when an individual undertakes an activity or pays a bribe to obtain a service or receive something they may be legally entitled to, where public officials are paid salaries that are below subsistence levels, and must therefore require users to pay them so that they can continue to provide services. This could be to ensure access to such things as health services, or utilities. However, *greed corruption* occurs when a bribe or an act is undertaken to obtain personal advantage that the individual is not normally entitled to. While need corruption is usually regarded as more threatening

to a country because of its systemic basis, greed corruption may have greater economic implications, especially when it shades into grand corruption.

Corruption undertaken by non-government actors

It is not only warlords, the political elite, and lower level officials engaging in corrupt and fraudulent activities in Somalia. In reporting to the Security Council, in July 2013, the United Nations Somalia Risk Management Unit commented on fraud and diversion that had been identified in relation to implementing partners (non-governmental organizations). Risk assessments and investigations had identified instances in which more than 60 per cent of contract value has been diverted, and also patterns of fraudulent behaviour “which in some cases include the complete fabrication of vendors, subcontracting partners or entities” (United Nations, 2013:5). In May 2013, the author of this dissertation, the Head of the United Nations Risk Management Unit at the time, met with representatives of the Office of the Prime Minister in Mogadishu. At this meeting the representatives of the Office of the Prime Minister provided evidence of diverted United Nations materials that was subsequently used as evidence in risk reporting⁸. Additionally, it was recorded in this meeting that from the end of 2012 until April 2013 the number of registered non-governmental organisations in Somalia had increased from approximately 400 to more than 1,700⁹. The representatives from the Office of the Prime Minister expressed their concern that a large number were likely to be ‘briefcase’ non-

⁸ Source: Risk Management Unit (2013): Risk Report: Reference 13-RR-915-13.

⁹ This information is recorded in meeting minutes as well as e-mails correspondence between the Head of Risk Management Unit and representatives of the Office of the Prime Minister.

governmental organisations and requested assistance in establishing the bona-fides of these entities.

The more than 300 percent increase in registered NGOs in Somalia may perhaps be explained by the number of high level political and donor conferences focussing on reconstruction and development that occurred throughout 2012. The first was hosted by the Government of the United Kingdom. The ‘London Conference’ in February resulted in a number of resolutions and commitments to support reconstructive activities in Somalia. Following this, the Government of Turkey hosted the ‘Istanbul Conference on Somalia’ from 31 May to 01 June 2012 with the theme “Preparing Somalia’s Future: Goals for 2015”. Later that same year, United Nations Secretary-General Ban Ki-moon convened a mini-summit on Somalia in New York on 26 September 2012 in the margins of the United Nations General Assembly. The end results from these conferences and meetings were considerable financial pledges of support for Somalia for both humanitarian assistance and development. Such pledges of support were widely reported in the international media as well as in the domestic Somali media. For many, and certainly those with corrupt and fraudulent intent, this presented an opportunity. The sudden and significant increase in registered non-governmental organisations was apparently an indicator of this. Importantly, there have been a number of examples of corrupt NGO’s in Somalia. The following two examples, stemming from activities in which the author of this thesis was directly involved, illustrate this.

Box 2. Horn of Africa Free Zone Authority (HAFZA Finance Pty Ltd) 11 November 2011

In November 2011 the United Nations Country Team for Somalia Risk Management Unit (RMU) provided an assessment of a company called Horn of Africa Free Zone Authority (HAFZA)¹⁰ that had entered into a partnership with the Transitional Federal Government of Somalia (TFG) and the Puntland Administration of Somalia to provide assistance in establishing ten Tax Free Zones throughout Somalia as well as investing in construction projects in Mogadishu. Such assistance was designed to encourage growth and international investment in Somalia.

To support this HAFZA indicated it had access to substantial Brazilian Treasury Notes (LTNs), which were to be made available to the TFG and the Puntland Administration of Somalia for use as security in order to obtain loans from the United Nations, the World Bank and the International Monetary Fund. The initial investment was to be made up of USD 250 million from the United Nations programming budget, and a further USD 2 billion from government administrations.

Analysis by the RMU identified a number of concerns:

1. HAFZA indicated it was already linked to the United Nations. The company provided links to open source documents including the United Nations programme reports and strategic studies on Somalia. However, the United Nations was not affiliated with this company, as records showed.
2. HAFZA stated it was planning to register as an NGO for the purpose of seeking additional support from governments'. It further stated it would use this status to approach large manufacturers for funding assistance as well as favourable terms for construction materials and services.
3. HAFZA provided an example of the available LTNs to the Puntland State of Somalia Government Administration. This LTN was issued in 1970 with an expiry date of 2021 (51 years) for 100,000,000.00 Cruzeiros (interest accruing).¹¹

Subsequent analysis by the RMU identified that the Government of Brazil has issued LTNs and public bonds since 1902, which have been to raise money in order to assist national development (typically national infrastructure). However, in 1957 the Government of Brazil exchanged all public bonds issued from 1902-1955 for new ones that expired after a period of 5 years (therefore all effectively matured by 1962). Between 1957 and 1970 all new public bonds issued also matured after 5 years.

Further changes were made to the issuance of LTNs from 1970 until present day. Any LTNs issued by the Government of Brazil from 1970 onwards have a maximum maturity of 365 days, have never been re-scheduled and have never been underwritten.

The Government of Brazil Ministry of Treasury issued a public notice on 'Public Debt – Old Bonds Fraud'. From this notice it can be determined that any LTNs offered that originated in 1970 and were presented as valid (such as those by HAFZA) were in fact fraudulent.

The RMU concluded that HAFZA was attempting to defraud the United Nations, the TFG and the Puntland Administration of Somalia.

Source: (2011) Risk Management Unit. Risk Report: Reference 11-11-03

¹⁰ 2011. Risk Management Unit. Risk Report: Reference 11-11-03

¹¹ It should be noted that the cruzeiro was replaced as Brazil's unit of currency with the real in 1994.

Box 3. African Rescue Committee (AFREC)

Another example is highlighted in United Nations reporting to the Security Council in 2013. In this particular case, the NGO in question, the African Rescue Committee (AFREC), has been described by the United Nations Somalia Risk Management Unit as “an entity that had likely been established to defraud the United Nations, the international community, and the people of Somalia (United Nations, 2012: 3)”

In September 2012 the United Nations Somalia Risk Management Unit (RMU) provided an assessment of the Somali NGO ‘African Rescue Committee’ (AFREC)¹². Established 1992 AFREC was registered as a non-governmental organisation in Kenya, Somalia and the U.S.A. and had been an implementing partner for a number of UN agencies, international NGOs, and donor governments.

In September 2012, the UN had more than 11 million USD worth of contracts with AFREC for projects that included cash assistance for vulnerable families, education support for vulnerable communities, and Water and Sanitation projects that included construction and rehabilitation of wells and construction of latrines. Following questionable third-party monitoring reporting and rumours of potential wrong-doing the RMU provided a risk assessment that included evidence from a field monitoring visit that was undertaken to determine whether AFREC has misrepresented project outcomes in reporting to the United Nations and had indeed implemented the projects for which it had been contracted.

Overall, while some project components were verified, the RMU found major issues of concern both in terms of quality and degree of actual implementation. In some instances the RMU identified no evidence of the completion of projects and concluded that the fraud and diversion risks posed by AFREC were “EXTREME”, and that continuation of engagement with AFREC posed a “VERY HIGH” risk for the UN.

As a result of the RMU’s findings, all UN agencies suspended their contracts with AFREC. A subsequent formal investigation into AFREC revealed more than 2 million USD of funding had been diverted by the organisation. Evidence from the investigation also identified a number of ‘brief-case’ entities that had been created by AFREC in order to deceive audit activities.

Source: SEMG (2013)

Greed corruption and conflict

Greed corruption, which is focussed upon the attainment of advantage that the individual or entity is not normally entitled to, presents a major challenge in Somalia.

This is due to the protracted absence of an effective state entity to provide governance, security and structure, and the generational conflict that has existed between clans and rival groups. Azar (1990) provides a theory of Protracted Social Conflict (PSC), which is typified by a “prolonged and often violent struggle by

¹² 2013 report on Somalia of the Monitoring Group on Somalia and Eritrea S/2013/413.

communal groups for such basic needs as security, recognition and acceptance, fair access to political institutions and economic participation (as cited in Ramsbotham 2005:113). Azar provides four clusters of variables as preconditions for PSCs; the communal content of a society; human needs; the state's role; and international linkages however focusses on the importance of colonialism.

Azar links the disjunction between state and society in many parts of the world to a colonial legacy which artificially imposed European ideas of territorial statehood onto 'a multitude of communal groups' on the principle of 'divide and rule'... As a result, in many post-colonial multicomunal societies the state machinery comes to be 'dominated by a single communal group or a coalition of a few communal groups that are unresponsive to the needs of other groups in the society' which 'strains the social fabric and eventually breeds fragmentation and protracted social conflict' (Ramsbotham, 2005:115).

Ultimately, we can see how this may lead to opportunism and greed. With such entrenched divisions in Somalia individuals and the clans (communal groups) strive to advance their own perceived needs to the detriment of the collective good. This leads to increased competition, exploitation, conflict and exclusionary practices (increased marginalisation of minority community groups). As observed by Collier "the true cause of much civil war is not the loud discourse of grievance, but the silent force of greed" (Collier, 1999:8). This in effect supports Uslaner's correlation between corruption and inequality. However, as is observed by Malone (2003:10) it is important to consider that the inability to gain control over natural resources is indicative of a weak state and security infrastructure. Where a party has the ability to exert influence (through violence), it is able to solidify its position and obtain greater political and economic power.

Impact of Corruption on the Poor

Corruption is uniformly regarded as pejorative. Transparency International states that “the most damaging impact of corruption is the diversion of basic resources from poor people. Corruption in humanitarian aid, is the most egregious form of this, as it deprives the most vulnerable poor people, the victims of natural disasters and civil conflicts, of essential lifesaving resources” (Transparency International, 2010:v).

The adversely disproportional impact of corruption on the poor is well documented. It is generally acknowledged that corruption has not only a negative effect upon the quality of public services, but also results in unequal access to the same. Corruption also provides opportunities for illegal taxation, favouritism, elitism and bribes, all of which unfairly penalise the poor. In their study of distributional effects of corruption in schools in developing countries, Emran *et al.* (2013:3) show that “bribe taking by teachers in schools affects poor households disproportionately; poor parents are more likely to pay bribes for education of their children, and among the bribe payers, the poor pay more as a share of their income”. The Institute for Accountability in Southern Africa observes that this disproportional impact is “because corrupt activities have the effect of depriving the poor of the finances and resources that are diverted into corrupt activities” (Hoffman, 2012:1).

In Somalia a considerable percentage of the population is poor. In 2011 the United Nations Statistics Division evaluated Somalia’s Gross Domestic Product per capita as 112.0 USD. The United Nations Development Programme estimated that approximately 43% of Somalia's population lives in extreme poverty (income of less

than 1 USD per day) and approximately 73.4% of the population earns less than 2 USD per day (UNDP, 2010). Poverty in Somalia is more pronounced in the rural areas than in the urban regions. As a result, it is estimated that 2.12 million people are in crisis and require emergency assistance. Some 236,000 of the total population of 1.5 million under the age of five are acutely malnourished, of these 54,000 are severely malnourished and more than 1.1 million Somalis are internally displaced (UNICEF, 2013). Furthermore, life expectancy for men is only 51 years and 55 for women (WHO, 2014). Consequently, the poor in Somalia live in an environment characterized by insecurity and corruption. With so little to go around, why does corruption persist? Why is there a disproportional impact on the poor? Emran *et al.* (2013) made the observation that the poor have a weak position in society with little bargaining power and so are unable to refuse to pay bribes. Conversely, the rich have more bargaining power, and so may not need to pay. Cockcroft (2014:116) offers four additional reasons as to why corruption exists in an environment where there are high levels of poverty: *survival; greed; orchestration from above; and reciprocal payment.* In Somalia, with 43% of the population at less than 1 USD per day, it is easy to understand how junior officials including policemen, teachers, and those in the medical sector will seek to increase their own income through levying ‘tolls’ or ‘taxes’ as a means of survival, to support their own families. Van Rijckeghem & Weder (1997) concur with this and make the observation that poorly paid civil servants in developing countries are more vulnerable to illicit rent seeking.

Greed also follows (to some extent) from survival in a poverty-stricken system, where corruption continues merely as a desire to increase income to enjoy the additional

benefits resulting from an increase in wealth despite not being in a condition of need. Orchestration from Above occurs in an unregulated environment whereby a 'manager' or senior official requires payment from lower officials. In this instance, the senior official has no interest in strengthening processes and systems to address corruption as this will impact upon his/her own wealth. Finally, the reciprocal payment system, which is prevalent in Somalia, is where a member of the family or clan attains a high level position (with the support of his/her clan) and provides financial opportunities and engages in nepotistic behaviours.

Taken together, these factors account for much of the petty corruption which degrades the lives of so many in low-income countries. Insofar as they are linked to poverty, the behavior of big players in government systems, and clan and group loyalties, they are at the heart of the problem. The convergence of personal need with the interests of those running organized rackets has a capacity to sustain a system which may well be impervious to changes of political regime at the top, and has a force for continuity that is as strong as those of networks geared to the acquisition of much larger capital sums (Cockcroft, 2014:117).

It is therefore apparent that corruption becomes not only a cause of poverty, but also fuels corrupt practices. Corrupt practices benefit some, while at the same time ensuring the continuation of poverty; a widespread condition that can be exploited.

This is a view supported in general terms by Lambsdorff (2005:27):

It can be concluded that corruption clearly goes along with a low GDP, inequality of income, inflation, increased crime, policy distortions and lack of competition. The direction of causality for these indicators, however, is controversial. Corruption may cause these variables but is at the same time likely to be their consequence as well. This suggests that countries can be trapped in a vicious circle where corruption lowers income, increases inequality, inflation, crime, policy distortions and helps monopolies at the expense of competition. These developments in turn escalate corruption.

In the context of Somalia, the question is naturally asked whether an increase in wages for public sector employees will reduce continued exploitation of the poor either as a consequence of 'need' or 'greed'? This is particularly relevant when

reflecting on the general observations of Rose-Ackerman (2007), who argues that the prevalence of corruption is one symptom of a poorly functioning state, and in such a context, a weak public sector is one of the reasons why rent seeking is so endemic. The UNDP (2010) also looked at the issues of public sector wages and recognized that higher levels of pay along with merit-based hiring are fundamental to an effective public service. The UNDP further noted that while this is necessary it does not “guarantee clean government” (UNDP, 2010:5). Van Rijckeghem & Weder (2001:2) further argue that a relationship does in fact exist between civil-service pay and corruption, although this “implies that a rather large increase in wages is required to eradicate corruption solely by raising wages”. They add that an increase in wages needs to be balanced with an increase in penalties and deterrent measures. Abbink (2002) supports this with the observation that such penalties may indeed act as a deterrent because the more an official earns in the public sector, the more he will lose if caught engaging in corrupt practices. Alongside such penalties and deterrent measures Lindner (2013) ascertains that there is also the need to ensure effective controls and management processes have been established. In the absence of such controls and mechanisms, an increase in public sector wages will be seen as an opportunity and may result in the manifestation of other corrupt practices, such as nepotism. This may result, in turn, in the creation of employment market distortion, resulting in the further unequal distribution of resources. Nevertheless, in Somalia, with already high levels of cronyism, nepotism and the absence of regulatory and oversight mechanisms, increasing public wages are unlikely to be an effective strategy (at this time) for addressing corruption.

In very general terms, it is tautological to affirm that systemic corruption permeates corrupt societies, from the political elite to those who hold positions with more limited levels of power, and down to those who must pay individually for all services rendered and, in many cases, for “protection”. The political elite are, by definition, a minority, although they hold an unequal distribution of power and influence. Therefore, the greatest impact of corruption in most cases is going to be felt in the lower end of the spectrum, where it occurs more frequently, and impacts across a wider portion of society.

Corrupt behavior at the top, which is often recognized and identified by the public, is readily used to justify corrupt behaviour at the lowest level. Without a bribe, policemen may hold a vehicle at a roadblock for half a day, an irrigation manager may deny water to a small farmer, or a secondary school headmaster may deny entry to a promising primary school leaver (Cockcroft, 2014:3-4).

There are numerous examples of corruption at the lower end of the spectrum in Somalia. In January 2014 the United Nations reported on the actions of the Government of Somalia to remove more than twelve illegal roadblocks that had been established between Mogadishu and Wanlaweyn (approximately 90 kilometres) by armed militia. Somali nationals in vehicles and on foot, had been forced to pay money to pass through the checkpoints¹³. Roadblocks and illegal taxation is not uncommon. For the past several years the Somalia and Eritrea Monitoring group has reported that perpetrators of such activities include armed groups, militia, the al-Shabaab, and government militias: “Local non-governmental organizations told the Monitoring Group that Transitional Federal Government-affiliated militia manning roadblocks and checkpoints had extorted money in 2010, presumably to make up for their overall lack of pay” (SEMG, 2011:64). In the report of the Humanitarian Coordinator of the

¹³ 2014 ‘Government forces conduct operation to remove roadblocks outside Mogadishu’ <http://www.unsom.org/2014/01/27/january-27-2014-daily-monitoring-report/>

United Nations in Somalia to the Security Council in November 2012, the

Humanitarian Coordinator commented that:

in southern central Somalia, there were reports of members of the Somali National Armed Forces and local militia extorting and imposing levies on humanitarian convoys, as well as commercial and civilian vehicles. International non-governmental organizations and United Nations agencies reported that authorities at different levels requested them to hand over humanitarian supplies or to pay fees and staff taxes. There continued to be instances of “gatekeepers” — individuals and organizations who position themselves to harness humanitarian assistance flows for their own personal or political advantage¹ — diverting aid and hindering humanitarian access to people in need and settlements for the internally displaced (United Nations, 2012:5).

Boucher *et al.* (2007:13), in their analysis of corruption in war-torn states, commented that in Somalia “warlords heading informal local administrations levied ‘taxes’ and other fees at seaports, airports and road checkpoints, and issued “permits” to foreign fishing fleets that operate in Somali coastal waters”.

The Impact of Corruption on the State

It is widely accepted that corruption has a negative economic impact upon a state and in particular impedes growth and development (Mauro 1995; Tanzi, 1998; Sissener, 2001, Cockcroft, 2014). The econometric estimation undertaken by Silva *et al.* (2001) revealed that corruption reduces capital productivity, and this is exacerbated in countries beset with widespread corruption. Mauro (1995) also demonstrated a negative relationship between corruption and economic growth. This has been supported through the exploration of the linear quadratic empirical relationship between corruption and economic growth in a study undertaken by Ahmad *et al.* (2012), who noted that a decrease in corruption can effectively improve economic growth. Furthermore, “weak institutions, political instability and inefficient bureaucracy are detrimental to economic growth (Ahmad *et al.* 2012:279). Gregory *et*

al. (2012: 10) argue that it is at the macro level where the costs of corruption are most visible, resulting in “reduced and/or distorted investment activities, reduced and/or distorted trade patterns, and ultimately reduced aggregate economic performance”.

Lambsdorff (2007:58), however, observes that while the adverse impact of corruption on economies has become a “commonplace assertion in academia”, the actual identification of precise reasons is difficult. Lambsdorff suggests that corruption “involves the malfunctioning of some (or all) areas of the public sector. Crucial to this malfunctioning is that individuals or whole units within these sectors serve themselves and not the public”. Importantly, Lambsdorff adds that corruption needs to be understood as a social phenomenon, and as a failure of state bureaucrats to be honest, given that they tend to operate within an environment of bureaucratic discretion. This further supports the previous arguments of Tanzi (1998) and Aidt & Dutta (2008), who comment on the relationship between corruption and state officials, and note corruption is particularly evident with those who use their positions to seek dishonest opportunities to increase their own revenue and influence. As a consequence of their discretionary positions, bureaucrats are able to use regulations and authorisations to select and /or prioritise projects and activities based upon the personal opportunities they present.

Somalia represents significant challenges in this regard. Not only is there an environment of bureaucratic discretion, but also the presence of a significant oligarchy and clan corruption. Such corruption is characterised by a divided political

elite who compete for access to power and control over resources in an environment of political opportunity and weak institutions (Johnston, 2005). As noted by Zaum (2013:2),

The competitive nature of this type of corruption means that these states often suffer from physical, political, and economic insecurity. Oligarchic corruption and insecurity can create opportunities for economic gain for some elites, but it also imposes wider political and economic costs, increasing the likelihood of violence.

Addressing Corruption

In virtually all cases, it is difficult to address corruption, and especially so in conflict and post conflict environments, where corruption tends to be systematic and societal, as in Somalia. As noted by the UNDP (2010), most post conflict recovery programmes seek to restore peace and stabilise economies through sustainable economic programmes, and corruption directly threatens such efforts. Wartime economies provide opportunities for rent-extracting behavior, and this tends to be undertaken not only by the political elite, but also by average citizens as they seek to improve their personal circumstances. “Private gain becomes undeniably attractive when facing the uncertainties and opportunities of the transitions from war to peace” (UNDP, 2010: viii).

Klitgaard (1998:6) notes that merely reducing regulations, implementing laws and better economic policies will not be enough to curb this behaviour. Rather, “Fighting systematic corruption requires administering a shock to disturb a corrupt equilibrium”. Such a shock may include the introduction of public accountability and oversight mechanisms, establishment of a government anti-corruption body and/or the prosecution of high-profile offenders.

In theory such actions sound good but it is often difficult to assess whether this actually results in change, as evident in the challenges other countries have faced. Former President of Nigeria General Olusegun Obasanjo (1999 to 2007) entered the Nigerian presidency with a strong anti-corruption commitment. Under his tenure, a number of institutional anti-corruption measures were introduced, including Nigeria's full membership in the Extractive Industries Transparency Initiative (EITI). It was alleged, with significant evidence, however, that President Obasanjo sought to advance the interests of his own family and supporters. He was also implicated in efforts to change the constitution to enable him to serve a third term as president, and in 2008 was indicted for misconduct in the awarding of energy contracts without due process. Sudan's current (and longest serving) president, Omar al-Bashir, became president of his country in 1989 with an anti-corruption stance and rhetoric. Under his tenure, Sudan established a legal anti-corruption framework and criminalized bribery and money laundering under Penal Code 2003. Sudan has also ratified the United Nations Convention against Corruption and the African Union Convention on the Prevention and Combating of Corruption. However, Sudan is recognized as one of the most corrupt nations in the world.

Corruption permeates all sectors, and manifests itself through various forms, including petty and grand corruption, embezzlement of public funds, and a system of political patronage well entrenched within the fabrics of society (Martini, 2012:1).

President Omar al-Bashir has been indicted by the International Criminal Court for instigating crimes against humanity as well as war crimes, including pillaging and intentionally directing attacks against civilians. Furthermore, in 2010 WikiLeaks

released a United States diplomatic cable that recounted a discussion with the chief prosecutor of the international criminal court, Luis Moreno-Ocampo, who apparently stated that President Omar al-Bashir had siphoned possibly as much as nine billion USD into private accounts (WikiLeaks, 2010).

Recent examples from Afghanistan and China have highlighted high profile prosecutions of corruption, although they may be token gestures and attempt either to appease international demand for accountability or political actions to remove unwanted competition. In Afghanistan, where corruption is seen as systemic, in March 2013 the former Chairman of the Kabul Bank and the Chief Executive were sentenced to only five years jail despite being convicted of stealing more than USD \$800 million. It was noted that a number of key charges, including embezzlement, forgery, and money-laundering, which would have resulted in a longer sentence, were not considered¹⁴. Corruption in China is also widely regarded as systemic, and recent anti-corruption trials, such as that of Bo Xilai, the former Minister of Trade and Commerce, have been widely seen as political opportunism on the part of the new president to remove potential political threats instead of actual anti-corruption measures.

Moreover, the introduction of ‘shocks’ such as the introduction of an anti-corruption commission with powers to investigate the elite, or anti-corruption legislation without

¹⁴ At the time of the sentencing a number of international media carried the story including: the Guardian “*Kabul Bank fraud verdicts raise fears about official indifference to corruption*” <http://www.theguardian.com/world/2013/mar/05/kabul-bank-chiefs-jailed-fraud>; the Sydney Morning Herald “*Five years' jail for \$800m theft*” <http://www.smh.com.au/world/five-years-jail-for-800m-theft-20130306-2fleb.html>; and the BBC “*Kabul Bank fraud: Sherkhan Farnood and Khalilullah Ferozi jailed*” <http://www.bbc.co.uk/news/world-asia-21666689>

all-party endorsement, may be counter-productive and result in increased conflict, instability and the further entrenchment of corruption. Zaum (2013:4) notes that

Anti-corruption policies that challenge structures and practices central to the maintenance of the existing political order can ignite violence, as powerful actors resist these changes. The centrality of corruption and patronage to minimising violent conflict in fragile states suggests it would be wise to focus on reforms that gradually change and open up the underlying political economy, rather than seeking rapid transformation.

Supporting this, in their analysis of the dynamics between corruption and post-conflict situations in five countries (Afghanistan, the Democratic Republic of the Congo, Iraq, Sierra Leone and Timor-Leste), analysts in the UNDP (2010) were able to demonstrate that direct attempts to challenge the ‘status quo’ on corruption tend to result in a return to violence. Additionally, anti-corruption interventions in post-conflict situations are either unable to achieve substantial success, or fail altogether. There is no doubt that effective anti-corruption efforts face significant challenges and a growing body of literature acknowledges that international anticorruption efforts have either not been overly successful or have failed (Doig & Williams, 2007; Hussmann & Hechler 2008; Maria, 2010). In her analysis of six countries that had established anti-corruption measures (Georgia, Indonesia, Nicaragua, Pakistan, Tanzania and Zambia), Hussmann (2007: viii) noted that “the political response to perceived widespread corruption in most of the countries studied consists in the development of a broad national anti-corruption policy or strategy. Nevertheless, in most countries this approach has not been overly successful”. Hussmann argues that the political dimension, and in particular the continuance of political will (either throughout the tenure of the incumbent government or through transition and continuation into a new office or government), can make or break a strategy. Additionally, coordinating bodies often do not have the necessary authority with

political will and backing to encourage or compel compliance. An effective strategy requires not only political will but also the ability to overcome the resistance of vested interests, and must have broad public support.

On the one hand, reform efforts in the revenue administration often imply the reduction of rents for corrupt officers and evasive taxpayers, who will naturally oppose reform. Moreover, rent reductions may be seen and felt as unfair because the beneficiaries of the reform are others, who will not usually bear the costs of reform due to rent reduction. On the other hand, the beneficiaries of the reforms are much less aware of the benefits and, for that reason, will be less willing to support them. In other words, while increased revenue collection due to reform may imply more funding for social projects directed at the poor, this doesn't in return guarantee broad public support. This is because those groups are usually not fully integrated into the economy and pay little taxes, and they may even perceive the reform as a threat to their way of living (Zuleta, 2008:1).

Warsame (2011:61) supports this general point, but argues that there is also an ethical dilemma, where corruption is linked to the 'ethical mettle' of leaders. If leaders demonstrate competency, integrity and ethics then other leaders and staff will be more likely to uphold similar values. In Somalia, however, leaders are more interested in obtaining power, or holding onto power, in order to advance personal and clan interests, which tend to be at the expense of anti-corruption efforts and the setting of standards of ethical behavior.

Corruption and Democracy

The strengthening of democratic processes as way of encouraging competition and accountability has been seen as way to counter corruption (Rose-Ackerman, 2005), and will presumably assist in setting standards of ethical behavior. Indeed, the promotion of democracy in Somalia as a way of introducing checks and balances is strongly supported by the international community, as evidenced by the United Kingdom's DfID operational plan for Somalia, 2011-2013, which includes as key objectives improving capacity of local government as well as identifying

opportunities for citizens to be able to hold Government accountable (DfID, 2011:13). However, implicit in these activities is the need for the state and of those in power to introduce more accountable mechanisms and to avoid rent-seeking/extracting behavior. As noted by Søreide (2012:11),

relying on democratic mechanisms to root out political corruption is an inefficient method for promoting welfare and economic development for citizens in 'failed states'. Promoting democratization is not sufficient if the political will to support honesty in government is weak or non-existent.

This is a theory supported by Lambsdorff (2007:39), who states that while improvements in democracy may reduce corruption; such results will not be immediate. If there is little political will, and governments are self-serving, and if there is little electoral participation, then change will take time. As also observed by Treisman (2000), the effects of democratisation are unlikely to be felt for decades, and must also be supported by significant and effective trade liberalization activities. Of particular relevance to the Somalia context is that "Federal states were robustly perceived to be more corrupt than unitary ones" (Treisman, 2000: 47), which was attributed to decentralization of political power, and increased opportunity for bureaucrats and political elites to engage in corrupt practices. On 20 August 2012 the Federal Government of Somalia was inaugurated, resulting in the official establishment of the first permanent central government in the country since the start of the civil war in 1991. Just over a year later the new government faced considerable scrutiny by the international community for perceived corrupt practices as a consequence of the resignation of the of central bank governor Yussur Abrar, and criticism about mismanagement of public resources by the political elite. It is perhaps not surprising that the new federal government was not able to demonstrate

accountability and transparency, in an environment of instability, uncertainty and clan division. Despite the challenges with the implementation of a federal democratic state, the United Nations Special Representative for Somalia, Mr. Nicholas Kay commented:

It is how federalism occurs that is really the most important thing. Federalism should be seen as structuring Somalia along strictly clan lines. There will always be minorities in each state and each state must ensure that it is politically inclusive. Federalism is not a zero-sum clan domination exercise (Chatham House, 2014).

The key message in this comment from Kay is in the first sentence; the importance of “how federalism occurs”. This clearly entails a need for communication, cooperation, collaboration and transparency regarding individual, political, and clan agendas. Without this, there is distrust and uncertainty, which may drive, or further entrench, division and conflict. Przeworski, (1991) argues that democracy institutionalises uncertainty, not only with respect to the persons and groups who will occupy positions of authority, but also with respect to the uses to which authority will eventually be applied. This is a view supported by Lupu and Riedl (2012:24) who observe “political uncertainty has significant effects on how parties develop and behave”. It is this uncertainty, fuelled by generations of clan conflict and suspicion, which led to the establishment of the *consociational* 4.5 clan representation formula and was an effort to bring about cooperation amongst the ruling elites, with consideration being given to the minor clans.

Consociational democracy seeks to engineer cooperation at the elite level to counter division and destabilising practices. From our earlier chapter, we were able to prove that clan dynamics are indeed fundamental to levels of corruption, and we have also

seen how the principle of accommodation, resulted in engagement in corrupt practice by the political elite¹⁵. It is the issue of compromise, and potential for making a decision perceived as necessary (in the short term) on the one hand, but on the other, have longer term implications for growth and stability. In his discourse on corruption and political development Nye (1967:420) undertakes a cost/benefit analysis of corruption. In this he makes the observation that “corruption may help overcome divisions in a ruling elite that might otherwise result in destructive conflict”. Contrary to this, he notes that undertaking corrupt practices by the political elite can result in an erosion of political structures, increased instability and possible national disintegration. Is this therefore, the type of compromise that is required with the application of consociationalism? It becomes clear that should we examine consociational democracy from a single principle perspective (Grand Coalition) then arguably such political compromises would need to be made. In order to reduce conflict in an already corrupt state, with corrupt actors, then it would logically follow as only a matter of time that accommodation entailing corruption would occur. However, there are a number of other principles within consociational democracy that include, *Mutual Veto*; *Proportionality*; and *Segmental Autonomy*. If we were to analyse these principles separately, we would no doubt be able to identify weaknesses with respect to corruption. For example, with mutual veto it may be possible to obstruct democratic process, veto legislation and policy with respect to transparency and accountability. With the principle of proportionality, allocation of government resources according to a proportion of the overall population could be diverted to support individual clans only. With Segmental Autonomy, and the provision of

¹⁵ Reference here is made to the Matrix Technologies case study.

powers to segments of society to govern over their own affairs, there is the risk of further entrenching clanism and clan self-interest. It is clear though that the principles have been formulated to work in concert for the specific aim of countering instability and addressing societal cleavages with the objective of promoting democratic governance. Furthermore, “consociationalism need not be a permanent solution. A period of successful consociational government may be able to resolve some of the major disagreements among subcultures and thus depoliticize cultural divergences” (Lijphart, 1971:14). In this manner, consociationalism may be able to address social and political cleavages, bring stability and provide conditions for good governance and anti-corruption efforts. This is clearly necessary in an environment where both need and greed corruption occurs. Such corruption has permeated the entire political and economic social structures of Somalia, including delivery and management of international aid resources.

Presently, despite the application of the consociational 4.5 formula in Somalia individual clan interest remains at the forefront of the political agenda, Somali politics remain opaque, and corruption ubiquitous and seemingly insoluble. This has not been helped by the lack of state-building and absence of regulatory and oversight mechanisms. Consequently, in the Somali context we can make the observation that consociational democracy is linked to corruption, although the degree of application of the principles of consociationalism will likely impact upon and possibly reduce levels of corruption. This provides a possible avenue of exploration for future anti-corruption efforts.

Chapter 4: UN and International Community Engagement in Somalia

The United Nations and international community have had a long and varied engagement in Somalia. Due to its strategic geographic position on the north-eastern tip of the Horn of Africa and with the second longest coastline in Africa Somalia has for centuries attracted traders, travellers, conquerors, colonists and warlords. In more recent times, significant financial resources and high volumes of humanitarian and development assistance have been provided by the international community to Somalia. Such spending and support has been provided against a backdrop of international community self-interest, which has been to prevent further internal instability, deterioration and to counter terrorism, and to respond to the humanitarian crises and provide support to Somali poor. However, such spending and self-interest has resulted in higher levels of corruption. It is this hypothesis that will be examined in this chapter ‘spending money is an indicator of success in Somalia’.

Background

The Somali-populated region of the Horn of Africa stretches from the Gulf of Tadjoura in modern-day Djibouti through the Ogaden in Ethiopia, and down to the North-Eastern coastal regions of Kenya. Consequently, Kenya, Ethiopia and Djibouti all have large resident Somali populations¹⁶. Since gaining independence in 1960,

¹⁶ The Kenya Census of 2009 noted that 2.3 million people identified themselves as Kenyan Somali. This equated to 6.18% of the Kenyan population (in 2009). For more please see Government of Kenya Census Documents [Online] http://www.knbs.or.ke/index.php?option=com_content&view=article&id=151:ethnic-affiliation&catid=112&Itemid=638. The Ethiopia Census of 2007 noted that 4.6 million people identified themselves as Somali. This equated to 6.2% of the Ethiopian population (in 2007). For more information please see the Ethiopian Government Department of Statistics Integrated Management System [Online] <http://imis.csa.gov.et/redbin/RpWebEngine.exe/Portal?&BASE=MYAPP2>. The Djibouti Census of 2010 noted the population of Djibouti was 818,159 persons. While ethnicity was not one of the census questions it is noted

Pan-Somalism emerged as a nationalist goal (Adam, Formation and Recognition of New States: Somaliland in Contrast to Eritrea, 1994), which refers to a desire to unify the Somali populations, resident in Somalia as well as Ethiopia, Kenya and Djibouti into a single Somali nation.

Figure 4. ‘Modern Map of Somalia’



Figure 4. The World Factbook 2013-14. Washington, DC: Central Intelligence Agency, 2013. <https://www.cia.gov/library/publications/the-world-factbook/index.html> [Map] Somalia. (Image reproduced with Permission by the CIA World Factbook. Refer: Appendix C)

This desire was reflected by the Somali Prime Minister Dr. Abdirashid Ali Sharmarke who stated:

Our misfortune is that our neighbouring countries, with whom, like the rest of Africa, we seek to promote constructive and harmonious relations, are not our neighbours. Our neighbours are our Somali kinsmen whose citizenship has been falsified by indiscriminate boundary ‘arrangements.’ They have to move across artificial frontiers to their pasture lands. They occupy the same terrain and pursue the same pastoral economy as ourselves. We speak the same language. We share the

that the approximately half the population of Djibouti is Somali (since its establishment as French Somaliland in 1892.

same creed, the same culture and the same traditions. How can we regard our brothers as foreigners? (Mahmoud, 2008: 6 citing Drysdale, 1964:8)

It is no surprise therefore that such rhetoric and the issue of Pan-Somalism has been an ongoing cause of conflict and tension between Somalia and neighbouring Ethiopia, Kenya and Djibouti.

Historical Background

In the 15th and 16th centuries Portuguese traders landed in present Somali territory and ruled several coastal towns, building a number of fortifications to protect their interests along the coast. By the late 17th century Portuguese influence and power had weakened and by the early 1800s a number of other European powers began establishing a presence in the country. In the 1840's the British East India Company arrived in Northern Somalia, establishing harbour facilities and trading ports (Adam, Formation and Recognition of New States: Somaliland in Contrast to Eritrea, 1994). France followed the British. The French territory was to later separate from Somalia and become Djibouti¹⁷. In the 1870s Egypt also occupied parts of the Somali coast and the Somali interior. Italy then arrived in the 1880s and established itself predominantly in the South of Somalia. This time period witnessed the 'Scramble for Africa', initiated by the Berlin Conference of 1884–85. The Berlin Conference

¹⁷ In 1862 France purchased the anchorage of Obock and established a treaty of friendship with the Sultans of Raheita, Tadjourah, and Gobaad. In 1884-85, France expanded its protectorate to include the shores of the Gulf of Tadjourah and Somaliland. The administrative capital was moved from Obock to Djibouti in 1892. In 1896, Djibouti was named French Somaliland. Between 1967 and 1977 French Somaliland was renamed the French Territory of Afars and Issas (recognising at the time that half the population was from the Somali Clan Issas). On June 27, 1977 the Republic of Djibouti was formed after a vote for independence. For more please refer to the Government of the Republic of Djibouti (Site Officiel dela République de Djibouti) [Online] <http://www.presidence.dj/>.

resulted in an increase in colonial activity across the African Continent. Representatives from fourteen European countries met in at the request of Germany to work out a collaborative agreement for colonization, which resulted in the delineation of territorial boundaries (Schraeder, 1995). In 1886 Britain gained control of northern Somalia with a treaty between Ethiopia and British Somaliland. Italy established an Italian Protectorate in the South of Somalia in 1889 and consolidated its presence with territory ceded by the sultan of Zanzibar. By 1936 Italian Somaliland combined with Somali-speaking parts of Ethiopia formed the Italian East Africa province. Thus, Somalia was effectively divided under British (North Somalia) and Italian (South Somalia) colonial rule. During World War II the Italians first occupied British Somaliland in 1940, only to have the Italian East Africa province occupied by the British in 1941. At the conclusion of the war the Italian East Africa province became a United Nations trust territory, under Italian control in 1950. This was the first engagement of the United Nations in Somalia. In 1956 the United Nations oversaw parliamentary elections in Italian East Africa province, which resulted in the territory being granted internal autonomy and renamed 'Somalia'. Four years later, in June 1960 Britain proclaimed the end of the British Somaliland protectorate and on 01 July 1960 both regions merged to form the United Republic of Somalia. The creation of the new state of Somalia resulted in a short period of stability. However, one of the key issues within Somali politics remained the issue of Pan-Somalism and unification of all territories populated by Somali's, which was enshrined within the preamble of the Constitution of the Somali Republic in 1960 (Article 6:4):

The Somali Republic shall promote, by legal and peaceful means, the union of Somali territories and encourage solidarity among the peoples of the world, and in particular among African and Islamic peoples.

Despite the stipulation that such a union of territories would be promoted by legal and peaceful means, the refusal of British colonial Kenya to recognise the Somali territories in North Eastern Kenya resulted in a low-level insurgency in the mid-1960s known as the *shifita* wars (Menkhaus 2005). “The Kenyan government named the conflict after the Somali word for ‘bandit’, which is *shifita*” (Botha, 2013:15). Similarly, Somalia refused to acknowledge Ethiopia’s claim to the Somali-inhabited Ogaden region, which had been determined by the Anglo-Ethiopian Treaty of 1954. This Treaty was implemented at the conclusion of World War II to re-establish Ethiopian independence.

Following repetitive minor conflicts between Somali nomads and Ethiopian police forces over a number of years increasing tension resulted in outright conflict and the 1977 Ogaden War under the leadership of Siad Barre. Siad Barre had entered power in the United Republic of Somalia after a military coup in 1969 and his arrival only nine years after independence ushered in a period of intense conflict and poverty.

The entire Somali experience of the state for 21 years under Barre was not as a source of rule of law and catalyst of development, but rather as a source of oppression, terror, and expropriation of land, a weapon used by clans in power at the expense of rivals (Menkhaus, 2005: 10).

Increasing discontent with the Siad Barre regime led to regional civil conflict and the eventual collapse of the Somali state in 1991. Rotberg, 2002:85 notes “Nation-states fail because they can no longer deliver positive political goods to their people. Their governments lose legitimacy and, in the eyes and hearts of a growing plurality of its

citizens, the nation-state itself becomes illegitimate”. This was certainly the case in Somalia and clearly a factor in the decision by the North West territory of Somalia, which was formerly British Somaliland, to declare independence from the Somali Republic and establish the Republic of Somaliland (The Constitution of the Republic of Somaliland, 2007):

The country which gained its independence from the United Kingdom of Great Britain and Northern Ireland on 26th June 1960 and was known as the Somaliland Protectorate and which joined Somalia on 1st July 1960 so as to form the Somali Republic and then regained its independence by the Declaration of the Conference of the Somaliland communities held in Burao between 27th April 1991 and 15th May 1991 shall hereby and in accordance with this Constitution become a sovereign and independent country known as “The Republic of Somaliland”.

Arguably the declaration of independence was no surprise (Adam 1994; Lewis 2002). Despite combining the two colonial territories and creating the Somali Republic, little effort had been made between 1960 and 1991 to amalgamate political, social and economic institutions (Adam 1994). As noted by Lewis (2002:163) “While there was to be one flag, one president, one parliament, and one government, it was decided that the two territories would continue to function separately with regard to their administrative, judicial, and economic systems”.

United Nations Peacekeeping Interventions

Between 1950 and 1992 six United Nations organisations – including the Food and Agriculture Organisation (FAO), the United Nations Development Programme (UNDP), United Nations International Children’s Emergency Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Food Programme (WFP) and the World Health Organization (WHO) had been coordinating humanitarian responses in Somalia. While the United Nations had been

active in Somalia since 1950 it was not until the 1990s that their presence and activities gained prominence due to the collapse of the Siad Barre regime. Somalia descended into a no-holds barred armed conflict and chaos, with displacement, famine, entrenched clan divisions and criminality, resulting in significant international attention.

Inter-clan violence led to massacres, ethnic cleansing, and a massive exodus of displaced persons in all directions...One of the hallmark features of the crisis of 1991-1992 was the rise of an economy of plunder, in which a wide range of social groups – from illiterate gunmen who fought to loot, to merchants of war who made millions of dollars exporting scrap metal from dismantled factories – came to have a vested economic interest in continued lawlessness and armed conflict. International relief supplies became part of this economy (Menkhaus, 2005:11-12).

As a consequence, the Security Council in April 1992 approved the deployment of a small peacekeeping contingent of 500 Pakistani troops under the mandate of the United Nations Operation in Somalia (UNOSOM) to protect humanitarian relief workers and food supplies. An additional 50 military observers were deployed to monitor a ceasefire that had been successfully negotiated by the United Nations between Interim President, Ali Mahdi Mohamed, Somali warlord General Mohamed Farrah Aidid, and a number of Somali clan leaders (UNSC, 1992: 318). UNOSOM faced a number of significant challenges, including continuous activities by armed groups, widespread proliferation of small arms, wide-spread attacks on humanitarian workers and the overall deteriorating humanitarian situation of the civilian population (e.g. famine and displacement). In August 1992 the Security Council authorised the deployment of additional peacekeepers, bringing the total to 4,200 personnel (UNSCR 775, 1992). However by November 1992 the Secretary General of the United Nations appealed to the Security Council for international military protection, after armed groups attacked the Pakistani battalion and shelled a WFP ship containing

relief supplies. At the same time, General Mohamed Farrah Aidid declared that the Pakistani peacekeepers would no longer be tolerated in the streets of Mogadishu, and demanded the withdrawal of United Nations troops from Mogadishu airport and the expulsion of the UNOSOM Coordinator for Humanitarian Assistance (UNSC, 1992: 327). In his letter to the Security Council the Secretary General noted:

I referred especially to the present lack of a government in Somalia, to the failure of various factions to cooperate with UNOSOM, to the extortion, blackmail and robbery to which the international relief effort is subjected and to the repeated attacks on the personnel and equipment of the United Nations and other relief agencies...If the international community were to allow this to continue, it would be committing itself to an endless process in which less and less of the aid it provided would reach vulnerable groups and in which lawless trading in that aid would become, even more than at present, the foundation of Somalia's economy. Such an outcome would encourage further fragmentation and destroy hopes of national reconciliation (Boutros-Ghali, 1992:1-3).

The Security Council supported the Secretary General and the UNOSOM mission was terminated eight months after initial deployment and replaced in December 1992 by the Security Council mandated, United States led, military-humanitarian intervention United Task Force (UNITAF). UNITAF was comprised of 31,000 personnel and 3,500 peacekeepers remaining from the UNOSOM peacekeeping effort. The primary objective of UNITAF was to provide security for humanitarian and relief operations and not to engage in wider state-building activities. The UNITAF mission was ultimately successful in achieving its primary objectives (Mingst & Karns, 2012; White 2009). The presence of a well equipped and organised military intervention resulted in a reduction in armed incidents and the successful delivery of humanitarian relief. Such conditions also enabled the termination of UNITAF and the transition to the Security Council mandated UNOSOM II¹⁸ in March 1993, which comprised 28,000 troops and logistics personnel from thirty-three

¹⁸ Security Council Resolution S/Res/814 (1993) 26 March

countries including 5,000 troops from the United States (Mingst & Karns, 2012). The role of UNOSOM II was to continue to provide humanitarian relief and establish a secure operating environment and support the establishment of a Somali police force¹⁹. As with UNITAF, little focus was provided on state building activities and it is noted that political efforts were largely focussed on Somali led reconciliation processes (Rotberg, 2003), which was a process supported by the United Nations Secretary General who made the observation to the Security Council that “the conflict in Somalia can only be resolved by the people of Somalia themselves in a process of national reconciliation” (UNSC, 1992: 322). As noted by Rotberg (2003: 150) such reconciliation conferences being held outside the country were a “serious error” as they did not include the people of Somalia and rather favoured “warlords and their henchmen”, which included General Mohamed Farrah Aidid. As further argued by (Doyle & Sambanis, 2006: 157) “what was needed was a peace-enforcement mission to force the peace, combined with a multi-dimensional mission to keep the peace throughout the transition process”.

The end-state goals of Operation Restore Hope, as the U.S. commanders came to call it, were to enter Somalia with an overwhelming force in order to quickly establish a secure pipeline for the relief mission. After fulfilling its mandate of providing security for the delivery of humanitarian relief, the U.S. military was to then establish conditions for a smooth transition of authority to the United Nations. While Operation Restore Hope was initially successful at providing security in Somalia, the lack of attention paid to rebuilding Somali society and the political pressure put on U.S. commanders to withdraw, ultimately destined the mission for failure (White, 2009:3).

Despite such criticism, state-building activities may themselves result in exacerbating conflict (Menkhaus, 2003; UNDP 2010; Zaum 2013). Although, when reflecting on the history of Somalia, and as noted by Adam (1994) and Lewis (2002), the lack of

¹⁹ I.Bid:5-6

state-building and focus on political and economic issues contributed to the Republic of Somaliland's decision to declare independence from the Republic of Somalia. The United Nations and the international community focused instead on the provision of protection for relief operations in an attempt to alleviate the humanitarian disaster. This is apparent with the implementation of Chapter VII of the United Nations Charter: Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression (United Nations, 1945), which enables the United Nations to take measures to "maintain or restore international peace and security"²⁰ and which may involve also (Article 42²¹) that "action by air, sea, or land forces as may be necessary to maintain or restore international peace and security". The enactment of Chapter VII (Article 42) for both UNITAF and UNOSOM II set a precedent as it was the first time the United Nations had deemed a humanitarian crisis a threat to peace, and used such powers in an attempt to prevent further suffering and to protect United Nations personnel (Yamali, (no date): 8).

While UNITAF had some success UNOSOM II was unable to prevent conflict or attacks against the United Nations, its humanitarian and its peacekeeping personnel. On 5 June 1993 twenty four Pakistani soldiers were killed when undertaking a weapons inspection activity at an arms depot, which was believed to belong to General Mohamed Farrah Aidid. On 3 October 1993, eighteen United States soldiers

²⁰ U.N. CHARTER (Article 39) stipulates the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

²¹ UN CHARTER (Article 42) stipulates that should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

were killed in the infamous ‘Blackhawk Down’ incident when they attempted to apprehend the General. This served as a turning point for the United States and the United Nations intervention as only four days later the United States President declared the withdrawal of all United States forces by 31 March 1994. The UNOSOM II Mandate was extended for one year and finally withdrawn 31 March 1995.

Transitional Federal Government

For the next decade Somalia witnessed further turmoil and conflict exacerbated by drought and famine as well as a military intervention undertaken by Ethiopia ostensibly under the pretext of countering extremism and terrorist activity. The Intergovernmental Authority on Development (IGAD) in Eastern Africa created in 1996 to supersede the Intergovernmental Authority on Drought and Development (IGADD) led negotiations to return governance to Somalia (IGAD, 2010). After two years of international negotiations the Transitional Federal Government (TFG) of Somalia was established in April 2004. However, the TFG did not establish its authority in the capital Mogadishu until January 2007 due to the presence of the Islamic Courts Union, who supported by the al-Shabaab had assumed control of Mogadishu and the majority of southern Somalia.

Parliament did not convene on Somali soil until February 2006, when it met in a converted grain warehouse in the western city of Baidoa because security concerns kept the legislature from entering Mogadishu. Even when it did convene, the TFG lacked cohesion, which undermined its power (Hanson & Kaplan, 2008:1).

The Islamic Courts Union (ICU) had been formed in 2000 from a coalition of autonomous Sharia courts and worked to bring a sense of law and order to Somalia in the power vacuum created by the collapse of the Siad Barre regime. Previously the

autonomous courts operated in separate jurisdictions and were affiliated to specific clans and unification was seen as an attempt to enforce decision-making across clan lines rather than just within clans (Stanford, 2012). In 2006, the ICU took control of Mogadishu and by October 2006, controlled the majority of Southern Somalia and fought against the TFG, who it perceived as illegitimate, inept and corrupt (Shank, 2007).

While the ICU was eventually defeated by the TFG with support from Ethiopia, the militant arm of the ICU, the al-Shabaab, continued to wage an insurgency against the TFG. After the resignation of the first President of the TFG - Abdillahi Yusuf Ahmed - the United Nations Special Envoy to Somalia - Mr Ahmedou Ould-Abdallah - led peace and reconciliation talks in Djibouti with participation of donor governments, the TFG, and representatives from a moderate Islamist rebel group Alliance for the Re-liberation of Somalia (ARS), which included the paramilitary group Ahlu Sunna Wal Jama'a (ASWJ). The talks concluded in late 2008 with a signed agreement calling for the withdrawal of Ethiopian troops, an expansion of parliament to 550 seats to accommodate ARS members, and the endorsement of Sharif Sheikh Ahmed, the former ARS chairman, to office. Sharif Sheikh Ahmed was subsequently inaugurated as President of the Transitional Federal Government of Somalia on 31 January 2009. At the same talks it was also agreed to implement the aforementioned '4.5 clan formula' in an attempt to provide fair representation to each of Somalia's clans. Through this arrangement President Sharif appointed Omar Abdirashid Ali Sharmarke, from a rival clan as Prime Minister. Despite efforts to ensure equity, competing interests resulted in increasing division between the political elite, the

TFG, clans, sub-clans, Islamist groups, militias, regional administrations, and foreign states. It is unsurprising that such challenges were too great for the TFG to manage, especially as there had been little effort prior to the Djibouti talks by the international community to promote and support political and economic cohesion and integration.

Since 2004, international hopes for a solution in Somalia have hinged upon the Somali transitional government: a feeble, faction-ridden, corrupt and incompetent interim government (Prendergast, 2008:6).

Ethiopia in Somalia

In 2006 Ethiopia entered Somalia at the request of the TFG (Hull & Svensson, 2008) although such a request supported its own strategic interests stemming from its long history of rivalry and conflict. Ethiopia supported the establishment of the pro-Ethiopian TFG in Somalia, provided protection for the newly established government and initiated a campaign to fight extremism (Bruton & Williams, 2013). The United States also supported Ethiopia's engagement. After the attacks on their embassies in Kenya and Tanzania in 1998 as well as the events of September 2011, the United States initiated its 'war on terror'. It was believed that Somalia would become a safe haven and recruitment ground for al-Qaeda (Bruton & Williams, 2013). However, the past experiences of the United States in Somalia resulted in reluctance by the United States to provide a military presence. Instead the United States undertook a proxy campaign, supporting Ethiopia, the African Union and later Kenya. As noted by Williams (2010:1) "U.S. policy thus looked at Somali and regional politics through the narrow and distorting prism of counterterrorism". The focus of Ethiopia's counter-terrorism efforts became the ICU in a campaign that was to last nearly four years largely due to the weak TFG and a lack of support from the newly mandated

African Union Mission in Somalia (AMISOM) who lacked both the financial resources and personnel to enable Ethiopia to plan its departure from Somalia (Hull & Svensson, 2008).

African Union Mission in Somalia (AMISOM)

AMISOM, was created by the African Union's Peace and Security Council on 19th January 2007 and was supported by the United Nations under Resolution 1744(2007) (AMISOM, 2014). The Security Council resolution determined that the situation in Somalia continued to constitute a threat to international peace and security in the region and therefore the activities of AMISOM were authorised under Chapter VII of the Charter of the United Nations (S/Res 1744, 2007):

4. Decides to authorize member States of the African Union to establish for a period of six months a mission in Somalia, which shall be authorized to take all necessary measures as appropriate to carry out the following mandate:
 - (a) To support dialogue and reconciliation in Somalia by assisting with the free movement, safe passage and protection of all those involved with the process referred to in paragraphs 1, 2 and 3;
 - (b) To provide, as appropriate, protection to the Transitional Federal Institutions to help them carry out their functions of government, and security for key infrastructure;
 - (c) To assist, within its capabilities, and in coordination with other parties, with implementation of the National Security and Stabilization Plan, in particular the effective re-establishment and training of all-inclusive Somali security forces;
 - (d) To contribute, as may be requested and within capabilities, to the creation of the necessary security conditions for the provision of humanitarian assistance;
 - (e) To protect its personnel, facilities, installations, equipment and mission, and to ensure the security and freedom of movement of its personnel.

At the time of deployment, the newly formed TFG relied upon Ethiopia for security and was not well established (Williams, 2010). Furthermore, there were as number of negative perceptions of the TFG as it had been created from what was seen as a

biased and non-inclusive process and was therefore believed (notably by Islamist factions and competing clan leaders) to be a puppet entity that supported a foreign invasion (Hull & Svenson 2008; Williams 2010; Wiklund, 2013; Bruton & Williams, 2013). In order to fulfil its security mandate AMISOM was to deploy 8,000 soldiers and police to protect the TFG and replace the Ethiopian forces. However, nearly two years after inception (October 2008), only 3,000 Ugandan and Burundi troops had arrived to provide support. Over the following months AMISOM was increased to approximately 4,300 troops, which while only equating to half the mandated deployment, enabled the departure of Ethiopian forces in January 2009 (Williams, 2010).

Despite its increase in force presence, AMISOM was not overly successful in providing security and stabilisation. A consistent lack of personnel and resources coupled with activities undertaken by armed groups resulted in a protracted campaign. AMISOM forces were only successful in protecting key locations such as the Mogadishu airport, the seaport, and presidential palace (Hull & Svensson, 2008). The United Nations, TFG, community elders and some international humanitarian organisations also criticised AMISOM for its often indiscriminate responses including the shelling of residential areas in Mogadishu resulting in civilian casualties (SEMG, 2010; SEMG, 2011).

In Mogadishu, the African Union Mission in Somalia (AMISOM), together with pro-Transitional Federal Government militias, has made some limited gains against Al-Shabaab, but at a considerable cost in both military and civilian casualties (SEMG, 2010:16).

Support from countries such as the United States, United Kingdom, Kenya and Ethiopia that included training and resource support resulted in AMISOM making significant progress both with respect to its professionalism and effectiveness against al-Shabaab. AMISOM efforts also benefited from a newly equipped and trained Somalia National Force (SNF) and pro-Government militias such as ASWJ and the Raskamboni Brigade. In late 2010 and early 2011 AMISOM won a number of decisive engagements in Mogadishu, and al-Shabaab were eventually forced to retreat from the capital.

al-Shabaab no longer has direct influence over the daily life of the city's population. The departure of al-Shabaab as the ruling element in Mogadishu presented the government with the opportunity to extend its area of control in the city and enhance its legitimacy by delivering services to its residents" (Wiklund, 2013:20)

Kenya in Somalia

In October 2011, Kenya effectively invaded southern Somalia in an attempt to secure its eastern border and to create a security buffer zone inside Somalia (Branch, 2011). It was stipulated that this was in response to heightened concerns about the activities of al-Shabaab including the kidnapping of foreign nationals from Kenya, an increase in Somali refugees, and minor border conflicts (Economist, 2011). In early 2012, the African Union and the United Nations agreed to integrate the Kenyan forces into AMISOM. As publicly noted it is likely that the decision to invade Somalia was rather motivated by geo-political interests, and the emergence of Kenya as a regional power (Branch, 2011; Economist 2011). Supporting this case was the Kenyan amphibious assault and subsequent liberation of Kismayo from al-Shabaab in October 2012 (SEMG, 2013). The Port of Kismayo was (and continues to be) of strategic importance as it had provided significant revenue for al-Shabaab due to trade in

charcoal and sugar and served as a port of entry for weapons (SEMG, 2011; SEMG 2012; SEMG 2013). In undertaking this activity Kenya aligned itself with the Raskamboni Brigade led by Sheikh Ahmed Mohamed Islam 'Madobe'. Madobe, a former member of the Islamic Courts Union and supporter of al-Shabaab had been fighting for control of Kismayo and the region of Juba after an internal rift between himself and al-Shabaab leadership in 2009. Such collaboration ensured that Kenya and Madobe could control the trading port of Kismayo, secure revenue and provide a security buffer zone between Kenya and Somalia. It also resulted in Madobe being able to independently obtain weapons, refuse integration of the Raskamboni Brigade into the Somalia National Forces, and exert political influence independent from the Government of Somalia.

By November 2012, Kenyan forces, Sheikh Ahmed Madobe and his Ras Kamboni forces had unilaterally begun exporting charcoal from Kismayo in flagrant violation of the Security Council ban and the instructions of the President of Somalia (SEMG, 2013: 9).

Despite losing control of Kismayo, al-Shabaab capitalised on the Kenyan intervention as it has previously against Ethiopia. It served as an opportunity to recruit additional fighters to its ranks (Bruton & Williams, 2013) and was used to justify attacks in Kenya such as the Westgate Mall on 21 September 2013, which resulted in the deaths of more than 60 people.

We will strike Kenyans where it hurts the most, turn their cities into graveyards and rivers of blood will flow in Nairobi...The Kenyan government's decision to keep its invading force in Somalia is an indication that they haven't yet learnt any valuable lessons from the Westgate attacks. (Arabiya, 2013:1)

The international community including the United States, Ethiopia and Kenya has provided significant support to Somalia, which has included troops and the provision of financial and physical resources. The commitment to this process is not in doubt,

however, and as noted by Brooks (2005:1164), the international community as a standing term implies “a cohesive community of states with the capacity to act in a reliably coordinated and effective fashion”, which in reality is not the case. Rather, the international community “is a hodgepodge of actors and institutions, with divergent interests, natures and capacities”. The United States, Ethiopia and Kenya have all exhibited divergent interests but have used the argument of fighting against extremism and support to humanitarian efforts as common justification for their interventions. Lessons from the past though have not been learnt, such as the limitations of UNOSOM I, UNOSOM II, the wrongful support of proxies and warlords, a lack of understanding of clan dynamics, and a lack of engagement in state-building. This has contributed to ongoing division, corruption, and state-failure. As stated by Kaplan, 2010:82 “Previous attempts to help Somalia have floundered because they have been driven by the international community’s agenda, rather than by Somali realities”.

Implementing Programmes: Challenges of Clan Engagement

Working in Somalia is a complicated affair not least due to clan dynamics. The United Nations and the international community have struggled with understanding and engaging with clans both at policy (as previously discussed) and programme level. Typical methodology at a global level for programme implementation by the United Nations and international community involves dialogue with local communities, which is necessary for local ownership, buy-in, legitimacy, and to ensure the process, project or activity is both ‘nationally owned’ and within the

relevant international frameworks for accountability and transparency (UNDP, 2009; SAVE, 2010; DfID, 2011; IRD, 2011; DPKO, 2012; DRC, 2013; USAID, 2013).

Stakeholder participation throughout the programming cycle ensures ownership, learning and sustainability of results (UNDP, 2009:93)

In Somalia such an approach is beset with problems. Clans by their nature look after themselves, and have for generations. Clan protectionist activities occur during the planning and implementation of programmes or projects. If, for example, a member of a clan holds a position of authority, or is successful in his/her respective enterprise, then there is an expectation (bordering upon requirement) that employment and financial opportunities are provided to other members of the same clan. What the United Nations and international community may perceive as nepotism is seen by the clan as a way to support, defend and advance the interests of the clan.

This is starkly apparent with respect to government and ministry capacity-building programmes. The United Nations has invested considerable sums over the years in the provision of governance and rule of law programmes. For example, in 2012 the United Nations Development Programme invested more than 45 million USD in governance and rule of law programming for Somalia (UNDP, 2012). This funding enabled the training of civil servants and judiciary in areas such as financial accountability, policy/law creation and government administration. However, should the Minister change portfolio, or indeed lose his/her office through a change in government then it is not uncommon for the entire Ministry to change if the incoming official is from a different clan. The implications of this are significant given that

such training takes time, resources, and importantly slows governmental and political development as the ministry suffers from discontinuity of institutional knowledge. Maxwell *et al.* (2008) make the observation that with a rapid turn-over of staff, there is little accumulated institutional or contextual knowledge that could mitigate some of the risk of corruption. Blundo & Sardan (2006) further posit that such turnover and behaviour encourages corruption. This is also supported by Transparency International by their observation that replacing senior civil servants each time a government changes “opens the door to abuse” (Transparency International, 2012). Of particular relevance in the Somalia context is the observation by Hors (2000:1) that “Many politicians owe their careers and status to corruption and few of them, if any, will take a stand against it, either for fear of upsetting their own careers or the political status quo generally”.

The fact of obtaining a ‘lucrative’ post in any kind of public service is mainly perceived as an opportunity that must be profited from as quickly as possible and to the maximum possible extent; such posts do not last forever...the rapid rotation of posts in administrations fosters this behaviour (Blundo & Sardan 2006:83).

In Somalia elected leaders have entered office espousing anti-corruption rhetoric yet corruption remains one of the most significant challenges. Donor governments, non-government organisations and civil society groups have all commented on the prevalence of corruption in Somalia and for the past seven years Transparency International has ranked Somalia as the number one corrupt state in the world. However, despite this knowledge of endemic corruption, over the last decade the international community and the United Nations have invested hundreds of millions of dollars. Such contributions have increased significantly. From 2007-2011 Somalia was consistently ranked the number one corrupt state, while during the same time

period (as indicated in Figure 5) donor contributions increased by 150.74 per cent²².

Between 2000 and 2011 donor contributions increased by more than 700 per cent.

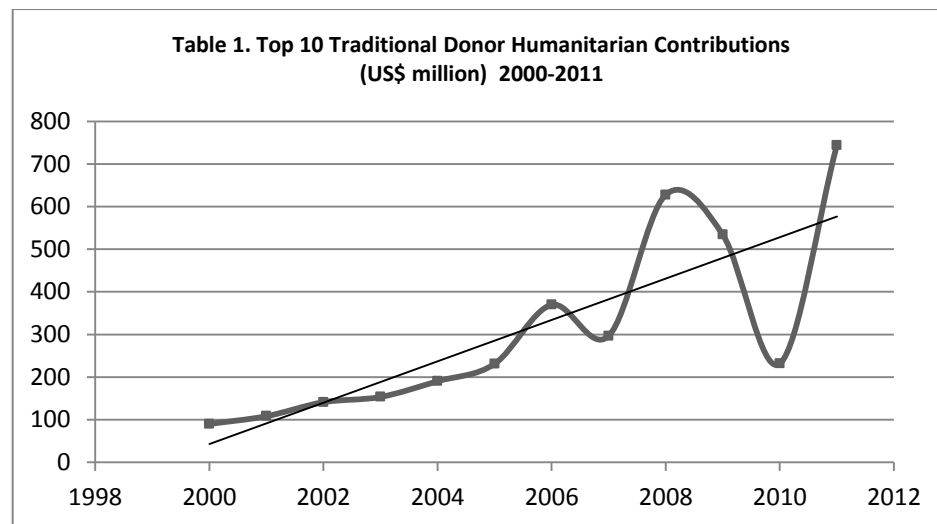
Significantly, in 2014, the Deputy Special Representative and Resident and

Humanitarian Coordinator for Somalia stated in his briefing to Member State's on the

humanitarian situation in Somalia that the Consolidated Humanitarian Appeal for

Somalia was now at USD 933 million (Lazzarini, 2014:8).

Figure 5. Top 10 Traditional Donor Humanitarian Contributions 2001-2011



In Figure 5. 'Top 10 Traditional Donor Humanitarian Contributions' Data Source: Global Humanitarian Assistance: Somalia (2014)

<http://www.globalhumanitarianassistance.org/countryprofile/somalia#tab-donors> .

Such increase in international community expenditure in Somalia is not without risk.

The United Kingdom Independent Commission for Aid Impact (ICAI) commented

back in 2011 on the decision by the Government of the United Kingdom to increase

the proportion of Government aid going to fragile and conflict-affected countries to

30 per cent by 2014-2015 and stated "this focus on fragile states, together with the

²² Please note, this table only indicates the top ten traditional donors (EU, Finland, Germany, Japan, Netherlands, Norway, Sweden, Switzerland, United Kingdom and the United States) and does not include financial support provided by non-traditional donors such as Turkey, Saudi Arabia, and the United Arab Emirates.

planned increase of the aid budget, will expose UK aid to higher levels of corruption risk...DFID needs to develop an explicit anti-corruption strategy for any country assessed as having a high risk of corruption. At present there is a lack of coherent and strategic response” (ICAI, 2011). This could not be more relevant for Somalia; an environment characterised by corruption, competing clan interest and fraud.

Therefore, why does the international community continue to channel ever increasing amounts of money into such an environment beset with fraud and corruption, without recalibration? Is the mere rate of expenditure, or fact of spending money itself, an indicator of success or aid effectiveness?

Aid and Corruption

As noted by Heywood (2011:376) “International aid is the principle way in which countries discharge their development responsibilities and help to promote socio economic development in other countries”. Corruption in this international aid and development assistance is not a new phenomenon. As noted by the Centre for Strategic and International Studies corruption is a “massive tax on the private sector” and developing economies bear a disproportionate cost. Reducing corruption should therefore be a key focus of development assistance (CSIS, 2014:1). Despite such logical assumptions, Alesina & Weder (1999) concluded in their analysis of aid provided to 74 countries, that multilateral aid from international organizations, which would include the United Nations, is not affected by the level of corruption within the recipient country. Furthermore, despite rhetoric on promotion of good governance (USIP, 2010; TI, 2012) there was no evidence of allocating aid rather to less corrupt countries than to more corrupt ones (Alesina & Weder, 1999). This is supported by

(Kaufman & Penciakova, 2012) who noted that in recent years, significantly more aid has been provided to countries that have high levels of corruption and lack governance controls. Furthermore in their assessment on whether greater volumes of development assistance resulted in improved governance performance they concluded that there is no correlation between provision of aid and improved governance.

There are numerous examples of aid corruption in fragile states. For example, in January 2014 the Special Inspector General for Afghanistan Reconstruction advised the United States Congress that there were 318 ongoing investigations into fraud and corruption of United States only funded projects in Afghanistan (SIGAR, 2014). The United Nations Somalia Risk Management Unit has identified instances of more than 60 per cent of contract value being diverted, and fraud investigations have identified millions of dollars of development assistance as being misappropriated. In reviewing a possible causality between continual provision of aid despite levels of corruption, Maxwell *et al.* (2008) noted that the unique character of humanitarian assistance may indeed facilitate corruption. Such assistance is often required to respond to humanitarian emergencies, where there is a possibility of loss of life as well as intense media and social pressure to respond. Often, these emergency environments are insecure, lack infrastructure, and are managed by ‘gatekeepers’ thus corruption may already be a significant challenge at the initial entry stage. In such a scenario, corruption becomes endemic in international aid. The declaration of famine in Somalia in July 2011 is an example of such an emergency response, which resulted in a substantial increase in aid. Traditional donor contributions increased from 231.5 million USD to 743.7 million USD within a short period of time and amidst

substantial media highlighting the plight of famine victims. Such humanitarian assistance provided in an environment with a high risk of corruption is not unique to Somalia. Similar environments such as Afghanistan, Yemen, Sudan, and Ethiopia have been supported by the United Nations and international community for many years. Drought and famine are reoccurring issues for centuries in Africa and since 1928 there have been twelve famines on the continent including Rwanda (1928, 1943), Ethiopia (1958, 1972, 1983), Nigeria (1967), Sahel (1968), Uganda (1980), Sudan (1988, 1998) and Somalia (1991, 2011). In all of these instances corruption was highlighted as a significant issue (Keller, 1992; Waal, 2002; Rhodes, 2002). Contrary to Maxwell *et al.* (2008), Alesina and Dollar (1998:1) make the observation that the pattern of aid giving is not affected by levels of corruption but “is dictated by political and strategic considerations”. Colonial ties and political alliances are major determinants of bilateral aid flows. While in some instances there is indeed societal pressure and a humanitarian imperative, historical linkages and geo-politics have an influence irrespective of levels of corruption. This is a view supported by Isopi & Mattesini (2008:19) who considered a static principal-agent model and focussed on the determinants of the relationship between aid and corruption where the donor was aware that corruption was endemic in the recipient country. In this study they concluded that “the standard dichotomy between recipient needs and strategic/economic interests still holds”. When reflecting on the interventions of the United States, Kenya, and Ethiopia, as well as the legacy of colonialism and engagement by the United Kingdom and Italy such a perspective is indeed plausible. There is though some evidence that this perspective may be changing:

Threat perceptions, risk mitigation strategies, and an expansion in the subcontracting of aid implementation have effectively driven a retreat of donors and lead UN

agencies and many international NGOs from the point of aid delivery, and increased reliance on subcontracting and proxy monitoring and reporting in lengthy aid delivery chains. (Collinson & Duffield, 2013:24).

This is supported by Byrne *et al.* (2010:19) who note that foreign investors and international donors use perception-based composite governance indicators to make decisions on vital investment and aid.

In the case of Somalia, donor governments and international organisations have recently recognised the challenges of supporting Somalia due to the high levels of corruption. Taking concrete action DfID, (2010:3) maintains it will support the Government of Somalia in addressing corruption through:

- Supporting Somali leadership;
- Strengthening public financial management systems;
- Ensuring that local level services are delivered impartially and equitably;
- Clarifying and improving the legal framework for the provision of such services by local government;
- Improving the capacity of local government;
- Identifying opportunities for citizens to be able to hold Government accountable for corruption;
- Supporting the international community's work to co-ordinate approaches to corruption;
- Backing of global and regional initiatives on corruption, including scoping work to recover money being laundered through the UK, and actions to address.

The World Bank has adopted a similar multi-pronged approach to addressing corruption with a focus on the effects of corruption on economic development. The World Bank's strategy for tackling corruption has five pillars:

- Preventing fraud and corruption within the World Bank;
- Preventing fraud and corruption within Bank-financed projects
- Adding voice and support to international efforts to reduce corruption;
- Taking corruption explicitly into account in country assistance strategies, country lending considerations, the policy dialogue, analytical work, and the choice and design of projects; and
- Helping countries that request Bank support in their efforts to reduce corruption.

These activities though are clearly state centric, and do not address issues such as inequality (Uslaner, 1999), division and communal interest (Azar, 1990) and motivations (Bauhr & Nasiritousi 2011). These measures also do not address issues such as Ministerial rotation and civil servant turnover, which either encourages corruption or mitigates any opportunity to discourage it (Blundo & Sardan, 2006; Maxwell *et al.* 2008). As corruption in Somalia is systemic and throughout all segments of society, addressing state-centric corruption only, will arguably have little effect. Corruption will therefore continue to be endemic in international aid in Somalia.

Effective implementation of programmes and provision of aid to enable good governance, parliamentary democracy, humanitarian response, growth and development in Somalia is therefore intrinsically linked to engagement with clans. There is not only a fundamental need to understand the societal origins and importance of clan dynamics, but also how delivery of development and humanitarian assistance may be distorted by clan self-interest. The influence of the clan extends from the political elite, through to the community and also across non-state actors that seek to undermine peace and security efforts. Provision of international community aid and assistance has therefore been seen as an opportunity for individual clans to wield greater power and influence. It has already been noted that parliamentary democracy is possible in deeply divided societies however, there is a requirement for rival factions to see the opportunity in transcending cleavages and collaborate for the collective good. Such collaboration brings greater opportunity for all, and strengthens the system through unity (Lijphart (1969).

There is little evidence in the engagement by the international community and in the provision of aid, that such an approach has been advocated. Rather, money and resources have been invested in Somalia at an increasing rate, with the knowledge that Somalia is the most corrupt and failed state in the world. While there have been with attempts made to implement standard governance models of accountability, these have been implemented on the assumption of the state (Somali Government) having the will, strength, mandate and by default, clan support for such an approach. As evidenced in this thesis, this is clearly not the case. Outside of advocacy for federalism and the consociational 4.5 model of clan representation, and community driven processes (that arguably play into the hands of clan groups), there have been no effort to highlight incentives for clans to change their behaviour or adopt more collaborative approaches which will provide more sustainable growth and development options; certainly not for those in positions of power and autonomy.

The U.N Approach to Anti-Corruption: Establishment of the UN Somalia Risk Management Unit

In 2010 the United Nations in Somalia established a Risk Management Unit (RMU). This was in response to an increasing recognition that growing volumes of humanitarian and development assistance increased the United Nations reputational and programme delivery risk and questions regarding the possible exploitation of some of that assistance. Reports to the Security Council highlighted issues including symptomatic and pervasive corruption within Somali Government ministries as well as misappropriation and theft of both donor and public resources, diversion of aid,

and increasing diversionary activities by gatekeepers and armed groups (SEMG, 2008; SEMG 2010). While the Somalia country programme was not unique in facing these challenges it was the first to establish a dedicated RMU to attempt to identify and remedy the problems. In June 2012 and in July 2013, reports to the Security Council recognised the RMU as a best practice (SEMG 2012; SEMG 2013). Following the success of the RMU Somalia, the United Nations agreed to replicate the programme in Afghanistan (January 2014) and discussions have been initiated to establish one in Palestine.

The RMU effectively supports all United Nations entities working in Somalia, as well as partners and donors, in making better informed decisions on partnerships and allocation of resources. One of the core functions of the RMU is to identify fraud and corruption committed by programme implementing partners of the UN, and then to provide advice on risk mitigation. To do this, the RMU established a number of key functions and support mechanisms: 1) an information sharing platform to share and collectively manage risk; 2) monitoring and surveillance, to enhance aid effectiveness and verify information; 3) formulation of risk analysis, and risk mitigation recommendations; 4) investigations support to respond to risk, and in line with a zero-tolerance response to fraud and corruption; and 5) training, outreach and support to provide education, awareness and encourage greater transparency and accountability (RMU, 2013). As noted by the RMU, one of the initial challenges was the need for a robust risk information sharing mechanism to enable a collective risk management process to take place. It was identified that international community engagement in

Somalia lacked cohesion and collaboration, which supports the observations of Alesina and Dollar (1998) and Isopi & Mattesini (2008).

United Nations agencies and donors/partners self-manage risk. When a problem is identified (such as allegations of fraud, misappropriation of assistance) the agency, fund or programme respond by notifying the funding partner and their respective Headquarters. They then may address the risk by terminating their contract with the implementing partner. However, such information is rarely transferred laterally to other agencies funds or programmes, which - due to the limited number of vendors and implementing partners - are likely using that same partner. The problem though is not unique to the United Nations, as donors and partners face similar challenges, while not sharing / communicating their risks (RMU, 2014:2).

In response to this challenge, the RMU developed a web-based information sharing platform called the Contractor Information Management System (CIMS) which enables the United Nations in Somalia to collate and more effectively identify all contractors and implementing partners being used, and for what purpose. Importantly, the CIMS was also designed to ensure greater transparency concerning all United Nations contractual arrangements and to minimise risk through supporting greater due diligence efforts as well as reviewing contractor performance (RMU, 2011).

Significant variance exists though between United Nations agencies, funds and programmes with respect to due diligence requirements. Due diligence is typically a process of establishing the bona fides of an entity prior to signing a contract or entering into a business partnership. In an attempt to address this issue, the RMU developed the 'Common Minimum Standards for Due Diligence'. This document recognised that some United Nations agencies, funds and programmes may have robust due diligence processes, while others may not. The provision of the Common Minimum Standards for Due Diligence enables the United Nations to review their existing processes against these standards in order to enhance collective due diligence

efforts and improve information collection. This results in a better understanding and management of the partner environment (RMU, 2013). The approach of the RMU to address corruption and fraud in Somalia is notably different from the state-centric activities of the World Bank and donor community. Rather than support governance activities, it is clear that the onus of responsibility is placed on the United Nations to better understand their operating environment and exclude support to those who are engaged in fraudulent and corrupt activities. This approach challenges the endemic nature of corruption in international aid, and attempts to identify perpetrators and corrupt actors.

In this chapter we have noted the historical interest and impact of international community engagement in Somalia, which has occurred as a result of its geo-strategic location and also colonialism. International community engagement has in more recent times contended with border disputes between Ethiopia and Kenya, the rise and fall of warlords, the emergence of Islamic extremism and responses to humanitarian crises. Clanism in Somalia has influenced much of this engagement. A lack of understanding of the influence of clans, and an inability to adapt interventions to mitigate adverse clan self-interest has resulted in a maintenance of status-quo; that of Somalia as a failed and corrupt state. The international community has despite the challenges and losses (fiscal, physical, and human) invested ever increasing funds and resources into Somalia. Such spending and support has been provided against a backdrop of international community self-interest, which has been to prevent further internal instability, conflict, counter terrorism, and to respond to the humanitarian crises and provide support to Somali poor.

There has been limited interest by the international community in supporting or establishing true Somali-centric state-building, democratic governance and accountability mechanisms, which is necessary to challenge the endemic nature of corruption in international aid and provide stability and growth. This may be because the political challenges of engaging with the divergent interests of the clans are too great, and because a humanitarian and counter-extremism agenda has more domestic constituent support. Irrespective of rationale, spending and international community self-interest has occurred despite high levels of corruption and no visible change in clan-behaviour. Spending money is therefore an indicator of success in Somalia, rather than investing in state-building and Somali-centric democratic governance and accountability mechanisms.

Chapter 5: Conclusions

Somalia has been identified as the most corrupt state in the world for the past 7 years. This is despite significant levels of investment in humanitarian and development aid, education and capacity building. The persistence of corrupt behaviour has negatively impacted upon growth and development and Somalia remains a quintessential failed state. This thesis consequently has examined the fundamental question; why has corruption remained endemic in international aid programmes in Somalia? Corruption is systemic in Somalia, and endemic in international aid due to three key factors - adverse clan self-interest, international geo-political self-interest, and lack of effective state building support.

This thesis highlights these factors have, together, shaped the social and political landscape of Somalia. This has been elaborated through an examination of the characteristics of the (aid) systems in Somalia from the perspectives of political science, economics and sociology, which included a theoretical review of *need vs. greed* corruption (Bauhr and Nasitousi, 2011). The study also explored the relevance of consociational democracy, with a particular focus on its promotion and application in the context of Somalia and how this impacts upon corruption and anti-corruption efforts. Consociational democracy seeks to engineer cooperation at the elite level to counter divisive and destabilising practices (which includes engaging in corrupt activities).

In examining the fundamental question, this thesis identified key indicators of success in international community engagement in Somalia. This was necessary to help

identify what drives international engagement in such a corrupt state, and also helps to explain why corruption is endemic to international aid. Success is understood to mean the accomplishment of an aim or purpose, the completion of an objective, or the achievement of a particular course of action. In Somalia success has been interpreted from a clan perspective. As noted by Abbink (2009) clans were developed over time from a combination of nomadic pastoralism and the necessity of forming socio-economic alliances, and security/protectionist behaviours. Success has arguably been interpreted as survivability; the stronger the clan, the more it can and will endure. Clans have provided protection, support, law and order. Supporting this, the clans implemented and still maintain certain customary laws, or 'Xeer'. These are historically based on precedent and are particularly relevant where modern political and judicial institutions are weak. Attaining political office in Somalia is also perceived as strengthening and advancing clan interest.

Corruption, which has generally been connected with the activities of the state and especially with monopoly and discretionary power of the state (Tanzi, 1998) is certainly evident in Somalia, with acts of patronage and awarding of senior government positions to one's own clan members. Sardan (1999) argues that such activities have become not only entrenched, but a social norm and to not support such activities, risks reproach and even conflict. A measure of success for the clan is the ability to hold such discretionary power and provide opportunity for clan members such as holding political office; benefits of which include control over resources, security, and institutions that enable societal advantage.

Such actions are not in the interest of the collective good, have fostered an environment of corrupt behaviour and highlighted the need for greater public accountability and transparency. Interestingly, the international community has advocated for and supported diaspora due to a perception that diaspora are potential agents of political and social change, bringing skills, resources and education to Somalia. There is though little evidence to suggest diaspora effectively promote good governance and accountability and have themselves been perceived as opportunists (Ibrahim, 2010; Hoehne, Feyissa, & Abdile, 2011). It is apparent that while promotion of good governance and accountability measures are ‘ideal’, this has not impacted upon levels of support and advocacy by the international community for diaspora engagement.

Acting in self-interest typifies clan behaviour in Somalia. When we examine the Somali environment this is unsurprising. Clans need to see opportunity in transcending historical rivalries, and opportunistic behaviours and corrupt practices in order to work together to counter societal and political division. While studies on corruption have largely focused upon the central role of the state: “behaviour which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence” (Joseph Nye, 1967: 417), limited attention has been given in the Somalia context to the central role of the clan. We have seen that corruption is generally connected with the activities of the state, particularly with monopoly and discretionary power (Tanzi, 1998). However, in Somalia the clans are always ‘behind the scenes’, competing for

positions of influence and power and directly impacting upon levels of corruption. Those clan members who attain such positions are able to provide opportunity and further the collective interest of the clan. This results in increasingly divided political elite competing for access to power and control over resources in order to benefit their families and social networks. Corruption therefore is not only entrenched, but has become a social norm (Sardan, 1999).

There are not only historical and clan-societal reasons for clan-centric behaviour. Somalia witnessed a protracted absence of an effective state entity that could provide governance, security and structure. In its place, clans provided support and protection and various armed groups established themselves. This further fragmented society, increased clans conflict and resulted in the failure of the state. As a result Somalia has been racked by poverty, violence and insecurity for generations. In an environment where 43% of Somalia's population lives in extreme poverty, more than 70% of the population earns less than 2 USD per day, and where the average life expectancy is on average 53 years of age, why would individuals not seek what advantage they can to provide for themselves, their family and the social structure (clan) that affords protection and possible advantage? Need and greed corruption is not only prevalent but has permeated the entire social strata. From individuals who require access to basic services, low level bureaucrats who act as gate-keepers, and the political elite who engage in rent-seeking behaviour and patronage. This has highlighted the systemic nature of corruption and a need to advocate for effective good governance and accountability, which in Somalia, needs to be driven by the clans in order to have any opportunity for success.

However, we can also see that corruption in Somalia is rational. Due to the socio-economic conditions, insecurity, conflict and poverty corruption has become a 'way of life'. The common statement 'what's in it for me' exemplifies this. Such rationality is supported by (Zaum, 2013:3), who notes that "The centrality of patronage and corruption to managing politics in fragile states, in an atmosphere of pervasive uncertainty and insecurity, makes it rational for both elite and non-elite actors to engage in corruption, if only to deal with the vagaries of daily life". Such rational behaviour has resulted in entrenching corruption, which is undertaken by all segments of society, driven and supported by the clans and political elite, and has a considerable impact on Somalia's growth and development.

This behaviour has entrenched clan division. As individuals and the clans strive to advance their own perceived needs and strengthen their own positions it naturally results in increased competition, exploitation, conflict and exclusionary practices (increased marginalisation of minority community groups). Recognising such clan division and likelihood of conflict should the international community be seen to favour one clan over another, efforts have been made to encourage, support and promote fair and equitable representation of the clans.

The application of the consociational 4.5 model of proportional representation in government is one such effort. Consociational democracy requires cooperation at the elite level to counter segmental division and destabilising practices. It works by applying a number of principles that together provide a framework for collaboration,

equity and transparency. As such, it may provide opportunity to foster anti-corruption processes. In Somalia the application of the consociational 4.5 model of proportional representation demonstrates the establishment of a partial consociational model 'Grand Coalition'. Grand coalition by itself necessitates the principle of accommodation, which in such a corrupt environment can and has enabled corrupt practices to continue. Additional principles, that when taken together provide a process that has a number of checks and balances to ensure equity, transparency and accountability have not been included, which results in weakening the overall process. The sole application of Grand Coalition has enabled clan interest to remain at the forefront of the political agenda. There is no incentive for clans to change behaviour. The lack of state-building and insistence of regulatory and oversight mechanisms by the international community have also not helped to promote change. Thus we have been able to determine that consociational democracy is linked to corruption, although the degree of application of the principles of consociationalism will likely impact upon and possibly reduce levels of corruption.

The lack of focus on state-building and good governance, and instead advocacy of Somali led reconciliation processes and federalism by the international community has done little to address corruption and bridge societal cleavage. The United Nations have been notable in this regard. Statements made by Secretary General Boutros-Ghali strongly endorsed Somali led reconciliation efforts as a way to resolve conflict, and Special Representative of the United Nations Nicolas Kay has stipulated quite clearly that Federalism should be seen as structuring Somalia strictly along clan lines. Reconciliation processes themselves that do not encompass all segments of society

and instead are measures to bring about peace through accommodation do not address root causes of conflict. Arguably, they reward belligerents. Similarly, federalism that is promoted through accommodation and favour towards the majority, will never address minority grievance. The impact of this has been great. The lack of state-building and focus on addressing political and economic issues contributed to the Republic of Somaliland's decision to declare independence from the Republic of Somalia, and Somalia has remained as the number one corrupt and failed state in the world for the past seven years. Again we witness that good governance and accountability have not been identified as key indicators for success, rather accommodation to mitigate conflict. This does not necessarily mean that good governance and accountability have been ignored. Addressing conflict has been seen as an essential condition for stability, which may then enable good governance and accountability measures to be introduced.

Effective responses to humanitarian crises and extremism have been indicators of success for the international community. The United Nations and international community have for many years focused on the provision of protection for relief operations (UNSOM I, UNITAF, UNSOM II and AMISOM) in an attempt to alleviate the humanitarian situation and counter terrorism and destabilising anti-government elements. However, such responses coupled with extensive agency support for development and humanitarian aid has provided significant opportunity for clan exploitation. The reason for this, and as highlighted in this thesis, is a lack of coordination, or common strategic framework for intervention by the international community and United Nations. As described by Brooks (2005) while the

'international community' as a term implies cohesiveness, the reality is very different. The international community is instead comprised of different actor with at times divergent interests, natures and capacities. States that have intervened in Somalia including Ethiopia, Kenya, and the United States have used the fight against extremism and support to alleviating the humanitarian situation as common justification for their interventions. Ethiopia and Kenya have had significant historical border conflicts and in some cases, such as Kenya invading Somalia to secure Kismayo, there are geo-strategic interests at play. Provision of development and humanitarian assistance is also often politically motivated. It has been the principle way in which countries discharge their development responsibilities and help to promote socio economic development (Heywood 2011), but it can also be provided without consideration of impact.

In Somalia the international community has invested many millions of dollars in humanitarian and development assistance. Despite the high volumes of aid, Somalia shows little developmental progress and such aid has had limited impact. The recently released Africa Governance index assessed Somalia as the worst-ranked country in all four categories: safety and rule of law, participation and human rights, sustainable economic opportunity and human development (IIAG, 2014). This reflects the separate assessment of the CPI that Somalia is the number one corrupt state in the world, and the FSI highlighting Somalia as the number one failed state globally. This thesis has demonstrated how such support has been welcomed by the clans who have seen the volumes of aid and assistance as a way to secure and / or advance their own interests. The commitment to spending more has largely been in the international

communities' self-interest. Spending more can be interpreted as almost as good as 'doing something', and therefore an indicator of success. Throwing money at a problem however, has never been identified as a wise approach. Despite this common logic, the United Nations has requested even more money in its recent Consolidated Humanitarian Appeal, asking for nearly 1 Billion USD. Such a request is almost certainly going to be well supported by self-interested clans. With the lack of actual investment in state-building and governance, and lack of understanding of clan engagement and influence, we have been able to conclude that spending money in Somalia has been an indicator of success, and has contributed to levels of corruption in Somalia.

It is starkly apparent that a lack of understanding of how to engage clans both at a policy and programme level has exacerbated this problem. The United Nations have attempted to implement programmes using general global frameworks for intervention, rather than tailored to address Somali realities. Typical methodology at a global level for programme implementation involves dialogue with local communities, for ownership, and to ensure a process, project or activity is 'locally/nationally owned'. Such an approach is both rational and safe; designed to ensure acceptance and an ability to maintain presence. It doesn't though address adverse clan self-interest despite the knowledge that clan protectionist activities occur during the planning and implementation of programmes or projects. It also does not demand accountability and transparency even when it is known that corruption directly threatens efforts to restore peace and stabilise economies through sustainable economic programmes (UNDP, 2010). Good governance and accountability are

therefore not indicators of success. Rather, presence, expenditure and being seen to 'do something'. Such an approach enables corruption to thrive and explains why corruption is endemic to international aid in Somalia.

Globally it is recognised that weak institutions, political instability and inefficient bureaucracy are factors that contribute to weakening the state and a decrease in corruption can improve economic growth. However, the implementation of broad national anti-corruption strategies has been identified as largely unsuccessful (Husmann (2007)). This is due to a lack of political will, or the existence of actors that prefer the status-quo for the rewards and opportunities (illicit) it presents. In Somalia we can observe leaders are more interested in obtaining power, or holding onto power, in order to advance personal and clan interests. These have been at the expense of anti-corruption efforts and the setting of standards of ethical behaviour. There is a need to strengthen the state institutions and democratic processes and protect them from clan self-interest, which may help to counter corruption. Such state-building support needs to fully understand clan dynamics and be comprehensive. Application of the consociational 4.5 formula has not been overly successful as it provides only part of a solution. Somalia's clans will always be biased. This bias stems from historical, societal and environmental conditioning. Consequently, there will always be competition for resources and influence, segmental division and an intrinsic need to identify opportunities to advance clan self-interest.

Throughout the modern history of Somalia, clans, segmental division, systemic corruption, conflict, and abuse of power have led to the total collapse of Somalia. The adverse influence of the clans cannot be underestimated as they are the foundation of the Somali state. Despite knowledge of good governance, effective public administration practices, transparent and accountable economic policies, and mechanisms that could provide clan representation while at the same time strengthen leadership within central and local government; corruption, clan rivalry and conflict restrict growth and development.

Consociationalism is possibly still a viable model in Somalia provided it is applied in totality. In Somalia, 'accommodation' has been witnessed in efforts to reduce potential conflict however; such compromise entailed a corrupt act. It also vividly highlighted the systemic nature of corruption in Somalia and the endemic nature of corruption in international aid. The attempted awarding of a contract without due diligence and transparency as a way to bring a minority clan into a political coalition demonstrates not only a significantly weak process, but the adverse influence of clanism in Somalia. Full consideration of the principles of consociationalism is necessary to counter such adverse clan self-interest, and ensure political elite have the mandate and ability to collaborate, compromise and accommodate divergent interest to ensure equitable representation and devolution of authority.

We can therefore answer our question with the knowledge that corruption is endemic to international aid due to adverse clan self-interest, international geo-political self-interest, and lack of effective state building support. Good governance, accountability

and mitigation of corruption can only be achieved with a genuine will by the clans and political elite to adopt less self-interested behavior for the good of Somalia, alongside a commitment by the international community to invest in Somali-centric state building activities that do not provide opportunity for exploitation. Such an approach requires coordination and agreement, coupled with the adoption of a democratic governance model that bridges segmental divide and encourages cooperation and collaboration.

Avenues for further research

Based on the results and analysis of this thesis several different avenues for future research have been identified. On the one hand, connections between political change and a requirement for cultural change within Somalia should be explored further. In this context, the sharing of experience from the diaspora living in functioning democracies becomes vital. It has been noted that the consociational democracy provides an opportunity for effective democratic governance, but historical, clan centric behaviours have prevented any real progression or advancement of true democratic change. It is necessary to identify incentives for clans to change such behaviour, and highlight how limiting self-interest and opportunistic behavior may provide greater reward in the future.

On the other hand, a comparative analysis of consociational systems vis-à-vis corruption is also warranted. The *individual* components/principles of consociationalism as described by Lijphart are weak with respect to countering corruption on their own and their efficacy depends on a framework of factors. There

are not enough checks and balances to ensure transparency and accountability, however, and thereby to prevent over-burdening an emerging state (or emerging democracy). Effective levels of consociationalism could be explored to accompany political, economic and social development. Such a study could analyse a number of variables and indicators (such as those utilised by TI, FSI and IIAG) including corruption, human development, rule of law, political representation, and civil society, against the individual principles of consociationalism, to establish the relationship between consociationalism and corruption. Such a quantitative -empirical study may identify whether consociationalism is an effective or useful model to address corruption within a failed state and thus, further substantiate or revalue the present thesis.

Appendices

Appendix A – ‘Empty Suit’

Reproduction of VOA Image in Masters Thesis

Mathew Leslie mathew.leslie@gmail.com
To: UsageRequest@voanews.com

6 October 2014 17:00

To whom it may concern,

Re: <http://www.voanews.com/content/somali-diaspora-drawn-back-to-mogadishu/1769185.html>

I am writing to request permission to reproduce the image utilized in the VOA News Article 'Somali Diaspora Drawn Back to Mogadishu' written by Gabe Joselow (October 14, 2013).

The image is of the artist 'Affey, with a painting entitled 'Empty Suit' and is for use in my Masters thesis, which is to be submitted to the University of Waikato, Hamilton - New Zealand. This thesis explores the dynamics of corruption in Somalia and this image adds value to my chapter on diaspora engagement in Somalia.

I note from your website (USE OF CONTENT AND Copyright) - specifically "...Vendor Content: The VOA News and Information Websites may contain text, video, audio, images, graphics, and other copyrighted material furnished by the Associated Press, Reuters, AFP, ABC News, and other content providers (collectively, "Vendor Content"). The Vendor Content is licensed for use in VOA programming only. Vendor Content is copyright protected and other than as stated above, may not be copied, redistributed, sold, or published without the express permission of the above-mentioned vendors or other copyright owners."

Accordingly I am seeking your permission to reproduce this image, which adds a great deal of value to my thesis.

With best regards,
Mathew Leslie
Student I.D 9304547

Supervisor: Professor Dan Zirker (dzirker@waikato.ac.nz)

VOA Usage Requests usage-requests@voanews.com
To: Mathew Leslie (mathew.leslie@gmail.com)

6 October 2014 19:35

Dear Mathew,

We have reviewed your request. You are free to use the image of the Somali artist Affey included in the article titled, "Somali Diaspora Drawn Back to Mogadishu" for the purpose described. Please credit "Voice of America" when including the photo.

Thank you,
Sahar Mohammadi

VOA Public Relations
Voice of America

Appendix B - 'Public Perceptions of Corruption'

Reproduction of Cartoon / Images in Masters Thesis

Mathew Leslie mathew.leslie@gmail.com
To: Amin Amir (aminamir20@hotmail.com)

11 March 2014 16:45

Re: Use of Cartoon/ Images in Masters Thesis

Dear Sir,

I am presently a student of the University of Waikato in New Zealand completing a thesis on corruption.

In particular I am looking at corruption undertaken by political elite and its adverse impact on population. Part of this thesis is concerned with public perception of corruption and I am writing to seek your permission to use two cartoons that you have produced and are available through media.

The cartoons in particular are: A: August 2013 commenting on the corrupt relationship between the Benadir Administration and the Courts (attached).

B: December 2013 that caricatures the political leadership in Somalia as no different from past leaders with respect to corruption (attached).

Both these cartoons will be referenced with 'Reproduced by permission of Amin Amir of AminArts'

I hope that you will consider favourably this request as these (along with others you have produced) provide an important reference for academia of non-acceptance in Somali society of corruption.

With best regards,
Mathew Leslie
Student I.D 9304547

Supervisor: Professor Dan Zirker (dzirker@waikato.ac.nz)



Amin Amir aminamir20@hotmail.com
To: Mathew Leslie (mathew.leslie@gmail.com)

20 October 2014 17:57

Hi Mathew, I allow you to use the photo's/cartoon's.

Thank you.

Amin Amir

Appendix C - 'Modern Map of Somalia'

The World Factbook: Copyright

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Bibliography

- Abbink, J. (2009). The Total Somali Clan Geneology. *African Studies Centre Working Paper 84*, 4-7.
- Abbink, K. (2002). Fair Salaries and the Moral Costs of Corruption. *Bonn Graduate School of Economics Discussion Papers*, 1-6.
- Abdi, R. (2011, August 10). *Al-Shabaab and Somalia's Spreading Famine*. Retrieved Oct 10, 2013, from Council on Foreign Relations: <http://www.cfr.org/somalia/al-shabaab-somalias-spreading-famine/p25630>
- Abdile, M. A. (2010). Homeland Conflicts and Peacebuilding: The Case of Somali Diaspora. *Diaspeace Working Paper No 7*.
- Abdile, M., & Pirkkalainen, P. (2011). Homeland Perception and Recognition of the Diaspora Engagement: The Case of the Somali Diaspora. *Nordic Journal of African Studies*, 48-70.
- Adam, H. (1994). Formation and Recognition of New States: Somaliland in Contrast to Eritrea. *Review of African political Economy*, 21-38.
- Adam, H. (July 1992). Somalia: Militarism, Warlordism or Democracy? *Review of African Political Economy No 54, Surviving Democracy?*, 11-26.
- Ahmad, E., Ullah, M. A., & Arfeen, M. I. (2012). Does Corruption Affect Economic Growth. *Latin American Journal of Economics*, 277-305.
- Aidt, T. S., & Dutta, J. (2008). Policy Compromises: Corruption and Regulation in a Democracy. *Economics and Politics 20 (3)*, 335-360.
- Alesina, A., & Dollar, D. (1998). *Who Gives Foreign Aid to Whom and Why?* Cambridge: National Bureau of Economic Research.
- Alesina, A., & Weder, B. (1999). *Do Corrupt Governments Recieve Less Foreign Aid?* Cambridge: National Bureau of Economic Research: Working Paper.
- All Africa. (2013, December 04). *Somalia Rejects Corruption Allegation Report By the Transparency International*. Retrieved January 21, 2014, from All Africa: <http://allafrica.com/stories/201312041059.html>
- Amir, A. (2013). Amin Arts. Mogadishu, Somalia. Retrieved 2014, from <http://aminarts.com>
- AMISOM. (2014). *AMISOM*. Retrieved 04 02, 2014, from African Union Mission in Somalia: <http://amisom-au.org/amisom-background/>

- Amundsen, I. (1999). *Political Corruption: An Introduction to the Issues - Working Paper*. Norway: Chr. Michelsen Institute .
- Arabiya, A. (2013, 10 02). Somalia's al-Shabaab pledge terror campaign against Kenya. Dubai, United Arab Emirates.
- Azar, E. E. (1990). *The Management of Protracted Social Conflict. Theory and Cases*. Dartmouth .
- Bakonyi, J., & Stuvoy, K. (2005). Violence and Social Order Beyond the State: Somalia and Angola. *Review of African Political Economy*, 32(104), 359-382.
- Bannon, I. (1999). The Fight Against Corruption: A World Bank Perspective. *Consultative Group Meeting for the Reconstruction and Transformation of Central America* (pp. 1-14). Stockholm: The World Bank: Central America Country Management Unit.
- Barnes, C., & Hassan, H. (2007). *The Rise and Fall of Mogadishu's Islamic Courts*. London: Chatham House.
- Bauhr, M., & Nasiritousi, N. (2011). *Why Pay Bribes? Collective Action and Anti-Corruption Efforts*. Gothenburg: Quality of Government Institute: University of Gothenburg.
- Baxter, P., & Jack, S. (2008). Qualitative Case Study Methodology: Study Design and Implementation of Novice Researchers. *The Qualitative Report*. Vol 13, No 4, 544-559.
- Becker, G. S. (1995, December 10). *If You Want To Cut Corruption, Cut Government*. Retrieved 06 12, 2013, from Bloomberg Business Week: <http://www.businessweek.com/stories/1995-12-10/if-you-want-to-cut-corruption-cut-government>
- Blundo, G., & Sardan, J.-P. O. (2006). *Everyday Corruption and the State*. Claremont: David Philip.
- Botha, A. (2013). *Assessing the Vulnerability of Kenyan Youths to Radicalisation and Extremism*. Pretoria: Institute of Security Studies.
- Boucher, A. J., Durch, W. J., Midyette, M., Rose, S., & Terry, J. (2007). *Mapping and Fighting Corruption in War-Torn States*. Washington D.C: Henry L Stimson Center.
- Boutros-Ghali, B. (1992). *Letter dated 29 November 1992 Addressed to the President of the Security Council*. New York: United Nations.
- Branch, D. (2011, 11 15). *Why Kenya Invaded Somalia: The Opening of an Aggressive New Chapter*. Retrieved 05 11, 2014, from Foreign Affairs: Council on Foreign Relations: <http://www.foreignaffairs.com/articles/136670/daniel-branch/why-kenya-invaded-somalia>

- Brankamp, H. (2013, July 22). *Not Just Islam: How Somalia's Union of Islamic Courts Used Local Customs*. Retrieved 25, 2014, from Think Africa Press:
<http://thinkafricapress.com/somalia/union-islamic-courts-prism-xeer>
- Brooks, R. E. (2005). Failed States, or the State as Failure? *The University of Chicago Law Review*, 1159-1196.
- Brown, E., & Fisher, J. (2013). *Key actors mapping: Somalia*. Birmingham: GSDRC Applied Knowledge Services.
- Bruton, B., & Williams, P. (2013). Cut Rate Counter-Terrorism: Why America can no longer afford to outsource the war on al-Shabab. *Foreign Policy*, 1.
- Bryden, M. (2013). *Somalia Redux: Assessing the New Somali Federal Government*. Washington: Centre for Strategic and International Studies: Africa Programme.
- Bush, K. (1998). Somalia: When Two Anarchies Meet. In R. Gregory W & Millar, *Canada and Missions for Peace: Lessons from Somalia, Nicaragua and Cambodia* (pp. 80-102). Ottawa: IDRC Books.
- Byrne, E., Arnold, A.-K., & Nagano, F. (2010). *Building Public Support for Anti-Corruption Efforts: Why Anti-Corruption Agencies Need to Communicate and How*. Washington: The World Bank.
- Cassidy, J. (2009, October 05). *Rational Irrationality: The real reason that capitalism is so crash prone*. Retrieved February 12, 2014, from The New Yorker:
http://www.newyorker.com/reporting/2009/10/05/091005fa_fact_cassidy
- Center for Research and Dialogue. (2004). *Conflict Analysis: South Central Somalia*. Washington: World Bank.
- Center for Research and Dialogue. (2012). *Pillars of Peace: Somali Programme*. Geneva: Interpeace.
- Chabal, P., & Daloz, J.-P. (1999). *Africa Works: Disorder as Political Instrument*. Oxford: James Currey.
- Chatham House. (2014). *Reconstructing Somalia: The View from Mogadishu*. (pp. 1-5). London: Chatham House.
- Chatham House. (2014). *Supporting a Federal Future for Somalia: The Role of UNSOM*. (pp. 1-5). London: Chatham House.
- Chauvet, L., & Collier, P. (2006). *Helping Hand - Aid to Failing States*. CSAE.
- Chêne, M. (2013). *Overview of corruption and anti-corruption in Somalia*. Berlin: Transparency International.

- Cockcroft, L. (2014). *Global Corruption: Money Power and Ethics in the Modern World*. New York: I.B Taurus & Co Ltd.
- Collier, P. (1999). *Doing Well out of War*. London: The World Bank.
- Collier, P. (2007). Economic Causes of Civil Conflict and their Implications for Policy. In C. Crocker, F. Hampson, & P. Aall, *Leashing the Dogs of War* (pp. 197-218). Washington DC: United States Institute of Peace Press.
- Collinson, S., & Duffield, M. (2013). *Paradoxes of Presence: Risk management and aid culture in challenging environments*. London: Humanitarian Policy Group.
- Collinson, S., & Elhawary, S. (April 2012). Humanitarian Space: a review of trends and issues. *HPG Report 32*.
- Compagnon, D. (1992, November-December). Political Decay in Somalia: From Personal Rule to Warlordism. *Refuge*, 12(5), 8-13.
- CSIS. (2014). *The Costs of Corruption: Strategies for Ending a tax on Private-Sector-Led Growth*. New York: Centre for Strategic and International Studies.
- De Waal, A. (2006). www.justiceafrica.org. Retrieved Nov 14, 2013, from www.justiceafrica.org
- DfID. (2011). *Empowering Poor People and Strengthening Accountability*. London: United Kingdom Department for International Development.
- DfID. (2011). *Operational Plan 2011-2015*. London: Government of the United Kingdom: Department for International Development - Somalia.
- DFID. (2013). *DFID's Anti-Corruption Strategy for Somalia*. London: Government of the United Kingdom: Department for International Development.
- Diriye, A. M. (2001). *Culture and Customs of Somalia*. USA: Greenwood Press.
- Doig, A., & Williams, R. (2007). *Achieving Success and Avoiding Failure in Anti-Corruption Commissions: Developing the Role of Donors*. Bergen: Chr. Michelsen Institute - U4 Anti-Corruption Resource Center.
- Doyle, M. W., & Sambanis, N. (2006). *United Nations Peace Operations: Making War & Building Peace*. New Jersey: Princeton University Press.
- DPKO. (2012). *Planning Toolkit*. New York: The United Nations.
- DRC. (2013). *Humanitarian Needs Assessment and Engagement Strategy*. Copenhagen: Danish Refugee Council.

- Dugger, W. M., & Sherman, H. J. (2003). *Evolutionary Theory in the Social Sciences Volume III*. London: Routledge.
- Duncan, G. (2007). *A New Dictionary of the Social Sciences*. New Jersey: Rutgers.
- Economist. (2011, 10 29). *Kenya Invades Somalia: A Big Gamble*. Retrieved 05 12, 2014, from The Economist: Middle East and Africa: <http://www.economist.com/node/21534828>
- Elmi, A. (2010). *Understanding the Somalia Conflagration: Identity, Political Islam and Peacebuilding*. London: Pluto Press.
- Elmi, A., & Barise, A. (2010). The Somali Conflict: Root Causes, Obstacles and Peace Building Strategies. *African Security Review*, 15(1), 32-54.
- Emran, S., Islam, A., & Shilpi, F. (2013). *Admission Is Free Only If Your Dad Is Rich!: Distributional Effects of Corruption in Schools in Developing Countries*. Washington: The World Bank.
- Europol. (June 2013). *Threat Assessment: Italian Organised Crime EDOC#66754 v8*. The Hague: Europol.
- Fartaag, A. (2011). *Audit Investigative Report*. Mogadishu: Transitional Federal Government of Somalia.
- Fenno, F. (1986). Observation, Context and Sequence in the Study of Politics. *American Political Science Review*. Vol 80, No 1, 3-15.
- Flanagan, S. (1999). Models and Methods of Analysis. In J.-E. Lane, & S. Errson, *Politics and Society in Western Europe* (p. 42). London: SAGE Publications.
- Flyvbjerg, B. (2011). Case Study . In N. Denzin, & Y. Lincoln, *The Sage Handbook of Qualitative Research, 4th Edition* (pp. 301-316). Thousand Oaks: Sage.
- Fund For Peace. (2014). *FFP: The Indicators*. Retrieved February 06, 2014, from Fund For Peace: <http://ffp.statesindex.org/indicators>
- Global Humanitarian Assistance. (2014). *Global Humanitarian Assistance: Somalia*. Retrieved 05 05, 2014, from Global Humanitarian Assistance: A Development Initiative: <http://www.globalhumanitarianassistance.org/countryprofile/somalia#tab-donors>
- Gonnelli, M. (2013). Clan and State Politics: Somalia. *The ITPCM International Commentary*, 8.
- Gregory, R., Zirker, D., & Scrimgeour, F. (2012). A Kiwi Halo? Defining and Assessing Corruption in a 'Non-Corrupt' System. *The Asia Pacific Journal of Public Administration*, 1-30.

- Grubeck, N. (2011). *Civilian Harm in Somalia: Creating an Appropriate Response Mechanism*. Washington: Campaign for Innocent Victims in Conflict (CIVIC).
- Guled, A. (2014, 08 14). *500 guns seized: Somalia tries to disarm Mogadishu*. Retrieved 09 21, 2014, from Associate Press: <http://bigstory.ap.org/article/500-guns-seized-somalia-tries-disarm-mogadishu>
- Gundel, J. (2009). *Clans in Somalia*. Vienna: (ACCORD) Austrian Centre for Country of Origin & Asylum Research and Documentation.
- Gupta, J. D. (1970). *Language Conflict and National Development: Group Politics and National language Policy in India*. California: University of California Press.
- Hanson, S., & Kaplan, E. (2008:1, 12 05). *Somalia's Transitional Government*. Retrieved 03 01, 2014, from Council on Foreign Relations: <http://www.cfr.org/somalia/somalias-transitional-government/p12475>
- Hawthorne, O. E. (2013). *Transparency International's Corruption Perceptions Index: 'best flawed' measure on Corruption?* Paris: HEC - 3rd Global Conference on Transparency Research .
- Healy, S., & Sheikh, H. (2009). *Somalia's Missing Million: The Somali Diaspora and its Role in Development*. *Somalis in Maine Archive*.
- Heywood, A. (2011). *Global Politics*. London: Palgrave MacMillan.
- Hoehne, M. (2010). *Political Representation in Somalia: Citizenship, Clanism and Territoriality*. London: ACCORD An International review of Peace Initiatives.
- Hoehne, M. V., Feyissa, D., & Abdile, M. (2011). *Somali and Ethiopian Diasporic Engagement For Peace in the Horn of Africa*. *African Conflict and Peacebuilding Review*, 71-99.
- Hoffman, P. (2012). *The Effect of Corruption on Poverty*. Cape Town: Institute for Accountability in Southern Africa.
- Holmes, L. (2013). *Anti-Corruption Research Network*. Retrieved January 09, 2014, from Anti-Corruption Research Network: The Global Open Meeting-Point for Anti-Corruption Research: <http://corruptionresearchnetwork.org>
- Hors, I. (2000, 04). *Fighting corruption in the developing countries*. Retrieved 03 15, 2014, from OECD Observer: http://www.oecdobserver.org/news/archivestory.php/aid/291/Fighting_corruption_in_the_developing_countries.html
- HSPI. (2013). *Somalia's Al-Shabaab: Down but Not Out*. HSPI Brief 22.

- Hull, C., & Svensson, E. (2008). *African Union Mission in Somalia (AMISOM): Exemplifying African Union Peacekeeping Challenges*. Stockholm: Swedish Defence Research Agency (FOI).
- Hussman, K. (2007). *Anti-corruption policy making in practice: What can be learned for the implementation of Article 5 of UNCAC?* Bergen: Chr. Michelsen Institute - U4 Anti-Corruption Resource Centre.
- Hussmann, K., & Hechler, H. (2008). *Anti-corruption policy making in practice: Implications for implementing UNCAC*. Bergen: Chr. Michelsen Institute - U4 Anti-Corruption Resource Center.
- Ibrahim, M. (2010). *Somaliland's Investment in Peace: Analysing the Diaspora's Economic Engagement in Peace Building*. Jyväskylä: Diaspeace (Working Paper No 4).
- ICAI. (2011, 11 22). *DFID's Approach to Anti-Corruption*. Retrieved 03 12, 2014, from ICAI Independent Commission for Aid Impact: <http://icai.independent.gov.uk/reports/dfids-approach-anti-corruption/>
- ICPC, BPP, & TUGAR. (2014:14). *Report of Corruption Risk Assessment in the Ports Sector in Nigeria*. Abuja: UNDP.
- IGAD. (2010, 01 09). *IGAD*. Retrieved 04 04, 2014, from Intergovernmental Authority of Development: <http://www.igad.org/>
- IIAG. (2014). *Ibrahim Index of African Governance*. Retrieved 09 29, 2014, from Mo Ibrahim Foundation : <http://www.moibrahimfoundation.org/iiag/>
- International, T. (2010). *Preventing Corruption in Humanitarian Operations: Handbook of Good Practices*. www.transparencyinternational.org: Transparency International.
- IRD. (2011). *Inclusion. Engagement. Community Led Empowerment*. Arlington: International Relief and Development.
- Isopi, A., & Mattesini, F. (2008, 04). *Aid and Corruption: Do Donors Use Development Assistance to Provide the "Right" Incentives?* Retrieved 05 20, 2014, from Social Science Research Network : http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1117922
- Jackson, A., & Aynte, A. (December 2013). Talking to the other side: Humanitarian negotiations with Al-Shabaab in Somalia. *HPG Working Paper*.
- Johnston, M. (2005). *Syndromes of Corruption: Wealth Power and Democracy*. New York: Cambridge University Press.

- Joselow, G. (2013, 10 15). *Building a New Somalia: The Diaspora Experience*. Retrieved 11 10, 2013, from Voice of America: <http://www.voanews.com/content/building-a-new-somalia-the-diaspora-experience/1769783.html>
- Kahn, C., & Lucchi, E. (2009). Are humanitarians fuelling conflicts? Evidence from eastern Chad and Darfur. *Humanitarian Practice Network: Humanitarian Exchange Magazine*, 20-23.
- Kaplan, S. (2010). Rethinking State-building in a Failed State. *The Washington Quarterly*, 81-97.
- Kaufman, D., & Penciakova, V. (2012, 07 17). *How Selective is Donor Aid? Governance and Corruption Matter and Donor Agencies Should Take Notice*. Retrieved 04 12, 2014, from Brookings: <http://www.brookings.edu/research/opinions/2012/07/17-donor-aid-kaufmann>
- Keller, E. J. (1992). Drought, War and the Politics of Famine. *Journal of Modern African Studies*, 609-624.
- Kleist, N. (2008). Mobilising 'The Diaspora': Somalia Transnational Political Engagement. *Journal of Ethnic and Migration Studies*, 34(2), 307-323.
- Klitgaard, R. (1998). International Cooperation Against Corruption. *Finance and Development Vol 35*, 3-6.
- Laitin, D. (1990). A Consociational Democracy for Somalia. *Horn of Africa*, 62-68.
- Lambsdorff, J. G. (2005). *Consequences and Causes of Corruption: What Do We Know from a Cross-Section of Countries?* Passau: University of Passau.
- Lambsdorff, J. G. (2007). *The Institutional Economics of Corruption and Reform*. Cambridge: Cambridge University Press.
- Lazzarini, P. (2014). *Member State Briefing on the Humanitarian Situation in Somalia*. Geneva: United Nations.
- Leeson, P. (2007). Better off Stateless: Somalia before and after Government collapse. *Journal of Comparative Economics*, 689-710.
- Leonard, D. (2009). *Recreating Political Order: The Somalia Systems Today*. Brighton: Institute of Development Studies.
- Leonard, D., & Samantar, M. S. (2011:572). What does the Somalia experience teach us about the Social Contract and the State? *Development and Change*, 42(2), 559-584.
- Lewis, I. (2002). A Modern History of the Somali: Nation and State in the Horn of Africa. In D. Balthasar, (2012) *State Making in Somali and Somaliland: Understanding War*,

Nationalism and State Trajectories as Processes of Institutional and Socio-Cognitive Standardization. London: London School of Economics (LSE).

- Lijphart, A. (1969). Consociational Democracy. *World Politics*, 21(2), 207-225.
- Lijphart, A. (1971). Cultural Diversity and Theories of Political Integration. *Canadian Journal of Political Science / Revue canadienne de science politique*, 1-14.
- Lindner, S. (2013). *Salary top-ups and their impact on corruption*. Berlin: Transparency International.
- Lupu, N., & Riedl, R. B. (2012). *Democracies, Political Parties and Uncertainty in Developing Democracies*. Retrieved 09 25, 2014, from Northwestern University: Weinberg College of Arts and Sciences:
http://faculty.wcas.northwestern.edu/~rbr332/Research_files/uncertainty-1.pdf
- Maalik, E. (2013, April 24). Somalia: Demonstrations Against the Mayor of Mogadishu. Mogadishu, Somalia. Retrieved 2014, from
<http://allafrica.com/stories/201304250307.html>
- Mahmoud, H. A. (2008). *Seeking Citizenship on the Border: Kenya Somalis, the Uncertainty of Belonging, and Public Sphere Interactions*. Yaoundé: CODESRIA.
- Malone, D. (2003). Foreword. In J. SHERMAN, *The Political Economy of Armed Conflict: Beyond Greed and Grievance* (pp. 1-15). Lynne Rienner Publishers.
- Marchal, R. (2011). *The Rise of a Jihadi Movement in a Country at War: Harakat Al-Shabaab Al Mujaheddin*. Paris: CNRS The National Centre for Scientific Research.
- Maria, W. D. (2010). The failure of the African anti-corruption effort: Lessons for managers . *International Journal of Management* , 117-122.
- Martini, M. (2012:1). *Corruption and Anti-Corruption in Sudan*. Berlin: Transparency International.
- Mauro, P. (1995). Corruption and Growth. *The Quarterly Journal of Economics*, 681-712.
- Maxwell, D., Walker, P., Church, C., Harvey, P., Savage, K., Bailey, S., et al. (2008). *Preventing Corruption in Humanitarian Assistance*. Berlin: Transparency International.
- Menkhaus, K. (2003). State Collapse in Somalia: Second Thoughts. *Review of African Political Economy*, 30(97), 405-422.
- Menkhaus, K. (2006:91). Governance without Government in Somalia. *International Security*, 74-106.

- Menkhaus, K. (2007). Local Security Systems in East Africa. In L. Andersen, B. Moller, & F. Stepputat (Eds.), *Fragile States and Insecure People?* (pp. 67-97). New York: Palgrave Macmillan.
- Menkhaus, K. (2011). *Somalia and the Horn of Africa*. Washington: World Development Bank.
- Menkhaus, K. (2012). *Conflict Analysis: Somalia*. Nairobi: United Nations.
- Menkhaus, K. (2003). State Collapse in Somalia: Second Thoughts. *Review of African Political Economy*, 405-422.
- Menkhaus, K. (2005). *Kenya-Somalia Border Conflict Analysis*. Washington: U.S. Agency for International Development (USAID).
- Menkhaus, K. (2009, February). *Somalia After the Ethiopian Occupation*. Retrieved 2014, from Enough Project: <http://www.enoughproject.org/files/Somalia%20After%20the%20Ethiopian%20Occupation.pdf>
- Mingst, K. A., & Karns, M. P. (2012). *The United Nations in the 21st Century: Fourth Edition*. Westview Press: Colorado.
- Minority Rights Group International. (2011, May). *World Directory of Minorities and Indigenous Peoples - Somalia: Overview*. Retrieved January 2014, from <http://www.refworld.org/docid/4954ce42c.html>: <http://minorityrights.org>
- National Gang Intelligence Center. (2011). *National Gang Threat Assessment: Emerging Trends*. Washington: United States National Gang Intelligence Center.
- Nye, J. (1967). Corruption and Political Development: A Cost Benefit Analysis. *The American Political Science Review*, 417-427.
- OECD. (2013). OECD International Business Dialogue 2013: Summary Report. *OECD International Business Dialogue 2013: Barriers to 21st Century Commerce*. Paris: OECD.
- Prendergast, J. (2008). *15 Years After Black Hawk Down: Somalia's Chance?* Washington: Enough Project.
- Przeworski, A. (1991). *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America*. Cambridge: Cambridge University Press.
- Ramsbotham, O. (2005). The analysis of protracted social conflict: a tribute to Edward Azar. *Review of International Studies*, 109-126.
- Rashid, A. K., & Hamashuk, E. (2011). *Towards a Nuanced Understanding of Failed States*. Ottawa: University of Ottawa.

- Republic of Somalia. (1960). *The Constitution of the Somali Republic*. Mogadishu: The President of the Legislative Assembly: Government of the Somali Republic.
- Rhodes, T. (2002). *Famine Politics and the Cycle of Relief Failure in Sudan's Civil War: A Case Study of the OLS Relief Operation in the Bahr el-Ghazal Famine, 1998*. Munich: Global Politics Network.
- Rijkceghem, C. V., & Weder, B. (1997). *Corruption and the Rate of Temptation: Do Low Wages in the Civil Service Cause Corruption*. Washington: International Monetary Fund - Working Paper.
- RMU. (2011). *Contractor Information Management System: Rationale*. Nairobi: United Nations.
- RMU. (2012). *Common Minimum Standards for Due Diligence*. Nairobi: United Nations.
- RMU. (2013). *United Nations Somalia Risk Management Unit Overview*. Nairobi: United Nations.
- RMU. (2014). *United Nations Risk Management Unit: Organisational Structure*. Nairobi: United Nations.
- Rose-Ackerman, S. (1999). *Corruption and Government. Causes, Consequences and Reform*. Cambridge: Cambridge University Press.
- Rose-Ackerman, S. (2005). The Challenge of Poor Governance and Corruption. *Revista*, 207-266.
- Rose-Ackerman, S. (2007). *Corruption and the Global Economy*. New York: United Nations Development Programme.
- Rotberg, R. I. (2002). The New Nature of Nation-State Failure. *The Washington Quarterly*, 85-96.
- Rotberg, R. I. (2003). *State Failure and State Weakness in a Time of Terror*. Washington: Brookings Institution Press.
- S/Res 1744. (2007). *Resolution 1744 (2007)*. New York: United Nations.
- Sardan, J. O. (1999). A Moral Economy of Corruption. *The Journal of Modern African Studies* - Vol. 37, 25-52.
- SAVE. (2010). *Consultation & Participation for Local Ownership: What? Why? How?* Washington: Save the Children.
- Schlee, G., & Schlee, I. (2010). Limits to Political Engagement: The Case of the Somali Diaspora. *Max Planck Institute for Social Anthropology Working Papers No 25*, pp. 2-15.

- Schraeder, P. J. (1995). From Berlin 1884 to 1989: Foreign Assistance and French, American, and Japanese Competition in Francophone Africa. *The Journal of Modern African Studies*, 539-567.
- SEMG. (2008). *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council Resolution 1811 (2008)*. New York: United Nations Security Council.
- SEMG. (2010). *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council Resolution 1853 (2008)*. New York: United Nations Security Council.
- SEMG. (2011). *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council Resolution 1907 (2009)*. New York: United Nations Security Council.
- SEMG. (2012). *Advance Copy: Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2002 (2011)*. New York: United Nations Security Council.
- SEMG. (2012). *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council Resolution 2002 (2011)*, . New York: United Nations Security Council.
- SEMG. (2013). *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2002 (2011)*. New York: United Nations Security Council.
- SEMG. (2013). *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council Resolution 2060 (2012)*. New York: United Nations Security Council.
- Shank, M. (2007). Understanding Political Islam in Somalia. *Springer Science and Business Media*, 1-15.
- SIGAR. (2014). *Special Inspector General for Afghanistan Reconstruction: Quarterly Report to United States Congress*. Arlington: United States Department of Defence.
- Silva, M. F., Garcia, F., & Bandeira, A. C. (2001). *How does corruption hurt growth? Evidences about the effects of corruption on factors productivity and per capita income*. Sao Paulo: Escola de Administração de Empresas.
- Sissener, T. K. (2001). Anthropological Perspectives on Corruption. *Chr. Michelsen Institute Development Studies and Human Rights*, 1-23.
- Somaliland, G. o. (2007). *The Constitution of the Republic of Somaliland*. Retrieved 04 10, 2014, from Somaliland Law: http://www.somalilandlaw.com/Somaliland_Constitution/body_somaliland_constitution.htm#Chapter1
- Sørøide, T. (2012). *Democracy's Shortcomings in Anti-Corruption*. Bergen: Chr. Michelsen Institute - U4 Anti-Corruption Resource Center.

- Stanford. (2012, 07 18). *Mapping Militant Organisations: Islamic Courts Union*. Retrieved 05 27, 2014, from Stanford University:
<http://www.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/107>
- Tanzi, V. (1998). *Corruption Around the World: Causes, Consequences, Scope and Cures. IMF Working Paper*, 1-39.
- Tarsan, M. N. (2014, 07 22). *Twitter*. Retrieved 09 09, 2014, from The official Twitter Account for Mohamud Ahmed Nur (Tarsan): <https://twitter.com/MohamudTarsan>
- Thompson, T., & Shar, A. (2005). *Transparency International's Corruption Perceptions Index: Whose Perceptions Are They Anyway?* Washington: The World Bank.
- Torsello, D. (2011). *The ethnography of corruption: research themes in political anthropology*. Gothenburg: University of Gothenburg - QoG WORKING PAPER SERIES 2011:2.
- Transparency International. (2010). *Preventing Corruption in Humanitarian Operations: Handbook of Good Practices*. Berlin: Transparency International.
- Transparency International. (2011). *National Integrity System background rationale and methodology*. Berlin: Transparency International.
- Transparency International. (2012, 06 02). *Proposed Civil Service Reforms Substantially Raise Risk of Corruption*. Retrieved 01 19, 2014, from Transparency International UK:
http://www.transparency.org/news/pressrelease/proposed_civil_service_reforms_substantially_raise_risk_of_corruption
- Treisman, D. (2000). The Causes of Corruption: A Cross-National Study . *Journal of Public Economics* 76-3, 399-457.
- Umaña, F. (2013:1, 06 24). *The Recovery of Somalia: Check Back With Us Again Next Year*. Retrieved 12 02, 2013, from Fund for Peace: Failed States Index:
<http://library.fundforpeace.org/fsi13-somalia>
- UNCTAD. (2013). *The Least Developed Countries Report 2013*. New York: United Nations.
- UNDP. (2009). *Handbook on Planning, Monitoring and Evaluating for Development Results*. New York: The United Nations Development Programme.
- UNDP. (2010). *Assessment of Development Results: 2009-2010*. Nairobi: UNDP.
- UNDP. (2010). *Fighting Corruption in Post Conflict and Recovery Situations: Learning From the past*. New York: The United Nations Development Programme: Bureau for Development Policy.
- UNDP. (2010). *Millennium Development Goals Progress Report Somalia*. New York: United Nations Development Programme.

- UNDP. (2012). *United Nations Development Programme: Somalia Annual Report*. Nairobi: The United Nations.
- UNICEF. (2013). *Fast Facts: Somalia*. New York: UNICEF.
- United Nations. (1945, June). <http://www.un.org/en/documents/charter/chapter7.shtml>. Retrieved 03 30, 2014, from Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression: <http://www.un.org/en/documents/charter/chapter7.shtml>
- United Nations. (2010). *Somalia Context Analysis: Office of the Resident and Humanitarian Coordinator*. Nairobi: United Nations.
- United Nations. (2012). *Report of the United Nations Resident and Humanitarian Coordinator for Somalia*. New York: United Nations.
- United Nations. (2012). Utstein Spring Consultations: Risk Management Unit Brief. *Utstein Spring Consultations* (pp. 1-6). New York: United Nations.
- United Nations. (2013). *Operational Risk Categories*. Nairobi: United Nations - Risk Management Unit - UNCT Somalia.
- United Nations. (2013). *Report of the Under-Secretary-General for Humanitarian Affairs Pursuant to UNSCR2060*. New York: United Nations.
- United Nations General Assembly. (1990, December 14). *A/Res/45/95 Guidelines for the Regulation of Computerised Data Files*. Retrieved 12 09, 2013, from United Nations: <http://www.un.org/documents/ga/res/45/a45r095.htm>
- UNSC. (1992). *Repertoire of the Practice of the Security Council*. New York: United Nations.
- UNSCR 775. (1992). *United Nations Security Council Resolution*. New York: United Nations.
- USAID. (2013). *Programming Policy ADS 201 – Planning*. Washington: United States Agency for International Development.
- USIP. (2010). *Governance, Corruption and Conflict*. Washington: United States Institute of Peace.
- Uslaner, E. M. (1999). Corruption and the Inequality Trap. *Institutions, Behavior, and the Escape from Persistent Poverty* (pp. 1-27). New York: Cornell University.
- Vallack, J. (2010, December). *Subtextual Phenomenology: A Methodology for Valid, First Person Research*. Retrieved January 10, 2014, from The Electronic Journal of Business Research Methods : <http://www.ejbrm.com>
- Varela, F., & Shear, J. (1999). First-person Methodologies: What, Why, How? *Journal of Consciousness Studies* 6, 1-14.

- Vinten, G. (1994). Participant Observation: A Model for Organizational Investigation? *Journal of Managerial Psychology*, Vol. 9 Iss: 2, 30-38.
- Waal, A. D. (2002). *Famine Crimes: Politics & the Disaster Relief Industry in Africa*. Bloomington: Indiana University Press.
- Warsame. (2014, January 29). Somalia's Chief Justice voices lack of protection hinders country's judicial system. Mogadishu. Retrieved from <http://www.mareeg.com/somalias-chief-justice-voices-lack-of-protection-hinderscountrys-judicial-system/>
- Warsame, H. A. (2011). Role of International Aid and Open Trade Policies in Rebuilding the Somali State. *Bildhaan: An International Journal of Somali Studies*. Vol 11, 51-72.
- Weberisk, C. (2006). Mogadishu: An Economy without a State. *Third World Quarterly*, 27(8), 1463-1480.
- White, J. P. (2009). *Civil Affairs in Somalia*. Washington: Center for Strategic and International Studies.
- WHO. (2014). *World Health Organisation: Somalia*. Retrieved 02 10, 2014, from WHO: <http://www.who.int/countries/som/en/>
- WikiLeaks. (2010, December 17). (C) ICC's Ocampo On Sudan: Go After Bashir's Money and Call for his Arrest; Reassure China. Retrieved March 1, 2014, from WikiLeaks: https://wikileaks.org/plusd/cables/09USUNNEWYORK306_a.html
- Wiklund, C. H. (2013). *The Role of the African Union Mission in Somalia*. Stockholm: Swedish Defence Research Agency (FOI).
- Williams, P. D. (2010). *AMISOM's Five Challenges*. Retrieved 04 07, 2014, from Centre for Strategic and International Studies (CSIS): <http://csis.org/story/amisom%E2%80%99s-five-challenges>
- World Bank. (1997). *Helping Countries Combat Corruption: The Role of the World Bank*. Retrieved 09 12, 2013, from The World Bank: <http://www1.worldbank.org/publicsector/anticorrupt/corruptn/cor02.htm#note1>
- World Bank. (2005). *Conflict in Somalia: Drivers and Dynamics*. Washington: World Bank.
- World Bank. (May 2012). *World Bank Summary of Financial Diagnostic Assessment of 'Audit Investigative Financial report 2009-10'*. Washington: The World Bank.
- Yamali, N. ((no date)). *The use of force for collective security and peacekeeping at the end of the twentieth century*. Istanbul: Ministry of Justice: General Directorate of International Laws and Foreign Affairs.

Zaum, D. (2013). *Political economies of corruption in fragile and conflict-affected states: Nuancing the picture*. Bergen: Chr Michelsen Institute - U4 Anti-Corruption Resource Center.

Zuleta, J. C. (2008). *Combating corruption in the revenue service: the case of VAT refunds in Bolivia*. Bergen: Chr. Michelsen Institute - U4 Anti-Corruption Resource Center.