The question of the state and the rise of modern day terrorism in Somalia, 1990-2013

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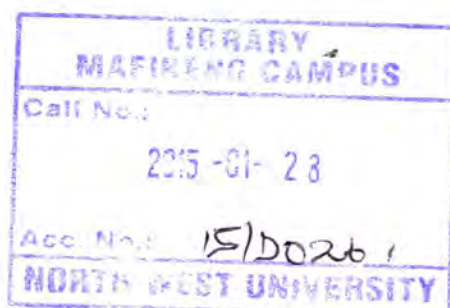
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DECLARATION

I, Ngane Enow Dimitte, hereby declare that this mini-dissertation entitled "**The question of the state and the rise of modern day terrorism in Somalia, 1990 – 2013**" has never been submitted by me for a degree at the North West University or any other institution of higher learning. I declare that this is my work in design and execution and that all materials contained herein have been duly acknowledged.

Signature ....Signature...........................

Ngane Enow Dimitte...Professor Victor Ojakorotu

Date.....10/18/2014..Date.................................

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DEDICATION

This research work is dedicated to all the members of the Dimitte family and my United Nations colleagues in Burundi and Somalia for their support during this research.

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ABSTRACT

The absence of a central state with an effective functioning government since 1991 plunged Somalia into civil war and chaos. This was fanned by other factors such as the rise of clanism, lack of efficient leadership, terrorism and environmental factors. This led to the loss of lives of many Somalis. Many fled and became refugees in neighboring countries. Somalia was declared a collapsed state because of the complete absence of the state capable of meeting its international obligations. This led to the gradual disintegration of Somalia with different factions claiming independence. In the midst of these difficulties, Somalia was abandoned with very limited intervention as a result of the casualties sustained by the international community in 1992. Faced with the situation and the need for survival, war lords claimed territories, imposed their own means of security and imposed taxes on the locals. Others, to ensure economic gains, took to piracy.

The methodology used in this study is the qualitative method which is partly descriptive and partly analytic. Since literature about piracy on land remains relatively limited, data was gathered mostly from secondary sources and some primary sources through interviews with some key players with firsthand knowledge on the situation in Somalia. The data was immediately analysed based on the deductive data analysis strategy within the scope of the research to come out with the findings.

The findings revealed that the absence of an effective functioning government in Somalia undoubtedly led to piracy that flourished off the coast of Somalia. This was due to the fact that the absence of coast guards exposed Somali territorial waters to foreign fishing vessels and the dumping of waste. This, coupled with other factors on land such as unemployment, forced Somalis to turn to piracy. Thus, piracy is only a manifestation of the events on land which the country has experienced since 1991. It is argued that direct military action by the international community is necessary eliminate the challenges posed by piracy. Countries affected by piracy should continue to assemble a force capable of escorting maritime vessels through the Gulf of Aden. However, this is only a short-term solution. A long term solution is to rebuild the state of Somalia with an effective government.

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CHAPTER ONE INTRODUCTION

1.1 BACKGROUND

Somalia became independent and unified in 1960. In October 1969, the Somali President Abdirasheed Ali Sharmarke was assassinated (Potholm, 1976: 223). A few days later, the army under Major General Mohamed Siad Barre took power and proclaimed Somalia as a Marxist state. Faced with many challenges after his failed attempts to integrate Ogaden territory into his vision of a greater Somalia, he began a repressive rule through the Supreme Revolutionary Council (SRC) which he created (Ssereo 2003: 25-40). By the end of December 1990, the capital Mogadishu was rocked by serious fighting. Different districts were already outside the control of the central government authority. In January 1991, Siad Barre was forced out of Mogadishu. As he left with a few of his remaining supporters, they looted what was left of government resources. After his departure, there was nothing left in Mogadishu but empty buildings with bullet holes (Woodward & Forsyth, 1994: 116-117).

The united front put together by the different factions to oust Barre from power did not last long. They turned against each other because they were all struggling to fill the leadership vacuum left by Barre (Samatar, 1994: 112). However, no armed faction was able to provide a national solution and years of fighting continued in various parts of the country. As a result, people were forced to align with the different factions to guarantee their security. Many people were forced to flee to neighbouring countries (Nugent, 2004: 442).

After the collapse of the regime, the SNM, backed by Ethiopia, declared the independence of the northern part of the country. This resulted in the creation of Somaliland. In 1998, local authorities in the North-eastern region set up the semi-autonomous Puntland State of Somalia which also led to the proclamation of the *Puntland State of Somalia* in 1998 (Møller 2009b: 10-11, Spilker 2008: 10-31). In April 2002, local leaders based in Baidoa announced the formation of a South-western State of Somalia. Meanwhile, fighting for the territory continued resulting in total chaos (World Bank 2005: 11). As a result of the absence of a functioning government, people did whatever they could for survival. Most were forced to join militia groups. This, coupled with hunger as a result of famine and diseases, made the situation more difficult. By

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March 1992, 300,000 people had died from hunger and related diseases, and 44,000 from the fighting (Human Rights Watch, 2008).

As a result, the UN Security Council created the UNOSOM (United Nations Operation in Somalia) mission according to Resolution 751 of 24 April 1992. The original purpose was to ensure food relief and stop the famine in Southern Somalia (World Bank 2005: 11). However, it was given a weak and unclear mandate, as well as insufficient resources. Moreover, the troops rapidly became the target of armed militias. Faced with many difficulties that led to the death of US and UN peacekeepers, the UN decided to pull out of Somalia. This also killed the interest of the international community in Somalia (Gilbert and Reynolds, 2004: 356-357).

There have been many attempts by the international community to find a lasting solution in Somalia without any success. However, in 2002, a peace agreement was brokered which resulted in the creation of a Transitional Federal Government (TFG). The TFG was recognised as the governing body on Somalia. It faced many challenges of which among others, were to bring an end to the conflict. However, its authority was limited to parts of Mogadishu (Menkhaus, 2006: 74-106).

By 2006, a new force known as the Al Shabaab emerged in Somalia. The force emerged as a result of the merger of two Islamic groups, the Islamic Union and the Islamic Courts Union. Al Shabaab rose to prominence due to its military capabilities and its ability to capture and control territory. By late October 2006, Al Shabaab controlled most of Somalia's key strategic points and was heading for Mogadishu. They were put on hold by Ethiopian forces backed by American marines (Randall, 2009: 300).

Faced with all these difficulties such as the absence of a functioning government to ensure service delivery, famine, civil war, people were forced to indulge in any activity for survival. Fishing was the only major activity which the Somalis could rely on. However, they faced challenges from foreign vessels and the dumping of waste by western countries (Moller, 2009). As a result, they began to defend themselves by attacking foreign ships and asking for ransoms.

This whetted their appetite as they began asking for bigger ransoms which led to piracy (BBC Report on Piracy. 2012).

Sporadic pirate attacks in Somalia took place between 1989 and 1991 but were not a major problem. It was far from being a major problem of international security, with less than ten attacks a year reported (Hansen 2006). This slowly expanded to any vessel that sailed within or close to Somali territorial waters. Both vessels and crews would be held hostage and ransom demanded (International Maritime Bureau Report, 2010: 21). In 2005, there was an increase in the number of attacks attempted against vessels sailing in the Indian Ocean off the coast of Somalia. By 2006, the attacks were extended off the coast of Somalia. During 2006, piracy escalated as more attempts were made to hijack ships not only in the Indian Ocean, but also in the Gulf of Aden and the mouth of the Red Sea. By 2008, this reached outlandish proportions with ships being attacked seemingly at random and whenever desired by the pirates. At this point, the international community reacted through UN resolutions by sending different military missions out of the sea to fight the phenomenon. However, the upward trend was only reinforced in 2009, with about 217 recorded attempts. Warships were sent to guard vessels crossing the coast of Somalia. This led to a drastic reduction in piracy activities but did not deter pirates from making attempts (International Maritime Bureau Report, 2010: 21-22).

Meanwhile in land, developments were also being made. The TFG mandate came to an end in 2012 with the election of a new government backed by African Union forces from Burundi, Uganda, Djibouti and most recently, Kenya. These forces jointly defeated Al Shabaab (Milas, 2012). However, this did not mean the end of their activities. Since then, Al Shabaab has been lunching deadly sporadic attacks from their hideouts in and out of Somalia (Shinn, 2012). This confirms the fact that the new government is not still in control of the situation. Piracy will continue to be a major problem in Somalia if there is no functioning government in control of the whole country (IBM Report, 2013).

1.2 STATEMENT OF THE PROBLEM

Scholarly wisdom in current day literature holds that, the state and its institutions are important in the governing of any country. In cases of state failure or its total absence, there can be no

well-planned and implementation of political, economic and social policies which can lead to disintegration when the storm (political agitation, economic crisis and social unrest) starts blowing. The character of state institutions also determines the choices that governments make with respect to the provision of public goods and services, maintenance of law and order, protection of property rights and the performance of other duties. In addition, state institutions establish rules and regulate sociopolitical interaction and determine the incentives that participants in both political and economic markets face.

Somalia has been characterised by the complete absence of a state with a functioning government. This has led to a situation of lawlessness which has provoked the rise of piracy. The purpose of this research is to prove that piracy in Somalia is as a result of state failure and its resulting total absence. In other words, the inability of the government to effectively govern its territories and its borders and to patrol and control its territorial waters have led to piracy. This research therefore, raises the following research questions for which answers will be provided:

1.) How and why did State failure lead to the emergence of piracy?
2.) Is piracy the result of economic or political failure?
3.) Why does piracy still persist despite the laudable naval response by States?
4.) How can piracy in Somalia be stopped?

1.3 RATIONALE FOR THE STUDY

The state with a functioning government with authority is very essential for the maintenance of law and order and effective service delivery. In other words, its absence can be very detrimental. This study seeks to reinforce the assertion that a functioning government is very important for the survival of a state. Without a government with effective authority, the state is nothing more than the fact that it is a state.

1.4 AIM OF THE STUDY

The aim of the study is to investigate the rise of piracy which is as a result of the absence of an effective government in Somalia.

1.5 RESEARCH OBJECTIVES

This research seeks to provide a response to many questions such as the fact that State failure led to the rise of piracy in Somalia. Secondly, it seeks to analyse the effectiveness of the strategy adopted by the international community to fight off piracy and if they address the root causes of piracy. Lastly, the research will attempt to provide possible solutions to the root causes of piracy which may serve as a means to end piracy and prevent it from spreading throughout Africa.

1.6 SIGNIFICANCE OF THE STUDY

The research is expected to provide possible solutions to the situation in Somalia in order to enable Somalia return to peace. The research will also provide an analysis of the situation bringing forth knowledge that was not available for a more appropriate strategy to be taken to resolve the situation of piracy in Somalia.

The research is also significant in that, it will open up further studies by other scholars on the situation in Somalia. The research also seeks to show that violence cannot always be solved by further violence, but if a problem is well analysed, it may be resolved by other means rather than through violence. The research applies the Chaos theory which has always been misunderstood to seek a solution to the situation in Somalia. The Chaos theory has never been applied in the case of Somalia. The research applies the theory in order to bring out new ways of possible analysis in order to find a solution to the Somalia crisis.

1.7 HYPOTHESIS

The existence of piracy is as a result of the absence of a functioning government in Somalia.

1.8 SCOPE OF THE STUDY

This study is limited to piracy and state failure from 1991 to the first quarter of 2013 in Somalia. However, due to the fact that the situation is constantly evolving, some information is included beyond the period in order to present the current situation for better understanding.

1.9 RESEARCH APPROACH

The study makes use of the qualitative approach. This is research that attempts to collect rich descriptive data in respect of a particular phenomenon or context with the intention of developing an understanding of what is being observed or studied. It therefore, focuses on how individuals and groups view and understand world issues and construct meaning out of their experiences (Maree, 2007: 50). In this case, the phenomenon is piracy in the absence of a functioning government in Somalia. The groups observed for better understanding of the situation in Somalia are the pirates and the different actors in Somalia. This will provide a better understanding of the situation of piracy in Somalia.

1.10 RESEARCH DESIGN

A research design is a plan or strategy which moves from the underlying philosophical assumptions to specify the selection of the respondents, the data gathering techniques to be used and the data analysis to be done (Yin, 1984: 20). The design used in the study is the case study. Bromley (1990:23) defines a case study research as a systematic inquiry into an event or a set of related events which aims to describe and explain the phenomenon of interest. The phenomenon under review is piracy and its operation in a country without a functioning government. The study seeks to shade more light on the phenomenon of piracy in the case study chosen, Somalia.

Data was collected from both primary and secondary sources. This is a manner of eliciting reliable information relating to the problem investigated directly from the persons who are presumed to have the required information.

Cross sections of people sampled were interviewed. The interviews were semi-structured and this means that separate questions were used for different participants. The researcher allowed for digression either in the questions or the answers depending on the circumstances but rallied around the same theme. Though the questions were semi-structured, the researcher took steps to ensure that the respondents did not go out of control or the theme. The researcher ensured that all the answers, irrespective of diversity, circulated around the theme. Giving roam for divergence revealed useful information that may not have be possible. Structured interview can sometimes prevent the interviewees from freely expressing themselves to the best of their ability.

A total of 80 people were interviewed from different works of life but most especially those working with the United Nations Missions and international NGOs in Burundi and Kenya.

Secondary sources were also used to primary sources. Secondary sources are important because they offer relatively quick and less expensive answers to many questions and is almost always the point of departure for primary research (Stewart, 1984).The secondary sources used include textbooks, journals, articles, newspaper reports and internet publications. Since there is a high possibility of over reliance on documents as evidence in case studies, especially when it comes to internet publication, the researcher took steps to ensure validity of documents by corroborating evidence gathered from other sources so as to ensure reliability.

To ensure the success of this study, key Somalis living in Burundi and Uganda were involved in the study. The researcher visited Kenya to get first hand information since it is nearest to the case study. The United Nations office in Nairobi was contacted for assistance.

Data analysis is an attempt to extract some form of explanation, understanding or interpretation from qualitative data collected of people and the situation that is being investigated (Maree, 2007: 99). Data analysis is an ongoing process. Immediately after the data was collected, it was analysed. With the constantly changing and ever-evolving nature of the situation in Somalia, the researcher was committed and engaged in the time-consuming process of data analyses and writing of long passages with constant update of events taking into consideration the background of the study, the literature review, the findings and other primary and secondary information. The data was engaged through conceptual and policy analyses, critical criticism, semantic studies and content analyses.

1.11 ETHICAL CONSIDERATIONS

Participants and interviewees in the study were assured of the confidentiality of the information provided. Interviewees were assured their identities were not going to be disclosed. Pseudonyms were employed where necessary.

Some ethical considerations were employed considering the sensitive nature of the problem. Interviewees were requested to give their informed consent in order to participate in the interview exercise. They were properly informed of the purpose of the interview. They were

assured that their privacy was ensured and how the information was to be used after the interview. The identity of the interviewees was not revealed.

1.12 LIMITATIONS OF THE STUDY

Somalia has been declared one of the world's most unsafe places to visit because of the kidnappings, killings and disappearances of aid workers, journalists and researchers. This prevented the researcher from getting primary data. Field work was difficult or even impossible to undertake in such situations. Secondly, piracy information is shrouded in secrecy and difficult to obtain. In addition, financial difficulties also limited travelling to the field.

However, different ways were used to overcome these limitations. Firstly, the researcher undertook a trip to Kenya to collect data. Kenya is closest to the case under discussion and very much implicated in the crisis after its invasion of Somalia. The researcher also met organisations with piracy information like the United Nations Office in Somalia and the Sea Farar Organisation. The researcher conducted telephonic interviews to get more information as well as applying for funds from a funding organisation to solve the problem of lack of funds.

1.13 CHAPTER OUTLINE OF THE REMAINDER OF THE RESEARCH

Chapter Two: This chapter discusses and defines the key concepts around which the research is built (State failure/collapse and piracy). It also examines the nature of the state and the meaning of an effective functioning government and failure of the state to perform its function. The concept of failed state and its responsibility for service delivery based on the social contract, the problem of statehood after failure including the international legal consequences of continuity of states with no effective government are discussed in this chapter.

The chapter also defines piracy and differentiates it from maritime terrorism. It discusses how pirates operate and why they enjoy such success in Somalia and the reduction of piracy in Somalia.

In the second part which is the theoretical framework, the chapter discusses the chaotic and the rational choice theory and the assumptions necessary to apply the theory. Some key terminologies of the theories are equally examined. The theories and their application to the case

of Somalia, the limitations of the theory and the need for further development are presented and linked to the situation in Somalia.

Chapter Three: Data Presentation, Analysis and Findings

Based on the deductive analyses of data and various issues, the findings of this study are presented.

Chapter Four: Conclusion and Recommendation

In this chapter, based on all the information gathered within the scope of the study, the analysis and conclusion, some recommendations are proposed on how to end the problem of piracy in Somalia.

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CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 LITERATURE REVIEW

Much has been written on piracy and Somalia by various scholars and researchers in the field of social science. The purpose of this section is not merely to repeat available literature, but most importantly to analyse important variables put forward by various researchers in the field. This chapter will review relevant concepts, highlight arguments raised by others and make use of two theories that have never been utilised to analyse the situation in Somalia.

This chapter is important because it is a body of accumulated scholarship. It provides information on how scholars have theorised and conceptualised on the situation in Somalia. As indicated in the previous paragraph, this chapter relies on two theories which have not been applied to Somalia before, to better analyse and explain the situation in country. This section will set the basis for the themes raised in the research by providing meaningful context within the framework of already existing research.

2.2 THE NATURE OF THE STATE

The state is the main actor in international relations. However, it is a difficult concept to define. Some scholars have argued that, the state is not a suitable concept for political theory since it is impossible to define (Hoffman and Graham, 2009:14-15). It has a legal personality and as such, in international law, possesses certain rights and duties. The state can be defined as a defined territory with a permanent population under one government (Shaw, 2003: 178). It can further be defined as a decentralised method of delivering public goods to persons living within the designated parameters (Rotberg, 2004: 203). The Montevideo Convention, Art 1 defines a State as: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with the other states and claims the monopoly of the legitimate use of physical force within a given territory (Evans and Newnham, 1998: 512).

There are different definitions of a state. However, according to international law, the state must have certain qualifications for it to qualify as a state. It must have a permanent population, a defined territory and a government capable of maintaining effective control over its territory and

conduct international relations with other states. The last qualification which is recognition by other states, is crucial since it implies acceptance into the international community (Crawford, 2002). This is the reason why although Somaliland has met most of the qualities of a State, it is not a state because it has not been recognised by the international community (Arieff, 2008). These qualifications are not absolute and permit variations. For example, there is no necessity in international law for settled boundaries or frontiers. Many international conflicts take the form of boundary disputes but their existence does not rob the disputants of legal personality. Israel, for example, is generally accepted as a state even though the precise demarcation of its boundaries has never been settled (Evans and Newnham, 1998: 512).

There is a general requirement that a state must have some form of government or means of exercising control. The government is the organisation of the State machinery through which its policies are formulated and executed. However, a state does not cease to exist when this control is in dispute or when it is 'temporarily' deprived of effective control as in wartime, civil wars or revolutions. The analysis of 'temporarily' is essential because the duration of the absence must not be for too long. This is because it is one of the most important criteria used to determine the effectiveness of a government (Shaw, 2003: 200).

2.2.1 Effective government of the state

A functioning government is crucial in the existence of a State. According to Thomas Hobbes, a government is the formal institution with authority to make and implement binding decisions on such matters as the provision, distribution of resources, the allocation of benefits and burdens including the management of conflicts. The government is the physical manifestation of the state, and acts on behalf of the state. A government may be possible without a state, but the state is inconceivable in the absence of government (Heywood, 2004: 77). The government is compared to the brain of the living organism; what the brain is to man, the government is to the state. Its absence can cause serious chaos within the state (Shafritz and Russell, 2000: 102). No matter how a state is defined, one thing is certain and that is, the state must be able to defend itself and provide public goods. This can be achieved only when there is an effective government in place. There is wide agreement that governance is supposed to achieve certain standards in the areas of rule and authority such as human rights, democracy and the rule of law as well as provide common goods such as security and welfare of its citizens (Shafritz and Russell, 2000:

106). Government or the political organisation of society must be independent and have the capacity to enter into relations with other subjects of international law. It should be noted that it is the capacity to enter into relations with other subjects of international law that should be considered rather than the actual establishment of such relations that should be considered an effective government (Raic, 2002: 95).

Government must not be identified exclusively with the executive power of a State, which is the government in power, but comprises also the other organs of the State, including the judiciary and parliament, the armed forces including the regional and local levels of government. There is no rule that requires the structure of a State to follow a particular pattern (Pierson, 2001: 204). For the government to be effective, it must exercise an effective control over the population and territory of the state, meaning, it must be in a position to exercise all governmental functions effectively. It must be able to make binding decisions on the society. The exercise of such State functions in the internal and external levels is, naturally done through State organs (Heywood, 2004: 65).

In applying effective government to the concept of Statehood, Raic points out that, effectiveness operates to some extent as evidence of the ability to possess legal rights and to fulfill legal obligations. Thus, an entity that wishes to acquire full international personality must show the effective existence of certain facts before the attribution of this status will take place by the international legal system (Raic, 2000: 120).

A government would lack effectiveness when its exercise of power is not complete over the population and territory of the State. In this sense, effectiveness means the quality of a fact which is the exercise of power or territorial jurisdiction, which according to international law, makes this fact suitable as a condition for attribution of the full international legal personality that States enjoy. In other words, a government must have full and effective control over the population (Crawford, 2002).

This explains the situation of Somalia which shows there is no effective government. There has been no effective government after the fall of Siad Barre in 1991. When the Transitional National Government and later the Transitional Federal Government came to power in 2000 and 2002 respectively, they did not have full control of the situation in Somalia. They were limited to

Mogadishu (Menkhaus, 2006: 167). Presently, with the help of the African Union forces, they have extended their control. However, most of Somalia is still in the hands of Al Shabab and War Lords who find it difficult to hand over their control (Mohammed, 1991: 92).

Effective government is central in international law. As De Visscher puts it, effectiveness is imperative in the theory of the personality of a state, and consequently, the condition to establish and maintain state control which presently is lacking in the case of Somalia (De Visscher, 1967: 36).

When effective government is lost, and the state becomes consumed by internal violence and ceases delivering positive political goods to its citizens, one questions the existence of a state. This is because it leads to political authority losing credibility among the people. It is the state's ability to effectively deliver the most crucial political goods that determine whether the state is strong, weak, failed or even collapsed (Rawson, 1994. 159). In the hierarchy of public goods, the most essential is the authority's potential ability to provide security, most especially human security to its people. If this is not possible, one needs to question the state's ability to be called a state and can be said to have failed or collapsed (Rotberg, 2003: 203).

2.2.2 Failure of the state to perform its functions

The State has certain functions which it must perform to maintain its legitimacy towards its citizens and the international community. The state has certain critical functions in the modern world in order to serve its citizens and fulfill international obligations. These include, the monopoly of means of violence, uphold the rule of law, manage public finances, regulate and oversee the market, control of the public administration, invest in human capital, run effective infrastructure services, define the rights and duties of citizens and oversee international relations and public borrowing (Ghani and Lockhart, 2009: 128-162). When a state cannot fulfill all or most of its functions, it is said to have failed and its *raison d'être* is questioned. State failure here is understood in terms of the inability of state institutions to control actors and processes within a given territory. The state cannot control its peripheral regions especially those regions occupied by out-groups. Plausibly, the extent of a state's failure can be measured by the extent of its geographical expanse genuinely controlled (especially after dark) by the official government (Thurer, 1999: 733). However, control and failure should not be seen as absolutes. A failed state

in this sense of the word might successfully control some of the territory but not all of it (Giorgetti). For instance, in the Democratic Republic of Congo (DRC), the government does not have total control of the country. The M 23 occupies the North Kivu which is very strategic in terms of mineral resources. They have shown their capability to take and occupy territory in the DRC at will and with no resistance from the government and United Nations troops. They even impose taxes and carry out summary execution (United Nations Joint Mission in Congo Report, 2012).

State failure is multifaceted and can be depicted as a continuum, as the state becomes progressively less capable of performing its functions and becomes more and more failed. Complete state collapse is the ultimate and rare result while different stages of failed state can be encountered along the continuum (Giorgetti, 2010: 43).

State failure implies the possibility that a state cannot rather than does not want to perform its functions. State failure implies a degradation of sovereign capacity. It is not just failed government. Their failure is normally long-lasting and encompasses several to all of the functions of the state, not solely their governmental functions. State failure includes not only an ineffective government, but affects the bases and entire structure of the state including its population, territory and capacity to perform international and internal obligations (Giogetti 2010: 44).

2.2.3 The concept of failed state and the state's responsibility to provide public goods

The concept of failed States is a terminology that is widely used in politics and has gained prominence in international relations. It is widely used in various ways to define the phenomenon of states which are unable to maintain themselves as members of the international community (Kieh, 2007: 15-18). There is no clear or standard definition of what a "failed State" is (Thurer, 1999). Generally, the expression is used when the public authority, the power of a state is no longer functioning effectively or has broken down completely. Moreover, different terms are used by different authors to refer to similar or the same situation: collapsed states, dysfunctional states, fractured states, troubled states as well as weak states are all found in different literature (Ghani and Lockhart). For purposes of this research, the term failed states will be used.

State failure has been defined in political theory as a State that is unable to fulfill its social contract (Kingbury, 2007: 56-57). According to the main proponents of the theory of the state, Thomas Hobbes (1588-1679) and John Locke (1632-1704), there is a social contract that does exist between the state called the rulers and its citizens called the ruled. They suggest that the existence of the state is founded on a tacit, mutually-beneficial contract between the rulers and the ruled based on rights and obligations that each party to the contract agreed to perform (Green, 1990: 59-60). While the ruled parties agree to be ruled, pay taxes and obey the law, the rulers provide in exchange, several political goods, including security, education, health care systems, physical infrastructure and other public goods. This theory suggests that state failure means that the state cannot perform its side of the contract and thus, state's functions are no longer performed (Paul, Ikenberry and Hall, 2003: 167).

In failed states, it is not only the governmental functions that are at bay. Societal infrastructure also breaks down. The foundation of the society collapses and the state is unable to control its citizens and cannot provide public goods. This is not a static phenomenon. It is a continuum from strong to weak states. It goes on to failed states and finally to the extreme version of state collapse (Ethridge and Handelman, 2004: 5-6).

This can be caused by numerous factors such as bad leadership, weak state policies and institutions, corruption, geographic size of the country just to mention a few (Rotberg, 2003). Country leaders sometimes reject stewardship of the public good in favour of a zero-sum political games and accumulation of personal, family or clan wealth. The state simply fails to perform the basic function that would allow their citizens a life of dignity and opportunity and to fulfill the obligations of statehood internationally (Robinson, 2002: 510-519). This can lead to agitation and riot by the citizens which if not well managed, can lead to violence. When the violence cascades into all-out war, control becomes very difficult. The rule of law is no longer respected. Standards of living massively deteriorate, infrastructure of ordinary life decays, greed of rulers overwhelms their responsibilities to better manage their people and their surroundings. Institutions begin to fail to respond to people's needs. Policies are no longer implemented and the public service becomes corrupt (Herbst, 2002: 512-513).

As a consequence of the inability to provide political goods, friction arises between communities, clans, tribes. Coalitions are formed with a common interest. They begin to take

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measures to ensure their security and source of living. They become hostile to one another and develop predatory behaviour feeding from the weaker communities. To protect themselves, weaker communities also begin to arm themselves for security which leads to the growth of criminal violence, militia groups and warlords with each controlling a section of the territory and imposing its own legal system of ruling which is always corrupt. In the long run, the state becomes incapable of controlling its own borders. This has been observed in many failed states like the Democratic Republic of Congo, Afghanistan and clearly in the situation in Somalia from the 1990s (William, 2010: 21-28).

2.2.4 The problem of statehood after failure or collapse

What happens to a state's statehood after failure or collapse, continue to linger in the minds of many with little or no answers. In other words, why failed states continue to be considered fully-fledged sovereign and expected to fulfill their obligation when they have totally collapsed with little or no possibility of meeting their obligations both nationally and internationally? However, a literal answer will be because the elements that led to their statehood no longer exist. These include the absence of a functioning government or when a state can no longer fulfill its obligations. International law has remained silent on this matter. While international law considers the creation and dissolution of states, it has not recognised their evolution while-in existence (Henkind, 1989: 216).

Under international law, there is no doubt that state failure does not extinguish statehood, once it is given and in fact failed states do not become extinct because of their inability to behave like States. In international law, there are only a finite number of ways in which statehood can become extinct. These include state incorporation into another state, for instance, the merger of Tanganyika and Zanzibar to form the Republic of Tanzania. Another example is the merger of East and West Germany to form the German Republic. Another way in which a state can become extinct is the dissolution into two or more states, for instance, the dissolution of Czechoslovakia that led to the two states, Czech Republic and Slovakia (Fastenrath, 2000).

Though a state fails to meet it international obligation, it does not mean the loss of its statehood. This is the reason why even though the state has disappeared completely in Somalia for more than 20 years, it is still called the Republic of Somalia with a well-defined sovereignty which

cannot be altered though it cannot defend that sovereignty. The Security Council Resolution 1558 of 17 August 2004, in support of the Somali National Reconciliation Process, reaffirmed the importance of sovereignty, territorial integrity, political independence and unity of Somalia (Forsythe, 2012: 5).

2.2.5 International legal consequences of the continuity of states with no effective government

State failure creates numerous challenges for the international system. Some challenges are humanitarian, since state failure generally is both fueled by and creates overwhelming human need such as poverty, disease, violence and refugee flow which cause strain on foreign aid budgets and philanthropic resources (Herbst, 2002: 511-519). Some failed states serve as breeding grounds for extremism and staging points for organised terrorist groups. In the absence of effective governmental control, both violence and illicit economic activity flourish such as piracy and both terrorist groups and the leaders of these states take advantage of the prevailing chaos. States lacking functioning governments create a range of problems. They cannot enter into or abide by treaties. For instance, Somalia could not ratify the Lomé IV Convention and could not participate in the Lomé IV treaty or the Cotonou agreement which made it unable to benefit from international aid that would have been beneficial to its population. This is because they lack bodies capable of representing the state at the international level. No institution exists which has the authority to negotiate, represent and enforce the interest of the State (Thurer, 1999: 734).

Given the fact that a State with no government cannot issue credentials to a mission's personnel, its ability to engage in diplomatic relations suffers as a consequence. With regard to the Somalia situation, most diplomatic offices were forced to close because the instructions received were not from the Government of the Republic. This is inevitable, since the continued existence of uncontrolled representative powers for an unlimited period of time could lead to difficult situations, especially if several entities claim authority for the failed state which was the case in Somalia (International Monetary Fund Report, 2013).

Regarding representation in the United Nations General Assembly, the absence of any government makes it impossible for a State's representation to have its credentials renewed for every session. In response to a letter submitted by the Chargée d'affaires of the Somalia United

Nations mission to the organisation's Secretary General, in 1992, the delegation of Somalia could not be allowed to be represented at the forty-seventh session of the General Assembly since there was no representative government in place. Thus, in practice, Somalia as a member State, had a place in the General Assembly, but nobody was authorised to occupy the seat between 1992 and 2000 when the Transitional National Government was created (Journal of Modern African Studies Report, 2002).

They cannot participate in the increasingly dense network of international trade or environmental or human rights agreements and institutions; they cannot enforce contracts between their citizens and foreigners. In other words, they cannot fulfill their international obligations. States fulfill their duties to the international community, as well as vindicate their international legal rights through their organs and agents. Their absence will seriously threaten the fulfillment of their obligations and enjoyment of their rights (Skogly, 2006).

For these reasons and more, failed states have increasingly been viewed as a cause for concern by the international community, and a variety of international responses have been attempted and proposed. In response to state failure, international actors and institutions (from international and regional organisations to NGOs and states) have taken steps to address the immediate humanitarian and security problems characteristic of failed states, through means that range from food aid to the deployment of peacekeeping forces. And these short-term band-aids are inevitably accompanied by longer-term efforts to rebuild damaged state structures through the provision of technical assistance or through temporary international administration of one sort or another (Moscoso de la Cuba, 2011).

However, in this regard, the work of the International Law Commission (ILC) on international responsibility, provide the guidelines of what the ILC considers to be the established norms in this area or of what the norms should be. One aspect to consider regarding the eventual international responsibility of a state with no effective government is the issue of attribution of conduct to a State. In principle, States are responsible for the conduct of their agents or organs and, in general terms, the conduct of private persons or entities is not attributable to the state under international law, unless in certain exceptions. Since the actors concerned in collapsed or collapsing States are loosely organised factions or groups consisting of individuals acting on

their private capacity, in normal circumstances, their actions do not compromise the State, except when the State organs have manifestly neglected the measures that are normally taken to prevent them (Crawford, 2000).

Article 9 of ILC on State Responsibility provides one such exception. It states that private behaviour is attributed to the State when' a person or group of persons is in fact, exercising elements of the governmental authority in the absence or default of the official authorities and in circumstances such as to call for the exercise of those elements of authority. Those circumstances according to article 9 of the ILC occur rarely such as revolution, armed conflict or foreign occupation, where the regular authorities dissolve, are disintegrating, have been suppressed or are for the time being, inoperative. They may also cover cases where lawful authority is being gradually restored for instance, after foreign occupation or a civil war (Crawford, 2000).

Article 9 covers the situations in Somalia, from 1991 to 1999 when there was no form of government in Somalia. In other words, the total absence of any authority immediately after the fall of Siad Barre led to the rise of war lords. This article also applies to cases where lawful authority is being gradually restored. This will apply to the period during which the National Transitional Government was created. Thus, any action that was taken on behalf of the Republic of Somalia between 1991 and today, may be attributed to the State of Somalia even though there was no effective government with agents (Moscoso de la Cuba, 2011).

However, article 9 establishes three conditions which must be met in order for conduct to be attributed to the State: first, the conduct must effectively relate to the exercise of elements of the governmental authority; secondly, the conduct must have been carried out in the absence or default of the official authorities; and thirdly, the circumstances must have been such as to call for the exercise of those elements of authority (Crawford, 2000).

2.2.6 Piracy

Piracy is an old phenomenon that began soon after people first used water to trade goods from one place to another. Historians cannot precisely say when it actually began. The earliest known records appeared in the fourteenth century BC. Eighty percent of the world's cargo is carried by sea on more than 112000 ships manned by more than 1, 5 million seafarers. Since the maritime

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domain is an unregulated area, ships and crews on these ships are vulnerable to maritime violence. Piracy is typically an act of robbery or criminal violence at sea (Vallar, 2009). According to 101 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), Piracy can be defined as:

1. *"any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew of the passengers of a private ship or a private aircraft, and directed: (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft; (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;*

2. *Any act of voluntary participation in the operation of a ship or an aircraft with knowledge of facts making it a pirate ship or aircraft; and*

3. *Any act inciting or of intentionally facilitating an act described in sub-paragraph (a) or (b). "*(Article 10 of United Nations Convention on the Law of the Sea, 1982).

The UNCLOS definition of piracy developed into international law and the International Maritime Organisation (IMO) has recognised and accepted this definition. However, this definition is problematic because any illegal acts of violence and detention committed within State's territorial waters are not defined as piracy (IBM on Piracy, 1991). However, according to the International Maritime Bureau (IBM), almost all illegal acts of Southeast Asia occur within territorial waters and thus, would not fall under the definition of piracy. Technically, if an attack occurs within the territorial jurisdiction of s State, the event is only classified as piracy if that nation's penal code criminalises it as such (Chalk, 2008: 3). Moreover, the IOM defines any unlawful act of violence of detention of any act of depredation at anchor, off ports or when underway through a coastal State's territorial waters as armed robbery against ships. In order to overcome the distinctions between high seas and territorial water, the IBM defines piracy as: *"an act of boarding (or attempted boarding) with the intent to commit theft or any other crime and with the intent or capability to use force in furtherance of that act"* (Chalk, 2008: 4).

Maritime piracy and terrorism are terms used interchangeably to refer to violent acts carried out by malevolent actors operating at sea. The former refers to acts of war committed by rogue ideologues while the latter connotes criminal activities committed by different groups for profit.

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Such characterisations are shortsighted and fail to demonstrate the true meaning of the terms (Murphy, 2008). Recent suggestions that a nexus may be forming between pirates and terrorists add further confusion to understanding the differences between both terms. Although there are similarities between the perpetrators of these acts, there are also defining characteristics that allow us to distinguish one from another (Murphy, 2008).

The Council for Security Cooperation in the Asia Pacific (CSCAP) defines maritime terrorism as: *"the undertaking of terrorist acts and activities (1) within the maritime environment, (2) using or against vessels or fixed platforms at sea or in port, or against any one of their passengers or personnel, (3) against coastal facilities or settlements, including tourist resort, port areas and port towns or cities"* (Chalk, 2008, 3).

Piracy and terrorism are defined differently based on the perspective of the person. States perceive the threats differently which brings about significant implications when developing policies. These two exist for different reasons but tend to overlap. This has led to misperceptions about these concepts and the implications in the maritime area. A better understanding and appreciation of the challenges they pose is needed so policy-makers and seafarers must deal with them effectively (Brookes, 2009: 31). The definitions do not really bring out their differences. However, this can be clearly seen when one looks at their aim, targets and methods (Murphy 2008: 23).

One way to separate maritime terrorists from pirates is through their motivation. Piracy involves a group of criminals who seek financial gains by stealing anything of value from ships which include cash, personal possessions, cargo, the ship and its crew usually in exchange for ransoms. Maritime terrorism is ineluctably political in aims and motive. However, terrorists may conduct maritime attacks to fund their operations, thus making the distinction between the two very thin and leading some to infer that they are the same (Mitchell, 2009: 156-8).

Pirates make use of simple tactics, while terrorists use more sophisticated tactics. Piracy also takes place at local or regional level, while terrorists can have a more global reach in terms of objectives. However, there are terrorists groups that operate only at local or regional level and aim to fulfil political agendas at local level. Such was the case of Al Shabaab before it finally

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joined the Al Qaeda network. Pirates also normally try to avoid attention, while terrorists seek attention to promote their cause (Shane and Lieberman, 2009: 275).

However, a few similarities also exist between piracy and maritime terrorism. Both operate in the maritime environment using ships or boats and must have the skills to operate such vessels. In addition, their actions are planned rather than impulsive. In both cases, actions are mostly aimed at civilians and have a human cost attached to operations and both groups can operate across borders. They both need a land base from which to operate. They both become effective as they get more organised and both make use of intelligence to plan actions. Violence or threat of violence is also utilised by both groups. They both need funds to sustain their operations (Joubert, 2013, 128). Piracy and terrorism have an effect on the socio-economic and political security in the areas where they operate. Whatever similarity or differences that exist between piracy and maritime terrorism, one thing is certain, they are both not good for any nation, region or the world (Murphy, 2008: 23).

2.2.7 Nexus between piracy and maritime terrorism

There are recent allegations that a nexus exist or may be forming between pirates and terrorists which add further complexity to distinguish the two. This was the situation in Somalia when allegations were made of pirates and the Al Shabaab joining forces because of the mutual assistance they need; pirates getting weapons and training from Al Shabaab while they get financial assistance from Pirates. However, the allegations were unfounded. Murphy states that although the possibilities are present, there were no evidence as to the partnership. Two reasons were given to arrive at this conclusion; the motivation and publicity (Murphy, 2008). They both have different motivations for their acts. Piracy is for financial gains while terrorism is for political purposes. Terrorists however, may conduct operations at sea for the promise of financial reward but cooperation would be difficult because of problems that may arise to share the potential profit. Terrorists want to gain media attention with their attacks so the world can know their capabilities and reason for resorting to terrorists acts (Hoffman, 2006). Pirates do not want publicity for fear of unwanted attention from law enforcement officials, and the more public their attacks become, the more likely they are to being apprehended (Murphy, 2008). Piracy in Somalia became so public that it forced the international community to react leading to a

reduction in piracy activities. The reaction would have been earlier if it was not neglected because of the absence of information on its seriousness in the early 2000s (IMO, 2006 Report).

Piracy has existed for a very long time. During the twentieth century, incidents of piracy were highest in Southeast Asia, Malacca, Singapore, the Far East, India, Bangladesh and to some extent, the west and east coast of Africa. Incidents of piracy became alarming with a steady increase in incidents. A total of 1256 incidents of armed piracy were reported from the beginning of 1994 to the end of 1999 (IMB Report, 2005). This increase could be attributed to the end of the Cold War which brought an end to worldwide patrols by the then superpowers, the United States and the Union of Soviet Socialist Republics (Frecon, 2008).

Piracy in Africa is not a new phenomenon. Since the 1970s, Nigeria has experienced a huge increase in the volume of imports due to oil boom. By the 1980s, West Africa had the highest number of reported incidents (approximately 25 reports annually) of piracy in the world. Lagos was the world's worst affected harbour. Between 1984 and 1985, Nigerian authorities acted against piracy bases and outlets by increasing patrols and surveillance, resulting in a dramatic reduction in acts of piracy (Joubert, 2013, 123).

An attack in 1991 and three others that occurred in Sierra Leone between 1996 and 1999, could be linked to circumstances created during the civil war in Sierra Leone (1991 to 2002). During the same period, attacks took place in the coastal waters or off the coast of most West African countries and ranged from theft in harbours and anchorages to attacks with speedboats using automatic weapons (Joubert, 2013, 124).

Piracy has been observed to shift over time and this is the case in the waters off the coast of Somalia. Pirates have become bolder, more audacious, more aggressive and violent and seem to be better organised than ever because of the success they enjoy. Kidnap and ransom is the current *modus operandi* and in a continuously fluctuating situation, there are several hundred seafarers currently being held hostage and on board hijacked ships with their time in captivity averaging six months. 851 seafarers were attacked with firearms in Somalia in 2012 and 589 were still in captive by the end of 2012 (IMO Report 2012).

Through these tactics, pirates have enjoyed huge success in their piracy activities. According to a World Bank Report, in 2010, pirates made $110 million ransoms paid from hijacked vessels and their crews. This figure rose to $170 in 2011 (World Bank Report, 2013). However, 2012 witnessed a reduction in the number of pirate attacks and consequently the reduction in ransom. This can be attributed to the actions taken by the international community. This involves patrolling the waters by military ships and the fact that ships have taken other precautionary methods like having armed guards onboard their ships (World Bank Report, 2013).

2.2.8 How the pirates operate

Pirates operate using small skiffs with powerful outboard engines that can be pulled up onto the beach. These boats are fast and manoeuvrable but they lack the range necessary for richer pickings. Pirates now regularly use 'mother ships' to increase their range. The IMB recently put out a warning identifying potential mother ships (IBM Report, 2008). These are generally fishing trawlers that the pirates capture closer to shore and then use as staging posts for attacks further out into the sea. Reports from a Yemeni fishing vessel that appears to have been used as a mother ship indicated that the pirates patrolled the entrance to the Gulf of Aden in the captured vessel and then deserted it in their skiffs once a suitable target was spotted (Al-Batati, 2008). The use of mother ships helps to explain how pirates have managed to increase their range so dramatically; the old warning to stay at least 50 nautical miles from the coast has now been replaced by warnings to stay at least 200 nautical miles away. It is generally thought that from sighting pirates to boarding their target ship takes approximately fifteen minutes. Such a short space of time helps to explain why even with international patrols in the area, ships are still captured (IBM Report, 2008).

2.2.9 Why pirates enjoyed huge success in Somalia

Pirates enjoyed remarkable success in Somalia, particularly from 2007 to 2011. This was because the conditions on the ground were very favourable for them. Seven factors contributed to the success of pirates in Somalia. They include: legal and jurisdictional weakness; favourable geography; conflict and disorder; under-funded law enforcement/inadequate security; permissive political environment; cultural acceptability/maritime tradition and promise of reward all present in Somalia (Murphy, 2008: 358).

Somalia presented all the favorable conditions mentioned above which made piracy in Somalia a success. The judicial system was not only weak but inexistent for the pirates to be prosecuted through national laws. Attention was turned to international law which was also complicated. International law accords universal jurisdiction to the courts of the seizing nation. This jurisdiction applicable under article 105 of UNCLOS for the seizure and arrest of pirates in the high seas applies also to seizure and arrests in the territorial waters of Somalia under Security Council resolution 1816 (UN Security Council, 2008). However, States fighting piracy were reluctant to use such broad powers to prosecute and submit pirates in their courts. They were concerned with the expenses involved, the legal complexities relating to evidence inherent in criminal proceedings to be held far away from the place where the alleged crime was committed (IOM Report on Somalia, 2012).

A case which highlights these difficulties is a Danish ship which captured 10 pirates in Somalia waters on 17 September 2008. After six days of detention and the confiscation of their weapons and other equipment, they were set free by the Danish government by putting them ashore on a Somali beach. The Danish government came to the conclusion that the pirates risk torture and death penalty if surrendered to Somali authorities which is prohibited by Danish law. They also did not want to try them in Denmark as it would be difficult to deport them back to Somalia after their sentences were served (Treves, 2009). The British government also warned the Royal Navy against detaining pirates since this might violate their human rights and lead to claims of asylum in Britain (Rivkin and Casey, 2008). This gave the pirates the free right to operate without fear of prosecution.

The geography and political environment also made it easy for pirates to operate with success. With a long coast line not guarded and with the total absence of coast guards, pirates did not experience many problems attacking ships. Sometimes, the ships from different States patrolling the waters were often late to respond to distress calls because of the long coastline (External European Action Service Report, 2012).

Most of all, the ship owners were ready and willing to pay for the safety of their ship and the seafarers. Huge sums of money were paid in ransom. For instance, Ransoms for large ships averaged close to $5 million. The largest reported ransom ever paid was $11 million for the

Greek oil tanker, the MV Irene SL in 2012. These ransoms only increased the appetite of the pirates and made them more daring (World Bank Report, 2013).

Whatever solution is decided to end piracy, it must not be at the expense of efforts to secure a political solution in Somalia. The solution against piracy will bring peace and opportunities in Somalia, coupled with an effective government with a reliable police force and judiciary system. Piracy is a real threat to seafarers, the shipping industry, the environment, international trade and most of all, Somalia and Somalis. There is no single solution, but this study recommends at the end, some of the actions that may assist in reducing the threat. The international community cannot view the issue of Somali piracy as a sideline issue but should analyse it as a whole taking into consideration the situation inland. Though some successes have been recorded by the military ships patrolling the Somali coast, the real solution will be a stable and functioning government.

2.3 THEORETICAL FRAMEWORK

In describing the nature of the international system, international relations contemporary theorists frequently divide themselves into two groups; neorealists and neoliberalists. The neorealists emphasise an anarchical structure, drawing implications from this anarchy to explain the order and disorder that greets analyst of international affairs. Conversely, neoliberalists favour an explanation that focuses on the interdependence of international actors. Yet, the international system of the twenty-first century is not one that can be so simply described as either anarchical or interdependence. Instead, the features can be best described in terms of reminiscent of other systems from the biological and meteorological sciences (Kissane, 2007: 85).

Theorists view of the international system influences greatly their interpretation of the system, the implication they draw for the actors within it and the expectations they have for the behaviour of states, institutions and individuals. Different founding assumptions about the international system and the motivations for actor behaviour will have different implication for the description, explanation and prediction of actor behaviour. These different interpretations of the system open up debates within and around the description, explanation and prediction of

international interactions. However, there are some similarities in the assumptions made by the majority of international relations theorists, most easily expressed in two concepts: anarchy and interdependence (Keohane and Nye, 1977: 185).

Realists and liberals, constructivists and radical theorists from Thucydides (1972), to Hobbes (1975), Carr (1946) to Morgenthau (1967), Waltz (1979) to Mearsheimer (2001) all maintain that the international system is characterised by anarchy. Realists argue that anarchy implies competition. However, liberals think that anarchy presents challenges, though surmountable ones to cooperation. While constructivists argue that anarchy is existential and the implications are constructed by the actors within the system, anarchy has no component implication of its own. For them, anarchy has remained at the centre of the theoretical interpretations of international relations (Powell, 1994).

For instance, according to Hobbes' conception of a state of nature, life is a constant with every man against every man same as reflected in Thucydides' account of the lack of authority in the Melian Dialogues of the history of the Peloponnesian Wars. According to Kenneth Waltz, anarchy was and remains the single most important fact of international political life (Waltz, 1990).

In recent years, anarchy has become a subject of debate as in a period of advancing globalisation, it seems that it is not so much the lack of an overarching government driving actors into competition and conflict that defines the international system, but rather, the interconnectedness and interdependence that is brought on by increasing cross-border trade, investment, cultural exchanges and travel. The world is no longer anarchic, at least in the sense of a Hobbesian 'state of nature'. It is arguably less anarchic and more interdependent (Keohane and Nye, 1977).

It is important to note, however, that interdependence and anarchy are not mutually exclusive conditions for a system. There is no reason to suggest that interdependency cannot occur in an anarchic system or that interdependence systems must be anarchic. Interdependence theorists implicitly assume that cooperation in the international system is not only possible but likely and ongoing (Keohane and Martin, 1995). This is indirect conflict with the assumptions of anarchy-

minded analysis where cooperation is generally held to be less common, short and goal-specific among international actors (Kissane, 2007).

2.3.1 The chaotic theory

The term chaos in the chaotic theory is somewhat misleading. Some researchers prefer terms like non-linear dynamics, bifurcation theory, change theory, or self organising theory. Although it incorporates elements of chance, chaos is not random disorder. Rather, chaos theory attempts to understand the behavior of systems that do not unfold in a linearly predictable, conventional cause-and-effect manner over time. When viewed as a whole, these systems manifest definite patterns and structures (Murphy, 1996: 96). However, at no single point could their future direction have been predicted from their past history. For example, while a given person's view on an issue cannot be exactly predicted, it is possible to discern an underlying order in public opinion over the long term (Kissane, 2006). The present situation of Somalia could not have been predicted when Siad Barre was overthrown. The prosperous and unified Somalia became a state without a functional government which has developed with time to the rise of piracy.

Chaotic theory was discovered by an American meteorologist, Edward Lorenz (1961) who constructed a computer model simulating a weather system. He found in the course of trying to repeat some modeling that, a seemingly insignificant change in one of his variables had a marked devastating effect on the weather produced. Though only a small change in the system, it had devastating effects. This later became what is known today as the butterfly effect (Gleick, 1987: 16).

The butterfly effect suggests that it is possible that the flutter of a butterfly's wings in Beijing can be responsible for producing a hurricane in South America (Gleick, 1987: 322). This system is found everywhere, from meteorology to economics and political science. Chaotic system derives its variety from this sensitive dependence and as a result, is largely unpredictable in the long-term. A related element of chaotic system is the importance of unit or individual unit events to have wide-ranging effects on the wider system. For instance, the action of some few fishermen off the coast of Somalia had some wide-ranging effects in the international system which caused new studies to be carried out in the legal field, economics, transportation and security. However, the importance of such unit level events on the wider system should not be over emphasised. Not

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every butterfly creates a distant storm every time it moves from one flower to another. In other words, not every action taken by a group of persons will have an effect on the system (Kissane, 2006: 95).

Chaotic systems may not seem chaotic. To the observer or analyst, they may appear cyclical. Indeed, some systems, which were previously thought to be linear or cyclical, have since proved chaotic upon closer study (Gleick, 1987: 315-316). Thus, widely assumed anarchy of the international system can also be considered another misinterpretation of a chaotic system. The fact that there is no overarching authority in the system may make the system anarchic by definition, but it does not exclude the possibility that it is actually chaotic. It might be said that whereas in an anarchic system, nobody is in control, in a chaotic system, everybody is in control and in effect, nobody seems to be in control (Kissane, 2007). Somalia is ruled by warlords with each warlord having control of his own territory. However, nobody is in control because there is no functioning government to oversee the functioning of the State.

2.3.2 Elements of the chaotic theory

2.3.2.1 Assumptions of the chaotic theory

In any theory, certain fundamental assumptions exist that underpin the theoretical analysis offered (Waltz, 1997: 913). Three assumptions are offered in the case of chaotic theory. The first is the most divergent from traditional accounts of the international system. Put simply, in a chaotic theory of international politics, it must be first assumed that the nature of the international system is chaotic. This explicitly rules out the fact that the international system is anarchic. It also rules out simple or complex interdependence. While it is true that chaos is a style of interdependence, it is also true that a chaotic system is so different from any other regular interdependent system that it cannot truly be considered in the same light as previous works in the field of interdependence (Jervis, 1997: 4).

The second assumption is that, actors within the chaotic system seek security. A state actor seeking survival makes bad decisions if they take action to decrease the power of the state to regulate its own affairs (Waltz, 1997: 913). This is what Siad Barre did when faced with challenges in Somalia. However, a state seeking security may well trade off sovereignty to another state or institution if it believes it to be in the best interests of state's security

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(Mearsheimer, 1990: 8, 40-51). This was the action taken by the then government of Somalia by bringing the United Nations and other security companies to protect government buildings and personnel. Such was the case in Kosovo (UN Security Council Resolution 1244, 1999), Cambodia (UN Security Council Resolution 717, 1991) and East Timor (UN Security Council Resolution 1246, 1999) in which the United Nations was totally in charge of the government as was decided the UNSC resolutions.

However, the definition given to security is relatively based on the actors in question. In other words, the ability of actors to construct their own notion of what security is, allows for variation between actors in the definition. Thus, it is very likely that some actors will define security in military terms, some in economic terms and some in terms of simple survival (Gleick, 1987: 330) for instance, the pirates or the warlords of Somalia.

The third and last assumption is that, in seeking security, actors interact with other actors. It is significant in the context of the wider chaotic approach. Security cannot be pursued independently but can be attained by interacting with other units in the system (Gleick, 1987). For instance, the fight against piracy will not be attained if the international community does not pull forces together to assist Somalia. The successes in reducing piracy attacks off the coast of Somalia could not have been achieved by one state. Reason why there is need for interactions between states according to the chaotic theory (Kissane, 2006: 94).

2.3.2.2 Chaotic theory as a model for crisis situations such as the Somali crisis

Chaos theory provides a particularly good model for crisis situations such as the one in Somalia. Typically, any crisis is formed through as a sequence of events that with time, gather volume and complexity with increasing speed. Its dynamic therefore, resembles that of a chaotic system as it iterates through increasingly complex phases towards a disordered state. At the onset of a crisis, a state may have the power to influence events, but after a certain escalation point, it may often lose this capacity (Murphy, 1996: 105). For instance, the State of Somalia could control the situation when Siad Barre was asked to step down. He refused and decided to apply stringent measures maintain his grip on power. After his fall, the situation could have been controlled but with time, the civil war escalated coupled with other catalysts like famine, terrorism and lately, piracy which became uncontrollable. When this happened, it attracted many actors like the

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United Nations and other neighbouring countries like Ethiopia and Eritrea each with their own version of events. This multiplication of voices and solutions followed a dynamic similar to a chaotic system where during the initial few phases, some order remained but subsequently, complexities overrun the system which passes beyond control. At that point, chaos theory suggests that a state cannot manage the outcome but must allow events to sort themselves while trying to manage the emerging aftermath. Such major crises like that of Somalia mark the loss of a state attractor-be it management competence, accountability or social responsibility – and are followed by a period of disorder or chaos until it settles on a new attractor. Crises therefore, act as bifurcation points that permanently redefine a state in a new and unexpected light. Chaotic theory defines a crisis as a point in a state's history which irreversibly changes its culture and system (Murphy, 1996: 106). Ethnically and culturally, Somalia may have appeared to be, before the civil war, one of the most homogeneous countries in Africa but now, is irreversibly divided. Chaotic theory describes the crisis in Somalia which has transformed the culture and system of the country. Somalia which was once a unified state, has in the absence of a functioning government, become fractionalised. Numerous factions have laid claims to portions of the territory. Each faction has established its own 'government' in the form of an organizational structure and each possesses substantial capacity to impart violence. These factions include, the semi-autonomous government of Somaliland and Puntland, the different islamists groups and warlords including Al Shabaab's control of different parts of the country.

The factious character of the Somali state is a result of the self-determination tendencies of the country's various factions. These groups have expressed a desire to establish self-governments that exhibit a fair degree of autonomy. This is the reason why there have been calls for the establishment of a decentralised federal system of governance. The federal arrangement makes it possible for the various factions to establish regional governments with a fair degree of autonomy while all factions remain part of the larger Somali state.

2.3.2.3 Chaotic theory as a solution finder in crisis situations

The Chaotic theory also provides a solution for the crisis in Somalia and to fight piracy. According to the theory, the ability to re-organise is inherent in the chaotic system itself and does not require external intervention. In other words, chaotic systems generate their own new forms

from inner guidelines rather than the imposition of form from outside. This can be the reason why all interventions in Somalia have led to more trouble for the nation. It has always led to more fighting and killing without a solution. However, any solution from within will also depend on the scale of analysis given. According to the chaotic theory, any analysis or action to be taken should include all the issues involved. Any action in parts will only yield wrong results (Murphy, 1996: 106).

The attempts to tackle piracy with war ships without looking at the situation on land, which is the cause of the problem, will only lead to temporary results. In the long run, the problem will resurface. The solution to piracy in Somalia will be the presence of a functioning government. The recent results achieved by the war ships in the water are temporal. If the situation on land is not taken care of, piracy will resurface. As mentioned in the chaos theory, any action that was taken will always be repeated. The success of the pirates between 2008 and 2011 will only inspire them to want to try again in the absence of solutions to provide better service delivery which is possible only through a functioning and efficient government.

2.3.2.4 Limitations of the chaotic theory

The chaotic theory is not a universal panacea for all crises. It has its own short-comings like other theories. However, these short-comings should not be taken as limiting the development of the theory but should instead, act as issues to address the development of a chaotic theory for international relations. Firstly, the problem of interdependence makes it difficult to know when to start any analysis. As advanced by proponents of this theory, even a butterfly stirring its wings in one area can have disproportional effects in another far off area. In international relations, it would mean an individual can have an effect in a region, which in turn, has an effect on a state and then, an institution and finally the system as a whole. If that is the case, where do the theorists begin their analysis? It is surely impossible to account for every action of a human being on the planet and the implications of all their actions on the wider system. According to the chaos theory, every small permutation at the individual level can have an effect on the entire system. It is not practicable to account for every individual's actions and the effect on the system. In this case, it would seem theorists have to make a choice as to which actions and actors to analyse. Probably limit the analyses on key actors like states as proposed by the realists. Thus,

while it is understandable to limit the analysis of actors and their actions, it is also antithetical to the chaotic approach to exclude actors, which may have a significant effect on the events in the system. For instance, one cannot talk of post-September 11th politics without reference to Osama Bin Laden (Kissane, 2007).

Secondly, according to the chaotic theory, there is the possibility that in a chaotic system, almost everything is expected to occur and can be explained as a direct result of chaos. Taking the example of the butterfly effect, there is the possibility that the wings of the butterfly can or cannot produce an effect. Both instances are possible and associated with the chaotic system. A theory that does not favour one over the other is likely to prove poor in explaining international interactions. A theory must be tested by its explanative power. In other words, the success in explaining, not in predicting, is the ultimate criterion of good theory (Waltz, 1997: 913-917). A theory with the possibility of everything or nothing can occur as a result of a single interaction not meeting Waltz's test (Kissane, 2007).

Though the chaotic theory like any other theory may have some short-comings, it is still very much important in explaining present day situations. The universe is chaotic with an unstable combination of randomness and plan, broken by flash point of change. Chaos science therefore, highlights the role of chance, the possibility of many outcomes and the ability of the observer to choose which outcome will be possible. In this sense, chaos theory is emancipating and needs more time to be developed.

2.4 THE RATIONAL CHOICE THEORY

The Rational Choice Theory, also known as the choice theory or rational action theory, is a theory for understanding and often modeling social and economic as well as individual behaviour. It is an approach used by social scientists to understand human behavior (Elster, 1989: 22). The theory arose as part of the behavioural revolution in the 1960s that sought to examine how individuals behave using empirical methods. The approach has long been the dominant paradigm in economics, but recently, has become more widely used in fields such as Sociology, Political Science and Anthropology. The rational choice draws on the methodology of economics in contrast to behaviouralists who drew on sociology and psychology (Scott, 2000).

A pioneering figure of the rational choice theory in sociology was George Homans (1961), who set out a basic framework of the exchange theory and grounded it in assumptions drawn from behaviourist psychology. Homans' formulation of the exchange theory remains the basis of all subsequent discussions. During the 1960s and 1970s, Blau (1964), Coleman (1973) and Cook (1977) extended and enlarged this framework and developed other models. For instance, Anthony Downs (1957) was a pioneer in the application of the rational choice theory to electoral behaviour and party competition. According to Downs, politicians and voters act rationally. The motivations of politicians are personal desires such as income, prestige and power derived from holding office. As such, their policies are merely a means towards an end. Voters will also vote for the candidate who best fulfils their expectations and interests (Baert & Da Silva, 2010: 141).

The rational choice theory assumes that individuals are rational and think in a logical way with different interests which define their utility. The choices individuals make define and influence their utility. Individuals make their choices in a rational way to increase their utility, in other words, they are self-interested. It assumes that individuals have all the rational capacity, time and emotional detachment necessary to choose the best course of action, no matter how complex the choice may be (Elster, 1989: 23). This is decision-making in which each action has a known outcome and the relation between actions and outcomes is unaffected by the action of any other individual. This means individuals rank various outcomes and choose one of the highest-rank feasible actions and outcomes available based on their interest (Stoker, 2002: 68). Whatever choices are made, they do not have full control of the results but are motivated by the outcome of their action if it will bring more satisfaction irrespective of the result (Elster, 1989: 24).

2.4.1 Assumptions of the rational choice theory

Individualism: According to the theorists, individuals are the ultimate actions takers. Individuals are actors in the society and everywhere, behave and act always as rational beings, self-calculating, self-interested and self-maximising. These individual social actions are the ultimate source of larger social outcomes.

Optimality: Individuals choose their actions optimally, given their individual preferences as well as the opportunities or constraints faced by the individuals. Optimality is defined as taking

place when no other course of social action would be preferred by the individual over the course of action the individual has chosen. This does not mean that the course of action chosen is the best in terms of some objective and outside judgment. Thus, individuals do the best they can, given their circumstances as they present themselves.

Structures: Structures and norms that dictate a single course of action are merely special cases of the rational choice theory. That is, a range of choices in some circumstances differ when strong structures are in place. In other words, structures limit the choices of individuals. Although structures may be damaging to the rational choice model, individuals will often find a way to exercise action optimally.

Self-regarding interest: Individuals think entirely of their own welfare. Sometimes, there may be a group but each member of the group has his or her own interest and irrespective of the fact that they are in a group.

Rationality: All individuals think rationally and are most likely to take actions that will benefit them more. In other words, every individual is most likely to undertake course of actions that they perceive to be the best possible option and one that would immensely be to their own advantage (Ogu, 2013: 93).

2.4.2 Application of the rational choice theory to the situation in Somalia

Piracy can be a logical choice but is it a rational choice? Piracy is planned, coordinated and conducted in a logical and systematic way. It is not random, spontaneous or illogical. This means that the pirates had all the time to think and plan their actions. This was done after looking at the different options available to be able to get the best satisfaction, which is, to hijack ships that will bring in more ransom. The absence of a functioning government in Somalia gave the pirates limited choices due to the absence of functioning institutions to ensure services delivery. For instance, unemployment made many to become pirates. As such, the pirates made rational choices which satisfied their immediate needs.

As a result of piracy, pirates could live in luxury in a country in total ruins. This motivated others, mostly those unemployed, to join piracy activities because of the gains. Rational choices

were made to derive the most satisfaction with little control of the result. Pirates became very daring, fearless and would not care if they were killed. The end result was more important for them which was, getting huge ransoms from hijacked ships and hostages to permit them live the life they had always hoped for. As Cornish and Clark (1985) put it, a criminal is a rational being and considers his crime rationally, weighing both personal factors such as being poor, wanting excitement or entertainment and environmental factors such as availability of target, likelihood of being caught and the seriousness of the crime.

Looking at the options available, piracy has yielded higher results from the pirate activities. Huge ransoms were paid for hijacked ships and hostages. The ransoms kept on increasing sometimes to more than 3 million in a country without a functioning government hence no economic or social   policies. That was enough money for pirates to take the risk. The presence of warships from the European Union and other countries in the waters off the coast of Somalia did not deter the pirates.

The rational choice theory has largely emerged in the political science subfield. It has been commended as the prototype for a more deductive approach to political analysis. Becker (1976) has described the rational choice theory as "a unified framework for understanding all human behaviour." Rogowski (1997) also asserts to the model as the "most rigorous and the most general theory of social action that has been advanced in this century." Hirshleifer (1985) simply describes the theory as "universal grammar of social science" (Ogu, 2013: 94).

However, the rational choice theory is not without criticisms. Firstly, it has been criticised for downplaying social structures and putting individuals first. According to the theory, all actions are derived from individuals and social structures do not have a place. Secondly, it over estimates human rationality in that, it ignores the fact that people seldom possess clear sets of preferred goals and rarely make decisions in the light of full and accurate knowledge. Thirdly, it fails to recognise among other things, that human self-interestedness continues (Almond, 1990: 123).

The rational choice theory assumes the near impossibility of all things being equal and on this basis, individuals make choices and decisions that they see as rational, not minding that the

circumstances and situations in which these decisions are made have huge impact. Irrespective of the criticisms, the rational theory has its own advantages and best describes the actions of the pirate in relation to the situation in Somalia. It is still considered as one of the best theories that describe human behaviour.

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CHAPTER THREE

PRESENTATION OF DATA, ANALYSIS AND FINDINGS

3.1 PRESENTATION OF FINDINGS

Somalia has been without a functioning government since 1991. The country has been engulfed in conflict for most of its existence. The conflict in Somalia has been going on for years and has been largely ignored by the international community. The conflict was caused by the absence of a functioning government. This led to the rise of, clanism (Meredith, 2006: 465), lack of leadership (Mirreh, 1994: 24), terrorism (Randall, 2009: 300) and piracy (Bahadur, 2011: 1-2). All these are due to the inability of the state through its government to exercise its functions fanned by environmental factors (Chossudovsky, 2011).

Since 27th January 1991, when Siad Barre fled from Mogadishu, the country has not had a functioning central government. Its finances have been in shambles since 1989. Most competent ministers fled abroad in the latter half of 1990. The army, the core of the regime since 1969, was affected by low morale and unpaid salaries. They offered little resistance to the insurgents until they reached Mogadishu (Samatar, 1994: 50). The archives were dispersed or burnt and most of the Ministries and public offices, including the national library, were treated in the same way. Without records, civil servants were conscripted into the guerrilla forces or scared away. There were little chances of restoring even the pretence of an administration (Fitzgerald, 2002: 45).

In the wake of these events, the international community, after failed attempts, abandoned any interest in trying to resolve the conflict, not knowing in the future, it will haunt the international community (Harper, 2012). Like T.S Eliot declared:

> *the fact that a problem will certainly take time to solve and that it will demand the attention of many minds for several generations is no justification for postponing the problem. And in times of emergency, it may prove in the long run that the problem we have postponed or ignored, rather than those we have failed to attack successfully will return to plague us. Our difficulties of the moment must always be dealt with somehow but our permanent difficulties are difficulties of every moment* (T.S Eliot, 1940: 3).

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There was no institution to implement and maintain law and order. This space was quickly occupied by criminal gangs headed by warlords who in their quest for control and economic power, gradually led to the rise of piracy. This is seriously affecting Somalia and many countries in the region and beyond. It has also raised some concerns on legal issues, security and insurance, just to mention a few. Piracy is flourishing and dangerous in Somalia. As a result, Somali waters have been rated one of the most dangerous places for shipping in the world (BBC News, 2005).

3.2 BRIEF HISTORY AND THE DISINTEGRATION OF SOMALIA

Somalia, like other African countries, had a share of the cruel twists of the fate that occurred so often during the scramble for Africa and eventually led to the colonisation of Africa. Somalia was formed by the merger of two former colonial territories, British Somaliland, in the north and the Italian Somaliland. The United Kingdom established a protectorate in British Somaliland in 1886, following the withdrawal of Egyptian garrison from the area. Italian Somaliland originated in 1889, when Italy concluded agreement with two local rulers, who placed their territories under Italian protection. Italy's occupation of the region was extended along the coast and inland and Italian control was completed in 1927. Accordingly, the union of the former British and Italian Somaliland took effect on 1st July 1960, when the independent Somalia Republic was proclaimed (Davidson, 1994: 11).

The first regime after independence was unveiled with the election of Aden Abidille Osman by the National Assembly for a six year term as president. President Osman nominated Abdirasheed Ali Sharmarke as the executive prime minister. Their rule was a very difficult one which had to do with integrating the two Somalis. The new constitution was the bedrock of the order and guaranteed the respect of civil rights like freedom of speech and association, protection against illegal imprisonment and a right to a fair trial. Additionally, the constitution set out the limits of political power and the tenure of all political offices and the specific functions of political institutions. It also ensured the separation of power among the executive, the legislative and the judiciary. The economic structure as inherited from colonialism was maintained (Samatar, 1994: 113).

Largely unprepared for the tasks that awaited the new independent Somalia and the inability to achieve promises made on the eve of independence brought in suspicion in the newly formed government. This was aggravated by increased corruption and the attainment of political office as an alibi for making personal wealth. As a result, new elections were held in 1964 in which President Osman nominated the interior minister of the outgoing regime, Abdirazak H. Husein as prime minster (Davidson, 1994: 35).

Husein's leadership brought in some new moves which in the beginning, gave some positive insights. Firstly, a sense of regional balance in ministerial portfolios was instituted. Secondly, a code of ethics on the use of state powers was adopted, which required all members of the cabinet to declare their private property and business interests. Lastly, emphasis was placed on professional competences in the recruitment and promotion of civil servants. Husein's regime was an attempt to reverse the growing discontent within the society. By 1967, President Osman's tenure came to an end and Sharmarke was elected president and appointed M.I. Egal as Prime Minister (Potholm, 1976: 223-225).

Sharmarke and Egal's first administration was a laissez-faire liberalism. They had a negative strategy of narrowing the base of state power. Very few national institutions were not violated. There was the open raiding of the state treasury and wide spread intimidation by the state police, which led to bloody elections (Rawson, 1994: 159).

Sharmarke and Egal's second term of office did not last long due to different political and economic challenges as a result of poor management of state resources by weak institutions. Corruption was persistent which led to growing suspicion that the civilian electoral politics had become a nauseating swindle and ridiculed. Sharmarke was assassinated on 15 October 1969, which led to military rule (Samatar, 1994: 114-115).

The military takeover ushered in a new era in the history of Somalia. The new Somali leader, General Mohammed Siad Barre, proclaimed Somalia as a Marxist state. He embarked on a nationalisation campaign and accepted a large number of Soviet advisers in government ministries and in the military. Faced with early opposition and assassination attempts, he started brutal reprisals and created a security machinery that protected and promoted his personal power (Schraeder, 2004: 165). In 1971, Barre declared his intention to end military rule in the face of

internal and external opposition and created a new military order, the Supreme Revolutionary Council (SRC). He abrogated the constitution and the Supreme Court, disolved the National Assembly and forbade any political activity or organisation. The SRC became the state mechanism for the overall development of the society in key areas of the economy, social life and culture (Rawson, 1994: 150).

In the 1970s, the SRC became omnipresent, eliminating all private space. It made some positive impacts. First, a tide of popular energy not seen since the agitation for independence was released. Most Somalis felt a moment of pride and reconnection with the state, a reawakening of the *umma* spirit. Secondly, as a result of the new emphasis on literacy and language, new schools were built. By 1974, an orthography was established for the Somali language. A programme to improve basic infrastructure including the beautification of the capital was undertaken (Reid, 2012:332).

However, as these accomplishments were being noted and more promises announced, serious weaknesses were also developing. The most critical was the suppression of democratic rights and a quickening constriction of decision-making and governance. The SRC was declared the sole authority and set forth a calculated policy of silencing any dissent. This led to many arbitrary arrests and detention. All those who disagreed with the regime were executed. The state concentrated too much power and used force to intimidate the population in total disregard of any form of law and due process. Barre became so confident and tried to incorporate the other Somali territories without success (Lyons, 1994: 193-195).

The SRC became increasingly radical in foreign affairs. In 1974, Somalia and the Soviet Union concluded a treaty of friendship and cooperation. In 1972, in exchange for the use of naval facilities in the northern port of Berbera, the Russian agreed to provide Somalia with increased military aid. Around that time, also, Mengistu, the president of Ethiopia was having difficulties with Eritrea where half of the Ethiopian army was under siege (Meredith, 2006).

Barre decided that it was time to take advantage of Mengistu's weakness. He committed regular forces in support of Somali insurgents in the Ogaden with remarkable success. However, things changed when Russia decided to switch sides in support of Mengistu's Marxist regime. Barre tore the Somalia's Treaty of Friendship and Cooperation with the Soviet Union and expelled all

Russian personnel. He was left without the support of any major arms supplier (Samatar, 1994: 152-153). The United States which came in to support him, could not overturn his defeat which was eminent. (Gilbert and Reynolds, 2004: 352).

The impact of the Ogaden defeat reverberated throughout Somalia. This resulted in domestic opposition and failed coup attempts which led to the formation of political opposition movements and the beginning of guerrilla attacks on the government. The Somali Salvation Democratic Front (SSDF) was formed in Ethiopia. A second party, the Somali National Movement (SNM), based in the north, primarily in the former British Somaliland with the support of Ethiopia, also started attacking the capital, Mogadishu (Gurr, 2000: 87).

In January 1989, the United Somali Congress (USC), an opposition group of Somalis was formed in Rome. A military wing of the USC was created in Ethiopia in late 1989 under the leadership of Mohamed Farah "Aideed," an enemy of Barre from 1969-1975. Aideed also formed alliances with other opposition groups, including the SNM and the Somali Patriotic Movement (SPM). In 1988, at the President's order, aircrafts from the Somali National Air Force bombed the city of Hargeisa in northwestern Somalia, the former capital of British Somaliland, killing nearly 10,000 civilians and insurgents. The military spending, coupled with the economic crisis, brought further hardship while Siad Barre and his cronies, looted the national treasury (Rawson, 1994: 157).

Faced with all these challenges, Barre exploited clan rivalries to keep his opponents divided, distributing money and arms to pro-government groups. He also signed an agreement with Ethiopia under which both sides undertook to cease support for each other's opponents. However, Barre's willingness to make deals with Ethiopia was seen as a gross betrayal by many Somalis. The Somali opposition likened the accord to the Hitler- Stalin pact of 1939 (Meredith, 2006: 468).

By the end of the 1980s, armed opposition to Barre's government was fully operational throughout the country. As a result of the chaos, many Somalis claimed refugee status in neighbouring countries while others joined their respective clan militia. Barre's effective territorial control was reduced to the immediate areas surrounding Mogadishu and was referred

to as the Mayor of Mogadishu. As a result of increased human rights abuses, the United States withdrew its support making things difficult for Barre. By mid 1990, Barre declared a state of emergency which had little effect on the USC and SNM forces who were already close to Mogadishu (Brons, 2002).

In an attempt to salvage the country from collapse, over 100 eminent Somali elders dubbed the Manifesto Group confronted Barre. They suggested that he immediately resign and hand over executive power to an interim committee which he refused. The departing chief of the United Nations Development Programme (UNDP) also advised him to accept the proposal. Barre refused and told the Manifesto Group that:

I, Mohamed Siad Barre, am singularly responsible for the transformation of Somalia and Mogadishu from a bush country and scruffy hamlet into a modern state and commodious city, respectfully. Consequently, I will not allow anyone to destroy me or run me out of here; and if they try, "I will take the whole country with me. I will leave behind buildings but no people" (Samatar, 1994: 119).

In January 1991, the remnants of Barre's army were driven out of Mogadishu by Aideed's militia. They fled south, looting what was left of government resources. On the 27th of January 1991, Barre fled and lived up to his earlier promise. He left behind thousands dead and many more wounded. State Property was totally destroyed. Somalis were happy with the victory but unaware of the horrendous problems that laid ahead (Meredith, 2006: 470).

The fall of Barre left a leadership vacuum in which several militias aspired for state power. Intensive fighting over the following years entrenched state collapse in Somalia. In particular, the ensuing armed conflicts were 'inter-clan in nature, pitting large lineage groups against one another. Rivalry between Mohamed Farah Aideed and Ali Mahdi, two leaders of the opposition grew over control of Mogadishu. While Aideed was still preoccupied with chasing Barre's forces, Ali Mahdi proclaimed himself as head of the new government in Mogadishu. This split the capital into two armed camps, engulfing it in months of conflict that left many dead and others wounded. Mahdi's militia controlled the north while Aideed controlled the south.

Buildings were stripped bare by successive waves of looters and scavengers. Thousands fled from clan cleansing (Nugent, 2004: 443).

The disintegration and secession of some Somali territories began, after failed attempts at reconciliation. In the north-west of Somalia, the SNM established its own government and in May 1991, declared Somaliland's independence from the rest of Somalia. In the north-east, the SSDF, seized control, setting up its own rudimentary administration in what later became known as Puntland returning Somalia to its 1960 status (Schraeder, 2004: 108). Since then, Somalia has been in chaos without a government with each group struggling for territorial gains in search of means of survival. Some have resorted to stealing and criminality. Those who were in control of the ports imposed their law and collected money while others turned to piracy.

3.3 THE EMERGENCE OF PIRACY IN SOMALIA

Somali's statelessness gradually developed into lawlessness and chaos. The gradual disappearance of government institutions made the situation in Somalia uncontrollable. Institutions to maintain law and order could not function effectively, hence exposing Somalia frontiers. The absence of coast guards to protect Somali waters made the situation worse. There was no maritime security in the region. Coastguards and civilian maritime agencies were wanting. There was no agency or co-coordinating body that could protect the frontiers of Somali waters exposing it to foreign intervention (Gettlemen, 2008).

The total collapse of the government made it difficult to deal with the famine that hit Somalia in the 1990s. This resulted in the death of many cattle. The soil became uncultivable. Most Somalis were forced to turn to fishing but faced challenges from foreign vessels. These foreign vessels used prohibited fishing equipment such as small nets and sophisticated under water lighting systems which depleted the local fish stocks (Shinn, 2009).

Faced with these challenges, the fishermen were forced to defend themselves. In an attempt to protect the Somali waters, they started engaging in sporadic attacks of foreign vessels. Later efforts to protect Somali waters were replaced by armed gangs who resorted to hijacking foreign trawlers for ransom. The ransom paid by some of the foreign fishing vessels made the fishermen to demand more. Later, they started aiming for bigger demands which gradually led to the rise of piracy (Sherman, 2009).

In the absence of coast guards, organised crime groups and agencies in Europe took advantage and illegally dumped waste in Somali waters. Much of the waste was toxic, apparently including uranium, radio-active waste, leads, heavy metals as well as industrial, hospital and chemical waste. This was evident after a tsunami hit the coast of Somalia and washed ashore most of the waste (Gettlemen, 2008).

Economic difficulties caused an increase in unemployment due to lack of economic policies. There was no control of the local currency and no accountability caused by a breakdown of the economic system. In the difficulties, most men turned to piracy which was an easy way to make money for survival. Unemployment, gave pirates an easy source of recruitment, causing many to be come pirates (Mohammed 2009).

With the situation getting out of hand, Efthimios Mitropoulos, Secretary General of the International Maritime Body (IMB) appealed for the United Nations Security Council to help address the problem but got no attention. The international community became more concerned when the rate of piracy increased in 2008 after a Saudi Arabian Super tanker, "the Sirius Star" was hijacked and a ransom of 25 million dollars demanded (Otterman and Mcdonald, 2008). The international community began to consider the situation seriously (Mitropoulos, 2008).

Piracy in Somalia has had serious effects accounting for approximately 54% of piracy activities in the world. In 2008, there were 111 incidents including 42 vessels hijacked (Sea Farer Assistance Programme Report, 2008). The same year, a total of 815 crew members were taken hostage from vessels hijacked in the Gulf of Aden and off the east coast of Somalia (Sea Farer Assistance Programme Report, 2008). There was a dramatic increase in activities by Somali pirates in 2009. This led to a near doubling in the number of ships attacked during the year's first quarter compared with the same period in 2008. A total of 102 incidents were reported in the first three months of 2009 compared to 53 incidents in the first quarter of 2008 (International Maritime Bureau, 2009). About 478 people were taken as hostages in 2009 (International Maritime Bureau, 2009).

In 2010 and 2011, while the overall number of incidents increased from 219 to 237, the number of successful hijackings decreased from 49 to 28. This decrease was as a result of continued efforts of international naval forces (IBM Report, 2011).

3.4 REDUCTION OF PIRACY ACTIVITIES IN SOMALI WATERS

The number of pirate attacks has dropped sharply since 2012. Somali pirates hijacked 46 ships in 2009 and 47 in 2010. In 2011, 25 ships were hijacked. In 2012, pirates succeeded in hijacking only five ships. However, many crew members are still held hostage as a result of past hijackings because ransoms have not been paid (IMB Report, 2012). This can be attributed to the large number of military ships patrolling Somali waters.

In 2008, the European Union (EU) launched European Naval Force Somalia-Operation Atalanta under the European Common Security and Defence Policy (CSDP) and in accordance with the UN Security Council Resolution. This was in response to the rising levels of piracy in Somalia. This operation saw the deployment of military ships in Somali waters to deter pirates from hijacking ships. The early phase of the operation was difficult because the EU forces did not have a good mastery of the situation and how to pursue pirate boats. Besides, their mandate was limited and they could not use armed attacks on pirates (International Maritime Bureau Reports, 2008).

By mid 2012, their mandate was expanded to destroy pirate weapons, equipment and fuel on land. Japanese aircrafts flew over the shoreline to relay pirate activities to warships nearby. Merchant ships also increased their communication with patrolling military forces after pirate sightings. Ships also bolstered their own defences with armed guards, barbed wires, water cannons and safe rooms. Some practices by shipping companies, such as hardening their vessels or taking evasive action were also improved. In May 2012, EU forces conducted their only raid on a Somali pirates' land base. It lasted a few minutes with a helicopter crew launching from a ship just offshore and raking beached and unmanned pirate speedboats known as "skiffs" with machine-gun fire. Fuel stores and other equipment were also fired at. According to the EU forces, there were no casualties. Besides, there has been an increase in judicial cooperation to end impunity. There are over 1000 suspected pirates being prosecuted in 20 countries, including EU member States (BBC News, 2012).

Though the statistics show that piracy is on the downward trend, many people are still skeptical and have warned that the progress was fragile and still reversible. Ships patrolling the coast of

Somalia will not be there for too long because of the cost. Governments spend $1.27 billion on military operations, including warships patrols. The patrols are the main cause of the decrease in piracy off Somali coast. Pirates made $160 million in 2011. In 2012, the amount made from ransoms reduced to $32 million (IMB Report, 2013). This shows that the cost of fighting piracy off Somali waters out-pass the amount paid to pirates. As such, in the long run, most of the ships will stop patrolling Somali waters (Oceans Beyond Piracy Report, 2012).

Besides, patrolling the coast of Somalia is not enough. Somalia has Africa's longest coastline, approximately 2000 miles. The coastline is near the Gulf of Aden and the Suez Canal, which leads into the Mediterranean Sea, connecting Europe to Africa, the Middle East and Asia (International Maritime Bureau Reports, 2008). This will need an enormous amount of resources to achieve substantial success against pirates who are well organised and also well equipped (Coakley, 2008).

Despite their good intentions, the real problem seems to have been misdiagnosed. Their solutions have been more of the same old and failed policy prescriptions: send more ships to the Somali coast to protect ships and pass more UN Resolutions. Piracy cannot be stopped without a functioning central government and the re-establishment of the rule of law. To solve the problem of piracy, law and order must be put in place in Somalia through the establishment of a central government and the return of the rule of law and other institutions necessary for democracy to be re-instated. Economic checks and balances and a system of accountability needs to be put in place with an effective leadership.

Piracy in the Gulf of Aden has extended to other African countries in West, East and Southern Africa. Cases of piracy have been reported in South Africa and Mozambique. Incidences have also been documented in Nigeria, Tanzania and Equatorial Guinea (Joubert, 2013: 122-24).

3.5 CURRENT SITUATION IN SOMALIA

Militias, warlords and clan leaders became the dominant actors in Somalia's political landscape with each carving out its own territory. In 2002, a peace agreement was brokered which resulted in the creation of a Transitional Federal Government (TFG). The TFG was recognised as the governing body in Somalia (Menkhaus, K. 2006: 167). By 2006, there was the emergence of a new force in Somalia known as the Al Shabaab which was a merger of two Islamic groups: the

Islamic Union and the Islamic Courts Union. Al Shabaab rose to prominence due to its military capabilities and its ability to capture and control territory. By late October 2006, Al Shabaab controlled most of Somalia's key strategic points in Somalia. It should be noted that this was the only period that Somalia was seemly stable with little or no fighting. The imposition of the sharia law saw a drastic reduction in piracy activities. According to Al Shabaab, it is against the sharia law and thus unholy. Those caught in piracy activities were severely punished (Hansen, 2012).

This could not be accepted by Ethiopia and some Western powers who feared the gradual creation of an Islamic State. This threat was evidenced when Al Shabaab launched an offensive against the TFG. This forced Ethiopia and the United States to come to its rescue to prevent the TFG from an evident collapse. Although Al Shabaab was defeated, they remained a force to be reckoned with in Somalia. Al Shabaab also proved it had the capability to strike out of Somalia. This was seen in the Kampala attack in a bar in July 2010, while innocent civilians were watching the world cup finals. This resulted in about 70 deaths. This showed the extent to which they could go (Gibson, 2010).

The presence and activities of Al Shabaab in Somalia, have often forced directly or indirectly, neighbouring countries to react, sometimes unsuccessfully invading Somalia. This has only plunged the country into more fightings (Moller, 2009). There has been frequent fighting between Al Shabaab and the Ugandan, Burundian and Djibouti African Union Peacekeepers who have been in Somalia since 2008 (Oluoch, 2012).

In October 2011, Kenya, in agreement with the TFG, launched Operation *"Linda Nchi"*, Swahili word for "protect the nation" in Somalia. This was as a result of allegations of kidnappings of tourists and aid workers on Kenyan soil (Miyandazi, 2012). The Kenyan invasion which was not at first approved by the TFG have been gaining support and pushing Al Shabaab out of some of the areas controlled by them (Menkhaus, 2012). They were joined by Ethiopian troops, the Amisom troops from Uganda, Burundi and Djibouti and the TFG forces. They have been making some important territorial gains at great costs against Al Shabaab territories. However, the challenge has been to maintain hold on the areas taken from Al Shabaab, for instance, the port of Kismayo which was a source of income for warlords (Doyle, 2012). Presently, the TFG largely controls the capital Mogadishu taking advantage of the Kenyan invasion to launch its own

offensive supported by Kenyan air and ground forces. Consolidation of these territories remains a major challenge (Warner, 2012).

While there are many challenges in fighting the Al Shabaab and to maintain control over recovered territories, the political situation also presents a major challenge. The tenure of the TFG came to an end in August 2012 with the inauguration of the Federal Government of Somalia. A New President and a Parliament of 230 members were successfully elected and sworn into office. However, the challenges are still present and the new political structure has a task to achieve political stability which is imperative to ending piracy (Moalim, 2013).

3.6 EFFECTS OF THE CONFLICT IN SOMALIA

Somalia remains in a state of chronic catastrophe, characterised by a complex political environment, extreme poverty and food insecurity, conflict and instability. Over 5960 civilian fatalities occurred in the capital Mogadishu in 2007 alone (UN Office for the Coordination of Humanitarian Affairs, 2007). Over 1.3 million were displaced from their homes due to continuous fighting between the Islamic insurgency and the TFG backed by Ethiopians (UNHCR, 2008). Somalia is now the fourth country in the world with the highest number of internally-displaced Persons (UNHCR, 2010). By the end of July 2011, there were around 1.46 million internally displaced persons, 6900 asylum-seekers and 1965 refugees in Somalia. Puntland and Somaliland host refugees, asylum-seekers and migrants from neighbouring countries. They often experience xenophobia, hostility, exploitation and arbitrary detention. They are in need of medical, educational and livelihood assistance (UNHCR Report 2011).

Children continue to suffer from endured cycles of severe political instability. About 2 million children and adults living in Somalia were affected by the deteriorating situation. Children suffered from recruitment and abduction into militias. Some parents refused to send their children to school for fear of being forcefully recruited by militias. (UN Report, 2008). Child malnutrition reached critical levels due to violence and the restriction of aid workers. It aggravated when Somalia was hit by famine in 2011. The international community continues to provide assistance to those recently displaced. However, the rising number of incidents targeting humanitarian organisations such as kidnappings of staff, invasion and looting of NGO facilities and warehouses reportedly impeded their coordination and delivery (UNICEF Report, 2011).

The human rights situation in Somalia is deplorable. Serious abuses have been documented by both Al Shabab and the TFG. This include summary executions, rape, indiscriminate killings and attacks of civilians, villages burnt to the ground as part of a campaign of collective punishment, rampant sexual violence used as a tool of warfare, arbitrary arrests and widespread, torture and beatings for those in military custody (Human Rights Watch Report, 2008). On 10 December 2008, during the celebration of the 60th anniversary of the Universal Declaration of Human Rights, the Independent Expert on the situation of human rights in Somalia, spoke of helpless victims of human rights violations in Somalia. Those particularly affected were the civilian population, women and children, displaced persons, refugees who lacked protection (Human Rights Watch 2008). Abuses perpetrated by the Ethiopian military caused a breeding ground for very extremist attitude by some Somalis who were forced to join Al Shabaab. The UN 2011 human rights report on Somalia presents a worsening situation partly also due to the fact that the country was hit by a serious famine which caused so many lives and forced many Somalis to move to refugee camps in Kenya in search for survival (Human Rights Watch Report, 2011).

This situation was aggravated by the famine of 2011 which seriously affected the region. Somalia was seriously affected and has been described as the worst in years. According to a recent report by the United Nations and Food and Agricultural Organisation, the famine claimed a quarter of a million lives, half of them children. This toll doubles the previous estimates given by other international organisations (FAO Report 2013). More than 166000 desperate Somalis were estimated to have fled the country to Kenya and Ethiopia. Children were acutely malnourished and four children out of every 10,000 were dying daily. It was expected that the effects of the famine will be felt throughout 2012. UNHCR will need to assist some 700000 people with shelter and relief items, as well as provide emergency shelter kits, including some 3,000 in Puntland, 2,000 in Somaliland and 1,000 in southern and central Somalia (FAO Report, 2013).

3.7 ATTEMPTS AT CONFLICT RESOLUTION

Several attempts at making Somalia a stable country have been futile. This began in 1992 when the U.S backed UN intervention under "operation restore hope" ended in a catastrophe and has till date, killed the interest of the international community of sending troops for peacekeeping in that zone and in Africa (Randall, 1993: 300). Later on, a UN Resolution banning the flow of

arms to Somalia was passed, but this was very inefficient (UN Resolution, 1992). In 2007, the United Nations Security Council passed Resolution 1744 for Peace-Keeping troops to be deployed to Somalia only when the conditions on the ground become favourable (Zounmenou, 2006).

The African Union has not been silent on the situation in Somalia. In its 69th meeting of January 2007, it decided to authorise the deployment of the African Union Mission in Somalia (AMISOM), for a period of 6 months, starting from the date of this decision, with the mandate (i) to provide support to the Transitional Federal Institutions (TFIs) in their efforts towards the stabilisation of the situation in the country and the furtherance of dialogue and reconciliation, (ii) to facilitate the provision of humanitarian assistance, and (iii) to create conducive conditions for long-term stabilisation, reconstruction and development in Somalia (United Nations Report, 2008). The mission was also mandated by the UN Security Council (UN Security Council Resolution, 2008).

By 2008, only Burundi (1700) and Uganda (1500) had respected their commitment to send troops to assist in the mission which fell short of the 8,000 troops expected. Most of the other countries (Ghana, Nigeria, Malawi, Tanzania) later declined to send troops to Somalia. By 2011, there were about 12,000 in Somalia, mostly from Uganda and Burundi. In February 2012, the UNSC approved a decision to boost the troops from 12,000 to 17,000, following recent successes against Al Shabaab fighters (African Union Report, 2009). There have been over 14 international peace conferences held in different cities and at different times. Five of these (Djibouti 1991, Addis Ababa 1993, Cairo 1997, Arta 2000, and Eldoret/Mpegati 2000-2004) were the major conferences to which the international community lent its support. The last two produced some sort of peace agreement and a new government (Adar, K.G. and Nyuot Yoh, 2006). The Arta Peace Conference of 2000 led to the formation of a 245 seat Transitional National Assembly (TNA), members enacted the Transitional National Charter (TNC). The TNA elected a president who headed the transitional government and appointed a prime minister. However, this peace agreement did not last for long (Adar, K.G. and Nyuot Yoh, 2006). The Eldoret/Mpegati (2002-2004) seemed in the beginning to have brought some hope for the formation of a government and a stable Somalia. This was not the case later on. Evidence became clear that it was another unsuccessful attempt at forming a government of national unity. This is because it failed to form

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a broad-based power sharing government. There were security concerns and the TFG depended so much on the backing of Ethiopia. In December 2007, the Director of Security, Sheikh Qasim Ibrahim Nur announced that 80% of the country was outside the control of the TFG (Adar, K.G. and Nyuot Yoh, 2006).

The London Conference of 2012, attended by fifty-five delegates from Somalia and the international community, looked from the onset like another failed attempt to find a solution. This is because a short programme was dedicated to discussions on the wide-ranging issues plaguing Somalia. The installation of a functioning government which is the main issue was not discussed. Calls were made for the respect of human rights but did not state what kind of actions. The determination to eradicate piracy and its causes was reiterated. However, much was not said on how to go about it leaving the pirates to continue to collect ransoms from ships and capture hostages. This is because the causes were not dealt with (BBC News, 2012).

A second London Conference was held in the United Kingdom in May 2013 but with mixed feelings at the end. There was clearly no full coherence or agreement (BBC Analysis, 2013).

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CHAPTER FOUR

CONCLUSION AND RECOMMENDATIONS

4.1 CONCLUSION

The conflict that decimated Somalia and other African States not only caused the death of millions of civilians and the displacement of millions more, but also the destruction of the social, cultural, economic and political structures that held these states together. Conflicts compromise the ability of African states to perform their sovereign responsibilities. The end of the cold war brought to light many of the unresolved and deep-rooted nationality and ethnic disputes that were submerged during the cold war competition. Fragile at independence in their structure, nature and competition, many of these states collapsed or found themselves politically, socially and economically unstable.

The situation in Somalia is a very complicated one with too many factions having interests which have made peace settlements difficult. As highlighted in the background, Somalia is one of the countries in the Horn of Africa, a region with a very difficult climatic condition with little or no rainfall for most of the year. This has made the situation a difficult one forcing most Somalis to constantly be on the move. Somalia has so many factions with territorial claims which is one of the reasons cited for the difficulty in finding a lasting solution to the problem. Ideological and religious differences with either side not willing to compromise, hatred amongst the different tribes caused by the manipulation of Siad Barre before the disintegration of Somalia, the high crime waves including piracy and the constant intervention in Somalia by its neighbouring countries and other countries outside the horn of Africa has made the situation in Somalia a difficult one to resolve.

The study presented the process that culminated in the collapse of the State of Somalia and how piracy rose as a result. Somalia is still a dysfunctional state incapable of adequately performing most of the tasks expected of a state. No sovereign state in modern history has remained in a collapsed situation as long as Somalia. The situation in Somalia has produced extensive human suffering which includes but not limited to loss of lives, displacement and total breakdown of legitimate economic activity. Piracy brought much income but with the absence of banks and other financial institutions, the money could not lead to the much needed investments or

improvement in the economy. The absence of a functioning government with effective control over the whole territory makes it difficult to focus on economic development.

Insecurity is still a major problem in Somalia. Al Shabaab may have lost their key strategic areas but this does not mean that they have been totally defeated. Worthy of note is the fact that, there was never a real battle. They deliberately decided to strategically leave their areas like the port of Kismayo and are now operating from their hideouts. This makes the situation difficult because the African Union forces, together with the forces of the new government, have to deal with an enemy they do not see. The free flow of weapons makes this situation even worse.

Piracy may have been reduced but will always find a way to crawl back. Besides, the reduction is also as a result of the fact that incidents of piracy are under reported. Pirates still make unsuccessful attempts to hijack ships because the main causes of piracy which is state failure, has not been dealt with. The use of naval ships has also contributed to the reduction of piracy in Somali waters. Besides, maintaining the ships in the waters is becoming very costly for many governments. All measures that have been taken so far have been welcomed. This include, the passing of UNSC resolutions, measures taken by ship owners to reinforce security on the ships and patrolling the waters. However, the main problem is on land which is the putting in place of a strong government with control over the whole territory and good institutions capable of designing and implementing good policies to win the confidence of the people.

4.2 RECOMMENDATIONS

In the absence of a functioning government, Somalia has become a fractionalised state. Numerous factions have laid claim to portions of the territory. Each faction has established its own government in the form of an organised structure with substantial capacity to impart violence. It will certainly be difficult to convince Somaliland, Puntland and others including the warlords to merge with Somalia. Thus, since this is difficult, the study recommends the formation of a federal state with reasonable autonomy and a central government in Mogadishu. The federal states will be answerable to the government in Mogadishu which will ensure the creation of strong institutions to ensure that good policies are in place to ensure service delivery. This will assist in taking care of some economic aspects which led to piracy, for instance, unemployment.

The ships patrolling Somali waters should ensure that foreign vessels do no fish in Somali waters and also guard against the illegal dumping of waste in Somali waters. This calls for strong coastal guards to be put in place to patrol Somali waters.

The problem of piracy should be regionalised. All the regional countries should be implicated in the fight against piracy. Fighting piracy is not easy, especially for a country that has been without a government for a very long time. Regional countries and the international community need to be more active to assist Somalia fight against piracy. The movement of the UN mission into Somalia is a good sign. It will assist Somalia in the reconstruction of the country such as in security sector reforms, good governance and respect of human rights. This will assist in the restoration of the legitimacy of the government.

Piracy should also be discouraged through the creation of employment for most of the youth who turn to piracy because they have little or no other activity to rely on for living. This will deter other from wanting to be pirates. Beside, the judicial system needs to be improved upon to prosecute pirates.

The situation in Somalia may be complicated but not impossible in finding a long lasting solution. To achieve this, the people of Somalia must engage in building institutions that create conditions for peace for all the different tribes. This will make its people to engage in productive activities. In order to defeat any threats of piracy reemerging, policies must be consistent on and offshore. It also requires a common understanding and a multinational effort to be taken against them. More importantly, extirpating terrorism and piracy at sea will only be possible when the factors that give rise to them are properly addressed. This necessitates a long-term strategy aimed at ending corruption and strengthening the institutions of nations where terrorism and piracy flourish. It is a global endeavour that requires global cooperation to resolve.