

*The Last Vestiges of Statehood: Failed States and the Groups
that Work Within Them¹*

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Introduction

This article examines the persistence of insecurities within Somalia through the development of terrorist organizations such as Al-Shabaab. Therefore, specific attention will be given to the question: *How has Al-Shabaab used the internal social environment present after the collapse of Somalia to their advantage in order to accumulate and project power within Somalia and throughout the Horn of Africa?* Particular emphasis is placed upon the perception that, as a failed state, Somalia has the potential to serve as a launching point for indigenous terrorist activity within neighbouring states. Al-Shabaab has been known to do exactly that. They have explicitly orchestrated attacks in countries such as Uganda and Kenya in protest of their respective military interventions in Somalia. This issue warrants further exploration, as the majority of the literature discussing the

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success of terrorist networks is contingent on the existence of some form of state structure, which terrorist groups can manipulate to achieve their own political goals. However, the intention here is to argue that this is not a universally applicable rule. Somalia presents a unique case; Al-Shabaab has been able to successfully execute international attacks, while consolidating its core operative and organizational capabilities within Somalia, thereby establishing itself as a domestic operation with minimal external interference. While Al-Shabaab's command-system remains domestically oriented, the capacity to execute international operations has been maintained through the support fostered within the sociocultural confines of the Somali clan-based and religious institutions. While international support may be communicated by organizations such as Al-Qaeda, this thesis maintains that such connections serve mainly as a source of international recognition and as an extension of organizational legitimacy.

This article is broken down into several key sections. To begin, it is important to conceptually establish and define the criteria and parameters used to analyze the relationships between 'failed states,' terrorist operations and insurgency warfare within the unique context of Somalia. Furthermore, express attention is paid to the sociocultural nuances generated by Somali society's pervasive clan structure as well as to the influence of Islam in shaping events and informing actions within Somalia. These elements will be situated within the historical context of Somalia, including the incremental expansion of conflict since the dissolution of the Barre regime in 1991. Subsequent sections focus on Al-Shabaab and its relationship to the presence of the African Union Mission in Somalia (AMISOM). It is argued that the relationship that has developed is unique due to the delicate balancing act that has been achieved by Al-Shabaab in the variety of violence it employs to achieve political goals in different theatres of action. This hinges on the fact that Al-Shabaab has been predominantly pushed into rural areas through their ongoing battle with AMISOM forces. Despite this, they have managed to execute key attacks both within Somalia and abroad in an effort to paint the intervention of foreign forces on Somali soil as a 'national embarrassment'

and further legitimize their belief that the Somali Federal Government is illegitimate and unfit to govern or claim sovereignty over any part of Somalia or its population.²

The following sections clarify and develop several key concepts. First, the discussion examines what constitutes a 'failed state' within the context of the contemporary international system. This provides a clear explanation of why Somalia fits within such a model. Then, an overview of the Somali clan structure shapes the subsequent analysis of the term 'terrorist organization' and how clan-based political affiliations have shaped the development of modern militant opposition groups, such as Al-Shabaab. The term 'terrorist organization' will be scrutinized to assess the degree to which Al-Shabaab fits within generally accepted concepts of the applicable academic literature. Similarly, an assessment of the U.S. State Department's definition of a 'Foreign Terrorist Organization' (FTO) will be employed to gauge whether or not such a conception is appropriate when discussing Al-Shabaab, given the balance it has achieved between integration into domestic Somali sociocultural constructs and maintenance of international operational capabilities. A thorough comparison between FTOs and insurgencies is then undertaken in order to understand the unique context of Al-Shabaab in Somalia.

Defining State Failure

The concept of state failure has permeated popular academic literature, especially through the annual publication of *Foreign Policy* magazine's fragile states index,³ as compiled by the *Fund for Peace* organization. The general methodology of this list focuses on several key areas of analysis. There are 12 empirical indicators that are incorporated into the evaluation of state failure which measure social, economic, political, and military influences on state capacity. These include: demographic pressures, refugees and internally displaced persons, group grievances, human flight and brain drain, uneven economic development, poverty and economic decline, state

² Hamza Mohamed, "Somalia's al-Shabaab Vows to Make Comeback," *Al-Jazeera*, 24 February 2014, <http://www.aljazeera.com/news/africa/2014/02/somalia-al-shabab-group-vows-comeback-20142248557425260.html> (accessed 23 March 2014).

³ Formerly the 'Failed States Index' - Which Somalia topped from 2008-2013, and ranked second in 2014.

legitimacy, public services, human rights and rule of law, security apparatus, factionalized elites, and external military interventions.⁴

Robert Rotberg contends that state governments must uphold their tacit commitments to their population in order to maintain their legitimacy.⁵ Broadly speaking, states are expected to:

...manipulate external forces and influences, champion the local or particular concerns of their adherents, and mediate between the constraints and challenges of the international arena and the dynamism of their own internal economic, political, and social realities.⁶

State performance can differ across the various matrices mentioned above. In addition to the disparities in performance capabilities, the relative importance of each of these dimensions may not be internationally homogenous. The various relationships between states and society breed unique internal political and strategic cultures. Such unique factors will inherently alter the needs of one state over those of another. Therefore, it may be deceiving to ascribe a homogenous rubric to evaluate state successes or failures. Yet, regardless of the unique internal conditions and notions of what is important to the overall functionality of the state, one factor maintains a significant degree of relevance across the international community. Rotberg, writing on this topic, suggests that the provision of security, both at the individual and state level, is the greatest test of integrity for a sovereign political entity.⁷

Security assumes a paramount position within the measurement of state strength. However, security may manifest itself in several forms. For the purposes of this analysis, security will be assessed at various levels. First, at the most basic level is human or personal security concerns; second, is the assertion of the territorial integrity of the state. Rotberg reiterated that this dual and fluid conception of security changes depending on the respective level of analysis. Rotberg further explained this when he wrote:

⁴ ---, "The Indicators," *Fund For Peace*, <http://ffp.statesindex.org/indicators> (accessed 6 April 2014).

⁵ Robert I. Rotberg, *When States Fail: Causes and Consequences* (Princeton: Princeton University Press, 2004), p. 3.

⁶ *Ibid.*, p. 2.

⁷ Rotberg (2004), p. 3.

The state's prime function is to provide that political good of security – to prevent cross-border invasions and infiltrations, and loss of territory; to eliminate domestic threats to or attacks upon the national order and social structure; to prevent crime and any related dangers to domestic human security; and to enable citizens to resolve their differences with the state and with their fellow inhabitants without recourse to arms or other forms of physical coercion.⁸

The primacy of security, therefore, becomes apparent through its vital role in ensuring the perpetuation of the state as a strong and coherent entity. Security, if not ensured by the state, allows all other markers of state strength to become irrelevant.⁹ This implies that economic, political, and social infrastructure, while important to ensure a functional society, assumes a subordinate position to state and human security.¹⁰

Before slipping into a state of total collapse, a failed state may retain only a small remnant of its former state infrastructure; typically this remaining fragment is the political executive.¹¹ Such circumstances manifest themselves incrementally. Lyons and Samatar equated this process with that of a degenerative disease.¹² Although failing and/or collapsing states share the common trend of a slow progression towards failure, the manifestations of such failure may differ. Each state possesses unique political, economic, and sociocultural elements to their overall structure. Therefore, in some circumstances it is possible to conceive of a state's economic infrastructure imploding, while its political structure remains intact, or vice-versa.¹³

The transition from failure to total collapse is not a common phenomenon for states in the contemporary international system. The vacuum of authority that leads to such conditions of collapse causes the state to become a reflection of its former existence. In other words, it becomes a hollow cartographic expression. In this context,

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid., p. 5.

¹¹ Ibid., p. 7.

¹² Terrence Lyons and Ahmed I. Samatar, *Somalia: State Collapse, Multilateral Intervention, and Strategies for Political Reconstruction* (Washington D.C: The Brookings Institute, 1995), p. 1.

¹³ Ibid.

no vital public goods are provided to the general population, thereby allowing sub-state actors to assume paramount positions of authority within a failed state.¹⁴ The authority claimed by the government may only be an overstretched assumption while, in reality as one moves away from the government's epicenter of power, the less centralized control becomes.

Paramilitary, terrorist, or insurrectionary groups may serve as the main providers of security and authority in such outlying areas.¹⁵ Sub-state actors remain capable of posing a significant and credible threat to central governing authorities.¹⁶ As the competition from such groups intensifies and state capabilities dwindle, the existing central government may resort to increasingly militarized responses to the insecurities generated by competition over resources and territory. The government will also be forced to mitigate growing discontent with its efforts to maintain order.¹⁷

Ranking such criteria along a continuum, such as the 'failed states index,' while useful for conceptualizing the relative capabilities of states within the international system, is problematic due to the index's inherently positional, rather than definitional nature.¹⁸ The problem lies in its ability to generate a juxtaposition of capabilities between states. States within the contemporary international system possess asymmetric capabilities; therefore, imposing a homogenous set of criteria for measuring state failure is an inherently imperfect system. However, within the context of the post-Cold War international environment, the concept of state failure has become ingrained within existing international institutions. By doing so, approaches to international development and international interventions in what are perceived as 'failed states' are inherently shaped by this framework.¹⁹

Dan Halvorson discussed the shortsightedness of the reliance on international institutions when he wrote, "it has become an article of faith that state failure represents a failure of governance, and that appropriate institutional promotion can therefore 'fix'

¹⁴ Rotberg (2004), p. 10.

¹⁵ Robert D. Kaplan, "The Coming Anarchy," *The Atlantic Monthly* 273, no. 2 (1994): p. 46.

¹⁶ *Ibid.*, p. 45.

¹⁷ Lyons and Samatar, p. 2.

¹⁸ Dan Halvorson, *States of Disorder: Understanding State Failure and Intervention in the Periphery* (Abingdon: Ashgate Publishing Group, 2013), p. 14.

¹⁹ Halvorson, p. 18.

failed states.”²⁰ This is typically a counter-productive measure. The pathologies of state failure tend to emerge out of the incongruent relationship between domestic realities (via local power dynamics and/or culturally based institutions or norms) and externally imposed institutions.²¹ The European Union’s (EU) initial ‘Security Strategy’ explicitly contributed such instances of state failure to bad governance, as manifested through corruption, the abuse of power, weak institutional capacity, and a lack of accountability.²² Problems arise from this approach to state failure as it prescribes a homogenous and standard set of tools with which the international community can attempt to rectify perceived state failure. This problem is wholly relevant to this paper’s analysis of terrorist activity within Somalia.

To address this relevancy, it is worthwhile to address how the ‘Failed States Index’ describes the contemporary situation in Somalia. Since the inception of this index, Somalia has been considered the ‘quintessential’ example of state failure.²³ This is evident as they cite the lack of political integrity within Somalia, as two regions in the north (Somaliland and Puntland) have established self-governing semi-autonomous regions within the area of greater Somalia.²⁴ Furthermore, the Federal Government in Mogadishu receives the support of the international community, yet lacks the ability to exert control over the territory it claims without the military support of the AMISOM security forces.²⁵

According to Rotberg, state failure cannot generally take root within a given society without a precedent of disunity.²⁶ Somalia, throughout the 1980s, exhibited such a scenario. After the 1977 Ogaden War with Ethiopia, President Barre abandoned his former efforts to eliminate ‘clanism’ from Somali society. His initial efforts to consolidate Somalia’s social structure into a cohesive whole possessed the potential to eventually break down inter-clan divisions within Somalia. However, Barre’s approach

²⁰ Ibid.

²¹ Ibid., p. 20.

²² Ibid.

²³ Felipe Umaña, “The Recovery of Somalia: Check Back with us Again Next Year,” *Fund For Peace*, <http://library.fundforpeace.org/fsi13-somalia> (accessed 6 April 2014).

²⁴ Ibid.

²⁵ David Shinn, “Al-Shabaab’s Foreign Threat to Somalia,” *Orbis* 55, no. 2 (2011): p. 203.

²⁶ Rotberg (2004), p. 5.

changed significantly after Somalia's decisive defeat by the Ethiopians with the formal support of the Soviet Union and Cuba.²⁷ Barre began to consolidate authoritative power along clan lines, particularly amongst those to which he, his family, and close followers belonged. By doing so throughout the 1980s, his regime inherently ostracized minority clans and expedited inter-group tensions, which eventually exploded into full-scale civil war.²⁸ Thus, Somalia was set upon the track towards state failure, this scenario correlating with the above notions put forward by Rotberg that preexisting internal fractures must exist in order to propagate the necessary conditions for state failure and collapse.

Internal Political Realities and Clan Structure

Political life can exist outside of the basic state structure. This is a core concept to consider when addressing the nature of political life within a failed state. In this context, political life refers to both the formal and informal manifestations of public organization that provide essential and non-essential services to the population. Non-state actors may prove to be capable of stepping into the void left by the absence of an official government, and provide basic services to the general population, thereby gaining popular support and/or tacit approval to operate within their community.²⁹ Somalia's clan system serves as an organizational mechanism for Somali society. Oftentimes, clan-based affiliations have served as a major source of destabilization for institutionalized central government in Somalia,³⁰ and arguably perpetuated the violence of clan-based militias throughout the 1990s.³¹

²⁷ The Soviet Union provided a strategic airlift that brought munitions and troops of both Soviet and Cuban origin to the Ethiopian war effort. Approximately 17,000 Cuban military personnel were deployed to the region in November 1977. Jeffrey A. Leebvre, *Arms for the Horn: U.S. Security Policy in Ethiopia and Somalia 1953-1991* (Pittsburgh: University of Pittsburgh Press, 1991), p. 177.

²⁸ Robert G. Patman, *Strategic Shortfall: The Somalia Syndrome and the March to 9/11* (Santa Barbara: ABC-CLIO, 2010), p. 9.

²⁹ Simon Chesterman, Michael Ignatieff, and Ramesh Thakur, *Making States Work: State Failure and the Crisis of Governance* (Tokyo: United Nations University Press, 2005), p. 1.

³⁰ Ken Menkhaus and Terrence Lyons, "What Are the Lessons to be Learned From Somalia," *CSIS Africa Notes*, (Washington D.C: Center for Strategic and International Studies, 1993), p. 2.

³¹ James Ferguson, *The World's Most Dangerous Place: Inside the Outlaw State of Somalia* (Philadelphia: Da Capo Press, 2013), p. 17.

After the removal of President Barre, governance devolved into competition for power based on clan and sub-clan divisions. Particularly, this division occurred between General Mohamed Farah Aideed and the self-proclaimed, President Ali Mahdi Mohammed.³² This rivalry was central to the initial collapse of the state. Clans and sub-clans were pitted against one another in an open competition for control of territory and resources.³³

Throughout the Somali civil war of the 1980s, the northern Isaaq and Marjerteen clans found themselves the main targets of the Barre regime's oppression.³⁴ These circumstances were perpetuated because of the aforementioned institutionalized clan based discrimination of the regime. This led to the declaration of independence by the two northern regions of Somaliland and Puntland and their subsequent status as semi-autonomous regions within what is still considered geographically as Somalia. The contribution of the Barre regime to substantial internal fractures, particularly those framed by Somalia's clan structure, has largely prevented the development of a cohesive and centralized government in Mogadishu. The devolution of greater Somalia into various semi-autonomous zones partially satisfies Rotberg's aforementioned criteria for the state's environment prior to its collapse.

Despite not being recognized by the international community, Somaliland and Puntland have established themselves as relatively strong and stable entities in the region through the implementation of informal state structures.³⁵ However, these semi-autonomous regions have not faced the same level of threat posed by terrorist organizations as their south-central counterparts.³⁶ The significance of this differentiated experience with terrorism is important to understand the central argument of this paper; that parasitic non-state entities (like Al-Shabaab) are capable of implementing informal methods of organization under conditions of state failure. This point has often been disputed within academic circles discussing state failure/collapse. Menkhaus (2003) has directly addressed this opposing viewpoint by arguing that

³² "Somalia: Clan Factionalism," *Oxford Analytical Daily Brief Service* (Oxford: Oxford Analytica Ltd., 1993).

³³ *Ibid.*, p. 3.

³⁴ Patman, p. 9.

³⁵ Robert I. Rotberg, ed., *Battling Terrorism in the Horn of Africa* (Washington D.C: The Brookings Institution Press, 2005), p. 10.

³⁶ *Ibid.*

'quasi-states' – those with some limited capacity for the provision of security and services – are more likely to facilitate cohesive terror networks than cases of complete state collapse.³⁷ Menkhaus challenges the nature and quality of 'sovereignty' in the case of failed/collapsed states. He believes that they are in fact more susceptible to third-party intervention or policing. Intervention along these lines is thought to generate an unfavourable environment for terrorist organizations to operate and build capacity.³⁸

James Piazza contends that this ability emerges from the poor extension of authority to all areas of the state, which in turn leads to higher rates of recruitment within the general population.³⁹ Furthermore, he contends, the perception of sovereignty at the international level may deter and limit foreign intervention and policing operations within failed and failing states. This paper contends that Somalia, as an example of total state collapse, at times lacked any legitimate expression of sovereignty thereby providing terrorist groups with the opportunity to find alternative methods of organization, with limited external or internal policing interference.

From Courts to Transitional Government and Radical Opposition

This section examines the transition in Somalia from a loose aggregation of Islamic court systems built along clan affiliations to the amalgamation of territory under the control of Al-Shabaab militants.⁴⁰ The most extreme variants of Islam are rooted in recent history, through the brutal oppression perpetrated by Siad Barre's waning regime throughout the 1980s. Barre feared the growing Islamist movement in Somalia. Islamist, in this context, is defined as:

...those groups that seek the establishment of an Islamic state...Islamism is a set of political ideologies that hold that Islam is not only a religion, but

³⁷ Ken Menkhaus, "Quasi-States, Nation-Building, and Terrorist Safe Havens," *Journal of Conflict Studies* 23, no. 2 (2003), p. 7.

³⁸ James A. Piazza, "Incubators of Terror: Do Failed and Failing States Promote Transnational Terrorism?," *International Studies Quarterly* 52, no. 3 (2008), p. 472.

³⁹ *Ibid.*, p. 471.

⁴⁰ The population of Somalia is homogenous in its ethnic composition, meaning that they are unified by a common cultural and linguistic heritage. Additionally, the shared ethnic identity is further unified by a common religion; over 90% of the population is Sunni Muslim. Nina J. Fitzgerald, ed., *Somalia: Issues, History and Bibliography* (New York: Nova Science Publishers, Inc., 2002), p. 47.

also a political system that governs the legal, economic and social imperatives of the state according to its interpretation of Islamic [Shari' a] Law...based on the Koran, other revered texts and Islamic Tradition of jurisprudence – be the basis for regulating public and some private aspects of life.⁴¹

The fear of such a movement's ability to undermine and discredit the increasingly contested regime fueled the brutal repression of religious figures in Somalia. The repression of such groups throughout this era, allowed for clan-based warlord factions to reign supreme throughout the 1990s and early 2000s.

Warlords assumed a position of importance in the period after President Barre's fall from power; these competing groups became the sole source of authority throughout vast swaths of Somalia. However, the reign of such groups lasted only until 2006.⁴² The Islamic Courts Union (ICU) replaced the militant warlords, and was able to return some degree of order to Somalia, albeit under the auspices of Islamic Shari'a Law. The ICU emerged at the beginning of the 21st Century as 11 clan-based courts amalgamated to form *Al-Ittihad Mahakem Al-Islamiya* which became better known as the ICU.⁴³ The general population, under the de facto rule of the feuding warlord factions, had lived through "one of the world's most protracted humanitarian crises."⁴⁴ This reality motivated the Somali population to instigate and support a popular revolt against the warlords, which allowed for the military victory of the ICU. This ensured that such individuals and groups could not reassume positions of power in Somalia.⁴⁵ Having acknowledged their diminished influence over Somali society, many of the former warlord leaders lent their support to the ICU as well as their respective

⁴¹ Gregory A. Pirio, *The African Jihad: Bin Laden's Quest for the Horn of Africa* (Trenton, NJ: The Red Sea Press, Inc., 2007), p. 10.

⁴² Shaul Shay, *Somalia Between Jihad and Restoration* (London: Transaction Publishers, 2008), p. 153.

⁴³ Matthew J. Thomas, "Exposing and Exploiting Weaknesses in the Merger of Al-Qaeda and Al-Shabaab," *Small Wars & Insurgencies* 24, no. 3 (2013): p. 414.

⁴⁴ Shay, p. 153.

⁴⁵ Ibid.

'fiefdoms' were shrinking – the atmosphere created by the ICU proved conducive to profit generation for the former elites.⁴⁶

The removal of the warlord factions from power in Somalia allowed for the ICU to accomplish a feat unprecedented since the collapse of the central government: maintain stability. It is especially notable because of the high-profile failure of international multilateral efforts led by western states via the United Nations (UN) to restore order to the collapsed state.⁴⁷ Western states, after failing to effectively counter the warlords, pursued a strategy of cooperation with them in an attempt to alleviate many of the human security problems that plagued the general populace.⁴⁸ Very little was done to mitigate the roots of the problems in Somalia. The perpetual insecurities within this structure explain why the public became strong supporters of the ICU, as it became an avenue to law and order.⁴⁹

The ICU imposed harsh punishments on criminals under their Shari'a Law court systems.⁵⁰ For example, "they sentenced rapists to death by stoning and [ordered] drug users to be lashed."⁵¹ Additionally, the ICU's militias were expected to adhere to strict disciplinary practices, which had been unfathomable under a state of internal anarchy.⁵² While, these courts imposed harsh consequences and a strict code of ethics upon the population, it must be questioned whether or not structure, in any shape or form, is inherently better than the anarchy that Somalia had experienced since the fall of Siad Barre.

The propagation of an Islamic governance structure throughout much of Somalia was not perceived in a favourable light by the neighbouring government in Ethiopia.⁵³ In 2006, Ethiopia invaded Somalia with the specific intention to eliminate the ICU's influence over formal and informal political life. The Ethiopian government supported

⁴⁶ Stig Jarle Hansen, *Al-Shabaab in Somalia: The History and Ideology of a Militant Islamist Group, 2005-2012* (New York: Oxford University Press, 2013), p. 23.

⁴⁷ Shay, p. 153.

⁴⁸ Ibid.

⁴⁹ Hansen, p. 23.

⁵⁰ Shay, p. 153.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Paul D. Williams, "AMISOM's Five Challenges," *CSIS: Center for Strategic & International Studies*, (Washington D.C.: Center for Strategic and International Studies, 2009), p. 1.

the installation of the internationally backed Transitional Federal Government (TFG) in Mogadishu. They perceived the Islamist threat to be the main factor preventing the success of a friendly government in Somalia.⁵⁴ Initially, the Ethiopian effort was focused on ICU and their Shari'a based judiciary.⁵⁵ Foreign intervention did little to alleviate civil strife within Somalia; the majority of Somalis merely saw the TFG as one more party feuding for control over south-central Somalia.⁵⁶ Therefore, it is fair to assume that the general approval of the Somali population was not contingent on the success of an Islamist government. The decisive factor however, was the group's ability to successfully achieve order where so many others had failed to do so, thereby allowing the ICU to garner broad approval despite the stringent application of Shari' a Law.

The notion that the TFG was just another militarized party with Ethiopian support bred skepticism. The TFG required outside support in order to prevent itself from crumbling. The TFG made use of a '4.5 formula' set up by its predecessor – the Transitional National Government (TNG) in 2000. This formula was meant to fairly distribute political representation in the transitional parliament amongst the four major clan groupings.⁵⁷ Pre-existing clan rivalries persisted despite the reconciliation rhetoric that sought to maintain that no single clan family was inherently superior to the others. The most pertinent division for this paper is that between the Darod, as represented by former TFG President Yusuf and the burgeoning Hawiye opposition, that viewed him as contemporary warlord vying for control of Somalia.⁵⁸ A sub-clan of the Hawiye, the Ayr formed the large portion of the ICU opposition to the TFG as well as the emerging militant force of Al-Shabaab.⁵⁹ While, clan-based divisions are one of many factors – they have served as a jumping point for opposition movements that have also adopting the rhetoric of nationalism (often directed against Ethiopia) and radical Islamism. The persistence of such internal divisions has made it difficult to maintain control over its security forces without external support.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ International Crisis Group, "Somalia: To Move Beyond The Failed State," *Africa Report No. 147*, p. 3.

⁵⁸ Ibid., p. 4.

⁵⁹ Ibid.

Terrorist Activity, Terrorist Organizations, and Insurgencies: Domestic vs. Foreign Operations

Regardless of Al-Shabaab's clan-based affiliations, their ambitions tended to cause friction within the broad organizational structure of the ICU. Having brought a semblance of order to parts of Somalia that had not experienced it for more than two decades, a divergence in ambitions emerged.⁶⁰ The more politically oriented wing of the ICU sought to become a more pragmatic governing authority; meanwhile Al-Shabaab called for an alternate approach. They hoped to maintain a strong militant orientation within the ICU; militarized jihadi strategies were employed to further their ideology within the organization.⁶¹

Al-Shabaab has attempted to legitimize their militant operations by labeling the United Nations, AMISOM, as well as the militaries of Uganda, Kenya and Ethiopia as the perpetrators of external aggression against the Somali people and Islam. Al-Shabaab did not break away from the crowd and establish themselves as a cohesive and independent group within Somalia until after the Ethiopian invasion of Somalia in 2006 to quell the perceived growth of Islamist influence of the ICU.⁶² At the height of the organization's power, Al-Shabaab was estimated to possess an annual operating budget of approximately \$70-100 million.⁶³ These funds were amassed through illicit channels such as bribes and kickbacks, as well as the extortion of locals through roadside checkpoints and taxation. Further funds were gathered through sea-based trade and the siphoning of funds through humanitarian organizations in Somalia as well as the semi-autonomous regions of Somaliland and Puntland.⁶⁴

To further unpack this argument, one must discuss the phrase 'terrorist activity' and how it fits with the definition of a 'terrorist organization.' Once these concepts are effectively established they will be compared and contrasted with insurrectionary movements. Each of these will be further explained through the case study of Al-Shabaab in Somalia. 'Terrorist activities' is defined here as the planning and/or execution of organized militant actions by non-state actors, with the intent of achieving

⁶⁰ Thomas, p. 414.

⁶¹ Thomas, p. 414.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

a political goal. In the context of Somalia, the political goal of Al-Shabaab, an organization that has been perceived as “foreign terrorist organization” by western states, has been the establishment of an Islamic state in Somalia. Using this term is relevant because it allows for the planning process to be included and thereby accounts for the act of conspiring to engage in terrorism.

Alternatively, it is much more difficult to conceptualize a general definition of ‘terrorist organizations.’ This is due to the divergence between domestic and foreign organizations. In terms of the designation of a ‘foreign terrorist organization’ (FTO), the U.S. State Department breaks this designation down into three criteria. The first is that the organization must be foreign and international in scope; second, the organization must either engage in, or retain the “capability and intent to engage in terrorist activity or terrorism.”⁶⁵ Therefore, groups that either support or engage directly in terrorist plots may be designated as such. The final criteria hinges on the existence of an existential threat to the United States or its interests.⁶⁶ The application of this designation is an effective analytical tool if one is examining an extraterritorial organization and assessing it within the framework of one’s own interests. As such, the United States designation of Al-Shabaab as a FTO is wholly appropriate. However, if the same organization were to be analyzed from the domestic Somali perspective, it becomes much less foreign and more intensely localized. Despite this, there are many common themes tying together the ‘foreign’ and ‘domestic’ perspectives on ‘terrorist organizations’. The most pervasive of which is the maintenance of both capabilities and intent to engage in terrorist activities.

The third criterion maintains that state interests remain relevant to the discussion of terrorist organizations. However the way such interests are manifested will vary depending on the social, political, and cultural specificities of different states. Therefore, the U.S. definition of an FTO is broadly applicable on a conceptual level. Al-Shabaab maintains, despite its relatively weakened state vis à vis AMISOM forces, the ability to execute attacks on foreign targets in order to achieve internal political goals. This implies that the United States, along with those countries party to AMISOM can

⁶⁵ United States State Department, “Foreign Terrorist Organizations,” 28 September 2012, <http://www.state.gov/j/ct/rls/other/des/123085.htm> (accessed 20 March 2014).

⁶⁶ Ibid.

effectively consider Al-Shabaab to be an FTO. Furthermore, Al-Shabaab's maintenance of a loose connection with Al-Qaeda and its global network has exacerbated the perception of this group as a source of transnational terrorism.⁶⁷

The relationship can be defined as loose due to its reliance on the connections between elite members of each organization. Furthermore, Al-Qaeda's initial attempt to establish a stronghold inside Somalia (1992-2006) failed partially due to the unforeseen costs of operating an international network in an environment void of any substantial infrastructure, and the overestimated value that their version of jihad had to the various militias operating in Somalia at the time.⁶⁸ The network had eventually abandoned plans to operate out of Somalia, in favour of neighbouring 'weak but functional' states such as Kenya.⁶⁹ It was only after the Ethiopian invasion of 2006 and Al-Shabaab's accumulation of power from 2007 onward that former Emir, Ahmed Godane,⁷⁰ saw the opportunity to formally connect the two organizations in 2012.⁷¹ The relationship can best be equated to that of a franchisor and franchisee, as Al-Shabaab made use of monetary resources and the brand recognition that Al-Qaeda offered.⁷² Somalia's rigid clan structure increases the difficulty for outsiders, including those representing Al-Qaeda, to operate freely or anonymously in Somalia. Therefore, the affiliation between the organizations hinges mainly on their Islamist jihadi ideology, and the Al-Qaeda brand's ability to increase perceived credibility and global relevance of both organizations.⁷³

The underlying argument in this analysis is that Al-Shabaab in Somalia presents a unique case study. As such, the behaviour of Al-Shabaab shifts in a peculiar manner depending on whether it is acting domestically, or executing operations abroad. The

⁶⁷ Thomas, p. 414.

⁶⁸ Ken Menkhaus and Jacob N. Shapiro, "Non-state Actors and Failed States: Lessons from Al-Qa'ida's Experiences in the Horn of Africa," in *Ungoverned Spaces: Alternatives to State Authority in an Era of Softened Sovereignty*, edited by: Anne L. Clunan and Harold A. Trinkunas (Stanford: Stanford University Press, 2010), p. 85.

⁶⁹ Ibid.

⁷⁰ Godane was killed in a U.S. airstrike in late 2014.

⁷¹ Christopher Anzalone, "The Life and Death of Al-Shabab Leader Ahmed Godane," *CTC Sentinel* 7, no. 9 (2014): p. 21.

⁷² Roland Marchal, "A Tentative Assessment of the Somali Harakat Al-Shabaab," *Journal of East African Studies* 3, no. 3 (2009): p. 383.

⁷³ Thomas, p. 417.

organization's ability to maintain the capabilities necessary to execute terrorist attacks abroad implies that the above discussion of terrorist activities and organizations still applies. Moreover, Al-Shabaab's domestic actions, more closely resemble an insurgency. Insurrectionary actions are those that occur through the struggle between a non-ruling group (Al-Shabaab) and the recognized governing authority (the Federal Government of Somalia).⁷⁴ Furthermore, an insurgency must utilize violence in order to pursue action against such a governing authority. It may take aim against a multitude of political themes. These themes include: the political community, the political system, political authorities, as well as the policies that they have implemented and the ideologies that they represent.⁷⁵ This analysis delineates between these two terms as a way to conceptualize the relationship between Al-Shabaab's overall strategic motivations, tactics, and their targeting practices in various theatres of action. It should be acknowledged that such tactics are not mutually exclusive; however, noting the variation in the behaviours of Al-Shabaab specifically may aid in deciphering the nuanced objectives behind their individual attacks.

In the early days of Somalia's descent into collapse, its internal conditions were not conducive to the development of formal insurgency movements. After the success of the initial rebel coalition⁷⁶ that removed Siad Barre from power, the situation degraded into a state of internal anarchy. The contest for power between 16 clan and sub-clan factions meant that no single ruling political entity emerged that an organized guerrilla campaign could uniformly oppose.⁷⁷ None of the competing factions were united in their goals and were essentially vying for power within a vacuum. Definitions of these movements rely on fluid situational contexts. As noted above, the contemporary condition of Somalia involves the existence of a weak government with

⁷⁴ Bard E. O'Neil, *Insurgency & Terrorism: From Revolution to Apocalypse* (Dulles: Potomac Books Inc., 2005), p. 15.

⁷⁵ Ibid.

⁷⁶ This coalition included: The Somali Patriotic Movement in the South (SPM), the Somali National Alliance (SNA) in central Somalia, as well as the northern groups of the United Somali Congress (USC) and the Somali Democratic Alliance (SDA). Adam B. Lowther, *Americans and Asymmetric Conflict* (London: Praeger Security International, 2007), p. 105.

⁷⁷ Theodoros Dagne and Amanda Smith, "Somalia: Prospects for Peace and U.S. Involvement," in *Somalia: Issues, History and Bibliography*, edited by: Nina J. Fitzgerald (New York: Nova Science Publishers Inc., 2002), p. 2.

limited reach. The Federal Government's inability to extend its authority to the extremities of its territory allows for pockets of lawlessness to ensue. Alternatively, sub-state actors such as Al-Shabaab may impose a perverted perception of law that antagonizes the official state structure. The issue is further complicated by the presence of foreign soldiers on Somali territory.

AMISOM and Al-Shabaab: The Contest for Somalia's Future

AMISOM troops represent the vast majority of the security apparatus of the post-transitional Government in Mogadishu.⁷⁸ It is their presence which members of Al-Shabaab find most abhorrent. Al-Shabaab, depending on its theatre of action, can execute operations in either an insurgent or terrorist manner. The former occurs when the group's attacks and operations are directed against government or military targets in an asymmetrical manner within Somalia. Meanwhile, the latter circumstance may occur within neighbouring countries or internally. The target, motivation, and type of operation dictate the appropriate designation. When civilians or non-combatants are targeted abroad, it is largely to incite enough fear to alter foreign public opinion against their respective government's involvement in AMISOM operations.

Three recent examples adequately portray the different styles of violence employed by Al-Shabaab. The first two examples addressed in this section embody the 'terrorist' manifestation of violence, while the latter represents insurgency. The earliest, was a 2010 attack in Kampala, Uganda. In this instance, Al-Shabaab took advantage of the immense Somali diaspora present throughout East Africa as well as the extremely porous and sparsely policed borders in the region. The group managed to orchestrate simultaneous bombings in two crowded Kampala bars during the FIFA (Fédération Internationale de Football Association) World Cup.⁷⁹ These attacks killed 74 people, and were executed with the intention of sending the message that AMISOM troops, to which Uganda was a founding contributor, were not

⁷⁸ Shinn, p. 203.

⁷⁹ BBC World News, "Somali Militants 'Behind' Kampala World Cup Blasts," 12 July 2010, <http://www.bbc.co.uk/news/10602791> (accessed 13 April 2014).

welcome in Somalia.⁸⁰ Al-Shabaab followed this incident with a threat from Sheikh Ali Mohamud Rage that more attacks were likely if their goals were not achieved.⁸¹

The September 2013 attack on civilians inside the Westgate Mall in Nairobi, Kenya also fits within the criteria to be considered 'terrorist activity.' This particular attack left a total of 67 civilians and security personnel dead, as well as inflicted massive infrastructural damage to the Westgate Mall building.⁸² It was initially estimated that 10-15 armed assailants infiltrated the mall from several points of entry; however surveillance video footage revealed that there were a total of four assailants that entered the mall in pairs from two entry points. The militants were armed with automatic weapons and explosives.⁸³ Again, Al-Shabaab claimed responsibility for the attack, further emphasizing its anger at the presence of Kenyan troops in Somalia. In September 2013, the Kenyan military had provided approximately 4,000 troops to carry out missions in the southern regions of Somalia. These troops worked in tandem with AMISOM and Ethiopian forces to unseat Al-Shabaab from their position of authority in the region.⁸⁴ The prime targets of this operation were the non-Muslim civilians within the mall at the time of the attack. When combined with Al-Shabaab's public declaration of responsibility and their announced intentions, this clearly fits within the established framework of terrorist activity.

The 21 February 2014 attack on the presidential palace in Mogadishu, officially known as 'Villa Somalia,' displays that despite the strength of AMISOM and SNA forces within Mogadishu, Al-Shabaab has maintained capabilities within the urban areas of Somalia despite their loss of control in such areas. Mary Harper, a journalist with the British Broadcasting Corporation (BBC), interviewed an anonymous Al-Shabaab official after the attack in the capital, which killed 11 individuals.⁸⁵ This official is quoted as declaring that:

Villa Somalia is meant to be the most protected part of Mogadishu, and Mogadishu is meant to be the most protected part of Somalia...Yet we managed

⁸⁰ Ibid.

⁸¹ BBC World News, "Somali Militants 'Behind' Kampala World Cup Blasts."

⁸² BBC World News, "Nairobi Siege: How the Attack Happened," 18 October 2013 <http://www.bbc.com/news/world-africa-24189116> (accessed 13 April 2014).

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ BBC World News, "Somalia's Al-Shabaab: Striking Like Mosquitos," 25 February 2014 <http://www.bbc.com/news/world-africa-26343248> (accessed 25 February 2014).

to strike the president's house. My advice to the apostate President Hassan Sheikh Mohamud is try to protect your house and your staff before trying to protect your country.⁸⁶

This suited the needs of Al-Shabaab, as it was an attempt to undermine the authority and legitimacy of the Federal Government. The statement also invoked their inherent religious justifications in exercising jihad by declaring the government an 'apostate.' The interviewed official simultaneously emphasized that Al-Shabaab was still fully active in the region and ready to execute further attacks. This example fits within the conceptual framework of an insurgency, as there is a direct attempt to undermine the authority of the established government using violence in an asymmetric manner. The use of both religious and nationalist justifications for their actions reinforces the idea that each plays a key role in Al-Shabaab's grand strategy, despite the contentious conceptualized differentiation between international terrorism and domestic insurgency. Al-Shabaab's continued ability to plan and orchestrate attacks in neighbouring countries in such a manner expresses their sustained commitment to the employment of jihadi terrorism in order to expedite the defeat of foreign forces within Somalia. Clearly Al-Shabaab has sustained their ability to engage simultaneously in both forms of violent opposition as their needs change in various theatres.

On 12 November 2013, the United Nations Security Council (UNSC) voted unanimously to extend AMISOM's official mandate.⁸⁷ The council voted again on 24 October 2014 to extend and reaffirm this mandate until 30 November 2015.⁸⁸ These sequential mandate extensions signal that the Somali National Army (SNA) remains in need of substantial support from the international community. This is especially necessary if it is expected to assume responsibility for maintaining the government's ability to claim authority within Somalia by the end of AMISOM's mandate prior to the national elections scheduled for 2015-2016.⁸⁹ The UNSC has laid out its ambitions for the future of AMISOM. Emphasizing the growing need for military personnel, equipment,

⁸⁶ BBC World News, "Somalia's Al-Shabaab: Striking Like Mosquitos."

⁸⁷ United Nations Security Council, Resolution 2124 (2013), 12 November 2013, <https://www.un.org/News/Press/docs/2013/sc11172.doc.htm> (accessed 13 April 2014).

⁸⁸ United Nations Security Council, Resolution 2182 (2014), 24 October 2014, par. 23, <http://amisom-au.org/wp-content/uploads/2008/09/Resolution-2182-2014.pdf> (accessed 5 February 2015).

⁸⁹ United Nations Security Council, Resolution 2124 (2013).

and other resource from AMISOM and other allied states.⁹⁰ It is evident that the UN found it necessary to bolster the inter-operational capabilities of the SNA and AMISOM. This is necessary in order to facilitate capacity building and knowledge transfer between the organizations. The UNSC has explicitly noted that the failure to successfully accomplish such tasks prior to facilitating a diminution of military troop commitments or an outright exit could once again; result in the collapse of Somalia into anarchic chaos.⁹¹

The Secretary-General of the United Nations General Assembly (UNGA), Ban Ki-moon, penned a letter to the President of the UNSC on 14 October 2013 which laid out the foundations of AMISOM's aforementioned troop and mission expansion. This letter further suggested that a strong and effective military campaign was necessary to undermine Al-Shabaab forces and ensure that they were not able to expand their hold on south-central regions of Somalia, particularly the rural areas. Furthermore, he emphasized that maintaining such capabilities would prevent the group from actively, and at times forcibly, recruiting militants from the domestic Somali population.⁹² Furthermore, it must be noted that the ongoing domestic situation within Somalia between the AMISOM forces and Al-Shabaab were being referred to as an 'insurgency' by the upper echelons of the UN.⁹³ Al-Shabaab's ability to conduct asymmetrical warfare in such a manner is contingent on their ability to integrate themselves within the local population. Therefore, bolstering AMISOM capabilities has the potential to prevent recruitment, while also mitigating the risks that emerge through asymmetrical conflict. The success of such preventative measures will only be accomplished with a greater allocation of international resources to AMISOM.

Secretary-General Ban Ki-Moon, in the aforementioned letter to the Security Council, outlined exactly what his recommendations were for such an expansion of international resource allocation to AMISOM operations. He proposed an increase of the previous troop levels of 17,731 uniformed personnel with the addition of 3 infantry

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ban Ki-moon, "Letter dated 14 October 2013 From the Secretary-General Addressed to the President of the Security Council," United Nations Security Council, 2013, http://www.un.org/ga/search/view_doc.asp?symbol=S/2013/606 (accessed 14 April 2014).

⁹³ Ibid.

battalions composed of an additional 2,550 troops.⁹⁴ However, emphasis was placed on the limited time period of 18 to 24 months within which the mandate of the newly expanded mission would expire.⁹⁵ This is clearly an effort to quell the fears of UNSC member states that the potential exists for this to transform into a protracted intervention. The international community is thereby hoping to achieve decisive results through a temporary inflation of capabilities intended to further weaken and destabilize Al-Shabaab relative to the Federal Government..

The sizable increase in the presence of international personnel, via the UN and AMISOM presents a second problem. Such actions may serve to embolden a waning Al-Shabaab. While AMISOM has been able to effectively push Al-Shabaab out of the vast majority of urban areas within Somalia, many claim that the organization retains many supporters in these areas as well as in the outlying rural regions.⁹⁶ It is generally recognized that Al-Shabaab perpetuates problems within Somalia, scholars such as Ken Menkhaus contend that once again, clan and kin-based affiliations have the potential to reign supreme. Menkhaus argued that local Somalis are much more likely to support clan members.⁹⁷ This underlying sociocultural dimension thereby augments the risk posed by both recruitment as well as the potential for dormant supporters remaining in 'liberated' areas of Somalia.⁹⁸

Furthermore, an increased troop presence, while improving AMISOM's relative capabilities, also has the potential to rally more of the populace to Al-Shabaab's cause. The group is able to justify their radical Islamist ideologies through the claim that the presence of foreign military personnel on Somali soil is not only a 'national embarrassment,' but also proof that the government in Mogadishu is an apostate working to undermine Islam.⁹⁹ Al-Shabaab draws the vast majority of their perceived legitimacy from this declaration. It enables them to continue both their insurgency operations and terrorist activities at home and abroad. Once again, this emphasizes why any successful AMISOM mission will need to ensure a wholly independent SNA. If the

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ BBC World News, "Somalia's Al-Shabaab: Striking Like Mosquitos."

⁹⁷ Ken Menkhaus, 2002, "Somalia: Next Up in the War on Terrorism?" *CSIS: Africa Notes* No. 6, p. 2.

⁹⁸ Susan Schulman and Paul D. Williams, "Photo Essay: AMISOM," *The RUSI Journal* 157, no. 5 (2012): p. 34.

⁹⁹ BBC World News, "Somalia's Al-Shabaab: Striking Like Mosquitos."

governing authority is perceived to derive the entirety of its legitimacy and security capabilities from foreign sources, it is clear that the potential threat of radical responses from such groups will continue unabated.

Concluding Remarks: Assessing the Threat of 'Terrorist Activity' Within the Quintessential 'Failed State'

The above analysis of the dynamics of terrorist activity within the context of Somalia tackled the question of why terrorist activity has continued to be a prominent issue within the failed state. The complexities of this question stem from the above general discussions of failed states, 'terrorist activity', and insurgencies. Furthermore, when applied to the specific contexts of Somalia's relatively homogenous ethnic and religious population it becomes even more puzzling that terrorism has taken root as a viable option for groups such as Al-Shabaab. Within the homogenous ethnic Somali population, there exists a rigid clan based structure, founded on familial and kin relations. This sociocultural construct provides the basis for social divisions within Somalia, which are a necessary factor precluding the emergence of state failure or collapse. This analysis has aimed to show that the permeation of the clan system into the various dimensions of society, whether augmented by religious radicalism or not, has allowed for Somalia to present a unique representation of the relationship between state failure and terrorism.

While there is no doubt that Al-Shabaab has engaged in both 'terrorist activity' and armed insurgency tactics, an interesting case emerges when one examines past instances of the dissipation of terrorist organizations. This may come about in numerous ways; however, of particular relevance to this study are the circumstances of decisive defeat, and the adoption of a new modus operandi.¹⁰⁰ Terrorist activities and insurgencies are closely related in their ability to emerge out of relatively weak and

¹⁰⁰ Audrey Kurth Cronin, "How Al-Qaida Ends: The Decline and Demise of Terrorist Groups," *International Security* 31, no. 1 (2006): p. 19.

territorially based movements and their tactics begin to change as they gain strength relative to their opponents.¹⁰¹

Somalia, through Al-Shabaab has allowed for simultaneous execution of both tactical styles; variance occurs depending on the theatre and specific target of an attack. It remains unclear whether this is simply a transitional phase that facilitates a group's emergence as an organized insurrectionary movement. However, the support that the government in Mogadishu receives from the international community has caused Al-Shabaab to become comparatively weaker than the absolute military capability possessed by the Federal Government and its allies. Despite this relative disparity in capabilities, Al-Shabaab has maintained its organizational capacity in the rural regions of Somalia; further exhibiting its malleability. The group's ability to adapt depends on the location, as well as the pervasiveness of formal state institutions in such areas. It appears as though Somalia's perpetual state of internal anarchy; where the only semblance of continuous structure was sociocultural in nature, has had lasting impacts on the development of governance in the region and the actions of sub-state entities such as Al-Shabaab.

There are still many areas of Somalia where the Federal Government is unable to perform its 'prime function' of providing the "political good of security,"¹⁰² as the relative strength of non-state actors surpasses that of the government. However, the inverse is true for the urban areas under government control. This is one potential explanation for the emergence of the unique case of Somalia, where one organization consistently straddles the line between terrorist and insurgent activity in multiple operational theatres. The initial divisions that were created by clan-based animosity after the collapse of Siad Barre's government in 1991 were augmented and further militarized through fervent religiosity after the removal of the ICU in 2006.

The future of Al-Shabaab as an organization is uncertain, despite the organization's claim that their retreat from key urban holdings, such as Mogadishu and

¹⁰¹ Ibid., p. 32.

¹⁰² Rotberg (2004), p. 3.

Kismayo, were for tactical reasons.¹⁰³ It must still be questioned whether or not they will succumb to decisive defeat by the international coalition forces. The power differentials between Al-Shabaab and coalition forces are great, and appear to only be growing. The UNSC's approval of the mission's expansion until 30 November 2015 will only serve to widen the gap.¹⁰⁴ The success of such efforts will hinge on their ability to generate local capacities and capabilities of the SNA. If the international coalition is able to accomplish this task, the remnants of what popular support Al-Shabaab has retained may diminish to a point where they are no longer able to operate. This is due to the fact that Al-Shabaab has derived the majority of its legitimacy from the presence of foreign nationals on Somali soil.¹⁰⁵ If this grievance no longer exists, operations of either a terrorist or insurrectionary manner may no longer be a viable option.

Additionally, internal fractures have begun to emerge within Al-Shabaab due to disputes about the future of the organization. These have emerged along clan-based, political, and ideological lines.¹⁰⁶ Some Al-Shabaab officials have attempted to align the organization with legitimate political institutions in Somalia; however, the radical majority often silences such pragmatic individuals. This further calls into question the cohesiveness of the organization for the future. It remains clear that, since 2006, Al-Shabaab has taken advantage of the unique social, political, and cultural situation within Somalia, to engage in multi-theatre operations that have, and continue to straddle the line between terrorism and insurgency. Therefore, the threat posed by Al-Shabaab, while waning, remains credible within the context of the world's 'quintessential failed state.'

¹⁰³ CNN, "Al-Shabaab Changes Tactics, Withdraws From Somali Capital," 6 August 2011, <http://www.cnn.com/2011/WORLD/africa/08/06/somalia.forces.rebels/index.html> (accessed 14 April 2014).

¹⁰⁴ UNSC, Res. 2182 (2014), par.23.

¹⁰⁵ Shinn, p. 206.

¹⁰⁶ Thomas, p. 418.

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