

I am the Captain Now

An Investigation of Somali Piracy

Degree of Master of Science (Two Years) in Human Ecology: Culture, Power and Sustainability
30 ECTS

CPS: International Master's Programme in Human Ecology
Human Ecology Division
Department of Human Geography
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Term: Spring 2014

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Examination:	Master's thesis (two year)

Term:	Spring Term 2014
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Abstract:

What is the thread that connects all the various actors and events that contributed to the rise of piracy in Somalia? The paper addresses the evolution of Somali piracy, focusing on its emergence, since it is that transformational aspect that provides the most richly insightful perspectives. Working from Thomas, Kiser and Casebeer's *Warlords Rising: Confronting Violent Non-State Actors*, an excellent foil for understanding how violent non-state actors (VNSAs) can arise into power in various situations and circumstances, connections are made to actual events and circumstances that contributed to a rise in piracy in Somalia. Among the various sources, another inspiration for linking events, actions, and actors is *Violence at Sea: Piracy in the Age of Global Terrorism*, with its thorough information on how piracy is actually carried out and on how the UN Convention on the Law of the Sea created opportunities for piracy to flourish in incapacitated states. The main ambition of the paper is to integrate the different understandings, since they are currently generated for different purposes, of these various aspects of Somali piracy, as well as to illuminate the factors that led to this phenomenon, in addition to exploring what we can learn from these explanations and outcomes. How various states have reacted, and whether, and how, or to what extent, those responses have different impacts on the evolution of Somali piracy, will be followed by proposals to address the contributing factors of Somali piracy. This will round off the discussion.

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List of Abbreviations

BICC: Bonn International Center for Conversion
BMPs: Best management practices
CFT-151: Combined Maritime Task Forces 151
C-VNSA: Counter violent non-state actor
DDR: Disarmament, demobilization, and reintegration
EEZ: Exclusive economic zone
ETA: Euskadi Ta Askatasuna
EUNAVFOR: European Union Operation Atalanta of the European Naval Force Somalia
HSTF: High Seas Task Force
ICU: Islamic Courts Union
IMO: International Maritime Organization
IUU: Illegal, unreported, and unregulated
MOD alliance: Marahen-Ogaden-Dhulbahante alliance
NATO: North Atlantic Treaty Organization
PMPF: Puntland Maritime Police Force
SACB: Somalia Aid Coordination Body
SFG: Federal Government of Somalia
SUV: Sports utility vehicle
TCO: Transnational criminal organizations
TFG: Temporary Federal Government
TNG: Temporary National Government
UAE: United Arab Emirates
UN: United Nations
UNEP: United Nations Environment Program
UNCLOS: United Nations Convention on the Law of the Sea
UNODC: UN Office of Drugs and Crime
UNPOS: UN Political Office for Somalia
US: United States
USSR: Union of Soviet Socialist Republics
VNSA: Violent non-state actor
YOAP: Youth Organization Against Piracy

1 – Introduction

In 2005, there was a noted upsurge of piracy, or armed robbery at sea, emanating from the Somali coast. Prior to this phenomenon, several factors fused together and contributed to a tumultuous and dangerous environment where frustration rose and legitimate opportunities for stable livelihoods became scarce. Illegal fishing in Somalia's exclusive economic zone (EEZ) by foreign vessels, unlawful dumping of toxic and nuclear waste off Somalia's coast, the expansion of Somalia's already difficult to monitor national seas, and the disastrous effects of the Boxing Day Tsunami in 2004 all provided Somalia with devastating environmental and social consequences. These and other factors proved powerful and transformative, occurring in a region with a weak to nonexistent central government and a history of violence and bloodshed. This combination of factors layered obstacle over obstacle and made their impact that much more significant.

1.1 *The Research Question*

Somali pirates often label their actions as that of Somalia's Coast Guard or Navy. The closest Somali translation of the term *coast guard* is *badadinta badah*, or *saviors of the sea*, while *pirate* translates to *burcad badeed*, or *ocean robber* (Bahadur 2011). While outsiders might see their actions as those of ocean robbers, could it be that the Somali men were executing "a legitimate form of taxation levied in absentia on behalf of a defunct government that [they] represented in spirit, if not in law" (Bahadur 2011)? This is a main question I investigate in this thesis.

In this paper, I employ a human ecology approach to better understand the phenomenon of Somali piracy. I intend to identify the initial motives of the pirates, investigate what aspects of Somali culture and history have impacted the formation of Somali pirates, and understand what factors and actors contributed to this phenomenon. Furthermore, I seek to understand the nature of influence that these factors and actors have had. While other authors have written about these factors distinctly, there is no text yet that draws them all together for comprehensive analysis, which is a main reason I seek to identify the plethora of factors that contributed to the rise of Somali piracy. In order to analyze and assess how these factors and actors contributed to the emergence of the violent non-state actors (VNSAs) that have come to be known as "Somali pirates," I

implement the framework set forth in an important contribution to understanding the formation of VNSAs, *Warlords Rising: Confronting Violent Non-State Actors* (Thomas, Kiser and Casebeer 2005). Using it as a theoretical guide, I pair the text with events and actors in the context of Somalia. To borrow terminology from *Warlords Rising*, Somali pirates are a unique *species* of VNSA (2005), one that I seek to better understand. In my effort to accomplish this, I incorporate the notion of relational fields (Langlais 1995; Goldstone 2004). I use this tool to explore the transformation that occurred and also elaborate on the expansion of the tangled web of actors after the *badadinta badah* formed.

While the main aim of the text, as stated above, is to analyze the genesis of this VNSA and to identify the factors that aided in its construction, some significant relationships and actors involved in the progression of Somali piracy after the upsurge are also highlighted. I also examine the methods and actions that various governments have employed in their attempt to thwart piracy in the region. This assessment of the strategic effectiveness of counter-VNSA (C-VNSA) approaches in the short- and long-term considers what can be learned about VNSAs and C-VNSA strategy in general—especially in situations of political instability, socioeconomic despair, and environmental and social injustice.

2 – Research Methods and Description of Their Use

Because of the comprehensive nature of the research question, my research strategy consisted of collecting information from a wide range of text sources, ranging from theoretical, journalistic, and historical articles; reports, and books.

The research began with an investigation of theoretical sources. Using a human ecology approach, I explored the phenomenon of Somali piracy and how it was greatly influenced by societal relations to the environment¹, as well as by dynamics of power. Human ecology is particularly suited to a study of this nature because it supports analyzing the object of study as a complex system. I relied on the work of Garrett Hardin and Gerald

¹ By environment I refer to the physical landscape in which the Somali people live, but I also include other non-human organisms, including, for example, livestock, fish, and vegetation, in my definition.

L. Young, one of the pioneers of human ecology. Hardin says, “the science [of human ecology research] is inescapably interdisciplinary” (1986, 69); it incorporates concepts from sociology, cultural ecology, anthropology, psychology, economics, geography, and political ecology (Young 1974), and as piracy in Somalia includes issues related to each of these disciplines, but cannot be comprehensively addressed by only one of them, a human ecology approach was fitting for this research.

Starting from a human ecology foundation, I incorporate the concept of relational fields. The notion of relational fields was first developed by Richard Langlais in 1995 during his research concerning the people, region, and culture associated with Ellesmere, and in which he aimed to map Ellesmere’s relational field, or what could be referred to as the ecology of Ellesmere. What this means in a theoretical sense is that Langlais sought to incorporate an approach that was not restricted by geographic or disciplinary boundaries in order to sufficiently complete his research. Although Young did not specifically use the term “relational field,” he did indeed begin to cognize the concept in 1974. He explains, “It seems reasonable that if you can isolate ‘where’ an organism is located and determine its distributional pattern and the nature of its spatial interactions, you have proceeded quite a way forward explaining its relationship with its environment” (Young 1974, 83). He also adds that because of the globalized nature of human society and human relationships that such a study concerning humans as the organisms in question cannot be geographically restricted (1974, 83).

Langlais builds on this and explains that, “An understanding of the global interrelatedness of human activities reveals that it is increasingly difficult to separate what at first glance seem to be distinct problems from one another” (1995, 1). What this means is that in order for a phenomenon to be sufficiently studied, it must be analyzed within its own context. This includes relationships that, though seemingly unrelated to the main object of study, are in fact meaningful. This must also be considered in order for the phenomenon to be wholly understood. This is a concept that guides this research to reveal how internal and external interference has influenced the status and growth of piracy in Somalia. I also show how the history of this issue, as well as the potential resolutions, greatly involve state and non-state actors from within Somalia and around the globe. It is an interconnected and multi-faceted phenomenon involving elements of culture, power, and the environment.

Since Langlais' coining of the concept, relational fields has since been adopted by researchers in a variety of fields², most prominently those concerned with climate change, security, and mapping social realities—issues concerned with the function of networks and complex relationships that are not necessarily confined to a particular region or people. According to Langlais, issues that combine ecology or environment (or ecology and environment) with security are found in disparate locations (1995, 7), but by unifying the concepts as part of a relational field, they can be studied together. In other words, using the organizing structure of relational fields allows for “the totality of the relations that are of relevance for a study” (1995, 21) to be considered in the research—including non-state actors, as well as actors and relationships not confined to one particular region. Although this research concerns Somali pirates, there are many factors and actors inside and outside the country that have contributed to their formation, thus further supporting a relational fields approach.

Thomas, Kiser, and Casebeer's *Warlords Rising: Confronting Violent Non-State Actors* (2005) and Lehr's *Violence at Sea: Piracy in the Age of Global Terrorism* (2007) proved both theoretically and practically insightful for my research. Thomas, Kiser, and Casebeer offer a thorough understanding of VNSAs. They focus on organizing and assessing the conditions that motivate VNSAs, such as pirates. Accordingly, their text provides the theoretical framework with which I analyze Somali piracy. Thomas, Kiser, and Casebeer state that, “Five specific factors stand out in relation to VNSA formation and existence: resource scarcity, demographic pressures, socio-economic deprivation, organized crime and corruption, and pre-existing identity cleavages” (2005, 25). An identity cleavage is the, often sharp, division between individuals or groups of people. When differences (for example, between clans) exist, leaders can choose to exploit these differences for various purposes, such as recruitment.

As a complement to *Warlords Rising*, *Violence at Sea* overviews how piracy operations are carried out and includes introductions to the impacts that international governments and policy makers can have when they decide to involve themselves with maritime governance. These concepts are important for understanding the factors and actors involved in the formation of Somali piracy and for providing insight on what makes for effective or ineffective C-VNSA strategy.

² Texts such as *Forms of knowledge: A psychoanalytic study of human communication* by Anna Aragno (2008), “Learning Networks and National Response to Global Climate Change: the Case of Japan” by Jeffrey Broadbent (2009), and “Compelling intimacies: domesticity, sexuality, and agency” by Aaron Goodfellow and Sameena Mulla (2008).

In order to understand influential aspects of the genesis of piracy, this research investigates issues around Somali geography, culture, history, and politics. This information was obtained through articles from peer reviewed journals, books (those mentioned above), institutional reports³, and news accounts and interviews from news media sources based in Somalia as well as internationally. I gave special credence to texts written by dedicated researchers and current and ex-military with extensive expertise on Somalia and/or security issues in general. I also made an effort to use only Somali sources of news or news media sources from reputable international news companies, such as the BBC. The peer reviewed articles and previous research dealt primarily with piracy in Somalia, its root causes, and proposed solutions to Somali piracy, as well as theory related to human ecology and violent social movements. The result of such an approach is that “the fieldwork [is not] defined *a priori* by the actual fieldwork project [or the object of study] but rather emerges out of the ongoing data-gathering process” (Hirvi and Snellman 2012). What this means in practical terms is that my “field” was not predetermined at the outset. Instead, it was derived and demarcated from the information obtained throughout the data-gathering process. Additionally, in research such as this, where primary sources of information cannot be obtained, owing to immobility for some reason or another, the research that is gathered is filtered through the perspective of those who have produced the secondary research (Hirvi and Snellman 2012). While this does not negate the findings derived from such research, it is still important to acknowledge the limitations of such a method.

Using these same sources and approach, I obtained information regarding the history of piracy in Somalia, how piracy operations within Somalia are conducted, and the many actors involved in the illegal enterprise. Since I was unable to obtain direct first-hand information from Somali pirates, Somali residents, or ex-patriots who have encountered piracy, I have instead utilized anecdotes provided from both Somali and international news media sources. The significance of my work is that I am bringing these sources together to produce a comprehensive overview of VNSAs in general and specifically in Somalia. I do this to be able to evaluate and propose potential solutions to piracy in Somalia.

³ While I relied on the World Bank’s 2013 report on Somali piracy as a source of information regarding piracy operations, its defense of illegal international (including Western) fishermen was questionable and therefore necessitated further speculation and analysis. This will be further discussed in section 4.3.6.

3 – Theoretical Framework

The study of the rise of piracy in Somalia is perfectly suited to the field of human ecology. The complexity of the relationships of the actors involved is also suited to the concept of relational fields. In this section I elaborate on why I have chosen these specific theories and concepts as the organizing principles to apply to my text. Subsequently, in order to expand on the role and power of violent actions, I introduce the work of Goldstone on violent forms of social protests and social movements, as well as Thomas', Kiser's, and Casebeer's work (2005) on the theory and background on the formation of VNSAs.

3.1 – *Human ecology*

Human ecology involves the study and analysis of the relationship(s) between societies and the environments in which they live. With this object of study in mind, “human ecologists [tend to] think that humans should be studied as living *systems operating in complex environments*” (Richerson, Borgerhoff Mulder, and Vila 2001). In other words, it is necessary when using a human ecology approach to address the *ecology* (or *ecosystem*) of the society in question. It's an approach for incorporating such a notion and focuses on the significance and role of each “organism” within the ecosystem of study.

Since Somali piracy involves a multitude of distinct and varied issues, it could be studied with many different perspectives, however, as human ecology is a field that “interpenetrates with other fields of study” (Young 1974, 58), it can take advantage of the strengths and unique elements of other disciplines and then be applied to multi-faceted research of this nature. Additionally, it is crucial that I study the influence of culture and power dynamics with regards to this phenomenon. The additional factor of societal-environmental interconnectedness in this case is another justification for such an approach.

Human ecology researchers must understand that “[organisms] can never do merely one thing” (Hardin 1986, 69). What this means is that it is absolutely essential to acknowledge and assess the interconnectedness and dialectical nature of actors and relationships when carrying out a study—to not do so would be to ignore the element of inherent relatedness in all “ecosystems.” Studying a particular phenomenon as solitary and singular is not possible in the social-ecological world in which we live. To apply the words of

Young: “It is generally accepted that ecology [...] is a unity. But it is a unity of such complexity that one individual may be unable to comprehend its totality. In such a situation, the only available course of action is to operate upon the whole by operating upon each part” (1974, 2). By following Young’s advice and “operating upon each part,” I can determine which individual actors and which specific factors and conditions played a part in the ecology of piracy.

The phenomenon of Somali piracy is highly complex and greatly influenced by the region’s relationships to internal and external actors. One way of looking at the interaction between actors involved in the formation of Somali piracy is through the metaphor of a web, with each actor functioning within the common ecosystem. As specified by Young, “Analysis of structure and organization (of the parts, their interaction, and the pattern of their collectivity) [is] a prerequisite to understanding [...] the total group community or system” (1974, 62). As this thesis focuses on the total network, or the ecology, of Somali piracy, it is mandatory to distinguish the barriers between actors and shine light on their relationships and functions. Researching these interactions and niches allowed me to trace the cause-and-effect trail that resulted in the phenomenon of Somali piracy.

3.2 – Relational fields

It would be a mistake to consider the issue of Somali piracy as one that lies strictly within Somalia, which is why the relational field of Somali piracy must be studied. For example, consider Langlais’ own research concerning the region of Ellesmere. He writes: “there is a growing awareness in Ellesmere that many of the social, financial and environmental problems that they [the population residing there] are faced with are generated in places and by people and processes previously considered to be too far away to worry about” (Langlais 1995, 25). Similarly, while pirates did indeed emerge in the region of Somalia, the factors and actors that contributed to their development were not limited to the geographic area of Somalia itself. According to Langlais, “Security, from a perspective of human ecology, is found between the entities, the individuals, the actors, the organizations and institutions in the relations” (1995, 24). What this means in the case of Somali piracy, is that there are a variety of idiosyncrasies that need to be considered in order to understand why the country became a haven for this activity.

3.3 – Violent social movements

Goldstone's work on violent social movements also develops the relational field as an organizing structure. He explains that studying relational fields is specifically useful for tracking movements across time and space and that "such studies should aim to identify the key elements and relationships of the external relational field" (2004, 358). He writes, "accounts of individual social movements should pay attention to the group- and issue-specific characteristics of a movement's external environment, and how those elements relate to each other and to the group in shifting patterns over time" (2004, 358), and furthermore, "more detailed analysis of the specific context of individual movements is required to understand their [actors such as protesters'] dynamics, and for that, I believe it is essential to map out the full range of relationships with other actors and groups that affect their activity" (2004, 356). Given this, it is essential to question what motivates individuals or groups to mobilize and take action (against the state) especially using the means of collective violence. Goldstone elucidates that social movements often involve individuals located "outside the polity," acting as "challengers" that seek to effect change with alternative methods when they are failed by traditional political processes (2004, 335). In other words, it is non-state actors often acting out of desperation, that are eager to initiate improvements to their livelihood that the state cannot, or will not, provide and in doing so attempt to contribute to a sea-change. To put it plainly, "Social movements have most often been depicted as acting on behalf of the economically struggling or disadvantaged, seeking greater economic justice in sharing society's wealth and economic opportunities" (Goldstone 2004, 335). While some may argue against piracy as a movement, in the case of Somalia, the people had an unstable, unreliable, barely functioning government that was unable to defend itself from harm from outsiders, and even from damage from within Somalia itself. As a result, people took matters into their own hands.

3.4 – VNSA formation

Thomas⁴, Kiser⁵, and Casebeer⁶ provide insight into the process of the formation, development, and growth of VNSAs (2007). With regards to the use of collective violence,

⁴ At the time of the book's publication, Troy S. Thomas was an officer in the United States Air Force with experience in intelligence operations and defense policy. He had also previously been an Assistant Professor of Political Science at the US Air Force Academy, a Fellow with the Center for Strategic Intelligence Research, and holds an MA in Operational Studies from George Washington University—as well as from the US Marine Corps School of Advanced Warfighting. He has extensive knowledge on national security and foreign relations.

⁵ Steve Kiser was, at the time of the publication, a Major in the US Air Force and Commander of the 614th Space Intelligence Squadron. He holds MAs in Asian Politics and a PhD in Policy Analysis. He is an expert in terrorism strategy, counter-strategy, and security issues worldwide.

they explain that collective violence is not random or opportunistic, but rather “a tool to achieve goals” (2005, 9-10). They add that, “Collective violence is really an extension of collective action, which is coordinated action by members of a group in pursuit of common ends” (2005, 10). What this means from the perspective of a VNSA, is that violence serves a tactical purpose. For example, in 2005, armed Somali men from the Marahen clan “impounded” Taiwanese trawlers fishing in Somalia’s EEZ. The men demanded a fine of \$15,000 per crewmember on board the Taiwanese vessels for their illegal fishing. The Somali men urged that they were acting as the National Volunteer Coast Guard of Somalia and that the demand of such a fine was justified for the trawlers’ poaching in Somalia’s EEZ (Lehr and Lehmann 2007, 5). These men used violence as a means to (1) instill fear in the foreign poachers, (2) obtain money, and (3) deter international vessels from operating in Somalia’s EEZ. In this case, their use of collective violence, or rather the threat of collective violence, was deemed necessary to accomplish those goals.

Thomas, Kiser, and Casebeer assert that certain conditions must be present in order to create the right context for the formation of VNSAs, explaining, “mutually reinforcing factors coupled with failures of governance and identity mobilization are the most common set of conditions correlated to [VNSAs]” (2005, 25). When such conditions exist, VNSAs can be found in the form of “warlords, TCO [transnational criminal organizations], militant religious movements, ethno-political groups and ideological or interest-based groups” (Thomas, Kiser, and Casebeer 2005, 122). In the following section, I investigate and describe how the previously noted conditions contributed to the formation of the specific species of VNSA known as Somali pirates.

4 – Findings

There is a vast web of actors and events that contributed to the rise of piracy in Somalia. In this section (using the framework set forth by Thomas, Kiser, and Casebeer), I explore the events and integrate the actors whose illicit activities contributed to greater

⁶ The last author of *Warlords Rising* is Williams D. Casebeer. At the time of publication he was a Major in the US Air Force and an Air Force intelligence officer. He has an academic background in political science, philosophy, and Middle Eastern studies, with a PhD in Cognitive Science and Philosophy. Like the other authors, Casebeer is also highly experienced and knowledgeable regarding terrorism and security, as well as military ethics (Thomas, Kiser, and Casebeer 2005, 253-254).

political, environmental, and social upheaval in a region already prone to violence and instability. Somalia's cultural practices and history are reviewed in order to better understand the circumstances that invited various exploiters to commit the acts that they did, and in doing so created a situation in which piracy became a viable option for many to earn an income and exact revenge.

4.1 – Conditions for the formation of VNSAs in Somalia

There are many forms of action that social protest can take outside the state—and they can often be quite shocking to those in favor of using state channels. “Elections, legislative votes, and court decisions are quite different in their conduct and content from protest marches, demonstrations, or boycotts” (Goldstone 2004, 336), and yet piracy is even more extreme. However, those who are disadvantaged and facing financial hardships often drive social movements. These challengers seek economic justice, a share of society's fortune, and economic opportunities to be able to sustain their livelihoods (Goldstone 2004, 335), which is just what the pirates have fought for. However, becoming a VNSA often requires more prolonged periods of socioeconomic deprivation, for it is often those who have perpetually or historically felt marginalized, the ones constantly struggling to sustain themselves, that are the most likely to mobilize, especially through violent means (Goldstone 2004, 345). Additionally, in a report for the Bonn International Center for Conversion (BICC)⁷ (an independent non-profit organization that focuses on global issues of peace and conflict), Grosse-Kettler asserts that simply being unsatisfied with one's social or political situation is not enough to motivate people to carry out collective violence. Rather, those who are continually economically marginalized may seek to seize economic opportunities themselves, by any means, rather than wait for the state to offer it to them or to provide opportunities for them to obtain it through honest work (2004, 4). While this is a crucial component of the formation of VNSAs in Somalia, there are also other contributing factors. Elements such as resource scarcity, demographic pressures, and socioeconomic deprivation are reliable predictors for collective violence (Thomas, Kiser, and Casebeer 2005, 78).

In order to better understand the international security challenge that is Somali piracy—and to prepare for similar situations around the world, we must first understand how such a VNSA came to be. In my quest to map the ecology of Somali piracy and better

⁷ See more at <http://www.bicc.de/>

understand this VNSA, I have noted at least ten factors⁸ that contributed to the rise of piracy in Somalia. They are:

1. Environmental issues especially related to resource scarcity,
2. Governmental instability and a history of colonization,
3. Existing identity cleavages,
4. Subclan ties,
5. The impact of the UN Convention on the Law of the Sea,
6. Illegal fishing in Somalia's EEZ by foreigners,
7. Illegal dumping of toxic waste in Somali waters,
8. The financial lure of piracy,
9. Political corruption, and
10. Additional factors.

In the following section I give an overview of Somalia's geography, culture, and history to set the stage for understanding each of the ten factors. These factors illuminate the issues and conditions the Somali people faced that drove some of them to become pirates. By investigating this topic I hope to enable others to view Somali piracy with a deeper understanding and to begin to consider how to best improve such hostile and hazardous situations around the world now and in the future.

4.2 – Situating piracy: Somalia's geography, culture, and history

Before discussing the factors behind the rise of piracy in Somalia, it is important to contextualize the phenomenon within the country's geography, culture, and history.

4.2.1 – Somalia's geography

The officially titled Federal Republic of Somalia is located at the Horn of Africa and has one of the longest coastlines in Africa, with a total of about 3,300 kilometers (or over 1,800 miles). The shoreline is characterized by vast sections of cliffs with many areas of inshore coral reefs (World Bank Group 2013b, 136). The land itself varies between plateaus, plains, and highlands with generally dry climate (Central Intelligence Agency 2014).

⁸ There is no hierarchy or ranking of these factors.



Figure 1: Somalia is bordered by Djibouti, Ethiopia, and Kenya; its coasts encounter the Gulf of Aden and the Indian Ocean. The region of Puntland is also distinguished on this map.

This map has been made available from the Central Intelligence Agency's World Factbook (2014).

4.2.2 – Somalia's culture

Despite such an arid climate and difficult terrain, Somali people remain generally pastoral and nomadic (Lehr and Lehmann 2007, 8). Many of these nomadic pastoralists live alongside their livestock and travel with their herds in a constant search for the best availability of food and water, even crossing borders into Kenya and Ethiopia to do so. This has, at times, created conflict between Somalis and their neighbors (Dehérez 2009). In general, Somalis are considered to be “among the world's poorest and hungriest people, with an adult literacy rate that may be lower than 20 percent in some parts of the country, an average life expectancy of only 42 years, and a mortality rate for children under five that exceeds 25 percent” (Kaplan 2010, 88). These statistics illustrate the hardships prevalent in the lives of most Somalis.

A Somali tradition that helps the Somali people to support each other through the many obstacles within the region is that of the clan system. The clan system is a major facet of Somali social life and culture. Socially, Somali culture “is based on a lineage system in which an individual's identity and status are derived primarily from patrilineal descent and primogeniture” (World Bank Group 2013b, 137). The major clans involved in this social system include the Darod, Hawiye, Dir, Digil, Issaq, and Mirifle clans, which are broken into smaller divisions of the clans, each with their own social structures and leadership (World Bank 2013b, 137). Accordingly, most Somalis identify themselves as belonging to a specific clan or subclan (Rhinehard 2011). Clan ties, based on lineage and territory, are the basis by which Somalis pursue and establish relationships and build trust.

While the clan system dictates much about Somali lifestyle, it is also related to Somali notions of governance. Since subclans in Somalia “tend to be highly localized and defined by territory as well as lineage [...] each group’s traditional notion of governance is rooted in regulation of its own territory” (World Bank Group 2013b, 137), rather than in that of a central governing authority. In lieu of a central body, each social unit and subunit puts their trust in its chiefs and elders who act as the leaders (World Bank Group 2013b, 138). Although there are some worries that the younger generation of Somalis is beginning to disregard the influence and leadership of elders (Grosse-Kettler 2004, 9), this traditional political and social structure remains highly influential in Somali society (Kaplan 2010, 82).

An example of how clan politics transpire is when conflicts occur, both within and between clans. Should dissension arise, clan or subclan members look for advice from clan elders (who traditionally function as mediators in conflict), as well as to *xeer* (Grosse-Kettler 2004, 9). *Xeer* is another key feature of Somali social structure and governance. It involves a mix of Islamic *shari’ah* law and customary law (Idarat Maritime 2011). *Xeer* functions as a legal framework with which behavior and actions are regulated, monitored, and settled, and is quite comprehensive, involving regulation of the “collective payment of *diya*⁹ (or blood money, usually paid with camels and other livestock) for death, physical harm, theft, rape and defamation; maintenance of inter-clan harmony; family obligations; [and] resource-utilisation [sic] rules” (Idarat Maritime 2011). It is a strategy for managing most aspects of Somali life.

A unique feature of *xeer* is that it is a system of law that is not based on an individual’s actions, but rather between groups¹⁰ (Idarat Maritime 2011). This characteristic proves highly relevant to understanding piracy operations and motives. Due to this cultural understanding, that an action committed by one is a responsibility that is shared by the group (the *diya* group specifically), Somalis may understand foreigners that they interact with in the same context. What this means in a practical sense with regards to piracy in Somalia is that if a Somali pirate is killed in action by the military force of another country, “the Somali *diya*-paying group to which the pirate belonged will see it as their duty to seek the payment of *diya* from the country concerned, and if this is not forthcoming they will see it as their entitlement to revenge the dead pirate” (Idarat Maritime 2011). The killing of one from the same country in which the military force belongs is acceptable because they are all seen as belonging to the same “clan” that was responsible for the death of their comrade.

⁹ A *diya* paying group “usually consists of a few hundred or a few thousand Somalis” (Dehérez 2009, 7).

¹⁰ In the context of Somalia, this means groups of *men*.

Even though the slain pirate was carrying out violent actions and endangering the lives of others, and even though the targets of the revenge may have had nothing whatsoever to do with the death of the pirate, the retribution will be seen as justified (Idarat Maritime 2011).

While *xeer* is a crucial element of Somali culture, there is another important aspect that also interacts with the country's economic sector. It is that of the *hawala*¹¹ system, also known as remittances¹². Nearly 50 percent of the population of Somalia is unable to generate income for themselves. Instead, they rely on money sent from relatives abroad, members of the Somali diaspora (Grosse-Kettler 2004, 19). The *hawala* system is not incredibly strict or structured—dissimilar from banking systems in many other parts of the world. Rather, “The system is based on trust [and is] combined with the use of clan-affiliation and personal memory acting as a kind of identity card” (Grosse-Kettler 2004, 20). The *hawala* system's so-called money houses or banking houses are situated around the world and the informal nature of the practice reduces traceability and regulation (Grosse-Kettler 2004, 20). Though *hawala* is often used innocently and out of need by many Somalis, the international reach and lack of transparency of the system means that it is also used for illicit purposes, and, in fact, has been put to significant use by Somalia's pirates with businessmen from around the world reportedly having been involved in the pirates' enterprises¹³ through the system (Hunter 2008).

4.2.3 – *Somalia's political history*

In order to better situate the context in which piracy occurred, in this section I overview Somalia's history from its period of colonial rule until the upsurge of piracy in 2005. Since I am concerned with how what transpired influenced this distinct rise in Somali piracy, I will not focus on post-2005 events.

After periods of Portuguese, Italian, and British colonialism, Somalia gained its independence on July 1, 1960. A coup, supported by Somalia's own military forces following Major General Muhammad Siad Barre, occurred on October 21, 1969 and was followed by a period of cooperation with the Union of Soviet Socialist Republics (USSR). This ended in

¹¹ *Hawala*, or *hawilaad*, means *transfer* in Arabic.

¹² Remittance networks replace banks in Somalia, and they are used by many Somalis to receive money from relatives living abroad as part of the Somali diaspora (SBS News 2014).

¹³ Pirates market their endeavors to potential investors, just as one would any promising business opportunity. This system allows investors from around the world to participate in piracy schemes. The investors use the *hawala* to transfer money to Somalia and help finance a piracy operation. When a ransom is paid after a successful hijacking, the pirates again use the *hawala* to transfer money back to the investor and ensure that the backer receives the return on his/her investment (Grosse-Kettler 2004, 20).

1977 when USSR military advisors were thrown out as part of the Ogaden Conflict. In 1980, Barre invited United States forces to military bases in Somalia in order to assist in protecting the country against attacks from neighboring Ethiopia (Lehr and Lehmann 2007, 8-9).

Barre's power derived from what is referred to as the MOD-alliance; "M" for Marahen, "O" for Ogaden, and "D" for Dhulbahante—all clans that were affiliated with Barre through kinship networks (Dehérez 2009, 8). An unintended consequence of such an alliance "of privileged and favored clans [was] the alienation of major clans from the regime, such as the Hawiye or Isaaq, and even more importantly to the alienation of clans from each other" (Dehérez 2009, 8). As a result of the turmoil caused by his favoritism, during his final years in power, Barre was challenged by more than ten movements of clan-based resistance, "which began to carve up the country into autonomous fiefdoms" (Kaplan 2010, 83). This was a major factor in future inter-clan conflicts in Somalia.

In December of 1990, "Somalia's armed forces, Barre's original power base, had dissolved into armed groups largely based on clan identities, loyal to former commanders who also happened to be tribal chiefs" (Lehr and Lehmann 2007, 8-9). Barre's leadership finally collapsed in January of 1991, after which, inter-clan conflict worsened, governmental powers became non-operational, and previous military members offered their skills to clan-based militias and warlords (Lehr and Lehmann 2007, 9). Although there was some degree of order in the autonomous regions of Puntland and Somaliland, much of the country continued to operate under anarchy, leading to the involvement of international actors attempting to reconcile the clans and solidify a national government (Kaplan 2010, 83). The situation in 1992 was worsened when more than a million Somalis were threatened by starvation and millions more were vulnerable to acute malnutrition (Grosse-Kettler 2004, 10-11). The ensuing tension between various Somali factions and international military efforts, particularly those of the US, culminated in the infamous Black Hawk Down incident, leading to the withdrawal of US forces in March of 1994 (Kaplan 2010, 84). One year later, United Nations involvement ended as well (Lehr and Lehmann 2007, 8-9; Kaplan 2010, 85).

In the following years, the temporary national government (TNG) of Somalia was formed. It has been reported that, "While the TNG gained limited international recognition particularly from the United Nations and attracted some 50 million US dollars in aid from the Gulf states, it never succeeded in controlling more than isolated pockets of the country" (Grosse-Kettler 2004). Furthermore, this attempt at forming a central political authority in

Somalia lacked transparency, cross-clan collaboration, and reliability¹⁴—and some regions refused to participate in the TNG at all¹⁵ (Grosse-Kettler 2004, 10). The temporary federal government (TFG) that followed in 2004 proved to not be much more effective.

Despite the fact that “the TFG [had] no budget, no functioning civil service, and almost no control over the security forces that act in its name[, the] TFG, nonetheless, is recognized by the international community as Somalia’s legitimate government” (Kaplan 2010, 85). In the absence of a functioning government, Islamic groups began to develop, especially in southern Somalia (Kaplan 2010, 85). However, these Islamic groups actually had a somewhat stabilizing effect with their establishment of the Islamic Courts Union (ICU) in the early 2000s (Kaplan 2010, 85). This new form of governance provided a degree of order, diminishing some of the chaos at the time, and included subclans in its administration. Although, many Somalis disliked the strong religious aspect of the ICU, they appreciated it for its inclusiveness of clan leadership and for the organization it instilled (Kaplan 2010, 89).

This review of Somalia’s history, from colonial rule to 2005, has exhibited that Somalia is dealing with a variety of crises, namely statelessness, lawlessness, and armed conflict (Grosse-Kettler 2004, 8). This history and situation of political instability and violence created opportunities for some individuals to take advantage of the turbulence. In the section below I introduce the ten factors that contributed to the rise of piracy in Somalia by explaining the impact of internal actors, external actors, and significant events and relationships that make up the ecology of Somali piracy.

4.3 – Factors and actors that contributed to Somali piracy

4.3.1 – Environmental issues

The first factor I identified as contributing to the formation of Somali piracy involves environmental issues, specifically those related to resource scarcity. Thomas, Kiser, and Casebeer note that, “political scientists, sociologists, environmentalists, and even prominent politicians have reflected their belief that resource scarcity and environmental degradation

¹⁴ “The Transitional National Government (TNG) was announced in August 2000 as an attempt to rebuild a political authority in Somalia. This cross-clan and supposedly national government was headed by Abdiqasim Salad Hassan as President. All TNG political leaders, however, are linked to a cartel of key Mogadishu businessmen, which again shows that business is the authority rather than politics. Furthermore, the TNG is accused of having linkages to Islamic fundamentalist organizations. In effect, it has not gained sufficient authority to create some sort of public order” (Grosse-Kettler 2004, 9).

¹⁵ “Somaliland, Puntland and the Bakool and Bay regions in south-west Somalia have never participated in the TNG” (Grosse-Kettler 2004, 10).

(which often go hand-in-hand) have a place in security discussions” (2005, 26). They explain that research reveals that cases of limited resources are often connected to anxiety, splintering, and even ultimately the collapse of the state in question (2005, 26). In the case of Somalia, there are many ways that such a scenario has affected the nation.

There have been many occasions throughout Somalia’s history where “the scarcity of land has fueled inter-clan rivalries, especially when specific clans have had access to government resources and posts, while others have been marginalized and not represented in the country’s political landscape” (Dehérez 2009). Although, this secondary issue of governmental representation was mostly relevant in Barre’s time, his MOD alliance left its mark. Conflicts between clans have traditionally been managed between clan elders through respect and understanding, yet the exclusion of some clans has jeopardized this system. This has contributed to conflict in Somalia in two major ways: “First, sharing resources such as pastures is on the decline, giving way to inefficient use of the country’s natural resources. Second, conflicts over land can now easily escalate into inter-clan rivalries” (Dehérez 2009, 13). The issue of political favoritism further aggravated conflict over competition for limited resources in Somalia thereby complicating an already challenging situation.

As stated above, many Somalis remain nomadic pastoralists that travel with their herds to wherever they can find the most arable land and water (Dehérez 2009, 7). When territory is already fought over and grudges are held between clans, the competition for Somalia’s resources becomes fiercer. Foreign policy analyst, Seth Kaplan, clarifies, “Somalia’s clans are highly cohesive internally but highly divisive externally. In other words, social cohesion exists within clans but not between them. And each clan has little or no interest in sharing the resources it controls with other clans” (Kaplan 2010, 91). This explains why much of the inter-clan fighting beginning in the 1970’s was fueled by access and competition for land, water, and other resources (Dehérez 2009), including charcoal, khat¹⁶, and livestock (Ashenkazi and Ceska 2009). This fighting also contributed to the damaging of these resources, and therefore a far worse situation for sustaining their livelihoods (Dehérez 2009).

A major event that contributed to even greater resource scarcity in Somalia and diminished opportunities for economic prospects in the form of fishing, was the Boxing Day tsunami in 2004. The tsunami contributed to the deaths of between 40,000 and 50,000 Somalis and resulted in the destruction of many coastal Somalis’ fishing gear (Lehr and

¹⁶ Khat (or qat) is a mildly narcotic, non-addictive leaf chewed by men in the region (Ashenkazi and Ceska 2009).

Lehmann 2007, 14), wiping out the previously profitable enterprise of fishing and robbing gainfully employed fishermen of their source of income (Weldemichael and Hassan 2012). This made many men frantic for a way to put food on the table, and perhaps earn a little extra. With the marked increase in Somali piracy occurring just after this event in 2005, these disastrous consequences may have proved to be the final straw that broke the camel's back.

4.3.2 – Governmental instability and a history of colonization

The second factor that contributed to the rise of piracy in Somalia is the country's history of political instability, partially stemming from its periods of Italian and British colonial rule. Prior to World War II, there were more than 50 countries in the world, yet at the beginning of the twenty-first century, there were nearly 200 (Thomas, Kiser, and Casebeer 2005, 7). Essentially, "In a geo-politically dizzying pace, vast empires were replaced with weak and dysfunctional states, often incapable of running their own bureaucracies, let alone defending themselves from threats from without—or within" (Thomas, Kiser, and Casebeer 2005, 7). In the case of Somalia, Italy and Britain differed in their approach to colonialism and therefore left two distinct legacies.

In the previous British protectorate of northwestern Somalia, clan structures remained intact during its period of colonization, but in Italian-occupied southern Somalia, these structures were aggressively undercut (Dehérez 2009). In the absence of a strong central government to unify the country, the result of the British approach was a more politically stable and autonomous zone in the northern regions, while the Italian legacy is a more politically unstable environment in the south, with many leaders attempting to gain control. Thomas, Kiser, and Casebeer maintain that if a state is incapable of managing its affairs, such as in the case of Somalia, then "alternative authority mechanisms emerge to fill the void" (2005, 59). Consequently, in Somalia, control is competed for and disputed by businessmen, warlords, pirate bosses, insurgent groups, and those who wish to appoint a leader of a central governing body (World Bank Group 2013b, xxv). While these actors fight for authority within Somalia, they leave the country unable to protect itself from exploitation.

When citizens perceive states as illegitimate, incapable, or excessively coercive, this can lead them to understand the state as a barrier to their pursuit of an improved existence (Thomas, Kiser, and Casebeer 2005, 63). In this case, it was clear that the Somali

government would be of absolutely no help to improving the livelihoods of its people. In such situations, when governments are unable to “provide basic service, more young men and women [look] to non-state groups to provide access to food and housing” (Thomas, Kiser, and Casebeer 2005, 36). When the state cannot provide what its citizens need, they turn elsewhere in search of opportunity, even if the opportunity is criminal. This is a major reason why leaders of illegal activities in Somalia, such as warlords and pirate bosses, have been able to recruit so many to become their militias, junior pirates, and even prostitutes.

Somalia is considered by Thomas, Kiser, and Casebeer to be a “black hole of state power.” In such an absence of governance, the space can then be “occupied by powerful figures that build [VNSAs]” (Thomas, Kiser, and Casebeer 2005, 60). What this means in a practical sense in terms of piracy, is that in order for pirates to succeed in their endeavors, they must operate in what is known as an *enabling environment*. In Somalia, the enabling environment is created by “the absence of a central authority willing and capable to uphold law and order, the dissolution of such law-enforcement agencies into clan-based militia, and squabbling warlords provide an excellent environment for the spread of illegal activities, among them organized crime and terrorism” (Lehr and Lehmann 2007, 11). So far, this notion has proved to be accurate since piracy has prospered in areas where there is disputed state control, boundary conflicts, and weak or absent governance (Mak 2007, 202). What this means for the future, is that as long as Somalia remains an environment of statelessness, without feasible economic opportunities (especially in coastal communities), piracy will prosper (Lehr and Lehmann 2007, 20).

4.3.3 – *Identity cleavages*

Issues of socioeconomic deprivation combined with political instability are further complicated by what Thomas, Kiser, and Casebeer refer to as an identity cleavage, the third contributing factor to Somali piracy. They explain that, “where identity cleavages exist or can be created, the potential for mobilization is high” (Thomas, Kiser, and Casebeer 2005, 63). However, they are careful to point out that just because differences exist between groups of people, does not mean that they will inherently be in conflict with one another. Rather, they attribute such divisions to an individual that seizes the opportunity to exploit existing differences, one they term an *identity entrepreneur*.¹⁷

¹⁷ Thomas, Kiser, and Casebeer refer to such an individual as an identity entrepreneur, someone who has a “vested interest” in exploiting differences and creating conflict between distinct groups (2005, 63).

In Somalia, there have been conflicts between clans, conflicts within clans, conflicts between Ethiopians and Somalis, and conflicts between Kenyans and Somalis—not to mention the conflicts between Somalis and international militaries intervening in these other conflicts. Intensified by issues such as resource scarcity, fueled by droughts and competition for resources, “a history of inter- and intra-clan competition and European colonization has left many areas without functioning institutions” (World Bank Group 2013a). These events have actually created two distinct, yet equally significant, notions of identity cleavages in Somalia: that of a group of organized citizens against another group of organized citizens, and that of the Somali people versus the state itself.

Compared to inter-clan skirmishes, the identity cleavage between the Somali people and the so-called state has created a very different sort of conflict. Thomas, Kiser, and Casebeer clarify that “With failures in governance resulting in a loss of regime legitimacy and undermining the notion of ‘citizenry,’ identity cleavages further serve to alienate the individual from the state and lure them toward non-state actors” (2005, 63). Additionally, once “a properly primed population” begins to see the state as ineffective and lacking in authority, potential recruits are more easily drawn toward identity entrepreneurs (Thomas, Kiser, and Casebeer 2005, 85). In other words, all it takes once the government is seen as untrustworthy and unreliable to its citizens, is one convincing pirate leader to be able to recruit new members to his cause. In addition to this outcome, the Somali people have shown little desire to support a central governing body—in fact several regions have already declared themselves to be independent but are not yet recognized internationally (World Bank 2013b). This separation of society and state has perpetuated and nurtured the piracy sanctuary that is Somalia.

Piracy operations are carried out by different clans and subclans within Somalia, and, in their unity against the state, they have found ways to work together for their cause. Many non-state groups in Somalia have been able to cooperate through either kinship affiliation or a mutually beneficial arrangement. For example, in order for piracy to be successfully carried out in Somalia, the pirates require a secure anchorage point in which to hold the ship until its owner pays the demanded ransom. Therefore, alliances must be made between the pirates and those who control the safe anchorage points. Despite the very different goals and methods these non-state actors may have, this has resulted in pirate groups cooperating with the Somali Islamist insurgent group al-Shabaab on an ad hoc basis (World Bank Group 2013b, 73). By being able to put their differences aside and consider their main goals

(economic returns and continued statelessness¹⁸ in Somalia) these two non-state actors can continue to work together. This collaboration between clans, subclans and other non-state actors has helped to stabilize piracy networks and, therefore, enabled piracy to flourish in the region.

4.3.4 – *Subclan ties*

Somali piracy would not have been able to grow had it not been for the social networks that exist as part of the clan system. Therefore, the fourth factor that contributed to the rise of piracy in Somalia is subclan ties. When facing common challenges and threats, individuals put their kinship networks to use. As a result, piracy operations in Somalia were, and still are, supported by clans and subclans throughout the country. Thomas, Kiser, and Casebeer explain that around the world, many groups are bonded by feelings of sharing a common fate or common identity (2005, 75). They expound, “A sense of subjective interdependence or shared common fate with other group members simply depends on the recognition that group members share similar interests or face a similar threat” (2005, 77). However, they also assert that it takes much more than the existence of such groups and the sharing of a common fate to transform them into VNSAs (2005, 79). It is mostly when such groups exist in an environment of violence and statelessness that they become especially susceptible to mobilization (Thomas, Kiser, and Casebeer 2005, 75). Furthermore, whether or not an individual becomes committed enough to join a VNSA depends on whether or not the individual has anything to gain from the VNSA (Thomas, Kiser, and Casebeer 2005, 76).

Between Barre’s coup and 2005 there have been only minimal means to enforce law and order in Somalia, and the central government that would have that responsibility is ill-equipped to do so. In the absence of such authority, pirate leaders have been able to manipulate their social networks to build up piracy operations. While the clan tradition provides a support system to the Somali people, “These traditional alliances [also] often form the basis on which militias are recruited and business-cartels are built” (Grosse-Kettler 2004, 9). This unfortunate side effect of such a social structure demonstrates the function of networking in Somalia, the methods by which Somalis establish and pursue relationships and build trust based on one’s lineage and territory.

¹⁸ While some species of VNSA require a situation of violence but also some measure of political stability in order to be successful, species such as pirates can only exist in situations of statelessness (Thomas, Kiser, and Casebeer 2005, 128).

The planning and decision-making for piracy operations are usually carried out in small groups, made of individuals from the same clan or subclan, with two to five “investors” supporting a powerful leader (World Bank Group 2013b, 75). Piracy operations also require individuals to act as crewmembers, guards, and militias—and such individuals are chosen carefully. Those selected for such positions are usually drawn from an influential clan or political body. In this way, aside from the labor capital these individuals provide, their social ties secure political support for piracy operations (World Bank Group 2013b, 7). What this creates is what is referred to as *political capital* (World Bank 2013b, 7), which is considered to be “The mixture of political, clan, and militia connections that allows a pirate or pirate advocate to influence political leaders to condone piracy” (World Bank 2013b, 107). Obtaining political capital allows pirate groups to be certain that their operations can be carried out—everything from purchasing weapons and khat, to maintaining a recruiting base, and, most importantly, to preserving the use of secure anchorage points for hijacked ships.

4.3.5 – *United Nations Convention on the Law of the Sea*

The fifth factor that contributed to the rise of piracy in Somalia is that of the UN Convention on the Law of the Sea (UNCLOS). UNCLOS provides a legal framework for all activity on the seas, covering rules and regulations related to “the extent of territorial seas, navigation rights of naval and commercial shipping, states’ right over the ocean’s economic resources and the resources of the sea bed, a comprehensive regime for environmental and pollution control, scientific research[,] the settlement of disputes” and, of course, piracy (Murphy 2007, 155). However, UNCLOS does not address acts of piracy committed in territorial waters (Murphy 2007, 155), which is where most pirate attacks occur in Somalia. Such acts in territorial waters are therefore referred to as armed robbery at sea, although there is no practical difference between the two.

UNCLOS was formed in the era after WWII when numerous new states rose as a result of decolonization. It was also at this time when concerns of resource scarcity were rising (Murphy 2007, 156). Accordingly, states sought to own larger areas of potential resources and wanted stricter control of said areas. Therefore, the concept of an EEZ was a major theme of the discussions.

The proposal of the EEZ was derived from most countries’ desire “to control and exploit the natural resources that they believed existed in abundance in and under the sea” (Murphy 2007, 158-159). The result of such a desire was that each country’s EEZ was

expanded from three miles off the coast to up to 12 miles (Murphy 2007, 158). While this change provided each state with a greater area of resources, it also made the already difficult to patrol territorial waters off the coast of Somalia even more unmanageable. States that were already at a disadvantage and unable to protect their three mile EEZ, were now responsible for an area four times larger than the original, which further limited their capabilities to deal with issues such as piracy, illegal fishing, and illegal dumping (Murphy 2007, 165). Somalia's incapacity to govern itself made it even more impossible for the country to consider and address dangers from outsiders.

The expansion of the EEZ was impactful because of its role as a *reinforcing factor*. Reinforcing factors are dangerous because "taking actions that exacerbate [the root causes of recruitment], can construct a fertile environment that will encourage rather than hamper violent non-state actor [ontogeny¹⁹]" (Thomas, Kiser, and Casebeer 2005, 80). While reinforcing factors are not cited as one of the five main factors that contribute to VNSA formation, they are still significant because they support the *conditions* for VNSA formation. In this case, as a result of Somalia's inability to enforce its rights, many outsiders disregarded the country's EEZ, thereby further fueling Somalis' disdain for such international actors.

A tertiary impact of UNCLOS involves its lack of support for piracy occupied waters. While UNCLOS gives rights to individual coastal states, it offers no additional assistance to countries lacking the ability to address violations such as piracy. Therefore "Where [territorial] waters fall under the jurisdiction of states that have the will and means to police them, piracy has not gained a foothold" (Murphy 2007, 165), but, in the case of states that are unable to implement security measures, pirates conduct their operations freely, since no rules exist to force seaside nations to carry out sanctions or police pirate activity (Murphy 2007, 172). Since there are no mechanisms provided by UNCLOS for such states to be able suppress piracy, pirates are able to take advantage of this opportunity. Aware of where they can and cannot operate without threats, pirates cleverly move in and around various jurisdictions to successfully carry out their operations (Murphy 2007, 166).

4.3.6 – *Illegal fishing by international vessels*

Poaching in Somalia's EEZ is the sixth factor that contributed to the formation of piracy in Somalia. Fish stocks have always been an important resource in Somalia, however,

¹⁹ Ontogeny is defined as "all the developmental events that occur during the existence of a living organism" (Encyclopaedia Britannica Online 2014).

the coastal Somalis' reliance on their fishery resource has made them susceptible to fishery-related risks. Accordingly, when fish stocks were jeopardized, this led to other serious consequences. According to Thomas, Kiser, and Casebeer, environmental issues such as resource scarcity can often result in social disorder and state instability (2005, 26). They add that, "severe environmental scarcity can increase economic deprivation and disrupt key social institutions, precipitating 'deprivation' conflicts, such as civil strife and insurgency" (2005, 26). Furthermore, worsening environmental conditions can, when combined with issues of insufficient governance, enhance such conflicts (Thomas, Kiser, and Casebeer 2005, 27). Thomas, Kiser, and Casebeer conclude that, "This combination of forces encourages resource capture, the marginalization of the poor, rising economic hardship, and a progressive weakening of the state" (2005, 27). In the text below, I describe how illegal fishing by foreign vessels then further exacerbated Somalia's already precarious situation.

Illegal fishing by foreign vessels began after Barre's collapse in 1991 and is widely considered as the impetus for Somali piracy (Lehr and Lehmann 2007, 12). With the Somali government unable to protect its recently expanded national seas, foreign fishing fleets moved in to catch the fish flourishing off Somalia's coast. The waters off coastal East Africa have abundant schools of tuna, sardines, mackerel, and even the more lucrative species of lobsters and sharks (Tharoor 2009; Middle East Online 2008). Due to Somalia's inability to police its waters, the low-tech approach used by Somali fishermen, and the chance of a significant pay-off, fishing vessels from Spain, India, Thailand, Russia, Korea and other nations looted Somalia's seas of these highly valued species (Ashenkazi and Ceska 2009).

Not only did these international fishermen poach in Somali's EEZ, they also used internationally prohibited fishing equipment, including "nets with very small mesh sizes and sophisticated underwater lighting systems, to lure fish to their traps" (Middle East Online 2008). Additionally, these fishermen also used the method of steel-pronged drag fishing, which severely damaged Somalia's reefs (Bahadur 2011), thus further spoiling the Somali seabed.

In addition to the damage the foreigners' fishing methods had on Somalia's oceanic environment, they even purposefully damaged the Somali fishermen's equipment, including ramming the Somalis' smaller boats (Lehr and Lehmann 2007, 13). Some Somali fishermen have even reported being shot at and hosed with water cannons by the poachers (Tharoor 2009). While there was a period in the early 1990's where Somali fishermen and illegal, international fishermen peacefully coexisted in Somalia's EEZ (Weldemichael and Hassan

2012), tensions escalated when “Foreign trawlers ventured ever closer to the beaches, thus depriving even Somali inshore fishing vessels of their catch” (Lehr and Lehmann 2007, 13).

What complicated this problem even further was the involvement of Somalia’s warlords. Prior to 2001, Somali warlords began the extremely profitable business of illegally selling fishing licenses to these international vessels wishing to exploit Somalia’s rich seas (Grosse-Kettler 2004, 23). Due to the illicit nature of this business deal, there are no records on the amount of false licenses purchased or the amount of fish caught, nor are there records of which specific fishing companies were involved (Grosse-Kettler 2004, 23-24). However, it is estimated that there were at least 200 foreign vessels engaging in illegal fishing along the Somali coast between 1991 and 1999 (Lehr and Lehmann 2007, 12-13), an industry worth about US\$300 million per year (Lehr and Lehmann 2007, 13; Tharoor 2009). Additionally, the High Seas Task Force (HSTF) claims that at one point in 2005, there were at least 800 illegal, unreported, and unregulated (IUU) vessels operating in Somalia’s EEZ, poaching an estimated US\$450 million in seafood annually²⁰ (Project Censored 2010). With their actions, the foreign poachers in Somalia’s EEZ, “steal an invaluable protein source from some of the world’s poorest people and ruin the livelihoods of legitimate fishermen” (Project Censored 2010). Boyah, a former fishermen turned pirate, now laments that after years of happily catching lobsters, the spiny crustaceans can no longer be found off the coast of his hometown of Eyl (Bahadur 2011).

After years of watching their territorial waters exploited by illegal foreign fishermen, many coastal communities eventually decided to fight back (Lehr and Lehmann 2007, 13). As this conflict of deprivation worsened, “impoverished Somalis living by the sea have been forced over the years to defend their own fishing expeditions out of ports such as Eyl, Kismayo and Harardhere — all now considered to be pirate dens” (Tharoor 2009). In the spirit of vigilantism and in order to exact revenge and protect their territory, piracy emerged as an attack on encroaching foreign trawlers. During the 1990’s, the early days of Somali piracy, those who seized illegal trawlers were able to rely on easy ransom payments since the vessels did not want to face punishment for their violation of UNCLOS (Tharoor 2009). But this movement that started out as a form of security and self-defense became a much larger and more complex endeavor once the badadinta badah realized that they had an opportunity to take ransoms from the 25,000 mostly unarmed ships passing through its waters every year (Washington Times 2009).

²⁰ This increase from US\$300 million to US\$450 million is due to the increase in vessels illegally fishing in Somalia’s EEZ.

In a BICC newsletter, Ashenkazi and Ceska explain that Somalia's situation of statelessness has had three main impacts: (1) the cessation of pirate operations on land is seemingly impossible, (2) Somalia's seas remain vulnerable to pollution and poaching from more developed nations, and (3) that piracy stands as one of Somalia's only means for economic growth and influx of cash. They also add that regional absence of development has created an eager pool of potential recruits (2009). These issues continue still as illegal fishing in Somalia's EEZ persists and unemployment in the region remains high (Weldemichael and Hassan 2012).

Before continuing, it is pertinent that I address the issue that the World Bank argues against this contributing factor. As this perspective contradicts the rest of my findings concerning the impact of illegal fishing, it is important that I resolve this incongruence. Its 2013 report on piracy states that, "While illegal fishing has often been associated with overfishing and the depletion of fish stocks available to Somali fishermen, the data do not reflect that" (World Bank Group 2013b, 58), even claiming that, in fact, Somali waters are "underexploited" (World Bank Group 2013b, 63). The main piece of evidence the report provides to argue this case is that, "the absence of any surge in the productivity of fleets operating in piracy-affected areas after 2005 is consistent with the absence of evidence of overfishing" (World Bank Group 2013b, 58). The report also notes a 26.8 percent decrease in catches in the southwestern Indian Ocean, and, after 2006, a 23.8 percent reduction in the export of fishing products from East African countries (World Bank Group 2013b, 57). In other words, the World Bank argues that if overfishing was occurring in the region then that would be reflected by larger recorded catches and greater exports, yet the opposite is happening. Instead of crediting this significant decrease to shipping companies avoiding the region out of unwillingness to incur the excess insurance and/or security costs of operating in piracy infested waters, the fear of being attacked by pirates (whose activity escalated unceasingly after 2005 until around 2011), complications related to climate change, or other legitimate reasons, the report offers this as evidence against overfishing by international vessels—evidence I deem insufficient.

The report contends, "Fishing was never an important economic activity in Somalia, except perhaps in some coastal villages" (World Bank Group 2013b, 63). However, when one examines the regions where piracy is most common, such as in "some coastal villages," the importance of the fishing industry cannot be overstated. The mistake that this report makes is not to contextualize piracy *within* Somalia, and it therefore minimizes the role of the fishery industry to some regions in Somalia.

As noted in the World Bank's own report (2013b, 88), piracy has largely emerged in one specific region in Somalia: Puntland. I would argue that at least with regards to the autonomous state of Puntland, the World Bank report has insufficiently acknowledged the importance of the fishery industry. According to Puntland's own website: "The fishing industry provides direct employment to thousands of people during the eight-month fishing season, as well as indirect employment for people working in restaurants and enterprises. During the fishing season, temporary settlements are created along the coastline where women take goods for sale to earn income. The fishing industry is ranked as the second highest income earner for the population of Puntland, after livestock" (Puntland State of Somalia, 2014). The four main economic activities for the region of Puntland include livestock, fishery, agriculture, and remittances (Puntland State of Somalia, 2014). Should any one of these major sources of revenue for Puntland be endangered, there would be many deleterious consequences.

Additionally, much research apart from the World Bank report, such as that included previously in this paper and that conducted by the German Institute for Economic Research, has determined that "Piracy has grown substantially in Somalia because foreign (also western) fishing fleets have illegally entered Somali waters, robbing local fishermen of their livelihood" (German-Foreign-Policy.com 2010). Therefore, I insist that, contrary to the World Bank's assessment of *all* of Somalia, that illegal fishing by foreign trawlers in Somali waters was indeed a crucial component to the formation of piracy, specifically for coastal communities in Somalia.

4.3.7 – Illegal dumping

Illegal dumping of toxic and nuclear waste off the Somali coast is the seventh factor that contributed to the rise of piracy in Somalia. With Somalia incapable of exerting federal authority, and "With no coast guard to defend its shores, Somalis began complaining that vessels from Asia and Europe were dumping toxic waste in their waters" (Washington Times 2009). This phenomenon functioned as another reinforcing factor in Somalia, which, when combined with issues of failed governance, help to create prime conditions for identity mobilization (Thomas, Kiser, and Casebeer 2005, 25). Thomas, Kiser, and Casebeer add that, "Should environmental conditions that initially led to VNSA creation continue unabated or become further entrenched, individuals affected by or concerned with those conditions may become increasingly sympathetic to VNSA goals or become members

themselves” (2005, 23). Consequently, this additional destructive and unlawful action, compounded with other existing factors, helped to mobilize many coastal Somalis.

Illegal dumping is part of a larger phenomenon known as the *black garbage market*—and it is big business, reportedly generating over US\$22 billion in 2012 alone (Mayr 2013). While it is not clear exactly when the dumping started in Somalia, there is evidence for the activity in Somalia as early as 1992, when “in the Eeldher district of the region of Galgaduud, in the center of Somalia, dark blue long barrels containing oily-liquid were found” (Grosse-Kettler 2004, 29). Once samples from the barrels were analyzed, they were found to contain nuclear waste. And Eeldher was not alone. Four years later, similar findings were made in the Adale district (Grosse-Kettler 2004, 29). The 2004 tsunami that caused so much devastation in Somalia also provided evidence of the continued practice of illegal dumping off the Somali coast. According to the United Nations Environment Program (UNEP), “the [2004] tsunami washed rusting containers of toxic waste onto the shores of Puntland” (Project Censored 2010). What the UNEP discovered was many kinds of dangerous waste, including radioactive uranium, lead, heavy metals (including mercury), hospital waste, chemical waste, and industrial waste (Project Censored 2010). The Somali people themselves also exhibit evidence of this activity, experiencing ailments such as mouth bleeding, stomach bleeding, skin infections, and even more health problems (Project Censored 2010). Many Somalis have even died as a result of these toxic chemicals that pervade their environment (Grosse-Kettler 2004, 29),

Behind this black market arrangement are two other species of VNSAs, Somali warlords and the Italian mafia. These two VNSAs cooperated in pursuit of a mutually beneficial financial arrangement. Although, “In 1992, reports ran in the European press of ‘unnamed European firms’ contracting with local warlords to dump toxic waste both in Somalia and off Somalia’s shores” (Thomas, Kiser, and Casebeer 2005, 126), the firms were simply fronts for the Italian mafia who were collaborating with warlords to transport “hundreds of thousands of tons” of toxic waste from Europe to Somalia (Thomas, Kiser, and Casebeer 2005, 127).

Both the warlords and the mafia were successful because they offered their services for much less than what they would cost to be done legitimately. To dump the waste in Somali waters cost about US\$11 per ton, yet it would cost thousands for it to be done legally and properly in Europe (Ashenkazi and Ceska 2009). As conflict already existed between many Somalis and the nation’s warlords, greater fury was focused at these outsiders continuously coming in, in different forms, worsening environmental and social

conditions for the Somali people. After decades of maltreatment from foreigners, Somalis were unable to see the destructive actions of an individual foreign ship as distinct from harmless international ships in the region. Fed up with constantly suffering at the hands of these international interlopers, many Somalis sought to defend their seas and take revenge against them.

4.3.8 – *The financial lure of piracy*

The financial lure of engaging in piracy is the eighth factor that contributed to the formation of Somali pirates. In a country with a per capita income of less than 300 dollars per year (Shortland 2010), piracy presents itself as a risky yet rewarding enterprise, especially for young unemployed men (Shortland 2010). This offering of such benefits is a key part of the *recruitment* phase of VNSA formation. In this phase, VNSA leaders offer various incentives to potential recruits in order to “close the deal” (Thomas, Kiser, and Casebeer 2005, 100) and secure new members for their cause.

A central aspect of the Somali piracy model is the maintenance of bases on shore. In addition to the fact that these land bases provide opportunities for the pirates to re-group and re-supply, “the stark poverty [prevalent in these areas also] provides both a convenient recruitment base and an enabling environment with a low level of law and order” (Lehr 2007, xi). Aside from the desire to take revenge on foreign ships and defend their territory, when prospective pirates decide whether or not to be part of a hijacking, they weigh the potential financial reward and the potential risks of the operation. Additionally, they consider the earnings associated with safer employment opportunities, such as fishing or herding (World Bank Group 2013b). As stated above, the per capita income for Somalis is less than US\$300, yet with an average ransom payout of US\$3.06 million²¹ (World Bank Group 2013b, 85), individuals who participate in piracy can earn \$10,000 to \$15,000 per hijacking (German-Foreign-Policy.com 2010). The first pirate to board a targeted ship is rewarded with an even greater share of the ransom paid, or some other kind of bonus, such as a sports utility vehicle (SUV) (World Bank Group 2013b). Aside from piracy, one of the only other ways for men, especially young men, to make reliable money is to be part of a militia for a warlord. However, the financial compensation for this opportunity is significantly less than what piracy can offer (Grosse-Kettler 2004, 4-5).

²¹ At the height of Somali piracy, “In 2011, the average ransom [increased to] US\$5.04 million” (World Bank Group 2013b, 94).

The payment that piracy offers is more than substantial, especially considering the country's decades of constant conflict and reliance on international food aid (Hunter 2008). As a result of this development, many young Somali men now "actively seek to be recruited" (World Bank Group 2013b 111). What at first began when Somalis were mobilized against foreign fishermen and those dumping toxic waste in their waters became a treacherous yet rewarding opportunity for Somali men to earn an income and improve their quality of life (Ashenkazi and Ceska 2009). As a result, "Most of the pirates, observers say, are not former fishermen, but just poor folk seeking their fortune" (Tharoor 2009). Between 2005 and 2013, Somali pirates have reportedly earned between US\$315 million to US\$385 million (World Bank Group 2013b, 85). With this considerable influx of wealth, "towns that once were eroded by years of poverty and chaos are now bustling with restaurants, Land Cruisers [a type of SUV] and Internet cafes. Residents also use their gains to buy generators – allowing full days of electricity, once an unimaginable luxury in Somalia" (Hassan and Kennedy 2008). In Somalia, there are no legitimate employment opportunities that would have enabled such a lifestyle, which appeals to many men eager to obtain the same. This improvement in quality of life in pirate-occupied districts has even led many Somalis who do not participate in piracy to nonetheless condone its practice.

4.3.9 – Corruption

Pirates receive 30 percent of the ransom earned from hijacking ships, while 20 percent goes to pirate leaders, 30 percent is offered as bribes to government officials, and the remaining 20 percent is used to build up capital, including guns, ammunition, fuel, food, cigarettes (Washington Times 2009), and khat (World Bank 2013b, 118). Although the Somali government is weak, it is still necessary for pirates to bring those that are a part of the frail government onto their side in order for piracy operations to be successful. Thomas, Kiser, and Casebeer explain that, "Challenging state authority, engaging in economic activity deemed inappropriate or conducted outside the white market, or pursuing goals generally deemed as socially undesirable make [VNSAs] targets of the state—or at least the part of the state that the VNSA has not been able to corrupt" (2005, 10). In other words, if the pirates are able to successfully corrupt members of the state, then they will have removed obstacles to piracy operations. Somali pirates have seen the importance of such activity and therefore readily offer bribes to officials in order to ease piracy operations. In the major havens of Somali piracy, Puntland and Central Somalia, this is done in two different ways.

Puntland pirates focus on bribing government officials, as the political actor there is the regional administration. In Central Somalia, pirates must appeal to “clan leaders, businessmen, and al-Shabaab militants [since there is a] higher degree of political fragmentation in that area” (World Bank Group 2013b, 143). By corrupting appropriate stakeholders by offering them kickbacks, pirates can ensure that they will be free to carry out their operations.

4.3.10 – Additional factors

The following issues serve to reinforce and intensify the elements of socioeconomic deprivation, resource scarcity, and identity cleavages within Somalia. They are issues relating to the hawala system, arms trading, and the 2006 Ethiopian invasion. While these events and relationships bolster the conditions that perpetuate piracy in Somalia, they cannot be strictly applied to the genesis of the phenomenon, ergo they have been organized together as additional influential factors.

Hawala

Because “this informal banking-system lacks transparency” (Grosse-Kettler 2004, 20), it has been used by Somali businessmen to launder money. The hawala system also allows investors from around the world to participate in Somali piracy schemes. Pirates market their endeavors just as any entrepreneur would when looking for a financial backer, and once an agreement is made, the investors use the hawala system to transfer money to Somalia to help fund a piracy operation. When a ransom is paid after a successful hijacking, the pirates again use the hawala system to ensure that the sponsor receives the return on his investment and so transfer the backer’s portion of the earnings to him (Grosse-Kettler 2004).

A secondary impact involving the hawala system occurred after the terrorist attacks on the US by Islamic extremists on September 11, 2001. After this event, the US accused Somalia of financing Islamic terrorism and therefore took action against the state, freezing major hawala assets in Somalia. Unfortunately, as many Somalis rely on the hawala system to be able to receive financial assistance from relatives living outside Somalia, the closure severely affected the poorest Somalis (Grosse-Kettler 2004, 20-21). This contributed to an even more desperate economic situation in Somalia.

Arms trading

Relationships with actors from around the world enable the formation and maintenance of VNSAs in Somalia. The international trading of weapons is an especially crucial reinforcing factor since it facilitates violence in the forms of defense and coercion (Grosse-Kettler 2004, 31). Somalis have acquired weapons through willing participants from Yemen, Ethiopia, Djibouti, Egypt, Eritrea, and even as far as Poland (Grosse-Kettler 2004, 26-27; World Bank Group 2013b). Djibouti officials have allegedly falsified certificates to aid in the profitable transfer of arms to Somalia. Using these certificates, other international dealers have become involved in the trade—even from as far away as Bulgaria (Grosse-Kettler 2004, 27). “Through arms trade with Somali factions, external donors fuel the armed conflict and support an insecure environment” (Grosse-Kettler 2004, 25), thereby perpetuating an enabling environment for piracy. Yet there are also actors propagating the circumstances from within Somalia. Using the hawala system, arms dealers in Mogadishu receive deposits for arms orders. Their militiamen then deliver the weapons and are paid the remaining balance at that time (Hunter 2008). As long as there are those willing to deal and trade in the underground arms market, pirates will be able to equip themselves for attacks.

Ethiopian invasion

Somalia has had long-standing conflict with its neighbor Ethiopia, but in 2006, a US backed Ethiopian invasion of Somalia further escalated the conflict. Their actions were driven by the rise of the ICU in Somalia. Although the US encouraged negotiations between the ICU and the TFG to find a way to co-rule Somalia, some members of the ICU refused to compromise. Reportedly, the ICU “incited Ethiopia by making irredentist claims on its territory, by hosting two insurgent groups opposed to Addis Ababa [Ethiopia’s capital], and by expanding ties with Eritrea, which has a long-standing border dispute with Ethiopia. Ethiopia responded by invading in December 2006” (Kaplan 2010, 85). Together, Ethiopian and TFG troops responded by indiscriminately attacking neighborhoods, causing injury to innocent civilians, robbing, and raping. Many Somalis were radicalized as a result (Kaplan 2010, 86). The engagement proved extremely violent and deadly, with 16,000 killed in the conflict (Axe 2009). In the midst of the chaos, pirates committed to their cause with greater fortitude and increased their number of hijackings and the distance they were willing to travel off the coast to seize a valuable ship.

4.3.11 – Summary

A main aim of this thesis was to recognize which factors and actors played a part in the ecology of piracy. I also aimed to identify the niches of these factors and actors involved in the phenomenon's relational field. Through the research process I was able to identify the above factors as key contributors to the formation of Somali pirates and I was able to evaluate the nature of their influence. Clearly, Somalia's unstable and dangerous political environment, the violence associated with competing non-state actors, maritime poaching, natural disasters and resource scarcity, etc. made piracy a viable professional option. While initial hijackings may have been motivated more by frustration and the need for revenge, leading to activities such as unofficial taxation in the absence of a functioning government able to demand official taxation from international vessels, this was not the sole factor that contributed to the rise of piracy in Somalia. Rather, it was the combination of these factors that proved to be so potent and transformative. Collectively each factor can be considered responsible for the formation of Somali pirates.

4.4 – Actions taken to eliminate the threat of Somali piracy

Through this research, I have determined that actions taken in the attempt to eliminate Somali piracy can be characterized in four ways: External (international) and militaristic, external and non-militaristic, internal (Somali efforts) and militaristic, and internal and non-militaristic. Below I elaborate and offer examples of each of these approaches in order to assess their strategic effectiveness in the short- and long-term.

4.4.1 – Actions taken by external actors

International governments view the Somalia pirate phenomenon as solely a security issue, and that is how they have addressed it. The significant decrease in Somali pirate attacks is largely credited to this approach (World Bank Group 2013b, 88). However, these significant reductions come at a cost. At least 60 countries collaborate with 20 other organizations to eliminate the threat of piracy (World Bank Group 2013b, 157). Three main coalitions have emerged from these efforts: the European Union Operation Atalanta of the European Naval Force Somalia (EUNAVFOR), Operation Ocean Shield from the North Atlantic Treaty Organization (NATO), and the Combined Maritime Task Forces 151 (CMTF-151). They all work together to provide about 20 vessels charged with protecting ships

transporting goods around the Horn of Africa (World Bank Group 2013b, 158). At the height of Somali piracy in 2011, the threat of hijackings impelled these coalitions to provide 32 vessels, four aircraft, and 1,800 personnel to carry out counter-piracy measures—measures that cost these coalitions at least US\$1.27 billion (World Bank Group 2013b, 158). However, with roughly US\$1.62 trillion worth of goods transported on ships traveling through waters that are vulnerable to Somali pirate attacks, and with piracy contributing to an economic loss of US\$18 billion²² annually, there is a clear financial motive for many international actors to actively work to end Somali piracy.

It is also important to note that there has never been any pirate attack on any ships that have had an armed guard present (World Bank Group 2013b, 158). While most governments and the IMO had previously discouraged the hiring of armed guards aboard ships (World Bank Group 2013b, 159), their use has increased dramatically. Now, between 40 and 50 percent of ships transiting off the Somali coast employ armed guards (World Bank Group 2013b, 159). Despite the fact that the hiring of armed guards costs between US\$170 million to US\$530.6 million annually (World Bank Group 2013b, 159), shipping owners are willing to invest in such protection—and that has made an impact. Reductions in the number of hijackings can be credited to “the presence of onboard private armed security – which has shifted from being a niche market to a multi-million dollar norm – and the changed tactics adopted by international naval forces – from blanket maritime patrols to more intelligence-led activities” (Li 2013). Both of these tactics are credited with greatly assisting in the demise of Somali piracy.

The increase in naval deployments and the implementation of armed security aboard shipping vessels has contributed to reductions in Somali pirate activity. There were 49 successful hijackings in 2010, 28 in 2011, and only 14 in 2012 (Bridger 2013). While these methods have been effective at diminishing the threat of Somali piracy, they will only do so as long as they remain vigilant and in the area, which is a costly and time-consuming commitment. Militaristic approaches from external actors have proven to be effective at reducing piracy, but they are not the best solution in the long run. This is especially true since these strategies target the *outcomes* of the phenomenon of piracy, rather than the roots. Therefore a strictly militaristic approach from external forces cannot be relied upon to make a lasting impact on Somali piracy.

²² These figures are reportedly accompanied by “a margin of error of roughly US\$6 billion” (World Bank Group 2013b, 7).

In addition to naval resources from the international community, another key effort to reducing hijackings came from the International Maritime Organization (IMO). As most recently as 2011, the IMO recommended best management practices (BMPs) for shipping in piracy-prone waters (World Bank Group 2013b, 158). The IMO's BMPs are concrete instructions to "avoid or deter pirate attacks; [including] information about high-risk areas and the typical modus operandi of a pirate attack, [as well as] the appropriate course of action in response" (World Bank Group 2013b, 158). The UN has noted that ships that adhere to these BMPs have greatly reduced their risk of being hijacked (World Bank Group 2013b, 158).

The IMO has also called for more market-oriented solutions, such as the proposed embargo against Somalia's exports (Lehr and Lehmann 2007, 7). The IMO aimed to force the Somali government to take greater action against piracy itself, but this is something that was not really possible given the incapacitated state of the Somali government. Furthermore, as the financial reward of piracy remained high and other motivating conditions persisted, an embargo would likely have been a futile approach (Lehr and Lehmann 2007, 7).

Additional efforts have been carried out by the UN Political Office for Somalia (UNPOS), the UN Office of Drugs and Crime (UNODC), the UN Development Programme (UNDP), and the IMO. They have helped to strengthen domestic laws in several countries, enhance their systems of prosecution, and increase their capacity for detention of pirates (World Bank Group 2013b, 159). While this approach involves international institutions coming to the aid of countries affected by Somali piracy, external actors have also developed strategies to improve the situation within Somalia itself. The Somalia Aid Coordination Body's (SACB's) main goal is to enhance Somalia's national labor force. It is concerned with issues such as food security, rural development, health, nutrition, water resources, sanitation, and infrastructure. It also seeks to put governmental structures into practice, which SACB claims "would support local power rather than install one central authority" (Grosse-Kettler 2004, 30). However, a prerequisite to receive aid from SACB is a relative situation of peace and stability, consistent with their aim of reinforcing peace-building efforts (Grosse-Kettler 2004, 30). While the goals of the SACB are undoubtedly critical to restoring order and improving livelihoods in Somalia, such an approach makes those that adhere to the SACB's guidelines vulnerable to VNSA outbursts, which could ruin their opportunity to receive financial aid and structural support. An additional complication is that this is yet another outsider coming in to fix Somalia's problems. And, as many Somalis

(especially those in al-Shabaab territory) increasingly want outsiders, even those with good intentions, to leave their country (Mohamed 2014), organizations like this may not prove to be as effective as hoped.

Somalia has received US\$8 billion from international bodies since 1991. The aid has been given in the hopes of installing a strong central government in Somalia (Kaplan 2010, 81). Yet, Kaplan laments that efforts such as these have only served to worsen conflict in Somalia. He explains that the problem with such a solution derives from:

Its unimaginative approach to state-building [which] seriously misreads the Somali sociopolitical context, showing little understanding for how a top-down strategy impacts the state's fluid, fragmented, and decentralized clan structures. To make matters worse, the mistakes of the past are constantly being repeated, thanks to weak institutional memory (made worse by high turnover in embassies, aid agencies, and international organizations within the region); an unimaginative, uncritical, and template-driven approach to state-building; and a lack of accountability on the part of external donors, defense agencies, and aid organizations for the consequences of their failed policies (Kaplan 2010, 89).

The conflicts within Somalia, including the formation of Somali pirates, are complex. In order for solutions to be effective in the long-term they must be implemented within the sociopolitical context of Somalia. They must also incorporate Somali cultural practices, rather than impose Western notions of governance.

4.4.2 – Actions taken by internal actors

In addition to responses from outsiders, solutions to piracy have also emerged from within Somalia itself. In this section I overview Somalia's militaristic methods then move to discuss their non-combative approaches. However, it should be noted that most of the solutions proposed by Somali individuals, organizations, or offices are supported with either financial or human capital from abroad.

In recent years, official military forces, police, and coast guard divisions were founded in Somaliland, Puntland's neighbor (World Bank Group 2013b, 147). Additionally, the administration of the Galmudug district also plans to follow suit. However, it has taken action by opening one of the biggest prisons in the entire region (World Bank Group 2013b, 161). Similar actions have even been launched in Puntland. The Puntland Maritime Police

Force (PMPF) is a paramilitary force that is armed and funded by the United Arab Emirates (UAE) and has been operating in Puntland for the last four years (Li 2013). Purportedly, “Headed by the son of Puntland’s president and allegedly commanded by former South African army officers, the PMPF’s operations up and down the coast have been pivotal in reducing pirate bases on the coast of Puntland” (Li 2013). Though several sources maintain that the PMPF has contributed to improved policing and reductions in hijackings (Li 2013; Weldemichael and Hassan 2012), there are still questions of internal corruption and affiliation with pirates (World Bank Group 2013b, 161). In addition to building up forces to execute anti-piracy measures, with international assistance, Puntland has built new prisons and strengthened its legal system, leading to the arrest of 290 Somali pirates (World Bank Group 2013b, 161). In order to better accomplish counter-piracy operations, Puntland has also established a navy base in Bandar Siyada, a village about 25km (15.5mi) west of Puntland’s commercial capital of Bosaso (Horseed Media 2010). A key way that such new infrastructure is helping to diminish piracy in Somalia is by offering Somalis a chance at an honest way to earn a living. While such strategies can only be successful as long as piracy and other dangers such as illegal fishing and illegal dumping remain a concern, it is still a good step forward in reducing socioeconomic deprivation on the ground.

Most previous (and current) strategies to combat piracy in Somalia have included military intervention at sea as well as support to help improve prison infrastructure and increase prosecution of pirates, but more recently, there have also been efforts developed internally (often with international support, however) to reduce piracy from within. Additional approaches from within Somalia have included attempts at interrupting the piracy business model, increasing market wages, and developing non-state organizations with the aim of rehabilitating pirate veterans and increasing awareness around the risks of piracy (World Bank 2013b). For example, the Youth Organization Against Piracy (YOAP) was established in 2011 in Puntland and focuses on providing socio-economic solutions for youth in the region (World Bank Group 2013b, 162). There is even a Somali organization called Fathers Against Piracy that aims to stop their daughters and other women in pirate communities from becoming pirate prostitutes (Osman 2013). Another main effort to reduce piracy from within has included increasing prosecution and detention of pirates (World Bank Group 2013b, 159). While increasing criminalization encourages potential pirates to avoid participating in such a venture, this attempt to combat piracy is yet another that does not resolve the roots of the issue, which are largely socioeconomic and political.

However, the community-based and community-focused strategies are likely to be far more convincing than the strategies that operate through threat.

In 2012, the TFG transitioned to the Federal Government of Somalia (SFG) at which time President Hassan Sheikh Mohamud was inaugurated. He immediately called for an end to piracy within Somalia (World Bank Group 2013b, 161), even offering amnesty to some arrested pirates (Bridger 2013). While it is still not clear whether pirates will follow the president's demands, several hostages held by pirates were released after his call to action. (World Bank Group 2013b, 161).

Perhaps a more persuasive counter-piracy force is Afweyne, a man considered to be one of the fathers of piracy in Somalia. After years of leading attacks, Afweyne has since renounced piracy and established the Somali Anti-Piracy Agency based in Mogadishu. He has asked for assistance in providing training and rehabilitation for former pirates seeking to reform themselves. The former pirate boss and his son also attempted to negotiate a trade in which the Hobyo-Harardhere Piracy Network would relinquish its hostages in return for a US\$2 million payment from the SFG. However, the “deal reportedly collapsed over a misappropriation of funds and internal disagreement that left one pirate negotiator dead” (Bridger 2013). While rehabilitation and skills training could prove to be valuable assets against the lure of piracy, the organizations that would provide this service still need more resources in order to be effective.

4.4.3 – Summary

While many international actors have economic reasons to assist in alleviating piracy, resolving such a phenomenon must include addressing the factors that contributed to its formation. Such a strategy that would focus on reducing violence, reinforcing clan structures and leadership, and expanding economic opportunities for Somalis is likely to also be supported by the Somali people—which means it would likely be more effective as a long-term solution to VNSA formation in Somalia.

5 – Discussion

5.1 – Recommendations for action

While attempts to thwart piracy have largely been militaristic, in the past several years there have been calls to focus on more context-appropriate diplomatic and socioeconomic support to curb piracy. Ashenkazi and Ceska explain that, “For anti-piracy actions to be effective, they must be matched by efforts to help stabilize the political, economic, and humanitarian situation in the country” (2009). While such a strategy is a much more complex task than simply forcing pirates to cower away from big guns and decades long prison sentences, such changes will be more stabilizing and beneficial in the long run. In keeping with my aim to consolidate the ecology of piracy, proposed solutions should focus on this network as well as the roots of the phenomenon. Below, I offer solutions that address most of the factors that contributed to the rise of Somali piracy.

5.1.1 – Socioeconomic opportunity

Socioeconomic deprivation was one of the main contributing factors to the rise in Somali piracy. With limited means to secure a stable livelihood, many Somalis became desperate and sought access to the wealth that piracy offered. Thomas, Kiser, and Caserbeer argue that, “when done correctly, social and economic development policies can weaken local support for [VNSA] activities and discourage potential [VNSA] recruits” (2005, 24). Such an approach has proved successful in the case of Spain’s *Euskadi Ta Askatasuna* (Basque Homeland and Liberty or ETA). In this case, with improved economic conditions and greater societal disdain for violence came a reduced pool of potential recruits, and therefore reduced efficacy by the ETA (Thomas, Kiser, and Casebeer 2005, 91). Several parties wishing to assist in the development of Somalia have taken this into account. The World Bank has called for the expansion of Somalia’s fishing industry and compensation packages to replace the previous income generated from piracy, as well as improved police capacity (2013b, 174). The International Contact Group also urges for the implementation of employment and income-generating opportunities (World Bank Group 2013b, 162). Some such efforts are already taking place in Somalia, including the provision of “business training and seed money to start up economic activities” (World Bank Group 2013b, 162). While it remains to be seen whether or not such solutions will be applied, and especially applied effectively, it is clear that reducing economic incentives for individuals to participate in acts of piracy is crucial to a long-term resolution.

5.1.2 – Fortifying political stability and clan ties

Arguably, the most significant factor that contributed to the rise of piracy in Somalia was political instability. Therefore, solutions that aim to restore political stability in Somalia would prove to be highly impactful. The World Bank adds that, “long-term eradication of piracy off the Horn of Africa cannot be dissociated from the construction of viable and accountable state structures, both central and decentralized” (2013b, 173-174). What this means, and what others have also called for, is that in addition to a stronger central Somali governmental body, it is also important to incorporate bottom-up approaches to governance, including regional leadership from clans and subclans (Dehérez 2009; World Bank Group 2013b, 173-174; Kaplan 2010, 90).

Kaplan laments that, “Somalia embodies one of postcolonial Africa’s worst mismatches between conventional state structures and indigenous customs and institutions” (2010, 82). He adds that, “The international community should work directly with the clans and subclans, helping them build a series of regional governments patterned after those now operating in Somaliland and Puntland, and that have operated from time to time elsewhere” (2010, 89). Although some still rally for the reinstatement of the ICU (Axe 2009), Kaplan argues that the most potent strategies will be the ones that capitalize on the capabilities and capacities of traditional forms of governance in Somalia (Kaplan 2010, 93). This is in line with Dehérez’ assertion that regulation, in the context of Somalia, can only be effective if it is executed at a local level. Ideally, this would be done with the assistance of international actors who would provide financial, military, and political support to regional clan-based governments so that they can begin exercising greater authority and providing social services themselves (Kaplan 2010, 91). This is different from the type of assistance international governments have offered in the past as it focuses on the support of regional governance, rather than enforcing a central authority. Because of this distinction, the external support is likely to be much more welcomed than it has been in the past.

Despite the fact that Somalis share a common ethnicity, language, and religion, they remain distinct from each other due to their clan identities (Kaplan 2009). However, clans have used their traditional methods of governance and leadership to instill order in many parts of Somalia, and in doing so, have been able to resolve disputes and encourage investment (Kaplan 2009). By working with these groups directly, traditional informal leadership could give way to more formal local governments, which could be supported initially by foreign aid. In this way, “bottom-up approaches in conflict resolution might be

developed on a broader basis and in the end be more effective in a country that is still best described as a pastoral society” (Dehérez 2009). Although friction between various identity groups has created deep divides throughout Somalia’s history, clans and their associated methods of governance may actually prove to be instrumental in stabilizing Somalia’s political situation.

5.1.3 – Alleviating identity cleavages

The removal of socio-economic barriers between conflicting groups can alleviate tension and decrease the desire for new members to join a violent organization (Thomas, Kiser, and Casebeer 2005, 24). By strengthening traditional structures of governance, these local institutions will increase their capacity to maintain law and order and be able to devote greater effort to other important issues (Kaplan 2010, 91). While this would require support from foreign militaries “if the outside force was composed of troops from non-African Muslim states (such as Bangladesh, Malaysia, and Pakistan) instead of AU [African Union] peacekeepers, it might enjoy greater local support and attract fewer accusations of “infidel” interference in Somali affairs” (2010, 93). Furthermore, if some external actors involved facilitated negotiations between disputing Ethiopia and Eritrea, stability could spread throughout the entire region (Kaplan 2010, 93).

5.1.4 – Terminating illegal fishing and illegal dumping

International actors and the coalitions they form must keep illegal fishing on their agenda. Eliminating poachers would have two effects on Somalia’s future: (1) to remove a source of anger from Somali fishermen toward international vessels, and (2) to ensure that Somalia’s EEZ is protected. In accordance with the second effect, the resources off Somalia that lie within its EEZ could then be put to use and enjoyed by the Somali people themselves. Until Somalia can exercise authority over its EEZ itself, “the anti-piracy coalition [of navies operating in Somalia] must *also* ensure that the plundering of Somalia’s seas be brought to halt, and the maritime area be kept in trust for the people of Somalia” (Ashenkazi and Ceska 2009). Such actions would also effectively remove the ability of international actors to continue to dump illegal waste off Somalia’s coast and therefore alleviate another contributing factor.

5.1.5 – Interrupting piracy operations

As stated previously, a key element of the Somali piracy model is its use of safe anchorage points throughout Somalia's extensive coastline. When pirate groups themselves do not control the territory of these areas, Somali pirates have been known to build alliances and offer other VNSAs a portion of the ransom earned in order to secure the hijacked ship. Although the World Bank argues that piracy would be far less lucrative if these anchorage points were no longer accessible (2013a), this would require addressing Somalia's other VNSAs, such as the insurgent group al-Shabaab. While intervening in the piracy business model would undoubtedly make Somali piracy operations more difficult, such a solution is only possible when stable regional governments are implemented.

5.1.6 – Addressing reinforcing factors

Strategies to end piracy in Somalia must also address the vast network of international actors always at the ready to play their part in Somali piracy operations, from supplying weapons and other equipment, financing operations, to assisting with money laundering. The UNODC charges that building up national and regional law enforcement agencies, supporting the regulation against money laundering, and creating a comprehensive program to disrupt financial streams would most help to confront these actors (World Bank Group 2013b, 160). Although this still leaves those in powerful positions open to temptation by VNSAs who wish to corrupt them, enacting legal infrastructure is one way to help bolster Somalia's ability to govern. However, such an approach requires external assistance, so its success will depend on how dedicated the UNODC is to this cause and on how open the Somali people are to receiving the external support.

Another key aspect of successful piracy operations is the use of weapons and military equipment. Despite the UN Security Council's embargo on imported weapons to Somalia, many countries have participated in arms trading with the country. Proposals from the UN Panel of Experts on Somalia to address this include enhancing sanctions on violators or blocking their ability to complete the associated financial transactions (Grosse-Kettler 2004, 31). While some research is being carried out to see how this could be accomplished (SBS News 2014), no clear methods have been established. Other recommendations include better monitoring and international condemnation of Ethiopia should the nation again decide to militarily intervene in Somalia, as well as additional embargos on arms exports for Djibouti and Yemen (Grosse-Kettler 2004, 31). Although the embargos are legitimate steps forward in the cessation of arms dealing, such trading is largely underground and therefore

cannot be completely stopped by state regulation. An additional suggestion has been to establish a disarmament, demobilization, and reintegration (DDR) campaign in Somalia (Grosse-Kettler 2004, 31). According to the UNDDR Centre, “The objective of the DDR process is to contribute to security and stability in post-conflict environments so that recovery and development can begin” (2014). However, DDR campaigns can only be effective when there is some basic level of security and political stability. While Somalia may not yet be ready for this approach, such a recommendation could indeed prove useful to Somalia in the future, as long as the Somali people are open to receiving support from outsiders.

5.2 – *Summary*

Thomas, Kiser, and Casebeer claim that “Violence grows where desperation lingers” (2005, 47), and that has certainly been the case in Somalia. While only some of the pirates emerged as a pseudo Somali Navy, the phenomenon overall was driven by a combination of factors that contributed to an environment of despair, anxiety, and uncertainty. While I hope I have explained why these circumstances make the pirates’ actions understandable, a sustainable C-VNSA strategy in Somalia would need to target these circumstances more than the phenomenon of piracy itself as piracy in Somalia will not be vanquished by military force alone (German-Foreign-Policy.com 2010). What is needed is a combination of international support and internal motivation. By focusing on more local, bottom-up solutions that target the roots of piracy, or the initial motives of the pirates, peace and stability are far more likely.

If international bodies continue to fail to recognize the culture and norms of the country they wish to assist, then they will only perpetuate conflict in Somalia, rather than aiding in a well-received and practical resolution. What Kaplan recommends is that “Instead of repeatedly trying to foist a Western style top-down state structure on a deeply decentralized society, the international community should work with Somalia's long-standing traditional institutions to build a bottom-up government” (Kaplan 2009). Such an approach would empower the local population and create a path toward self-reliance. While some may criticize the involvement of international actors at all, because of the various VNSAs operating in Somalia, many factors and conflicts are likely to persist in the relational field unless there is some kind of intervention. Although Somalis are capable of taking initiative

themselves, when facing violent actors such as warlords with their own militias, it is helpful to have external support until the situation becomes more stable.

As piracy becomes less opportune, past or would-be pirates often look to other illicit activities in search of other equally rewarding pay-offs. As the alternatives of kidnapping for ransom and human trafficking (World Bank 2013b; Grosse-Kettler 2004) are just as dangerous, illicit, and unsustainable as piracy, it remains clear that solutions to eliminate piracy in Somalia should aim to help build up Somalia's socioeconomic and governmental infrastructure by incorporating the state's own social and political networks. In order for C-VNSA solutions to have meaningful impact in Somalia, they must be context-specific, must address the specific species of VNSA in question, and they must be supported by the targeted indigenous population. Additionally, strategies that aim to eliminate a VNSA must tackle the roots of formation rather than only employing tactics to address the outcomes of VNSA activity. Lastly, it is clear that military intervention is not a long-term solution and should not be incorporated as such (Thomas, Kiser, and Casebeer 2005).

While the specific conditions, factors, and actors that played a part in the ecology of Somali piracy are unique, the principles noted in VNSA theory by Thomas, Kiser, and Casebeer could be applied to a multitude of other types of VNSAs. If one considers the influence of resource scarcity, demographic pressures, socioeconomic deprivation, organized crime and corruption, and pre-existing identity cleavages—especially in situations of political instability, socioeconomic despair, and environmental and social injustice, it becomes easier to identify where VNSAs are likely to appear. Accordingly, it is only by addressing these dynamics that successful C-VNSA strategy can be developed. It is only by targeting the root causes of such a phenomenon and the niches that the associated actors exploit that such a situation can move from one of violence to one of peace.

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