# Introduction

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The Somalia International Rehabilitation Centre (SIRC) Conferences on the Horn of Africa has now been convened for ten years. Since its start in 2002, the conferences have been held in Lund, Sweden. The conferences have attracted a wide international interest. Its unique programme, directed towards academics with a multi-disciplinary approach, politicians, diplomats, NGOs and international organizations, have been part of its success in reaching a large audience and engagement.

In the last decades it has become increasingly clear that maybe the most pressing challenge for the world community is that posed by the reconstruction of the states of Horn of Africa. These states are faced by numerous pressing problems with intra- and international consequences, such as civil wars, terrorism, poverty, environmental degradation, crime, disease and illegal migration, just to name the most obvious. If these problems are caused by the fact that the states have failed, then solving the problems requires us to think about what failed and how do we reconstruct these states so the pressing social, political and economic problems can be solved. The delegates at the conferences on The Horn of Africa have spent considerable time thinking and arguing about the nature of failure, its causes and consequences and not least, how to reconstruct states to a level of good governance, the rule of law and respect for human rights.

The papers presented in this report have been published before in the annual reports. The aim of this ten years report is to put together a comprehensive collection of varying themes concerning the issue confronted in the horn of Africa. The focus is on empirical analysis of current issues. The aim is to widen the knowledge and understanding of the nature of the political, economic and social issues. Also the discussion on how to reconstruct the Horn of Africa is included, for obvious reasons. This does not mean that the other paper presented during the years does not have any merit. On the contrary, but all collections of articles have its limits and purpose. The aim of spreading empirical knowledge of the Horn of Africa is paramount at this hour. Little is known about the pressing issues. Little is known about the plight of the people in the region. A major part of the conferences have been to contribute to the knowledge and political and social situation on the ground.

The contributors seem to agree on certain factors that define a failed state, such as bad governance, lack of the rule of law, continual conflicts, poverty, weak political and economic institutions, weak and corrupt political leadership, disunity among citizens, and more. Standing in front of these problems, the contributors, such as Christopher Clapham, ask: “Where do we start, if we are trying to build a framework of stable and accountable government in this extremely unpromising part of Africa?” That is not to say that the contributors in their respective papers, shy away from the current problems of the states in the Horn of Africa. On the contrary the contributors are characterized by a commitment to discuss and analyze all important and controversial aspects of the causes and solutions of failed states. And this is impressive in an era when it sometimes seems as if the international community has given up hope of restoring good governance, the rule of law and human rights in this part of the world. And this also reminds us of the gargantuan task in front of us, as Christopher Clapham so eloquently expresses it: “We should not however delude ourselves into supposing that this will be anything but an extremely difficult task to achieve”.

At this point we naturally have to ask ourselves what is a failed state? The empirical and theoretically grounded discussion of the phenomenon does not always seem to have the same thing in mind when using the term failed state. Many definitions seem to consist of examples, like Somalia, with no clear argument about the underlying principles showing what a failed state is and what such states have in common. Some theoretically developed definitions on the other hand are usually brief or propose principles that lead to the conclusion that some states have only failed in certain areas of their governance and not completely. Robert I. Rotberg [[1]](#footnote-1) suggests that “nation-states fail when they are consumed by internal violence and cease delivering positive political goods to their inhabitants” (Rotberg, 2004:1). Thus, a failed state is characterized by tense and deep conflicts between communities and a growth of criminal violence. Some failing states may actually collapse. This is a rare situation. In the contemporary world, only Somalia qualifies for this epithet, according to Rotberg (2004:11). State collapse and failure do not happen overnight. They are the result of a long period of decay, and the decline of some social and political processes are more important than others in this. Studies propose three main indicators of failure: (1) when the nation-state favours a closed economic system, with low international trade, (2) when infant mortality rates are higher than the international median, and (3) when the state is undemocratic (Rotberg, 2004:21).

However, failed states can be recovered. And as the contributors in this volume indicate, there are certain steps to be taken in the reconstruction process. For a start, the reconstruction process obviously requires basic political will and international aid. If this is lacking it is going to be difficult to get the reconstruction up and going. When it comes to what the reconstruction process itself should be about, some studies show the necessity of re-establishing basic political, judicial and economic institutions. Once there is a more peaceful environment, trust has to be restored. And trust is often based on justice and equality. In this area the concepts of Good Governance and the Rule of Law are intimately linked to each other. The good governor acts according to the rule of law and trust is built upon the certainty among people that rules apply equally to every citizen and that the government also follows the rules it has established. Economic recovery requires among other issues; financial stabilization, rehabilitation/reconstruction and development. And as some of the contributors suggest, this can not happen if the international community is not involved in the reconstruction process.

Even if the present situation sometimes looks bleak, the contributors to this volume generally agree that revival and reconstruction are possible outcomes. The chapters demonstrate why the states in the Horn of Africa have failed or are failing and how they can be reconstructed. There are articles presenting more general overviews of the problem of good governance, human rights and reconstruction of states and there are articles dealing with certain issues and countries. Eritrea, Ethiopia, Somalia and Sudan are dealt with in this report.

# The chapters

The report is divided into three thematic parts. The first part consists of overviews of the prospects for peace, democracy and human rights in the Horn of Africa.

In the first chapter, Morgan Johansson introduces different aspects of human rights in connection with the rule of law as central parts of a modern democratic state. Human rights consist not only of the liberal political rights such as freedom of religion, freedom of the press etc but also of social and economic rights, women’s rights and rights related to environmental issues. The implementation of human rights is acknowledged by Johansson to be a huge and difficult task. One might add that this also goes for a state like Sweden, but nevertheless, according to Johansson, human rights is a vision that we all must strive for, because it is worth living and dying for.

Lars Ronnås, in chapter two, discussing the prospects of peace and development in the Horn of Africa, argues that today there are positive images of Africa, despite the massive negative picture one gets from mass media, that need to be expressed, namely that there is a reinforced determination among African states to take charge of their own future. Ronnås also points to certain factors that need to be fulfilled in order to achieve a peaceful environment that can be the base for necessary economic, social and political development, such as a common will to resolve armed conflicts through negotiation, enlightened political leadership, respect for human rights, and tolerance for cultural and religious diversity.

In chapter three, Amare Tekle, presents views on the international aspects of the rule of law and good governance in relation to the conflict between Eritrea and Ethiopia. While it is an official Eritrean perspective on the conflict, the statement opens up for solving the dispute through dialogue. The question remains what the Ethiopian view is on the conflict and how it should be solved. Maybe the SIRC conference can contribute to the dialogue between these two countries and the peaceful solution of the conflict?

In chapter four, the speaker of the Transitional Federal Parliament of Somalia, Sharif Hassan Shiekh Aden, gives an overview of the current political developments in Somalia. Aden discusses the inauguration of the transitional federal parliament, the reconciliation process, and how the transitional parliament is working with dialogue with the civil society in trying to restore peace, transparency, and trust at national, regional and local levels.

In chapter five , Martin Hill underlines the important aims of the conference, as taking steps towards resolving conflicts, towards inclusion, accommodating differences and finding common ground for peace, and the realization of human rights in the Horn. Hill also gives a brief description of the violations of human rights in the Horn of Africa during the last decade or so. In this period people in general and not the least, outspoken human rights defenders, have suffered from violence by government authorities. Especially women’s rights are violated as governments gives lip service to these issues and as harmful traditional practices such as female genital mutilation, continue to be practised extensively in many countries. Despite the difficulties human rights defenders have working in the region, Hill appeals at the end to everyone to become a human rights defender. By that he seems to insist that we all have to speak up when we see violations occurring. The implication is that silence is consenting to the violations.

Part two of the report deals with the issues of good governance, the rule of law and the importance of implementing these concepts in the reconstruction of the failed states in the Horn of Africa.

Christopher Clapham, in chapter six, challenges the idea that the Western liberal concepts of good governance and the rule of law are automatically well suited for the specific cultural context provided for in the Horn of Africa. This may seem to be a critique of a western naiveté of the universality of human rights for instance, but Clapham argues that the extension of these concepts represents an improvement in the political agenda of the region, where the access to arms used to be or maybe still is in some cases, the most effective way of controlling the political arena. Furthermore, Clapham argues that political change is necessary, but facing the enormous task this is, he asks where we can start to build a new stable and accountable government framework in the respective countries in the region? This is of course the central question of the conference and the papers in this report. The answer Clapham outlines is that the concepts are important, but they are not easily adapted to a different cultural environment. According to Clapham, governance is not just a matter of applying standard rules or just a matter of regulating the behaviour of governing elites. If the concepts of good governance and the rule of law will have any effect depends on their integration into the culture of the individual societies. The implementation has to come bottom-up and not be imposed top-down. The changes must come from within if states like Somalia are ever to be reconstituted, argues Clapham.

In chapter seven, Maxi Schoeman, discusses the role of the international community in rebuilding failed states. A failed state is defined as a country with political, economic, religious and ethnic collapsed patterns. This situation is often the consequence of internal conflicts. A failed state is, according to Schoeman, characterized by an inability to sustain itself as a member of the international community. Countries that have failed, but are being rebuilt are for example East Timor, Mozambique and Sierra Leone. Schoeman explores how the international community can provide assistance to failed states. This assistance, argues Schoeman, must be integrated with domestic efforts to rebuild the state. Schoeman lists a number of lessons learned from several other efforts to rebuild states, such as peacekeeping, restriction on the sales of commodities that fuel conflict, generous aid, establishing the rule of law and international peace guarantors when the initial peacekeeping forces have pulled out from the country. There needs to be a backup, argues Schoeman, in case the conflict ignites again. Considering these basic factors for rebuilding a state the international community clearly has an important role to play.

Janis Grobelaar, in chapter eight, is concerned with questions relating to building and rebuilding societies so that all people can enjoy the opportunity of living decent lives. For Grobelaar the building of a society requires an articulated and apparent consensus of the societal needs for such reconstruction to take place. There has to be key institutions and relations, social cohesion which is the foundation for the state to be viable over time. Grobelaar identifies several key elements and processes that the failed state needs to accomplish in the reconstruction: the role of shared values and norms; some sort of regulative force that can keep stability and at the same time be legitimate in the eyes of the citizens; and the rule of law and due process. People have to know what the rules of the game are and that also the government and its authorities are acting within the framework of the law. Grobelaar also brings up a difficult and controversial matter in relation to the question of the rule of law, and that is how to deal with the question of accountability and impunity of former governments. There are two major theories in this field: One is arguing that impunity is necessary in some instances for the society to be able to move on. The South African post-apartheid experience is so far the most prominent example that this theory of reconciliation can work, at least in a short-term perspective. The Charles Taylor case in Liberia is also a case in point. The other major theory reasons that retribution and justice must be implemented if the society as a whole is to be able to move on and be reconciled with its past. If criminality and banditry is not put before the law, people will have difficulties in seeing the political and legal system as legitimate. Finally, Grobelaar argues that rebuilding societies not only requires remedying the past, but also concerns the future. And for children the future lies very much in education. Without education, there can be no reconstructed societies and this is at the same time the most difficult challenge for the states in the region.

Lisa Magloff’s article in chapter nine, is about the vulnerability of a state after emerging from periods of conflicts. A critical issue for any such state is how to avoid renewed conflicts as the state lacks basic infrastructure, public revenues, government capacity and investor interests. The critical issue must be to create an atmosphere that lessens the risks of further conflict, argues Magloff. A major factor in avoiding renewed conflict is investments. Investments can be both general aid and business directed. As poverty is identified as a major cause of conflict it is necessary to adopt a policy of poverty reduction. In several case-studies of so-called rebel states Magloff shows how an open investment atmosphere can reduce the risk of renewed conflicts.

In chapter ten Abdi Ismail Samatar argues that reversing the various abuses of the rule of law institutions of the Horn of Africa states is essential in the reconstruction of good governance. In order to find a solution to reinstitute good governance and the rule of law in Somalia, Samatar sketches the post-colonial political history and why the democratic institutions failed and could not prevent the outbreak of civil war. And he also argues that much of the advice regarding the reconstruction of Somalia is inappropriate because they focus too much on the idiom of a clan- based strategy and the role of the clans in Somali politics. Samatar instead suggests another strategy for dealing with the reconstruction of the common national political arena. He makes a distinction between two types of ethnic identity. Samatar argues that there is a non-state centric tradition based on shared values not legally defined. The alternative is an identity legally sanctioned by the state. According to Samatar this “citizenry” could be a way out of the ethnic clinch the country is finding itself in today, while confusing and mixing culture and politics. He argues that culture and ethnicity should not have a central role to play in national politics if Somalia is going to overcome its differences. The politics of culture was a colonial policy and to become truly post-colonial Somalia has to move to politics based on common value denominators instead of separatist ethnic identities.

Mohamoud Ahmed Nur, in chapter eleven, presents a critical perspective on the reconciliation process in Somalia. Nur argues that this process has been compromised from the outset, both in terms of the people actually involved in the process and by the not so well intended motives of the neighbouring countries taking part in this process. Nur also discusses the implications of good governance and he also proposes certain steps to be taken in the reconstruction of the state of Somalia. What should be done in Somalia? Nur’s list consists of four steps: the international community should be involved, instruction of a proper power sharing, ministers of the government should not be members of parliament at the same time, and MPs should be financially independent of the president or prime minister.

In chapter ten Kinfe Abraham discusses good governance, decentralized federal democracy and the rule of law in Ethiopia. Abraham argues that Ethiopia and the rest of Africa face critical human rights challenges. The cause of the current problems is prolonged conflicts, weak public institutions and disunity among different ethnic groups. However, Abraham also points to the fact that a change has taken place in Ethiopia in recent years and that people desire good governance. There has been a liberalization of the economy, revision of the investment laws, improvements in the legal system, and a reviewing of the financial sector. These reforms have led to steps being taken in a democratic way. The government has a defined terrain of accountability and is upholding the rule of law. The political decentralization process recognizes the equality of the different nationalities and that they should be able to determine their own status in a federal structure. There should also be an elected government and the implementation of the individual freedom of religion is part of this package deal.

In chapter eleven Amira Awad Osman looks at the connection between good governance and displacement in Sudan. Osman argues that the government has through its institutions manipulated, abused and used the law against displaced people in order to force them to leave and seek refuge elsewhere. About 15 per cent of the population are displaced As the displaced people in Sudan suffer from human rights violations, Osman suggest that the reestablishment of good governance, with its democratic, human rights and justice implications, should be a prerequisite in treating the displaced as equal citizens with rights to housing and livelihood.

Osman also presents a list of recommendations for a good governance policy in Sudan regarding displaced people.

Part three deals with different prospects of development in the Horn of Africa. The contributors agree that the Horn is rich in natural resources and economic activities. Nevertheless, hunger, poverty, and environmental degradation characterize the current situation. The contributors in this part analyze the root causes of the present predicaments and look at strategies for solving the paradox of being rich in theory but poor in practice.

In chapter twelve, Mengistu Woube, discusses the connection between environmental degradation, poverty and hunger. Hunger affects millions of people and the international aid is not enough and certainly not the long-term solution to a permanently pending crisis. The root cause of hunger, according to Woube, is poverty. Poverty is not only about the material and financial situation, but also about poverty of knowledge and moral/ethical poverty. The reason for the present situation of poverty is the decline of cultural and social institutions that formerly provided people with necessities and distributed natural resources and land. Due to policy changes, these institutions are no longer present or have any way lost their central role and impact in the societies in the Horn. The solution to these problems, suggests Woube, is a programme of action containing several urgently required actions, such as an international financial aid package similar to the Marshall Plan, and the establishment of a new autonomous agency that allocates and distributes the aid. Other urgent actions according to Woube are good governance with an understanding of present and traditional institutions, and land and water conservation and development strategies.

Abraham Kiflemariam, in chapter thirteen, discusses how non-literate peasants apply their own political and judicial institutions addressing collective political problems in Eritrea. The fundamental question we encounter in his article is why non-literate peasants succeed in developing their own good governance structures while the failures of the states of the Horn of Africa are all too evident? Kiflemariam’s empirical study of Ghedged, a small village republic on the Red Sea coastal plains, resembling a mini-state, certainly underlines what can learned in regard to good governance and reconstruction of states. People want to have good governance, rule of law, transparency and accountability. And it is possible to reach those goals under circumstances where people are in charge of their own development, argues Kiflemariam.

In chapter fourteen, Abdi Jama Ghedi, analyzes the links between migration and development. Ghedi argues that a properly managed migration can deliver major benefits in terms of development and poverty reduction. His study is concerned with Somalia and the development role of the Diaspora-induced remittances. In some developing countries remittances from the Diaspora account for more than ten per cent of GDP. The most important effects of remittances are their impact on income and poverty levels in the receiving countries. In Somalia the remittance sector provides basic financial services, due to the lack of a central government and banking system. But this situation also poses some basic challenges for the country. The remittance companies do not apply the same operating standards and do not necessarily comply with rules and regulations of the host country. Ghedi argues that the remittance sector has to comply with host country regulations if this going to be an important poverty reduction development in the long-term.

In the last chapter, chapter fifteen, Christian Webersik, examines the role of the Somali business class and its links with the environment, conflicts and statelessness in Somalia. In analyzing these intriguing links Webersik takes a close look at charcoal production. Charcoal production can trigger conflicts in producing areas, argues Webersik, but at the same time it builds trust among the business elites in urban areas. There is no functioning state in Somalia. But there is a thriving economy based on trade and arbitrage rather than production. The result of this is that the business elites have taken over basic functions of the state. Charcoal production plays an important role in the contemporary landscape of conflicts in Somalia. The charcoal trade favours the already powerful elites without benefiting local people. Local communities have responded to this situation by resistance, often leading to armed conflicts. But even if the business elites are thriving at the moment, this situation cannot be sustained for long. Business needs effective government, the rule of law and social responsibility, argues Webersik. He suggests that the business elites should have a stake in the well-being of the Somali people through tax revenues, and creating job opportunities. And Webersik shows from his empirical study that Somali businessmen have already taken initiatives to create an enabling social responsible environment.

In addition to the proposals of the respective contributors, the four workshops that held negotiations during the conference also presented recommendations for future action in the reconstruction of the states in the Horn of Africa.

1. Robert I. Rotberg (ed) (2004). When States Fail: Causes and Consequences. Princeton: Princeton University Press. [↑](#footnote-ref-1)