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SOMALIA WORKS: POLICE DEVELOPMENT AS STATE-BUILDING

ALICE HILLS*

ABSTRACT

Somalia is an exceptionally insecure state that, nevertheless, offers an arena in which police officers and institutions can — and do — function. This article argues that Somalia's three regional police forces offer insight into the dynamics that result when locally-driven institution-building projects interface with international state-building projects. The resultant picture is nuanced because police negotiate with private actors even as they develop their state-based authority, and their achievements are limited by Somali power brokers sharing a political understanding of security provision, valuing external assistance as a business opportunity and adapting international models of governance accordingly. Consequently, while the prospects for institution-building are favourable, stabilization is unlikely to shift into state-building or development.

EVERY MORNING AT 08.30 IN GAROWE, capital of the semi-autonomous Puntland state of Somalia, a uniformed staff officer delivers a situational report to the director general of the Ministry of Security and Disarmament, Demobilization and Reintegration (DDR). A similar report is delivered by letter, telephone or radio to security offices along the tarmac road that runs from the northern coastal town of Bosasso to Galkayo, 334 miles to the south. Yet this takes place in a country that is invariably described as a failed or collapsed state.¹ Indeed, Somalia has topped the *Failed States Index* for the last six years.² A question, therefore, is not whether (or for whom) the Somali state is failing,³ but why it is working at all.

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¹ *The Economist*, 'The world's most utterly failed state', 2 October 2008, <<http://www.economist.com/node/12342212>> (17 December 2009).

² Fund for Peace, *The Failed States Index 2013*. <<http://ffp.statesindex.org/rankings-2013-sortable>> (26 June 2013).

³ Morton Bøas and Kathleen Jennings, 'Insecurity and development: the rhetoric of the "failed state"', *European Journal of Development Research* 17, 3 (2005), pp. 385-395, p. 385.

Somalia is one of the poorest and most violent countries in the world, but categorizing it as a failed state is — at least as far as its three regional police forces are concerned — misleading. It is true that many Somali police officers are untrained, undisciplined and ineffective, but this does not mean that they are not police or that 'a police force in the Western sense is ... an alien institution'.⁴ Regardless of their appearance or ability to provide order, Somalia's police share occupational commonalities with police in other regions, are linked into international policing networks,⁵ and are developing the control apparatus that lies at the heart of state-building.⁶ Indeed, Somalia's three forces represent a spectrum of capacity and development that offers insight into the substantive problems of state-building and the complex of practices, procedures and norms required for the institution building through which it is believed to emerge and be expressed. Based on data collected in Somaliland, Puntland and Nairobi in September 2011 on behalf of the UNDP's Rule of Law programme in Somalia,⁷ this article uses the police's record since approximately 2008 to show that the relationship between state-building, institution building and social processes is more nuanced than the literature on the failed state allows. Somalia's situation is undoubtedly extreme, yet its experience is relevant for governance debates more broadly, offering opportunities to identify the minimal conditions under which governance (which refers here to the rules, processes and interactions through which decisions are made and authority exercised) can develop, the relative importance of formality, and the contextual factors determining what development-oriented governance might look like.⁸

⁴ Martin Murphy, *Somalia: The New Barbary? Piracy and Islam in the Horn of Africa* (Hurst, London, 2011), p. 156. For Western-style policing see Peter Manning, *Democratic Policing in a Changing World* (Paradigm, Boulder, CO, 2011).

⁵ Somalia has been a member of INTERPOL since 1975, and was connected to INTERPOL's I-24/7 global police communications system in 2007.

⁶ Beatrice Pouligny, *Peace Operations Seen From Below: UN missions and local people* (Hurst, London, 2006), p. 22.

⁷ It was not possible to visit Mogadishu, but interviews were held in Nairobi with the Transitional Federal Government (TFG)'s police commissioner and director general of the Ministry of the Interior, as well as with past and current members of Mogadishu's Police Advisory Committee (PAC), either in person or by telephone.

⁸ Three articles act as reference points for the understanding used here: Ken Menkhaus, 'Governance without government in Somalia: spoilers, state building, and the politics of coping', *International Security* **31**, 3 (2006/07), pp. 74-106; Christian Lund, 'Twilight institutions: public authority and local politics in Africa', *Development and Change* **37**, 4 (2006), pp. 685-705; Tobias Hagmann and Markus Höehne, 'Failures of the state failure debate: evidence from the Somali territories', *Journal of International Development* **21**, 1 (2009), pp. 42-57. For development-oriented governance see Merilee Grindle, 'Governance reform: the new analytics of next steps', *Governance* **24**, 3 (2011), pp. 415-418.

Admittedly, discussing the police's role in isolation from that of other security actors presents an unbalanced picture of Somalia's complex and dynamic environment, not least because the functional boundaries between police, militia and militaries are often ambiguous,⁹ as are those between security delivered by the state and security delivered through social processes. Also, police do not act alone. In Somaliland and Puntland officers typically intervene when requested by elders implementing customary law (*Xeer*), while in Mogadishu they accommodate militia operating under agreements with the Federal Government of Somalia (FGS) and the African Union Mission in Somalia (AMISOM).¹⁰ Indeed, even government-controlled districts such as Dharkenlay rely on clan-based groups of youths to provide low-level security against theft and freelance militias; clan militia act as rapid response units and civil society initiatives such as neighbourhood watch schemes provide community reassurance. Even so, police represent an analytical baseline that provides a more accurate indicator of Somali capacity-building and perceptions of stateness than either the AMISOM-backed Somali National Army or the CIA-backed Puntland Intelligence Agency (PIA).¹¹ The daily routine in Garowe's police headquarters, where Islamist suspects doze by steps to the barely-furnished radio room,¹² offers a more representative picture of the Puntland state than the PIA's isolated compound half a mile away.

The discussion that follows develops in four parts. The challenges of developing police forces in Somalia are outlined before the evidence for conventional policing and institution building is assessed. The explanatory value of the dynamics that result when bottom-up and top-down approaches to police development meet is explored, and their implications noted. The discussion concludes that Somali power brokers balance local security levels and politics against international expectations in a way that goes beyond current conceptions of state-building.

⁹ Puntland's deputy commissioner in late 2011 was an army officer.

¹⁰ The government in Mogadishu was known as the Transitional Federal Government (TFG), 2004-2012. It was replaced by the FGS in August 2012.

¹¹ CIA support is provided from Djibouti's Camp Lemonnier and Bosasso. See SomaliaReport, 'Puntland's anti-piracy program shut down', 22 June 2012, <www.somaliareport.com/index.php/post/3465/> (22 June 2012); 'MilitantLeadershipMonitor'1, 9 (2010), p. 15, <http://www.jamestown.org/uploads/media/Militant_Leadership_Monitor_-_Volume_I__Issue_9.pdf> (1 October 2013).

¹² Personal observation, Garowe, September 2011.

Factors affecting police development

Chronically insecure and fragmented, Somalia (or, more accurately, the former Somalia) has been without a central police since former president Siad Barre was overthrown in 1991. One-third of the country's estimated population of nine million live in extreme poverty, one-fifth is internally displaced, and over a quarter is in need of emergency support. Drought has badly affected southern and central Somalia (South-Central), but conflict and the activities of *al-Shabab*, a militant Islamist group allied to *al-Qaeda*, has made it difficult for relief agencies to operate.¹³ Unsurprisingly, Somalia is seen as a paradigmatic failed state.

In fact, Somalia is managed by a variety of security and administrative entities that are linked ethnically and economically but have different levels of stability and styles of governance; as Ken Menkhaus notes, 'communities facing the absence of an effective state authority forge systems of governance to provide modest levels of security and rule of law'.¹⁴ The international agenda for Somalia may focus on Mogadishu as the capital of a unified state, but in practice inter-governmental organizations (IGOs) and donors divide Somalia into three main administrative areas: Somaliland in the north-west, Puntland in the north-east and Mogadishu (South-Central is residual, rather than an entity, and its cross-hatching of clans obstructs the development of an entity). This division reflects that Somaliland declared itself an independent republic in 1991, Puntland claimed autonomy in 1998, while the international community supports a government that is confined to Mogadishu.¹⁵

Administration is also provided by self-governing enclaves (e.g. Galmudug and Ximaan and Xeeb), new self-declared states (e.g. Khatumo, which was created in January 2012 by clans wishing to be

¹³ Al Jazeera, 'Al-Shabab 'join ranks' with al-Qaeda', 10 February 2012. <<http://www.aljazeera.com/news/Africa/2012/02/201221054649118317.html>> (10 February 2012). Compare Stig Jarle Hansen, *Al-Shabaab in Somalia: the history and ideology of a militant Islamist group, 2005-2012* (Hurst, London, 2013).

¹⁴ Menkhaus, 'Governance without government', p. 74. See also Hagmann and Höehne, 'Failures '.

¹⁵ The US formally recognised the FGS as the national government of Somalia in January 2013, the IMF did the same in April and the UK opened an embassy in May.

part of a federal Somalia), and local movements such as the traditionalist Sufi Ahlu Sunna Wal Jama'a. Indeed, approximately 30 mini-states have been announced since 2006.¹⁶

These developments are influenced by international ideals of legitimate governance, which are filtered through Somalia's informal economy of clans, conflict, entrepreneurialism and fragmentation. This is not problematic for Somalis because 'state and clanship are part of the same story, part of the same political dynamics'.¹⁷ Indeed, Uzi Rabi argues that in clan-based societies such as Somalia's, 'the state should not be seen as an independent political actor, but rather as a "political field," i.e. an area within which diverse actors compete for influence and resources'.¹⁸ But it is frustrating for international actors, and tensions arise at the point where bottom-up Somali-driven projects meet top-down international state-building.

On the one hand international organisations with an interest in Somalia — and these range from IGOs (e.g. the UNDP), donors (e.g. DFID) and bilaterals (e.g. Denmark) to NGOs (e.g. Saferworld) — pursue an ambitious agenda focused on sustainable security and normative values intended to facilitate state-building while incentivising social justice. Witness the UN's vision of a future Somalia in which 'people make progress towards peace and the Millennium Development Goals through equitable economic development and are supported to achieve their human rights by inclusive, accountable and self-sufficient government'.¹⁹

Transforming Somalia's police into a credible, trust-worthy and effective organisation adhering to international standards is seen by many as an essential element in the humanitarian, transitional and

¹⁶ SomaliaReport, 'A war in waiting', 20 June 2012, <www.somaliareport.com/index.php/post/3309/A_War_in_Waiting> (20 June 2012).

¹⁷ Marleen Renders, *Consider Somaliland* (Brill, Leiden, 2012), p. 57. Compare Markus Höehne, 'Political identity, emerging state structures and conflict in northern Somalia', *Journal of Modern African Studies* **44** 3 (2006), pp. 397-414. A rich literature on Somali genealogy, culture and institutions has developed since the publication of I. M. Lewis' seminal research (e.g. *A Pastoral Democracy*, OUP, Oxford, 1961), though none of it addresses the police's role. See, for example,; Virginia Luling, 'Genealogy as theory, genealogy as tool: aspects of Somali "clanship"', *Social Identities* **12**, 4, 2006, pp. 471-485; Joakim Gundel, 'Clans in Somalia' (Austrian Red Cross, Vienna, 2009), <http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf> (20 October 2012). For an overview see Markus Höehne and Virginia Luling (eds) *Milk and Peace, Drought and War: Somali culture, society and politics* (Hurst, London, 2010).

¹⁸ Uzi Rabi, *The Emergence of States in a Tribal Society: Oman Under Sa'id bin Taymur, 1932-1970* (Sussex Academic Press, Brighton, 2006), p. 3.

¹⁹ UNSAS, 'Overview of the United Nations Somali assistance strategy', undated (2010?), <<http://www.so.undp.org/docs/Overview%20of%20the%20UNSAS%20in%20Somaliland.pdf>>.

recovery assistance needed to achieve these goals. Although attempts to develop an acceptable post-Barre police failed,²⁰ and international forces withdrew from the country in 1995, by 2001 there was renewed interest in police development. In 2002 the UNDP established a civilian police project within its Rule of Law and Security in Somalia (ROLS) programme, which by 2012 was active in all regions, operating to an annual budget of USD \$ 20 million. The aim of the police project, of helping to build a professional civilian police service that meets the needs and expectations of all Somalis (with a special emphasis on accountability and oversight mechanisms), is indicative of the broader international agenda for Somalia's police. Its representative nature is reinforced by the UNDP's partnership with, for example, the Ugandan police (training), UNICEF (a Justice for Children project) and the UN Political Office in Somalia (UNPOS) with which its work overlaps.

On the other hand, Somali imperatives and local security levels are the critical variables affecting developments. For example, clan relationships are often implicated in the conflicts that undermine state-building projects, but they can also facilitate the trust and stability required for minimal governance structures. This is notably so in Somaliland²¹ where the combination of a predominantly Isaaq population (one of Somalia's main clans), resilient customary law, active civil society, relatively peaceful capital and orderly presidential elections has helped to ensure that it has the most developed police system. As the director general of the Ministry of the Interior noted in 2011, security and stability are Somaliland's most significant achievement.²²

Contrast Puntland, a semi-autonomous region which, unlike Somaliland, supports a federal Somalia. Like Somaliland, Puntland has extensive governance structures that include a police, parliament, judicial system, and executive offices with line ministries, but the intra-clan cohesion that facilitated Puntland's creation has since faded and, more importantly, its government is seen as a stepping stone

²⁰ See Martin Ganzglass, 'Restoration of the Somali justice system', *International Peacekeeping* **3**, 1 (1996), pp. 113-138; Lynn Thomas and Steve Spataro, 'Peacekeeping and policing in Somalia' in Robert Oakley, Michael Dziedzic and Eliot Goldberg (eds), *Policing the New World Disorder: Peace operations and public security*, (National Defense University Press, Washington, DC, 1998), pp. 175-214; Robert Perito, *The American Experience with Police in Peace Operations*, (Canadian Peacekeeping Press, Clementsport, 2002), pp. 27-35. Renders' *Somaliland* refers to police in passing, rather than in detail.

²¹ See Matt Bryden (ed.), *Rebuilding Somaliland: Issues and possibilities* (Red Sea Press, Lawrenceville NJ, 2005); Mark Bradbury, *Becoming Somaliland* (James Currey, Oxford, 2009); Renders *Somaliland*.

²² Interview, director general, Hargeisa, 7 September 2011.

to entering the federal government, which is where major business opportunities lie.²³ Further, it is not by chance that Puntland hosts an established clan-based militia (Daraawiish), a US-supported intelligence and counter-terrorism agency, and the Somali army, which is overseen by the FGS's Ministry of Defence. Many security officers, judges, elders, journalists and businessmen have been assassinated in Puntland's commercial capital, Bosasso, while clan disputes in Bari and Mudug regions resulted in fighting, tensions in Galkayo developed into political conflict with neighbouring South-Central's Galmudug administration, and intra-regional fighting occurs as a result of Puntland and Somaliland claiming territorial rights over two provinces (Sool and Sanaag) on their joint border. Piracy remains a destabilizing factor because its contribution to Puntland's economy means that President Farole's administration has little incentive to act against it; in 2011, ransoms amounted to approximately US \$160 million.²⁴

But no matter how insecure Puntland is, Mogadishu is more dangerous. The city has experienced 22-years of chronic insecurity, and there are regular battles between government forces and militia groups. The deployment in 2011 of approximately 9,000 AMISOM troops²⁵ enabled the TFG to extend its control to 14 of Mogadishu's 16 districts, but the FGS's hold on the city remains fragile, and its lightly armed police face insurgents equipped with heavy machine guns and light anti-aircraft artillery. Unsurprisingly, Somali goals diverge from the international community's development-oriented agenda.

Selective integration

Despite the inability of international actors to influence fundamentally Somalia's security environment, Somalia's police are best described as functionally conventional: they are structured on

²³ Al Jazeera, 'Puntland shuns Somali government', 18 January 2011, <<http://english.aljazeera.net/news/africa/2011/01/2011118612134110.html>> (18 January 2011).

²⁴ *Financial Times*, 'Security experts reap rewards in fight against Somali sea pirates', 9 February 2012; Anja Shortland, 'Treasure mapped: using satellite imagery to track the developmental effects of Somali piracy' (Chatham House, London, 2012). Farole is thought to condone piracy: UN Monitoring Group Reports on Somalia, S/2008/769 (10 December 2008); S/2010/91 (10 March 2010); S/2011/433 (18 July 2011).

²⁵ By mid-2013 this had expanded to approximately 17,700 troops and police.

lines familiar throughout Africa and are aware of international practices and procedures even as they filter them through local interests and dispositions. Admittedly this assessment conflates diametrically opposed meanings of 'conventional' (i.e. of police relying on local practices while complying with Western structures), but it reflects the ways in which police typically respond to imported practices in an adaptive manner, integrating aspects of international understanding and indigenous realities.

It also suggests that police development does not reflect aspirations to state-building so much as to stateness, which is understood here in the sense used by Christian Lund: stateness is an amalgamation of public authority by local institutions 'conjugated with the *idea* of the state'.²⁶ For influential Somalis regard stateness as a desirable quality or organizing principle that can be traded for political or entrepreneurial purposes, rather than a process or precursor to state-building, which many associate with a predatory state.²⁷ In other words, Somalia's police is both a conventional state institution and a negotiated form of state authority.

Regardless of the entities' differing visions of Somalia, there is a consensus on what police should look like that is reinforced by all three forces having a history of international contact. It is not by accident that Mogadishu's Somali Police Force (SPF) shares the name of a national police which, from 1960 until 1991, was structured under a unified command, and received equipment or training from, amongst others, Egypt, the German Democratic Republic, Italy, Sudan, West Germany, the UK and the USA. Additionally, Barre's advocacy of Marxism after 1969 embedded Soviet approaches, and anecdotal evidence suggests that this still influences the attitudes of some senior officials.²⁸

Indeed, conversations with senior officers suggest that all three forces build on memories of Somalia's 30 years of national policing even as they reject the repressive practices of the Barre era; rather than trying to shed its colonial-era identity, Somaliland officers and officials say the legacy is a useful

²⁶ Christian Lund, 'Twilight institutions: public authority and local politics in Africa', *Development and Change* 37, 4 (2006), pp. 685-705, p. 685. Compare Adrian Leftwich, 'Beyond institutions: rethinking the role of leaders, elites and coalitions in the institutional formation of developmental states and strategies', *Forum for Development Studies* 37, 1 (2010), pp. 93-112; Thomas Risse (ed.), *Governance Without a State? Policies and politics in areas of limited statehood* (Columbia University Press, New York, 2012). Contrast the Westphalian perspective of Peter Evans, 'The eclipse of the state? Reflections on stateness in an era of globalization', *World Politics* 50, 1(1997), pp. 62-87.

²⁷ Renders, *Consider Somaliland*, p. 30.

²⁸ Comments based on personal observations and conversations with advisers in London, Nairobi, New York and Somalia, August-September 2011. Barre was the SPF's commissioner in the decade before independence.

reference point.²⁹ It could not be otherwise when the police commissioner (i.e. chief officer) in post in Somaliland in the autumn of 2011 had enlisted in 1942, while the commandant of Somaliland's police training academy at Mandera joined in 1958.

Training projects supported or provided by IGOs such as the UNDP, UNPOS and AMISOM add another layer to Somali policing knowledge. Thus the UNDP's policing project in Somaliland provides a comprehensive package of activities that includes not only basic recruit training and specialist training in criminal investigation, critical incident management and headquarters' functions such as financial management and logistics, but also courses in rights-based partnership policing, the Cairo Declaration on Islam and Human Rights, and the Somaliland police charter and constitution. Between October 2010 and 2011, 2,400 officers were trained at Mandera, while other international activities include AMISOM's training, mentoring and advising of the SPF, mid-level training courses by the Uganda Police Force, and cadet courses held in Uganda and Ethiopia. In November 2010, UNPOS, funded by Japan and in partnership with the AMISOM civilian police unit, began a three-month basic training course in Djibouti for 501 new SPF officers, using a curriculum developed by the UNDP and approved by UNPOS, AMISOM and donors.

Officers must integrate traditional Somali approaches into their functional knowledge too, for the social fabric did not collapse after 1991 and Somalis look first to customary justice and local or traditional non-state actors such as elders or Shari'a, rather than to police.³⁰ This requires officers, and general-duties officers in particular, to engage with local elders, mayors and district security committees about issues such as land or water rights. It also requires them to settle cases without recourse to either elders or courts, as when Hargeisa's women and children's desk settles informally nine or 10 of the 10-15 cases it receives each month (most involve children). In many cases, officers enlist the support of traditional authorities, but they also use their discretion to deal with minor

²⁹ Personal conversations, Hargeisa, 7 September 2011. Puntland's penal code is based on Anglo-Indian models.

³⁰ Officers in Hargeisa handle an average of 2.4 reported crimes a year while those in Sahil Region (several hours drive to the north of Hargeisa) deal with 5.6. 'Somaliland Police: Strategic Needs Assessment 2011-2015' (2011), p. 3.

incidents such as theft from market stalls.³¹ As John Norris and Marta Foresti note, balancing the demands and resources of modern and traditional institutions is a key factor in developing legitimate forms of governance.³²

Legacy issues, international support and local norms and practices have in this way provided Somali officers with a technical knowledge base. Nevertheless, progress on institutional development has depended on political settlements. International advisers may regard Puntland's police as being technically and institutionally five years behind Somaliland's, but police development has been possible in both because their forces were established after political settlements were agreed; their police are widely regarded as legitimate forces, and are seen as essential elements in their government's political apparatus. But this is not the case in Mogadishu where the FGS lacks credibility, the SPF is a faction in Mogadishu's fighting, and residents sometimes claim that they were safer under *al-Shabab*, which formally withdrew from the city in August 2011.³³ Consequently, while many SPF officers are aware of international policing practices, they must repeatedly negotiate between the contradictory demands of donors' insistence on civilian policing and the FGS's need for counter-insurgency operations. They must also negotiate with a range of alternative policing providers, for policing is provided by militia and clan groups loyal to factional leaders, as well as by business men and Shari'a courts. Indeed, combinations of formal and informal security providers are common. In July 2011, security in Mogadishu's Dharkenlay district improved significantly as a result of the combined efforts of an experienced cross-clan militia made up of officers who had served under Barre (the Hillac brigade), youth militias (madani), a Sufi militia (Ahlu-Sunna Wal-Jama, which is theoretically aligned to the Government but operates autonomously) and the district's police.³⁴

In other words, there is a link between the stability and credibility of governments, the organization and standards of their police and international ideals. All three governments represent clan-based administrations, but it is not by chance that Somaliland has the most coherent governance structures

³¹ Interview, female officers, Hargeisa, 6 September 2011.

³² Daniel Harris with Marta Foresti, 'Somaliland's progress on governance: A case of blending the old and the new' (ODI, London, 2011).

³³ SomaliaReport, 'Mogadishu Feels Less Safe Under TFG', 24 November 2011, <http://www.somaliareport.com/index.php/post/2113/Mogadishu_Feels_Less_Safe> (24 November 2011).

³⁴ Police Advisory Committee (PAC), 'Report on the Somali Police Force, July 2011' (PAC, Mogadishu, 2011).

and the most developed police system, for its government is not only publicly committed to developing a civilian police force aligned to international standards, but also spends approximately US\$11.5 million a year (primarily from its state coffers) on the salaries of its 6, 800 established officers, and on running costs and maintenance.³⁵ Puntland's Farole is publicly committed to developing an internationally-acceptable rule of law, and has reduced violence (especially in Garowe),³⁶ but the solidarity that facilitated Puntland's creation has since dissolved into tensions about power sharing between different Majeerteen sub-clans to which its less-developed police can only react. Meanwhile Puntland politicians regard Puntland as a route to the federal government, but the federal government and its police survive primarily because the international community supports it and the state it claims to represent. Thus Somalia's forces cover a policing spectrum that ranges from Somaliland's relatively developed system to an inadequately resourced SPF that is expected to provide civilian policing in the middle of an insurgency and humanitarian emergencies while expanding its presence into areas littered by the explosive remnants of war, with Puntland's emergent force positioned between the two.

Given this, it might be argued that the analysis offered here is overly optimistic. Yet it is consistent with the trend for commentators to look beyond the violence of Mogadishu and South-Central to the relative success of state-building projects in the north and even reports focusing on the financial and human costs of Somalia's governance failures recognize that conditions within the country vary widely.³⁷

³⁵ Somaliland Police 'Strategic needs', p. 1.

³⁶ Private communication, UN official, Garowe, 20 July 2012.

³⁷ See Peter Pham, 'Peripheral vision', *RUSI Journal* **154**, 5 (2009), pp. 84-90; *Jane's Defence Weekly (JDW)*, 'Somalia is moving from "failed to fragile" status, says UN envoy, 20 January 2010; Menkhaus, 'World development'; Mary Harper, *Getting Somalia Wrong: faith, war and hope in a shattered state* (Zed, London, 2010); John Norris and Bronwyn Bruton, *Twenty Years of Collapse and Counting: the cost of failure in Somalia* (Center for American Progress and One Earth Future Foundation, Washington, DC, 2011) .

Building the state from the bottom up

At first glance, many Somali officers appear lacking in 'policeness'. The social acceptability of chewing the mild narcotic qat means that many police stations are closed in the afternoon, and not all officers possess uniforms, so while those in Somaliland's police headquarters in Hargeisa wear regulation blue or khaki shirts, many in the town's seven stations wear vests, t-shirts or miscellaneous military items. Uniforms are valued as items of clothing, but rank does not guarantee respect, responsibility is rarely delegated, and it was not until September 2011 that Somaliland's commissioner admitted that uniforms, (military-style) ranks and promotion procedures might be useful. Also, Somaliland's government cannot afford to provide uniforms for its officers even if it wanted to, let alone pension off the significant proportion that are elderly, illiterate or ex-militia. Similar considerations apply to Puntland's 2,500 officers and the SPF's approximately 5,300-7,000 members. But uniforms alone cannot improve standards, and many African forces share such characteristics: Somalia's police are regionally representative in terms of their appearance, infrastructure, organization and (so far as can be determined) occupational culture.

For example, police buildings are arranged in a manner familiar throughout the world, and many are located on sites previously used for policing by colonial authorities; Somaliland's police headquarters are in buildings erected by the British in 1932, while Puntland's Gardo station was built by Italians in 1936. However, their condition owes most to recent international support, for international and bilateral projects in fragile states typically begin by restoring or rebuilding police infrastructure. Thus the UNDP ensured that the offices of Puntland's Ministry of Security and DDR in Garowe were refurbished and a new police headquarters built. Even Mogadishu's bombed-out stations have been rebuilt and repainted. Next, training facilities are addressed, for donors typically regard training as the centrepiece of policing projects. Witness the support and funding given by the UNDP to Somaliland's Manderla academy, which ranged from building an international-style complex for specialist and command courses to stationery packs for basic training courses. To its commandant's chagrin, Manderla does not have a perimeter fence, and its barracks need attention, but its classrooms are

equipped with good-quality desks, chairs, blackboards and flip charts, and are light and clean even when occupied by 60 students.

Police are also an urban phenomenon, as they are throughout Africa. Mandera may sit outside a village 80 kilometres from Hargeisa, but Somali police have minimal presence away from towns, and posts beside tarmac roads are usually wooden stalls. Puntland's Ministry of Security and DDR constructed three outpost stations near Bosasso in 2011 (none had equipment or furniture), and its plans for 2012 included rehabilitating all stations in urban and remote areas, but Puntland's police presence, like that of Somaliland's, focuses on main towns, which are richer and more stable than remote or coastal areas; 60 percent of the 7,000 officers on Somaliland's payroll are based in Hargeisa region, which is where most voters live.

Contextual issues nuance the picture, but the following traits are indicative of Somali officers' selective integration of local and international practice. Organizational charts are rare, but all three forces are arranged in standard departments such as criminal investigation (CID), intelligence, logistics, operations and traffic. Record keeping is flawed, but many stations in Somaliland and Puntland keep occurrence books recording the public's reporting of crime-related incidents, and some keep 'archives'.³⁸ Only Somaliland provides an organogram of its police structure, but in 2011 Puntland's professionally adept and politically skilled commissioner, Ali Nor Omar, introduced a conventional command and control system, placing able officers in strategic positions such as the deputy commissioner for operations. And the system works: at 0630 situational reports (including court results and presidential directives) are sent from stations in the main towns to Garowe's police HQ where they are typed up on an Olivetti manual typewriter and their contents forwarded to relevant offices.

As this implies, leadership influences the police's technical standards in Somalia as elsewhere. The authority of commissioners is limited (they cannot affect practice in remote stations), but Nor, for example, took a personal interest in a CID course run by a UNDP adviser in 2011, and promoted and

³⁸ Crimes recorded in Puntland's main towns in 2010 included murder, rape, robbery, piracy, cheating, insults, property damage, affray and terrorism. Personal observations at Gardo (9 September 2011) and Garowe police stations (10 September 2011), and Garowe's Legal Aid Centre, PLAC (10 September 2011).

posted its students on the basis of their results.³⁹ He introduced civilian uniforms and ranks, reportedly banned qat chewing while on duty, and ensured that the radios and computer needed for the UNDP-supported radio corridor stretching from Galkayo to Bosasso were used as intended. The CID at Garowe's headquarters may have been under-resourced, and the administration of its occurrence books less than ideal, but the detective in charge was trained and the radio room functioned. However, after three years in post, Nor suddenly resigned to become prisons commissioner and was replaced by one of his former deputies.

Contextual issues influence training too, emphasizing officers' selective accommodation of international approaches. Take the three-month basic training courses given to approximately 12,000 officers at Mandera and Puntland's Armo academy, 2008-2011. The curriculum, which was agreed by the international community as representing the minimum standards required to certify a police officer, covered not only drill, but also human rights, community policing, gender and HIV/AIDS, none of which has traction in Somali society. Consequently, while UNDP support ensured that between October 2010 and 2011, 2,400 officers were trained at Mandera in rights-based partnership policing, it was clear from jokes made by students in September 2011 that international human rights legislation is not always taken seriously.

In the absence of ethnographic fieldwork it is difficult to generalize about Somali police culture, but tentative observations include the following four points.⁴⁰ First, a significant proportion of officers are elderly or have close links to militia and may not see themselves as police, though this does not stop them being regarded as police.⁴¹ Many in Somalia's training academies are unable to understand basic policing principles and practices, yet even illiterate officers want to become more skilful craftsmen:

³⁹ Interview, police adviser, Nairobi, 15 September 2011.

⁴⁰ For an overview of international orthodoxy see Megan O'Neill, Monique Marks and Anne-Marie Singh (eds), *Police Occupational Culture: New debates and directions* (Elsevier, Oxford, 2009), pp. 3-7.

⁴¹ Compare the experience of Eritrea and South Sudan. In 1996, Eritrean officers dismissed the utility of rank on the basis that there had been none during the revolution, though they admitted that war records influenced informal rankings and status (interview, senior officer, Bramshill, 19 April 1996). Uniform was regarded with similarly disfavour though by then senior officers wore blue shirts and epaulettes. Ten years later, many of South Sudan's new police were ex-rebels. Some had a policing background but most did not, and few had any idea of standard organisational or rank structures. Even those who did identified themselves as former rebels, rather than policemen (Personal communications, senior officer, Pretoria, April 2007; UN adviser, Berlin, October 2012).

when asked what would improve policing standards, the unanimous answer from Mandera's classes in September 2011 was a month's extension of investigative training.

Second, policing is a dangerous job, and the risk of assassination probably isolates Somali officers from their neighbours. It is difficult to tell whether isolation is tempered by clan relationships, or whether it encourages a sense of solidarity or policeness that is reinforced by having to deal with the consequences of inadequate equipment and irregular pay. Whatever the case, and this is the third point, officers must accommodate high levels of public distrust. Over half of the Galkayo residents responding to a survey conducted by the Hargeisa-based Observatory of Conflict and Violence Prevention (OCVP) reported low trust in officers whom they found to be inaccessible in terms of location, and slow to respond.⁴² Even so, the implications of this may be minimal given that inter-personal trust is low throughout Somalia.⁴³

Fourth, the most significant divergence between Somali practice and international approaches may arise from officers operating in a rule-based society characterized by the legal pluralism of formal, customary and Shari'a law:⁴⁴ Somali officers need to be flexible and pragmatic in their approach whereas international-style policing requires a disciplined and hierarchical organization. Indeed, sharply defined Western-style policing models may be misleading, and it could be that Somali policing structures are, like Somali social structures, best understood as projects of changing social and political processes within unequal fields of power (albeit conventionally organized), with the emphasis on interpretation and accommodation.⁴⁵

⁴² Against this, half of the respondents to assessments conducted in Somaliland's Burao and Las Anod declared 'relatively high' to 'very high' trust in the police. Observatory of Conflict and Violence Prevention (OCVP), 'Safety and Security District Baseline Report: Galkayo, August 2011'; 'Burao, August 2011'; 'Las Anod, August 2011' (2011); personal communications, Burao, 20 September 2011.

⁴³ Compare Masamichi Sasaki and Robert Marsh (eds) *Trust: Comparative perspectives* (Brill, Leiden, 2011).

⁴⁴ For the practical implications see SomaliaReport, 'The Police of Somalia, Somaliland, Puntland', 31 May 2012, <http://www.somaliareport.com/index.php/post/3402/The_Police_of_Somalia_Somaliland_Puntland> (31 May 2012).

⁴⁵ Peter Little, *Somalia: Economy without state* (James Currey, Oxford, 2003), p. 3.

The limits of international influence

Police play a significant part in the aggregation of practices that is Somali governance, but the political aspirations of their respective governments and their technical needs means that their role cannot be assessed only in relation to local practices. The trends and dynamics influencing police development are best seen at the interface between internal and international concerns and activities, for developing stateness to the extent required by, for instance, Somaliland's agenda depends on Hargeisa's ability to influence international opinion. Similarly, achieving IGOs' state-building agenda depends on the ability of international actors to influence Somali power brokers — but they can only do so by offering what Somalis want; threats do not work. Against this, Somalia's governments, political leaders and senior officers need — and prize — the skills, equipment and legitimacy that international-style policing offers, and tolerate or manipulate international demands accordingly. One reason for the prevalence of accommodation is the trend for internationals to conflate the technical measures required for police development and state-building with the normative goals associated with democratization, many of which are expressed in terms of stabilization versus development.

The interface between the local and the international is often ambiguous or strained, but Somali imperatives are key, with local levels of security the critical variable. Thus Somaliland's relative stability and desire for international recognition has permitted the development of a security and justice sector based on international models whereas the tensions affecting Puntland, combined with the business opportunities associated with the federal government, piracy and opaque governance structures, ensures that its equivalent sector is subject to political infighting and authoritarianism. Significantly, Puntland's police hierarchy was emasculated in 2004 when Puntland's first (and third) leader, Abdullah Yusuf, was elected as Somalia's transitional president. Meanwhile international efforts in Mogadishu focus on transforming an SPF that includes militiamen into a national force capable of supporting a government that is staffed by inexperienced newcomers intent on securing foreign support. But irrespective of context, all such developments are driven by pragmatic

calculations regarding clan relations⁴⁶ and an entrepreneurial political economy in which businessmen seek to control political institutions in order to control financial flows; support to the police is a business opportunity or commodity, as are international resources. Consequently, the interface represents the point at which friction between Somali and international perspectives on governance and policing — and transition from stabilization to development — presents. The UNDP's involvement in the management of the Special Protection Units (SPUs) is a case in point.

The SPU, which is part of the regular police but has its own commissioner and command and control structures, provides armed escort teams and mobile and static security to international missions. Based on Kenya and Uganda's diplomatic police-model, it was established in Somaliland in 2003 at a time when international confidence in security had been severely undermined, and a similar unit was created in Puntland in 2005; there are 340 officers in Somaliland and 260 in Puntland, but the SPU does not operate in Mogadishu. Somaliland's units also offer a rapid-response capacity, though Puntland has a separate mobile force. The UNDP is involved in its management because it administers the financial resources required to run it.

On the one hand the SPU is an enabler in that its protective duties facilitate the work of international agencies, but on the other its activities detract from the UNDP's development work. For example, its personnel receive daily subsistence allowances (US\$ 4 per day and \$7 for overnight stays) from international organizations, which encourages regular officers to join its ranks — but this turns them into escorts or security guards. The UNDP has proposed that officers rotate so that Somaliland and Puntland police benefit from their training, and opportunities for corruption and impunity are constrained, but the SPU opposes this. As a result, managing the SPU requires the UNDP to spend significant time administering operational funds and allowances, and negotiating with host governments and international agencies. It also highlights the lack of co-ordination and communication that exists between UN agencies and IGOs, which leads to confusion about the SPU's

⁴⁶ The FGS's composition is, like that of the TFG and the PAC, determined by an accepted 'trust-based' formula for clan balance, while the SPF is recruited from one clan (interview, official, Nairobi, 15 September 2011). Compare SomaliaReport, 'Who's Who in Somalia's New Cabinet?', 17 August 2011, <<http://www.somaliareport.com/index.php/post/1354>> (17 August 2011).

management on the part of agencies, Somali governments and the SPU itself. Uncertainty about pay and remit then affects SPU morale and discipline.

Additional insights into the tensions characterizing the interface are evident from Somali responses to attempts by IGOs and donors to incorporate liberal values such as gender mainstreaming, human rights and community accountability into technical police projects. This trend reflects the international communities' pursuit of an agenda capable of providing radical solutions to Somalia's inequalities and brutalities, but in practice, Somalia's experience emphasizes that IGOs and donors rarely distinguish accurately between what is essential for governance and between what can be changed and what is resistant to change, and their solutions are usually subverted by local police.

Take Somaliland police's response to the UNDP's advocacy of gender mainstreaming. Somaliland incorporates gender components relating to, for example, specialist facilities, but in practice gender sensitivity is confined to token recruitment and the establishment of separate women and children desks in Hargeisa central police station and New Hargeisa. Such desks allow female or child victims of rape or violence to speak to women officers when seeking redress — but the gatekeepers remain male. Anyone visiting the desk in Hargeisa's central station must first walk through an entrance crowded with lounging male officers in crumpled shirts or t-shirts, and past detainees calling through the grills of a dilapidated cell block before reaching the unit, which is located in a corner of the compound. In contrast, the unit is brightly painted and furnished with good-quality furniture, and its women officers wear smart new blue hijabs and caps provided by the UNDP.

Recruiting women and placing them in dedicated units cannot ensure gender equality in a patriarchal society in which men make the decisions even if women occupy some prominent positions.

Nevertheless, donors continue to promote gender projects and Somalis continue to accommodate, rather than reject them because they provide opportunities for patronage and assets such as buildings and uniforms. In essence, Somalis mimic the UNDP's policing model, prompting UN officials and

advisers to respond in ways that are beneficial to Somalis, i.e. to the mimic.⁴⁷ Significantly, while Puntland's Farole promotes equality for women,⁴⁸ international support to Puntland's 2,500 officers (40 of who are women) focuses on infrastructural and technical matters. This reflects Puntland's limited absorptive capacity, the conservative nature of its society, and the perception amongst all parties that infrastructural development is relatively neutral.

A second example of Somali responses — and marked preference for the resources associated with stabilization — concerns the payment of stipends to the SPF. Stipends are a temporary payment funded by the European Union (EU), Norway and the Government of Japan via the UNPOS trust fund to support the provision of essential services, and administered by the UNDP since 2005. They are based on 50 percent of the salary scales officially approved by the TFG; junior officers should receive US\$100 per month and senior officers \$600. But the cost for Mogadishu's approximately 5,300 to 7,000 officers is currently US\$780,000 per month, and there is no sign that the TFG has the resources, capacity or will to pay its 50 percent share, let alone commit to paying 100 percent. For now, a system has been developed which ensures that only officers trained and certified by the UNDP and in active service within the SPF receive payment. Inevitably, this ensures that discussions between the UN and SPF commanders are dominated by stipends, rather than development.

The stipend debate reflects the open-ended and political nature of the international community's commitment to unitary statehood, and the nature of its engagement with Mogadishu's government, rather than to stateness as a quality or organizing principle. Although some internationals remain concerned about instances of police impunity, current concerns are political. Unlike the situation in 2008 when the New York-based advocacy group Human Rights Watch reported widespread abuse by SPF officers funded by British and EU money (the funding was subsequently withdrawn), today's debates have more to do with the Federal Government's minimal control, and the limited co-operation that exists between the various international agencies seeking to influence policing. They are a

⁴⁷ Markus Höehne, 'Mimesis and mimicry in dynamics of state and identity formation in northern Somalia', *Africa* **79**, 2 (2009), pp. 252-281, p. 253.

⁴⁸ In July 2012, Farole told women leaders to shout their demands for equal parliamentary representation into the ears of elders. Private communication, UN official, Garowe, 20 July 2012.

reminder that implementing even minimal levels of formal governance is expensive and inherently political.

In practice controversies surrounding the SPU and stipends reflect the inability of internationals to fundamentally affect Somali policing. International advisers claim that their job is to influence Somali officers, and over the last nine years the UNDP's police project, for instance, has sought to develop working relationships with ministers, officials and commissioners, with varying degrees of formality, accessibility and success. But developing such relationships is one of the biggest challenges confronting internationals because commissioners are changed frequently and internationals are unable to influence this: the SPF commissioner was replaced three times between 2008 and 2011 even though each new appointment resulted in stipend payments being put on hold until the officer concerned was able to demonstrate his control of the SPF. The resignation of Puntland's Nor is part of a similar pattern; international officials think he was removed partly because his age made him less effective and partly because he is an outsider from the small but aggressive Dishishi sub-clan which has a difficult relationship with other Majateen sub-clans.⁴⁹ Commissioners are also targets for assassination, as are ministers, senior officers and station commanders.

The extent to which this affects the police contribution to the stateness exemplified by Puntland's daily situational reports is debatable, but it suggests that while the police present one of the few unambiguous opportunities for foreign assistance to facilitate sustainable technical progress (as when Puntland's CID investigated and successfully prosecuted human traffickers), their dependence on international support — and commitment to institution-building — is a matter of choice. Ironically, it is the SPF which best illustrates what happens to the organization and activity of policing when the institutions, processes and international influences on which it is seemingly predicated for existence and opportunity fragment — and remain fragmented for 20 years. Indeed, the SPF's experience adds a new dimension to police- and governance studies and to assessments of the relative balance between internal and externally-supported development because individual officers continued to offer a token

⁴⁹ Ibid. There are dozens of Somali news websites providing almost real-time updates, but there are no known open-source analyses of the power relations shaping the security environment.

presence after formal state authority (and its international backers) collapsed and policing functions were taken over by militia groups, warlords, traditional elders, Shari'a courts, and businessmen.

The consequences of this for the police's state-based authority are more limited than international policing models would suggest. Many SPF officers are little more than militiamen in police uniforms, yet this does not mean that they are not police anymore than being former rebels precludes South Sudanese from being policemen. Indeed, Mogadishu's environment makes this understandable: policing is subject to shifting loyalties, tactical fluidity and clan calculations in the face of chronic insecurity. Further, the SPF's technical capacity may have declined, and its operating procedures and discipline may be minimal, but it is a functional force. It managed to keep between four and six stations open throughout the wars, and it continues to perform activities ranging from counter-insurgency to traffic management and criminal investigations; Dharkeynley district may be managed by militia but in April 2011 there were 30 uniformed officers present on the streets and in local markets.⁵⁰ The SPF has a (semi-functioning) headquarters and a training academy, and approximately one-third of its estimated 7,000 'police-soldiers' (the term used by the Police Advisory Committee, PAC) are given a three-month police training course by the UNDP before being sent out to Mogadishu's 15 operational police stations (the rest are trained in the region under bilateral agreements between the TFG and its partners). In the circumstances the SPF's achievements and presence are noteworthy, offering insights into the paths through which police and governance develops.

Conclusions

International and local power brokers see police as indicators of legitimacy and international recognition, but the international community's vision of police development as state building is undermined by Somali politicians, officers and businessmen sharing a political and entrepreneurial understanding of the police's role. The picture is further nuanced by influential Somalis regarding

⁵⁰ Police Advisory Committee, 'Report on the Somali Police Force: April' (PAC, Mogadishu, 2011).

many of the structures and skills associated with Western policing as desirable even as they manipulate the values and procedures promoted in its name.

The propensity of donors to see police development as a tool for not only state-building but also social engineering is marked too. But so is the pragmatic response of Somalis. Officers in Somaliland and Puntland take what they value, manipulate what they can use,⁵¹ and subvert approaches that offend the sensibilities of their conservative society. Meanwhile, the SPF's primary concern is to acquire the heavy weapons, vehicles, fuel and communications equipment it needs to survive today.⁵²

Somalia's experience shows that formality is not required for the governance associated with state-building but relative security and stability are, and there are limits to the role police can play in facilitating this: Somalia remains dangerously insecure. That the three forces are subject to the unpredictability that dependence on local power brokers and international funding introduces suggests that success depends on balancing local security levels and politics against international imperatives in a way that goes beyond current conceptions of state-based governance. Thus Somaliland's experience has facilitated the emergence of a recognizably conventional police system whereas Puntland's development is constrained by opaque governance. The SPF is the least civilianized of the three forces, but it functions because its senior officers are able to build on 20 year's experience of operating in a war zone. Ironically, it is the SPF that provides the deepest insight into the relationship between officers and the police institution (i.e. formal governance structures), and the effectiveness of bottom-up stateness projects, rather than donor-driven state-building programmes.

Somalia, then, may be an exceptionally weak and insecure state, but it offers an arena in which police officers and institutions can — and do — function. The precise characteristics of its police forces vary according to the security environment in which they operate, but individually and collectively Somali police provide insights into the minimal conditions under which governance functions. International norms regarding state failure could be profitably re-evaluated in this light.

⁵¹ Based on private communications from international advisers, it appears that a cycle exists whereby Somalis request (and receive) specialist training, only to make the same request several years later. Documented examples relate to requests by Somaliland for command training in 2004, 2007 and 2011.

⁵² Interview, SPF commissioner, Nairobi, 19 September 2011.

