

# MISTAKEN IDENTITY

The Union of Islamic Courts and the Failure  
of the US' War on Terror in the Horn of Africa

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After fifteen years of state collapse, by September of 2006 a wave of calm had spread across the Somali capital of Mogadishu. After taking control of the city three months prior, a grassroots political entity known as the Union of Islamic Courts (UIC) had largely succeeded in pacifying what had long been an ongoing war zone. Across the city, schools and health clinics re-opened, investment money flowed back in, public works began to function, and, as Jeffrey Gettleman of the *New York Times* reported, “thousands of children flocked to soccer fields in the city center, with a backdrop of beautifully crumbled ruins from battles now over.”<sup>1</sup> Or battles yet to begin.

In December 2006, Ethiopian troops aligned with the Transitional Federal Government (TFG) – the country’s fragile, secular, western-backed political body composed of many former warlords – ran the UIC’s forces out of Mogadishu with a US-backed aerial and ground attack. Two weeks later, American forces followed suit, raining bombs on the southern fishing village of Ras Kamboni in an attempt to assassinate Al Qaeda militants that the US government alleged were linked to the UIC. The attack was an mere exclamation point to what had long been established was the United States’ policy toward this latest political movement in the Horn of Africa, a policy that – in line with the general theme of the Bush administration’s *War on Terror* – was wrought with innumerable flaws.

As the following paper will demonstrate, this policy was rooted in a fundamental ignorance of the nature of the UIC, including the complex set of internal and external factors that led to its formation and allowed its appeal to spread widely among ordinary Somalis. Though not without some radical elements, unlike the US government feared the UIC was far from a rigid manifestation of the Taliban, but rather a grassroots coalition of civic courts that, in the face of external aggression, rallied around the banner of Islam in order to pacify a lawless territory and unite an oth-



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erwise fractured society. Moreover, in forcibly removing the UIC from power, in collaboration with the Ethiopian government, the US served only to alienate would-be Muslim allies, remove an Islamic political body that had discredited the message of Al Qaeda and Osama Bin Laden, and replace it with an occupying force that would only provide fuel to the rhetorical fire of Bin Laden and other international jihadists.

### STATE FAILURE

To understand the rise of the UIC, it is first necessary to briefly examine the societal and political context it emerged from: one of clan rivalries, warlord-run militias, flawed interim governments, and – simply put – state failure.

It is so -alled “clan segmentation,” more than anything else, which defines Somali social structure, and thus cannot be divorced from the country’s fractured political reality, nor the Islamist movement that gained momentum in the political vacuum it created.

A patchwork of various tribes, clans, and sub-clans – traced through the father in the male line and encompassing centuries old pastoralist traditions – Somali society is fundamentally based on kinship. As Rutgers University Professor Said Samatar, a Somali, puts it, “The Somali polity is shaped by a single central principle that overrides all others,” one that may be best expressed by the Arab Bedouin saying:

*My uterine brother and I against my half brother; my brother and I against my father; my father’s household against my uncle’s household, our two households against the rest of the immediate kin, the immediate kin against non-immediate members of my clan, my clan against all other clans, and finally, my nation and I against the world!*<sup>2</sup>

In this sort of worldview, Samatar continues, “one, literally, does not have a permanent enemy or a permanent friend – not even a permanent Muslim friend – but only a permanent attention to the availability of self-improving opportunities.” Therefore, he argues, the idea of personal responsibility – or political accountability – is a foreign element to the Somali mindset, allowing individuals or groups to live on their own terms, often at the expense of the safety and welfare of the Somali populace. “Yesterday’s mass murderers,” he writes, “and the day-before yesterday’s thuggish looters of the nation’s resources put themselves forward as today’s leaders of the Somali people’s destiny. And nobody calls them on it because they are protected on all sides by their kin.”<sup>23</sup>



This, in the crudest sense, is the societal backdrop that led to the political status quo at the time of the Union of Islamic Courts' arrival: The inability to unite under a singular political umbrella, and hence, according to Somalia expert Ken Menkhaus, the "longest running instance of state collapse in the post-colonial period."<sup>24</sup>

After the 1991 overthrow of the dictator Mohammed Siad Barre, whose largely unpopular, heavy-handed regime fed off both Cold War superpowers in its 22 years of survival, the country fell into the hands of various clan-based warlords, many of whom grew rich off aid from the United States, intended to be put toward community development, but used to finance upscale lives and personal militias that plunged the country into further chaos. Over the next fourteen years, more than a dozen unsuccessful peace initiatives were sought, including UNOSOM, the UN peace-keeping mission from 1993 to 1995 best remembered for the infamous Black Hawk Down incident in which a US helicopter was shot down and the bodies of American soldiers were dragged through the streets of Mogadishu.

A Transitional National Government (TNG), given a three-year UN mandate in August of 2000, did little to change the political norm: inept, corrupt, and unable to establish its authority beyond certain portions of Mogadishu area, it was seen by many as a re-incarnation of the brutal Barre regime and showed, according to Menkhaus "that much of the Somali political elite continued to view the state as a source of personal gain, not a tool of administration, and that some key Somali constituencies maintained an interest in continuing state collapse."<sup>25</sup>

The TNG's successor, the Transitional Federal Government (TFG), formed in late 2004 after two years of negotiations in Nairobi with extensive pressure from the West, fared somewhat more effective, yet would ultimately be riddled with clan-based fissures that would render it all too vulnerable to a UIC grab for power. Modeled as a power-sharing agreement based on a specific formula of clan-based proportional representation, the new government consisted of a 275-member parliament and 89-person cabinet, and was led by President Abdullahi Yusuf, a member of the Darood clan and a longtime political opponent of Barre known to have cordial relations with the neighboring Ethiopian government.

While the international community was initially optimistic, it soon became clear that the TFG was divided on two key issues, sparking a schism that would alienate members of the Mogadishu-based Hawiye clan from the



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more dominant, pro-Ethiopian Daroods. In March, 2005, under pressure from the Kenyan government to leave Nairobi, from where the TFG continued to operate, Yusuf sought to re-locate the government to the Somali city of Baidoa, on the grounds that Mogadishu, still controlled by warlord-backed militias, was fundamentally unsafe. This, as well as Yusuf's insistence to invite foreign peacekeepers – including Ethiopians – to ensure the TFG's survival, was largely unpopular with the Hawiye-dominated "Mogadishu group," who saw these moves as attempts to curb their influence while extending that of Ethiopia, whose motives they'd long distrusted. Later that month, as the TFG settled into Baidoa, a group of Hawiye ministers left the cabinet, and soon, both sides were hit with intra-faction quarrels. For the Mogadishu Group, these included a deepening rift between secular and Islamic militia leaders of various Hawiye sub-clans, which would soon have deeper significance as the Union of Islamic Courts consolidated political power.<sup>6</sup>

### THE HORN OF ISLAM

Despite the preeminence of clan-based identity in Somali society, the marriage of Somalia and Islam dates back centuries. In fact, according to Samatar, "it could be said that Islam may well have come to the Horn of Africa before the new religion flourished in Arabian Soil."<sup>7</sup>

As the story goes, eight years prior to the Prophet Mohammed's flight to Medina in 622, a group of more than 70 Muslim converts fled persecution in Mecca and sought refuge in Abyssinian kingdom of Axum – today part of the Tigray province in Ethiopia. Welcomed by the Christian king, they'd later return to Arabia after the Prophet captured Mecca in triumph. Yet Islamization of the Horn, albeit in small steps, had begun.<sup>8</sup>

By the late seventh century, this Islamization had rapidly accelerated, as Umayyad conquerors from Damascus arrived to "teach the Qur'an, safeguard the security of the country, and assure loyalty to the Islamic state."<sup>9</sup> Arab and Muslim migration would continue steadily and by the 15th century, the region known today as Somalia had been thoroughly Islamized. Though the "golden age" of Islam was in decline, the power of Islam in the Horn, as governed by the powerful Awdal Kingdom, was at its peak.

It is remembrances of these "glory days," scholars argue, that has kept the notion of Islam as a force for unification central to contemporary Somali society. As Michael Shank explains, the legacy of this Islamic





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identity – transmitted across generations by traditional myth, folklore, and oral poetry – has led Somalis to view religion as a rare and politically expedient tool for “unifying disparate tribes against a host of uncertainties.”<sup>10</sup> Often, this means outside aggression: be it from European colonial powers in the 19th and early 20th centuries, “Christian” Ethiopia in the Ogaden War<sup>11</sup> and thereafter, the US and its warlord allies in the post-1991 period of state collapse, or as we will see, recent Ethiopian and US hostility toward the Union of Islamic Courts.


Today, Somalia is the only country in Sub-Saharan Africa that is virtually 100% Muslim, yet despite the power of Islam as a unifier, there nonetheless exists within the country a wide range of Islamic doctrines. As Menkhaus puts it, Somalia has always been a “hotbed of competition and debate among Islamist movements for legitimacy and public support.”<sup>12</sup>

Despite the recent prominence of the UIC, the majority of Somali clerics, sheikhs, and Islamic scholars are members of the Sufi traditionalist school, subscribing to a moderate, apolitical, and inward-looking form of Islam. Though the Sufis are traditionally organized via relatively decentralized brotherhoods, many have recently fused into an umbrella group created in 1991 called the Ahlu Sunna wal Jama’a, known for its preaching of social harmony and nonviolence and its opposition to movements affiliated with Salafism, which it views as a non-Somali, foreign-imposed strand of Islam.<sup>13</sup>

A second group, Al Islah, is considered to be “progressive reformist.” in favor of a modern Islamic state compatible with democracy, women’s rights, and civil liberties, in a similar vein of the current-day Muslim Brotherhood in Egypt. Starting out as a charity associated with the University of Mogadishu, the movement has gained strong support among the city’s youth, professionals, and business community, though it’s gained little ground in the rest of the country. Many consider its chief accomplishment to be the support of a private educational network, which provides schooling for more than 100,000 city children.

Next there are various incarnations of Salafism: A movement that seeks to purify Islam by correcting what it views as centuries of “corrupting influences and misinterpretations.”<sup>14</sup> In Somalia, Salafism has been historically split into two major strands: nonviolent groups such as Al Tabliq and Majuma Ulema, which advance their doctrine largely through clerical edicts and the control of conservative madrassas, or Islamic schols; and the so-called jihadists – most prominently, the US-labeled terrorist organization Al Itihad Al Islamiya







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(AIAI). Formed in the late 1980s by a group of educated Somalis – many of whom had worked or studied in the Middle East – AIAI, in the vein of an Al Qaeda, believed that the only way to rid the country of the repression, corruption and secular illegitimacy that defined Somalia under the Barre regime, was a violent form of political Islam, aimed at both those corrupted forces and their foreign protectors. The organization is thought to be responsible for numerous acts of terror in the 1990s, including two hotel bombings in Ethiopia and the killing of an American aid worker at the Kenya-Somalia border. After attacks on its headquarters by Ethiopian forces and a militia commanded by then-warlord and current Somali president Abdullahi Yusuf, AIAI effectively disbanded in the late 1990s, though a handful of ex-AIAI leaders remain politically active, including Hassan Dahir Aweys, the controversial figure that would prove central to US and Ethiopian distrust of the UIC.

### THE ISLAMISTS SEIZE POWER



The Union of Islamic Courts, which gained control of Mogadishu in June 2006, can perhaps best be seen as a loose amalgamation of these various strands of Islam, mixed further with an intricate web of clan and sub-clan relationships. According to an August 2006 International Crisis Group report, Mogadishu’s “galaxy of Islamists” included “progressives who embrace democratic values, opportunists using the Courts’ power for personal advancement, socially conservative Salafis whose agenda is focused on public morality, hard-line Islamists who want an Islamic state but do not advocate political violence, and jihadis whose use of assassination as a tactic of choice has led to dozens of deaths in what amounts to a silent war in the streets of Mogadishu.”<sup>15</sup>



The roots of the Islamic Courts’ movement date back to the ousting of the Barre government in 1991: In the ensuing power vacuum, a network of clan-based shari’a courts were established in a variety of Somali cities and towns, including Mogadishu. In the absence of a functioning secular government, they began to lay the groundwork for the basic elements of civil society: managing the judiciary system, enforcing order by cracking down on robbery and drug dealing, and offering social services such as education and health care.

Typically, an Islamic court consisted of three central elements: A *shura* (council) made up of political, business, and religious leaders from the

clan; a chairman, appointed by the *shura*, and a militia commander appointed by the chairman, subject to the *shura*'s approval. Most received funding from a pool of private contributions and taxation via militia checkpoints, which doubled as a way to protect local businessmen and traders, otherwise in constant danger of attack from bandits.<sup>16</sup>

By mid-2004, eleven different shari'a courts had been established in Mogadishu, and they soon banded together, merging leadership and militias into a new body, the *Supreme Council of Shari'a Courts of Somalia*, or simply, the Union of Islamic Courts. As a reflection of its ideological diversity, the organization named Sheikh Sharif Sheikh Ahmed, a moderate Sufi, as its chairman, and Sheikh Hassan Dahir Aweys, a former vice-chairman and military commander of the militant jihadist group AIAI, as his deputy. Adding further complexity to the mix, the March, 2005 alienation from the Transitional Federal Government of large sections of the Hawiye clan – the largest, most powerful kinship group in southern Somalia according to the ICG – led many formerly politically secular Hawiyes to support the Courts, which strengthened its gradual rise as the most relevant political body in Mogadishu.

By January of 2006, the city's warlords – most still allied with the TFG – had grown weary of the growing Islamist authority, and announced the formation of their own "Alliance for the Restoration of Peace and Counterterrorism," (ARPC) openly supported by the US as evidenced by an unmanned aerial drone to keep an eye on the Islamists that could be heard hovering over Mogadishu at night.<sup>17</sup> In response, the UIC only stepped up its militarization, recruiting hordes of unemployed Somali youth to join in the struggle for power. Donning beards and green skull-caps, these militia-men, unlike others throughout the city, did not smoke cigarettes or chew the popular narcotic leaf *qat*. In addition, they hailed from across clan divides, unified by their UIC paycheck, but also a fledgling pan-Somali, anti-Ethiopian identity, reinforced by the banner of Islam.

By March of 2006, initial bouts of fighting between warlord-backed and court-backed militias had escalated into an all-out war in the streets of Mogadishu. Despite demands of the TFG Prime Minister Mohamed Ghedi that the warlord militias cease fighting, the ARPC hung on until the 6th of June, when its army dispersed after a battle that left more than 300 casualties.<sup>18</sup> As his army took control of the capital, and the UIC became the country's primary governing entity, Sheikh Ahmed sought to clarify his group's agenda. "The Union of Islamic Courts are not inter-

ested in a continuation of hostilities,” he announced, “and will fully implement peace and security after the change has been made by the victory of the people with the support of Allah.”<sup>19</sup>

For the residents of Mogadishu, this pledge was not mere rhetoric. Embraced not as radical religious ideologues, but as a prized alternative to years of corrupt and inept governance, the courts quickly won the hearts and minds of Mogadishans through their commitment to civic virtue. Instead of acting like the Taliban and imposing harsh religious orthodoxy, the *Times* Gittleman reported, Islamic leaders were “operating almost in campaign mode, organizing street cleanups, visiting hospitals, overseeing a mini building boom and recruiting elderly policemen to don faded uniforms they have not worn for years and return to work.”<sup>20</sup> Though the courts did make an effort to clamp down on public morality, instituting a ban on *qat* and – in some areas, TV and movie houses (viewed as threatening to pious thoughts) – most city residents accepted these changes as willing compromises for their security. Like Hamas in the Palestinian territories, the UIC quickly gained favor not through Islam, but through restoring social services and establishing a sense of law and order in the city for the first time in fifteen years. Soon, airports and seaports were secured, crime began to drop, and new environmental regulations – limiting charcoal burning, deforestation and even the killing of rare animals and plants – were instituted. At the same time, the UIC began meeting with TFG leaders in Baidoa to discuss a power-sharing agreement, which it sought to solidify through national elections, which, under a UN-backed framework, were scheduled to occur before 2009.<sup>21</sup>

#### JIHADISTS IN THE MIX

Despite the return of stability, of course, an Islamist regime in the Horn of Africa did not fit sit well with the planners of the Bush Administration’s *War on Terror*, nor with the Christian-oriented secular regime of Ethiopia’s Meles Zenawi, who’s country had been victim of Somali AIAI bombings in the first years of his presidency.

It was Zenawi that adopted the toughest anti-UIC rhetoric, claiming that the Union was dominated by AIAI members – despite widespread evidence that the jihadist group had long since disbanded. Whether Zenawi legitimately believed this, or, as Samatar argues, was merely using Al-Itihaad’s “bogey-man presence” in the Somalia/Ethiopia border region



as an “effective weapon to milk the fundamentalist-paranoid American cash cow,”<sup>22</sup> remains open for speculation. Either way, Zenawi’s concern cannot be fully discredited, given the presence of certain shadowy figures within the UIC governing structure.

Chief among them were Vice Chairman Hassan Dahir Aweys, the former deputy-chairman of Al-Itihaad, and his Afghanistan-trained colleague Adan Hashi Ayro. While Aweys, in his AIAI days, was linked to the group’s terrorist activities in Ethiopia in 1995 and 1996, and Ayro has been connected with the murders of four foreign aid workers, a British journalist, and a Somali peace activist,<sup>23</sup> the ideological prominence of the duo within the UIC was largely uncertain. Ayro, for one, according to the International Crisis Group, was better known for his role as militia commander of the Ifka Halane court, which fell under the umbrella of the UIC, though was seen primarily as a vehicle to promote the interests of the Habar Gidir Ayr sub-clan. Despite the presence of Aweys and Ayro, the majority of the courts on the Supreme Council, the Crisis Group notes, were detached from this “jihadi political and military agenda.”<sup>24</sup>

Even though this may have been the case, it should still be emphasized that Ethiopian and US attempts to link the Courts to radical jihadism – and even Al Qaeda – were not completely unfounded. Although neither Aweys nor Ayro have proven links to Bin Laden, Ayro’s Ifkha Halane militia is believed to have provided protection for Al Qaeda operatives prior to the group’s 1998 bombing’s of U.S. embassies in Nairobi and Dar es Salaam, as well as its 2002 bombing of a tourist resort in the Kenyan city of Mombasa.<sup>25</sup> While Somalia’s role, generally speaking, in the global terror network has been modest, the events of 9/11 put the country back on Washington’s radar, and raised-awareness of past claims by Osama Bin Laden that Al Qaeda had provided training and equipment in the early 1990’s to the factional fighters in Mogadishu responsible for killing American peacekeeping forces.<sup>26</sup> While most experts, Menkhaus, notes, still fail to take this claim at face value, the US nonetheless opened a new Central Command-Africa military base in nearby Djibouti soon after 9/11, and began conducting border-control and counter terrorism exercises with the armies of Ethiopia and Kenya.<sup>28</sup> In the words of the journalist Jason Motlagh, US reasoning went something like this: “If Osama Bin Laden’s foot soldiers had flourished in the badlands of Afghanistan, so too could Islamist zealots find traction in godforsaken swaths of the Horn of Africa.”<sup>29</sup>



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### CRUSHED

It was this thinking – coupled with the UIC’s murky links to international jihadism – that put the governments of both the US and Ethiopia on the offensive. Claiming it would “crush” any further expansion by the UIC, the Ethiopian army – equipped with US weapons and intelligence – invaded Somali territory in July, ostensibly to back its TFG ally at its capital in Baidoa. Despite the UIC’s earlier attempts to negotiate a power sharing agreement with the transitional government, due to this hostility, it was now compelled to undergo what the behavioral scientist Konrad Lorenz calls the “essential part of the life-preserving organization of instincts.”<sup>30</sup> I.E., retaliatory aggression.

Continuing its expansion outward from the capital, the UIC captured the port city of Kismayo on September 24th. Threatened not only by the Ethiopians within its borders, but the continual presence of US-backed warlords in Mogadishu, the it soon engaged in what Shank terms a form of *Asghar*, or lesser, jihad, which legitimates the defense of the Muslim community against non-Muslims.<sup>31</sup> After a declaration of jihad against all Ethiopian soldiers in Somalia, the UIC militias, in what was widely regarded as a politically immature decision, headed for the TFG stronghold of Baidoa in late October. On December 20th, fighting erupted between Ethiopian troops and the UIC forces on the outskirts of the city, and the Ethiopians, backed by overwhelming American-equipped firepower, soon routed the Courts from the area. Seizing on the enemy’s weakness, the TFG and Ethiopian forces now went on the offensive, capturing Mogadishu one week later in a coordinated air and land attack. As the *Times*’ Gettleman reported, the battle was largely one-sided. “Clan elders, pulled their troops and firepower out of the UIC after the fighters, mostly teenage boys, were mowed down by the better-equipped Ethiopian-backed forces.” Almost immediately, “the city exploded into anarchy as armed bandits rushed into the streets and fragmented militia units began to fight each other for the spoils of war.”<sup>32</sup>

### MISTAKEN POLICY

After the UIC’s surrender in the southern city of Kismaiyo one week later, proceeded soon after by US bombings in the village of Ras Kamboni, Somalia was effectively back where it had started: a state of lawlessness, with an



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added element of regular gunfights between the remnants of the UIC militias and the Ethiopian forces occupying Mogadishu. For city residents, the return to calm associated with the UIC's rule was abruptly replaced with a return to the culture of warlordism. Citizens like Mohamed Dere, a telecommunications professional, who had shelved their self-defensive weapons when the UIC took power, took their guns back out. "The reality is we need peace only, however we get it," he told the Washington Post's Stephanie McCrummen. "We are hostages right now, we have no freedom." As McCrummen added, "only herds of goats seem to roam Mogadishu freely these days."<sup>33</sup>

At this point we must ask whether this return to what can only be described as state collapse was a better alternative – for Somalis, Ethiopians, and the terrorist-fighting West – than a continued, and perhaps expanded, Islamist regime in control of Somalia. As the reader should already see clearly, the opinion of the author is a resounding no.

First, though the fact remains that the Union of Islamic Courts did contain prominent members with links to radical jihadism – individuals that, it can be argued, have been complicit, if not directly involved, with the Al Qaeda global empire – this by no means entails that the UIC, as a whole, was in ideologically solidarity with radical jihadism. On the contrary, as evidenced by its willingness to negotiate toward democratic governance with the TFG, the UIC had committed itself to Islamization from the bottom-up, mobilized, like Al Qaeda, by foreign encroachment into Somali lands, yet defending itself with grassroots action, rather than calls for international jihad. In this sense, by showing that political Islam could succeed by slowly capturing the hearts and minds of everyday people, rather than simply overthrowing rulers, if anything, a UIC in power only undermined Bin Laden's message.

Second, unlike Al Qaeda and other forms of radical Salafism, the Union of Islamic Courts was not even primarily a movement *for* Islam. Rather, in the face of territorial and ideological encroachment from foreign powers with openly declared hostilities toward the Muslim world, the movement *used* Islam as a means of unifying a fundamentally disparate population to band together and reclaim control of the Somali state. Islam, as Shank describes it, was merely a "sinewy glue holding clans together under the paradigm of protection" under which the kinship-based society might take refuge against the "aggressive behavior at the doorsteps of Somalia's borders."<sup>34</sup>



This interpretation of the Courts' identity can perhaps best be seen in the composition of its militiamen, most of whom were paid teenage gunmen with no particular allegiance to political Islam – a far cry from the Afghan-trained, ideologically-driven mujahadeen of Osama Bin Laden. Unlike true jihadist warriors, when overwhelmed with Ethiopian firepower, many simply deserted and rejoined the militias of their clans, unprepared to die for what to them was merely a secondary identity: their faith. As Samatar puts it, Somalis, due to the profound sociological influence of lineage segmentation, are “warlike, schismatic, and extremely addicted to self-based pragmatism. Therefore,” he adds, “the ideology of self-sacrifice is alien to his psyche. No Somali, for example, will ever blow himself up for the cause of al-Islam.”<sup>35</sup>

The argument remains, of course, that a Somalia governed by Islam might have opened up its doors to jihadists from abroad, and despite the fundamental differences between the UIC and such actors – particularly given the presence of Aweys and Ayer - this cannot be discounted. In its January 8th bombing of Ras Kamboi, in fact, the United States claims to have killed the Sudanese Al Qaeda operative Abu Taha al-Sudani, whom it alleges had been sheltered by members of the UIC.<sup>36</sup>

Nonetheless, it can be countered that the prospect of foreign fighters exploiting Somali lands is actually greater in the present, given that the country is again a de-facto collapsed state where individuals can presumably operate beyond the reach of rule or law. Today, the country's un-patrolled coastline and unmonitored airstrips – which for the first time in fifteen years had been secured by the UIC – might easily facilitate the untracked movement by terrorists, weapons, or transactions linked to the global financial terrorist infrastructure. And even if interest is low among Somalis, the country's vast, ungoverned spaces could easily function as terrorist training camps, perhaps the Horn of Africa equivalent of Afghanistan/Pakistan border.

Yet aside from the link between terrorism and state collapse, a larger ideological issue still looms – one that cannot be separated from the greater American *War on Terror* and its further alienation of the Muslim world since 9/11. To begin, we must view the very emergence of the Islamic Courts Union not as merely a response to US-backed warlords and Ethiopian aggression in the Horn, but also as a reaction to the Bush administration's militant response to counterterrorism, including its invasion of Iraq, prior to which, according to Shank, political Islam in Somalia had “neither momentum nor munitions.”<sup>37</sup> Along these same lines, by backing the Ethiopian army in its invasion and cur-



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rent occupation of Somalia, the US was complicit in yet another non-Muslim occupation of Muslim lands, which only served to create new grievances among Somalis and Bin Laden alike. As Jonathan Stevenson, professor of Strategic Studies at the United States Naval War College, argued in an op-ed to the *New York Times*, “relying primarily on Ethiopian troops to tamp down Somali Islamism” was a mere continuation of the Bush Administration’s flawed military approach to counterterrorism and “the corresponding risk of fueling the jihad.”<sup>38</sup> The journalist Jason Motlagh put it more bluntly: “It was yet another backhanded strategy of using a devil to kill a snake.”<sup>39</sup>

As one might expect, that snake bit back. While the moderate Sheikh Amhed surrendered to Kenyan authorities after the Courts’ ousting, Aweys, the ICU’s radical leader, told journalists his fighters would “think of a way to overwhelm the enemy,” and “give them unprecedented lessons like we did in 1993,”<sup>40</sup> while Ayman al-Zawahiri, meanwhile, Al Qaeda’s chief ideologue, announced a jihadist call to arms. In the first months after the UIC’s defeat, remnants of the Courts’ militias regularly attacked Ethiopian convoys, and today, insurgent attacks against Ethiopian troops are still common, creating a climate of violence that, according to the BBC, caused 60% of Mogadishu’s residents to flee the city in the year after the Court’s ousting.<sup>41</sup> Many have taken refuge in shantytowns along the side of the road that links the capital with the country’s south, creating an ever-desperate humanitarian crisis, worsened further by the recent spike in world food prices. “I have never felt the way I feel now,” Guillermo Bettoki, head of Somalia’s UN refugee agency, told the BBC on January 29th, 2008, “in the sense of frustration for the lack of progress” in Somalia.<sup>42</sup>

## CONCLUSION

As Somalia’s present state of vulnerability shows, despite its “successful” removal of the UIC, US counterterrorism policy in the Horn of Africa can only be described as mistaken. In its preoccupation with the global *War on Terror*, and the past activities of a small faction of the UIC’s eclectic body of members, the US failed to judge the Union for its deeds: the stabilization and pacification of one of the world’s most lawless areas, and instead, in a move that would only undermine its efforts to counter terror, directly precipitated its downfall.

Yet arriving at this conclusion begs us to briefly consider what might have been a better alternative. Although there can be no definitive retro-



spective answers, the best place to start would naturally be the opinion of Somalis themselves. As Shank points out, it's worth noting that the Somali Diaspora in the US, upon the rise of the Courts to power, lobbied both the State Department and Congress to "cease all talk of military intervention" and to "encourage Ethiopia's immediate troop withdrawal." Without the external threats of Ethiopia and the United States, they reasoned, the UIC would eventually crumble, as the unifying force of Islam would fail to hold in the absence of outside aggression.<sup>43</sup> Abdallah A. Hiram offers a slightly different take, arguing that many secular Somalis in 2006 had viewed the UIC victory as a blessing in disguise, hoping that talks between it and the TFG would produce some sort of power sharing agreement, that would "make winners of all sides: the Somali people, the Islamists, the TFG, and the international community."<sup>44</sup>

The International Crisis Group, in its August 2006 analysis, reached similar conclusions. Among its policy recommendations, to the Government of Ethiopia: "Cease all military interference in Somalia and inflammatory rhetoric concerning the situation;" and to the Government of the US: "Support the diplomatic efforts to facilitate a government of national unity by working more vigorously with the key governments and international organizations."<sup>45</sup> Drawing on these recommendations it is reasonable to argue that some form of US diplomatic engagement, supporting dialogue between the UIC and the TFG and an eventual push toward national elections, would have paved the way for a hopeful future in Somalia.

Of course, none of this proved to materialize, as the US-backed Ethiopian invasion ended all talks of compromise and precipitated the Union of Islamic Courts' rapid downfall, leading to a return of clan-based tensions – doused with the remnants of Islamist insurgency – that have once again left Somalia without any legitimate functioning government and opened up the doors to international jihad.

## NOTES

<sup>1</sup> Gettleman, Jeffrey. Islamists Calm Somali Capital with Restraint. The New York, Times. 24 September 2006.

<sup>2</sup> Samatar, Said. Unhappy Masses & the Challenge of Political Islam in the Horn of Africa. 28 June 2006. Available at <http://www.awate.com>.

<sup>3</sup> Samatar

<sup>4</sup> Menkhaus, Kenneth J. *Somalia and Somaliland: Terrorism, Political Islam, and State Collapse. Battling Terrorism in the Horn of Africa.* Brookings Institution Press, 2005. p. 27.

<sup>5</sup> Menkhaus, 29

<sup>6</sup> *Can the Somali Crisis be Contained?* Africa Report No. 116. The International Crisis Group. 10 August 2006. p. 4

<sup>7</sup> Samatar

<sup>8</sup> Samatar

<sup>9</sup> Shank, Michael. *Understanding Political Islam in Somalia.* Contemporary Islam. 29 March 2007. P. 92

<sup>10</sup> Shank, 93

<sup>11</sup> The Ogaden region of Ethiopia, inhabited primarily by ethnic Somalis, has long been considered part of “Greater Somalia,” and is thus an ongoing source of tension between the two neighbors. In the so-called Ogaden War of 1977-1978, Somalia’s Barre regime sought to reclaim the territory by exploiting a temporary shift in the cold war balance of power. Eventually, Barre’s forces retreated, unsuccessful.

<sup>12</sup> Menkhaus, 33

<sup>13</sup> Menkhaus, 33

<sup>14</sup> Menkhaus, 34

<sup>15</sup> International Crisis Group, 15

<sup>16</sup> International Crisis Group, 15

<sup>17</sup> Gettleman

<sup>18</sup> *Islamists Claim Mogadishu Victory.* BBC Online. 5 June 2006.

<sup>19</sup> BBC Online

<sup>20</sup> Gettleman

<sup>21</sup> Gettleman

<sup>22</sup> Samatar

<sup>23</sup> Harper, Mary. *Somalia: Getting it Wrong Again?* The Social Science Research Council. 20 February 2007.

<sup>24</sup> International Crisis Group, 10

<sup>25</sup> International Crisis Group, 10

<sup>26</sup> International Crisis Group, 10

<sup>27</sup> Menkhaus, 39

<sup>28</sup> Motlagh, Jason. *Horn of Plenty.* The American Prospect. 25 January 2007.

<sup>29</sup> Motlagh

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- <sup>30</sup> Shank, 96
- <sup>31</sup> Shank, 96
- <sup>32</sup> Gettleman, Jeffrey. Somalia Forces Retake Capital from Islamists. *The New York Times*. 29 December 2006.
- <sup>33</sup> McCrummen, Stephanie. Somalis Adapt Warily, Pragmatically to New Order in Capital. *The Washington Post*. 5 January 2007.
- <sup>34</sup> Shank, 96
- <sup>35</sup> Samatar
- <sup>36</sup> Gettleman, Jeffrey. Airstrike Rekindles Somalis' Anger at the US. *The New York Times*. 10 January 2007.
- <sup>37</sup> Shank, 96
- <sup>38</sup> Stevenson, Jonathan. A Fleeting Victory in Somalia. *The New York Times*. 8 January 2007.
- <sup>39</sup> Motlagh
- <sup>40</sup> Motlagh
- <sup>41</sup> Hassan, Mohamed. Living in Somalia's Danger Zone. *BBC Online*. 6 December 2007.
- <sup>42</sup> Somali Insurgents in Deadly Fight. *BBC News*. 29 January 2008.
- <sup>43</sup> Shank, 97
- <sup>44</sup> Hirad, Abdallah A. Somalia: A Nation in Limbo: Between Islam and Tribalism. 19 August, 2006. Available at <http://www.awate.com>.
- <sup>45</sup> International Crisis Group, ii