Counter-insurgency in the Somali territories:

the 'grey zone' between peace

and pacification

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In his book *Counterinsurgency*, David Kilcullen, one of the world's most influential experts on the topic, outlined a number of lessons learned from the campaigns in Iraq and Afghanistan from 2001 onwards, and argued for a rethinking of military strategy along the following lines:

Counterinsurgency and counterterrorism people need to start talking more with the peacebuilding and development community, and they both need to talk much more with the rule-of-law community ... We need to look at our theories of top-down statebuilding and recognize what empirical evidence from the field is telling us: that bottom-up, civil society approaches are having much greater success than top down, state-based approaches.[1]

Kilcullen has been a key figure in promoting the recent renaissance of counter-insurgency, and the passage quoted above captures two basic elements of the approach as it re-emerged during the 2000s: the convergence of counter-insurgent warfare and peacebuilding; and the turn to pragmatic interventionism.

   Contemporary counter-insurgency, in this regard, combines military objectives with approaches commonly associated with peacebuilding, such as security sector reform, promotion of the rule of law, economic development and support for civil society.[2] These activities thereby no longer belong to a separate domain of peacebuilding, but become increasingly incorporated into, and reframed by, the discursive and practical ambit of counter-insurgency. Counter-insurgency, articulated through the language of peacebuilding, is represented as providing the more benign and locally sensitive response—complementary to conventional military force—within the wider context of the 'war on terror'.[3]

[1] David Kilcullen, *Counterinsurgency* (Oxford: Oxford University Press, 2010), p. 160.
[2] US Army Field Manual (FM) 3-24/MCWP 3-33.5, *Insurgencies and counter insurgencies* (Washington DC: US Government Printing Office [GPO], 13 May 2014); US Joint Chiefs of Staff, Joint Publication 3-24, *Counterinsurgency* (Washington DC, 22 Nov. 2013); Kilcullen, *Counterinsurgency*; Mandy Turner, 'Peacebuilding as counterinsurgency in the occupied Palestinian territory', *Review of International Studies* 41: 1, 2015, pp. 73–98.
[3] The 'war on terror' or 'global war on terror' was originally used as a term for the specific US military campaign launched under President George W. Bush in response to the September 11 attacks, and the Obama admin-

This contemporary convergence of counter-insurgency and peacebuilding illustrates, in a paradigmatic way, the 'pragmatic turn' of liberal interventionism, evident in shifts from universalist liberal peace frameworks towards a focus on local context, resilience and bottom-up reconstruction.[4] While this 'pragmatic turn' has been much debated in the peacebuilding literature,[5] comparatively little attention has been paid to how it has also served as an enabling trend for contemporary counter-insurgent warfare.[6] In fact, active counter-insurgency doctrine is at the forefront in regard to adopting pragmatic strategies focused on 'local context', as reflected in the observation that efforts to improve security, welfare and governance through counter-insurgency are 'more likely to succeed when they work with and through the existing local structures instead of trying to build capacity and institutions based on US or Western models'.[7]

This focus facilitates an adaptation to one of the key problems of counter-insurgency: the gap between the ideal and the reality of the state. 'Classical' counter-insurgency rests on the precondition of the existence of a host nation government with an armed force and the potential capacity as well as legitimacy to protect its citizens, even if one or both are momentarily challenged by an insurgency. Yet counter-insurgents operating in complex conflict settings are commonly encountering extremely contested, predatory or collapsed governments, with limited popular support and equally limited command capability. At the same time, counter-insurgency-cum-nation-building efforts aimed at

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istration publicly distanced itself from this term. Yet counterterrorism-driven policies and operations have continued to expand globally, leading scholars to argue that the war on terrorism is ongoing, and that the term therefore remains relevant in contemporary analysis of global security governance. See e.g. Trevor McCrisken, 'Ten years on: Obama's war on terrorism in rhetoric and practice', *International Affairs* 87: 4, July 2011, pp. 781–801.

4 Louise Wiuff Moe, 'The strange wars of liberal peace: hybridity, complexity and the governing rationalities of counterinsurgency in Somalia', *Peacebuilding* 4: 1, 2016, pp. 99–117. For a discussion of the liberal peace, see e.g. Oliver P. Richmond and Jason Franks, eds, *Liberal peace transitions: between statebuilding and peacebuilding* (Edinburgh: Edinburgh University Press, 2011).

5 Sarah B. K. von Billerbeck, *Whose peace?* (Oxford: Oxford University Press, 2016); David Chandler, 'Resilience and the "everyday": beyond the paradox of "liberal peace"', *Review of International Studies* 41: 1, 2015, pp. 27–48; Caroline Hughes, Joakim Öjendal and Isabell Schierenbeck, eds, 'The "local turn" in peacebuilding: the liberal peace challenged', *Third World Quarterly* 36: 5, 2015, pp. 1–224.

6 Recent scholarship on counter-insurgency has focused mainly on the campaigns in Iraq and Afghanistan: see e.g. Thomas H. Johnson and Barry Zellen, eds, *Culture, conflict and counterinsurgency* (Stanford, CA: Stanford Security Studies, 2014); Celeste Ward Gventer, David Martin Jones and M. L. R. Smith, eds, *The new counterinsurgency era in critical perspective* (Basingstoke: Palgrave Macmillan, 2014). The lack of success in these campaigns (see e.g. Noah Coburn, *Losing Afghanistan: an obituary for the intervention*, Stanford, CA: Stanford University Press, 2016), and the recent shifts to drone warfare and targeted killings—which have become increasingly prevalent in the context of Somalia since US President Donald Trump declared Somalia an 'area of hostilities' in March 2017—led some to proclaim a 'crisis in counterinsurgency' (see e.g. David H. Ucko and Robert Egnell, *Counterinsurgency in crisis: Britain and the challenges of modern warfare*, New York: Columbia University Press, 2013). Yet, as Kienscherf notes with regard to Afghanistan and Iraq, 'these campaigns were special cases', and most counter-insurgency interventions are in fact 'far more low key and do not entail the deployment of large contingents of combat troops' (Markus Kienscherf, 'Producing "responsible" self-governance: counterinsurgency and the violence of neoliberal rule', *Critical Military Studies* 2: 3, 2016, pp. 1–20 at p. 13, http://www.tandfonline.com/doi/full/10.1080/23337486.2016.1161294). (Unless otherwise noted at point of citation, all URLs cited in this article were accessible on 15 Nov. 2017.) Zooming in on the expansion of such 'low-key' interventions within the Somali territories, this article demonstrates some of the ways in which counter-insurgency is adapting and as such remains alive and well.

7 US Joint Chiefs of Staff, Joint Publication 3-24, *Counterinsurgency*; US Army Capabilities Integration Center, *Joint concept for integrated campaigning v. 07: draft working document* (Washington DC, 13 April 2017), p. 18.

installing a 'mirror image' of the western state have been largely unsuccessful, as post-9/11 interventions in Iraq and Afghanistan have most clearly demonstrated.

In this context, shifting focus to leaner engagements aimed at 'enabling local powerbrokers to become more capable of fighting insurgents, of policing their population and of governing more responsibly',[8] appears to offer a new way forward: an approach that moves counter-insurgency away from grand-scale reforms towards more indirect, piecemeal reconstruction efforts situated within 'the fog-filled twilight zone between war and peace' or the 'gray zone'.[9] Such engagements are not designed to follow predetermined frameworks. Instead, they seek to navigate 'turbulent transitions'.[10] Here, combat is pursued simultaneously with peace and reconstruction, with the promise of flexibly enabling an 'organic rule of law' and of supporting institutions 'tailored to the local conditions and context'.[11] All of this is expected to lay the foundations for bottom-up peace and state structures to evolve incrementally.[12]

One of the key theatres for testing such new 'innovative, low-cost, and small-footprint approaches' has been Somalia.[13] While the country is commonly associated with global threats and insecurity (including the Al-Shabaab insurgency and persistent state fragility), and while the dominant official policy paradigm in relation to it remains conventional state-centric stabilization, during the late 2000s Somalia also became known as an illustrative case of successful international support for African counter-insurgency capacities.[14] Increasingly, the country has also been perceived as offering possibilities for bottom-up security and reconstruction processes which counter-insurgents can tap into.[15] It has, in other words, become a key context in which the 'pragmatic turn' plays out. In fact, as Kilcullen puts it, 'Somalia is virtually a laboratory test case', demonstrating 'completely different results arising from a bottom-up peacebuilding process based on local-level rule of law versus a top-down approach based on putting in place a "grand bargain" at the elite level'.[16]

Somalia, situated at the centre of the re-emergence of counter-insurgency, seems, then, to be the location for an apparently contradictory co-articulation of two strategies: on the one hand, coercive efforts to combat the Al-Shabaab insurgency and transform security governance through interventionary counter-

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[8] Kienscherf, 'Producing "responsible" self-governance', p. 5.
[9] Michael Miklaucic, ed., 'Special operations in a chaotic world', *PRISM* 6: 3, 2016; see also US Army Capabilities Integration Center, *Joint concept for integrated campaigning v. 07.*
[10] Ganesh Sitaraman, *The counterinsurgent's constitution* (Oxford: Oxford University Press, 2012), p. 87.
[11] Sitaraman, *The counterinsurgent's constitution*, p. 201.
[12] See e.g. David H. Ucko, 'Beyond clear–hold–build: rethinking local-level counterinsurgency after Afghanistan', *Contemporary Security Policy* 34: 3, 2013, pp. 526–51.
[13] US Department of Defense, *Sustaining US global leadership: priorities for 21st century defense* (Washington DC, 2012). See also Karen Parrish, '"Small-footprint" operations effective, official says', *DoD News*, 31 Jan. 2013, http://archive.defense.gov/news/newsarticle.aspx?id=119150.
[14] Matt Freear and Cedric de Coning, 'Lessons from the African Union Mission for Somalia (AMISOM) for peace operations in Mali', *Stability* 2:2, p.Art. 23, 2013, pp. 1–11.
[15] Greg Mills, John Peter Pham and David Kilcullen, *Somalia: fixing Africa's most failed state* (Cape Town: Tafelberg, 2013); Sarah G. Phillips, 'When less was more: external assistance and the political settlement in Somaliland', *International Affairs* 92: 3, May 2016, pp. 629–46.
[16] Kilcullen, *Counterinsurgency,* p. 156.

insurgent warfare; and, on the other, efforts to support bottom-up reconstruction allegedly aimed at locally grounded peace and order. This conjunction invites exploration of the processes at work in Somali territories between war and peace, and between counter-insurgency's pragmatic turn and the making of local orders.

The present article sets out to examine these developments. It does so through an analysis of two key sites—Jubaland and Somaliland—where counter-insurgency has targeted local institutions and actors beyond the the internationally recognized Mogadishu-based host nation government. The analysis reveals the various ways in which contemporary counter-insurgency embeds itself within the legitimating vocabulary of peace, and draws on the operational tools provided by peacebuilders. It demonstrates, furthermore, how these tools are thereby reframed in such a way that their ostensible peacefulness is subjugated to military tasks and objectives. Peace, as a symbolically charged and positively connoted practical and discursive reference point, thus provides counter-insurgents with operational as well as legitimacy benefits in waging war. As the article will demonstrate, the outcomes of these practices are in fact far from peaceful; and the effects on local orders do not signify 'bottom-up' solutions (if we take the term 'bottom-up' to mean inclusive and participatory forms of peace). Indeed, a key conclusion emerging from the analysis is that, on the contrary, the renaissance of counter-insurgency is to be understood as a return to a concept of peace that bears a marked resemblance to the violent counter-insurgent pacification of the colonial and Cold War periods.

The article is organized as follows. The next section provides a historical perspective on the changing position and meaning of peace in relation to counter-insurgent warfare. This serves to contextualize the argument that contemporary convergences of peacebuilding and counter-insurgency around a pragmatic interventionary discourse provide counter-insurgency with a new legitimating language for reinventing its old practices of 'locally led' pacification. The second section anchors and elaborates this argument through empirical analysis of the effects of such practices on local orders in the Somali context.

Convergences and ruptures between peace and war-making: a historical perspective

As Zaalberg has noted, 'after 9/11, the connection between peace operations and counter-insurgency grew in significance in the operational realm'.[17] Somalia is an illustrative case of these developments, epitomized by, for example, the African Union's Mission in Somalia (AMISOM), which is framed as a 'multidimensional Peace Support Operation' mandated to 'reduce the threat posed by Al-Shabaab and other armed opposition groups',[18] and the policy trend towards 'local-track' stabilization, focusing on supporting localized Somali authorities and polities

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[17] Thijs Brocades Zaalberg, 'Counterinsurgency and peace operations', in Paul B. Rich and Isabelle Duyvesteyn, eds, *The Routledge handbook of insurgency and counterinsurgency* (New York: Routledge, 2012), pp. 80–97 at p. 91.
[18] AMISOM, 'AMISOM mandate', 7 July 2016, http://amisom-au.org/amisom-mandate/.

against Al-Shabaab.[19] In fact, practically every polity within Somalia has 'benefited' from internationally promoted security-driven institution-building.[20] As a British contractor told me during a visit to Somaliland in 2014:

The region is the point of origin for seeds of extremism, which entails the risk of it coming back and being a threat in the UK. Therefore there is a need to build a 'wall' around the threat … This can be done by investing in and helping indigenous communities and institutions build up the economic and security infrastructure. And help them combat Al-Shabaab … Somaliland provides a semi-permissive environment from where to start stabilizing.[21]

Such convergence of efforts to counter insurgencies and to establish peace and order through local engagement is not simply, however, a post-9/11 phenomenon. In fact, peace was a key tenet of classic counter-insurgency thinking, articulated in the language of *pacification*, the coercion-driven process whose ultimate goal is the creation of a lasting peace. As such, counter-insurgents 'built peace' long before peacebuilding emerged as a distinct field of practice associated with post-Cold War humanitarianism and democratization.

From pacification in the colonies to peacebuilding in the 'new world order'

On the basis of the observation that 'one-half at least of all our soldiers' business since 1865 has been pacification', US Army Lieutenant-Colonel Robert L. Bullard concluded in 1910 that 'today our soldier, the war-maker, has become also a peace-maker and a peace-preserver'.[22] This statement captures the conceptualization of peace as pacification that underpinned military reasoning during the imperial pacification campaigns of the early twentieth century. Such reasoning was not confined to a goal of eliminating the enemy, but envisioned an approach of 'progressive occupation', as French Colonel Marshal Hubert Lyautey put it. Lyautey drew on the metaphor of ridding a field of unwanted weeds so as to enable a 'culturing' process: 'It is not enough to pull them out only to recommence the next day; instead, after the plough has passed, the conquered land must be isolated and enclosed so that the good seed that is resistant to the bad can be sown.'[23] This captures the interplay of 'hard power' (coercion) and 'soft power' (consent and reconstruction) in classical counter-insurgency theory. It also conveys the productive drive of pacification, and provides a metaphor for the centrality of political

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[19] Ambassador Johnnie Carson, 'State Department: a dual-track approach to Somalia', speech at Center for Strategic and International Studies, Washington DC, 20 Oct. 2010, https://www.csis.org/events/state-department-dual-track-approach-somalia.

[20] Ken Menkhaus, *Aid and institution-building in fragile states: the case of Somali-inhabited eastern Horn of Africa*, working paper 2014/002 (Helsinki: World Institute for Development Economics Research, 2014), pp. 1–13. This development, Menkhaus argues, represents a promotion of aid to security sectors, and an emphasis on 'capacity over human rights', which, 'for authoritarian governments in the region, like Ethiopia and Djibouti … was a godsend': p. 7.

[21] Author's field notes, personal communication with British security contractor, Hargeisa, Sept. 2014.

[22] Lt-Col. Robert L. Bulleard, 'Military pacification', *Journal of the Military Service Institution* 46: 163, 1910, pp. 1–24 at p.1.

[23] Hubert Lyautey, *Du rôle colonial de l'armée* (Paris: Armand Colin, 1900), pp. 6, 10–12 (translation in Ucko, 'Beyond clear–hold–build', p. 527).

'(re)building' processes brought about through practices of indirect rule adopted by the imperial French, US and British colonial administrators.

The emphasis on building self-securing order as a bulwark against insurgency also featured prominently in David Galula's influential 1963 account of Cold War pacification in Algeria. Galula elaborates on the process of how the French forces step by step established control in order to subsequently 'lay the ground work for a trustworthy local self-government and to launch an intensive program of social and economic improvement'. Through the gradual successes of pacification, aspirations towards order and peace spread:

As they recognized the difference between their prospering environment and those surrounding areas still in the grip of hostilities, villagers were easily convinced of the need to preserve their peace by helping to prevent rebel infiltration. They co-operated in the thorough checking of visitors from the outside and in the general policing of their area.[24]

These accounts of imperial and Cold War pacification convey a strong emphasis on building resilient local order and peace, in combination with destroying the insurgency. Yet, notwithstanding attempts to 'sanitize' historical accounts of pacification,[25] the underlying concept and goal of peace is 'lean'[26] as well as violent. It denotes a peace built on killed insurgents, and maintained by a triangulation of arms, domination and self-governed pacification—whether through coercive hierarchies of indirect rule, or the bolstering of militarized anti-democratic regimes and forces during the Cold War.[27]

This notion of peace diverges considerably from that which developed after the Cold War and came to serve as the dominant representation of the concept in international politics. In this latter concept, peace—along with the campaigning themes of peacebuilding and peacekeeping—became associated with a distinct field of interventionary practice, underpinned by a wider normative framework of humanitarianism and non-violent democratic institution-building. During the early post-Cold War years, UN peacebuilding even temporarily became the dominant form of western interventionism. Meanwhile, against the backdrop of US defeat in the Vietnam War, counter-insurgency, while far from disappearing,[28] had become associated with types of violent conflict in which western powers preferred not to get engaged.[29] As counter-insurgency was equated with escalating military force, coercion-driven pacification campaigns were increasingly perceived as worlds apart from the quest for peace through peacebuilding

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[24] David Galula, *Pacification in Algeria, 1956–1958* (Santa Monica: RAND, 1963), p. xxiii.
[25] Douglas Porch, 'David Galula and the revival of COIN in the US military' in Gventer et al., eds, *The new counterinsurgency era*, p. 174. Porch demonstrates how Galula's accounts of the army's tactical adaptations in Algeria wrote out the context of brutality and racism and thereby allowed the authors of FM 3–24 to embrace the 'lessons learned'.
[26] i.e. narrowly focused on stabilizing unruly peripheries, with little concern for more reconciliatory or popular forms of peace.
[27] Douglas Porch, *Counterinsurgency: exposing the myths of the new way of war* (Cambridge: Cambridge University Press, 2013), p. 231.
[28] Russel Crandall, *America's dirty wars: irregular warfare from 1776 to the war on terror* (New York: Cambridge University Press, 2014).
[29] Daniel Branch and Elisabeth Jean Wood, 'Revisiting counterinsurgency', *Politics and Society* 38: 1, 2010, pp. 3–14 at p. 10.

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and peacekeeping missions. Indeed, the latter were understood to be the opposite of counter-insurgency: 'Whereas counterinsurgency seemed to have become a stale euphemism for violent suppression of popular resistance movements abroad, peacekeeping brought the promise of upholding what President George H. W. Bush called "The New World Order" in a non-violent way.'[30]

   In practical terms, however, this idealism encountered significant limits from the start, in particular in relation to the question of the use of force, within settings where the end of the Cold War had been accompanied by new internal wars, often shaped by ethnic divisions and nationalist sentiment. In the case of Somalia, for instance, peacekeepers were inserted into a war zone, with no peace agreement to refer to and plainly no peace to keep. With the failed efforts of the UN-sanctioned Operation Restore Hope (1992–3), and the death of 18 American soldiers following the efforts to kill Somali warlord Mohammed Hassan Farah Aidid, head of the Somali National Alliance militia, Somalia became notorious as the ultimate peacekeeping debacle. This gave rise to the infamous concept— invented by General Sir Michael Rose, who served as head of the UN Protection Force in Bosnia in 1994—of the 'Mogadishu line' which, if crossed, would turn peacekeeping into war-making.[31] Yet, in responding to persistent challenges of 'new' internal wars, ethnic conflicts, spoilers and insurgents, peacekeeping was gradually reshaped towards enforcement missions and so-called complex peace operations—or 'aggressive peace'[32]—which allow for combining peacekeeping and the use of force. In this context, a number of scholars argued for potential areas of convergence between peacebuilding and counter-insurgency; and some specifically suggested that insights from the latter could help advance a more realistic approach to the former.[33] This line of argument, however, was largely ignored by the peacebuilding community[34]—a reaction that illustrates the symbolic power of the post-Cold War understanding of peacekeeping as referring to a distinctively non-violent, humanitarian and democratizing form of intervention. It was only later, after 9/11, when the dust began to settle after the invasions of Iraq and Afghanistan, that counter-insurgency made a full reappearance on the interventionary scene, presenting itself as a more benevolent, indeed 'peaceful', alternative to conventional military warfare.

The renaissance of counter-insurgency and the (re)turn to pragmatic peace

Following the outbreak of multiple internal conflicts in Iraq after the downfall of the Ba'athist regime of Saddam Hussein and the western-led occupation of the country, the limitations of the global 'war on terror', with its application

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[30] Zaalberg, 'Counterinsurgency and peace operations', p. 82.
[31] 'The crossing of the Mogadishu line', *The Economist*, 13 Jan. 1996.
[32] Michael Pugh, 'Reflections on aggressive peace', *International Peacekeeping* 19: 4, 2012, pp. 410–25.
[33] See e.g. Larry Cable, 'Reinventing the round wheel: insurgency, counterinsurgency and peacekeeping post Cold War', *Small Wars and Insurgencies* 4: 2, 1993, pp. 228–62; Thomas R. Mockaitis, 'From counterinsurgency to peace enforcement: new names for old games?', *Small Wars and Insurgencies* 10: 2, 1998, pp. 40–57.
[34] Zaalberg, 'Counterinsurgency and peace operations'.

of 'conventional' large-scale manoeuvre warfare to fighting 'unconventional' adversaries, became apparent. In response, military practitioners, politicians and academics (re)turned to historical lessons in counter-insurgent warfare as the most promising strategy for turning the tide by transforming Iraq into a 'Vietnam with a happy ending'.[35] This juncture, at which counter-insurgency re-emerged in an allegedly more 'enlightened population-centric version',[36] represents a significant moment of realignment between counter-insurgency and peacebuilding, as reflected in doctrinal developments in the United States and the United Kingdom.[37] This was the case because it was clear that while peacebuilding could not succeed without means of enforcement, counter-insurgency could not succeed through force alone.[38] Initially, the two campaign themes merged around a combination of military objectives and normative aspirations of statebuilding and democratization, with the post-1990 neo-conservative US foreign policy establishment maintaining that a 'happy ending' for Iraq and Afghanistan would require a 'modernization mission to transform traditional societies into modern, market friendly, pluralist arrangements'.[39] This framework of nation-building through a combination of military and civilian means featured centrally in the US Army/Marine Corps counter-insurgency field manual FM 3-24, first published in 2006. The manual's promotion of a form of enlightened 'armed social work', aiming 'to redress basic social and political problems while being shot at',[40] had broad appeal, appearing to offer the advantages of lessons learned from anti-guerrilla warfare without the controversies of violence previously associated with counter-insurgency, aligning itself instead with discourses of peace and nation-building.[41]

By the end of the 2000s, however, the situation in Iraq had become profoundly destabilized, the Obama administration was preparing the withdrawal of American troops, and an increasing number of critics were arguing that peace and nation-building frameworks, as well as counter-insurgency, had fallen victim to their own overambition. These developments were part of a wider 'crisis of international intervention',[42] and led to a declining appetite for large-scale missions and to related shifts in interventionary narratives—what we have termed a 'pragmatic turn'.[43] In particular, the liberal peace framework had arrived at a critical juncture: from this point, resilience became a policy priority, and goals were redefined more modestly in terms of 'good enough' governance and bottom-up reconstruction. Key tenets of peace- and statebuilding—such as rule of law, security and democratization—

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[35] Porch, *Counterinsurgency*, p. 289.

[36] Zaalberg, 'Counterinsurgency and peace operations', p. 84.

[37] Stuart Griffin, 'Iraq, Afghanistan and the future of British military doctrine: from counterinsurgency to stabilization', *International Affairs* 87: 1, 2011, pp. 317–33.

[38] Karsten Friis, 'Peacekeeping and counter-insurgency: two of a kind?', *International Peacekeeping* 17: 1, 2010, pp. 49–66 at p. 50.

[39] M. L. R. Smith and David Martin Jones, *The political impossibility of modern counterinsurgency* (New York: Columbia University Press, 2014), p. 66; see also Louise Wiuff Moe and Markus-Michael Müller, 'Counterinsurgency, knowledge production and the travelling of coercive realpolitik between Colombia and Somalia' (under review).

[40] United States Army and Marine Corps, Field Manual No. 3-24 (FM 3-24): *Counterinsurgency* (Washington DC, 2006)*,* p. A45.

[41] See e.g. Crandall, *America's dirty wars*.

[42] Simon Jenkins, *Mission accomplished? The crisis of international intervention* (London: I. B. Tauris, 2015).

[43] See the introduction to this special section of the issue, pp. 293–99 above.

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retained normative power and legitimacy, but progress towards these ideals was now to be enabled through an engagement with 'resilient local governance systems' and 'existing capacities for peace' rather than through liberal blueprints.[44]

Some scholars saw the increased attention to the 'local' as promising the dissociation of peacebuilding from post-9/11 militarization and top-down stabilization.[45] Such dissociation, however, has not occurred in the relationship between peacebuilding and counter-insurgency. In fact, the opposite happened. The recent pragmatic recourse of peacebuilding to 'local resilience' and 'bottom-up order' turned into an ideal frame for further promoting counter-insurgency through a recycling of some of its core historical features, now couched in the legitimating language of bottom-up peacebuilding. Recall that counter-insurgency was always centred on 'the local', and indeed, on local peace (as pacification). In this respect, counter-insurgency's newly emerging practical and doctrinal interest in 'the local state', 'resilient law and order systems' or 'organic rule of law' simply updated classic counter-insurgency tactics and language for the post-9/11 world.[46]

The reinvention of counter-insurgency, and the underlying practical and discursive borrowings from peacebuilding, are accompanied by an increasing flexibility in the understandings of what 'state', 'governance' and 'law' mean. This in turn offers a number of benefits for counter-insurgency. First, in moving beyond 'the orthodox liberal statebuilding model',[47] pragmatic counter-insurgency can engage a wide array of local actors and institutions, and thereby expand its reach in regions of weak or failed states. Whereas the 2007 Chicago University Press edition of FM 3-24 assesses the relations between governance and legitimacy exclusively from the vantage-point of the state,[48] the 2013 Joint Publication 3-24, *Counterinsurgency*, implicitly elevates local authority structures, including 'provincial, local, tribal, or otherwise autonomous government',[49] to the same level as states with regard to governance.[50] Such 'denaturali[zation]' of

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[44] For the phrases quoted see, respectively, Julia Stewart, ed., *Local governance in fragile and conflict-affected settings: building a resilient foundation for peace and development*, 'UNDP "how to" guide' (New York: UNDP, 2016), pp. 1–168 at p. 27, http://localizingthesdgs.org/library/73/Building-a-Resilient-Foundation-for-Peace-and-Development-Local-Governance-in-Fragile-and-Conflict-Affected-Settings.pdf; International Peace Institute (IPI), *Sustaining peace: what does it mean in practice?*, IPI policy brief, April 2017, https://www.ipinst.org/wp-content/uploads/2017/04/1704_Sustaining-Peace-final.pdf; see also Cedric de Coning, 'Adaptive peacebuilding', in this special section.

[45] Oliver P. Richmond and Ioannis Tellidis, 'The complex relationship between peacebuilding and terrorism approaches: towards post-terrorism and a post-liberal peace', *Terrorism and Political Violence* 24: 1, 2011, pp. 120–43; Robert Carter, 'War, peace and stabilisation: critically reconceptualising stability in southern Afghanistan', *Stability: International Journal of Security and Development* 2: 1, 2013, pp. 1–20.

[46] For the quoted phrases see, respectively, Kilcullen, *Counterinsurgency*, p. 12; Col. Eric M. McFadden, 'Operations in megacities: the future modular force 2030 and beyond', in Col. Samuel R. White, Jr, ed., *The United States Army in 2025 and beyond: a compendium of US War College student papers*, vol. 1 (Carlisle, VA: United States Army War College Press, 2014), p. 66; Sitaraman, *The counterinsurgent's constitution*, p. 201.

[47] Mark Sedra, 'Finding innovation in statebuilding. Moving beyond the orthodox liberal model', *PRISM* 3: 3, June 2012, p. 56.

[48] See *The U.S. Army/Marine Corps counterinsurgency field manual* (Chicago: University of Chicago Press, 2007), pp. 37–8.

[49] US Joint Chiefs of Staff, Joint Publication 3-24, *Counterinsurgency*, pp. 1–5.

[50] Louise Wiuff Moe and Markus-Michael Müller, 'Introduction: complexity, resilience and the "local turn" in counterinsurgency', in Louise Wiuff Moe and Markus-Michael Müller, eds, *Reconfiguring intervention: complexity, resilience and the 'local turn' in counterinsurgent warfare* (London: Palgrave Macmillan, 2017), p. 9.

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the state 'as an accepted monopoly of power' opens up the possibility of establishing strategic relations with various sources of powers associated with 'real governance' and the 'local state'.[51] Second, the recent pragmatism of counter-insurgency can be justified with reference to 'local ownership', 'resilience' and 'cultural sensitivity'—central and legitimizing concepts in the wider political language of contemporary peacebuilding. It also follows that, in the context of the pragmatic turn, counter-insurgency's engagements with (and creation of) local coercion wielders are not merely 'parallel' forms of intervention. Nor do they only occur within the 'illicit shadows of authority'.[52] Rather, such engagements are, as will be shown, increasingly being integrated into the frameworks of key 'official' intervention actors, such as the UN and AMISOM in the Somali context.[53] Third, the flexibilization of the concept of the state, and the related dilution of emphasis on conventional state- and nation-building, allows counter-insurgency to break free from its western- and state-centric straitjacket and evade related critiques. The latter, indeed, have often focused on counter-insurgency's reliance on narrow western-centric concepts of the state and related attempts to remodel 'hearts and minds' of entire populations through 'nation-building'.[54] In practice, counter-insurgency campaigns have rarely succeeded in building states or nations, but have frequently reverted to practices of enlisting local strongmen and investing coercive authority in selected local institutions to enable self-governed pacification. With the contemporary pragmatic downscaling of the transformative ambitions associated with conventional statebuilding, counter-insurgents can resume such practices without the worry of having to reach a final normative end-point (the liberal state). Thus, and despite alignment with the legitimating language of peace as it has developed since the end of the Cold War, contemporary practices of 'grey zone' counter-insurgency bear a strong resemblance to colonial and Cold War pacification. This argument is further explored and elaborated in the next section of the article, which turns to the empirical analysis of the concrete practices and effects of counter-insurgency's pragmatic turn in the Somali context.

The grey zone between peace and pacification in the Somali territories

Somalia has a long history as a testing ground for various paradigms of international intervention, from peacekeeping, statebuilding and humanitarian emergency relief to stabilization and counterterrorism.[55] The renaissance of

[51] Carter, 'War, peace and stabilisation', p. 16.

[52] Rita Abrahamsen and Michael C. Williams, *Security beyond the state* (Cambridge: Cambridge University Press, 2011), p. 28.

[53] For the latter, see e.g. Dawit Yohannes Wondemagegnehu and Daniel Gebreegziabher Kebede, 'AMISOM: charting a new course for African Union peace missions', *African Security Review* 26: 2, 2017, pp. 199–219 at p. 210.

[54] Bing West, 'After a decade of counter-insurgency, eliminate nation-building from US military manuals', in Gventer et al., eds, *The new counter-insurgency era*, pp. 232–9.

[55] See e.g. Ken Menkhaus, 'Somalia: governance vs. statebuilding', in Charles T. Call and Vanessa Wyeth, eds, *Building states to build peace* (Boulder, CO: Lynne Rienner, 2008), pp. 187–214; Roland Marchal, 'Somalia: a new front against terrorism', *SSRC Crisis in the Horn of Africa* webforum, 5 Feb. 2007, http://hornofafrica.ssrc.org/marchal; Tobias Hagmann, *Stabilization, extraversion and political settlements in Somalia* (London: Rift

counter-insurgency during the 2000s added yet another new chapter,[56] in which Somalia has been cast as a 'model' in demonstrating the potentials of the new 'innovative, low-cost, and small-footprint approaches' called for in the US Defense Strategy released in early 2012.[57] In zooming in on this particular trajectory of interventionism, the following analysis shifts empirical focus beyond the Mogadishu-centred statebuilding and stabilization exercise, which still dominates the official international policy paradigm on Somalia (as well as analyses of interventions in Somalia), and instead focuses on two key sites—Jubaland and Somaliland—where counter-insurgency efforts have adapted to the limitations of that official paradigm by instead targeting local institutions and actors beyond the host nation government.

In Jubaland, located in the south of Somalia, such interventions take place in a context of open-ended violent conflict, whereas in Somaliland in the north relative peace and stability prevail, allowing for more subtle and preventive forms of counter-insurgency merging with security sector reform and capacity-building approaches. The two cases thereby allow the analysis to cover different sets of actors that drive forward pragmatic counter-insurgency efforts, as well as different types of outcomes of these efforts. Taken together, the cases illustrate the double role of counter-insurgency in contributing to the production of 'local states' and institutions, invested with new coercive capacities, while conceivably also contributing to reversing existing endogenous state formation processes.[58]

The following empirical discussions purposefully broaden the definitional scope of 'counter-insurgency' to include actors and processes not all of which are strictly 'military', or officially labelled as counter-insurgents/counter-insurgency. This reflects the fact that a key feature of counter-insurgency—and indeed the analytical interest of the article—is precisely its expansion beyond the military domain, and related convergences with peacebuilding, development and reconstruction.[59]

Valley Institute, 2016), http://www.politicalsettlements.org/files/2015/10/PSRP-RVI-Report-7-Stabilization-Extraversion-and-Political-Settlements-in-Somalia-Tobias-Hagmann-2016.pdf.

[56] Bronwyn E. Bruton and Paul D. Williams, *Counterinsurgency in Somalia: lessons learned from the African Union Mission in Somalia, 2007–2013* (Fort Belvoir, VA: Defense Technical Information Center, 2014).

[57] Peter J. Pham, *State collapse, insurgency, and counterinsurgency: lessons from Somalia*, Report for US Army War College, 2013, https://www.globalsecurity.org/military/library/report/2013/ssi_pham.pdf; Parrish, '"Small-footprint" operations effective, official says'.

[58] In teasing out these developments, the analysis adds to recent studies on the changing dynamics of territorialization shaped by the interaction between, on the one hand, local and regional elites competing for control over people and resources by asserting territorial power, and, on the other hand, external interveners pursuing agendas of counter-insurgency, counterterrorism and institution-building. See Markus V. Hoehne, 'The rupture of territoriality and the diminishing relevance of cross-cutting ties in Somalia after 1990', *Development and Change* 47: 6, 2016, pp. 1379–1411; William Reno, *Military clientelism and state-building in the Horn of Africa*, EDGS working paper (Evanston, IL: Northwestern University, 2015), http://www.edgs.northwestern.edu/documents/working-papers/military-clientelism-and-state-building-in-the-horn-of-africa.pdf; Louise Wiuff Moe, 'Counterinsurgent warfare and the decentering of sovereignty in Somalia', in Moe and Müller, eds, *Reconfiguring intervention*, pp. 119–40; Ulf Engel and Gorm Rye Olsen, 'Authority, sovereignty and Africa's changing regimes of territorialization', in Scarlett Cornelissen, Fantu Cheru and Timothy Shaw, eds, *Africa and international relations in the 21st century*, International Political Economy series (Basingstoke: Palgrave Macmillan, 2012), pp. 51–65.

[59] Turner, 'Peacebuilding as counterinsurgency'.

Counter-insurgency's opportunistic creations

In late September 2012, Al-Shabaab lost one of its strongholds, the port city of Kismayo, in the Lower Juba province of southern Somalia. The operation behind this defeat of Al-Shabaab has been cast as a 'model' for counter-insurgency, disrupting sources of revenue for the insurgents.[60] The forces that ousted Al-Shabaab comprised an alliance of internationally funded national and regional militaries collaborating with local militias. All actors officially operated under the UN-endorsed mission, AMISOM. About a year later, Ahmed Madobe, the leader of the local clan militia Ras Kamboni, which had fought on the front line during the military offensive of 2012, announced the establishment of a new administration: the Jubaland Interim Administration, based in Kismayo and covering Gedo, Lower Juba and Middle Juba provinces. With international support the administration has developed its own framework of government, and has become a key ally in the ongoing international campaign against Al-Shabaab.

The 'Jubaland initiative' can be seen as an exemplary case of pragmatic 'grey zone' engagement, involving small-footprint support for African-led counter-insurgency efforts that combine kinetic action with local reconstruction. Along these lines, the creation of Jubaland has been cast as a key opportunity for supporting an alternative to Al-Shabaab through 'local style' security and peace based on 'Somali trends'.[61]

Yet, far from simply providing an example of counter-insurgency support to existing locally grounded 'trends', the case of Jubaland illustrates the key role counter-insurgency interventions play in re-territorializing particular forms of power, thereby contributing to new processes of 'mini-state' formation within Somalia.[62] This happens mostly because such intervention 'concentrates coercion in the hands of dominant ruling cliques that satisfy their foreign friends [with] the credibility of their domestic capacity to impose order'.[63] The case also elucidates the ways in which grey zone articulations of war with peace have not only enabled these processes, but have also endowed them with new-found legitimacy and discursive dissociation from the otherwise conspicuously similar past forms of counter-insurgency's *politique des races*.[64] In a first phase, the discourse of 'African-led peacebuilding' provided an accommodating frame for forming counter-insurgent alliances among local, regional and international actors; and in a second phase, in the aftermath of kinetic action, peacebuilding activities have served as tools for consolidating the 'local' order emerging out of these processes. This order has in turn become a base for a further expansion of counter-insurgent warfare in the region.

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[60] Paul E. Roitsch, 'Capacity and competence: full-spectrum counterinsurgency in the Horn of Africa', *Small Wars and Insurgencies* 26: 3, 2015, pp. 497–517.

[61] Matt Freear, 'Special feature: America's dual track for Somalia and the case of Kismayo', *American Security Project*, 15 Nov. 2012, http://www.americansecurityproject.org/special-feature-americas-dual-track-for-somalia-and-the-case-of-kismayo/.

[62] Hoehne, 'The rupture of territoriality', p. 1381.

[63] Reno, *Military clientelism*, p. 31.

[64] The term originates in French colonial policy, and describes a strategy of creating local elite proxies through which local populations could be ruled and pacified by the colonizer.

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Somalia's neighbour Kenya was initially the key enabler of the 'Jubaland initiative'. Prior to its engagements in Somalia from 2011 onwards, Kenya had for the most part followed a non-interventionist, low-risk approach to promoting peace and stability.[65] However, Kenya's development into an increasingly influential east African power brought aspirations of gaining regional combat experience, and also increased the international pressure on Kenya to demonstrate 'action' against regional insurgency and terrorism threats.[66] At the same time, the rise of Al-Shabaab in Somalia also had direct (in)security implications for Kenya itself. As early as 2009 the Kenyan Defence Forces (KDF) started training Somali militias from the Kenyan–Somali Juba border regions, as a means of curbing incursions by Al-Shabaab into Kenya. The incentives of weakening Al-Shabaab's presence in the border regions, and in the Somali regional capital Kismayo, became coupled with the long-term aim of establishing borderland authorities with good relations to Kenya once Al-Shabaab had been cleared from the area.[67] Despite initial apprehension on the part of other key allies opposed to Al-Shabaab—the Somali government, Ethiopia, the United States and other western powers—the approach of empowering local militias to fight Al-Shabaab in the Juba regions gradually gained support, as it both promised an 'optimal counterterrorism outcome',[68] namely the 'liberation' of Kismayo, and was 'a good fit with the US government's "Dual Track" policy'.[69] This policy, formulated in 2010, advanced a flexible counter-insurgency approach which catered for the increasing international interest—in the context of the war against Al-Shabaab—in more extensively engaging with the local governance arrangements that had proliferated throughout Somalia in the absence of conventional state institutions, including a functioning military. 'Track one' maintained the support for statebuilding and for the official 'big players', including AMISOM, the Federal Government of Somalia (FGS) and its predecessor the Transitional Federal Government. 'Track two', serving as the pragmatic policy component, promoted engagements that would be 'more flexible and adaptive to local needs', specifically by cooperating with non-state actors and institutions. These included clans, elders and militia groups, 'as well as local and regional administrative units, throughout south central Somalia, who are opposed to Al Shabaab'.[70]

Aligning with 'track two', Kenya strengthened its cooperation on the ground with local forces in Juba, selecting the strongman and former Al-Shabaab member Ahmed Mohamed Islam (known as Madobe), and his Ogaden clan militia the Muaskar Ras Kamboni, as the key local ally. In extending Kenyan engagement,

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[65] Claire McEvoy, *Shifting priorities: Kenya's changing approach to peacebuilding and peacemaking* (Oslo: Norwegian Peacebuilding Resource Centre, May 2013), https://www.files.ethz.ch/isn/165125/bca199817c66f0d0f9121212 8181c024.pdf.

[66] Jeremy Prestholdt, 'Kenya, the United States, and counterterrorism', *Africa Today* 57: 4, 2011, pp. 2–27.

[67] International Crisis Group (ICG), *Jubaland in jeopardy: the uneasy path to state-building in Somalia*, policy brief (Brussels, 2013).

[68] Ken Menkhaus, *After the Kenyan intervention in Somalia*, Enough report, 13 Jan. 2012, https://enoughproject. org/reports/after-kenyan-intervention-somalia.

[69] ICG, *Jubaland in jeopardy*.

[70] US Department of State, *A dual track approach to Somalia*, podcast, 2010, https://www.csis.org/events/state-department-dual-track-approach-somalia.

the KDF were in 2011 deployed in an operation in Somalia. The following year, the KDF in Somalia were 'rehatted' as AMISOM contributors,[71] at which point the counter-insurgency campaign officially became part of a wider UN-mandated international peacebuilding engagement, able to draw on the legitimacy and authority of AMISOM. Indeed, 'the invaders had become peacekeepers—in name if not in deed'.[72] With this reinvention of the Kenyan intervention it was moreover eligible for financial support from the international community (especially the EU, but also the UK and US). The international community, for its part, could thereby avoid putting official 'boots on the ground' and instead pursue an approach of 'empowering indigenous local and regional forces'.[73]

The FGS and Ethiopia, meanwhile, sharing the goal of ousting Al-Shabaab, and buying into the pragmatic counter-insurgent tactic of 'locally anchored' approaches, while also wanting to counterbalance the power of Kenya and the Ogaden clan militia Ras Kamboni,[74] opted to support the Marehan clan militias led by former warlord Barre Adan Shire 'Hiiraale'. In the autumn of 2012, Al-Shabaab was ousted from Kismayo by this alliance of convenience—comprising two main fronts of local clan militias, supported by different regional actors, funded by the West—in which the international discourse of pragmatic counter-insurgency-cum-peace-operations had become interlinked with regional geopolitics and local struggles over access to coercive resources. This complex interplay between international, regional and local politics, articulated around the 'pragmatic turn' in counter-insurgency, extended into a subsequent phase revolving around control and stabilization of Jubaland and Kismayo.

In line with the preference for supporting indigenous forces and self-government as the best and most legitimate means of strengthening counter-insurgent governance and peace, US strategic communications suggested that with the ousting of Al-Shabaab the space had opened up for driving forward a bottom-up 'post-Al-Shabaab order' and 'government'.[75] Yet, once Al-Shabaab had retreated, the issue of who should govern Jubaland became a source of violent contestation. But armed confrontations between competing militias constituted only one layer of the struggle; local elites simultaneously adopted strategies of mimicking statebuilding practice—such as launching 'elections', declaring 'presidencies' and forming governing 'cabinets'—in a quest for recognition from the international audience as legitimate local enablers of the internationally anticipated 'bottom-up post-Al-Shabaab government'. It was soon clear that Madobe was most successful in this contest, both in making himself legible as a local 'statesman' and in asserting military dominance—the latter not least through the support he continuously received from the KDF embedded with AMISOM. After establishing armed control over Kismayo, on 15 May 2013 Madobe declared himself the elected

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[71] Menkhaus, *After the Kenyan intervention*, p. 6.
[72] David M. Anderson and Jacob McKnight, 'Kenya at war: Al-Shabaab and its enemies in eastern Africa', *African Affairs* 114: 454, 2014, pp. 1–27 at p. 6.
[73] Bruton and Williams, *Counterinsurgency in Somalia*, p. 4.
[74] Ethiopia, in particular, was cautious of supporting Ogaden clan forces, owing to fears that they might be sympathetic to the Ethiopian rebel group Ogaden National Liberation Front.
[75] Freear, 'Special feature: America's dual track'.

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president of Jubaland at an assembly of local clans. This was contested with a counter-declaration of presidency by Hiiraale later the same day.

The FGS, increasingly concerned about the growing power of Madobe, declared both 'election processes' unconstitutional.[76] Notwithstanding this rejection of his 'presidency', Madobe subsequently came to occupy a prominent position in a series of internationally supported, regionally brokered meetings aimed at stabilizing the conflict. These meetings were cast in the official diplomatic language of reconciliation, peacebuilding and statebuilding, adding substantial representational power and legitimacy to Madobe's de facto rule. New agreements were laid out, defining 'the modalities of administration and governance',[77] including the creation of a Jubaland 'regional assembly', 'executive council', 'governor' and 'deputies', all under Madobe's administration. The creation of new governance accords was understood to be a necessary means of mitigating the risk of Madobe's pursuing a separatist scheme for Jubaland. The corollary of this was an implicit approval of his claims to 'local state' authority: 'Following the legitimacy granted to Madobe … it became clear that regional elites should convene state formation conferences—if nothing else—to legitimize or protect claims on regions amid an ad hoc federalism process constituted more by power politics than by constitutional measures.'[78]

Keeping up the momentum, in early December 2013 Madobe appointed a 'new cabinet',[79] which reflected a degree of elite alliance-building in terms of inclusion of selected sub-clans while also significantly consolidating his own power. The 'cabinet' was formally inaugurated in January 2014, thereby giving birth to a new administration—with its own president and substantial coercive resources—through a process of local–international co-mimicry of bottom-up peace and statebuilding operating in the service of pragmatic counter-insurgency. The congratulations offered on this occasion by the Special Representative of the UN Secretary-General (SRSG), Nicholas Kay, to Madobe provide a good illustration of the 'untidy discursive production of international recognition' in the context of 'diplomatic counter-insurgency',[80] reflecting the restyling of Madobe from local warlord, and one of the 'most radical' militants during his time with Al-Shabaab,[81] to an internationally endorsed peace- and statebuilder:

[76] The withdrawal of FGS support from the 'Jubaland initiative', in turn, caused accusations that the government was resuming attempts to centralize power.

[77] UN, 'Special Representative tells Security Council: "Behind the twists and turns, the crisis and the standoffs, Somalia has the foundations for progress"', press release, 12 Sept. 2013, http://www.un.org/press/en/2013/sc11120.doc.htm.

[78] 'Somalia's federalism woes challenge stability amid military offensive', Somalia Newsroom, 19 March 2014, https://somalianewsroom.com/2014/03/19/somalias-federalism-woes-challenge-stability-amid-military-offensive/.

[79] ICG, *Crisis Watch database Somalia* (Brussels, 2 Jan. 2014), https://www.crisisgroup.org/index.php?q=crisiswatch/database&page=4&location[0]=9

[80] Fiona McConnell, Terri Moreau and Jason Dittmer, 'Mimicking state diplomacy: the legitimizing strategies of unofficial diplomacies', *Geoforum* 43: 4, 2012, pp. 808–14 at p. 811; Philippe Leroux-Martin, *Diplomatic counterinsurgency: lessons from Bosnia and Herzegovina* (London: Routledge, 2015).

[81] Ty McCormick, 'Exclusive: US operates drones from secret bases in Somalia', *Foreign Policy*, 2 July 2015, http://foreignpolicy.com/2015/07/02/exclusive-u-s-operates-drones-from-secret-bases-in-somalia-special-operations-jsoc-black-hawk-down/.

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In the last seven months I have got to know Ahmed Madobe … We met first in a hotel garden in Nairobi and after I've met him many times in Nairobi, in Addis, in Brussels and in Mogadishu. [He is] a man of great experience, he is a strong man, he has experienced fighting and war, but I congratulate Ahmed Madobe now for choosing to do something that is much harder than fighting. Building peace and building a state are truly hard tasks and he has chosen those tasks and I congratulate him.[82]

Such symbolic backing has been matched by technical backing, such as UN advisory support in building up the parliamentary administration and drafting the constitution.[83] While these activities belong in the usual peacebuilding toolbox, the Jubaland case illustrates their subjugation to the project of stabilizing governance arrangements produced by counter-insurgency. Viewed through this prism, it should cause little surprise that the 'pragmatic peace' produced is profoundly militarized, and bears little resemblance to proper statebuilding or constitutional work.[84] In the context of the ongoing war against Al-Shabaab, the United States prioritized the military side of the Janus-faced grey zone engagement, whereby the new 'local state' has come to serve as a key outpost for US special forces, a role that has profoundly cemented its coercive powers. As noted by Jubaland's 'State Minister for the Presidency' Abdighani Abdi Jama in an interview with *Foreign Policy*: 'They have high tech; they have drones; they have so many things … We are really benefiting.'[85]

Another source of power and income for the Jubaland administration is the continued cooperation with the KDF, which managed to stay involved after the takeover of Kismayo by officially operating as part of AMISOM. Through an arrangement of 'rentier peacekeeping', a 'new balance in the distribution of rents' has occurred in Kismayo,[86] whereby financial resources around the port are distributed between the KDF, the Jubaland administration—and Al-Shabaab,[87] the latter getting less than when it controlled the port, but still obtaining a share in return for its cooperation (as it still controls the immediate hinterlands of Kismayo, its cooperation is required if such 'business' is to run smoothly). As such, apparently contradictory elite interests at all levels—from local to regional and international—have, at least partially, been accommodated.

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[82] UN Assistance Mission in Somalia, 'SRSG Kay's speech on the occasion of the formal inauguration of the interim Jubba administration', 21 Jan 2014, https://unsom.unmissions.org/srsg-kays-speech-occasion-formal-inauguration-interim-jubba-administration. It is worth noting how substantially Kay's wording differs from, for example, a later analysis by the *East African*, more straightforwardly describing Jubaland as a 'success story in the African Union's effort to pacify the country [Somalia]' (Fred Oluoch, 'Ray of hope in Jubaland as new leaders finally take full control of the region', *East African*, 29 March 2016) and, along similar lines, the Kenyan President Uhuru Kenyatta's recent promise that the KDF will 'stay and pacify Somalia', 11 May 2017, https://www.standardmedia.co.ke/article/2001239287/kdf-to-stay-and-pacify-somalia-says-uhuru-kenyatta.

[83] UNDP Somalia, Parliamentary Support Project, 2015, http://www.so.undp.org/content/somalia/en/home/operations/projects/poverty_reduction/parliament-support-project.html.

[84] The dominance of military agendas left little room for prioritizing core governance functions, let alone for addressing the basic aspects of state formation and federalism, which remain deeply contested issues.

[85] McCormick, 'Exclusive: US operates drones'.

[86] Malte Brosig, 'Rentier peacekeeping in neo-patrimonial systems: the examples of Burundi and Kenya', *Contemporary Security Policy* 38: 1, 2017, p. 121.

[87] See also Peter Albrecht and Cathy Haenlein, 'Fragmented peacekeeping: the African Union in Somalia', *RUSI Journal* 161: 1, 2016, pp. 50–61.

Beyond its *particularities* in respect of specific actors and politics involved, the case of Jubaland illustrates wider trends of pragmatic counter-insurgency in Somalia, where external counter-insurgents incorporate the capacity of local coercion wielders to govern and thereby 'validate the private administration of force and … monopolization of the exercise of violence'.[88] The discussion above has revealed how the discursive and practical embedding of counter-insurgency with peacebuilding plays an important role in this validation. Such a pragmatic 'local track' strategy has been hailed as evidence of recent 'brave acknowledgements' both of the limitations of western top-down stabilization approaches, and of the decentred security and peace achievements led by local authorities in 'a country culturally adapted to diffuse power'.[89] Despite such claims to novelty, historical continuities are evident in respect of the techniques, productive effects and compromised outcomes of this pragmatism. In a nutshell, the case illustrates the reinvention of the age-old strategy of collaboration and incorporation of local proxies in counter-insurgent warfare. Echoing the political language also used for framing the 'local track' counter-insurgency approach discussed above, this kind of *politique des races* has been translated by contemporary counter-insurgents into terms such as 'genuine alliances' and 'local partnerships'.[90] Yet, as closer examination of the case demonstrates, far from supporting existing and locally legitimate institutions, such interventions actually bring about 'opportunistic creations' empowered because of their (relative) compliance with external agendas. This signifies a 'deliberate deception' of indirect rule theorists which continues to 'reverberate in the contemporary celebration of COIN'.[91]

In the next section of the article I turn to the case of Somaliland. Here a more stable political space—compared to the rest of Somalia—allows for experimentation with preventive and 'corporate' counter-insurgency which, in turn, illustrates a different set of intersections between past and present forms of counter-insurgent warfare.

Unmaking local success?

In the northern Somali territory known as Somaliland, the collapse of the central state in Mogadishu in 1991 was followed by local reconstruction processes leading to new institutional arrangements and a modest level of bureaucratic capacity. As international interventions after the fall of President Siad Barre focused on reviving a government in Mogadishu, Somaliland's processes of conflict, reconciliation and reconstruction took place in a context of limited intervention, which allowed for—indeed, necessitated—heterogeneous bargaining processes and compromises over territorial power and consultation among a wide array of actors, including elders, militias, subclans and civic leaders. These processes laid the foundation for

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[88] Reno, *Military clientelism*, p. 9.
[89] Freear, 'Special feature: America's dual track'.
[90] David Kilcullen, *The accidental guerrilla: fighting small wars in the middle of a big one* (Oxford: Oxford University Press, 2009), p. 15; Ucko, 'Beyond clear–hold–build', p. 531.
[91] Porch, *Counterinsurgency*, pp. 59–60.

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the emergence of Somaliland as the most stable polity within Somalia.[92] While Somaliland's claim to independent statehood has not been recognized internationally, its achievements in terms of stability attracted increasing attention during the 2000s. Indeed, Somaliland offers important insights into the significance of local agency and resilience as sources for decentralized reconstruction—contrasting with the perils of top-down statebuilding as pursued in Mogadishu—and has thereby become a common point of reference in peace- and statebuilding debates. What has received comparatively little attention, however, is how the growing international attention it has attracted has also rendered it legible for external actors as a context that 'provides an infrastructure' for preventive counter-insurgency aiming to 'build on local successes'.[93] As such, Somaliland is seen to offer 'a bulwark' for the international community in its desire to prevent the spread of the insurgency from the south.[94] Accordingly, building up the local security infrastructure for this task has become an international priority.

Against this backdrop, Somaliland is emerging as a laboratory for new types of 'grey zone interveners' who test preventive counter-insurgency approaches by remodelling security and justice sector reform (SJSR) programmes. The 'infrastructure' that Somaliland offers in this respect—given its greater stability relative to the rest of Somalia—has two key characteristics: first, an existing intervention infrastructure gravitating around peacebuilding, development and SJSR; and second, the existence of de facto (and internationally acknowledged, albeit *de jure* unrecognized) state-like institutions, including a government, a police force and an army. As elaborated below, this political space allows grey zone interveners to articulate pragmatic counter-insurgency initiatives in the prevailing language of peace and security sector reform, and to present them as sanctioned by existing local 'state institutions', while, in turn, the institutionally weak and unrecognized environment puts few accountability and legal constraints on interveners.

One trend related to the testing of new intervention models is the privatization of aid from key donor countries and the growing significance of security contractors taking over activities previously carried out through UN peacebuilding and development programmes. This shift is integral to the wider 'pragmatic turn' away from the 'liberal peace' towards a debureaucratization, deregulation and commercialization of interventions, allowing external actors to more flexibly navigate 'grey zone realities' of overlapping state and non-state powers. An illustrative example of the recent expansion of grey zone interveners in Somaliland is the company Adam Smith International (ASI), which has benefited substantially from the privatization of funds allocated through the UK Department for International Development (DFID)—not just in Somalia but around the world.[95] In 2013 ASI

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[92] Mark Bradbury, *Becoming Somaliland* (Bloomington: Indiana University Press, 2008).
[93] Author's field notes, personal communication with the British Office (part of the British Embassy Mogadishu), Hargeisa, Sept. 2014.
[94] 'US to seek stronger ties with Somaliland and Puntland', BBC News, 25 Sept. 2010, http://www.bbc.com/news/world-africa-11410852.
[95] Claire Provost, *The privatisation of UK aid: how Adam Smith International is profiting from the aid budget* (London: Global Justice Now, April 2016), https://www.globaljustice.org.uk/sites/default/files/files/resources/the_privatisation_of_uk_aid.pdf.

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evaluated the work of the United Nations Development Programme (UNDP) in Somalia, deeming it too bureaucratic, 'over-ambitious', and beset by 'extensive delays'.[96] During the same period, ASI established itself as a key actor in peace and security programming in Somalia, including Somaliland, taking over several DFID contracts previously held by the UNDP (in 2014 alone the DFID spent £90 million globally through ASI).[97] In a 2016 brochure entitled *Justice, security and peacebuilding: building effective, accountable and accessible institutions for just and secure societies*, ASI describes its activities in 'building police capacity' and capacity for 'defence intelligence' in Somaliland as key elements of protecting the polity's 'impressive strides towards democratic governance and stability' against 'violent crime, arms trafficking and terrorism'.[98] As such, ASI is exemplary of wider trends towards remodelling intervention in ways that, consistent with counter-insurgency's combined coercion-and-consent strategy, triangulate so-called 'soft power'—including tools of capacity-building, development and security sector reform—and military/policing powers.[99]

One outcome of such triangulation is the Rapid Response Unit (RRU) established in Somaliland in 2012. The RRU officially operates under the authority of the police and is tasked with targeting suspected Al-Shabaab insurgents. Trained and supported by British contractors, the unit is far better equipped than the Somaliland forces (both the military and the police); yet, officially framed as 'Somaliland police', the RRU itself is 'sold' as security sector reform in support of wider institution-building efforts.[100] This legitimating narrative of international capacity-building for local indigenous police forces, designed to 'help Somalilanders keep their hard-won peace',[101] contrasts starkly with widespread local complaints noting that the forces have been used not only to capture Al-Shabaab suspects but also as a political tool against people and institutions critical of the Somaliland government.[102] Hailed as part of the Somaliland police, yet lacking any public mandate, description of command structures or procedure for reporting arrests,[103] the RRU illustrates a double-sided development born out of pragmatic counter-insurgency: the centralization of coercion by externally

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[96] UK Parliament International Development Committee, 'Written evidence submitted by Adam Smith International', May 2013, https://www.publications.parliament.uk/pa/cm201314/cmselect/cmintdev/349/349vw02.htm.

[97] Provost, 'The privatisation of UK aid'.

[98] ASI, *Justice, security, and peacebuilding*, brochure, 19 May 2016, https://issuu.com/adamsmithinternational/docs/justice_security___peacebuilding_br.

[99] See also Alice Hills, 'Trojan horses? USAID, counter-terrorism and Africa's police', *Third World Quarterly* 27: 4, 2006, pp. 629–43.

[100] Author's interview with local human rights lawyer, Hargeisa, Sept. 2014.

[101] Author's field notes, personal communication with the British office (part of the British Embassy Mogadishu), Hargeisa, Sept. 2014.

[102] Examples mentioned in an interview and in a report by Human Rights Center Somaliland include a number of night-time arrests by the RRU of Somaliland citizens, including an opposition party member, a regional deputy governor and a former Vice-Minister of the Interior. The RRU has moreover been behind several violent crackdowns on peaceful public demonstrations (author's personal communications and interviews with local researchers and local human rights lawyer, Hargeisa, Sept. 2014). See Human Rights Center, Somaliland, 'Somaliland government: accountable to no one', *Annual Report on Human Rights Situation in Somaliland*, vol. 2 (Hargeisa, 2014).

[103] Human Rights Center, Somaliland, 'Somaliland government: accountable to no one'; author's interview with human rights lawyer, Hargeisa, Sept. 2014.

supported yet fragmented government elites and, simultaneously, a debureaucratization that enables the evasion of transparency and legality, thus straightforwardly undermining the commonly acclaimed tenets of security sector reform.[104] The fusion of military tasks and policing and the associated blurring of the categories of crime and terrorism, which characterize the operations of the RRU, are not specific to contemporary grey zone counter-insurgency interventions, but were key elements in Cold War counter-insurgency, featuring for example in Galula's prescriptions for the pacification of Algeria. When put in this historical context, the problems of abuse and lack of accountability associated with the RRU are not surprising. Then as now, such blurring of functions relocates the violence beyond legally and professionally defined rules of engagement. Then as now, this produces forms of extra-legal and militarized policing, experienced as violent, arbitrary and unaccountable by the subject population.[105]

A related example of newly established security structures in Somaliland—which conveys emerging forms of 'corporate counterinsurgency'[106] serving converging agendas of pragmatic counter-insurgents and the corporate world in conflict zones—is that of the Oil Protection Unit (OPU), established in the Sool region of Somaliland. The OPU was established after Genel Oil temporarily suspended its explorations in 2013, citing deteriorating security conditions. Accordingly, the OPU was tasked with protecting oil companies against attacks by Al-Shabaab affiliates and hostile subclans.[107] It was presented as a means of enabling investment and thus creating the economic basis for Somaliland's further political development and stabilization.[108] The key adviser behind the OPU project is a former UK special forces officer who worked for ASI in building Somaliland's defence capacity and then took part in setting up the OPU through a consultancy with Assaye Risk, a British company specializing in 'market entry support', founded by a former deputy director of counterterrorism in the operations department of the UK Ministry of Defence.[109]

The establishment of the OPU, like that of the RRU, was described as a reform and capacity-building exercise under the auspices of the Somaliland state. Assaye Risk suggested that the unit would be 'legally constituted'; yet framing

[104] UK support for the RRU mirrors US support for the National Intelligence and Security Agency and special armed units in Mogadishu. These armed units are also trained by contractors and are, according to William Reno, operating outside the structures of the wider public sector and thus beyond the 'associated public pressures on their behavior'. According to Reno, the lack of information about the substantial international support—evident on the ground—for these types of forces reflects the interests of international actors in 'limiting the appearances of influence … and most likely in avoiding distracting attention from a narrative that presents internationally supported statebuilding efforts as more successful than it is the fact'. See William Reno, 'Failed, fake or weak state: the role of private security contractors in Somalia', in Paul Higate and Mats Utas, eds, *Private security in Africa: from the global assemblages to the everyday* (London: Zed, 2017), pp. 32–52 at p. 42.

[105] Porch, *Counterinsurgency*, pp. 191–2.

[106] Alexander Dunlap and James Fairhead, 'The militarisation and marketisation of nature: an alternative lens to "climate-conflict"', *Geopolitics* 19: 4, 2014, p. 16.

[107] UN Monitoring Group, 'Analysis of the proposed Oil Protection Unit for Somaliland', in *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council Resolution 2111 (2013): Somalia,* 2013, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/S_2014_726.pdf.

[108] Author's field notes, personal communication with British security contractor, Hargeisa, 2014.

[109] Africa Intelligence, *Architects of the oil guard,* 20 June 2014, https://www.africaintelligence.com/ION/business-circles/2014/06/20/architects-of-the-oil-guard,108027772-ART.

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the project as a 'reorganization of existing security forces' rather than the creation of a new specialized force enabled parliamentary approval to be sidestepped, with authorization obtained only from the government elite.[110] In response to criticisms that local populations in the Sool region had not been consulted in respect of oil exploration, and therefore had legitimate reasons for resisting, the OPU project incorporated components of 'community conflict resolution' and 'awareness raising', implemented through an international non-governmental organization; as such constituting the '"soft" practice of counterinsurgency warfare to displace and acquire resources'.[111]

While the processes and the expertise at work behind the OPU project—as well as the wider rise of grey zone counter-insurgency discussed above—are instructive with regard to contemporary trends of 'armed neoliberalism',[112] the involvement of commercial companies, and the related pragmatism of arming selected local forces as a means of gaining access to markets and resources, again bears resemblance to nineteenth-century efforts by European states to 'pacify disorderly areas' in stateless regions.[113] For example, in British protectorates, before the extension of direct imperial rule, companies and investors would serve as intermediaries between strong states and their counterparts in regions of weak or absent statehood, working as 'shapers' and 'influencers', and thereby relieving strong states of the burdens and risks associated with direct involvement in unruly peripheries.[114] It is clear in a context like Somaliland how such 'indirect' means of commercial influence have regained appeal in attempts at stabilizing and opening the markets of regions with weak or absent state power. The approach is subject, however, to the same disadvantages as in its former application, since such insertion of external investors, and economic and coercive resources, into weakly institutionalized contexts plays straight into local power struggles. Reno's accounts of nineteenth-century use of foreign firms as part of British attempts to govern and pacify weak state protectorates, and the effects in terms of militarizing conflicts between rulers of competing polities, resonates with contemporary developments associated with oil explorations and corporate counter-insurgency in Somalia. In the specific case of the OPU, the project exacerbated tensions among subclans in the contested borderland of Sool, as rival clans would seek to get 'their guys' into the unit's forces to boost coercive capacity *vis-à-vis* their adversaries. Meanwhile the neighbouring Puntland administration, which also asserts a territorial claim to the Sool region, saw the project as an extension of Somaliland's attempt to step up its military presence in the area, and through the OPU to enlist newly trained forces.[115]

[110] UN Monitoring Group, 'Analysis of the proposed Oil Protection Unit'; author's interview with Member of Parliament, Hargeisa, Sept. 2014.
[111] Dunlap and Fairhead, 'The militarisation and marketisation of nature', p. 10.
[112] Lesley Gill, *A century of violence in a red city: popular struggle, counterinsurgency, and human rights in Colombia* (Durham, NC: Duke University Press, 2016).
[113] Will Reno, 'Order and commerce in turbulent areas: 19th century lessons, 21st century practices', *Third World Quarterly* 25: 4, 2004, pp. 607–25 at p. 606.
[114] Reno, 'Order and commerce'.
[115] Author's interview with Member of Parliament; personal communications with local researchers and Somali political analyst (UN Office for Project Services in Somaliland), Hargeisa, Sept. 2014. The Somaliland government has itself long had a deeply conflictive relationship with the contested border regions, where the terri-

Forces such as the RRU and OPU hold an ambiguous status. They are external creations articulated through Somaliland's institutions. In this respect they illustrate how the co-mimicry (local and international) of statist protocol, on the one hand, enabled the Somaliland government elite to acquire new coercive resources to pursue its own political and security agendas;[116] and, on the other hand, allowed interveners to evade 'diplomatic, legal and political norms in a manner that contains disorder without threatening other concrete benefits that these norms provide'.[117] The related contradictions are brought to the fore in international attempts to 'update' Somaliland's legal environment, so as to ensure the legal foundation for the type of counter-insurgent activities described above. Here it is important to recall that pacification, however violent, was always codified in law.[118] For the purpose of such legal codification in the Somaliland context, the government was approached for the endorsement of a ready-drafted anti-terror bill, presented as legal support to enable Somaliland to protect 'its development, rule of law, democracy and the right of its citizens to live in peace, freedom and security'.[119] The bill contains a broad, open-ended definition of terrorism and would enable secret court hearings with no defendants and, as a result, dubious prosecutions; it would also invest the government with powers to intercept communications and the police with powers to conduct arrests without warrants. As such it exposes both the contradiction of permitting violations of human rights while constructing such violations as peaceful and democratic measures to counter terrorism and insurgency, through the lawful enforcement of legal provisions,[120] and the contradiction of seeking to install such new 'state law' through a state which is not granted *de jure* recognition in the first place.[121]

It is important to note that Somaliland benefits substantially from external support for, and investment in, key sectors ranging from health, education and social services to security and rule of law.[122] Yet the pervasive securitization of aid and reconstruction[123] in our 'new counterinsurgent era'—of which Somaliland is emerging as a new testing ground—should be reason for caution. Proponents of counter-insurgency cite the work of Charles Tilly, pointing to the interaction between warfighting and local statebuilding and noting that 'counterinsurgency's

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torial dispute with Puntland has been prioritized over addressing issues of underdevelopment and lack of political representation. See Markus Hoehne, *Between Somaliland and Puntland: marginalization, militarization and conflicting political visions* (London: Rift Valley Institute, 2015); also Alice Hills, 'Off-road policing: communications technology and government authority in Somaliland', *International Affairs* 92: 5, Sept. 2016, pp. 1061–78).

[116] For an in-depth analysis of the significance of mimicry in processes of state formation in Somaliland and Puntland, see Markus Hoehne, 'Mimesis and mimicry in dynamics of state and identity formation in northern Somalia', *Africa* 79: 2, pp. 252–81.

[117] Reno, 'Order and commerce', p. 608.

[118] See e.g. Frank Kitson, *Bunch of five* (London: Faber, 1977).

[119] (In the name of) Republic of Somaliland, *Law on Prevention and Combatting Terrorism* (unofficial translation), Law No: xx/2012, p. 1. Author's field notes, personal communications with local human rights lawyer.

[120] See also Pablo Ciocchini and Stéfanie Khoury, 'The "war on terror" and Spanish state violence against Basque political dissent', in Scott Poynting and David Whyte, eds, *Counter-terrorism and state political violence* (London: Routledge, 2012), pp. 178–97 at p. 179.

[121] To the knowledge of the author, the law remains under consideration, but has not yet been endorsed at the time of writing.

[122] Everyday 'rule of law' matters in Somaliland are shaped by legal pluralism, where religious law (shari'a), customary law (xeer) and secular law systems coexist and interlink.

[123] Hills, 'Trojan horses?'.

theory of reconstruction seeks to harness these effects to reconstruct social and political order'.[124] It should, however, be recalled that Tilly also expressed 'worries about the increasing destructiveness of war' in the context of 'the expanding role of great powers as suppliers of arms and military organization to poor countries'.[125] Affirming such worries, developments in Somaliland point to the risk that pragmatic counter-insurgency may in fact 'unmake' local state formation processes. First, the creation of externally trained and funded security structures operating beyond legal frameworks causes a *fragmentation of violence*, and has an *unravelling effect on administrative structures*. Second, while the war between Somalia and Somaliland in the 1980s, and the intra-Somaliland conflicts in the 1990s, generated incentives for bargaining and consultative processes with various local constituencies, elites and civilians, the current global renaissance and transformation of counter-insurgency, which is now significantly shaping Somaliland's development, is a context in which *the need for local bargaining is decreasing* as small and fragmented sections of the elite instead strike deals with external actors in order to expand their own coercive power. And, again, when put in a historical context, these adverse effects should cause little surprise. We should recall that, after all, counter-insurgency has never been a successful recipe for statebuilding[126] or for responsible self-government, but instead 'frequently end[s] up exacerbating the very irresponsible and illiberal types of governance that lead to instability in the first place'.[127]

Conclusion

In drawing upon an empirically grounded analysis of interventions in Somali territories, this article has explored the convergence of contemporary counter-insurgency and peacebuilding on a pragmatic interventionary discourse that claims to promote local, bottom-up order and security. By focusing on two local cases—those of Jubaland and Somaliland—the article has examined how counter-insurgency embeds itself within the legitimating vocabulary on peace, and draws on the operational tools provided by peacebuilders. It has furthermore demonstrated how these tools are thereby reframed in such a way that their stated peacefulness is subjugated to military tasks within counter-insurgency campaign objectives, with far from peaceful effects on local orders. On this basis, the article has reappraised the conception of counter-insurgency as a benevolent and locally sensitive approach to defeating 'subversion'. A key conclusion emerging from the analysis is that, on the contrary, the renaissance of counter-insurgency is to be understood as a return to a concept of peace which bears marked resemblance to colonial and Cold War counter-insurgent pacification. This highlights the importance of examining closely the specific geopolitical and policy contexts in which the terms of the debate on 'bottom-up' governance circulate, as well as the different intervention agendas with which such proposals become entwined.

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[124] Sitaraman, *The counterinsurgent's constitution*, p. 159
[125] Charles Tilly, 'War making and state making as organized crime', in Peter Evans, Dietrich Rueschemeyer and Theda Skocpol, eds, *Bringing the state back in* (Cambridge: Cambridge University Press, 1985), pp. 170–88.
[126] Porch, *Counterinsurgency*.
[127] Kienscherf, 'Producing "responsible" self-governance', p. 5.