Drawing Lessons from the Humanitarian Intervention in Somalia

Carl Jaison
South Asian University, New Delhi, India

The humanitarian intervention in Somalia is important in many respects. It was the first time that the United Nations passed a resolution invoking Chapter VII of Article 2 of the UN Charter – which allowed for a coalition of states to intervene militarily into another member state for purely humanitarian objectives. It was also the first instance where member states seemed to assess the normative value of the non-interventionist and sovereignty principles, based on which countries co-exist in the international system. Given the above two propositions, Somalia’s case was animated by the fact that there was no civilian government that could endorse the legitimacy of the resolution and therefore became the first instance where the UN came into negotiations with non-state actors.

Since it was the period following the end of the Cold War, Somalia was no longer important from a strategic perspective and the internal conflicts in the country rarely received attention from the UN, member states and even the media. However, the situation had deteriorated to calamitous levels with the civil war and the resultant famine impoverishing the country further. There were many challenges faced by the Somali people including severe drought, lack of credit, multiple warlord influences, diminishing food stocks, failing agricultural sector, absence of functional central government and clan divisions. In such a scenario, the United Nations and the US knew of the impending consequences of failing to act, but like most military interventions of the past, the question was regarding what would be the best time to intervene.

Kenneth R Rutherford argues that the Bush administration send in troops in late 1992 when there was neither security nor international norms at stake. He points to some reasons for the lack of major international action in the initial stages of the civil war, including Somalia’s non-functioning governing system and that the UN humanitarian relief operations were in organizational disarray due to internal bureaucratic challenges. By April 1992, the UN said that close to 1.5 million people is at most risk, while 3.5 million required urgent assistance (Rutherford, 2008).

The establishment of the UNITAF, a multinational security force spearheaded by the USA and backed by the United Nations, comprised of 30000 US military personnel and 10000 soldiers from 20 other countries whose immediate goal was to bring about a peaceful environment in southern Somalia to allow humanitarian aid to reach vulnerable groups, after which the UN would take over. But Rutherford draws our attention to the fact that the then UN Secretary General Boutros Boutros-Ghali wanted US to adopt a more forcible approach involving the laying down of arms by all Somali warlords, which were acquired by most during the height of the arms race between the USA and USSR and to then transition the situation to UN responsibility.

This was also the time when Bill Clinton had won the US presidency and there was no end in sight for the conflict in Somalia with the warlords blocking efforts of the UN in extending humanitarian aid to the most needy. Thus, the Clinton administration supported UNSC 814, which is generally referred to as the ‘whatever force is necessary’ resolution or in the words of former Secretary of State Madeleine Albright “aggressive multilateralism”. Following this, UNOSOM II was launched, authorizing UN personnel and US military forces to use ‘whatever force necessary’ to disarm Somali warlords and to ensure access to suffering civilians. Thus, it became the first UN military operation conducted solely for sake of human rights. (Rutherford, 2008)

However, Rutherford opines that despite the humanitarian objectives of the mission, the aggressive coercion of Somali warlords, failing which the UNSC resolutions would be implemented, compromised the legitimacy of the actions. The resultant Battle of Mogadishu on October 3rd 1993, and specifically the shooting down of two US Black Hawk helicopters, effectively ended the UN coordinated international action to help Somalia.

He claims that the premature end to US involvement in Somalia was due to problems of Presidential transition, differing goals of the US Defense and US State Departments and the ineffective responses of the US and UN. Although he admits that the humanitarian mission was rightly extended to other parts of Somalia, and not just Mogadishu, there were glaring inconsistencies with regard to the preparation and allocation of resources. The inability to create workable governing systems, indigenous police force and judicial system had a deleterious effect on the social and economic infrastructure in Somalia.

The failure of the UN-led coalition to take into account the traditional Somali governing system might have problematized the operations, which relied on hard military tactics to bring order to Somali society. According to
Rutherford (2015), there exists clan self-regulation for sanctioning violators of law, that is decided by a ‘dhirr’, which is a group of elders and religious leaders. He also points to the historical differences in the colonial legacies experienced by the Somalis in the north and south. There was a general lack of awareness of the Somali culture and traditions, which made it difficult for the outside powers to elicit support of the local population. The economic decline suffered under Barre had reached a point where it delegitimized his rule and Somalis’ belief in a central government.

Another reason for the failure of the operation was the scant regard meted out to the southern population by the UN’s deployment of its staff to support Somaliland. In a way, the UN was establishing its presence in a region that wasn’t internationally recognized by itself, yet remained absent from the recognizable entity which still retained its UN seat ie; the Federal Republic of Somalia. (Rutherford, 2008)

The UN’s ineffective response has been attributed to many factors. Firstly, although it had its own specialized units and task force for every activity, the UN was by nature a ‘bureaucratic leviathan’. This meant that late or delayed decision-making compounded to the problem of the lack of coordination among UN’ specialized agencies. Secondly, The Secretary General’ strategies were sometimes at loggerheads with the ground realities and he often disregarded the opinion of the special envoy for attaining quick results. Thirdly, the UN representatives couldn’t establish trust with the Somali leaders to be able to implement relief plans.

The US’ budget for peace-keeping operations was far higher than that earmarked for humanitarian operations in the UN. At a time of increased humanitarian efforts, the US experienced growing financial burden and was forced to classify the situation in Somalia as a ‘food issue’. Therefore, the US’ realization that the costs involved for peace-keeping operations would be a strain on its budget might have delayed its response towards the unfolding crisis in Somalia.

The ceasefire agreement that had been reached between Mahdi and Aidid’ clans hit a roadblock as the latter wouldn’t recognize the former’ claim to power. But the prospect of an interim President at least provided a government entity for the international community to work with. Aidid, however accepted the agreement later but the smaller clans that weren’t under him or Mahdi’ wanted their share of the humanitarian and food aid. With the failure of UN relief efforts and coordinated action, the smaller clans took advantage of the lack of a secure environment to ensure timely deliverance of aid. Thus, international humanitarian aid became the bone of contention. (Rutherford, 2008)

Moreover, after Barre’ defeat, the factions and clan groups had very little common purpose to unite and form the national government. There were simmering tensions emerging between warring Somali factions, which prompted a forcible approach by the UN Secretary General. This involved the use of force and disarming Somali warlords, who blocked the aid efforts.

Rutherford states that any humanitarian intervention requires a thorough knowledge of the country and culture, realistic and clearly defined goals, adequate resources, and careful planning and coordination. He basically argues that for any coordinated multilateral action, it was important to develop procedures based on ground realities rather than relying exclusively on a single country’s military capabilities or even invoking a historical precedent.

Nicholas J Wheeler contends that the military intervention in Somalia provides the classic example of how the international society of states came to legitimize the norm of collective action in the event of dire humanitarian emergencies. The fact that the previous military intervention in Iraq had split the opinions of member nations over the question of non-intervention in a sovereign nation highlighted the unique nature of this particular case. It was commonly accepted that the Security Council had the authorization to declare military intervention in Somalia in the absence of a civilian government there.

Although the United Nations Security Council-authorized mission was well-intentioned, the programmes were often ineffective in meeting the needs of the Somali people. Firstly, UN agencies would halt their operations intermittently whenever the threat to the security of UN personnel was highest. Thus, the programmes hadn’t reached its fullest potential while the severe political climate prevailing in Somalia made it impossible to station UN volunteers to help with aid efforts.

The March ceasefire between Mahdi and Aidid had far-reaching consequences: first, as a means of supporting the provision of humanitarian aid; and, secondly, as the basis for a politics of national reconciliation that would not only address the immediate crisis of starvation but also put in place a new structure of civil authority based on the rule of the law. Groups, mostly outside the control of the warlords, demanded a share of the incoming aid as the price for providing aid agencies with security against attack. And, in the absence of international armed protection, there was no escape from this protection racket for those humanitarian international non-governmental organizations (INGOs) determined to deliver aid to the victims of the famine. (Wheeler, 2000)

Although the timely deliverance of the humanitarian aid was often stalled by the Mogadishu warlords, Mohamed Sahnoun, the UN’s special envoy to Somalia established working relationships with them, especially Aidid. Apart from being culturally sensitive to the Somali traditions, he was perceptive enough to see that the clan system, however complex and shifting, diluted power, and must form the basis for enduring
peace. And, by securing the support of the clan elders, he strengthened his bargaining leverage with the warlords. He recognized that Somalia's best hope for lasting peace and security lay in the promotion of new leaders in local communities within the regions, a 'grassroots process' that was 'well under way' and which served to weaken the hold of the Mogadishu warlords. (Wheeler, 2000)

This way, the UN relief operations were headed towards a meaningful direction under the able guidance of Sahnoun. But, the UN Secretary General pushed for quicker results and greater deployment of forces. The proposal was rejected outrightly by Aidid, who threatened to abandon the peace process. The relegation of negotiations with the armed militias to the background hampered the humanitarian efforts, which were continually blocked by these groups. Given the destabilizing situation, the UN Security Council could now tap the possibilities for the use of threat or force. This proved to be the decisive point in the eventual termination of operations in Somalia.

However, Bush’s decision to intervene in Somalia following the UN’s failure to cope with the challenges can be explained by certain factors. Firstly, Bush was moved by purely humanitarian reasons and the letter send to him by the US ambassador to Kenya might have convinced him to take necessary action for saving the Somalis. He also got inputs from some of his senior policy advisors who were in favour of humanitarian action since a very long time. Second, the operation in Somalia was thought of to be relatively risk-free in the sense that it could be wound up if the situation escalates and it was perceived to be restricted only to protect the delivery of humanitarian aid. Once this objective is achieved, the US would pass on the responsibility to the UN. Finally, Bush had reasons to deflect attention from his inaction over the Bosnian conflict.

However, it is important to note here that in the absence of UN Security Council authority, the USA would not have intervened. It was not so much concerns about international legitimacy that constrained US actions; rather, UN legitimation was vital in securing Bush’s objectives for the mission, and hence in maintaining domestic legitimacy for it. (Wheeler, 2000). While the late response even by the US could reinforce the Realist notion of humanitarian interventions being couched in national interest motives, the relevance in this particular case lies in the fact that the moral impulse to save lives would always be balanced against costs and risks involved. Moreover, the decision to intervene was solely defined in terms of ensuring that the international aid and food packages reach the beneficiaries. The lack of any strategic imperative to intervene in Somalia belies the Realist claim stated above. Wheeler opines that ‘the only way to stop the deaths of up to two million Somalis was to break the cycle of extortion and blackmail’ and establish ‘security conditions that will permit the distribution of relief supplies’. (Wheeler, 2001).

Despite the humanitarian motives and delayed response, the Secretary General was in favour of increased US troop involvement, backed by a coalition of states. This was an easy choice to put forward because Bush’s only condition was that US forces remain under national command although fighting under the auspices of the UN. With the Secretary General’s justification to intervene in Somalia inspired by humanitarian concerns, the resolution authorizes military action to alleviate human suffering in Somalia, which constitutes a ‘threat to international peace and security’. Apart from having repercussions for wider regional security, the conflict was primarily considered to be a case of humanitarian emergency. Therefore, many states expressed the view that the Security Council had the moral responsibility to save the Somali people from this predicament.

It is tempting to argue that the absence of contestation over the legitimacy of Security Council action reflected a new intersubjective understanding among members that, when governments had collapsed into lawlessness and starvation, the UN had a moral responsibility to intervene to provide security for the citizens of that state. (Wheeler, 2001)

Robert H Jackson argues that although the humanitarian crisis was exacerbated by the severe conditions of famine and drought, it was primarily a consequence of political chaos. He acknowledges the difficult circumstances under which the UN and US forces managed to deliver humanitarian aid with minimal casualties in the process. It was even successful in the sense that it could help bring an end to the starvation in most parts of the country. But, with the escalation of the conflict from spring 1993, things took a turn for the worse.

The surprise and unprovoked attack on UN soldiers by Aidid’s militia elicited an angry response. The UN called for the arrest and punishment of those responsible. Jackson argues that ‘at this point the UN was taking on the difficult and questionable role of a sheriff’s posse comitatus’. American soldiers subsequently attempted to arrest the clan leader, General Aideed, who was alleged to be responsible for the attacks on UN personnel. (Jackson, 2003) This way, the initial success of the humanitarian efforts was lost by this turn of events which made the UN intervention seem like a manhunt for General Aidid at one level and a political and military blunder at another level.

He raises the issue of the UN’s mandate and whether it was legitimate to involve in the civil wars and affairs of the Somali state. The order to arrest the Somali warlords was revoked and the last American troops had left the country, leaving the UN to the more traditional role of peacekeeping.

However, Jackson draws our attention to the normative considerations followed by the states namely that Article 51 wasn’t invoked, which indicates that no states considered themselves to be under external threat. The intervention was not solicited by anyone who could credibly claim to be the
sovereign government of Somalia. He questions the basis of the resolution itself especially in its choice of wording ie; ‘the threat to international peace and security’. On the one hand, the state of Somalia was disintegrating into political chaos while on the other hand, the conflict was internal and therefore there was no credible peace and security reason for intervening there. Jackson also points out that the resolution was vaguely constructed and might have alarmed the African states at what could easily be seen by them as a new form of colonialism under UN auspices. (Jackson, 1996)

Although the humanitarian justification holds ground given the circumstances which led Bush to empathize with the plight of the Somali people, there are no clear grounds in chapter VII of the UN Charter to warrant intervention to establish internal security in a state for the purposes of alleviating a humanitarian crisis.

BIBLIOGRAPHY

[3]. Jackson, Robert H. (2003), Global Covenant: Human Conduct in a World of States