



**ADDIS ABABA UNIVERSITY**

**SCHOOL OF GRADUATE STUDIES**

**SOMALI FEDERALISM: A SOLUTION TO NATIONAL POLITICAL STABILITY  
OR NOT?**

**BY  
MAHDI GIRE ROBLE**

**ADDIS ABABA  
JUNE, 2015**

**SOMALI FEDERALISM: A SOLUTION TO NATIONAL POLITICAL STABILITY  
OR NOT?**

**BY  
MAHDI GIRE ROBLE**

**A THESIS SUBMITTED TO THE SCHOOL OF GRADUATE STUDIES  
OF THE ADDIS ABABA UNIVERSITY IN PARTIAL FULFILLMENT OF  
THE REQUIREMENTS FOR THE DEGREE OF MASTER OF ARTS IN  
INTERNATIONAL RELATIONS**

**ADVISOR  
DR. ABDIWASA ABDI LAHI**

**ADDIS ABABA UNIVERSITY  
SCHOOL OF GRADUATE STUDIES  
COLLEGE OF SOCIAL SCIENCES DEPARTMENT OF POLITICAL  
SCIENCE AND INTERNATIONAL RELATIONS**

**ADDIS ABABA  
JUNE, 2015**

**ADDIS ABABA UNIVERSITY**  
**SCHOOL OF GRADUATE STUDIES**

**COLLEGE OF SOCIAL SCIENCE DEPARTMENT OF POLITICAL  
SCIENCE AND INTERNATIONAL RELATIONS**

**SOMALI FEDERALISM: A SOLUTION TO NATIONAL POLITICAL STABILITY  
OR NOT?**

**BY**  
**MAHDI GIRE ROBLE**

**APPROVED BY BOARD OF EXAMINERS**

_____	_____	_____
<b>ADVISOR</b>	<b>SIGNATURE</b>	<b>DATE</b>
_____	_____	_____
<b>INTERNAL EXAMINER</b>	<b>SIGNATURE</b>	<b>DATE</b>
_____	_____	_____
<b>EXTERNAL EXAMINER</b>	<b>SIGNATURE</b>	<b>DATE</b>

## Table of Contents

Acknowledgement .....	III
<i>Abstract</i> .....	IV
Map of Somalia.....	V
Map of Somali Federal Republic .....	VI
Clan Distribution Map .....	VII
Acronyms.....	VIII
Chapter One .....	1
Introduction.....	1
1.1. Background of the Study .....	1
1.2. Problem Statement.....	5
1.3. Research Question .....	6
1.4. Objectives of the Study .....	7
1.5. Methodology and Methods.....	7
1.5.1. Methodology .....	7
1.5.2. Methods of Data Collection .....	8
1.5.3. Source of Data.....	9
1.6. Significance of the study .....	9
1.7. Scope of the Study.....	9
1.8. Limitations.....	9
1.9. Organization of the Paper .....	10
Chapter Two.....	11
Conceptual Framework of Federalism .....	11
2.1. Introduction .....	11
2.2. Conceptual Framework of Federalism .....	12
2.2.1. Understanding Federalism .....	12
2.3. Federalism, Federation and Federal Political Systems.....	15
2.4. Debates Surrounding the Advantages and Disadvantages of Federalism.....	18
2.5. Structural Prerequisites for Federations .....	19
2.6. The Concept of Imposed Federalism.....	20
Chapter Three.....	23
The Political History of Somalia.....	23
3.1. General Background .....	23
3.2. Colonial History .....	23
3.3. Independent Somalia .....	27

3.3.1. Civilian Government.....	27
3.3.2. Military Regime .....	29
3.4. Factors that Exacerbated the Civil War and the Role of Internal Actors .....	33
3.4.1. Clan Competition for Resources and Power .....	33
3.4.2. Warlords and Clans.....	35
3.5. The Role of External Actors.....	37
3.5.1. The UNITAF, UNOSOM I and II.....	37
3.5.2. Regional Intervention.....	39
3.6. Somali Federal Government.....	41
Chapter Four .....	44
Somali Federalism: A Solution to National Political Stability or Not? .....	44
4.1. Introduction .....	44
4.2. The Genesis of Federalism in Somalia.....	45
4.3. The Debate Surrounding the Rationale For or Against Somali Federalism .....	46
4.3.1. Proponents of Federalism.....	47
4.3.2. Opponents of Federalism .....	52
4.4. Federalism: an Agenda from Outside.....	57
4.4.1. Frontline States .....	57
4.4.2. The International Community.....	64
4.5. The Impact of Clan Federalism on Somalia’s Political Stability .....	67
4.5.1. Problems of Creation of Federal Member States.....	67
4.5.2. Rift in Federal Member States Border Demarcation.....	73
4.5.3. Power and Natural Resources Sharing.....	74
4.6. The Federal Institutions of Somalia.....	77
4.6.1. The Federal Parliament.....	78
4.6.2. The Executive Branch.....	79
4.6.3. Judicial System .....	80
4.6.4. Established and Emerging Regions in Somalia .....	81
4.7. New Development in Somalia.....	86
4.7.1. The Prospect of Achieving Vision 2016.....	86
Chapter Five.....	90
Conclusion and Recommendations.....	90
5.1. Conclusion.....	90
5.2. Recommendation.....	93
Bibliography .....	95

### **Acknowledgement**

I praise Almighty God for giving me the courage and resilience to complete this work in such wonderful circumstances. The completion of this thesis represents a great achievement in my life in which the contribution of many people was enormous and thus deserve acknowledgement. First and foremost, I would like to express my sincere heartfelt appreciation and profound gratitude to my advisor Dr. Abdiwasa Abdilahi for his guidance and valuable contribution which have brought about the successful completion of this research. I am greatly indebted to the support and assistance I received from my family, especially to my cherished wife Leyla Ahmed and friends in the accomplishment of the thesis and pursuit of my studies. I also owe a debt of gratitude to all institutions and individuals directly or indirectly contributed to my success.

Mahdi Gire Roble

### ***Abstract***

*Since 1991 Somalia has been the archetypal failed state. Several attempts to create a centralized democracy have failed and the country has been the recipient of numerous international interventions and operations but has not reached a sustainable peaceful settlement. Since then, the question of what type of governance system is suitable in Somalia has been the bone of contention. However, the adoption of the Transitional Federal Charter, in 2004 in Embagathi (Kenya) has been significant where Somali and foreign intellectuals, politicians, etc. have debated about the suitability and practicality of federal political system in Somalia. The overall objective of the study is to provide a critical analysis on the debates surrounding the suitability of federalism and its impact on national political stability in Somalia. In doing so, the thesis reveals factors that have contributed to the adoption of federalism in Somalia by exploring the internal drivers for federalism and it examines the role of neighboring countries and the wider international community in adoption of Somali federalism. The study argues that a properly crafted and executed federalism could lead to lasting solution for Somalia's chronic civil strife. But lack of clear framework and coherent implementation strategy could contribute to a renewed conflict and balkanization of the state.*

### Map of Somalia



Figure 1: Pre 1991 Map of Somalia

### Map of Somali Federal Republic

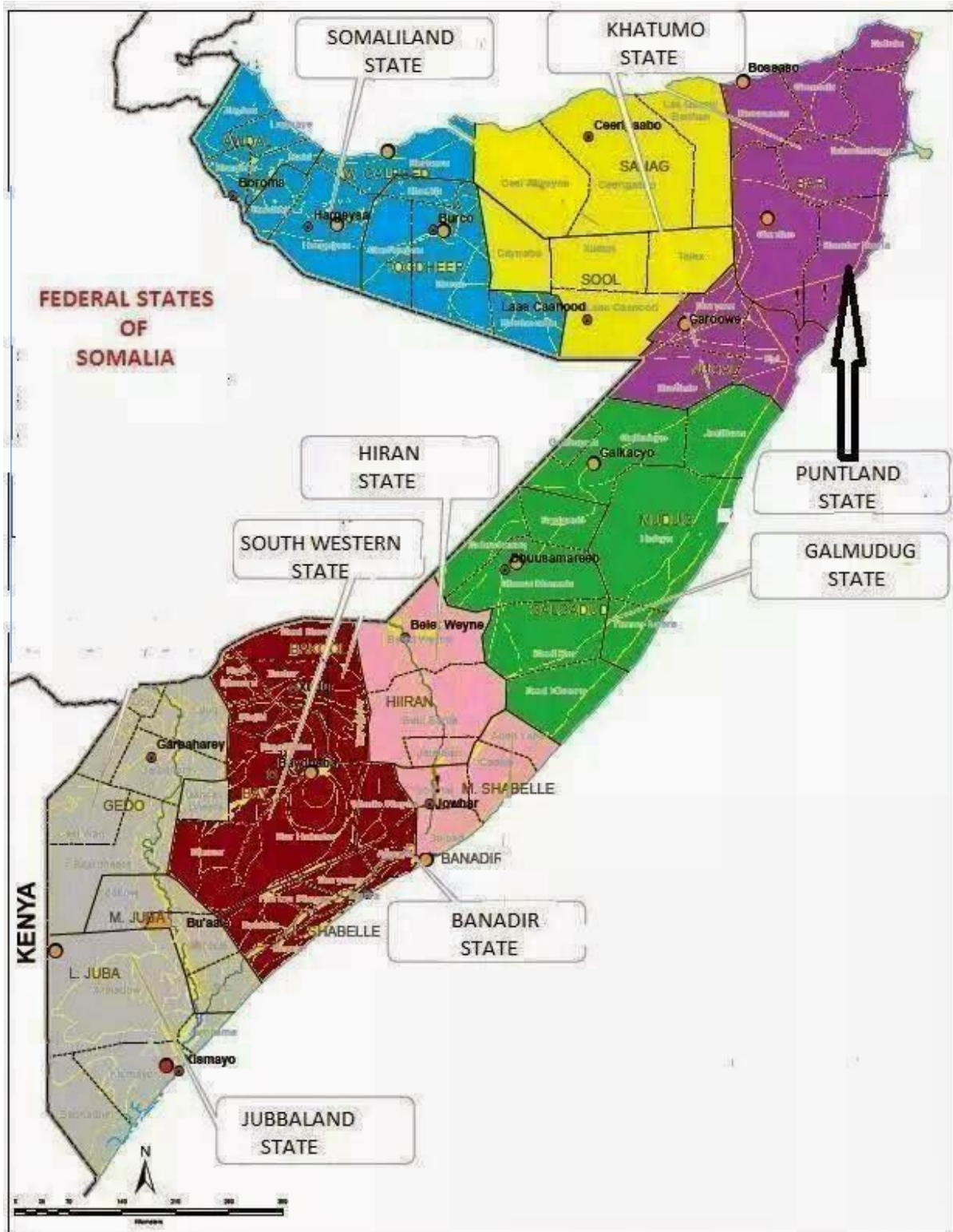


Figure 2: Map of Federal Somalia (Unofficial)

Source: Abdirashid Muse Said

### Clan Distribution Map



Figure 3: Map of Somali Clans Distribution

## **Acronyms**

AMISOM	African Union Mission in Somalia
ARS-D	Alliance for the Re-Liberation of Somalia, Djibouti faction
EU	European Union
FGS	Federal Government of Somalia
FMS	Federal Member States
HDMS	Hizbia Dastur Mustaqil al-Somal
HIPS	Heritage Institute of Policy Studies
ICU	Islamic Courts Union
IGAD	Inter-Governmental Authority on Development
KDF	Kenyan Defense Force
SNM	Somali National Movement
SYL	Somali Youth League
TFG	Transitional Federal Government
TNG	Transitional National Government
UN	United Nations
UNITAF	Unified Task Force
UNOSOM I	United Nations Operation in Somalia I
UNOSOM II	United Nations Operation in Somalia II
USA	United States of America
WWII	Second World War

## Chapter One

### Introduction

#### 1.1. Background of the Study

Somalia became a magnet to the colonial powers in the 18<sup>th</sup> century due to its geographical location. The prelude to the European colonization of Somalia was an ever-expanding European interest in the Horn of Africa based on its trade and military strategic importance (Farah, 2013a). From 1885 the Italians, French and British gradually and steadily intrude on and colonized areas of Somalia eventually dividing the Somali nation into five spheres: Italian Somaliland; British Somaliland; French Somaliland; the other two Somali regions which switched back and forth between Britain and Italy were eventually annexed to Ethiopia and Kenya (Ladan, 2012).

In the nineteenth century, Britain's primary interest in Somaliland was its need to safeguard the meat supplies to Aden and to ensure the safety of the trade routes. Tired of Egyptian rule and faced with the prospects of expansionist moves by Abyssinia, the Somali clans readily consented to British protection. By the end of 1884 the Isse, Gadabursi, Habar Garhajis, Habar Awal, and Habar Tol Jaelo clans had signed formal treaties with Great Britain (Carroll and Rajagopal, 1992). These agreements were treaties of friendship and commerce, and ostensibly conceded little to Britain. The preamble to each clan treaty set forth that the document was designed to maintain clan independence. No treaty contained clauses relating to cession of territory, the clans merely pledged Britain a right of pre-emption (*Ibid*). Meanwhile France and Italy had also been active in the horn of Africa. The French had had similar agreements with the Afar and Isse traditional clan leaders at Obock. The Italian colonial masters had also agreements of the same kind with Majeerteen, Hawiya and other clans in southern Somalia (Lewis, 2002).

Colonial administration which lasted until 1960 had totally altered the political and social structure of Somalia. The colonial masters had wrecked destroyed indigenous local authorities and imposed

ruthless laws.<sup>1</sup> The local Sultanates<sup>2</sup> were completely destroyed and British, Italian or French colonial powers had forcefully separated Somali domains that were ruled by customary tribal rulers. The southern part of Somalia was controlled by Italy until 1942, but having allied with Germany in the Second World War (WWII) they lost, the administration of the colony was transferred to British Military until 1950 (Farah, 2013a). In the Big Four Power (Britain, France USA and USSR) negotiations on the future status of the ex-Italian colonies after WWII, Britain originally proposed to establish a UN trusteeship over the united Somali state under British administration. This was rejected and Somalia again partitioned, returning to Italy the administration of their ex-colony as a UN trusteeship for a set period of 10 years. British Somaliland was, thus, once again reinvented, as Ethiopia was given the Ogaden and adjacent Somali territory despite vigorous protests by their inhabitants (Lewis, 1993). The far south remained the fifth district under Kenya's administration as part of Kenya even after independence. Djibouti and the surrounding area continued to be under French administration until an independent state was formed in June 1977 (Teutsch, 1999).

The long-standing Somali resistance to outside control culminated in 1960, with independence for British Somaliland on 26 June and for Italian Somaliland on 1 July. The two former colonies joined to form the Somali Republic. An earlier constitutional conference in April 1960 had established Mogadishu as the capital city, which led to a southern-dominated central government. A year later, the people of Somalia adopted their first constitution, which was based on European models (Lewis, 2002).

Post-independence politics in Somalia was centered on pan-Somalism, which translated to unifying all areas populated by Somalis into one country (Møller, 2009 and Rinehart, 1982). Indeed this nationalist project was even symbolically represented in the new flag, featuring a five-

---

<sup>1</sup>Persuasion of some Somali elders to become clients of the new colonial schemes represented by a governor or district commissioner; Intimidation and humiliation, or ultimately dismissal, of those who failed to comply; appointment of collaborators who were accountable only to the colonial authorities; calculated manipulation of differences and disputes among kin groups, and total defeat of Somalis by turning them into subjects of five different colonial administrations, to mention but few (Ahmed I. Samatar, 2007).

<sup>2</sup>Though there is no written materials on the existence of organized monolithic statehood of the Somalis before 1960, the people had systems of indigenous governments that differed from clan to clan, state to state, kingdoms to kingdoms as these forms of political organization changed across time and space. (Mohamoud, 2006).

pointed star. The five points represented the former British Somaliland, the former Italian Somalia, Djibouti, the Ogaden province of Ethiopia and the north-eastern part of Kenya (Møller, 2009).

The new republic embarked upon a parliamentary civilian political system along western democratic lines. This soon proved ill-adapted to the clan-based nature of Somali politics, and became corrupted as the business-elites competed for the spoils that came from preferential access to the state. Increased politicization of clan, competition for the meager state resource, and the corruption of the political system led to a bloodless coup d'état in October 1969 by General Mohamed Siad Barre (Gundel, 2002).

After the military coup in 1969, Barre envisaged a “socialist” orientation, which proved to be merely a nominal. Although few Somalis relished the prospect of military rule, the new regime was widely received as a welcome alternative to the disappointments of civilian rule. With the backing of the Soviet Union, Siad Barre promised to preserve democracy and justice, and to eliminate corruption and clannism. But the promises and pledges of the military regime soon turned to be a clannism and later the harsh repression of the government of Barre fueled sharp resentment towards the state (Gundel, 2002). In an attempt to divert the growing tensions, his regime revived the Pan-Somali vision of uniting all Somali people. Thus, in 1977 the army of Somalia attacked Ethiopia in order to conquer the Ogaden region. However, the Soviets and Cubans sided with Ethiopia, and the Somali army was defeated (Waldron and Hasci, 1995).

Indeed, ample evidence suggests that by the mid-1980s Somalia was already a failed state. With the partial exception of the security sector, most government institutions began to weaken in the years following the disastrous Ogaden War with Ethiopia in 1977-78. Fierce government repression, heightened clan cleavages and animosities, gross levels of corruption, and low salaries all combined to accelerate the state's decline (Menkhaus, 2007).

Barre's military lead had been portrayed by discrimination, viciousness and tyranny. By mid-1980's several armed groups started to challenge the military rule and eventually overthrown Barre from power. There was no prevailing armed group to exert authority over the entire of Somalia. Consequently, in the last two decades Somalia has been inundated by bedlam without a central authority (Mbugua, 2013).

There has been 16 Somali reconciliation or peace conferences to bring an end to the fighting in Somalia since the early 1990s. Some were held under the auspices of or support of international and regional organizations, United Nations, IGAD other by governments in the Horn of Africa, Ethiopia, Djibouti, and Kenya. These efforts have largely failed to bring about lasting peace in Somalia. The turning point began with Arta peace conference in Djibouti (2000) which culminated into the Eldoret and Embagathi peace process (2004) that produced the Transitional Federal Government (TFG) in 2004. In 2008, these political structures were further endorsed following a peace accord with the oppositional Alliance for the Re-liberation of Somalia – a consortium of dissatisfied warlords and former members of the Union of Islamic Courts (UIC) – for whom the parliament was expanded to 550 members (Chitio and Rader, 2012).

In 2012, the Federal Government of Somalia (FGS) was elected into office replacing the TFG that was established in 2008. The configuration of the Somali State as a federalist one has been decided by the National Constituent Assembly, which adopted the Draft Constitution on August 1, 2012. Article one of the constitution unequivocally states that “Somalia is a federal, sovereign, and democratic republic founded on inclusive representation of the people and a multiparty system and social justice”.

Thus, federalism is seen with both opportunities and challenges in the Somali political context. Some see this as the only way out and alternative to the 24 years of chaos and crises in Somalia. They stress that federal system can help overcome the continuing “political decomposition, agony and antagonism” that Somalis faces (Al- Azhari, 2013) and usher Somalia’s interdependence and peace. However, others have questioned the adoption of federalism in Somalia. Opponents of clan federalism fear that it invites clan conflict, risks state disintegration and replaces national identity with clan identity. The critiques also argue that foreign elements are the main drivers of this system. They further argue that it will be easier for archrival neighboring countries to control smaller states who are not politically cohesive (Menkhaus, 2008).

Hence, this study critically examines, analyzes and discusses the viability of federal structure or system in Somalia and its effect on political stability of the country. In doing so, the research discusses and explores the divergent views on the adoption of federalism and its im/practicality.

## 1.2. Problem Statement

As Somalia descended into a self-destructing and anarchic landscape in the early 1990s, the national state and its institutions vanished within months, paving the way for warlords with armed clan militias staking claims of governance in various regions of the country (Samatar, 1994). Since 1991 there has been more than dozen major national and an uncountable number of regional and clan reconciliation conferences to bring an end to the hostilities, most of which took place outside Somalia. These reconciliation efforts have largely unsuccessful to bring about permanent peace in Somalia. Moreover, contending interests by regional and international players contributed to the failure of peace and reconciliation efforts in Somalia (Menkhaus *et al*, 2009).

Nevertheless, the Eldoret and Embagathi peace and reconciliation process of 2004 was ended with the adoption of the Transitional Federal charter and ultimately the establishment of the first TFG. Deep mistrust<sup>3</sup> among Somali clans, 24 years of war and conflict and external pressure had led to the adoption of a federal system for Somalia (Jibril, 2014).

Nonetheless, Somalis remain deeply divided between centralist and federalist camps, a split that was not easily papered over in the declaration of the TFG. Advocates of federal system claim that only federalism can guarantee to local communities protection from a central state dominated by another lineage. Unitarians fear that federalism will balkanize Somalia, destroying any hope of reviving Somali nationalism and providing neighboring with ample opportunity to engage in divide-and-rule tactics (Menkhaus, 2007).

Somali intellectuals as well as Somali political analysts including Professor Weinstein<sup>4</sup>, agree that it is a time for Somalia to embrace a constitutional, democratic, and federal based government. They believe federalism is the only way to get the country out of the political mess. It is the only

---

<sup>3</sup> The clan based civil war that broke out in the aftermath of state collapse forced them to seek safe heavens in their respective clan areas. Consequently, Somalia now is a place where there is hardly national state but numerous clan based localities. The civil war in 1991 particularly created an atmosphere of deep mistrust and fear and badly damaged the social harmony among the Somali clans. Furthermore, the civil war caused a lot of grievances that many people will not easily forget. Till today, the social fabric of the society is still in tatters while the political authority at all levels is up for grabs (Mohamoud, 2006).

<sup>4</sup>Michael A. Weinstein is Professor of Political Science at Purdue University and a senior analyst with the Power and Interest News Report. He has been the recipient of Guggenheim and Rockefeller Foundation Fellowships and is the author of 21 books and numerous scholarly and analytical articles in the fields of general political science and political theory. His analyses have been printed in many publications, and he has been interviewed on programs such as Chicago's National Public Radio.

hope to revive Somalia's long lost national unity. Anything other than multi-regional-federalism based government path will surely exacerbate the everlasting agony and the mayhem of the Somali society (Hashi, 2013).

Others like Abdi Samatar (2010) argues that federalism is not an option for Somali people and it is unlikely to deliver the promise of peace and genuine reconciliation. Perhaps this is why some in Somali circles are sounding the alarm and are greatly skeptical about the potentially hazardous nature of this new political system and its practical implications for Somalia. In opposition to federalism, Abdirizak Hajji Hussein, former prime minister of Somalia (1964 to 1967), wrote that: "...a decentralized unitary system, with guarantees of regional or local autonomy, would be more, much more, appropriate for the Third Somali Republic" (Hashi, 2013).

Moreover, according to Ali Hersi, "federalism may wish to dig a grave to any Somali state they purport to have been to revive". The real concern underlying these statements is that Somalia federalism based on tribal regions would enable the creation of a new salient identity separate from the national identity (*Ibid*).

Therefore, the thesis examines, entertains, analyzes and discusses the divergent views on Somali federalism. In doing so, the thesis focuses on the debate surrounding Somali federalism i.e. those who favor federal system and argue it contributes for the political stability of the country, and those who stress it aggravates national political instability, disintegration and is an imposed agenda. The thesis then substantiates and examines the practicality of federalism for Somalia.

### **1.3. Research Question**

The study addresses the following five main questions:

1. Is federalism a viable option to the political stability of Somalia?
2. Does Somali federal structure is an internally driven one which reflect the interest and the need of Somali society or imposition from outside?
3. What is the impact of the federalization process upon the national political stability of Somalia?
4. What would be the implications of the emergence of a dominant self-governing regions on the political stability of Somalia?

5. Is the federalism the only way out of 25 years political mess of Somalia?

#### **1.4. Objectives of the Study**

The general objective of the study is to critically examine the suitability and practicality of the adoption federal structure in Somalia and its impact on national political stability.

More specifically the purpose of the study includes:

1. To analyze the contributing or responsible factors for the adoption federalism in Somalia;
2. To examine the role of foreign actors in the national political stability vis-à-vis the adoption of federalism in Somalia;
3. To critically analyze the impact of the federalization upon the national political stability;
4. To elucidate viable options to the political stability of Somalia; and
5. To examine the future prospects and impacts of the dominant self-governing regions on the national political stability of Somalia.

#### **1.5. Methodology and Methods**

##### **1.5.1. Methodology**

The paper employs the qualitative research approach whose data collection and analysis techniques involves describing and contextualizing the problem in view of Somali federalism. According to Banks (2007) qualitative research is essentially used to approach the world ‘out there’, and to understand, describe and sometimes explain social phenomena ‘from the inside’ by using descriptive, explanatory and interpretive techniques.

As Johnson and Reynolds (2008) wrote, “another way to think about qualitative analysis is that it relies on using suggestions, comments, or opinions of different individuals to provide evidences and supports for arguments”. Accordingly, to study federalism in Somalia; the comments, views, insights and suggestions of different individuals are considered as the main input of the study. It is through this methodology that the researcher found out the perception, perspective and interpretation of the informants about the current federal system in Somali and how this system could affect the Somali political arena or sphere, i.e. the im/practicality of federalism. Thus, data was collected, processed and analyzed in accordance with qualitative methodology.

### **1.5.2. Methods of Data Collection**

There are two major approaches to gather information about a situation, person, problem, or phenomenon. These are: “primary sources which provides first-hand information and secondary sources that provide second hand-data” (Kumar, 1999). Corti and Thompson (2007) wrote “the types of data collection vary with the aims of the study and the nature of sample.” To study Somali federal structure, the thesis makes use of both primary and secondary methods of data collection. Accordingly, secondary sources includes journal articles, books, magazines, reports, official documents, and international organizations publications issued on the subject matter.

The primary data of the study is generated through key informant interviews. In-depth interviews with key informants was vital methods of empirical data collection in this study. The emphasis on this method stems from the recognition that, “the interview is generally the primary means of gaining the empirical knowledge” (Briggs, 1986). Accordingly, a total of 58 interviews were conducted with different members. The interviewees include Somalis and non-Somalis who have knowledge about the subject under study. Somali elders, students, intellectuals, and returned diaspora participated in the interviews. In addition, the researcher went to Hargeisa, Somaliland and conducted a number of interviews with different members of the society. Moreover, the researcher spent two month in Bole Michael, Addis Ababa where wide segment of Somali community live. In doing so, interviews were conducted in selected venues such as Somali community office and coffee shops where the Somali community, mostly men, meet to discuss events at home.

As a primary source, interview was conducted with Abdirashid Sheikh Said, deputy head of the mission of the Federal Somali Republic Embassy in Addis Ababa to provide information and share views with regard to the subject under study, and efforts were made to get Somali government officials on visit to Addis Ababa. Thus, interview was conducted with Dr. Farah Abdi Hassan, Director General of Ministry of Petroleum and Mineral Resources of Somali Federal Government. The interview with official of the diplomatic corps of the Somali Embassy in Addis Ababa is used as first-hand information concerning the federal structure of Somalia. In addition, similar interview was conducted with Moussa Djama Ali, Second Counselor of the republic of Djibouti Embassy in Addis Ababa. Moreover, interview was conducted with Feseha Shawl, Director General of African

Directorate of Ministry of Foreign Affairs of Ethiopia and longtime participant of Somali reconciliation conferences.

### **1.5.3. Source of Data**

Source of data for the study includes:

- Intellectuals
- Somali community members ( Addis Ababa, Jigjiga and Hargeisa);
- The Somali and Djiboutian Embassies based in Addis Ababa;
- The Ministry of Foreign Affairs of Ethiopia;
- Somali government official; and
- Institute of security studies.

### **1.6. Significance of the study**

This study would be an additional knowledge and contribution to an already existing literature on Somalia. Particularly it would add an additional input to the understanding of Somali federalism in general and the im/practicality of such a system in Somalia. Thus, it will pave the way for further studies on the subject matter since this subject area seems to be a new phenomenon in Somalia. It is expected that the results of this study will be used as an important source for researchers interested in further exploration of the issue and will be used as a reference for similar research undertakings in this area.

### **1.7. Scope of the Study**

The study has limits and it did not cover all matters related to the federalism in Somalia, nor does it cover the whole political setup of the country. Its scope is limited to whether Somali federalism is a solution to national political stability or could aggravate the already fragile situation. However, important related topics are also covered including whose interest/benefit is federal Somalia and the role of foreign actors on Somali politics.

### **1.8. Limitations**

The fact that federalism in Somalia is at its infancy and an ongoing subject, it is somewhat difficult to get adequate reference materials on the subject matter. Besides, time constraints and limitation of resources posed difficulties. Moreover, a number of institutions who have direct involvement in Somali affairs have failed to share their view on the subject understudy. IGAD office of the

facilitator for Somalia peace and reconciliation and Kenya Embassy in Addis Ababa declined to give an interview or share their assessment on the Somali federalization process.

### **1.9. Organization of the Paper**

The thesis consists of five chapters. Accordingly, the first chapter introduces what the study is about, the problem statement, the objectives, significance, methodology and method of the subject under study. Chapter two provides highlight of relevant conceptual framework of the major theme of the study. The third chapter deals with the political history of Somalia that served as a basis for the unfolding of the civil war, the actors, dynamics of the conflict and peace building initiatives to solve the problem. The fourth chapter examines the post-conflict dynamics focusing particularly the debate surrounding the adoption of federalism in Somali, whether it is a solution to national political stability or an imposed agenda by foreign powers. The study ends with a conclusion and recommendation sections of the study in a manner that relates to the theme of the subject under study.

## **Chapter Two**

### **Conceptual Framework of Federalism**

#### **2.1. Introduction**

Political events in various parts of the world during the past two decade have attracted new attention to the strengths and weaknesses of federal solutions as a means of resolving political problems. This has resulted in a considerable scholarly literature attempting to reassess the nature of federalism and to understand such issues as the theory and practice of federalism, the design and operation of various federal systems, and the processes of political integration and disintegration (Watts, 1998).

A major factor in the surge of interest in federalism, as emphasized by Laforest & Brown (1994) is that the world is paradoxically exhibiting simultaneously increasing pressures for integration and for disintegration. Because federalism combines a shared government (for specified common purposes) with autonomous action by constituent units of government that maintain their identity and distinctiveness. More people have come to see some form of federalism as the closest institutional approximation to the multinational reality of the contemporary world.

Every federal state that exists today has a very unique federal system that is supposed to solve some specific issues in a country. Generally it's true but not always the case that federalism is implemented when a country is too large in terms of its size, has different ethnic groups, religions and languages. It's also a fact that federalism has been adopted in a number of a post-conflict environment such as Bosnia-Herzegovina, the Democratic Republic of Congo, Ethiopia, Sudan, Iraq and South Africa.

Thus, in the following sections the research discusses the meaning of federalism, distinguishes the concepts of federalism, federation and federal political system, the debate surrounding the advantages and disadvantages of federalism, structural prerequisites for federations and finally, the concept of imposed federalism.

## **2.2. Conceptual Framework of Federalism**

### **2.2.1. Understanding Federalism**

Innumerable attempts have been made to explore the theoretical nature of federalism. Due to the long history, worldwide existence and interdisciplinary character of federalism, a plethora of literature has been written on the topic. Yet, these endeavors have not resulted in a clear and commonly used definition of the term. One of the great dilemmas of this field of research, despite so much discussion there is no settled common denominator of ‘federalism’ (Gamper, 2005).

According to Gamper (2005) the lack of a common definition of federalism and terminology clearly lies at the bottom of the problem that a global theory is missing. Despite the heterogeneity of terms, no unanimity exists as to what the essentials of a federal state are (*Ibid*).

However, federalism is a Latin word “foedus” meaning, “covenant”. By its very nature federalism is a form of government where power is divided and shared between a central government and member states. All theories on federalism agree that federalism is a system consisting of at least two constituent parts that are not wholly independent but together form the federal state. The constituent units must have powers of their own and they must be entitled to participate at the federal level. There seems to be consensus to the extent of this minimal definition (*Ibid*).

Consequently, the theoreticians have emphasized the constitutional contractual agreement between the units to form a general cooperative authority, in contradistinction with a unitary system. Below the paper attempts to elaborate some of the major definitions and the descriptions of federalism addressed by scholars of federalism.

In his book on federalism, Daniel J. Elazar (1987) defines a federation as a ‘a polity compounded of strong constituent entities and a strong general government, each possessing powers delegated to it by the people and empowered to deal directly with the citizenry in the exercise of those powers’. Elazar’s definition implies that, in a federation, the federal and regional levels of government should have a direct link with the people. Consequently, representatives at the regional levels can act without the authorization of representatives at the federal level or vice versa.

However, Elazar’s definition does not clarify whether or not the constituent entities must be territorial in character. He does not specify the minimum set of powers which the constituent or federal governments must possess to make them sufficiently ‘strong’ and has given emphasizes on

the method of dividing power between the center and the constituent units, and the place of residual power. All in all, a state should only comply with a limited number of requirements in order to qualify as federal state.

In his study of the American constitution, Wheare (1963) defined the federal principle as a method of dividing powers so that the central and the regional governments are each within a sphere, coordinate and independent. The emphasis is on the division of functions and powers between the central and regional governments. He maintained that the powers are divided between independent but coordinate authorities and both levels of government are directly accountable to the people. Specifying the constituent governments as regional presupposes a clear spatial or territorial circumscription of these entities. At first sight, the federal principle is rather general in character too, but Kenneth Wheare interprets the requirement of coordinate and independent spheres of government in a rather strict and legalistic way.

According to Burgess (2000) federalism is an ideological, in the sense that it can take the form of an overtly perspective guide to action, and as philosophical, to the extent that it is a normative judgment up on the ideal organization of human relations and conduct. However, he adds an operational dimension by considering that federalism as empirical fact in its recognition of diversity. Broadly conceived, federalism, in its social, economic, cultural and political contexts- as a living reality, something that exists independent of ideological and philosophical perceptions. This means that in practice, authority should be divided and power should be dispersed among and between groups in a society (*Ibid*).

On the other hand, Graham Smith (1995) questions the notion of considering federalism as an ideology. He writes that ‘federalism is best treated as traversing a broad range of what we can more usefully call programmatic orientation. In his opinion, the term ‘federalism’ has been subjected to different meaning and applied to different situational contexts. He states that ‘federalism as ideology is best considered as an amalgam of doctrines, beliefs and programmatic considerations reflect in the very paradoxes and tensions inherent in thinking about the politics of modernity’ (*Ibid*).

Federalism is also seen as more than the division of power between the center and the regions. According to William S. Livingston (1952), the formal division of power between the center and

the regions is merely a transitory step towards federalism and cannot be considered as the adoption of a federal system. Livingston argues that ‘the essence of federalism lies not in the constitutional or institutional structure but in the society itself. According to him, ‘The essential nature of federalism is to be sought for, not in the shadings of legal and constitutional terminology, but in the forces – economic, social, political, cultural – that have made the outward forms of federalism necessary’. He further developed the concept of a federal society that implies the presence of geographically concentrated economic, social, religious and historical cleavages (*Ibid*). However, this idea blurs the distinction between federal and decentralized unitary systems. It also seems to restrict the relevance of federalism to only heterogeneous societies. For Livingston, a federal society is one with territorially-based diversity; he was not very specific about what constituted diversity and, by extension, what it meant for a society to be federal or not.

Based on Livingston’s insight of the notion of federal society, Friedrich (1968) expanded the approach of federalism as:

*“A process by which a number of separate political units, be they states or any other kind of association, enter into arrangements for governing themselves jointly regarding joint needs and interests. Or reversely, the process through which a hitherto unitary political organization becomes federalized to the point where separate and distinct political communities arise and become politically organized”.*

According to the above definition there are two way of establishing a federal system, i.e. either independents units can be organized to form a federal system or a formerly unitary state may devolve into a federal structure.

Other authors have also considered the importance of the social phenomenon for the adoption of a federal system. For instance, Daniel Elazar (1987) advocates the conceptualization of federalism as a social phenomenon in two ways. Firstly, federalism is seen as a cohesive factor for, ‘the proper relationships among people as individuals, or in families and groups, as well as in their capacity as citizens, whereby they relate to each other federally, that is, as partners respectful of each other’s integrity while cooperating for the common good in every aspect of life, not just in the political realm. Secondly, the recognition of the existence of essential groups such as cultural, religious,

ethnic or social groups. Any organization of a political system, according to him, should address the diverse interests of these groups. This can be done either by formally recognizing them in any polity in practice or by formally structuring the federal system addressing the problems of citizens by creating proper political relations. He defines federalism and expresses in short, as ‘self-rule plus shared-rule.’ Elazar also emphasizes that a ‘territorial division’ of power should be enshrined in a constitution (Elazar, 1987).

Federalism must be seen vis-à-vis the dangers posed by the concentration of power at the center in a unitary system. Unlike a unitary system, federalism recognizes the political reality of the existence of various group and interests, and also tries to accommodate their diversity through constitutionally established subunits. Such accommodation of diversity and at the same time maintaining the unity of the federation may take place through two basic relationships: the relationship between the states and the federal government, on the one hand, it preserves or strengthens the bond between the states themselves (Burgess, 2000).

### **2.3. Federalism, Federation and Federal Political Systems**

In federal studies, for the sake of clarity, it has become common to distinguish between federalism, federation and federal political system as three separate concepts, each describing different aspects of federal theory. Federalism is defined as a value concept including ideological and philosophical perspectives promoting the federal solution, while federation is an empirical reality, a specific type of institutional arrangement (King, 1982; Watts, 1998).

Federalism is considered as an ideology or philosophy for accommodating unity in diversity and for understanding the federation. King (1982) expounds that ‘... ‘federalism’ is employed where the interest is primarily ideological (whether in the weak or strong sense), while ‘federation’ is applied to designated a more descriptive, institutional arrangements of fact ...’ Accordingly, federation is defined as ‘a constitutional system which instance a division between central and regional governments and where special of entrenched representation is accorded to the regions in the decision-making procedures of the central government.’ The relation between federation and federalism is expressed in the existence of a form of government where the federation, as a political institution, emanates from the political ideology of federalism. Accordingly, for a federation to exist there must necessarily be some kind of federalism.

In this distinction, federalism basically as a normative term refers to the advocacy of multi-tiered government combining elements of shared-rule and regional self-rule (Elazar, 1987). It is based on the presumed value and validity of combining unity and diversity, i.e., of accommodating, preserving and promoting distinct identities within a larger political union. The essence of federalism as a normative principle is the value of perpetuating both union and non-centralization at the same time (Burgess, 2000).

Within the broad genus of federal political systems, federations represent a particular species in which neither the federal nor the constituent units of government are constitutionally subordinate to the other, i.e., each has sovereign powers derived from the constitution rather than from another level of government, each is empowered to deal directly with its citizens in the exercise of its legislative, executive and taxing powers, and each is directly elected by its citizens (Ross, 2002; Watts, 2008).

Here federalism is the original and persistent driving-force of federation. Federalism seeks federation and embodies the diversities and differences that have political salience which can be accommodated only via constitutional entrenchment in a federation. And these differences and diversities, it should be noted, can take many forms whether territorial or non-territorial. In the mainstream literature on federalism, however, there is a marked tendency to assume that the most significant identities seeking federation are territorially based (Burgess, 2006).

There are, however, different views on what a federal system is and what criteria should be used to distinguish federations from other political systems. Preston King has tried to make the core characteristics of a federal political system as follows:

*Basically we propose that any federation should be regarded as an institutional arrangement, taking form of a sovereign state, and distinguished from other such states solely on the fact that its central government incorporates regional units into its decision procedures on some constitutionally entrenched basis (King 1982).*

Federal political systems and federations, on the other hand, are used as descriptive terms applying to particular forms of political organization. The term federal political systems is descriptive term referring to the genus of political organization that is marked by the combination of shared rule

and self-rule. This genus encompasses a variety of species such as those Elazar (1987) has categorized: unions, constitutionally decentralized unions, federations, confederations, federacies, associated states, condominiums, leagues, and joint functional authorities. Furthermore, Watts (1996) has noted that the broad genus of federal political systems may include hybrids, because statesmen are often more interested in pragmatic political solutions than in theoretical purity.

The point to be noted in this conceptual relationship is that federalism informs federation and vice versa. Federalism is multidimensional: political; social; economic; philosophical; historical; and socio-psychological and manifests itself in a variety of what we might call ‘constellations of social cleavages having political salience’ in a state. Different federations and federal political systems have different combinations of these cleavage patterns expressed by groups and communities collectively that seek recognition, accommodation and representation. Once formed, federation itself – its rules and procedures - acts on federalism and guides political behavior in ways that assist toward trust, legitimacy, and identity changes through adaptation. Looked at in this way, it is easy to see how territoriality fits into this complex interrelationship. This is because federations are *ipso facto* composed of clearly demarcated constituent units that are territorial units (Ross, 2002).

Federations are thus but one species of the genus ‘federal political system’. In federations according to Watt’s classic definition: neither the federal nor the constituent units of government are constitutionally subordinate to the other, i.e., each has sovereign powers derived from the constitution rather than another level of government; each is empowered to deal directly with its citizens in the exercise of legislative, executive and taxing powers and each is directly elected by its citizens (*Ibid*).

Thus, the essence of a federation is that the territorially based regional units, called states, provinces, regions, Lander, republics, or cantons, are represented at the central level of government, and that this representation is constitutionally guaranteed. This implies that the central government cannot change the rights and responsibilities of the constituent units without changing the constitution, and that constitutional amendments require consensus from all or the majority of the units. Following this, federalism as a normative concept would focus on promoting the view that territorially based regional units should be represented in the national legislature (King 1982).

It should be emphasized that the empirical study of federal political systems is not simply a matter of categorizing various species and subspecies in terms of their institutional structures; it also involves an examination of the various relationships found within species, including the processes and dynamics of their operation and the interrelation of their political structures with the social, cultural, and economic environment within which they operate.

#### **2.4. Debates Surrounding the Advantages and Disadvantages of Federalism**

In many countries Federalism has emerged as a major tool to accommodate territorially based ethnic, cultural and linguistic differences in divided societies, while maintaining the territorial integrity of existing states. Here, advocates of federalism as a theoretical formulation and as a way to reconcile the pre-existed gaps treated federalism as a means to attain political unification, democracy, popular self-government and accommodating of diversity (Elazar, 1987). Federalism further used to allocate national resources efficiently by aligning the output of public services to the preferences of the people according to their local circumstances rather than to centralized decisions to provide the services at a uniform level across all jurisdictions (Luak, 2014).

Federalism is also noted as one of the most important tools of collective representation, providing autonomy to the constituent regional political structures. In this connection, many scholars pointed out 'self-rule and shared rule' as a defining feature of federalism (Anderson, 2008). In general, federal arrangement have been widely applied, on the one hand, to integrate new polities while preserving legitimate internal diversities and, on the other, to link established polities for economic advantages and greater security (*Ibid*).

Yet, the opponents of federalism argue that despite federalism is helpful in accommodating diversity and reconciling the pre-existing gaps, territorial recognition of minorities through the adoption (or strengthening) of federalism may intuitively seem to be the best way to manage ethno-linguistic conflict but, in the long run, such recognition perpetuates and strengthens the differences between groups and provides minority nationalists with the institutional tools for eventual secession. For them, as stated by Erk and Anderson (2010) federalism provides opportunities for conflict between regions and centers that might otherwise not exist. A federal arrangement that formally recognizes ethno-linguistic diversity to help manage the political system can also set this newly-or increasingly-federal state on a path to eventual disintegration.

While forms of collective representation are generally seen to be a positive measure for stability in divided societies, there are also significant risks. The paradox is, in many ways, part of the broader question of recognition of diversity: institutions, policies and practices that are designed to manage (ethnic, racial, social, linguistic, religious and economic) divisions may also ensure the perpetuation of these very divisions (*Ibid*). Self-rule tends to reinforce and strengthen the divisions by institutionally 'freezing' them in various forms. Measures designed to guarantee minority representation and thereby bring inclusion can also act as a base for further separation-both in physical form and in mentality. This "dilemma of recognition" is inherent in all forms of group rights. Group recognition ensures the perpetuation of the differences and provides minority elites with a vested interest in the continuation of the divided system. Recognition also means that collective groups will have the institutional tools to strengthen their internal cohesion, heightening the 'us vs. them' mindset. The paradox of collective representation is that it perpetuates the very divisions it aims to manage (Bagchi, 2000). Furthermore, it provides the tools that reduce the costs of secession, thereby making it a realistic option.

While they are marketed as mechanisms of conflict management, tools of collective representation have features that might exacerbate divisions under certain circumstances (Erk and Anderson, 2010). The very same institutions that appear able to calm secessionism, reduce or eliminate the possibility of conflict and manage diversity might actually work in the opposite intended direction. These institutions might freeze identities that are meant to be fluid, provide incentives to mobilize in favor of separation and, most alarmingly, provide institutions that can be used to overcome the collective action problem and accomplish secession (*Ibid*). These institutions hold over into independence, thereby reducing the fairly significant costs of secession. Self-rule, then, might actually promote secessionism rather than resolve it.

## **2.5. Structural Prerequisites for Federations**

How can we test if a country is a federation or not? In light of the above discussion, scholars of federalism including Roland L. Watts have put forward the following structural prerequisites which states must meet before they can be classified as federations:

1. at least two tiers of government, one for the whole federation and the other for the regional units, each acting directly on its citizens;

2. some form of voluntary covenant or contract among the components – a formal constitutional distribution of legislative and executive authority and allocation of revenue resources between the two tiers of government ensuring some areas of genuine autonomy for each order;
3. provision for the designated representation and participation of the federated units in decision-making processes at the federal level within the federal policy-making institutions, usually provided by the particular form of the federal second chamber. This usually involves the creation of a bicameral legislature in which one chamber represents the people at large and the other the component units of the federation;
4. a supreme written constitution not unilaterally amendable and requiring the consent for amendments of a significant proportion of the constituent units;
5. some kind of institutional arbiter, or an *umpire*, usually a Supreme Court or a Constitutional Court to settle disputes between the different levels of government; and
6. mechanisms and institutions to facilitate intergovernmental collaboration for those areas where governmental responsibilities are shared or inevitably overlap (Watts, 1996).

Taking a broader view we may describe federalism as a set of institutional arrangements and decision rules at central government level for incorporating territorially based interests; these arrangements vary in the degree to which they provide veto powers to subordinate branches of government. The more specific design features of each federation reflect local institutional traditions, and the desired level and kind of autonomy sought. Normally, federalism requires democracy and the rule of law because non-democratic regimes usually do not permit genuine autonomy for constituent units.

## **2.6. The Concept of Imposed Federalism**

The concept of “Imposed Federalism” describes the adoption of a federal political system which is not based on a voluntary federal bargaining among a country’s political elites but by imposition by outside actors, and the acceptance of this political system only under international pressure. This concept, although not fully developed yet, it is based on the assumption that federalism as an ideology, and federation that as federal state structure, are imposed on warring parties mainly to pacify a country and keep it together. The international community (IC) plays a key role in the creation of federal union and, the agreement of all parties is not required.

Federalism, in this concept, is used as a form of “peace building” and a method of “conflict resolution” (Keil, 2014).

The instalment of imposed federation has been discussed particularly in those countries which have faced civil war with one or more warring parties demanding self-determination. Examples include, the Annan plans for a unified bi-national Cyprus Union and the different talks about federalism in Sri Lanka. The only two existing federations, which have been imposed, are Bosnia and Herzegovina since 1995 and Iraq since 2005 (*Ibid*). Bosnia and Iraq have political systems which resulted in peace settlements after violent conflicts; in the case of Bosnia the conflict of 1992-1995 concerning the dissolution of Yugoslavia and in the case of Iraq the conflict of 2003, when a US-American led international force entered Iraq and ended the decade long dictatorship of Saddam Hussein and his Baath Party (Keil, NA). Imposed federalism as an organizational principles of state is, therefore, based on four key requirements:

1. Federalism is seen as a tool to end violent conflict between different groups;
2. The federation is seen as a tool (a guarantee) by giving far-reaching autonomy to the different groups in conflict to address their demand for federation (guarantee of internal self-determination);
3. The warring parties cannot necessary to have agree on the federal agreement issue; and
4. The agreement is backed by the international community, not only through the creation of federal agreement but also through “trusteeship” over the state (Keil, 2014).

When comparing of the nature of those imposed federal arrangement with the existing theories of federalism as a voluntary contract between different groups to form a joint union based on principles of equality, responsibility, self-rule and shared rule (Elazar,1987) it is easy to identify the contradiction of both theories. Indeed, when understanding federalism in the American, Swiss and German experience, federalism was seen as part state building process. Therefore, imposing federalism can also be conceptualized as part of a longer extended state building and democratization (Cohen, 1997).

Whilst it seems possible (as the Bosnian and to some extent, the Iraqi experience demonstrates) to impose federal state institutions and sub-state units, it is hard to imagine how federalism as an

ideology can be imposed. Asnake Kifle (2009) argues that federations imposed by external forces are more vulnerable to collapse than those that emerged out of domestic bargaining processes.

So far, federalism's meaning, aspects, values, factors responsible for adoption of federalism and the concept of imposed federalism are discussed. This discussion is hoped to have a bearing on the analysis of federalism in Somalia later in chapter Four.

## Chapter Three

### The Political History of Somalia

#### 3.1. General Background

Somalia is located in the Horn of Africa, adjacent to the Arabian Peninsula. It is bounded by the Indian Ocean and the Gulf of Aden to the east, by Kenya to the southwest, by Ethiopia to the northwest, and by the republic of Djibouti to the north (Lewis, 2002).

Ethnically homogeneous, Somali society is distinct from rest of multiethnic sub-Saharan African societies with common language, culture, and religion (Castagno 1959; Martin 1966; Lewis, 2002). The population of approximately 10.9 million<sup>5</sup> is made up of six major clan families: the Darood, the Hawiye, the Isaaq, the Dir, and the Digil and the Mirifle (Teutsch, 1999; Lewis, 2002).

Prior to European colonial arrival, Somalis did not have a central state in the sense of a Western, Weberian bureaucratic state. However, they used home-grown conflict resolution mechanisms of “Xeer”<sup>6</sup> and Islam for resolving disputes among individuals and groups. Socio-economically, Somalis have depended on livestock and farming and many are pastoral-nomads (Lewis, 2002).

#### 3.2. Colonial History

To better understand Somalia’s current state and aspirations for improvement in the future, it is critical to assess and understand Somalia in a historical context. Many of Somalia’s current issues and various crises have been impacted by past events and cultural nuances. It is with this holistic understanding and approach that we can better assess realistic and long-term solutions for Somalia. Steve Kibble (2001) writes, "The history of Somalia is impossible to understand without some knowledge of the interweaving of an un-centralized egalitarian political system...with the effects of British, French and Italian formal colonization... and the attempt to create a post-colonial modernist nation state".

---

<sup>5</sup>World Population Review <http://worldpopulationreview.com/countries/somalia-population/>

<sup>6</sup>Xeer is the polycentric legal system of Somalia. Under this system, elders serve as judges and help mediate cases using precedents. It is an example of how customary law works within a stateless society and closely resembles the natural law principle. Several scholars have noted that even though Xeer may be centuries old, it has the potential to serve as the legal system of a modern, well-functioning economy.

The Somali Peninsula had seen a major political development in the last quarter of the nineteenth century. Throughout this period, the colonial system had placed and made the Somalis subjects of several flags - Britain, France, Italy, Egypt, and Ethiopia. The new colonial leaders had several intentions for colonization. Britain's colonial ambition revolved around the northern Somali coast as a source of mutton and other livestock products for its naval port of Aden in present-day Yemen. Due to the rising significance of the Red Sea to British operations in the East, Aden was viewed as essential to the security of British India. By early February 1884, the United Kingdom seized control of the Somali coast, the northern part, i.e. the present-day Somaliland as well as all of the current Kenya, including the Northern Frontier District which was almost entirely populated by ethnic Somali and negotiated agreements of friendship and protection with numerous Somali clans (Lewis, 2002)

The French, having been dispossessed from Egypt by the British in 1801,<sup>7</sup> established itself in the contemporary Djibouti under the name of the French Somaliland. They desired to establish a coaling station on the Red Sea coast to reinforce naval relations with their Indochina colonies. The French were also enthusiastic to divide Britain's advertised Cairo to Cape Town zone of influence with an east to west expansion across Africa. France extended its foothold on the Afar coast partly to counter the high duties that the British authorities levied on French goods in Obock. Under the administration of Léonce Lagarde, who played a leading role in extending French colonization into the Horn of Africa, a French colonial territory was announced (Metz, 1992).

By 1905, Italy in turn seized control of the southern part of Somalia encompassing several territories alongside the eastern coast and proclaimed its protectorate of Italian Somaliland (Novati, 2008). Italy procured its initial ownership in southern Somalia in 1888 when the Sultan of Hobyo, Keenadiid, decided to Italian "protection." In the same year, Vincenzo Filonardi, Italy's architect for colonialism in southern Somalia, requested the same comparative course of action from Majeerteen Sultanate of Ismaan Mahamuud. In 1889 both Sultans, suspicious of each other, agreed to place their sultanates under Italian protection. Italy then informed the participant powers of the Berlin West Africa Conference of 1884-85 of its southeastern Somali protectorate. Later,

---

<sup>7</sup>In 1801 the British navy collaborated with Ottoman authorities to evict French troops from Egypt

Italy seized the Benadir coast proper, which had long been under the weak administration of the Zanzibaris, to form the colony of Italian Somaliland (Lewis, 2002; Metz, 1992).

The European colonial masters neglected to anticipate that the greatest danger on their colonial ambitions in the horn of Africa might turn starting with the rising regional power, the Ethiopian King Menelik II. Emperor Menelik II not only achieved to save guard Ethiopia against European intrusion, but also flourished in competing with the Europeans for the Somali-inhabited territories that he claimed as part of Ethiopia. Between 1887 and 1897, Menelik II effectively stretched Ethiopian rule over the long autonomous Muslim Emirate of Harar and over Western Somalia (better known as the Ogaden). Thus, toward the turn of the century, the Somali Peninsula, one of the most culturally homogeneous regions of Africa, was divided into British Somaliland, French Somaliland, Italian Somaliland, Ethiopian Western Somaliland (the Ogaden), and what came to be called the Northern Frontier District (NFD) of Kenya. In the spirit of the notorious 1884-85 Berlin Conference, all of these territorial divisions were agreed peacefully among the foreign powers in a series of bilateral treaties- without any discussion with the Somali themselves (Issa-Salwe, 1996).

Given the regularity and hostility of the Ethiopian and European attacks, it was usual that effort against colonial occupation, and these efforts were led by the Somali Dervish Resistance Movement. The Dervishes followed Sayyid Muhammed Abdille Hassan of the puritanical *Salihyah Tariqa* (religious order or brotherhood). His capability as an orator and a poet (much-valued skills in Somali society) gained him many followers. The British labeled Hasan as a religious extremist, calling him the "Mad Mullah." (Metz, 1992; Lewis, 2002). The Dervish war of resistance (1899-1920) against the Ethiopians and British, devastated the Somali Peninsula and resulted in the death of an estimated one-third of northern Somalia's population and the near destruction of its economy. The Dervish war of resistance movement was one of the longest and bloodiest conflict sub-Saharan resistance to alien colonial intrusion, the Dervish resistance was not suppressed in 1920 with the death of Hasan, who became a hero of Somali nationalism. The British Royal Air Force regiment which returned from action in combat in World War I, the British brought the significant setback with an overwhelming aerial offensive of the Dervish capital at Taleex in northern Somalia (Metz, 1992).

At the onset of World War II, Italian holdings in East Africa included southern Somalia, Ethiopia, and Eritrea. Italy subsequently invaded northern Somalia and ejected the British from the Horn of

Africa. The Italian victory turned out to be short-lived, however. Following Italy's defeat in the WWII, the United Nations put Southern Somalia into trusteeship for 10 years. In March 1941, the British counterattacked and reoccupied northern Somalia, from which they launched their lightning campaign to retake the whole region from Italy and restore Emperor Haile Selassie to his throne. The British then placed southern Somalia and the Ogaden under a military administration (*Ibid*).

Thus, by 1960 on the eve of Somali independence, the Somali peninsula remained divided under the rule of five different countries. The British remained to hold British Somaliland, the French continued to rule Djibouti till 1977 and the Italians had secured Southern Somalia into trusteeship until 1960. The other two Somali regions of Ogaden and Northern Frontier District (NFD), which switched back and forth between Britain and Italy were eventually forcibly annexed to Ethiopia and Kenya respectively.

Colonialism brought with it the imposition of state authority and the co-optation of traditional leaders. Whereas Somalis appointed leaders on the basis of their leadership skills, the colonizers appointed clan elders on the basis of their loyalty to their colonial masters. Any elder who resisted was replaced and sometimes deported to other parts of the colonial empire. As well, the Somali economy, which was based on subsistence, was disrupted and Somalia forcibly integrated into the world economy (Bryden, 1998; Issa-Salwe, 1996).

Consequently, the partitioning of Somalia permanently damaged the Somali people. According to Hadrawi, a great Somali poet, argues persuasively in several poems that most of the malaise in today's Somalia stems from the colonial system. He claims that the colonial powers destroyed Somalia's socio-economic system. In addition, most of the resources of Somalia's weak and poor government were used to reunify the Somali people. The effect of the partition continues to haunt the Somali people since, according to this view, two Somali territories remain under the control of Ethiopia and Kenya. In addition, the two regions that formed independent Somalia are experiencing serious problems and the northern region (former British Somaliland) wants to secede from the south.

### 3.3. Independent Somalia

#### 3.3.1. Civilian Government

Modern Somalia was born out of a union between the British Protectorate of Somaliland, which became the independent state of Somaliland on June 26, 1960, and the Protectorate of Italian Somaliland. The latter received its independence on July 1, 1960, and the two states entered into a union, even though the merger and the unification were poorly prepared they had very different colonial legacies, despite sharing ethnicity, common language and religion (Lewis, 2002; Pham, 2013). The civilian government adopted national constitution by referendum in 1961 and a National Assembly was created to represent the various regions of the newly unified state Somalia (Lewis, 2002). It's very important to mention here that, those who had led the nation's freedom movement during independence struggle as well as post civilian government had advocated for unitary government (*Ibid*).

According to Salad (2008) from 1960 to 1969 Somalia had applied a centralized unitary government based on a western style liberal democracy. This type of centralized liberal democratic unitary government worked fairly well in the first seven years or so (1960-1967) after which tribalism, nepotism, and corruption crept into the system eventually causing socio-political and economic decline that in turn gave rise to popular discontent and yearning for change (Lewis, 2002).

According to Laitin (1976) the Somali civilian governments were marred by internal and tribal problems that resulted in a lack of progress of the country.

*“The ‘modern’ state was rife with corruption (musuq maasuq), and political leaders bought votes, used government cars as taxis, and hired relatives to sing their praises (af-minshaarism) in the public market-place and in the teashops. Political appointments were made constantly to enhance ‘clan’ power, and different ministries became satraps for different clans. What had started out as a putative nation was being torn apart at the seams through clan ‘tribalism’”.*

Somalis call the first civilian government, as democratic as it was, 'the corrupt government' (Dowladdii Musuq-maasuqa). Qasim, a famous Somali poet, eloquently characterized how Somalia's civilian government failed to meet the expectations of Somalis. He said, *'Isma doorin*

*gaalkaan diriyo, daarta kii galaye'* (There is no difference between the infidel we expelled [from the country] and the one that occupies the building [the government parliament]).

Considering the imposed imperial partition, it was thus hardly surprising that the Somali state was born irredentist, i.e. with the ambition of unification of all of the Somali nation into one nation-state. Indeed this nationalist project was even symbolically represented in the new flag, featuring a five-pointed star. The five points represented the former British Somaliland, the former Italian Somalia, Djibouti, the Ogaden province of Ethiopia and the NFD of Kenya (Lewis, 2002; Møller, 2009).

The civilian government is criticized for having spent too much energy and resources on the question of Greater Somalia by supporting Somali 'freedom fighters' in the Ogaden and Kenya. Important problems remained unresolved: the economic development program 'did not capture anyone's imagination' or mobilize Somali people (Laitin and Samatar, 1987) and the Somali language remained unwritten until 1972 as no agreement over a standard script could be reached. The infrastructure, especially weak as a reminder to colonial times, stagnated (*Ibid*).

Furthermore, the democratic civilian government had been criticized allegedly for not being sincere in running the national elections in a fair manner. The national election of 1969 is often taken as an example to indicate the state hopelessness in the Somali politics. The proliferation of parties contesting election is further given as a testimony to Somali political failures. During this period, the proliferation of the Somali political parties increased from less than 4 parties in 1960 to 64 parties in 1969 each representing the "64 or so important lineages and sub-lineages in the genealogical system" of the Somali Republic (Farah, 2013a).

On the other hand, perhaps the one of the most significant issue for which the civilian government would be recalled for a long time is its determination and commitment to political development. From 1960 to 1969, no less than four general elections had taken place in the country. The civilian government made a record for making Somalia the first country in Africa to reject an incumbent president and replacing him with a new one (Farah, 2009).

The assassination of the president provided an opportunity for the army to take over a bloodless coup d'état on 21<sup>st</sup> October, 1969. Having occupied strategic locations within Mogadishu, coup leader Mohammed Siad Barre immediately moved to dissolve the institutions of civilian

government one after the other. While he suspended the National Assembly and the Supreme Court, abolished all political parties, and abrogated the constitution within hours of the coup, Barre announced the drafting of a new constitution and the ruling of the country by decree in the interim (Lewis 2002; Laitin and Samatar 1987; Møller, 2009).

### **3.3.2. Military Regime**

The disappointment with the civilian government, the Somali people welcomed the military coup. In a popular promises of peace and justice, the new military government also made the task of eradicating clannism one of its major priorities (Lewis, 2002).

Siad Barre was determined to implement policies to benefit the country economically and socially and to diminish the political influence of the clans. During his regime's early years, Somalia experienced considerable economic development and efforts were made to replace clan loyalty with national pride aiming to eradicate “the divisive force of tribalism and clan rivalry” (Lewis, 1982b) and to arrest trends of social stratification (Sheikh-Abdi, 1977), the military government embarked on a “war on tribalism” (HRW, 1990) destined to “create a stable sense of national identity” (Lewis, 198a2).

Although the clan has, for centuries, provided the most basic social institution among the Somali people, it was viewed as being incompatible with socialism and seen as the root cause of the society's problems. Speaking as the leader of Somalia, Siad Barre argued that:

*“tribalism and nationalism cannot go hand in hand... it is unfortunate that our nation is rather too clannish; if all Somalis are to go to hell, tribalism will be their vehicle to reach there” (Lewis, 2002).*

The reorganization of the administrative architecture had been carried on a campaign of anti-tribalism and anti-nepotism (Lewis, 2002). Just as the nationalist parties before independence and the civilian governments of the 1960s had sought to eliminate clannism in pursuit of unity, the military junta “saw the destruction of tribal society as a necessary step toward the creation of a new social, political, and economic order based on ‘scientific socialism’” (Hoben, 1988).

Correspondingly important for the military regime was to carry out sweeping nationalization measures of all the economic, financial and services sectors (export and import trade, factories,

banks, insurances, land, etc.) in a campaign geared to mobilize and organize the material and human resources of the country in a national self-reliance policy. According to Salad (2008) the Barre government had created and implemented social and economic development programs. The country's agricultural production was increased, construction of public infrastructures was intensified, and up-graded and expand public services like education, health, security and social justice. He adds that one of major accomplishment of the military regime was the writing the Somali script and carrying out nation-wide literacy campaign. In addition, the government had created employment for tens of thousands of people, and rehabilitated the country's severe economic deficit and its bad image of 'graveyard of aid' (*Ibid*).

Accordingly, the nation has undergone revolutionary socio-economic uplifting changes, which enhanced its capacity at home and image abroad in the first seven years of the reign of the military regime (*Ibid*). Having hoped for a commencement of better politics and an end to bribery, corruption and nepotism, the population initially benefited from "improved economic performance, expanding social services and a better culture of governance" (Lewis 2002).

While the military regime, and the Somali Revolutionary Socialist Party it established in 1976 as the vehicle for its rule over Somalia, officially transcended clan lines and preached the need for loyalty to the state, in reality the practice of clannism continued (Odowa, 2013). Gradually losing its revolutionary vigor, sense of patriotism, and confidence in the people the military regime began to resort to more and more control of public and private life. The regime instigated excessive surveillance and repression over citizens, scrapping the meritocratic and non-partisan system on which the state pillar organs were founded. The purging of most senior civil servants, judges, police and military officers accusing them as reactionary and disloyal to the revolution and socialist ideology. Corruption, nepotism and tribalism was more than the previous civilian regime (Salad, 2008).

Not only did the regime become more despotic, but it also became increasingly infected by clannism (Lewis, 2002). Now the positions of real power were primarily filled with members of the Marehan, Ogaadeen and Dulbahante clans (MOD) combined with systematic attempts at eliminating the elites of other clans (*Ibid*).

This inability of the Siad Barre regime to effectively address the clannism issue, as well as the use of its own notorious version of the KGB, the National Security Service, turned the country into one large prison camp (Bulhan, 2008). This undermined the popular support and goodwill that the government nonetheless managed to earn through improvements achieved in various fields, infrastructure, education, healthcare and national military strength (*Ibid*). In many regards, one may say that Somalia's unending tragedy, agony, and state collapse are the product of a long-term abuse of power and state institutions.

It is worth mentioning that the political attitude of the military regime which they share with their civilian predecessors was to liberate and reunite all Somali people in the Horn of Africa who were still under foreign rule and to bring them under the rule of the Somali state (Lewis, 2002). This created tension with the colonial powers and with its neighbors, especially Ethiopia and Kenya.

In 1977, war broke out with Ethiopia and the Somalis retook the whole of the Somali region. Nonetheless, Barre's expansionist ambitions ended with Somalia's catastrophic defeat by Ethiopia and its allies in the Ogaden War 1977–1978, the Somali army and Western Somali Liberation Front (WSLF) expelled from all the areas they had occupied and a large number of Ethiopian-Somali refugees flooded into Somalia (Osman J. Ali<sup>8</sup>, 2011). Almost simultaneously, he broke military ties with their former Soviet allies and obtained military equipment from powers in the West, including the United States.

According to Walter S. Poole (2005) from the Office of the Chairman of the Joint Chiefs of Staff, the Soviets reacted by supporting Ethiopia with arms, advisers, and Cuban troops. In the middle of the battle the USSR dispatched a massive contingent of troops and armor to the Ethiopian side, backed by a large Cuban expeditionary corps of 15,000 men and by military technicians from various Eastern Bloc countries, mainly South Yemen and East Germany. Within a few months they rolled back the Somali invasion and won the war in 1978 (Prunier, 1995).

The Ogaden War seriously weakened the regime of Siad Barre. When in 1978 right after Ogaden war, military officers attempted to overthrow the government but coup failed, and Siad Barre's regime killed many innocent Somalis who belonged to the Majeerteen clan in the Mudug

---

<sup>8</sup>Former Deputy Prime Minister of Transitional National Government (TNG) of Somalia established in Arta, Djibouti

and Bari regions. From the regime's perspective, those people were guilty by association or because they shared an identity, at times a distant one, with the officers allegedly responsible for carrying out the coup (Lewis, 2002).

A similar event, albeit bigger in terms of magnitude and human suffering, occurred in northwest Somalia, the present day 'Somaliland', in 1988. After a long war Siad Barre signed a deal with Ethiopia in which they agreed to stop supporting the respective opposition groups of both regimes. This agreement forced Mengistu Haile Mariam of Ethiopia to stop supporting Somali opposition groups, including the Somali National Movement (SNM). As a result, the SNM moved into Somalia, captured Bur'o city and then attacked Hargeisa, the second capital of Somalia (Odowa, 2013).

The Siad Barre regime retaliated, killing thousands of people with military airplanes and tanks. The military leaders used brute force against opposition groups and the general public. It was evident that the domestic legitimacy of the regime steadily weakened and the opposition gained strength, also spurred by the unpopular introduction of conscription in 1984. Several human rights groups condemned this act and in fact, even the United States, which earlier supported the Siad Barre regime, stopped providing military assistance to the Somali government (*Ibid*).

Siad Barre's tactics inflamed popular anger and greatly strengthened the appeal of the various guerrilla groups. Nevertheless, the opposition's ultimate triumph caught the rebels themselves by surprise. Their only common goal, to be rid of Siad Barre, was achieved by USC forces essentially without assistance from the other rebel groups. USC fighters had entered Mogadishu clandestinely at the end of December 1990 to assist clan members who had formed popular committees of self-defense to protect themselves from attacks by a rival clan that supported Siad Barre. The presence of the USC guerrillas prompted the intervention of the Red Berets (Duub Cas), an elite military unit whose members acted as bodyguards for Siad Barre, and which was commanded by Siad Barre's eldest son, Maslah Mohammed Siad Barre (Odowa, 2013; Terdman, 2008).

This resulted in stagnation of the economy, public services, rising unemployment and runaway inflation which decimated the valuation of the Somali shilling and in turn salaries and other earnings, especially after the 1977-8 war with Ethiopia. That prompted deep and pervasive popular

dissentation which drove the people to take up arms against the regime causing its downfall and disintegration of the central government in 1991 (Salad, 2008).

After Siad Barre was overthrown in 1991, most of the country's institutions, as well as law and order, were destroyed. Anarchy spread in the country. While successful in overthrowing the regime, opposition factions failed to fill the power vacuum because no faction had the power to dominate the other groups militarily. They also failed to reach a negotiated settlement. As a result, the factions kept fighting against each other for different motives. Most of the major factions have been fighting for domination, while smaller ones have been fighting for survival. The Hawiye leaders whose forces held sway over the abandoned capital, Muhammad Farah 'Aideed and Ali Mahdi, fell out with one another. The fighting and subsequent cutoff of food supplies brought about a humanitarian crisis that provoked global outrage, leading to no fewer than three successive international military interventions that aimed to secure the flow of humanitarian assistance (Pham, 2013). Finally, right after the downfall of Barre regime led to horrible civil war, anarchy, death and destruction, loss of government, and territorial and social fragmentation of the nation which prevailed for more than two decades (Salad, 2008).

### **3.4. Factors that Exacerbated the Civil War and the Role of Internal Actors**

As Somalia descended into a self-destructing and anarchic landscape in the 1991, the national state and its institutions vanished within months, paving the way for warlords with armed clan militias staking claims of governance in various regions of the country, with some localities such as Mogadishu, the capital, divided along clan and sub-clan lines. The armed conflicts resulted in the destruction of lives and properties and human displacement on a magnitude and scale unheard of in Somali history (Jibril, 2014).

Conflict in Somalia is frequently depicted as a never-ending cycle of violence. Such a perspective has thus far constrained and largely left neglected any attempt to understand the actual causes of the conflict and perpetuating factors, which include novel as well as pre-existing dynamics (Lewis and Patel, 2012).

#### **3.4.1. Clan Competition for Resources and Power**

As discussed earlier the colonial had rule not only planted seeds of clan divisions but also brought inequality among clans. The colonial oppression and exploitation of the Somali citizens - a practice that subsequent regimes inherited. The ruling elites in Somalia since colonial times up to and after

1991 emerged from the Mudug clans.<sup>9</sup> The colonial administration favored clans that could deliver colonial interests and not necessarily the most capable individuals (Ali Osman, A., 2007).

The severe and treacheries that stemmed from the utilization and ill-use of energy Throughout those period of the Somali state (1960-91) transformed Numerous of the grievances that Somalis need against one another.

For three decades (1960-91) the Somali state characterized by subjugation and unfairness that stemmed from the use and abuse of power had produced many of the grievances that Somalis have against each other. During this period, both civilian and military governments were fundamentally controlled by the elites of respective clans who held the levers of state power (Elmi, 2011). Although from 1960-1969 the civilian leaders misappropriated state funds, abused judicial cases and scholarships, or else used nepotism when hiring and firing government employees, the military regime which came power in 1969 committed heinous crimes against civilian populations. The military junta used brute force against armed insurgencies and the general public (*Ibid*).

Outside urban centers, different clans contest over resources such as water, livestock and grazing land. In the past Somalis have fought over the ownership of camels because of their utility for survival in Somalia's harsh environment. In this context, clan identity is useful because to obtain and keep a large number of camels one needs to rely on the support of one's clansmen. As Abdalla Omar Mansur (1995) notes, after urbanization, the type of assets seen as important changed. State power, weapons, jobs and foreign aid became important resources for which clans competed for. To access these, again one had to rely on the relationships that clan identity provided. In relying on clan identity, clan lines were strengthened (*Ibid*).

---

<sup>9</sup>The overall domination of the Mudug clans of Darood and Hawiye in the Somali politics has been clear through the years. For example, between 1960 and 1990 there were 26 governments that nominated a total of 567 posts. The Darood clan took 216 posts, Hawiye 125, Isaaq 102 and Digil and Mirifle 31. This domination was also clear in the individuals that were nominated for government posts. For example, there were 155 individuals that made up the ruling elite in Somalia's government including president, vice president, prime minister, and ministers. The members from the Darood clan and their sub-clans made up 62, followed by the Hawiye with 36 and Isaaq with 30. This domination of the Mudug clans continues in post-1991 Somalian politics. For example, 11 out of the 15 warlords that attended the talks in Addis Ababa, including the late General Mohamed Farah Aideed, are from the Mudug region (Osman, 2005).

Menkhaus (2005) argues that clans and factions which gain control over a central government will use it to accrue economic resources at the expense of others, and to wield the law, patronage politics and a monopoly on the legitimate use of violence to dominate the rest. This is the only experience of the central state Somalis have ever known, and it tends to produce conflict rather than compromise whenever an effort is made to negotiate the establishment of a national government

*"No Somali feels guilty in the unlawful appropriation of public wealth and the people do not see it as a robbery. On the contrary, any person holding public office is encouraged to get rich and also to help his kin-relations at the same time."*

The decline of Somalia's national economy, that forged shadow economies into being, was exacerbated by the famine of the early 1990s. This famine contributed to desperation, lawlessness, and chaos by enticing elites to implement partial reforms and forcing individuals to seek security among their clan. Thus, economics, displacement, forced land seizure, recurrent drought, and the famine of the early 1990s resulted in the fragmentation of society into warring clans struggling for resources and security (Murphy, 1996).

Cassanelli (1997) shows the link between fighting and economics by stating:

*"The outbreak of civil war following the overthrow of the dictator did, to be sure, display elements of clan war as old scores were settled and members of clans privileged by the expelled regime were systematically hunted down. But below the surface of militia mobilization was a struggle by the new "warlords" to seize landed resources in an economy where most other avenues of accumulation had been shut off".*

### **3.4.2. Warlords and Clans**

When the Somali state collapsed in 1991, there was no formidable political formation capable of filling the vacuum left by the weak government of Siad Barre. The country was fragmented in terms of clan lineage and patronage and the devastating drought and ensuing famine introduced food security as a source of conflict.

Møller (2009) argues that the political economy of violence through arms sales, smuggling, illicit commercial practices and the battle for control of humanitarian food supplies following the drought and famine in what was known as the triangle of death in 1991 set the scene for the emergence of the warlords in Somalia. These warlords, who had much to gain from their activities, had gained prominence by exploiting the inter-clan animosities.

Defeated Siad Barre generals also became warlords at the time that the political structures, which had formerly legitimized them, collapsed. The Khat addicted young gangsters provided a fertile ground for recruitment by warlords and mayhem, looting and killing became widespread in Mogadishu. Business people were also compelled to establish militia gangs to protect their economic interests in view of the prevailing anarchical situation in the country (*Ibid*).

The clan system played its major role in the catastrophic civil war. As Ken Menkhaus (2007) points out, over the years the civil war devolved from inter-clan conflict to descending levels of clan lineage, while armed clashes became increasingly localized, much shorter and, although this could be debated, less lethal. He further argues that the concentration of violence was caused by the limited support received from interested clan members and the fact that clan elders were in a better position to intervene.

Since Somalia attained statehood, private pursuit and fierce competition over the resources of the country have been a marked feature among Somali elite behavior. "Every elite person within the government believed he represented the interests of his particular kinship and lineage members." Each member of the governing elite thought that he was in the government, not as a national figure, but as a clan representative. And the income which the state obtained, mainly through foreign aid, was seen as similar to water and pasture which Somalis competed for in the pre-state era. The practical idea behind this is that each and every pastoral Somali, thus, representing his clan, has a right to appropriate a slice of this gift from Allah. This sort of behavior is incompatible with running a modern state (Lewis, 2002)

In addition, clan pride causes conflicts between clans when a member of a clan kills another person. The clan of the victim often takes such an act as an injury to its pride and takes revenge. Besides competition for resources and/or power, there are many examples where a war began between two clans because of a perceived injury to clan pride and the collective punishment that followed it.

In essence, the still persisting power struggle among the so-called faction leaders who represent their fellow clans is based on the above-mentioned idea of controlling resources and opportunities of the state and obviously benefiting one's kin.

### **3.5. The Role of External Actors**

After the collapse of the Siad Barre regime, the Hawiye leaders whose forces held sway over the abandoned capital, Muhammad Farah 'Aideed and Ali Mahdi, fell out with one another (Møller, 2009). The fighting and subsequent cutoff of food supplies brought about a humanitarian crisis that provoked global outrage, leading to no fewer than three successive international military interventions that aimed to secure the flow of humanitarian assistance: the United Nations Operation in Somalia I (UNOSOM I, April–December 1992), the U.S.–led Unified Task Force (UNITAF, December 1992–May 1993), and the United Nations Operation in Somalia II (UNOSOM II, March 1993–March 1995) (de Guttry, 2013).

#### **3.5.1. The UNITAF, UNOSOM I and II**

Following the collapse of central authority in Mogadishu, rival Somali groups engaged in armed struggle for personal political power and prevented food and medicine from reaching innocent civilians suffering from drought and famine (Dagne, 2011). In July 1992, UN Special Representative to Somalia Mohammed Sahnoun estimated that 1.5 million Somalis faced imminent starvation (Poole, 2005). An estimated 500,000 people died from violence, starvation, and disease as Somalia was wracked by continued internal chaos (Dagne, 2011).

From 1992 the UNSC adopted several Resolutions imposing first, a general and complete arms embargo on Somalia and later, deployment of a small UNOSOM I to monitor the ceasefire agreed in Mogadishu and to prepare for a bigger UN force to perform additional tasks. Due to the specific nature of the situation in Somalia, the obstacles which were created by the different opposing factions to the distribution of humanitarian assistance, and the attacks directed against it, the mission was almost unable to achieve the mandate. The UNSC decided, therefore, to adopt a new acting under Chapter VII of the UN Charter. UNSC Resolution 794 (1992) authorized the UN Secretary General (UNSG) and member States wishing to cooperate, “to use all necessary means to establish as soon as possible, a secure environment for humanitarian relief operations in Somalia” (De Guttry, 2013).

On November 9, 1992, then-President George Bush Sr. authorized “Operation Restore Hope”, using the U.S. military, to safeguard non-governmental organizations (NGOs) and their efforts to provide humanitarian assistance to the suffering Somali civilian population (Dagne, 2011; Poole, 2005; Spilk, 2008). This operation called the UNITAF was mandated to create a protected environment for conducting humanitarian operations in the southern half of Somalia and operated in Somalia between 5 December 1992 and 4 May 1993 deploying approximately 37,000 troops in southern and central Somalia (De Guttery, 2013). Accordingly, the U.S.-led UNITAF enabled NGOs to safely provide humanitarian relief to Somalis (Dagne, 2011; Spilk, 2008). Duyvesteyn (2005) argues that the intervention forces did not achieve substantial and continuous control over the theatre of operations, and therefore the factors that contributed to the continuation of the war – international trade and arms flows – continued to have free play.

On March 26, 1993 the SC adopted Resolution 873 (1993) establishing UNOSOM II, a new UN Peace-keeping which replaced UNITAF. With 30,000 personnel, including 22,000 troops and 8,000 logistic and civilian staff. The UNOSOM II mandate was much more expansive – to assist Somalis in promoting national reconciliation, rebuilding the central government, and reviving the economy. UNOSOM II was involved in several major incidents with USC/SNA militias, suffering severe losses (De Guttery, 2013). On October 3-4, 1994 a failed arrest action led to protracted clashes between US soldiers and USC/SNA militias, in which 18 Americans and an estimated 500 to 1,000 Somalis were killed. The subsequent failure of U.S. and U.N. forces to capture Aideed, the paralysis that the fighting imposed on U.N. nation-building efforts, and the disastrous losses sustained in the October 3, 1994 “Black Hawk Down” the fate of the U.N. operation, after which the United States President Clinton decided to withdraw all US forces from UNOSOM II, the UNSC decided to close the mission by 31 March 1995 leaving Somalia still in a state of violence and anarchy (Bryden and Brickhill, 2010).

On one hand, Mukhtar (2007) argues that Operation Restore Hope and UNOSOM will be remembered widely as a success story in Somali history. The missions alleviated an unimaginable tragedy among the devastated Somalis. But its success would have been more lasting if the rescued Somalis had been helped towards a workable political solution in a parallel effort to the humanitarian cause, and if the international community had been more aware of the real causes behind the Somali tragedy.

On the other hand, contrary to the above argument Murphy, 1996; Omaar & De Waal, 1994 rejected the official humanitarian justification based on the supposed necessity to put an end to starvation. They maintained that the military intervention in Somalia entailed widespread instances of violence ranging from collateral damage to deliberate humanitarian abuses and atrocities such as killing, torture, rape, humiliation, bullying and arbitrary detention perpetrated by the intervening forces upon the recipient population (Murphy, 1996; Razack, 2004).

The post-UNOSOM period is marked by several key developments. Among the key developments and the most crucial of all is a failed pattern of externally funded national reconciliation conferences. More than a dozen such conferences have been convened, of which only one—the 2000 Arta Peace Conference<sup>10</sup>—came close to bearing fruit. The conferences have tended to provoke conflict inside the country, divert energies of the political elite from governing areas they claim to control to jockeying for positions in a proposed state, and elevate the status of factional and militia leaders, whom some argue are part of the problem, not the solution.

Thus, because of the prevailing anarchy and continuing civil war in many regions of the country, in addition to an indifferent international community, which was blinded by its jingoist lens of viewing events in Somalia on a narrow scope of the “War on Terror”, the first post-civil war transitional Somali government imploded in no time because of lack of capacity, institutions and resources. It also lacked a national army that could exercise a legitimate monopoly on violence and thus subdue armed spoilers of the peace process.

### **3.5.2. Regional Intervention**

Neighboring countries, particularly Ethiopia and Kenya, have not shied away from engagement in Somalia's national and subnational politics. Following independence in 1960, Somalia's leadership pursued aspirations for a Greater Somalia - what Kenya and Ethiopia referred to as ‘irredentism’ – seeking to unite all ethnic Somalis under one nation state. Both countries remain nervous about the re-emergence of the desire of Greater Somalia (Elmi, 2014).

---

<sup>10</sup> After more than decade civil and dozen peace and reconciliation conferences, the 2000 Arta Peace Conference was the first of its kind that came close to bear fruit in which the TNG was established.

### 3.5.2.1. Ethiopia

Ethiopia has been involved in Somalia's civil war because of its national interests. Ethiopia has a long history of intervention in Somalia. Ethiopia's troops have entered Somalia on numerous occasions since the collapse of the Somali state in 1991. It has openly supported various factions in Somalia during the last two decades. In 2006, Ethiopia invaded Somalia with backing from the United States to crush the Islamic Courts Union (ICU), the first administration to offer a degree of stability in Mogadishu since the collapse of the state in 1991 (Elmi, 2014).

The fall of the ICU resulted, directly or indirectly, in the rapid rise of extremism. Al-Shabaab quickly seized large swathes of south-central Somalia. Until formally joining the African Union Mission in Somalia (AMISOM) in January 2014, Ethiopia's troops have remained in the country since defeating the ICU in 2007. Recently, Ethiopia facilitated dialogue between the Interim Jubba Administration and the FGS, and has offered to mediate between Puntland and the FGS. Elmi (2014) argues that Ethiopia had for long spearheaded a "building blocks approach" to state revival in Somalia, in which existing regional governments in Somalia (such as Puntland) would federate into a decentralized state (*Ibid*).

Ethiopia has legitimate, vital security interests in Somalia and has the capacity to block developments that it views as threatening to its interests. Ethiopia's main concern since the downfall of Siad Barre in 1991 was religious extremism. Ethiopian forces had fought on various occasions loose network of various Jihadist groups, especially Al Itihad in Ogaden Region of Ethiopia between 1991 and 1996 (Eriksson, 2013). Eriksson (2013) argues that Ethiopia's strategic interest in Somalia is related to fear of irredentism of the Somali inhabited region of Ogaden. This region has for a long time nurtured the Ogaden National Liberation Front (ONLF), fighting for independence from Ethiopia

Ethiopia's motive for engagement in Somalia is mainly one of geopolitical self-interest. As a pivotal actor in the region, it currently finds itself with the political, military and intelligence capacity to prevent possible threats and contain regional spillover through offensive engagements in Somalia. Faced with a weak Somalia on several levels—political, economic, and social and security—Ethiopia has the means to shape the conflict dynamic in Somalia to its own advantage. However, pursuing national interests alone cannot be a working formula for a stable Somalia. As

the geopolitical landscape is reconfigured, such unilateral action risks undermining each-others interests (*Ibid*).

### **3.5.2.2. Kenya**

Kenya is a relative newcomer to Somalia sending troops across the border for the first time in October 2011. The Kenyan Defense Force (KDF) helped to remove al-Shabaab from several cities of the Jubba regions, including the port city of Kismayo. KDF troops were officially integrated into the AMISOM peacekeeping force in February 2012 but have continued to pursue their own agenda in the region at times acting in violation of their adopted AMISOM mandate.<sup>11</sup> Kenya has openly admitted to supporting the creation of a buffer-state in southern Somalia to protect its interests, and has arguably undermined the federal government by actively supporting the establishment of a sub-national administration in the Jubba regions against its will (Elmi, 2014).

Thus, geopolitical anxiety in the region and fear of Somali irredentist tendencies is what has kept Nairobi and Addis Ababa glued together for generations (Kabukuru, 2015). According to Hagmann (2014) each wants to protect its own perceived national security interests in Somalia.

### **3.6. Somali Federal Government**

After decades of dictatorial rule of Siad Barre and destructive conflict of civil war the international community had engaged in peace negotiations and other state-building attempts. The FGS was established on 20 August 2012, following the termination of the interim mandate of the second TFG.<sup>12</sup> Since the installation of the new government, the security situation in Mogadishu and in several other parts of Somalia has improved. With the backing of neighboring states and the coalition of states supporting AMISOM, the authorities are gradually regaining lost statehood. Improvements, starting with the immediate withdrawal by Al Shabab from Mogadishu, should mainly be credited to the FGS. Potent measures have been taken to reconstruct state institutions and viable governance structures. This is also reflected in a number of social indicators. Although hard to verify in figures, there are several accounts of an improved political, economic and social situation in various parts of Somalia (Hearn and Zimmerman, 2014).

---

<sup>11</sup>AMISOM principal aim is to support federal government of Somalia in its effort to stabilize the county and foster political dialogue and national reconciliation.

<sup>12</sup> Established in Djibouti in November 2008.

There are also signs of an improved security situation. Most notably, the external military intervention by AMISOM has reduced the threat from armed opposition – at least in the short term. However, while Al Shabab, Somalia’s main Jihadist group, has suffered severe military losses it is by no means defeated.<sup>13</sup> Since the establishment of the FGS in Mogadishu, its attacks on politicians, government officials and members of the international community have increased. The group has also mobilized in neighboring countries, such as Kenya<sup>14</sup> (Eriksson, 2013).

The political tasks before President Hassan Sheikh Mohamoud are to negotiate a final constitution, to hold elections in 2016, and to navigate the interests of Somalia’s elites and the country’s external partners towards a successful conclusion in which the country continues to exit violent conflict. Somali elites and external actors are still confronted by the most contentious questions of power: resources and revenues, power-sharing arrangements, state institutions (security, justice, political, and service delivery institutions) and the depth of decentralization and federalism between Mogadishu and the states (Hearn and Zimmerman, 2014).

Previous governments before the FGS failed to implement federalism successfully, in part because it did not control many cities and its area of influence was based largely in Mogadishu. Now, Somalia is continuing state building in a much more difficult and complex process. To date, there have been 4 formed state governments: two have just commenced the state building process at the regional level (the Interim Jubba Administration and Interim Southwest administration), one wants no part of a federal government (Somaliland), and one would like to continue to govern their own region with a limited amount of power to the federal government (Puntland) (Amina, 2015).

Having examined the historical aspect and the foreign meddling of the Somali Republic’s internal affairs for so long, the next chapter examines the contending debates on the reconstitution of the country into federal state and present some of the most important developments thereafter the

---

<sup>13</sup>*Africa Research Bulletin* 2013: 19789.

<sup>14</sup> Al Shabab has allegedly carried out a number of attacks in Kenya over the years (e.g. the mall attack on 21-09-2013; Garissa University College).

adoption of federalism. This will be done in order to provide a vital relationship between what is happening inside the country and it's the impact on the political stability.

## Chapter Four

### Somali Federalism: A Solution to National Political Stability or Not?

#### 4.1. Introduction

As explained in chapter two federalism is embraced to minimize tension and smooth things over in a country inhabited by different peoples (nationalities). The idea behind federalism is to devolve power from the central government to the regions so that different groups (nationalities) in a nation may practice their separate language, culture or religion without looking over their shoulder.

Prior the 1991 Somalia's civil war and its impacts that followed, there was an ostensible believe in strong central government. However, more than 22 years of clan factionalism, lack of transparency, nepotism and mistrust among Somalia's clan groupings, have cracked that assumption. Today, there is a persistent lack of confidence in centralism and a need for federalism (IHASA, 2013).

The issue of federalism in Somalia dates back to before independence,<sup>15</sup> yet it was only in early 1990's that the present discussions have taken root in an effort to revive the collapse of Somali state. After more than dozen unsuccessful reconciliation efforts, the adoption of Transitional Federal Charter and establishment TFG in 2004 had paved the way for federalism to be formally enshrined in the Somali constitution and cemented the way for the current FGS (HIPS, 2015).

Since then, successive governments since 2004 have been unsuccessful to fully enforce the constitutional aspirations a federal Somalia, mainly because their writ hardly control beyond the capital Mogadishu. A major breakthrough of implementation of federal agenda was commenced after the election of President Hassan Sheikh Mohamoud and the end of interim period in September 2012. But even then, the process lacks clear framework of implementation (*Ibid*).

Notwithstanding of the adoption of Federalism, and its applicability and suitability to Somalia, it has currently been the most contentious issue in Somali politics. The debate on federalism has been based on two opposite views one with preference to a decentralized form of governance as federal structure and the other on a centralized unitary system.

---

<sup>15</sup> See for more detail about the history of federalism in Somalia in section 4.2.

Therefore, this chapter thoroughly examines the debate surrounding the Somali federalism. In doing so, the genesis of federalism in Somalia, the rationale for or against federalism, the role foreign governments and the impact of the emergence of regional states on the political stability of Somalia are assessed.

#### **4.2. The Genesis of Federalism in Somalia**

In Somalia, as Mohamed H. Mukhtar (1989) noted, the Hizbia Dastur Mustaqil al-Somal (HDMS), Somali Independence Constitutional Party, representing the historically marginalized Digil and Mirifle clan families, was the first party to propose a federal structure, as a way to protect the interest of the agrarian Digil and Mirifle clan families of southern Somalia prior to independence in 1960. The proposal did not gain support at the time with most of the political elite favoring the unitary model. The 1960 Somali constitution was drafted and ratified in a political environment dominated by Somali Youth League (SYL), the main party representing pastoralists who won the 1960 elections and administered the referendum of unitary constitution (Abow, 2011). According to Abdurahman H. Jibril (2014) among the leading proponents of this view was Abdukadir Zoppe, a key Minister in the first post-independence government and Ustad Osman, the leader of leader HDMS who was killed in Mogadishu in 1960 for his political views on federalism. Despite the huge electoral success enjoyed by HDMS in the then Benadir, Lower Jubba and Upper Jubba, federalism was killed and forgotten once and for all for the subsequent three decades (Abow, 2011).

Meanwhile, after the downfall of Barre regime in 1991<sup>16</sup> and prolonged civil war in Somalia the issue of federalism in Somalia once again resurfaced after failure of several peace conferences sponsored by both regional countries and the wider international community. Simply because the

---

<sup>16</sup>In the early months of the Somali conflict, the first Djibouti Peace Conference (15-21 July 1991) brought together leaders of warring factions, prominent citizens, and former civilian statesmen. It included former President Aden Abdulle Osman, former Speaker Sheikh Mukhtar Mohamed Hussein, former Prime Ministers Abdirizak Haji Hussein and Mohamed Ibrahim Egal, who chaired the conference -- aiming to sign a peace agreement and rebuild a viable state to end rampant bloodshed and form a national government. The 1991 agreement was signed by all rebel factions and former statesmen and witnessed by Presidents of Djibouti, Kenya and Uganda, and diplomats from Italy, U.S.A., China, France, Saudi Arabia, Ethiopia, Germany, and Nigeria (Mohamud A. M., 2015). Article 4(c) of the Agreement states: "*Shirku wuxuu go'aansaday in dalka looga dhaqmo ismaamul goboleed dastuurkana lagu qoro.*" Roughly translated "The [1991 Djibouti] Conference agreed to implement Regional Autonomy system in the country and to write this in the Constitution" See Djibouti Agreement, July 21, 199. Henceforth, the later adopted federalism in 2012 has its origins in 1991.

practical illustrations of the abortion and the length of the failure of 31 years Unitary State of Somali Democratic Republic became so apparent (Abow, 2011).

Options for state building in Somalia have been discussed and researched in great detail over the years. With the promulgation of the Transitional Federal Charter (TFC) in 2004, a commitment to a specific form of decentralization, the federal system, was manifested. Throughout the next years, relevant Somali institutions within the TFG discussed options and constitutional models of federal states (Jibril, 2014).

The current Provisional Constitution stipulated that “Somalia is a federal, sovereign, and democratic republic founded on inclusive representation of the people and a multiparty system and social justice.”<sup>17</sup> However, even though the Provisional Constitution is clear on the federal character of the state, there is no consensus on what federalism should entail – or even on whether there should be a federal system at all (Ainte, 2014).

Lack of clear understanding of how to apply and manage federalism to work in Somalia’s context is pitting different political factions against one another. A major source of political factionalism is the absence of consensus on the division of power and responsibilities between the federal authority and regional entities as well as lack of coherent guidelines for implementing the principles of the provisional federal constitution. Both issues are contributing to a stalemate in not achieving a speedy recovery, and the “rebirth of sound public institutions in Somalia (IHASA, 2013).

Below the paper comprehensively examines the debate surrounding the Somali federalism. The roles played both by national and international actors in the process with their proclaimed driving agendas and interests are discussed. Finally, by doing so the paper contributes to the debate in the search for a Somali solution.

#### **4.3. The Debate Surrounding the Rationale For or Against Somali Federalism**

Somalis both in the political elite and academics circle are strongly divided on the suitability and practicality of a federal system for their war torn state (Marchal, 2012). Some favored a very loose form of federalism in the hope that the ‘building blocs’ that had already taken shape, such as

---

<sup>17</sup> The Provisional Federal Constitution of Somalia Article 1(1)

Somaliland and Puntland, could be included so that the whole country would be reunited. Others want a more centralized state, fearing that loose federalism would effectively dismantle the country; but the past experience of centralized rule and the fear that one or a few clans or factions might dominate raises a particular concern for Somali political commentators, academics and Somali population and elites (Woodward, 2004).

#### **4.3.1. Proponents of Federalism**

The aspiration for accommodative political system in Somalia has not come overnight rather borne out of the configuration and reconfiguration of political dynamism in the country for the last 24 years. A brief account of the outcomes of Somali peace processes since 1991 reveals that federalism was borne out of a consultative process and in almost all peace process decentralization has been considered as the only option or way out to the chaotic and persistent insecurity that prevails in the country (Mohamud A. M., 2015). UN special representative for Somalia, Nicholas Kay (2014) argues that peace and security in Somalia will depend ultimately on political solutions and Somalis need to raise to that challenge and undertaking political engineering. Kay further maintains that Somalia's stability depends not on turning the clock back to the Somalia that existed before the state collapsed in 1991, but rather on building an entirely new political construct: a federal, not unitary, state with democratic, not autocratic governance (*Ibid*). Others argue that such a system fits the Somali decentralized cultural traditions (Mohamed, 2015). Below the thesis presents the debates surrounding the feasibility of federalism to Somalia's 24 years instability and insecurity. In doing so, this research looks in to the arguments of both camps, the pro- federal camp and opponents of federal structure.

Accordingly, proponents of federalism duly rest their advocacy of federalism in Somalia for three different but mutually inclusive reasons. One of the most important driver of federalism in Somalia is a prevailing lack of trust among the Somali clans and the political elite (Elmi, 2014). The historical marginalization of the majority of Somali clans dates back to the early days of the Somali state. Such marginalization has planted the mistrust and fear among Somali clans in the decades to come. Politically in the first decade of the independent Somali state, politics was centered in Mogadishu and other parts of the country were pushed aside. Although the country was democratic, many communities outside of Mogadishu were marginalized. Huge economic investments were carried out in and around Mogadishu which alienated other parts of the country.

Since these development diverted meagre resources away from the rest of the country for investment of the capital, it created sense of marginalization on part of communities outside the capital.<sup>18</sup> As explained in previous chapter the monopolization of power and resources by few has created fear and mistrust and later led to the collapse of Somali state. With coming of the military, in 1969, the marginalization didn't come to an end but continued. Barre, in the late 1980s, became bluntly clannish, circled by his own clans and marginalized the entire communities from power (HIPS, 2013). Such marginalization led to the materialization of lack of mistrust among the Somali clans that later led to the bloody civil war. Abdirashid Sheikh Said adds to the above argument that the marginalization of communities outside Mogadishu in other parts of the country placed these communities and regions in a position of secondary importance.

Hashi (2013) explaining the current division of power sharing along clan lines in Somalia reflects the tragic history of Somalia under Barre's rule. The devolution of power to sub-national units is because of deep mistrust among Somalis and fear power may be concentrated in hands of a single individual or few groups or clans. In addition to being an authoritarian, Barre completely privatized the national treasury and the productive sectors as his clan dominated the political and economic spheres of the country to the great disadvantage of the rest. Hashi maintains these are the two main factors perhaps that pushed Somalia toward a federal system (*Ibid*).

Arguing in a same line, Somalia politician Mohamed Abshir Waldo argue that federalism is a solution to national political stability for Somalia and it will give each region in the country its own right to govern itself. Mr. Waldo continues to emphasize that a federal system is the best approach that Somali communities could, under the circumstances:

- a) heal and overcome the fear, hatred and distrust of the bloody civil war;
- b) offer a middle solution between an autocratic, centralized system of governance and outright secession; and

---

<sup>18</sup> Interview with Abdirashid Sheikh Said, Deputy Head of Mission of Somali Embassy in Addis Ababa, Addis Ababa. March 16, 2015; Interview with Moussa Djama Ali, 2<sup>nd</sup> Counselor of Djibouti Embassy in Addis Ababa, Addis Ababa. March 11, 2015.

- c) that decentralization empowered district and regional communities and offered more balanced and more productive socio-economic development opportunities (Mohamud, 2013).

Somali intellectuals, politicians as well as Somali political analysts such as Professor Weinstein, Faisal Roble, former Speaker Sharif Hassan, as well as the former President Mohammed Mohamud Farole of Puntland-maintain that it is a time for Somalia to embrace a constitutional, democratic, and federal based government. They believe regional federalism is the only way to get the country out of the mess. It is the only hope to revive Somalia's long lost national unity. Anything other than multi regional federalism based government path will surely exacerbate the agony and the mayhem of the Somali society. Millions of Somalis in the eastern horn (Puntland), as well as in the north (Somaliland)<sup>19</sup> clearly indicated that they will give a shot a constitution that protects their regional governments' interest through well-defined power sharing federal system with its checks and balances (Ali, 2012). Thus, lack of trust, deep clan divisions and grievances is one of the key drivers for the need of federalism in Somali State.<sup>20</sup> Hence, proponents of federalism strongly advocate for a system that can heal such fear and mistrust and straighten the historical marginalization.

Second, the ouster of the Barre regime in 1991 paved the way for a prolonged period of violent clan based civil war and dominant power monger warlords throughout Somalia. The armed conflict raged across Somalia through 1990's, pitting clan-based militias against one another for control of valuable towns, seaports, and neighborhoods. The wars, which began as struggle for ousting the authoritarian Barre regime, quickly degenerated into a full-fledged civil war resulting in a predatory looting, banditry, and occupation of valuable real estate by conquering powerful clan militias. It was a war against each other and a war "me against my uncle" where no clan was save from such an outrageous all-out war. Thus, the atrocities committed against civilians population by the warlords reinforced mistrust and agony between and among clans and sub-clans.<sup>21</sup>

---

<sup>19</sup> Sol and Sanaag

<sup>20</sup> Interview with Abdirashid Sheikh Said, Deputy Head of Mission of Somali Embassy in Addis Ababa, Addis Ababa. March 16, 2015

<sup>21</sup>The early 1990s, armed conflicts were mainly inter-clan in nature, pitting large lineage groups against one another. Initially, this meant warfare between the most powerful clan-families in the south - the Hawiye versus the Darood. But, with a few exceptions, most armed conflicts have consisted of extended family feuds. (Menkhaus, 2007). The southern agriculturalists and minority groups were hit especially hard in the crisis. In competition for the domination

According to Abdirashid Sheikh Said, Feseha Shawl and Dr. Farah Abdi Hassan this produced a greater fear in the eyes of Somali clans afraid of another strong central government dominated by one clan that will disregard the needs and interest of other clans. This has further strengthened the argument that the only way out to such fear is to adopt a federal structure that can make sure that no one clan could take all.<sup>22</sup> Thus, the civil war and the animosities that followed between or among Somali clans has further heightened the mistrust and suspicion. The advocates of federalism firmly argue that the only option on the table that can serve as assurance and insurance to the Somali clans and create confidence in Somali clans is a structure that can stand for all not for the powerful and few clans, i.e. federal structure.

Thirdly, the competition for power and resource plays a significant role in determining what kind of political structure Somalia needs at this time in juncture. The issue of division of power and resource cant not been seen indifferent to the above mentioned issues. The tribal politics for the competition to gain more power and more resources has paramount influence and served as driving force for the adoption of federalism in Somalia.<sup>23</sup> Equal political participation and representation in the politics and government services has been sought for long.<sup>24</sup> Feseha argues that Somali clans to capitalize such ambition for more power and resources could only be possible if they have multiple federal member states. One such example is Puntland, Jubbaland and Khatuma states in which the Darood Somali clan family wants to have multiple federal states.<sup>25</sup>

Al-Azhari (2013) reminding us the historical account that have planted the whole insecurity in the Somali community, insists that the problems that have resulted in a desire for federalism was “centralized national government, which restricted any sharing of power and resources to the regions in an equitable manner”. He went on and maintained that, the Somalis now want “A federal power sharing system with a clear definition of the distribution of power and resources between

---

of land various warring parties attacked and destroyed everything in the area. The fighting for the area confirms shifts in the economic and political importance of agriculture. (Teutsch, 1998).

<sup>22</sup>Interview with Abdirashid Sheikh Said, Addis Ababa. March 16, 2015; Feseha Shawl, Director General of African Directorate of Ministry of Foreign Affairs of Ethiopia, Addis Ababa March 4, 2015; Dr. Farah Abdi Hassan, Director General of Ministry of Petroleum and Mineral Resources of Somali Federal Government Addis Ababa March 12, 2015

<sup>23</sup> Interview with Feseha Shawl, Addis Ababa March 4, 2015

<sup>24</sup> Interview with Abdirashid Sheikh Said, Addis Ababa. March 16, 2015; Feseha Shawl, Addis Ababa March 4, 2015

<sup>25</sup>*Ibid*

States and the national central government, to achieve the enhancement of welfare goals for its citizens, while maintaining collective sovereign unity” (*Ibid*).

Elmi (2014) also argues that there is strong demand for democratic participation. Elaborating on this issue, Elmi further argues that the previous governments appointed governors to each region, and mayors and police commissioners to each city without the knowledge, consultation and participation of the people. He believes that greater local democratic participation will safeguard against under-representation in national politics and aspiring politicians have proven apt at exploiting the common desire for greater local participation and representation. The desire for greater access to government services is often cited in the argument for greater decentralization in Somalia – Somali citizens should not be required to travel long distances to gain access to basic services that could be offered locally (*Ibid*).<sup>26</sup>

Therefore, Ainte (2014) supporting the federal structure has the following say “due to the prolonged civil war and the resulting trust deficit, Somalis are yearning for local control of their politics.” Ainte and other proponents of federalism argue federalism, is indispensable to maintain peace and stability and for effective delivery of services and bringing government closer to the people (*Ibid*; Jibril, 2014).

Here one should also underline the fact that proponents for federalism are not monolithic in their articulation of their rationale for the adoption of federalism but they all converge on the end result which is the need for accommodating the needs of the community. For example, the rationale for Puntland and Somaliland is rooted in historical grievances<sup>27</sup> anchored on violations of human rights and “facts on the ground”<sup>28</sup> ostensibly premised on the fact that both these regions have institutionally organized their communities into respective governments (with varying degrees of successes). They have fully functional government organs of legislative, executive and judiciary. Clans such as the Rahanwein, residing in one the most valuable riverine and agricultural land in

---

<sup>26</sup> Interview with Abdirashid Sheikh Said, Addis Ababa. March 16, 2015

<sup>27</sup> Both groups further claim that successive governments after independence failed to provide economic development to their respective regions by way of projects and that power, wealth and even services were concentrated in Mogadishu to the extent that many services could only be accessed in Mogadishu to the detriment of citizens living elsewhere (Jibril, 2014).

<sup>28</sup> Nicholas Kay (2014) and Feseha Shawl (2015) argue that the political reality in Somalia today is that power – political, military and economic – has dispersed around the regions. A formalized agreement on sharing and devolving that power is the only practicable way forward.

the country, due to relatively weak political bargaining power, strongly support a federal solution. They view self-rule as their only form of protection against the land hunger of more powerful clans (Menkhaus, 2007).

Other proponents of federalism are found within Somali academic circles and practitioners of peace building. The premise of their arguments is thus: in divided societies with diverse historical narratives of grievances and counter-grievances, in countries where there are separatist or secessionist tendencies and in societies coming out of vicious and prolonged civil wars, it is best to diffuse power vertically through the enshrinement of the principles of separation of powers in the constitution, and horizontally through some sort of decentralization like federalism. This group further posits that federalism would provide regions with the appropriate powers to enable them engage in economic development and provision of services to citizens residing in these regions, and also as a result contribute to the national economy (Jibril, 2014).

In general, the divide over the adoption of federalism in Somalia also tends to follow major clan lines. On one hand, many Hawiye clans, who dominate central and south Somalia and Mogadishu, support a unitary state. On the other hand, many Darood clan family who dominate Puntland, Jubbaland and Khatuma and the Digil and Mirifle, and minority clans in southern Somalia are strong proponents of federalism (Hogendoorn, 2013). To this end, according to Bøås (2010) the position various Somali groups tend to take the debate on federalism closely dependent on how they perceive their clans' strength and options. The weaker clans prefer a federal solution as they see federal structure as a protective shield against stronger clans. The supporters of a decentralized type of governance claim that this is the only possible means of protecting one clan from a centralized state dominated by another and stronger clan (*Ibid*).

#### **4.3.2. Opponents of Federalism**

Opponents of Federalism, on the other hand, are Somalis who fear that the splintering of the country in a federal arrangement will result in a number of small, unsustainable fragments and delay the prospects for national recovery (Chatham House, 2012). Critics of federalism highlight several features which make federalism an incompatible and inapplicable choice for Somalia. The homogeneity of the country, the lack of qualified personnel and funding necessary to run a federal state, and the possible problems arising from adding a volatile country makes federalism

incompatible (Melandri & Hassan, 2012). In support of the above argument the late former Somali premier Abdirizak Haji Hussein (2012) wrote and spoke on the unsuitability and the impracticality of a federal system for Somalia. He argued that federal system will not work in Somalia for it lacks the necessary social, economic, political and civic standards that characterize successful federal systems. He contends that a clan-based federal system will eventually lead to Somalia's natural self-destruction. His concern was that the current clan-based political dispensation is not only incompatible with the functioning of a modern state, but it will lead to the "Balkanization" of the country. A federal system for a small sized nation such as Somalia, is too costly and is bound to exacerbate clan rivalry and animosity that could further divide the country (Mohamud, 2013).

The centralists propose four points. First, they assert that where powerful clan-based federal member states exist will produce weak central government and clan enclaves which makes the Somali unity ever impossible. It assures clan rivalry, hegemony and finally it will eat up itself (Yusuf, 2014). Chatham House (2013) avers that decriers argue that federalism was very likely to exacerbate the social and regional fragmentation of the Somali state, largely along clan lines.<sup>29</sup> This would make the task of building a stable and secure country more difficult. Abdulsamed (2004) in support of the above argument stated that Somalia is not a multi ethnic, multi lingual-religious or multicultural; thus, the dominant view of Somali community is that federalism could lead further disintegration and bury its remaining. The regional autonomy demands at the table are backed only by clan elites and old regime whose interest to gain power back.<sup>30</sup> In addition, Hashi (2013) emphasizes that imposition of the federal system that recognizes the creation of regional states along with the power sharing mechanisms has created immediate effects, such as increased clannish warfare and creates a dysfunctional center. He further maintains that in a country where clan rivalries and hatred have long ruined the social bond, clan-based federalism will divide them even further and the current federalism in Somalia could only be characterized as a manifestation of tribal balance of power (*Ibid*).

---

<sup>29</sup>The current ongoing federalization process in Somalia clearly reveals that the republic is fragmenting along clan lines. See for more detail section 4.5.1

<sup>30</sup> Since old regime remnant have no opportunity for gaining power at federal level due to their past deeds they focused to grab power at local level.

Kenneth Menkhaus (2007) maintains that weaker clans argue for federalism since they will not benefit from a central government. To this end, clans that have more power under the central government structure will have no interest in a federal system that confines them to a homeland with little valuable resources. Thus, clans will advocate for political systems depending on which system benefits them the most politically, socially, and economically (*Ibid*). Large and strong clans such as the Hawiye who not only dominate the economic affairs of Mogadishu but also have been able to occupy some of the most fertile riverine land in Somalia, perceive federalism as an attempt to take away what they have come to see as rightfully belonging to them. These positions cannot be easily reconciled, but given the current chaos in Southern Somalia they are in dire need of new attention and analysis (Bøås, 2010).

Secondly, federalism doesn't promote unity but can serve as a menu for disintegration. As Mohamud (2011) argues that a capable Somali state which is united and productive can only survive in this competitive era where unity is not only option but the only left option. Unitarians fear that federalism will balkanize Somalia, destroying any hope of reviving Somali state. They argue that a divide and rule policy is still in the making in Somalia by neighboring countries. They insist that federalism is providing neighboring Ethiopia with ample opportunity to pursue its agenda. In addition to that, federalism can empower secessionist. Good examples of how federalism will break Somalia apart are Somaliland and the autonomy of Puntland and Jubbaland (*Ibid*; Fowler, 2013). Uluso (2014) contends that the claim that clan federalism heals civil war grievances and mistrusts, advances reconciliation, or adequately responds to the secession stance of Somaliland, or promotes democratic system of governance and national integration for socio-economic development and political stability is indefensible.

Third, advocates of centralization/unitary arrangement argue that Somalia needs a strong and capable central authority that is able to consolidate the state, harmonize its institutions, and unify its population. They believe that federalism is not the best option for Somalia due to its small, largely homogeneous population in ethnic, religious, cultural, linguistic and other regards (Chatham House, 2013). Opponents of federalism quote the Somali proverb "*the teeth and the tongue are close neighbors, and yet they sometimes bite each other*" so all which has happened can be settled. Even if federalism is taken and executed via clan basis no single state can stand

tall and strong because no tribe can claim to be a complete resident into single Somali region (Yusuf, 2014).

Lastly, federalism will take Somali nation back to conflict or either to become buffer zones for Ethiopia and Kenya<sup>31</sup> and it will not be panacea to the greater problems of Somalia but a contributing force to the dead end of Somalia. In addition, Bøås (2010) discloses that centralists believe that federalism will not only destroying all hope of a re-unified state but also leaving these smaller structures at the very mercy of next-door neighbor Ethiopia.

Economically and in terms of legal framework that could even remotely support/warrant for the materialization of a federal system for the Somali Republic are absent. As Menkhaus and Prendergast (1995) argue that “economically, there was never in Somalia’s history a sustainable material basis for a viable central state authority. In the past, the Somali state was funded entirely by Cold War-driven foreign aid, leading to a bloated and artificial structure, which collapsed soon after that aid was frozen in the late 1980s. There are no prospects for such large quantities of foreign aid for Somalia in the post-Cold War, which means that a central Somali state will have to subsist primarily off resources extracted through taxes and modest amounts of foreign aid”. Nevertheless, the civil war has not only destroyed the internal domestic sources that generated an already insufficient income but also made clear that for the coming decades, generating significant internal revenues from taxes and fees will be out of the question (Elmi & Barise, 2010). Thus, the responsibility to meet bureaucratic and basic governmental services throughout the nation will naturally depend on the federal government with limited resources. A federal system for Somalia, is too expensive and is bound to worsen clan competition and hostility that could further divide the country and negate the call for a strong central state (Hussein, 2012).

For Somalia, according to Matt Bryden (2013) the legal framework, institutions and processes of a federal system do not yet exist. He argues that the provisional constitution itself is a “poorly crafted document rife with internal contradictions, omissions, and ambiguous, nowhere are these deficiencies more pronounced than with respect to the question of federalism, leaving the scope for legitimate differences over the issues”. In Somalia, federalism entails decentralization. This means the main power is taken away from the central government. As John Cohen and Stephan

---

<sup>31</sup> See for more detail section 4.4.1.

Peterson (2009) argue, the institutionalization of federalism may generate political decentralization and administrative decentralization.

Abdirahman Ali Hersi had said a few years ago: “those who insist on federalism may wish, wittingly or unwittingly, to dig a grave for the Somali state that they purport to have been trying to revive”. Hersi concluded with a clear forewarning by declaring: “Without doubt a federal system of rule is the most effective prescription for Somalia’s natural self-destruction”. He added that: “I believe there can hardly be a better way of articulating the inherently disastrous consequences of adopting federalism as a constitutional system for the Third Somali Republic” (Hussein, 2012).

According to Mohamud (2013) although both the proponents and opponents vociferously express their views publicly, the general public largely see them as genuine, clan-inspired or completely oblivious to the realities on the ground. It is important to note that existing regional administrations have been primarily concerned with maintaining law and order and strengthening regional standing and security issues, but have largely done very little to advance social and community development (*Ibid*).

So far the arguments of the two sides directly or indirectly reflect the views of the people at large. However, there has not been any official national polls made or taken so far that could explain the extent and level of the people’s view and perception. However, HIPS conducted a survey on the perception and view of the people towards federalization in February 2015. This survey was conducted in five major cities - Mogadishu, Baidoa, Kismayo, Galkayo and Garowe - and a total of 213 participants participated in the survey. The majority of the participants numbering 145 (68%), favored federalism and see it as the most suitable form of governance to stabilize and decentralize Somalia. They further argue such a system could facilitate reasonable power sharing among clans, enables regional autonomy and ultimately leads to a reduction of conflict. On the other hand, 68 (32%) of the participants viewed federalism as a menu for disintegration of Somali state because it is a largely elite driven and externally facilitated scheme that promotes clan identity at the expense of national unity. In addition the survey revealed that social reconciliation was identified as a prerequisite for a successful implementation of federalism in Somalia.

Thus, it has just been an elitist or externalist's assessment of the current political system in Somalia and their supposed to be "solution". In this study, the researcher has interviewed and exchanged ideas with Somali communities in Addis Ababa, Somali refugees in Jigjiga and residents of Hargeisa. In those interviews, there are disagreement among the public in adopting federalism as the only viable option. All the discussions, pro and opponents, discussed above also applies to the public's attitude and perspectives towards federalism.

#### **4.4. Federalism: an Agenda from Outside**

Since the collapse of Somalia's nationhood in 1991, various external actors have been intimately linked to Somalia's political turmoil. Somalia's neighbors have had a huge interest in political chaos and closely linked to their disputed territorial boundaries. However, there are also other external actors shaping the future of Somalia, each of them with their own vested interests (Eriksson, 2013). Current developments in Somalia, however, go far beyond a domestic rivalry. The country sits at a tense intersection between various competing motives and objectives. The state building project in Somalia has suffered many incompatible and competing actors both at domestic, regional and international levels. The state formation, and overall state-building process is hampered by those irreconcilable actors. Within regional actors and the wider international community, there is substantial evidence of competing ulterior motives for each participating states. Below the paper will assess the role of both the neighboring countries and the international community in Somali's federal agenda.

##### **4.4.1. Frontline States**

Somalia's neighbors have played a pivotal role in shaping the internal dynamics of the country since the civil war in 1991. The so called Frontline States respectively, Ethiopia, Kenya and Djibouti have historically viewed Somalia as part of their theater of operations. Although they often demonstrate a unified front on Somalia's federal agenda, each has a distinct interest in Somalia (Yusuf, 2014). Uluso (2014b) argues that the neighboring countries are determined to implement clan federalism in Somalia without legitimate democratic process and against the manifested aspirations and interests of the Somali people.

Ethiopia, as the regional powerhouse, has vast security interests and has been an arch rival of Somalia in their disputes over control of the Ogaden region, which Somali nationalists consider to

be part of “Greater Somalia” which led to a brief war in 1964 and 1977/78 and much longer proxy conflict (Eriksson, 2013; Yusuf, 2014). Ethiopia’s troops have entered Somalia on numerous occasions since the collapse of the Somali state in 1991 (Elmi, 2014). Its strategic objective has been to weaken the Somali state (Yusuf, 2014). Abdirahman Yusuf (2014) takes a firm stand that once the state collapsed in 1991, Ethiopia’s foreign policy towards Somalia has been to prevent a return of a strong central government in Somalia. Therefore, Addis Ababa has openly supported various factions in Somalia during the last two decades and has been a strong proponent of ‘federal Somalia’ (Elmi, 2014; Yusuf, 2014).

Ken Menkhaus (2009) unequivocally argues that in 1998, Ethiopia spearheaded a “building blocks approach”<sup>32</sup> to state revival in Somalia, in which existing regional governments in Somalia (such as Puntland) would federate into a decentralized state. That approach was resisted by clans which controlled the capital city and believed a federal system would harm their interests.

According to Afyare A. Elmi and Abdullahi Barise (2010) when the heads of the Inter-Governmental Authority on Development (IGAD) member states met in Khartoum in 2001, Ethiopia pressured other IGAD member countries and insisted that the Arta reconciliation process was incomplete. Hence, Ethiopia forced a resolution calling for another peace conference in Kenya. Ethiopia initiated the peace process and has controlled it for two years. Ethiopia started to manipulate the peace process by controlling the agenda and forum. Hussein (2012) avows that it was Ethiopia who took the lead organizing and influencing the composition of the Somali participants in that conference. In that capacity, Ethiopia selected those warlords whom it deemed to be amenable to Ethiopian priorities. Hussein (2012) categorically insists that basically client warlords endorsed Ethiopia’s long-held strategic design to forestall a strong Somali national state. This convergence of Ethiopian and the Somali warlords’ interests shaped the promotion of the federal option. As a result, the Transitional Federal Constitution, which was written up and

---

<sup>32</sup> According to Elmi (2011) Ethiopia has pursued the building block approach toward Somalia for the last two decades. In particular, the Addis Ababa conference with the formation of the Transitional National Council was intended establishing strong regional administrations before building a central government. The approach, in a nutshell, did not lead Somalia into peace. It has had disturbing consequences on the efforts of building peace and a functioning state in Somalia. Instead, it empowered clan identities in Somalia.

approved in 2004, has been blessed by those who are bent on the continuation of the brittleness of any future Somali national institutions.

Ethiopia and Kenya that harbored a secret agenda sabotaged Somali reconciliation move. According to Elmi (2010), “these two countries had concerns with the notion of a greater Somalia. They wanted to instill a regime that is opposed to the idea of a Greater Somalia”. This clan-based federalism was born out of the consecutive externally-driven conferences held outside of Somalia (Hudda, 2014). Feseha Shawl admitted that Ethiopia had strongly pushed for Somali federalism since mid-1990. In his words, Feseha acknowledged the role of Ethiopia stating that:

*The international community didn't contribute to the adoption of federal structure in Somalia. I can claim that Ethiopia with its friends<sup>33</sup> in Somalia have contributed to the establishment of federal structure in Somalia. Thus, if there is an external help in pushing federalism in Somalia it should be Ethiopia. But, he boldly refused to accept it was an imposition rather basically driven by internal needs and interest of Somali people.<sup>34</sup>*

He further maintains that the current distribution of the clans in Somalia already lends itself to a phenomenon of this kind, particularly with the presence of Hawiye in central, south and greater Mogadishu, Dir and Isaaq in the North, the Digil-Mirifle in the southern part and Darood both at the center and the south. One then just need to have a look at the clan land distribution to realize how federalism based on clans can be suitable and easily applied in Somalia.<sup>35</sup>

It is argued that foreign involvement is a major challenge impeding general stability in Somalia. By keeping the Somali people divided and weak, the current regime in Addis Ababa believes it can eliminate any threat from Somalia. Moreover, Ethiopia intends to retain for many years the Somali territories under its administration, and tries to gain unlimited access to Somali ports by signing agreements with the clan chiefs on unequal terms (Hudda, 2014).

---

<sup>33</sup> Warlords

<sup>34</sup> According to Feseha during Embagathi peace process Ethiopia pursued to convince Somali delegates to adopt federalism. The biggest support came particularly from Digil and Mirifle, Dir and minority communities in Somalia.

<sup>35</sup> Interview with Feseha Shawl, Addis Ababa March 4, 2015

The critics of foreign intervention in Somali politics posit that foreign elements are the main drivers of federalism in Somalia. Both Afyare (2014) and Uluso (2014) agree that it will be easier for archrival neighboring countries to control smaller states who are not politically cohesive. Uluso (2014) stresses that federalism is an initiative bent to abort national reconciliation and to institutionalize social fragmentation. Hudda (2014) avers that in order for Somalia to remain divided and antagonistic to one other, Ethiopia's vision is to consolidate its hegemonic role and rule in the horn of Africa. She further extended her argument that the neighboring countries perceive Somali national unity as a threat to the regional supremacy (*Ibid*). While overstated, Ethiopia is wary of a strong Somali central state, particularly if it is close to countries perceived as hostile by Addis Ababa<sup>36</sup> (Hogendoorn, 2013).

On the other hand, Ethiopia has legitimate security concerns in Somalia that must be recognized and addressed by the Somali opposition if Ethiopia is to accept a negotiated settlement in Somalia. The temptation in Somali opposition circles to dismiss Ethiopian security needs is a non-starter. If a Somali government or political movement embraces irredentist policies against Ethiopia, provides logistical support to armed insurgencies aimed at the Ethiopian government, allows itself to be used as a platform for radical Islamists, or pursues close relations with Ethiopia's regional rival Eritrea, the government in Addis Ababa can be expected to work against that government. The need to recognize Ethiopia's security imperatives is a painful but essential concession that Somali political movements of all types must accept if Ethiopia is to support a revived Somali central government (Menkhaus, 2008)

In relative terms, compared to Ethiopia which in one way or the other seem to have been strongly engaged in Somalia, the roles and motives of Kenyan and Djibouti is not as such very significant (Møller, 2009). Kenya has for long been perceived as neutral with regard to Somali national affairs.<sup>37</sup> Its roles have been less crucial albeit receiving a large number of Somali refugees and becoming still target for Somali irredentism (Møller, 2009; Yusuf, 2014).

For years Kenya was surprisingly passive in the face of spill over from Somalia's decade's long disorder. Unlike Ethiopia, which shares a long border with Somalia and has a substantial Somali

---

<sup>36</sup> Particularly Eritrea and Egypt

<sup>37</sup> Interview with Feseha Shawl, Addis Ababa March 4, 2015

population, Kenya did not try to shape Somali political developments to advance its interests, sponsor local militia along the border to create a buffer zone, or engage in cross-border military operations against armed groups (Menkhaus, 2012). It has in general terms pursued a multilateral track in connivance with sub-regional arrangements particularly the IGAD (Møller, 2009).

After being somewhat dispassionate about Somalia for nearly 20 years, Kenya began to intervene in Somalia in 2010 after a series of attacks inside Kenya by Al-Shabaab. In September 2012, Kenya unilaterally captured the port city of Kismayo from Al-Shabaab after unsuccessful effort of false maritime dispute<sup>38</sup> and illegal annexation of Somalia's maritime territorial waters (Yusuf, 2014). Kenya has sought to engineer the creation of a friendlier buffer zone<sup>39</sup> along its borders (Menkhaus, 2012). Notwithstanding, Kenya has embraced the precarious strategy of illegally occupying Somalia under the pretext of fighting against terrorists (Kenneded, 2015).

Kenneded (2015) argues that Kenya is solely involved in the Somali quagmire for its alleged financial gains, besides being used as a proxy war puppet that only advances the economic and strategic interests of foreign allies. The invasion of Kenya was neither sanctioned by its parliament as required by the Kenyan constitution nor by the African Union or the United Nations Security Council and thus it was ill-fated from the get go (*Ibid*). In doing this, Kenya is taking a page from Ethiopia's "containment" policy on Somalia, in which the latter has sought to cultivate and maintain local Somali allies along its long border with Somalia (Menkhaus, 2012).

Kenya is no longer perceived as neutral with regard to Somali national affairs. It's seen as a neighboring country that wants to fuel the problems and challenges facing Somalia, with an aim

---

<sup>38</sup>In 2009 Kenya has engineered false maritime dispute and illegal annexed Somalia's maritime territorial waters, which Kenya believes to hold tremendous amounts of oil deposits and fishery that they have already licensed Western oil companies to begin their explorations. The Somali parliament in 2009 overwhelmingly rejected the false maritime dispute claim. After that unsuccessful effort, Kenya changed its strategy and sent its troops to Somalia unilaterally and without the consent of the Somali government. In the end, negotiations took place that agreed to include Kenyan troops in an AMISOM mission in Somalia to legitimize Kenya's presence in the country (Kenneded, 2015).

<sup>39</sup> For Kenya the immediate and essential goal is the establishment of a more friendly Somali political order in the remote pastoral areas along Kenyan-Somali border (Menkhaus, 2012). The strategy to create a buffer zone inside Somalia was crafted with the view toward protecting Kenya's coastal communities, which is vital to tourism (Menkhaus, 2012).

of eventually seizing parts of Somalia. Kenya has played a crucial role in the establishment the federal member state of Jubbaland as its buffer zone between itself and Somalia (Menkhaus, 2012).

It's deplorable when government like Kenya that involves violence with the war torn regions using as cover the name of war on terrorism-Al-Shabaab, through IGAD, and AMISOM helm to meddle country's internal affairs. This kind of move will certainly makes true the argument of former president of Kenya Daniel Arab Moi who once said that "united and prosperous Somalia will be a threat to its neighbors".<sup>40</sup>

Despite its size, Djibouti played a key role in restoring the Somali state after the 1991 collapse and still maintains close ties with Somalia (Hogendoorn, 2013). Djibouti, like Ethiopia and Kenya is a target of irredentist Somali national project. But there is no real animosity between Somalia and Djibouti. Djibouti is qualitatively different to both Ethiopia and Kenya. The small country devoted to Somali-state building and has organized two landmark reconciliation conferences that resulted TNG in 2000 and the reconciliation between the TFG and the factions of the ARS-A in August 2008 (Yusuf, 2014; Hogendoorn, 2013; Møller, 2009). Strategically, Djibouti gains from the revival of Somalia state. In the absence of a strong Somali state in the Horn of Africa, Djibouti is left to the domination of Ethiopia and the bullying of Eritrea (Yusuf, 2014).

In an interview with VOA on December 28, 2013, President Ismail Omar Guelleh of Djibouti has openly stated that clan federalism is poison injected in the Somali mind. He expressed his exasperation about the wasted efforts on clan federal politics rather than on peace, reconciliation and nation building. He also disclosed that major foreign powers (exclude Ethiopia and Kenya) are questioning whether Somalis want a state or clan fiefdoms (Ulusio, 2014b). In his interview, president Ismail has hinted that the neighboring countries are united on fighting against Al Shabab but divided on the approach to state building and governance in Somalia (*Ibid*).

Throup (2012) emphasizes that both Ethiopia and Kenya, the main voices in the regional political group, the IGAD, would be quite willing to accept the balkanization of Somalia with five or six regions linked in a weak federal structure. Neither particularly wishes to see a stable government in Mogadishu and certainly not one with a serious Islamist presence. Both countries, however,

---

<sup>40</sup> Abdulsamed, 2004

want increased stability along their borders and are keen to work with Somali proxies to establish a more controlled and peaceful situation along their frontiers. This might result in a relatively effective federal arrangement in the Somali interior.

Mohamud (2011; 2012) argues that the balkanization of Somalia into mini-states has the potential to spark new clan and regional based wars and prolong the Somali conflict. Additionally, fearful that a strong Somalia could stir up political mischief in their own fragile and ethnically complex societies, Somalia's neighbors take every opportunity to promote the fragmentation of Somalia into weaker regions. A weaker Somali state with countless federal entities will undoubtedly make it easier for neighboring states and international businesses to secure favorable bilateral agreements for control of Somalia's natural resources and long coastline (Mohamud, 2012). Additionally, he emphasized that "by supporting regional actors inside Somalia, instead of supporting the federal government, the international community is contributing to the centrifugal forces that keep the country weak, violent, and in a prolonged humanitarian crisis." He asserts that without a strong central government, the country will never be able to escape its problems (Mohamud, 2011).

The Ethiopian and Kenyan dreadful ambivalent/ uncertain attitude is shaped by the Somali irredentism policy which clarifies somewhat their policy towards Somalia even today – as well as Somali sensitivity towards any Ethiopian meddling in its internal matters (Møller, 2008). Seen from Nairobi or, even more so, Addis Ababa, the ideal Somalia is one that is just strong and cohesive enough to be able to feed and care for its citizens, lest they end up as refugees across the border, but not strong enough to act on its latent irredentist national agenda – or, even better, one that is governed by a regime which is totally dependent for its remaining in power on the support from Ethiopia (*Ibid*).

Realism is also required with regard to the regional context of state revival in Somalia. In the short term, Somalia will remain a much weaker country than its large neighbor, Ethiopia. Survival of a new government in Mogadishu will necessitate coming to a modus vivendi with Ethiopia, one which provides the kinds of security guarantees sought by Ethiopia (Menkhaus, 2008). This could entail an informal form of circumscribed sovereignty for Somalia in its foreign relations. The idea of having to defer to Ethiopian agendas and craft domestic and foreign policies with Ethiopian needs in mind will constitute a bitter pill for Somali nationalists to swallow; emotions against

Ethiopia run very high in Somalia, and justifiably so. But that does not change the calculus of power in the region, nor alter the fact that an Ethiopia which feels threatened by political developments in Somalia will not hesitate to undermine them (*Ibid*).

#### **4.4.2. The International Community**

Over the past two decades, preoccupied by the implications of a ‘failed state’ for regional and international security, the international community has sought to ‘stabilize’ Somalia and re-establish an effective central government. There has been fierce disagreements over the nature of decentralized system to be adopted in Somalia (Menkhaus, 2008). Hussein (2012) argues that the international community have been conspicuous in their condoning of clan federalism in Somalia. Preoccupied with their own “national/security interests” in the Horn of Africa, major nations<sup>41</sup> believe that their concerns would be best served by supporting Ethiopian and Kenyan designs,<sup>42</sup> even if that leads to the further balkanization of the Somali people. Skeppström and Nordlund (2014) stress that the international community may see federalism as a realistic but not necessarily the best alternative to a unitary state.

However, according to Mohamoud (2015) the international community is not only united among themselves on the type of governance applicable to Somalia but also have varied political, economic and security interests. Kaplan (2010) argues that previous attempts to help reconstitute Somali state have foundered because they have driven by the international community’s agenda, rather than by Somali realities. Yet, Somalia international partners appear largely wedded to previous principles i.e. their continued focus on countering terrorism and extremist violence has distorted Somalia’s state building project” (Life and Peace – 2014 – CSIS, 2014).

The European Union (EU) plays an important role and considerable clout in Somali political affairs. The Union’s has contributed to the establishment of a peaceful, stable and democratic country, trigger sustainable development and eradicate the root causes of piracy. The EU has consistently been implementing a comprehensive approach based on active diplomacy and support to the political process, security support, development assistance and humanitarian aid (Menkhaus,

---

<sup>41</sup> USA and EU

<sup>42</sup> As discussed in the section 4.3.1. Ethiopia and Kenya see clear advantages in Somali’s federal system for their own geopolitical purposes

2008). The EU contributes through African Peace Facility (APF)<sup>43</sup> to the AMISOM, which plays an essential role in securing the country. The APF has provided financial support to AMISOM since the start of the mission in 2007. The EU is concerned with the impact of piracy and armed robbery at sea off the coast of Somalia on international maritime security and on the economic activities and security of countries in the region.

The EU has taken a paradigm shift of broader type of engagement with the Somali Government after the end of transition. Since then the Union had constant presence and dialogue with the leadership and the people of Somalia. They supported directly Somali led national strategies and programs and "Somali Compact" that was presented in Brussels in September 2013.

The US as a member of the international community play significant roles with its individual capacities in the politics of Somalia. Especially US's engagement in the forms of initiatives and various activities began since the early 1990s whose consequences have been disastrous and counter-productive. Nonetheless, it can be argued that there is huge difference between its motives in the 90s and the recent years. Its motives being its national interests, in the former period, the predominant motive was altruistic and humanitarian while in the latter it seems to be the drive to ensure US's national security. This was part of the larger U.S. global policy on the war on terror. With the conspicuous failure to stop the expansion of religious extremists throughout Somalia, compounded by foreign elements returning from wars in Iraq and Afghanistan, the United States slowly moved its support away from the TFG (Mohamud, 2011)

According to Møller (2009) the US government had securitized Somalia as a stepping stone for the war against 'terrorism' especially with the Bush Administration. The underlying assumption in this regard was the expectation that failed states would foster terrorism and so the US had to support the Somali government.

According to David Shin (2013) since 2010 the US government has enunciated and pursued the so-called "dual track" policy in Somalia. The policy was destined for supporting the central government in Mogadishu in addition to Somaliland, Puntland, and other emerging entities in

---

<sup>43</sup>The African Peace Facility (APF) was set up to support peace and security on the African continent in the framework of the EU-Africa Partnership. The three main strands of action are capacity building, peace support operations and the development of an early response mechanism. Since the establishment of the African Peace Facility (APF) in 2004, the EU has channeled €740 million through this instrument.

Somalia. The essence of the dual track policy is that the US would deal with central state and sub-state actors simultaneously in order to advance peace and development in Somalia (Elmi, 2011). The term disappeared from official US lexicon about a year later and did not reappear until the testimony of the new Assistant Secretary of State, Linda Thomas-Greenfield, before the Senate Foreign Relations Committee on 8 October 2013 (Shin, 2013).

Hussein (2012) argues that, more damagingly, the dual track engagement that offers those regions (and perhaps others to follow) full economic and security assistance will no doubt be interpreted by many, including the regional ambitious, to press hard for seeking an independent status of their own. He further argues that the temptation on the international community to dictate to Somalis the kind of political system they should adopt must be resisted.

Moreover, Elmi (2011) argues that the dual track policy inadvertently strengthens clan divisions, undermines inclusive and democratic trends and most importantly, creates a conducive environment for the return of the organized chaos in the country. Furthermore, Balthasar (2014) maintains that although the 'dual track' policy has its own merits, it also means that the international community has somewhat contributed to the confusion over what political entities were to take the lead on establishing a viable federal state. Balthasar (2014) additionally argues that while Somalia's international partners have also adhered to Ethiopia's 'bottom-up' approach in their effort to reconstruct the Somali state, thus granted regional governments additional leverage with which they press their demands (Balthasar, 2014).

Ironically, while Western powers publicly announce to the whole world that they firmly recognize and respect Somali Republic's national unity and territorial integrity, they at the same time give approval of acts that accelerate the fragmentation of the Somali people. An example of this, is the wheeling and dealing directly with the leaders of Somaliland and Puntland on an equal footing with, if not preferable to the SFG (Hussein, 2012).

Ulusio (2014c) argues that it is sad to admit that the process for making clan federalism in Somalia as fait accompli will continue because international community want it to happen. The priority of the African Union to qualify for a relevant regional organization for global security cooperation outweighed its principal responsibility to protect the unity, territorial integrity, sovereignty, dignity, and long term interests of the people of the worn-torn Somalia.

For years, Somalis and non-Somalis alike, have questioned – and critiqued – about the external interferences in Somalia's internal affairs. Aside from the external elements, Somali leaders are to blame when they invite external actors to take part in their internal disputes. For the sake of their own stability, neighboring countries of Ethiopia, Kenya and Djibouti and the wider international community need to agree on coherent and constructive strategy for stabilizing the country that respects Somali's sovereignty and forswear internal intervention. According to Menkhaus (2008) the more organic the system of governance is in Somalia, the more likely it is to survive and develop despite the challenging environment that Somalia poses for state revival. The importance of minimizing the foreign intervention has been recognized by him, who affirmed “As Somalis are sick and tired of statelessness, perpetuate conflicts, warlordism and piracy they are, equally, sick and tired of us – the international community”.

But in all this, as argued by African political pundits, is crystal clear that Somalia has become a pawn in hardball international politics and sadly, may remain so into the distant future (Kabukuru, 2015).

#### **4.5. The Impact of Clan Federalism on Somalia's Political Stability**

##### **4.5.1. Problems of Creation of Federal Member States**

Given the social cleavages in Somalia, in order to include the different groups in the political process, the Provisional Constitution of Federal Republic of Somalia declares that the country is “founded on the principle of power sharing in a democratic federal system,<sup>44</sup> and it adds that the federal republic of Somalia is comprised of two levels of government, the federal level and the federal member states along with local governments.”<sup>45</sup> The constitution stipulates, however, that in order to be a member of federal system as constituent unit, no single region can constitute a state,<sup>46</sup> and that two or more of the former regions<sup>47</sup> can voluntarily join the federal system as a member of the whole.<sup>48</sup> In addition to this, the constitution asserts, “the status of the capital city

---

<sup>44</sup> The Provisional Constitution of Federal Republic of Somalia Article 1(1)

<sup>45</sup> Ibid, Article 48(1)

<sup>46</sup> Ibid, Article 48(2)

<sup>47</sup> Before the collapse of Somali State in 1991 Somalia had 18 administrative regions

<sup>48</sup> Ibid, Article 49(6)

of Somalia shall be determined in the constitutional review process, and the two houses of the Somali Federal Parliament shall enact a special law with regards to this issue”<sup>49</sup>.

From the preceding principles laid out in the constitution, it is clear that for the purposes of the process of federation or for any other matter within the constitution, the constitution does not recognize clans but rather only recognizes political and administrative regions. By basing the future federated units on the pre-1991 administrative regions, the constitution presupposes that administrative regions will voluntarily make decisions to merge with other regional administrations, and presumably through the voice of some form of a regional assembly that is representative and inclusive. Once the regional administrations through their assemblies make it publicly known their intention to federate with other units, they will jointly submit an application for a determination of their eligibility to federate pursuant to the principles laid down in the constitution (Jibril, 2014).

State building process is meant to restore Somali sovereignty by fusing the political, military, and economic powers dispersed in different clan based states (*Ibid*). The Somali Constitution prescribes that Somali territory and sovereignty is inviolable and indivisible.<sup>50</sup> It prohibits the claim of sovereignty by a person or group of public for self-interests.<sup>51</sup> National power should be exercised in accordance with rule of law and through institutions, the foundation for human progress.<sup>52</sup>

Nicholas Kay (2014) believes that creating federal states with their own governments is not an automatic panacea. He points out a number of risks associated with the creation of member states accordingly. The first major obstacle is the long and bumpy road of reaching inclusive political settlements with all the clans and interest groups in a particular area. Second, as the case was since the independence, fierce competition for power and resources in these regions continues. Nor is it a zero sum game: the Federal Government must be helped to build its capacity and take charge of its national responsibilities (Kay, 2014).

---

<sup>49</sup> *Ibid*, Article 9

<sup>50</sup> *Ibid*, Article 7(2)

<sup>51</sup> *Ibid*, Article 1(2)

<sup>52</sup> *Ibid*, Article 3(4)

Ulus (2014b) ironically argues that ardent supporters of clan federalism would like to hide clan labels (identification) in public discourse while practicing clan politics under the veil of name location. This duplicity hinders the ability to objectively face and debate the role and influences of clan identity and politics within the Somali society. Mohamud (2012) in support of Ulus emphasizes that what is uniquely alarming about these new federal states is the inherent desire of their governing entities to maintain clan hegemony, prestige, and domination over others, as well as the absence of grassroots consultation and the exclusion of women and local minorities.

Additionally, Abow (2007) emphasizes that Somali style federalism prevents the formation of a national unitary and centralized government, leads to a lack of accountability because clan federalists segregate minority clans within its territories. He contends further that, clan federalism instigates confrontation, and dispute of clan boundaries. Proponents of centralized governance argue there are no clearly marked borders of provinces that are going to form the federation.

Moreover, Hussein (2012) argues that federal member states based on clan allegiances would potentially erode the very foundation of national unity, territorial integrity and it would sanction the country in a condition of clan enclaves. In such a specter, it's easy to foretell that the would-be elected office-holders will have to come from the bigger clan(s) of the major clan-family of a given region. This would mean that the political and economic powers would come to be concentrated, in perpetuity, in the hands of a small but powerful clan-oligarchy, thus bringing about what detractors of the centralized system were supposedly trying to forestall. Worse yet, there can be little or no chance for the mid-sized and/or minor clans/sub-clans to get their fair share of the political dispensation (*Ibid*).

Ulus (2014) stresses that the formation of federal Member States (FMS) unilaterally by powerful clans at the expense of other clans without legal and political consensus sparks fresh political and social turmoil in all regions of Somalia. It is unequivocally clear that the federal system based on clan ownership of territory has become major obstacle to national reconciliation, peacebuilding, and state building in Somalia. It polluted the notion of state, citizenship, and Islamic values and intensified clan rivalry and vanity within the Somali society everywhere (*Ibid*). The voluntary decision concept based on regions has been replaced by the concept of compulsive dominance of one clan and one person as sole power holder for the creation of each state.

Uluso (2015) argues that without prejudice to other clans, the emerging predetermined clan dominance configuration of the FMSs will be as follows:

1. Puntland (Darood-Majeerteen Mohamud Saleban)
2. Somaliland (Dir-Isaaq)
3. Jubbaland State (Darood - Ogaden)
4. Southwest State (Digil and Mirifle-Ashraf)
5. Mudug and Galgadud (Hawiye-Habar Gedir)
6. Hiran and Middle Shebelle (Hawiye-Hawadle)

Whereas the provisional constitution forestalls clan based political structures, recent events in Somalia's Jubbaland, South West and Galmudug,<sup>53</sup> seem to indicate the increased importance of clan as a primary tool for political organization. This was evident in the attempted formation of several federal member states in southern central Somalia, which heightened tensions in part because competing claims overlapped. One such project advocated the establishment of a federal member state comprising the six regions of Bay, Bakool, Lower Shebelle, Gedo, Lower Jubba, and Middle Jubba, thus challenging the existing Interim Jubbaland Administration (IJA), which is comprised of the latter three regions (Balthasar, 2014).

According to Kay (2014) as the new federal map of Somalia emerges, with proto-federal member states taking shape in south, south-west and central Somalia, the intensity and complexity of political negotiation is remarkable since it involves a number of different actors with differing interest. But trust between actors is very low. Kay (2014) argues that after so many years of state failure, the clan has become a dominant feature of Somali people's political and security issues. The voice of traditional elders carries great weight. They are able to help people understand that settlements must benefit everyone and that winners cannot and should not "take all".

In his analysis of the Provisional Constitution of Somalia, Professor Antonios Kouroutakis noted that "the Provisional Constitution could be the organizational basis of a peaceful and prosperous Somalia," but he maintains that, "the ambiguous and imperfect formulation of key principles of Somali federalism may contain the seed of future tensions, conflicts and instability, which have plagued the country for years, if not decades." Unfortunately, the forewarning of the professor has

---

<sup>53</sup> State formation is ongoing

materialized (Ulusio, 2014b). Menkhaus (2007) in support of the above argument emphasizes that clan-based polarization in the near future provide fuel for serious conflict in Somalia, not only between federal units and the central state but also between neighboring federal units. For instance, the creation of federalism in Somalia has reignited clan warfare as clans are engaged in fierce competition and scramble for land to carve out their own enclaves in anticipation of joining the federal make up.<sup>54</sup> In addition, the bickering and verbal clashes between the federal government and regional states is as much based on legal disputes as it is characterized by clan entitlements. The late Professor Said Samatar described the rhetoric behind this dispute as a “my clan is good/better while your clan is wrong/right.” The failure to communicate has also been evident in more recent formations of states, particularly the merging of Mudug and Galgudud regions, with Puntland having made its concerns about the border between the two states (Amina, 2015).

The Somali constitution allows the creation of federal member states, but applies stringent requirements that are extremely difficult for state builders to meet. For example, only two or more Somali regions uniting can form a Federal Member State. While not seemingly problematic, consider the fact that very few clans are the sole occupants of one region, let alone in two or more regions. It would take tremendous amount of reconciliation to create states that transcend clan boundaries. One such problem lies in central Somalia, in Galgudud, where there are many competing rival clans who can barely agree on an administration for their region, let alone uniting with another region to form a state (Mubarak & Mosley, 2014).

Mubarak and Mosley (2014) further add to the argument that even when multiple regions are almost homogenous and state creation is technically infeasible, there are problems with the state creation process, caused in part by constitutional ambiguity. The first clause of Article 49 of the constitution stipulates that it is the House of the People (the existing lower house of parliament) that shall determine the number and boundaries of the Federal Member States; however, clause 6 of the same article stipulates that two or more regions may voluntarily merge to form a Federal Member State. In effect, it is saying two things: the first is that it is the federal government that has the power to draw the boundaries of federal member states; and secondly, that any two regions can unite and form a state. This lack of clarity in who can form a state has contributed to a rush to

---

<sup>54</sup> The renewed clan warfare in in Jubbaland in 2013 between supporters of Barre Hirale and Ahmed Madobe, Lower Shebelle throughout 2014, Galgudud, Mudug.....etc.

create federal member states by politicians in southern Somalia. While this confusion is rooted in local politicians' desire for power, the constitutional ambiguity and the federal governments' mild participation in federal state building has exacerbated the problem (*Ibid*).

Ulusio (2014c) argues that contrary to the provisional constitution Article 49 (6), foretells that "based on voluntary decision, two or more regions may merge to form a federal member state," the voluntary decision concept based on regions has been replaced by the concept of compulsive dominance of one clan and one person as sole power holder for the creation of each state.<sup>55</sup> Somalia has a cultural tradition that regulates interactions between clans (individual is clan member) but not between state and citizens.

In addition, Asnake Kefale and Biruk Mesfin argues that there's lack of clarity on whether the federation process should be top-down or bottom-up approach. In other words, there's a serious disagreement over who should "lead" the federation process.<sup>56</sup> Asnake adds that there is neither strong government that could devolve power to the regions nor autonomous regional government who merge together to form the federal government.<sup>57</sup>

Balthasar (2014) maintains that although the formation of federal member states might bring short-term stabilization in some areas, it increases the likelihood of intra-clan quarrels and inter-clan competition." This is particularly the case for those areas in which federal member states are yet to be established. Moreover, a weakened FGS would also render Somalia's fragmentation and exposure to internecine internal conflict more likely.

Meanwhile, the political elites of Garowe, Galkayo, Adado, Baidoa and Kismayo are preoccupied with negotiating their shares in a federal Somali state and mobilizing their respective communities instead of providing services to their constituencies. The fact that the nature and the process of Somalia's federal agenda remain ill-defined has already led to much confusion and hostility (*Ibid*).

---

<sup>55</sup> The creation of the state of Jubaland was dominated by Ogaden, member of Darood clan family and Ahmed Madobe, the interim president of the state. Ashraf Sub-clan of Digil and Mirifle clan family and Sharif Hassan Sheikh Aden also controlled the whole process of the formation of South West state.

<sup>56</sup> Interview with Asnake Kefale, Addis Ababa March 9, 2015 and Biruk Mesfin Addis Ababa, March 4, 2015

<sup>57</sup> Interview with Asnake Kefale, Addis Ababa, March 9, 2015

#### 4.5.2. Rift in Federal Member States Border Demarcation

The political boundaries of these newly formed entities are often undefined and contested, sometimes partially or completely overlapping with the territories of already existing states. According to Mohamud (2012) national authorities have provided little guidance on the number, makeup, population, or boundaries of these states, as well as the process of establishing them.

For the purposes of the federating processes, the provisional constitution has explicitly made it clear how the federation process will be undertaken within a constitutional framework as provided for in article 49(1) and also article 111 E. The principles laid down in these two articles are as follows:

- ❖ The number and boundaries of the federal member states will be determined by the parliament on the recommendation of the Boundaries and Federations Commission (BFC), which is an independent Constitutional body.
- ❖ The Commission when making its determination on member states and boundaries will take into account demographic and cartographic information as well as political, economic and social criteria and its recommendations to the federal parliament including respective demarcations of boundaries thereof, of federal member states.
- ❖ Moreover, member state boundaries will be based on the boundaries of the administrative regions as they existed before 1991, and the act of federation shall be a voluntary decision between two or more regions that may merge to form a federal member state.

Balthasar (2014) argues that ever since its adoption, federalism has been a bone of contention, not least due to ambiguities over which political entity is to lead the process of establishing federal member states. Abow (2007) maintains that clan federalism instigates confrontation, and dispute of clan boundaries. Some proponents of centralized governance argue there are no clearly marked borders of provinces that are going to form the federation. For centuries, Somali pastoralists used to trek around the countryside with their herd looking for a better grazing land without the restraint of regional and clan boundary.<sup>58</sup> The main reason of political volatility is that clan federalism may

---

<sup>58</sup> Interview with Dr. Farah Abdi Hassan also shows the same fear that federalism may endanger the very livelihood of the pastoralist

eradicate the national government from controlling contentious grazing or land issue. The question of regional border demarcation is another ticking time bomb that will go off any moment (Hudda, 2014).<sup>59</sup>

Thus far, in December 2014, the federal parliament endorsed legislation establishing the Boundaries and Federations Commission, though BFC has not been established. It is vital that the government and its partners ensure that constitutional bodies and provisions are established, adhered to and supported. Despite the Constitution's provision for the establishment of Federal states - this has been a source of tension between the Federal Government and existing as well as emerging states (HIPS, 2015). In theory, as per the constitution, the BFC will have to retroactively assess the legality and viability of the emerging states. Lockwood (2013) emphasizes that resolving the debates around federalism is of paramount importance for the future stability of Somalia. Somalia's international partners should be pragmatic in recognizing the sensitivities of local and national governments and the risks associated with a rushed process.

#### **4.5.3. Power and Natural Resources Sharing**

A proper analysis of the Somali federalism must in fact take into account the formal and informal (extra institutional or traditional power sharing in Somalia) power distribution. Since power devolution is a central argument, attaining a fair resources distribution and representation in the political arena of Somali politics.

The provisional constitution of federal republic of Somalia clearly states that "The Federal Republic of Somalia is founded upon the fundamental principles of power sharing in a federal system."<sup>60</sup> The distribution of resources among Somalia's future states can't be understood as definitive, from what one reads in the constitution. The text underlines how resources allocation and use shall be decided fairly and with equity.<sup>61</sup> In the absence of other federal laws, the

---

<sup>59</sup> The process the formation of South Central state is mired by the issue of the future borders of the state. South Central state is supposed to include former regions Mudug and Galgadud, but Mudug became a bone of contention between Puntland and South Central since the region is inhabited by Majeerteen and Habar Gedir, Hawiya. Puntland claims that those parts of the region inhabited by Majeerteen will continue to be part of the state of Puntland while Habar Gedir, Hawiya assert that the whole region will be amalgamated with Galgadud to form South Central state.

<sup>60</sup> Article 3(3)

<sup>61</sup> Articles 50 (e) Fair distribution of resources; (f) The responsibility for the raising of revenue shall be given to the level of government where it is likely to be most effective exercised;

constitution as it is controls but does not check, wish for but does not provide a system of for the guaranteeing of a fair distribution of power and resources. The issue of power and resources has been of a paramount importance in determining previous decades of Somali history, seems now to be underestimated (Zoppi, 2013). The constitution leaves issues on allocation of power open for discussion between the federal government and the federal member states, whereas matters concerning foreign affairs, national defense, citizenship and immigration and monetary policy are reserved for the federal government.<sup>62</sup>

In virtue of its efforts, Puntland government has stressed several times the features that a federal Somalia shall have. In February 2012, for example, the former President of Puntland Farole has said:

*“The type of federalism we would like to see for Somalia is a system where power and resources is divided between the states and the federal level. Gone are the days when power and resources was unfairly concentrated in a single city-state”*

Mubarak and Mosley (2014) have highlighted the difference of opinion and conflict between Puntland Administration and the SFG over the authority to award concessions for oil exploration in Puntland. Puntland administration has signed contracts with foreign oil companies, and believes that it has a right to do so; on the other hand, the federal government maintains that it has the sole authority to award concessions for oil exploration.

The constitution does not help answer the question of how natural resources are to be shared, let alone who has the power to sign oil contracts. It does, however require that both sides negotiate a deal between them. Accordingly Article 44 of the constitution stipulates that “the allocation of natural resources of the Federal Republic of Somalia shall be negotiated by, and agreed upon, by the Federal Government and the Federal Member States in accordance with this constitution”. However, even if Puntland and the federal government were to agree on how to share natural resources, the question of which regions are actually part of Puntland may in the future threaten any such deal (*Ibid*).

---

<sup>62</sup> Article 54

Marchal (2012) believes that the coming years are likely to witness a novel dynamic: the emergence of a regional oil and minerals economy. Somalia will have to adapt to this new regional configuration even though it cannot carry out much exploration because of security concerns and legal dilemmas over the exploitation of oilfields. This new resource does not help the stabilization process: as in other countries it encourages corruption, deepens polarization and weakens social safety nets. It also exacerbates the flaws in the federal system. Expectations of greater oil revenues could merely provide a further disturbance to the fragile and incomplete normalization of the country (*Ibid*).

On the other hand, for first time after decade civil war and statelessness in Somalia, the Arta conference of 2000 established a template for power sharing based on fixed proportional representation by major clans, the so-called 4.5 formula,<sup>63</sup> which created the TNG and continued to establish successive TFGs in Embagathi in 2004 and Djibouti 2009 reconciliation conference and again it was adopted in 2012 Mogadishu conference that ended the transitional period.

Since the establishment of TNG in 2000, there was a power sharing mechanism among major Somali clans in which the President mostly comes from Hawiye clan, Prime Minister comes from Darood clan and speaker of the parliament comes from Digil and Mirifle clan.<sup>64</sup> Hashi (2013) believes that the federal power sharing system that mandates the four main positions of power be shared by the four majority clans is not without problems. He argues that this power sharing essentially creates coexecutrices in the positions of the prime minister and president in which the power of the president and the prime minister is nearly identical. Because the division of power is not done with a particular concern for pragmatic functionalism, rather to satisfy tribal power parity, the result has been confusion over the authorities of the two (*Ibid*). He further adds that this

---

<sup>63</sup>The so-called '4.5 formula' was designed to balance and share representation and power in Somalia between the four main clan families Dir, Darood, Hawiye and Digil-Mirifle as well as minority constituencies. The formula was originally put forward as the basis for a power-sharing matrix at the Sodere conference, sponsored by Ethiopia and attended by most of the main armed factions in 1996-7. It allocates an equal number of seats in legislative and executive to each of the four major clan-families and half that number to remaining minority groups.

<sup>64</sup> Inconsistency to this power sharing mechanism comes in 2004 Embagathi peace and reconciliation conference in which Abdullahi Yusuf, a Darood clan member was elected as the president of TFG. Subsequently, Abdullahi picked Ali Mohammed Gedi, a Hawiye clan member as his prime minister.

misappropriation authority often expresses itself in public wrangling of the president and prime minister, which frequently culminates in premature tenure ships of Prime Ministers. Over the short existence of the federal government in Somalia since 2004, at least 5 prime ministers<sup>65</sup> have lost their tenure over power disputes with presidents.

Stephen Musau (2013) maintains that federalism with clannism remains a hard mix when it comes to reconciling different positions on the devolution of power with all sub-clans fighting to be close to either the Hawiye or Darood. Thus, political clannism still remains a demon that requires to be exorcised. More importantly, the current power sharing robs the Somali people any means of accountability because the confusion of authority, there is no clear way of assigning blame for bad decision or poor performance in general. In addition to the increased civil wars, the malfunction of the federal centre, Somalia style federalism destroys the notion of common Somali identity (Hashi, 2013).

Therefore, as clan identities are volatile, and clan elders often shape these identities to gain power or form and break alliances. Because of the dynamism of the clan system, it is difficult to use clans as a method of segmenting Somali society, as sub-clan divisions and fragmentations are easily manipulated.

#### **4.6. The Federal Institutions of Somalia**

As is noted in the previous chapters, negotiation remains the best mechanism of resolving political differences in Somalia. Somalia began the road to political stabilization in 2000 when a successful peace conference was held in Arta, Djibouti (Mbugua, 2013). Subsequently, there have been numerous initiatives to resolve the Somali conflict. Between 2002 and 2004 IGAD led peace dialogues that would eventually result in the so called Transitional Federal Institutions of Governance consisting of Transitional Parliament, Transitional Federal Assembly, A Transitional President, Prime Minister and a cabinet known as Council of Ministers were established. Although the mandate of the TFIs was supposed to expire in 2009, the TFI's term of office was extended until 2012 (Maalim, 2012; Skeppström & Nordlund, 2014).

---

<sup>65</sup> Ali Mohammed Gedi, Mohammed Abdullah Farmajo, Omer Abdirashid Ali Shermarke, Abdiwali Mohammed Ali Gaas and Abdiwali Sheikh Ahmed respectively have lost their tenure.

Since September 2012, renewed efforts have been made to re-establish the Somali state. With the best chance at stability in the past 20 years, the new House of the People of the Federal Parliament elected Hassan Sheikh Mohamud, as president of Somalia on September 10, 2012. The election signaled a symbolic and historic turning of the page for the war-torn country as the international community and Somalis observed the peaceful transition toward a new political era (Mosley, 2014).

#### **4.6.1. The Federal Parliament**

The Somali Federal Constitution essentially has decentralized characteristics. The Constitution clearly demands under Chapter 5 article 48 the creation of two levels of government, the National Federal Government level and Federal Member State level, which is composed of the Federal Member State governments, and local governments.

The Constitution further separates the Federal power entrusted into Legislative, Executive and Judiciary. According to Article 55, the Federal Parliament is bicameral consisting of two houses: the House of the People<sup>66</sup> and the Upper House.<sup>67</sup> The legislative power of the Federal Government is vested in the Federal Parliament.<sup>68</sup>

On one hand, the House of the People comprises 275 representatives. The Constitution explicitly commands that “The House of the People of the Federal Parliament represents all the people of Somalia”<sup>69</sup> and “The members of the House of the People of the Federal Parliament shall be elected by the citizens of the Federal Republic of Somalia in a direct, secret and free ballot”.<sup>70</sup>

On the other hand, the Upper House of the Federal Parliament represents the interests of the Federal Member States.<sup>71</sup> Accordingly, the constitution stipulates that each of 18 regions that existed in Somalia before 1991 will have 3 members making the total Upper House members 54.<sup>72</sup> This means, that the constitution gives the federal member states autonomy, confidence and trust.

---

<sup>66</sup> Article 55 (1) (A)

<sup>67</sup> Article 55 (1) (B)

<sup>68</sup> Article 55(2).

<sup>69</sup> Article 63

<sup>70</sup> Article 64 (1)

<sup>71</sup> Article 71

<sup>72</sup> Article 72

This constitutional power will also give the member states the ability to govern themselves, while, at the same time, to be part of a national government (Farah, 2013b).

Although the constitution calls for direct election by the people in each member state for both houses of the parliament, the reality on the ground is absolutely different. The 4.5 system is established in the House of the People of the Federal Parliament of Somalia in which, of 275 seats, the four major clans are each given 61 seats, with the remaining 32 seats allocated to ‘minority’ clans (Elmi, 2014). While the Federal Constitution calls for establishment of the Upper House, yet it was not constituted up to this very day. Farah (2013a) argues that people in the Federal Government informed him that it would take a long time to establish the Upper House, as it is not the priority of the Federal Government. Mubarak & Mosley (2014) in support of the above argument emphasized that it is highly unlikely that the former will come into existence in the foreseeable future due to the current political climate.

#### **4.6.2. The Executive Branch**

The Provisional Federal Constitution indisputably declares that “The executive power of the Federal Government shall be vested in the Council of Ministers”.<sup>73</sup> Although the Council of Ministers was vested the powers to formulate the overall government policy and implement it; approve and implement administrative regulations, in accordance with the law; prepare draft laws, and table them before the house of the people of the federal parliament; set the national development plan; and implement laws, ensure national security, and protect state interests among others the council was in constant turnovers due to frequent disagreements of the president and his prime ministers.

Besides, since the formation of TFG in 2004 officials have reverted to a familiar pattern of parochial competition for power and resources (Bryden, 2008). Corruption and cronyism have become a central part of the problem. As the UN Monitoring Group on Somalia claimed in mid-2012, there has been

*...pervasive corruption within the transitional federal institution...Under the transitional federal institutions, the systematic misappropriation, embezzlement*

---

<sup>73</sup> Article 97

*and outright theft of public resources have essentially become a system of governance, embodied in the popular Somali phrase “Maxaa igu jiraa?” (“What’s in it for me?”).*<sup>74</sup>

Despite the end of the transition and President Hassan Sheikh Mohamud calls for reform of public finance as one of his priorities, accusations of corruption within the federal institutions persisted (Eriksson, 2013). However, the main problem with the federal institutions has been lack of absolute actual control over the country which they are ostensibly governing (Møller, 2008).

#### **4.6.3. Judicial System**

The Provisional Federal Constitution incontestably states that “The Judicial authority is vested in the courts.”<sup>75</sup> In addition, the constitution is explicit about the independence judicial authority. The constitution declares that “The judiciary is independent of the legislative and executive branches of government whilst fulfilling its judicial functions.”<sup>76</sup> Nevertheless, the judicial system in Somalia is weak and fragmented between a variety of formal, semi-formal religious and informal legal systems. A culture of impunity remains for most violations of human rights and criminal acts, in large part because perpetrators believe there are no real consequences. The weakness of the judicial system overall inhibits the reporting of crimes (Lockwood, 2013).

In addition, Lockwood (2013) emphasized that although President Hassan Sheikh Mohamoud has stressed his commitment to the judiciary’s independence and non-intervention by the Executive, stressing that ‘weak’ justice institutions still need time to develop. In the context of Somalia’s fledgling institutions, institutional development will be vital for improving the way human rights are upheld. Commenting on the recent rape case, the President noted:

*“What we are requesting is that the world come with us, support us, let us build effective and efficient institutions that can deliver what we are expecting them to deliver. We are in the process of reforming; particularly the judicial system which is a priority and the process is going on.”*<sup>77</sup>

---

<sup>74</sup> United Nations Monitoring Group 2012

<sup>75</sup> Article 105 (1)

<sup>76</sup> Article 106 (1)

<sup>77</sup> ‘Somali president: Our justice system is weak’, *Al Jazeera*, 6 March 2013

Moreover, key areas of focus in the country's current efforts on judicial reform include; addressing obstacles faced by the Supreme Court, the reformation and development of high court institutions, restoring back law abiding citizenship in the regions under the federal government and ensuring courts rule according to the new constitution (Lockwood, 2013).

#### **4.6.4. Established and Emerging Regions in Somalia**

During the past two decades, in the absence of any functioning central government, regions and their inhabitants took initiatives to organize their own local governance to ensure peace and security for their citizens. Regionalists believe that the current government in Mogadishu is undermining local empowerment of the regions at the expense of a center that is plagued by political instability.

##### **4.6.4.1. Somaliland**

Somaliland declared unilateral independence from Somalia shortly after the collapse of the central government in 1991. Traditional elders and political leaders representing communities in the territory met in Burao that same year. The delegates agreed on two important issues – to seek reconciliation amongst the clans of Somaliland and to withdraw from the union with Somalia <sup>78</sup> (Arieff, 2008). According to the HIPS as victims of the military regime's brutal repression Somaliland have legitimate grievances for their withdraw (HIPS, 2013).

Even though no single country has yet recognized it, the region has achieved remarkable peace and stability with some degree of democratic institutions in full swing (Farley, 2010; IHASA, 2013). According to Mohamoud (2013) since its declaration of independence, Somaliland has been seeking a credible counterpart in Somalia with which to negotiate its demand for sovereignty, following the collapse of the Somali state Somaliland's political leaders have long argued that their government is prepared to enter into dialogue with a southern government when one eventually emerges. According to Bryden (2004) many observers, both Somali and international, have chosen to interpret such statements as evidence that Somaliland's commitment to independence remains flexible. If so, then it seems reasonable to expect that the formation of a Somali government could

---

<sup>78</sup> Without prior notice the Somali National Movement (SNM) declared Somaliland's independence within the borders of the former State of Somaliland.

be followed by dialogue with Somaliland, leading either to a mutually acceptable form of association or to an amicable divorce.

Ahmed Mohamed Mohamoud Silanyo, Somaliland President, has declared that

*“Talks or no talks our Sovereignty is neither for discussion nor compromise . . . Following the costly reclamation of our independence and in view of Somalilanders’ desires for self-rule, we do hereby ask the world to respect our people’s decision and recognize Somaliland as a free country with full membership at the United Nations.”*

As the dialogue progresses, it will get harder, not easier, since the two governments remain wedded to irreconcilable positions: the FGS is required by the provisional constitution to defend the unity and territorial integrity of Somalia, and would risk political suicide were it to consent to Somaliland’s separation. The Somaliland government is bound by its own constitution to defend Somaliland’s independence and would face domestic upheaval if it consented to rule from Mogadishu. Both sides face acute domestic challenges and are unwilling to appear weak on such an explosive existential issue (Bryden, 2013). Skeppström and Nordlund (2014) apprehended that although the two sides managed and come to the negotiation table from opposite positions, reunification and separation, and there are few signs that the two parties will overcome their differences. Zoppi (2013) added that the prospects for its reintegration in the Somali state remain bleak at the moment ever since Somaliland has boycotted to participate in the Second London Conference on Somalia (7th May 2013), marking its destiny to be other than Somalia's unity.

#### **4.6.4.2. Puntland**

Formed in 1998 in northeastern Somalia, the region is widely considered to be the first federal state. It has been a staunch advocate for a federal system of governance since its founding (HIPS, 2015). According to Mubarak and Mosley (2014) Puntland is the only currently existing state that mostly fulfils the constitutional requirements for statehood. While Puntland played a major role in the constitutional consultative process, its relations with the federal government is significantly characterized irregularities since the adoption of the provisional constitution (*Ibid*). Puntland has played a decisive role in assisting Somalia towards the new constitution, hosting two conferences in its capital and supporting the entire Road Map which put an end to the Transitional Federal

Government. Puntland has cut ties with the Mogadishu-based government numerous times; however, it has maintains its status of being part of Somalia unlike its neighboring breakaway Somaliland which declared a unilateral independence from the rest of Somalia in 1991 (*Ibid*).

In a way, Puntland poses a direct challenge to the federal government: after twenty years of chaos and inconclusive attempts towards the national reconciliation, the root node for Mogadishu is the recovery of Puntland's confidence and trust that can be regained showing signs of stability and institutional commitment. Conditions not fully met presently by the federal government (Zoppi, 2013).

#### **4.6.4.3. Jubbaland**

Efforts to create Jubbaland, a regional administration in the southern-most part of Somalia, consisting of the regions Lower Jubba, Middle Jubba and Gedo began in 2010. Kenya has played a crucial role in the establishment Jubbaland as it wants to create a more stable “buffer zone” between itself and Somalia. Skeppström and Nordlund (2014) maintain that Ethiopia has also been involved and is supportive of the initiative provided that the leadership of the new region does not support the Ogaden National Liberation Front (ONLF).

In May 2013, politicians from the Lower Jubba, Middle Jubba and Gedo regions gathered in the coastal city of Kismayo and unilaterally declared Jubbaland as a new federal member state. Delegates at the conference declared Ahmed Mohamed Islaan (Madoobe) as the president of Jubbaland (HIPS, 2015). The FGS, however, has immediately rejected this entity, asserting that the process was unconstitutional, because it was neither inclusive of all clans in the region nor transparent and as something being imposed on the population (*Ibid*; Skeppström & Nordlund, 2014). From Mogadishu’s perspective, Jubbaland is being imposed on local inhabitants by their leaders, rather than emerging from a “bottom-up” process in which local administrations are formed before deciding to merge.

Though the large Darood clan-family dominates the west bank, or Trans-Jubba, area between the Jubba and Tana River valleys, many other clans and social groups—the Digil-Mirifle, Sheekal, Dabarre, Bantu, Bajun, Dir, Gaaljel, Awrmale, and more recently the Haber Gedir, to name a few—constitute a large portion of the total population. Meanwhile, a council of traditional elders from the Digil and Mirifle clans stated that they had not been adequately represented in the

negotiations leading up to its establishment and made their own proposal for a south-western state made up of the six regions of Gedo, Middle and Lower Juba, Bay, Bakool and Lower Shebelle (Balthasar, 2014; Skeppström & Nordlund, 2014).

The federal government alleged that its constitutional role to form federal states was deprived. What followed was a deadly conflict between supporters of the new administration and opponents backed by the FGS. After five violent months, nonetheless, in August 2013 Ethiopia brokered a deal that saw the formation of the Interim Jubba Administration (IJA), a midway arrangement that would put the IJA on constitutional path to become a fully-fledged federal member state within two years (Mubarak & Mosley, 2014; HIPS, 2015). The administration was officially inaugurated in January 2014. As part of the deal, control of the port and airport at Kismayo is to be transferred to the federal government within six months and the Ras Kamboni militia<sup>79</sup> to be integrated into the SNA (Skeppström & Nordlund, 2014). According to HIPS (2015) nearly a year and half later, much of what was agreed, including a joint control over key revenue generating sources (seaport and airport), has not been implemented.

Mubarak and Mosley (2014) argues that the messy and violent way that the Jubbaland state was first formed, then came into conflict with Mogadishu and was eventually pushed into a compromise with the federal government under Ethiopian mediation has established an important precedent. They additionally agree that this process underlines both the fact that Mogadishu does not have the capacity to drive state formation, and the fact that some kind of political compromise will be needed between the federal government and future Member States, as well. The federal government has to recognize the existing problems with the constitution and take steps to fix them. Not doing so now will lead to continued problems with federal state creation, which may ultimately lead to a return of hostilities between rival states that have overlapping territories (*Ibid*).

#### **4.6.4.4. Southwest Somalia**

While the IJA was struggling to obtain legal status as a federal member state, another process was begun in Baidoa in mid-2014. Political elites there convened a delegation of traditional elders from the Bay, Bakool and Lower Shebelle regions with the aim of forming a new federal member state. As the Kismayo process was designed to produce a predetermined result, the IJA, the outcome of

---

<sup>79</sup> The militia loyal to Ahmed Madobe, the president Jubbaland

the Baidoa conference was also a fait accompli. In November 2014, 370 delegates from the three regions selected Sharif Hassan Sheikh Aden, an MP and a former speaker of the federal parliament, as the new president of the Interim Southwest Administration (ISA). The international community, which funded the Baidoa process, unanimously hailed the outcome as a major accomplishment and step towards the consolidation of the federation process. According to Anatolia Agency (2015) Mogadishu hopes the establishment of federal states will help restore stability in the Horn of Africa country, which has experienced on-and-off fighting over the last two decades.

#### **4.6.4.5. Central State/ Galmudug**

Galmudug is a state in the central region of Somalia that considers itself a federal division within the larger federal republic of Somalia. The name is a combination of Mudug and Galgaduud. Its administrative capital, Gaalkacyo, is located in the southern half of the district of Gaalkacyo. The TFG has recognized Galmudug for its efforts, praising the “intellectuals, traders and the people of Galmudug” for “achieving security and development.” Though the Galmudug region is home to many clans, the Sa’ad sub-clan of the Habar Gidir Hawiye clan dominates the Galmudug administration, but “the Saleban, Ayr, Dir, Marehan and Shekaal sub-clans refuse to accept Galmudug as their governing authority.”

Preparations are now underway for another federal entity in central Somalia. In theory, it would encompass the Galgaduud and Mudug regions, though northern Mudug is likely to remain under Puntland’s domain as it has been since 1998. The technical committee tasked with preparing for the formation of this state has declared that Adado will host the conference that will eventually produce an administration. All of these activities happened without the constitutionally mandated Boundaries and Federation Commission (BFC) (HIPS, 2015).

Thus, the parliament and the government have roles to play. To complicate the situation even further, existing Federal Member States must also be consulted regarding the federal system. All in all, this has led to strained relationships between the FGS and the regions, where the FGS is perceived to be not doing enough to move the process forward. This has meant that several, sometimes competing, regional initiatives have emerged in south-central Somalia to form regional administrations (Bryden, 2013).

Unfortunately, at the moment the Somali Federal Government is still behind in the implementation of federalism, leaving the initiative to the federal states which, in doing so, run into a legal paradox, since the constitution has appointed the National Commission only with the task of setting federal boundaries: but the National Commission has yet to be set up, probably in reason of political mediations still in the making and the general slow pace of the conciliation process in a country which has experienced an extremely long period of civil war and social unrest (Zoppi, 2013).

#### **4.7. New Development in Somalia**

##### **4.7.1. The Prospect of Achieving Vision 2016**

At the end of 2013, the FSG committed to a bold political document entitled “Vision 2016”, a blue print to implement all the specific benchmarks called for by the Provisional Constitution of Somalia and the principles contained in the New Deal.<sup>80</sup> Read together, these two important documents directed the FGS to speedily carry out various legal and institutional functions within specific time frames. It is these directives that have been turned into Vision 2016, a policy vision that mandates the government to carry it out in a timely manner so as to prepare the nation for elections in 2016(Jibril, 2015).

Speaking at Chatham House on the 4<sup>th</sup> February, 2013 President Mohamoud said

*“The challenge for us now is to reconstitute a Somali state and institutions that the Somali people can trust. Trust-building starts with completion of the political process that led to recent success in Somalia. The test for our success in Somalia is holding free and fair elections throughout Somalia in 2016, when our mandate ends. Despite the challenges – and there are many of them still in place – I am committed to make sure these elections do take place. We will work closely with the*

---

<sup>80</sup>For Months the EU and the Somali Government have been in preparation for a conference on Somalia which was held in Brussels on September 16, 2013. Declared as “A New Deal for Somalia” the one day affair’s purpose was to accomplish two things: a) focus the attention of the international community on the ‘progress’ made in Somalia over the last year; (b) mobilize resource for the one year old Somali regime and assist it in the country’s reconstruction. The conference takes its name after the American Depression era economic plan put forth by President Roosevelt to jump start the American economy and get Americans back to work. Symbolically and rhetorically, the conference set out an ambitious plan for Somalia’s reconstruction with a great deal of pomp. So far, it has been successful in receiving financial pledges to the tune of over \$815m.

*parliament, political activists and local entities to review the constitution and to negotiate a final deal of political agreement and constitutional arrangements that Somalis approve in a referendum.”*

There is an intense debate within the Somali political actors, the general public and also within the Somali partners in the international community as to what features Vision 2016 should acquire, since most of these stakeholders have joined the unspoken consensus by the public that one-person-one-vote elections will not be possible in 2016, although repetitions of President Hassan Sheikh Mohamud and Ambassador Nickolas Kay that “there will be elections in Somalia in 2016” (Jibril, 2015).

Consequently, there are various options thrown out within these debates and most of them are convincingly arguable and practical even though some options may sound a bit alarming at first encounter; with a bit of a reflection though, even these are bold, practical and worth studying. The main reason for the groundswell of skepticism on this issue is that none of the essential ingredients for elections are in place and in that vacuum, election cannot be conducted in the fall of 2016 (*Ibid*). Ainte (2014) shares Jibril’s skepticism stating that the prospects for holding elections in 2016 are growing more elusive by the day. With the scheduled timeline, almost everything that would be required to make elections happen seems distant. For example, the electoral commission, political parties and electoral infrastructure are all yet to be established.

Accordingly, the following essential ingredients contained in Vision 2016 that are necessary for an election in 2016 are:

- Completing federal member state;
- Review of the Provisional Constitution;
- Establish Boundaries and Federations Commission;
- Establish the National Independent Electoral Commission (NIEC);
- An Independent Judicial Service Commission (IJSC);
- Establish Constitutional Court; and eventually
- A safe and secure environment for holding nation-wide free, fair and democratic elections.

Ainte (2014) accentuates that none of these benchmarks have been successfully completed, despite a great deal of resources and time spent on them. Jibril (2015) adds that it is likely that some of them would take even more time to complete. According to Jibril (2015) the most important independent institution that is tasked with elections has not been empaneled yet, although the Federal Parliament of Somalia has approved the NIEC legislation. He further emphasizes that the soon-to-be instituted NIEC would need a minimum of 3 to 4 years to stand on its feet in order to fulfill its exhaustive mandate,<sup>81</sup> and that it is incapable of conducting the elections envisaged under vision 2016. Additionally, the Constitutional court is not in place, a crucial dispute resolution institution of last resort. Ainte (2014) adds that it does not seem the remaining tasks can be completed within the coming 18 months. Firstly, we are not on the right track for 2016 goals as much valuable time was lost in the attempts to obstruct the formation of states. Secondly, it is not possible to hold one-man one-vote elections in 2016 in the absence of a conducive environment such as, adequate security, further progress in reconciliation, ability to conduct population census, and provision of adequate financial and logistical capabilities.

Therefore, if one examines through the raging debates, the opinion articles and policy position papers of some prominent politicians and pundits in the last few months, there emerges a typology of options with variations on methods and political directions but the consensus within these options is that there cannot be an election based on one-person-one-vote in Somalia.

Many observers call for term extension of some sort for SFG's Institutions-the Executive and Parliament-for two years beyond August 2016 since direct and indirect elections cannot be carried out by then (Thomas, 2015; Jibril, 2015). Certainly, any alternatives to a term extension would require a remarkable amount of consensus among the President, Prime Minister, parliament, and regional leaders (Thomas, 2015).

---

<sup>81</sup> According to Article 111G of the provisional constitution, The mandate of the National Independent Electoral Commission among others includes: To conduct presidential and parliamentary elections; To register voters and to continuously revise and verify voters roll; To act as a principal regulator of the political party system; To draw up electoral districts; To monitor campaign financing of political parties and candidates during elections; To establish a code of electoral conduct for candidates and political parties; To resolve election disputes; To Facilitate independent elections monitoring and evaluation.

According to Thomas (2015) since the SFG is considered the first “post-transitional” that Somalia has had since 1991, the stakes are even higher. A term extension would signify that the SFG is not much different than failed past administrations. In order to prevent a recurrence of political crisis, any term extension would need to have the support of Somali regional leaders and the international community as well. If the Somali government does anything against the constitution without the consultation with the regional administrations, those administrations will be likely to sever relationships with the SFG. Lack of support for a term extension could cue a crisis in which the SFG must be reconstituted from scratch — which would be a huge setback for the gains made in recent years.

Therefore, a term extension would need to come with very specific tasks and deadlines for the SFG to complete within the terms of the given period, and Somali stakeholders would need to feel pressure that there would be severe consequences for failing to meet these promises.

## **Chapter Five**

### **Conclusion and Recommendations**

#### **5.1. Conclusion**

Federalism is a decentralized form of government in which two or more autonomous states or regions agree to form and share a central federal government and institutions while constitutionally retain some powers. The federal state is mostly premised on 'geographical devolution with guarantees for the autonomy of the units.' Federal constitution defines and distributes powers and functions between the central state and the constituent states with the necessary guarantees.

From 1960 to 1969 Somalia had applied a centralized unitary of government based on a western style liberal democracy. This type of centralized liberal democratic unitary government worked fairly well from 1960-1969. Subsequently, tribalism, nepotism, and corruption paralyzed then system which eventually caused socio-political and economic decline that in turn gave rise to popular discontent and yearning for change.

Taking advantage of the prevailing climate of social-economic and political uncertainty and popular disenchantment as well as the assassination of Abdirashid Ali Shermarke, the president of the country on 15th October, 1969 the army took over the power in a coup d'état on 21st October 1969 under Supreme Revolutionary Council led by Major General Mohamed Siad Barre, the commander of the army. In the decade on the grip in power the military regime implement development policies to benefit the country economically and socially, and diminish the political influence of the clans. During those early years, Somalia experienced considerable economic development and efforts were made to replace clan loyalty with national pride aiming to eradicate. Nevertheless, the use of violence to repress dissent the authoritarian regime contributed to a state of fear among the Somali population. The repressive regime increased the sense of suspicion and hostility, which affected prospects of achieving unity between the different clans after the fall of Barre in 1991.

The most dramatic and unique aspect of the Somali crisis has been the complete and protracted collapse of the central government. There has been no functional central governing authority in Somalia since January 1991. Efforts to re-establish a central state have been both numerous and

unsuccessful. Prior to the 1991 civil war and its impacts that followed, there was an apparent believe in the concept of having strong central government. The yearning for imposing a centralized unitary government on Somalia has been challenged by the factual and gradual changes on the ground in modern day Somalia.

Talk of federalism in Somalia dates back to before independence, but the current discussion has its roots in the early 1990s. Federalism was formally enshrined in the Somali constitution in 2004 during the Embagathi Peace Process in Kenya that created the TFG, which paved the way for the current FGS. Nonetheless, the constitution that approved in 2012 represents an opportunity for Somalia to re-establish a central government which has been absent for the last two decades, and reach a stability that its society lacks since the pre-colonial era. The constitution envisages the implementation of a federalist structure for the new Somali state, a solution that is facing a number of issues in the prickly Somali political environment.

Since the adoption of federalism both Somalis and non-Somalis are strongly divided on the appropriateness and practicality of either a federal system or a centralized unitary state for the war torn state. Somalia still facing many challenges among Somali political leader but defining Somalia's federalism will require an accommodation with the political truths among all sides of Somalis and in order for the nation to remain united and strong. Federalism in Somalia requires a genuine national reconciliation effort that paves the way for the collective desire and readiness to heal past wounds and forge ahead a new social compact that is fair and just for everyone.

When the federalism is thoroughly rehabilitated, the clamor for more state creation will be reduced; the much expected good governance in the country will be within reach if the ideals of federalism are respected in Somalia. True federalism serves to control past clan mistrust and civil unrest in the country, if Somali government decides to fully implement the federalization process. The state of the Somali union can be strengthened by the collective understanding that a divided and clan-based Somalia will not usher in a new era of peace and tranquility so badly needed in the region. On the contrary, what Somalis desperately need is a new vision that acknowledges everyone's value, anchored in a solid social compact and genuine reconciliation.

Thus, a meaningful and practical federal system can only take root if it is not based on clan-ism. It would require a limited number of regions with clearly defined boundaries, viable economies,

strong clan diversity, homegrown (not diaspora-based) leadership, access to the sea and water sources, and true grassroots participation among all inhabitants.

Externally, foreign interventions in civil war-like situations continue to be practiced by states in the international system. Typically, in such circumstances, a party tends to intervene in another party's armed conflict in order to support one of the belligerents for their own interests. Somalia's expansionist agenda seems to have worked against it after all, leaving the country badly wounded, with imminent calls for secession gaining traction within its federal states. All that the Pan-Somali agenda has achieved seems to have been in favor of its neighbors and to undermine Somalia's own progress and identity. It is a heavy price for Mogadishu to pay. The "Somali irredentist tendencies" is what has kept Nairobi and Addis Ababa cemented together for generations.

Therefore, in essence, Somalis and the international community must work together to build necessary governmental institution to strength the federation process. The commitment of Somali government and international community plays a key role in enhancing the federation process while reducing the negative implication that emanates from the process.

## **5.2. Recommendation**

1. In order for Somalis to reconcile their differences and build more legitimate, accountable and efficient states and governance, an inclusive bottom-up locally owned national peace building should be held inside the country to hammer out a comprehensive peace deal acceptable to all parties. Home-based conflict management mechanisms should be prioritized. Somali leaders should prioritize peace and general interest of the country instead of maximizing their personal, myopic and parochial interests.
2. The absence of clear rules of federalization process is major problem facing federalism in Somalia. In consultation with key stakeholders, including existing and emerging federal units, the Federal Government should continue the consultation with principal stakeholders in order to set clear and agreeable rules for federation.
3. Federal boundaries should be based on pre-existing provinces, separately or together. New boundaries are likely to deepen hostilities between clans. Clan-based boundaries have the double effect of infringing upon the citizenship rights of the non-majority residents. The rights of citizens in federal units should be constitutionally protected. Any boundary issue or questions should be solved peacefully with the involvement all concerned clans.
4. If the process of Federalization is not managed properly through dialogue, public consultations and spirit of reconciliation it may engender a renewed civil war. It is also very important that all parties, including the Federal Government upholds and respects the all principles relevant to the formation of civil administrations including the ongoing federation within the framework of the Provisional Constitution.
5. The state of the Somali union and stability can be strengthened by the collective understanding that a divided and clan-based Somalia will not usher in a new era of peace and tranquility so badly needed in the region. Somalis community desperately needs a solid social compact and genuine reconciliation
6. The international community should help the Somali government in creating the physical space to federate Somalia. The international community should only help facilitate the process by providing technical and financial assistance.
7. The most critical aspect of holding democratic elections in Somalia is political cohesion. Speedy projects that attempt to make a transition towards democracy in a fragile Somalia is dangerous and could have unintended consequences. Instead of rushing to the ballot box

as prescribed by Vision 2016, the Somali government and its international partners must sustain and strengthen the current gains in the federalization process and security.

## Bibliography

- Abdulsamed, F. (2004). *Federalism and Reconciliation in the Context of Multi-Clan Society: Outsider's Perception about Somalia*.
- Abow, A. M. (2011). Federalism: The Past and the Present. Retrieved 28/08/2014, from [http://www.wardheernews.com/Articles\\_11/Jan/Abow/27\\_Federalism\\_The\\_Past\\_and\\_Present.html](http://www.wardheernews.com/Articles_11/Jan/Abow/27_Federalism_The_Past_and_Present.html)
- Ainte, A. (2014). Somalia: Legitimacy of the Provisional Constitution. *In Accord* (Issue 25), 60-64. Retrieved 05/05/2015, from <http://www.c-r.org/sites/cr.org/files/accord25Somalia.pdf>
- Ali, J. (2012). A Will O'-the-Wisp of Centralized Somalia, and the Mogadishu of Yesteryears. Retrieved 17/09/2014, from <http://www.wardheernews.com>
- Amina, A. (2015). Is Federalism the Best Path for a State Like Somalia? Retrieved 05/04/2015, from <http://somalianewsroom.com/is-federalism-the-best-path-for-a-state-like-somalia/>
- Anderson, G. (2008). *Federalism: An Introduction*. Forum of Federations. Oxford University Press
- Arieff, A. (2008). De Facto Statehood? The Strange Case of Somaliland. *Yale Journal of International Affairs*, 60-79
- Axel-Harney-Sievers, & Spilker, D. (Eds.). (2008). Somalia: Current Conflicts and New Chances for State Building. *Heinrich Böll Stiftung Writings on Democracy*, 6. Retrieved 05/09/2014, from <http://www.boell.de>
- Babalola, D. (2013). The Origins of Nigerian Federalism: The Rikerian Theory and Beyond. *Federal Governance*, 10(1).
- Bagchi, A. (2000). 'Rethinking Federalism': Overview of Current Debates with Some Reflections in Indian Context. *Economic and Political Weekly*, 3025-3036.
- Balthasar, D. (2014). Somalia's federal agenda: From fragility to fragmentation? *Briefing*(17). Retrieved 29/12/2014, from [http://www.iss.europa.eu/.../Brief\\_17\\_Somalia.pdf](http://www.iss.europa.eu/.../Brief_17_Somalia.pdf)
- Banks, M. (2007). *Using Visual Data in Qualitative Research*. Los Angeles: Sage publications.

- Bøås, M. (2010). Returning to realities: a building-block approach to state and statecraft in Eastern Congo and Somalia. *Conflict, Security & Development*, 10(4), 443-464.
- Bryden, M. (2004) Somalia and Somaliland: Envisioning a Dialogue on the Question of Somali unity. *African Security Review* 13(2), 23-33
- \_\_\_\_\_. (2013). *Somalia Redux: Assessing the New Somali Federal Government. A Report of the CSIS African Program* — [www.csis.org](http://www.csis.org)
- Bryden, M. and Brickhill, J. (2010). Disarming Somalia: Lessons in Stabilization from a Collapsed State. *Conflict, Security & Development*, 10(2) 239-262.
- Bulhan, H. (2013). Forward, in Michele Gonnelli. *Somalia: Clan and State Politics*. The ITPCM International Commentary.
- Burgess, M. (2000). *Federalism and the European Union: The Building of Europe: 1950-2000*. Routledge.
- \_\_\_\_\_. (2006). Territoriality and Federalism in the Governance of the European Union. *State Territoriality and European Integration: Territoriality and Federalism in EU Governance*, 100-119.
- Carroll, A. J., & Rajagopal, B. (1992). Case for the Independent Statehood of Somaliland, *The Am. UJ Int'l L. & Pol'y*, 8, 653.
- Cassanelli, L. V. (1997). Somali Land Resource Issues in Historical Perspective, in Walter Clarke and Jeffrey Herbst. *Learning from Somalia: The lessons of armed humanitarian intervention*. Westview Press
- Chatham House. (2013). *Somalia's Future: Building a Unified Regional State*. Retrieved 17/09/2014, from <http://www.chathamhouse.org/event/somalia%E2%80%99s-future-building-unified-regional-state>
- Chitio, K and Rader, A (ed.) (2012) SOMALIA 2012: Ending the Transition? The Brenthurst Foundation. Retrieved 17/09/2014, from <http://www.thebrenthurstfundatin.org>

- Corti, L. and Thompson, P. (2007). Secondary Analysis of Archived Data in *Qualitative Research Practice*, Clive Seale (ed.). London, Thousand Oaks and New Delhi: Sage Publications.
- Dagne, T. (2011). *Somalia: Current Conditions and Prospects for a Lasting Peace*. CRS Report for Congress
- De Guppy, A. (2013). *A Renewed Role for the United Nations in Somalia?* In Michele Gonnelli. *Somalia: Clan and State Politics*. The ITPCM International Commentary.
- Dowden, R. (2011). Don't force statehood on Somalia. Retrieved 17/09/2014, from <http://africanarguments.org/2011/10/20/don%E2%80%99t-force-statehood-on-somalia-by-richard-dowden/>
- Duyvesteyn, I. (2005). *Clausewitz and African War: Politics and Strategy in Liberia and Somalia*. Frank Cass. London New York
- Elazar, D. J. (1987). *Exploring Federalism*. Tuscaloosa: University of Alabama Press.
- Elmi, A. A. (2011). Dual Track Policy in Somalia Misses the Point. *Story Highlights*.
- \_\_\_\_\_. (2011). Understanding the Sources of the Somali Conflict. *Third World Resurgence* No. 251/252, July/August 2011, pp 15-20
- \_\_\_\_\_. (2014). *Decentralization Options for Somalia*. Mogadishu. Heritage Institute for Policy Studies
- Elmi, A. A., & Barise, A. (2006). The Somali Conflict: Root Causes, Obstacles, and Peace-Building Strategies. *African Security Studies*, 15(1), 32-54.
- Erk, J., & Anderson, L. M. (Eds.). (2013). *Paradox Federalism: Does Self-Rule Accommodate or Exacerbate Ethnic Divisions?* Routledge.
- Farah, M. I. (2009). *Is Clan a Constraint or an Opportunity for Political Development?*
- Farah, I. M. (2010). The Constitution-Making Process For Somalia: Issues and Challenges. Retrieved 14/12/ 2014, from <http://www.c-r.org/accord-article/opportunity-peacebuilding-dialogue-somalias-constitution-making-process>

\_\_\_\_\_. (2013b). Hydrocarbon Exploration in Puntland: Who has The Legal Right to Enter into Agreements?

\_\_\_\_\_. (2013a). Somalia Federalism: Achievements, Challenges and Opportunities. Retrieved 17/09/2014, from <https://www.somaliatalk.com/2013/dhoolawaa.pdf>

Farley, B. (2010). Calling a State a State: Somaliland and International Recognition. *Emory International Law Review*, 24(2), 777-820

Federal Republic of Somalia (2012). *The Constitution of Federal Republic of Somalia*. Mogadishu. Retrieved 17/09/2014, from [http://www.constitution.org/cons/somalia/120708\\_ENG\\_constitution.pdf](http://www.constitution.org/cons/somalia/120708_ENG_constitution.pdf)

Fowler, E. (2013). Somalia: New Hope or Renewed Heartbreak? (C. Nash, Ed.) *Perspectives (Partnerships on the Frontier)*, 11-13.

Friedrich, C. J. (1968). Trends of Federalism in Theory and Practice. New York, Washington, London: Frederick A.

Gamper, A. (2005). A “Global Theory of Federalism”: The Nature and Challenges of a Federal State. *German Law Journal Vol. 06 No. 10*

Gundel, J. (2002). The Migration–Development Nexus: Somalia Case Study. *International Migration*, 40(5), 255-281.

Harper, M. (2012). Getting Somalia Wrong. *Faith, War and Hope in a Shattered*.

Hashi, M. (2013). Is a Federal Political System Sustainable in Somalia? Retrieved 17/09/2014, from [http://www.brandonkendhammer.com/african\\_politics/research-journal-13-2/](http://www.brandonkendhammer.com/african_politics/research-journal-13-2/)

Hearn, S. and Zimmerman, Th. (2014). *A Window of Opportunity for Somalia: Will External Actors’ Peacebuilding Frameworks Help or Hinder the Effort?* Center on International Cooperation

Hiiraan Online. (2015). Stop intervening the country's constitution: Puntland warns Somali government .

HIPS.(2013).The Somalia-Somaliland Negotiations. Retrieved 03/18/2015, from <http://www.heritageinstitute.org>

- \_\_\_\_\_ (2015). Federal Somalia: Not If but How. *Heritage Institute for Policy Studies, Policy Briefing*(10). Retrieved 03/18/2015, from <http://www.heritageinstitute.org>
- Hoben, A. (1988). *The Political Economy of Land Tenure in Somalia*. In R. E. Downs & S. P. Reyna (Eds.), *Land and Society in Contemporary Africa* (pp. 192-220). London: University Press of New England
- Hogendoorn, E. (2013). *Security and Governance in Somalia: Consolidating Gains, Confronting Challenges, and Charting the Path Forward*.
- Hudda, I. (2014). Is Forced Federalism a Panacea for Somali Disunity? Retrieved 29/12/2014, from <https://somalialog.com/is-forced-federalism-a-panacea-for-somali-disunity/>
- Hussein, A. H. (2012). *The Future Constitutional Structure of the Somali Republic: Federal or Decentralized Unitary State?*
- IHASA. (2013). *Challenges to the Reconstruction of the Somali State: From a Unitary to a Federal State*.
- Issa-Salwe, A. (1994). *The Collapse of the Somali State: The Impact of the Colonial Legacy*. London: Haan Associates
- Jibril, A. H. (2014). Be Aware of Quick Fix Federalism, the Shot-Gun Wedding Type. Retrieved 01/09/2014, from [http://www.hiiraan.com/op4/2014/apr/53912/be\\_ware\\_of\\_quick\\_fix\\_federalism\\_the\\_shot\\_gun\\_wedding\\_type.aspx](http://www.hiiraan.com/op4/2014/apr/53912/be_ware_of_quick_fix_federalism_the_shot_gun_wedding_type.aspx)
- \_\_\_\_\_ (2015). Fixing Vision 2016:Some Options for the Somali Federal Institutions. Retrieved 01/05/2015, from [http://www.hiiraan.com/op4/2015/apr/99128/fixing\\_vision\\_2016\\_some\\_options\\_for\\_the\\_somali\\_federal\\_institutions.aspx](http://www.hiiraan.com/op4/2015/apr/99128/fixing_vision_2016_some_options_for_the_somali_federal_institutions.aspx)
- Johnson, J. and Reynolds, B. H.T. (2008). *Political Science: Research Methods*. Washington D.C: CQ Press (A Divisions of Sage Publication)
- Kabukuru, W. (2015). *The Kenya-Ethiopia Defence Pact: Has Somalia become a pawn?*

- Kay, N. (2014). Politics Will Save Somalia. Retrieved 01/05/2015, from [http://www.hiiraan.com/op4/2014/sept/56478/politics\\_will\\_save\\_somalia.aspx](http://www.hiiraan.com/op4/2014/sept/56478/politics_will_save_somalia.aspx)
- Kenneded, H. I. (2015). What Kenya Wants from Somalia? Retrieved 01/05/2015, from [http://www.hiiraan.com/op4/2015/apr/99256/what\\_kenya\\_wants\\_from\\_somalia.aspx](http://www.hiiraan.com/op4/2015/apr/99256/what_kenya_wants_from_somalia.aspx)
- Kibble, S. (2001). Somaliland: Surviving without Recognition; Somalia: Recognized but Failing? *International Relations-London-David Davies Memorial Institute-*, 15(5), 5-26.
- Keil, S. (2014). *Multinational Federalism in Bosnia and Herzegovina*. Ashgate
- \_\_\_\_\_ (N.A). *Federalism in Bosnia and Herzegovina and Iraq*.
- Kumar, R. (1996). *Research Methodology: A Step-by-Step Guide for Beginners*. London: Sage Publication, Ltd.
- Ladan, A. (2012). *Destroying and Constructing the State from Below: The Role of the Somali Diaspora in Conflict, Development and Governance*. A dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy (Political Science) at the University of Wisconsin-Madison.
- Laforest G, Brown D, eds. (1994). *Integration and Fragmentation: The Paradox of the Late Twentieth Century*. Kingston, Ontario, Can.: Instit. Intergov. Relat. Queen's Univ.
- Laitin, D. D. (1976). The Political Economy of Military Rule in Somalia. *The Journal of Modern African Studies*, 14(03), 449-468.
- Laitin, D., & Samatar, S. S. (1987). *Somalia: Nation in search of a state*.
- Lewis, I. M (1980). *A Modern History of Somalia: Nation and State in the Horn of Africa*. London, Longman
- \_\_\_\_\_ (1982a). *A Pastoral Democracy: A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*. New York: Africana Pub. Co. for the International African Institute
- \_\_\_\_\_ (1982b). *Nationalism Turned Inside Out*. MERIP Reports, 106, 16-21.

- \_\_\_\_\_ (1993, first 1981) *Understanding Somalia: Guide to culture, History and Social Institutions* London: Haan
- \_\_\_\_\_ (2002). Modern history of the Somali: Revised, updated and expanded.
- Lewis, P and Patel, P. (2012). Somalia, 2006–2012: Theories on Conflict and Its Continuance. *Africa Peace and Conflict Journal* 5 (2) 41-54.
- Life and Peace Institute. (2014). *Alternative for Conflict Transformation in Somalia: A Snapshot and Analysis of Political Actors' Views and Strategies – An LPI Report* [www.life-peace.org](http://www.life-peace.org)
- Livingston, W. S. (1952). A Note on the Nature of Federalism. *Political Science Quarterly*, 81-95.
- Lockwood, P. (2013). Somalia NGO Consortium - Walking the Talk in Somalia? Progress since the 2012 London Conference.
- Luak, B. (2014). The Debate: Understanding Federalism. Retrieved 11/12/2014, from <http://nyamile.com/2014/07/15/the-debate-understanding-federalism-11/>
- Maalim, M. (2012). *IGAD's Perspectives of Rebuilding Somalia*. In Ulf Johansson Dahre (ed.) *Predicaments in the Horn of Africa 10 Years of SIRC Conferences in Lund on the Horn of Africa*
- Marchal, R. (2012). The mercy of neighbours: security and governance in a new Somalia. Retrieved 17/09/2014, from <https://www.peacebuilding.no/var/.../6596785e26dfc997ff05c08fa2f6c9d9.pdf>
- Mbugua, J. K (2013). *Drivers of Insecurity in Somalia: Mapping Contours of Violence*. The International Peace Support Training Centre. SERIES 4, No3 Nairobi, Kenya
- Melandri, M., & Hassan, M. (2012). Somalia's Draft Constitution: Too Undemocratic? *Think Africa Press*. Retrieved 17/09/2014, from <http://thinkafricapress.com/somalia/draftconstitution-undemocratic-criticisms>.
- Menkhaus, K (2008). Understanding State Failure in Somalia: Internal and External Dimensions. *Heinrich Böll Stiftung Writing on Democracy*, 6, 30-49.
- \_\_\_\_\_ (2005). Reassessing Protracted State Collapse in Somalia.

- \_\_\_\_\_ (2007). Governance without Government in Somalia: Spoilers, State Building and the Politics of Coping. *International Security*, 31, No. , , 7(3 Winter 2006/07), 4-106.
- \_\_\_\_\_ (2008). » Understanding State Failure in Somalia: Internal and External Dimensions «. *Heinrich Böll Stiftung: Writing on Democracy*, 6, 30-49.
- \_\_\_\_\_ (2009) Mediation efforts in Somalia. Retrieved 08/09/2014, from <http://www.interpeace.org/publications/somali-region/60-a-history-of-mediation-in-somalia-since-1988-english/file>
- \_\_\_\_\_ (2012) After the Kenyan Intervention in Somalia. Retrieved 08/09/2014, from [www.enoughproject.org](http://www.enoughproject.org)
- Menkhaus, K. *et al* (2009). *A History of Mediation in Somalia since 1988*. The Search for Peace Somali Program Interpeace and the Center for Research and Dialogue
- Menkhaus, K., & Prendergast, J. (1995). Political Economy of Post-Intervention Somalia. *Somali Task Force*(3), 1-15.
- Metz, H. C. (ed.) (1992). *Somalia: A Country Study*. Washington, D.C.: GPO for the Library of Congress.
- Mohammed, A.-A. (2014). Why Federalism is the Best System for Clan-based Somalis? [http://www.hiiraan.com/op4/2014/may/54694/why\\_federalism\\_is\\_the\\_best\\_system\\_for\\_clan\\_based\\_somalis.aspx](http://www.hiiraan.com/op4/2014/may/54694/why_federalism_is_the_best_system_for_clan_based_somalis.aspx)
- Mohamoud, A. A. (2006). *State collapse and post-conflict development in Africa: the case of Somalia (1960-2001)*. Purdue University Press.
- Mohamoud, M. A. (2015). Federalism for Somalia: Internal and External Challenges in the Post-Transitional Period. <http://somalilandmonitor.tumblr.com/post/108088556542/federalism-for-somalia-internal-and-external>
- Mohamud, A. (2011). The Balkanization of Somalia. *Foreign Policy in Focus*. Retrieved 17/09/2014, from [http://www.fpif.org/articles/the\\_balkanization\\_of\\_somalia](http://www.fpif.org/articles/the_balkanization_of_somalia).
- \_\_\_\_\_. (2012). The State of Somali Union. Retrieved 17/09/2014, from [http://fpif.org/the\\_state\\_of\\_somali\\_union/](http://fpif.org/the_state_of_somali_union/)

- \_\_\_\_\_. (2013). The Impracticality of Somali Style Federalism. Retrieved 17/09/2014, from [http://www.hiiraan.com/op4/2013/may/29164/the\\_impracticality\\_of\\_somali\\_style\\_federalism.aspx](http://www.hiiraan.com/op4/2013/may/29164/the_impracticality_of_somali_style_federalism.aspx)
- \_\_\_\_\_. (2015). 2016 Elections and the Challenge of Reuniting Fragmented Somalia. Retrieved 19/04/2015, from <http://www.garoweonline.com/page/show/post/1865/2016-elections-and-the-challenge-of-reuniting-fragmented-somalia#sthash.fcUp9M6B.dpuf>
- Møller, B. (2008). The Horn of Africa and the US “War on Terror” with a Special Focus on Somalia. *Post-Conflict Peace-Building in the Horn of Africa*, 87-140.
- \_\_\_\_\_. (2009). *The Somali Conflict: The Role of External Actors* (No. 2009: 03). DIIS Reports/Danish Institute for International Studies.
- Mubarak, M., & Mosley, J. (2014). On federalism and constitutionality in Somalia: difficulties of ‘post-transitional’ institution building remain. *African Arguments Editor*.
- Murphy, S. D. (1996). *Humanitarian Intervention: The United Nations in an Evolving World Order*. Philadelphia, PA: University of Pennsylvania Press.
- Obsiye, A. H. (2013). Somalia’s Unscientific Federalism. Retrieved 17/09/2014, from [http://hiiraan.com/op4/2013/feb/28248/somalia\\_s\\_unscientific\\_federalism.aspx](http://hiiraan.com/op4/2013/feb/28248/somalia_s_unscientific_federalism.aspx)
- Odowa, A M. (2013). *What can current leaders in Somalia learn from their past history?* In Michele Gonnelli. *Somalia: Clan and State Politics*. The ITPCM International Commentary.
- Omaar, R., & De Waal, A. (1994). *Operation Restore Hope: A Preliminary Assessment*. London: African Rights.
- Orwin, M. (1994). Review of Ioan M. Lewis 'Understanding Somalia: Guide to Culture, History and Social Institutions' *Africa*, 64, pp. 601-602. DOI: 10.2307/1161394.
- Pham, J. P. (2013). *State Collapse, Insurgency, and Counterinsurgency: Lessons from Somalia*. Strategic Studies Institute and U.S. Army War College Press
- Poole, W. (2005). *The Effort to Save Somalia: August 1992-March 1994*. Washington, DC: Joint History Office.

- Prunier, G. (1995). *Somalia: Civil War, Intervention and Withdrawal 1990-1995*. Writenet (UK)
- Razack, S. H. (2004). *Dark Threats and White Knights: The Somalia Affair, Peacekeeping and the New Imperialism*. Toronto: University of Toronto Press.
- Ross, C. (2002). *Federalism and Democratization in Russia*. Manchester University Press. Manchester and New York
- Salad, O. (2008). Federalism and Decentralization - Options for Somalia. *Organised by UNDP and UNPOS in association with the TFG 27-29 November 2008, Nairobi, Kenya*.
- Samatar, A. (2007). The Porcupine Dilemma: Governance and Transition in Somalia. *Bildhaan: An International Journal of Somali Studies*, 7(1).
- \_\_\_\_\_ (2010). The Islamic Courts and the Mogadishu Miracle: What comes Next for Somalia: Review of African political Economy, fall 2006 and “The Dialectics of Piracy in Somalia: the Poor versus the Rich,” *Third World Quarterly*, December.
- Samatar, A. I. (2007). The Porcupine Dilemma: Governance and Transition in Somalia. *Bildhaan Vol. 7*.
- \_\_\_\_\_ (2014) Defeating Al-Shabab and Dismembering Somalia: Will the current strategy of the Somali government and the international community bring peace to Somalia? .
- Seid, M. M. (2012) Somalia Conflict and the Challenges from the Constitutional Arrangement. *Horn of Africa Journal*, XXX .
- Sheik-Abdi, A. (1977). Somali Nationalism: Its Origins and Future. *The Journal of Modern African Studies*, 15(4), 657-665.
- Skeppström, E., & Nordlund, P. (2014) Security, Stabilisation and State Formation in Somalia: Challenges for Implementing the Somali Compact. *FOI-R--3899--SE*.
- Smith, G. (1995). *Federalism: the multiethnic challenge*. Longman: London
- Teutsch, F. (1999). *Collapsing expectation: national identity and disintegration of the state of Somalia* (No. 78). Centre of African Studies, Edinburgh University.

- Thomas, T. (2015). Prospect of a Term Extension. Retrieved 13/04/2015, <http://www.somalicurrent.com/2015/02/07/prospect-of-a-term-extension/>
- Throup, D. W. (2012). Kenya's Intervention in Somalia. Retrieved 07/10/2014, <http://csis.org/publication/kenyas-intervention-somalia>
- Ulus, M. M. (2013). Clan federalism tears Somalia apart. Retrieved 27/07/2014, from [http://hiiraan.com/op4/2013/jan/27900/clan\\_federalism\\_tears\\_somalia\\_apart.aspx](http://hiiraan.com/op4/2013/jan/27900/clan_federalism_tears_somalia_apart.aspx)
- \_\_\_\_\_ (2014a). Ugly Clan Federalism Sparks Fresh Turmoil. Retrieved 04/06/2014, from [http://www.hiiraan.com/op4/2014/aug/55921/ugly\\_clan\\_federalism\\_sparks\\_fresh\\_turmoil.aspx](http://www.hiiraan.com/op4/2014/aug/55921/ugly_clan_federalism_sparks_fresh_turmoil.aspx)
- \_\_\_\_\_ (2014b). Somalia: Clan Federalism is the Poison Injected in the Mind. Retrieved 11/01/2015, from <http://somalilandsun.com/index.php/opinion/4731-somalia-clan-federalism-is-the-poison-injected-in-the-mind->
- \_\_\_\_\_ (2014c). Myths about Federalism in Somalia. Retrieved 04/03/2015, from <http://www.somalicurrent.com/2014/02/15/myths-about-federalism-in-somalia/>
- \_\_\_\_\_ (2015). Clan Federalism Continues to Thwart Reconciliation and Democratic Governance in Somalia. Retrieved 01/05/2015, from [http://www.hiiraan.com/op4/2015/apr/98989/clan\\_federalism\\_continues\\_to\\_thwart\\_reconciliation\\_and\\_democratic\\_governance\\_in\\_somalia.aspx](http://www.hiiraan.com/op4/2015/apr/98989/clan_federalism_continues_to_thwart_reconciliation_and_democratic_governance_in_somalia.aspx)
- Waldron, S. R., & Hasci, N. A. (1995). *Somali refugees in the Horn of Africa: state of the art literature review* (No. 3). Nordic Africa Institute.
- Warsame, I. H. (2012). Why Somalis Complain About 4.5 Clan Power-Sharing Formula. Retrieved 17/09/2014, from [http://wardheernews.com/Articles\\_12/Sept/Warsame/03\\_Why\\_Somalis\\_about\\_the\\_Clan\\_Power\\_Sharing\\_Formula.html](http://wardheernews.com/Articles_12/Sept/Warsame/03_Why_Somalis_about_the_Clan_Power_Sharing_Formula.html)
- Watts, R. L. (1996). *Comparing Federal Systems in the 1990s*. Kingston: Queen's University Press
- \_\_\_\_\_ (1998). Federalism, Federal Political Systems, and Federations. *Annual Review of Political Science*, 1(1), 117-137.

\_\_\_\_\_ (2008). *Comparing Federal Systems*. McGill-Queen's University Press. 3<sup>rd</sup> Edition  
Montreal & Kingston • London • Ithaca

Wheare, K. C. (1963). *Federal Government*. London: Oxford Univ. Press. 4<sup>th</sup> Edition

Woodward, P. (2004). Somalia and Sudan: a tale of two peace processes. *The Commonwealth Journal of International Affairs*, 93( 375), 469-481.

Yahye, M. M. (2008). Somalis's New Federal System: Can it Work? Retrieved 17/09/2014, from [http://www.hiiraan.com/op2/2007/dec/somalia\\_s\\_new\\_federal\\_system\\_can\\_it\\_work.aspx](http://www.hiiraan.com/op2/2007/dec/somalia_s_new_federal_system_can_it_work.aspx)

Yusuf, A. (2014). Somalia: An Unconvincing Progress. Report by Al Jazeera Center for Studies. Retrieved 17/09/2014, from <http://studies.aljazeera.net/en/reports/2014/01/20141297747673110.htm>

Zoppi, M. (2013). Federalism: A Valid Instrument for Reconciliation in Somalia? Retrieved 17/09/2014, from [https://www.academia.edu/6341063/Federalism\\_a\\_valid\\_instrument\\_for\\_reconciliation\\_in\\_Somalia](https://www.academia.edu/6341063/Federalism_a_valid_instrument_for_reconciliation_in_Somalia)

## **DECLARATION**

I hereby declare that this thesis is my original work and that it has not been submitted or presented for a degree in any other institution than the Addis Ababa University and that all sources of materials used for the thesis have been duly acknowledged.

---

Mahdi Gire Roble

June, 2015