



Somalia’s federal agenda: From fragility to fragmentation?

by Dominik Balthasar

After Somalia suffered significant setbacks throughout 2013, some important progress has been made since the onset of the new year. Most prominent is the localised withdrawal of al-Shabab, prompted by the joint military offensive of the Somali Armed Forces (SAF) and African Union Mission in Somalia (AMISOM) launched in early March. While the security situation remains precarious, the territorial gains have provided the Federal Government of Somalia (FGS) with an opportunity to extend its administrative reach – a crucial precondition for meeting its long-term state-building objective and its endeavour to hold country-wide elections by 2016.

It is still uncertain, however, whether the government of Prime Minister Abdiweli Sheikh Ahmed will be able to reap the benefits and advance the country’s state-building process. The fight against al-Shabab – although essential – is but part of the equation. Recent quarrels at the sub-national level suggest that the country, long considered a quintessential ‘failed state’, may be moving from fragility to fragmentation. As a result, another basic factor for the establishment of peace and stability lies in the ability to set up functional federal structures for Somalia, an initiative which the EU has strongly supported over the past years.

Wrong turns

In the north, the autonomous Puntland State of Somalia and the self-declared Republic of Somaliland are at loggerheads. Age-old border disputes again flared up when Somaliland forces captured the historic town of Taleex on 15 April, spurring Puntland to declare its intention to “wage war” on Somaliland. Concurrently, the situation in the south remains tense, with different political entities popping up and laying claim to overlapping territories. In March, such diverging interests and the proclamation of several competing federal member states caused the outbreak of violent unrest in Baidoa. While certain parallels with the process that led to the formation of the Interim Jubba Administration (IJA) in 2013 can be drawn, the increasing clan connotation of recent political developments is likely to complicate matters.

Consequently, the political ‘transition’ that officially ended with the formation of the FGS in September 2012 is far from over. While the growth of regional tensions was predictable, in part because state-building is *per se* a conflict-prone process, Somalia and its international partners now need to prevent further fissures with a potential for violence from emerging. Greater



Source: Balthasar, D. & Grzybowski, J. (2012). 'Between State and Non-State: Somaliland's Emerging Security Order.' *Small Arms Survey Yearbook 2012* (Cambridge University Press: Cambridge)

reliance on local and/or clan loyalties would endanger the 'Somali Compact' put forth by the EU during the Brussels Conference of September 2013 that is central to Somalia's recovery. It could also lead to a reinvigoration of al-Shabab, which has always been effective in exploiting local grievances and national disunity.

Handle with care

Since the creation of the FGS, Mogadishu has witnessed a slow but steady recovery, coming as close as ever before to putting an end to the conflict and instability that have long plagued it. Combined with a significant decrease in pirate attacks off the coast of Somalia, recent security gains have raised hopes for change. The EU has provided important support to the regional security apparatus: increasing its financial contributions to AMISOM, conducting its first-ever maritime mission (Operation Atalanta), establishing an EU Training Mission for Somalia (EUTM), and launching a civilian maritime capacity building operation (EUCAP Nestor).

Yet many of the achievements registered in the capital could not be replicated outside the city limits, as the FGS has been unable to translate security

gains into political and developmental progress. The government continues to be bogged down by political infighting: Prime Minister Abdi Farah Shirdon was voted out of power on 30 November 2013, and large sections of the Somali parliament have demanded that the president resign. Concerted political action therefore remains impossible, while corruption continues unabated and service delivery precarious – to say the least.

The administrations of the burgeoning federal member states have hardly fared better in their task to improve the livelihoods of the population (although the picture is mixed). Rather than enjoying better security, many Somali communities have witnessed an increase in disputes. One key driver behind this appears to be the removal of al-Shabab's draconian rule, which has somewhat 'released' previously suppressed clan tensions. Meanwhile, the political elites of Garowe, Galkayo, Adado, Baidoha and Kismayo are preoccupied with negotiating their shares in a federal Somali state and mobilising 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.

What federalism for Somalia?

With the endorsement of a provisional constitution on 1 August 2012 by Somalia's National Constituent Assembly, the country formally embarked on the implementation of a federal formula. Ever since, 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. Whereas article 49(1) tasks the federal parliament with establishing an independent Boundaries and Federation Commission and 'determining the number and boundaries of Federal Member States', article 49(6) states that 'two or more regions may merge to form a Federal Member State'. Even beyond such legal ambiguities, the FGS still grapples with the task of ensuring Somali unity and that the state is more than the mere sum of its constituent parts.

Although Somalia has long been portrayed as 'a nation in search of a state', safeguarding social cohesion has been a historical challenge. Already before gaining independence in 1960, different communities within Somalia were cautious about unification. While the agricultural Sab communities in south-central Somalia lobbied for a federal formula and the creation of a separate Digil-Mirifle state, French Somaliland refrained from joining the Somali union and, in 1977, became the independent Republic

of Djibouti. In today's Somalia, centrifugal tendencies persist and questions surrounding the nature of federalism remain *the* point of contention. While President Mohamud has lobbied for strengthening the central government, (aspiring) federal member states have pushed for a greater devolution of powers.

In addition, the international community's stance towards Somalia's federal agenda has not been entirely consistent. While Somalia's international partners have welcomed the FGS, they have also largely adhered to a 'bottom-up' approach in efforts to reconstruct the Somali state, thus granting regional governments additional leverage with which to press their demands. Although such a 'twin track' policy (as pursued also by the EU) 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.

Fragmentation tendencies

The resulting tug-of-war among Somali actors has not only hampered political progress but also led to increased factionalism. After a (UN-endorsed and IGAD-sponsored) conference in Ethiopia in August 2013 granted legitimacy to Ahmed Mohamed Islam 'Madobe' and his IJA, regional elites have been propelled into convening state-formation conferences in order to legitimise and/or protect their regional claims. As a result, through an *ad hoc* process more typical of power politics than constitutional implementation, additional sub-national polities have come to the fore, exacerbating local tensions and highlighting clan-related cleavages.

Whereas the provisional constitution forestalls clan-based political structures, recent events in Somalia's south-west seem to indicate the increased importance of clan as a primary tool for political organisation. This was evident in the attempted formation of several federal member states in southern Somalia over the course of March, 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 Shabelle, Gedo, Lower Jubba, and Middle Jubba, thus challenging the existing IJA, which is comprised of the latter three regions.

Simultaneously, another clan faction pushed for the creation of a South-West State made up of Bay, Bakool, and Lower Shabelle. While this political project did not threaten the existence of the IJA and was favoured by the federal government and its

international backers, it has not gone unchallenged. Competing clan factions have envisioned a federal member state made up of the Upper and Lower Shabelle regions, adapting a draft constitution in early March to that effect. As has been the case historically, these contravening plans are seemingly underpinned by clan arithmetics. But clanism is seriously detrimental to the process of state-building, as proven by the failed attempts in the early 2000s to form a political entity in south-west Somalia.

(Aspiring) federal member states

Key highlights	
12 January 2012	Declaration of the establishment of Khatumo State of Somalia, comprising parts of Sool, Sanaag, and Cayn regions, headed by Abdinour Elmi Qaaje.
28 August 2013	Federal government approves creation of Interim Juba Administration encompassing Gedo, Upper Juba, and Lower Juba regions, led by former Islamist commander Ahmed Mohamed Islam 'Madobe'.
3 March 2014	Proclamation of South-West State of Somalia comprising six regions of Bay, Bakool, Lower Shabelle, Gedo, Lower Jubba, and Middle Jubba, headed by former cabinet minister Madobe Nunow Mohamed.
10 March 2014	Clan delegates approve of draft constitution for envisioned Shabelle State of Somalia, claiming the Middle and Lower Shabelle region, and select Abuukar Abdi Osman president.
27 March 2014	Declaration of the formation of South-West State of Somalia spanning over the three regions of Bay, Bakool, and Lower Shabelle, headed by Muhammad Haji Abdinur Mader.

The recent developments in the north also indicate greater fragility. Puntland not only struggles with the influx of al-Shabab elements that have been pushed out of southern Somalia, but also only narrowly avoided conflict when it suspended its local council polls – originally scheduled for 15 July 2013 – at the last minute. Its western neighbour, the self-proclaimed Republic of Somaliland, finds itself struggling, with political parties having so far failed

to replace clan identity as the most important factor in politics. Despite past democratic gains, political parties remain feeble and operate as little more than thinly-veiled clientelist vehicles.

That this part of Somalia is also afflicted by centrifugal tendencies was shown by the recently reignited territorial disputes between Somaliland, Puntland, and the in 2012 self-declared administration of Khatumo, which centres around the historic town of Taleh in the Sool region. Although border clashes between Somaliland and Puntland have repeatedly occurred since 2002, there is now a risk of protracted violent conflict. And the fact that international oil companies deem the Nugaal block (which stretches over a territory claimed by all three conflicting parties) to be suitable for oil exploration and production has only raised the stakes and aggravated existing tensions.

What next?

If the FGS weakens further, (aspiring) federal member states will probably gain support – by design or by default – from both national and international stakeholders. Although this might bring short-term stabilisation 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.

First, in the protracted absence of an effective central executive, the federal government's security forces are likely to lose focus and switch loyalties. Second, with a paralysed federal government, regional political entities will have even fewer institutions and formal channels at their disposal to negotiate on issues of national concern, such as the sharing of revenues from natural resources. Third, continued fragmentation is likely to see al-Shabab regain popularity and recapture the 'nationalist' agenda inside Somalia. Fourth, a significant *de facto* shift in power from the central to the regional level would likely challenge Somalia's objective to conduct credible nation-wide elections by August 2016.

In order to prevent Somalia from sliding from fragility to fragmentation, its international partners may contemplate strengthening the central administration *vis-à-vis* the federal member states, and supporting a just process by which federal polities are established. In part, this could be done by helping the FGS to institutionalise the process that underpins the formation of federal member states,

and bolstering the Boundaries and Federation Commission that the Provisional Constitution tasked the FGS to create. This could be achieved by making it clear that international development funding to regional administrations will hinge on their prior approval by the FGS.

Moreover, the international community needs to ensure that its support towards Somalia's national process of federalisation does not fuel internal conflict. One possibility to achieve this objective lies in adopting a flexible process that provides the FGS with sufficient room for political manoeuvre, and hands ownership over the state-making process to the Somali people. Consequently, all donors should strongly adhere to the Somali Compact, as it continues to be the most suitable framework to assist the FGS in rebuilding basic and durable state functions. Even though the Somali Compact is not the silver bullet that will turn the long-time 'failed state' of Somalia into a stellar democracy, its principle tenets constitute an important step in reconstructing Somalia – not least by coordinating its international supporters.

More challenging, but of even greater importance, is the unification of the Somali people. For its part, the EU, in addition to its already significant contribution to the country's security sector, might also consider the possibility of providing support for the establishment and promoting national political parties. Genuine political parties with convincing party programmes and an active followership that extends beyond a handful of Mogadishu-based politicians could prove to be valuable vehicles in attempts to transcend the sub-national purview of political entities, overcome age-old clan-based disputes, and provide viable platforms for national dialogue. Ultimately, a democratic trajectory for Somalia will be hard to achieve in the absence of both a unified national constituency and effective political parties.

Not entirely unexpectedly, the advancement of Somalia's federal agenda has proved to be a contentious process. The resulting fragmentation the country has experienced, particularly in recent months, risks perpetuating and even exacerbating its fragility. In order to move forward constructively and overcome political instability, the country needs to start building institutions and identities that span regional and clan divides. Only then will Somalia stand a chance to achieve the 'Vision 2016' that the FGS devised last September.

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