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**FEDERALISM AND POST-CONFLICT  
STATEBUILDING: THE CASE OF SOMALIA**

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**MPhil**

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**Federalism and post-conflict statebuilding: The case of Somalia**

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## **Abstract**

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*Keywords: federalism, post-conflict federalism, classical federalism, Somalia, peacebuilding, statebuilding, consociationalism, decentralisation*

The use of federalism as an integral component in post-conflict statebuilding processes is becoming increasingly common (e.g. Iraq, Yemen & Sri Lanka). The current academic literature, however, is divided between those that argue that federalism in such fragile environments will increase the likelihood of secession and ‘balkanisation’ and that those that argue that only federalism can provide the periphery with constitutionally protected rights against the centre. However, currently there is little empirical evidence to support either view. This research seeks to contribute to this gap by assessing whether the recent introduction of federalism in Somalia since 2013 has led to the delivery of tangible governance and peacebuilding outcomes.

This thesis specifically focuses on the federalism process in Jubaland, a state which formed in 2013. Data was gathered across the region using a statistically significant perception survey and was supplemented by Key Informant Interviews. The surveys were designed to assess public opinion towards federalism and understand how its introduction was perceived to have impacted local governance and conflict dynamics. This analysis was further extended to assess the impact of federalism in other federal member states including Puntland, Galmaadug and Southwest based on a review of available secondary literature. An analytical framework assessed the strength of Federal Government-Federal Member State, intra-state and inter-state relations and the extent to which a particular state had undertaken tangible governance reforms.

The key findings of the research indicate that the population in Jubaland is strongly supportive of federalism in principle and the manner in which it has been implemented. Federalism was seen by the majority of the population as a way of maintaining Somali unity whilst protecting local interests and meeting

local needs. The approach of the Jubaland authorities to adopt a consociational approach to governance led to the establishment of a sustainable political settlement and the inclusion of minority groups for the first time.

However, these successes have not been experienced more widely across Somalia. Other federal member states have experienced poor relations with the federal government. Internally, some states also have weak and violent relations with groups who are competing for influence and poor external relationships with other federal member states. In general, there is a low commitment to governance reform at federal-state level.

These findings underpin the final conclusion that whilst federalism in Somalia has enabled improved governance and peacebuilding outcomes in Jubaland, it is the manner of *how* federal governance has been implemented in other federal states that explains the disparity in results across the country as a whole. More widely, this research suggests that federalism in post-conflict contexts is neither a panacea for peace and stability, or in of itself, a catalyst for inevitable fragmentation.

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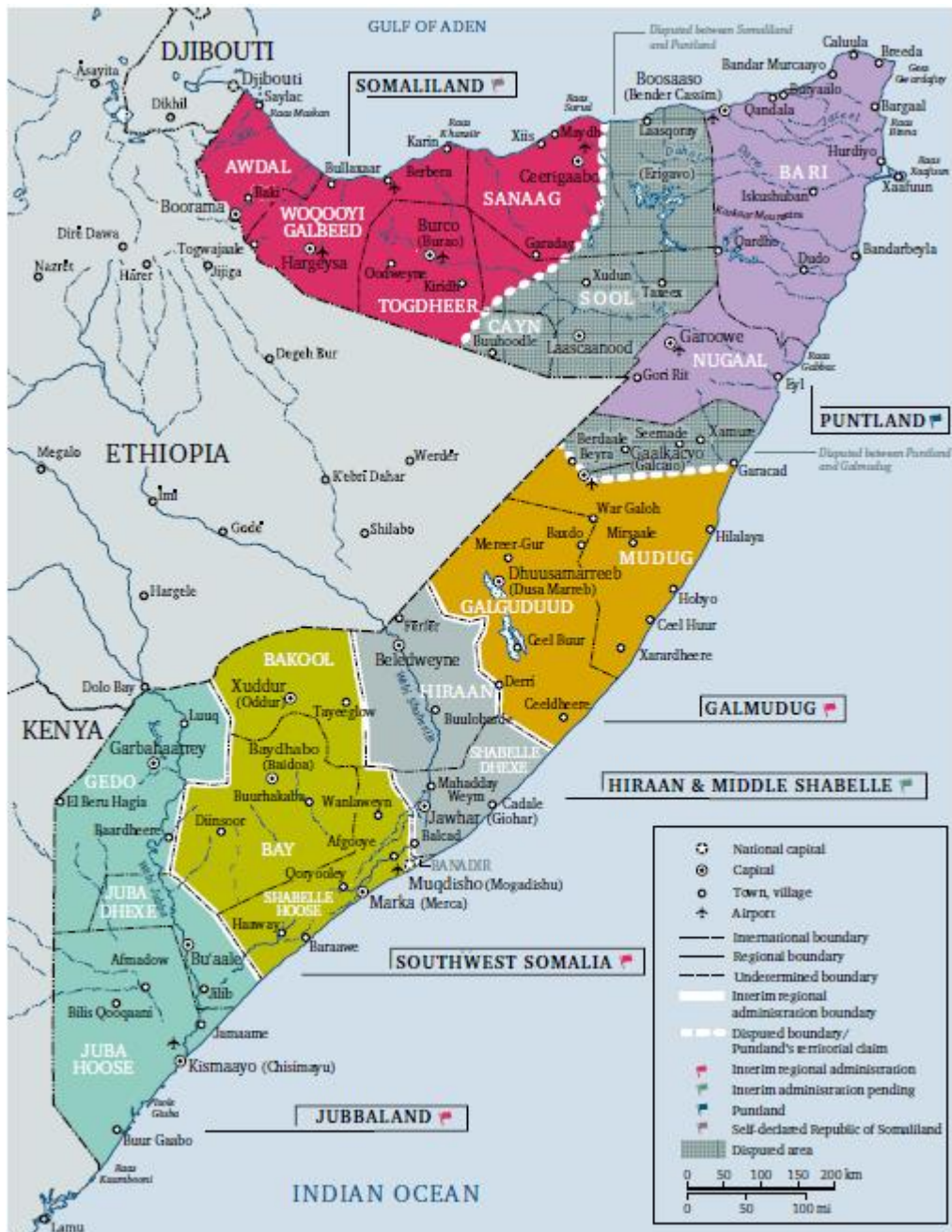


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**Map: Somalia & Somaliland<sup>1</sup>**



<sup>1</sup> Chatham House, 2015. Based on United Nations Department of Field Support, Cartographic Section, Map No. 3690 Rev. 10, December 2011. NB. 'Hiraan & Middle Shabelle' merged to become HirShabelle in October 2016.

## **Chapter 1: Introduction**

### **Problem Statement**

Somalia has long been widely regarded as synonymous with the archetypal failed state. Since the collapse of the Siad Barre government in 1991, the country has seen the nature of the conflict flux between clan-based civil war, warlordism and present day jihadism. The international response to the crisis in Somalia has also shifted from large-scale military and humanitarian interventionism to international abandonment and then, more recently, to a reprioritisation of Somalia as a major recipient of international aid receiving \$1.3 billion in 2015.<sup>2</sup> This latest phase has been largely driven by donor government fears of the rise of an ungovernable space in which violent extremism can prosper and destabilise the region and threaten Western interests. In addition, given the influx of refugees fleeing conflict-affected states to Europe, many donor governments are increasingly supportive of statebuilding efforts to contain crises, given domestic pressure to be seen to be managing immigration effectively.

Initially, there was some optimism regarding the formation of a new government in 2012 which was selected on Somali soil for the first time since the collapse of the state. This led to the much-heralded, 'New Deal for Somalia', an overarching framework between the new authorities, the international community and civil society to agree and implement the peacebuilding and statebuilding priorities for the country. By mid-2016, however, the political situation for Somalia appeared precarious with the implementation of reforms remaining highly uneven. Despite managing to survive, albeit chaotically, for nearly four years in power, results from the first Parliament, were not encouraging, with at least three key areas relating to statebuilding processes being major causes for concern.

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<sup>2</sup> Aid Coordination Unit/Office of the Prime Minister, *Aid flows in Somalia – Analysis of aid flow data*, 2015, <http://new-deal.so/wp-content/uploads/2016/02/Aid-Flow-Analysis-24Feb2016-1.pdf>. Accessed 14<sup>th</sup> March 2016.

Firstly, progress on amending and ratifying the constitution ground to a halt in mid-2016 with the redrafting work incomplete. The process was hampered by a complex arrangement between Ministries and various Commissions to oversee and implement the process and lacked any public or civil society consultation. Originally intended to be ratified by a public referendum, this was postponed until the 2017-2020 parliament with speculation that it will be abandoned in favour of a parliamentary vote. Initially intended to act as a mechanism to unite the country, the finalisation of the constitution has instead become an issue that now evokes suspicion and illustrates the inability of the Federal Government to resolve its internal political disputes.

Secondly, the much promised one-person, one-vote election, central to Vision 2016, a key government policy framework outlining the Government's main priorities, was in early 2016 curtailed to what was in-effect another clan selection process. The model, similar to the one used in 2012, albeit with a much larger electoral college of 14,025 delegates, held elections for each of the 275 seats and was held in federal state capitals rather than Mogadishu alone. After many months of delay, the process finally elected President Mohamed Abdullahi "Farmajo" Mohamed on 8<sup>th</sup> February 2017.<sup>3</sup> However, the failure to implement a universal election in 2016, drained public support for the previous administration and increased the pressure on the new government to deliver tangible results by 2020.

Thirdly, the security situation remains unpredictable, with many parts of Somalia remaining highly volatile. Even within the heavily secured areas of Mogadishu where al Shabaab is now defeated as a conventional military force, its new modus operandi of asymmetric-warfare including suicide-bombings, targeted assassinations and improvised explosive devices against high-value government, UN and civil society targets has been particularly successful.

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<sup>3</sup> BBC News, Somalia's Mohamed Abdullahi Farmajo chosen as president, 8<sup>th</sup> February 2017. <http://www.bbc.co.uk/news/world-africa-38904663>. Accessed on 8<sup>th</sup> May, 2017.

Indeed, al Shabaab's efforts are no longer limited to within Somalia's borders. The attacks on the Westgate Mall in Nairobi in 2013, in which al Shabaab claimed responsibility, has illustrated the emergence of a new internationalist agenda, successfully building allegiances with sympathetic jihadist networks based in Kenya. Other attacks, including those near the Somali-Kenyan border, such as at Garissa University in April 2015, demonstrate the group's ability to conduct complex and spectacular attacks and the vulnerability of Kenya to such threats. Within Somalia, despite AMISOM advances and deadly infighting within its senior leadership, al Shabaab still controls significant swathes of Somalia's territory. In 2016, al Shabaab appeared to be undergoing something of a re-emergence, following the significant military defeat of Kenyan forces in El Adde, Gedo, the attempted downing of Daallo flight 159, numerous large-scale attacks against civilians in hotels and restaurants in the capital, including Mogadishu International Airport in July 2016.

Whilst the analysis of the three issues above forms a fairly bleak assessment, the one area which offers a more positive analysis, and which is central to this thesis, is the progress made in implementing federalism and the formation of federal states within Somalia. Initially, the political tensions and outbreak of violence during the formation of Jubaland in 2013 had the potential to quickly escalate into full blown warfare, yet ultimately subsided. This paved the way for the emergence of other new Federal Member States between 2014-16 in South West, Galmadug and Hirshabelle and ongoing discussions regarding the status of the capital, Benadir.

Whilst the longstanding self-declared independence of Somaliland is unrecognised by the international community, the federalisation process in the rest of Somalia, including Puntland, appears to have had an intrinsic political energy which was significantly absent from other key priorities. This development, which is contrary to the lethargy that often accompanies statebuilding processes in fragile states, is potentially significant. It occurred despite the fact that whilst the Provisional Constitution clearly provides for the emergence of a federal system, clarity on the technicalities of implementing federalism was weak, allowing plenty of space for interpretation and contestation.

The federalisation process, however, has itself has been fraught, chaotic and at times extremely violent. The political will to address these issues from the central Federal Government and emerging regional state authorities has been highly dependent on their assessments of the likely ramifications of the power balance between clans and the extent to which the particular composition and boundaries of new regional states will affect these calculations. However, despite all of these challenges, this is one area in which Somalia realised substantial political change since 2012, perhaps for the first time in over twenty years.

### **Motivation for study**

The motivation for this study is not only to contribute to the broader discourse on federalism but also to deepen my understanding of these issues given their centrality to my work with the Saferworld Somalia and Somaliland Programme.

Saferworld is a UK INGO supporting peacebuilding and statebuilding processes in a number of conflict-affected states globally. Over the last seven years one of the most significant achievements of the programme has been the creation of three broad-based Non-State Actor Platforms (NSAPs) in Somaliland, Puntland & South Central. The NSAPs were created in 2007 to ensure that Somali voices are included in peacebuilding, statebuilding and security processes which have often been criticised as being the preserve of international actors and a small (and often corrupt) Somali elite.

The Somalia South Central Non State Actors Association (SOSCENSA) was also a local Saferworld partner for an EU funded research project, *Building foundations for political reconciliation in Jubaland*. As detailed fully at the beginning of Chapter Four, this project would entail a large-scale public perception survey examining the broader issues around federalism in Jubaland, a dataset which this research thesis also utilised.

Whilst the NSAPs have been successful to some degree in encouraging greater public participation in peacebuilding, Saferworld's ability to provide its own analysis of *what* should be the focus for sustainable peacebuilding and

statebuilding, rather than simply *how*, has been more limited. Whilst many of these questions are for Somalis alone to decide, it is anticipated that the conclusions emerging from this research may be of some usefulness to peacebuilding agencies working in Somalia and Somaliland and potentially the larger policy community supporting federalism, statebuilding and peacebuilding in fragile states more broadly.

Lastly, whilst the apparent progress of the federalism process was not foreseen at the outset of this study, understanding the depth of change and the reasons why this has occurred is, in the author's opinion at least, even more critical to the broader practice of post-conflict statebuilding than originally thought.

### **Central & secondary research questions**

Given the discussion above, this thesis will seek to answer the following overarching research question:

*To what extent has the introduction of federalism in Somalia contributed to improved governance and peacebuilding outcomes?*

In order to answer this overarching question, four subsidiary questions, will be explored:

- 1) How have historical events in the Horn of Africa shaped the present-day discourse on federalism as the primary governance model for Somalia?
- 2) To what extent does the theoretical literature and evidence from other contexts support the proposition that federalism is likely to be an effective approach towards governance in Somalia and Somaliland?
- 3) To what extent do the nascent efforts to engage in a federal model of governance in Jubaland demonstrate the likely peacebuilding and governance benefits of such an approach?
- 4) To what extent has the federalism process in other federal member states more broadly contributed to improved governance and peacebuilding outcomes?



These questions are relevant as Somalia has been subjected to a series of internationally-sponsored peacebuilding and statebuilding processes between 2000-2012 that have mostly failed and, in the view of many Somali observers, have sometimes made conditions significantly worse. The reasons why these international efforts tended to fail are complex, both broad in scope and specific to particular points in Somalia's modern history, the most significant of which are introduced below.

The painful legacy of Italian and British colonialism in the Horn of Africa led to those identifying as Somali living across (and contesting) multiple arbitrary borders. The resulting disparity between the Somali nation and the Somali state is highly visible, given the large numbers of ethnic Somalis residing in largely poor marginalised open border regions in Kenya and Ethiopia. Whilst a national census has not been completed since the collapse of the state, deciding on who is a legitimate Somali citizen will likely have significant implications should universal elections take place. Significantly, it is estimated that around one million Ogadenis reside on the Kenya/Ethiopian side of the border, enough to significantly alter the outcome of any election and one that could result in serious tensions with other major clans.

Post-independence, the import of new ideological forms of governance is widely seen to have failed. Notably Siad Barre's 'scientific socialism' attempted to eradicate 'clan', the essential building-block of Somalia's ethnography and society was widely seen as one of the catalysts of the civil war, not least because Barre continued to covertly support his own clan interests. Its suppression ultimately led to the hardening of clan identity and violent clannism which reached its peak during the civil war 1989-2006.

The collapse of the Somali state, due in part to changing global Cold War allegiances, meant that a state which was able to take a broadly developmental approach with backing from the USSR quickly floundered once this support was withdrawn. In addition, previous high investment by the Soviet bloc into the military resulted in a quickly fragmenting country being awash with weapons which greatly catalysed violence throughout the civil war.

The intervention of the US and Ethiopia in removing the Union of Islamic Courts (UIC) in 2006 is arguably the closest Somalia has come to achieving a degree of stability, law and order since 1991 and has been widely argued to be a missed opportunity for Somalia. Furthermore, whilst the UIC was successfully removed, the movement morphed into al Shabaab and subsequently became aligned to a violent jihadist ideology that went on to later regain huge swathes of the country, including the capital, Mogadishu. Whilst eventually defeated as a conventional military force, its ability to carry out large spectacular asymmetric attacks has significantly hindered statebuilding efforts throughout the 2012-2016 parliament.

Driven by a post 9-11 security agenda and in response to the emergence of al Shabaab, donor governments have increasingly used aid for security and political purposes which has risked transforming humanitarian agencies to become overtly political actors in Somalia. This reduction in humanitarian space has limited the ability of such actors to respond impartially to needs and has arguably increased the risks to staff who were already working in a highly dangerous environment.

Lastly, the international community's relentless focus on establishing a central government at all costs has encouraged the emergence of an ineffective, kleptocracy to form, despite significant Somali resistance to central government, given the brutality they experienced under the Barre dictatorship. As this thesis will explore in more detail, this tendency continues in 2017, given significant pressure to hold universal elections by 2020. Little or no consideration is given to how democratic norms can be built from the bottom-up by ensuring that newly emerging federal states are able to transfer power peacefully through the delivery of free, fair and universal elections at the sub-national level.

Thus, with such a painful and frustrating history, the introduction of any new governance model as a solution to addressing Somalia's continued instability needs to understand these dynamics fully and reflect upon and not repeat the reasons why previous interventions and approaches did not succeed.

This research also aims to contribute more broadly to knowledge on the significance or effectiveness of federalism as a central statebuilding and

peacebuilding approach in failed and post-conflict states. Since the 1990s, federalism has been promoted in a number of contexts including Iraq, Sri Lanka and Yemen as a useful or essential step in addressing both the past drivers of conflict and in ensuring future stability.

Viewed as an effective conflict management mechanism, particularly in ethnically-divided post-conflict states, federalism has been promoted by many analysts and policy-makers as a model which can more effectively enable sustainable power-sharing between communities. Importantly, it is also able to limit the ability of the central government to repress and control the development of particular populations. Given this theoretical potential, federalism has been the basis of post-conflict settlements as a way of accommodating particular ethnic groups' demands for greater autonomy.

## **Research approach**

This thesis will use mixed methods, including an extensive literature review and analysis of secondary sources particularly in Chapters two, three and five. Chapter four will use primary data from a large-scale statistical survey undertaken in Jubaland under an EU programme that the author was working on whilst employed by Saferworld at the time of the research.

As described in detail at the beginning of Chapter Four, Jubaland was the first federal member state in recent times to form and implement a federal approach in 2013. The survey was completed by 961 respondents and was accompanied by a series of focus group discussions and Key Informant Interviews and focused specifically on how the implementation of federalism was perceived to have impacted local governance and peacebuilding dynamics.

The Saferworld research culminated in the publication of a report entitled, *Forging Jubaland – community perspectives on federalism, governance and reconciliation*. The primary purpose of this report was to evidence a series of policy recommendations for the Somali authorities and the donor community in regards to how future efforts to support federalism could be strengthened.

However, the primary purpose of this research is to understand, using a similar dataset and from an academic perspective, how the introduction of federalism has impacted broader peacebuilding and statebuilding efforts in Somalia. In addition, this study may also offer some evidence more generally on the introduction of federalism in post-conflict contexts.

### **Thesis structure**

Following this introductory chapter, Chapter two seeks to address the first subsidiary question by providing an overview of how historical events in the Horn of Africa from colonialism to the present day have shaped the current discourse on federalism in Somalia and Somaliland. This chapter, drawing on a review of a number of key works, will explore how five intertwining narratives have shaped statebuilding in contemporary Somalia; the centrality of clan; antagonism towards centralised government; Islam & Islamism; the irredentist vision; and colonialism and occupation. This chapter will review how these five narratives have resulted in the rise of the federal agenda as a reaction to these historical events. Additionally, it will explore why federalism is viewed as a governance mechanism that is able to placate powerful centrifugal and centripetal statebuilding forces, which have to date remained untamed.

Chapter three seeks to answer the second subsidiary question and examines the literature that supports and opposes the introduction of federalism as an appropriate and relatively effective approach to enable sustainable peacebuilding and statebuilding in fragile and conflict affected states, including Somalia, relative to other possible constitutional approaches

Undertaking a broad literature review (Choudry, Feeley, Lewis, Lijphart, Lewis, Tarlton, Wheare), the chapter reviews and examines the strengths and weaknesses of a federalism, comparing and contrasting this to two other alternatives; consociation and the decentralised unitary state both in general and more specifically their relevance to the Somali context.

Of particular significance to the broader thesis, this chapter will include a discussion of how *post-conflict* federalism is often seen to be an integral component of contemporary statebuilding processes which is markedly different to *classical* federalism, which is more normally associated with stable northern countries such as Switzerland and the United States. This chapter will thus review the apparent divide in the post-conflict federalism literature. Firstly, there are those that view federalism as a stabilising force in post conflict countries and able to balance better political power between minorities and majorities. Secondly, there are those that fear the opposite, that its introduction will increase the risk of secession and strengthen the emergence of ethnic enclaves. It is envisaged that this thesis, through an analysis of a statistically significant data set assessing community perception towards the introduction of federalism in Jubaland (Chapter four) will make a modest contribution to this debate.

Chapter four seeks to answer the third subsidiary question, assessing the extent to which the implementation of federalism has resulted in peacebuilding or governance dividends from a case-study perspective, using Jubaland as an example. Beginning with a detailed section on the research methodology used, this chapter draws on interviews with a range of state and non-state actors, stakeholders and interpretation of the results of a large-scale and significant perception survey. As the summary of Chapter one outlined, one of the major challenges in the debate as to whether federalism in post-conflict countries is likely to contribute to a more stable or deleterious state, is the lack of significant datasets to inform the debate. In response to this, the chapter will systematically analyse community perspectives on federalism ‘in principle’ and assess citizens’ experiences of the formation process of the Interim Jubaland Authority. Other areas of inquiry will include assessing the performance of the Jubaland Authority, the formation of the regional assembly, and finally the respective roles of the Federal Government and the international community in the Jubaland state formation process.

Chapter five, building on the detailed statistical analysis of Chapter four, seeks to answer the fourth subsidiary question and assess the extent to which the adoption of federalism in other federal member states in Somalia has advanced the underlying governance and peacebuilding needs of the population more broadly. Over the course of the research, the federalism process has progressed considerably, albeit in an uneven manner, following very different routes which this chapter will initially summarise. The chapter will analyse the success of federalism in Puntland, South West and Galmaadug and compare the progress to the development of Somaliland which has pursued an alternative secessionist agenda.

Finally, Chapter six, following a summary of the key research findings, will seek to consider the implications of the conclusions from Chapter four and five are likely to influence the future trajectory of peacebuilding and statebuilding process in the coming years. The chapter concludes with a series of reflections on the implications of the research findings on the existing literature on statebuilding in Somalia and post-conflict federalism alongside some suggested areas for future research.

## **Chapter Two: Somalia & 'The State'**

This chapter will seek to answer the first subsidiary question; *How have historical events and narratives in the Horn of Africa shaped the present-day discourse on federalism as the primary governance model for Somalia?* This is particularly important in the Somali context as the deeply contested debate on the form of its future governance system is distinctly framed by this history. Any assessment of whether a particular governance model is appropriate for a particular country needs to understand the historical, social and political drivers that drive political and social organisation.

This chapter will begin with a historical summary of the state in Somalia, charting significant events and social phenomena from pre-colonial times to the present day, divided into five intertwining narratives; the centrality of clan and the rise of Islam; colonial Somalia & the brutality of occupation; the rise and fall of the irredentism; the rise of warlordism & failed humanitarian intervention; and kleptocracy & the rise of violent Islamism. The chapter will then outline four key ways in which this history has shaped the current statebuilding discourse and in particular that of federalism.

### **Somalia – A historical summary**

#### *Pre-colonial Somalia – The centrality of clan and the rise of Islam (pre 1862)*

Prior to European colonialism, Somali society was based upon a pastoral and agro-pastoral political economy with clear gender roles in which 'womenfolk were primarily responsible for the management of domestic concerns, including the condition of the portable home or *Aga*; men dealt with issues of security, knowledge about the weather and the range, general welfare of the herd, and formal relations with the world outside, including relatives.'<sup>4</sup>

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<sup>4</sup> Samatar, I. A., *The Porcupine Dilemma: Governance and Transition in Somalia*, *Bildhaan*, 2007, Vol 7, p 52.

Although a formal centralised legal system did not exist, this did not mean that sophisticated norms that sought to regulate aspects of Somali society were absent. For instance, *Miilo*, refers to a ‘precise and transparent procedure for fair distribution of water, the most precious of all resources on the range.’<sup>5</sup> Indeed, one Somali cultural practice that still resonates today includes the importance of kinship. This was practiced through two networks, *Tol* – which refers to a common male lineage and *Xidid* that refers to marriage ties. These networks are of particular importance relating to the payment of blood money or *Mug* whereas *Xidid* expanded social responsibility to in-laws, balancing the commitment to the *Tol*. Underlying much of these inter and intra-clan relations was and remains the unwritten code of *Xeer*, which has a remit which includes the, ‘preservation of the wisdom of the ages and habits of the community, delineation of obligations and entitlements and supervision of criminal justice.’<sup>6</sup> This kinship was the basis of the Somali clan system whereby ‘Somalis gave political allegiance first to their immediate family, then to their immediate lineage, then to their clan of their lineage, then to a clan-family that embraced several clans and ultimately to a confederacy of five clan-families – the Darod, Hawiye, Isaq, the Dir and Digil-Mirifleh – that comprised the nation.’<sup>7</sup>

The arrival of Islam in the tenth Century brought ‘new and powerful values into the existing Somali cosmology,’<sup>8</sup> and was a major but not exclusive link to the outside world. This brought new social hierarchies, including that of the *Sheikh*, an expert on Islamic practice and *Shir*, consensus-orientated community meetings. Whilst not united as a nation by the structures of state, Islam unified Somalis, regardless of clan or livelihood, influencing the Somali language by importing a number of Arabic words. Lewis notes; ‘Above all, Islam adds depth and coherence to those common elements of traditional culture, which over and

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<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Meridith, M., *The State of Africa – A history of the continent since independence*, London, The Free Press, 2005, p 465.

<sup>8</sup> Ibid.



above their many sectional divisions, unite Somalis and provide the basis for their strong national consciousness.<sup>9</sup>

### *Colonial Somalia – The brutality of occupation (1862-1960)*

The colonisation of Somalia into five separate territories in the nineteenth century continues to have significant ramifications on security and statebuilding for the Horn of Africa to the present day. This would see the French occupying Djibouti (in various forms between 1862-1977), the British controlling both Somaliland (1888-1960) and a significant swathe of territory inhabited by ethnic Somalis incorporated into Kenya (also colonised by the British), and the Italians establishing a colony across the remainder of Somalia (1923-1960), including the capital Mogadishu and finally the Ethiopians controlling the Somali region of the Ogaden plateau.<sup>10</sup>

In terms of assessing the impact of colonialism on the contemporary statebuilding discourse, it is important to understand the two distinct legacies left by the contrasting approaches of the British in Somaliland and the Italians in south central Somalia.

The British perspective towards Somalia was purely pragmatic and driven by two principle factors.<sup>11</sup> Firstly, there was the need to ensure a free trade flow to India which required the maintaining of a coaling station in Aden, Yemen which could be replenished easily from Somaliland. Secondly, from a geo-strategic perspective, there was the need to halt the advance of other European powers who had colonial aspirations in the region which prior to 1886 was secured in an arrangement with Egypt, which secured the Somaliland territory and thus minimised any direct British involvement. However, following the takeover of the

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<sup>9</sup> Lewis, I. M., *A Modern History of Somalia – Nation and State in the Horn of Africa*, London, Westview Press, 1988, p 16.

<sup>10</sup> Prunier, G., 'Benign Neglect versus La Grande Somalia - The colonial legacy and the post-colonial Somali state' in Hoehne. M., & Luling. V., *Milk and Peace, Drought and War – Somali Culture, Society and Politics*, London, Hurst & Company, 2010, p 36.

<sup>11</sup> Ibid.

coast by the Sudanese Mahiyya, the Somaliland coast was abandoned and, Britain, 'reluctantly entered into a series of bilateral treaties with various Somali 'chiefs' who were willing to accept a light protectorate.'<sup>12</sup> This was managed from Bombay with as little intervention in Somali affairs as possible.

The Italian motives for colonisation in the late 19<sup>th</sup> Century, however, were very different. Italy, itself a country which had only existed for fifteen years in 1880, was desperate to prove itself as a rising power amongst its European neighbours and was driven by a yearning to recapture some of the previous stature of the Roman Empire. More pragmatically, it also viewed colonialism as a means to redress its dire financial situation. Prunier notes, '*La conquista dell'Impero*' became an ideology supposed to solve major problems of national consciousness and of practical economics, from a position both of no experience and of major emotional investment.'<sup>13</sup>

These contrasting motives would correspond to very different approaches to the respective colonial territories on the ground. The British ensured that the cost of their operations was as minimal as possible as their 'mission was fully compatible with a very limited level of imperial involvement and with a continuation of most of the social, judicial and even political practices of Somali culture – as long as these did not interfere with the core diplomatic and strategic role attributed to the territory.'<sup>14</sup> This is not, however, to say that British colonialism could not be brutally applied if needs be, as Somalia's Kenyan neighbours can attest, however that in this case, such an approach was unnecessary to meet Britain's foreign policy objectives.

Conversely, Italy sought a much more 'hands on' approach, although struggled to both finance and implement such an ambitious agenda. A series of chartered companies, sanctioned by Rome to administer Somali territory on its behalf, were invariably linked to the slave trade, used violence to exhort funds from the population or paid off those who presented too much of a risk, despite Italy's

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<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid, p 37.

'civilising' mission.<sup>15</sup> The reality, given its limited resources, was that Italy only gained minimal control of the Somali population and this decreased further when Italy endured further financial hardship during World War One.

However, with the arrival of fascism in Italy and the particularly ardent believer Cesare Maria De Vecchi Di Va Cismon appointed as the new Governor of Somalia Italiana, a more effective, yet brutal experience of Italian colonialism was realised from 1922. Italy was even able to hold on to its Somali colony after its defeat in World War II, despite initial efforts by the British Foreign Secretary, Earnest Bevin, to create a Greater Somalia which would reunite all five Somali territories, plans which were abandoned after Italy's lobbying at the UN. This culminated in 1949, with Somalia being brought under Italian control via the *Amministrazione Fiduciaria Italiana della Somalia* (AFIS) under a ten-year agreement that would prepare Somalia for independent rule, which it finally achieved on 1<sup>st</sup> July 1960, although little was done to this affect and Italy actively suppressed nationalist movements that arose during this period.

#### *The rise and fall of the irredentism (1960-1991)*

During the 1940's and 50's political parties did begin to form in south central Somalia despite Italian efforts to stifle this. The Somali Youth League, in particular, became prominent. Following a series of municipal elections, Somalia became independent in 1960 with Somaliland quickly joining the south to form the Republic of Somalia. This reunification furthered a rise in Somali nationalism and a determination to reunite the Somali regions that had been annexed by the colonial powers. Accordingly, unification or *irredentism* as it was termed, became the major political agenda and was 'enshrined in the Somali constitution and emblazoned on the Somali flag, which bore its emblem a five-point star representing the five star flag of the Somali people.'<sup>16</sup>

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<sup>15</sup> Ibid, p 38.

<sup>16</sup> Op Cit, Martin, M., p 465.

As Martin Meredith notes, 'For as long as the goal of a 'Great Somalia' seemed attainable, clan rivalries were held in check' as they were unified by a common agenda.<sup>17</sup> However the events of the 1970s would see this vision quickly dissipate and the broader clan settlement unravel.

Following the assassination in 1969 of the second Somali President, Abdirashid Ali Sharmake, by a policeman related to a clan dispute, the resulting power vacuum enabled General Siad Barre to come to power in a bloodless military coup. Shortly proclaiming Somalia to be a Marxist state and, in return, securing significant military assistance from the USSR, Barre placed the country firmly within the arena of cold war politics.

Siad Barre would remain in power for over two decades and his legacy, particularly of the later violent and self-destructive years of his tenure, looms large over Somalia to the present day. Whilst the first period of his rule until around 1974 was distinguished by a successful national literacy campaign, famine conditions between 1974-1975 precipitated the need for a political distraction. Now with a sizeable military force, Somalia attempted to intervene militarily in Ethiopia to reclaim the ethnic 'occupied' Somali regions and create a broader Somalia. However, a dramatic switch in superpower backing saw the USSR alongside Cuba supporting Mengistu's Marxist Ethiopia and led to a crushing defeat of the Somali's military in their campaign to capture the Ogaden in March 1978.

This event became the catalyst for the broader clan settlement achieved by Barre in the initial years of his presidency to breakdown and led to the emergence of a number of clan-based insurgencies to form. This included the formation of the Somali Salvation Democratic Front (SSDF) by an officer from the Majerteyn sub-clan of the Darod who led a campaign to initially but unsuccessfully overthrow Barre, which would then morph into the Somali National Movement (SNM). Although initially the movement was multi-clan, the SNM became quickly synonymous with the Isaaq clan who had long felt

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<sup>17</sup> Ibid, p 466.

marginalised by the central government and, with support from Ethiopia, sought independence for Somaliland and undertook a ten-year insurgency campaign against them.

Critical to the SNM's formation were the events immediately following the peace agreement in 1988 between Ethiopia and Somalia that led the SNM to make the decision to capture key towns in Somaliland, including Hargeisa and Burco. Such was Barre's determination to defeat the SNM that he signed peace agreements with his former enemy Ethiopia which allowed Mengistu to move troops from the Somali border to address internal insecurity issues and in turn, allowed Barre the opportunity to crush the SNM in Somaliland. Mary Harper notes, 'The authorities response was extraordinarily vicious; Siad Barre's ground and air forces carried out such heavy bombardments of the regional capital Hargeisa, that it was known as the 'Dresden of Africa.'<sup>18</sup> The humanitarian situation was dire with over 60,000 killed and almost 500,000 fleeing across the border to Ethiopia. These events would see a major boost in support for the SNM, particularly from the affected Isaaq population and many within the movement began to lobby for Somaliland's independence.

With the unification agenda in tatters, between 1989-1991, Barre was instead drawn into inter-clan warfare. Having been abandoned by the now collapsed USSR, Barre was however easily able to secure patronage of other clans through extensive Western aid, principally donated by the Americans and Italians, which 'soared to \$80 per person, equivalent to half the gross domestic product.'<sup>19</sup> However, following the end of the Cold War, American military and economic assistance stopped and left the Barre government with no further funds to continue its counter-insurgency. As such, 'Somalia began to disintegrate, fragmenting into a patchwork of rival fiefdoms controlled by the clan chiefs, all armed to the hilt.'<sup>20</sup> Popularly demoted to the 'Mayor of Mogadishu', under increasing pressure from the leader of the United Somali

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<sup>18</sup> Harper, M., *Getting Somalia Wrong? Faith, War and Hope in a Shattered State*, London, Zed Books, 2012, p 56.

<sup>19</sup> Op Cit, Meridith, M., p 468.

<sup>20</sup> Ibid, p 469.

Congress, General Muhammed Farah 'Aideed', Barre finally fled Mogadishu in January 1991.

In Somaliland, independence was finally declared in May 1991 following the collapse of the central Somalia government, and was 'precipitated by the hurried installation of Ali Madhi as President of Somalia by one faction of the United Somali Congress (USC) without prior consultation with the SNM.'<sup>21</sup>

During the very early days of independence, the sub-clans of Somaliland had been initially willing to join South Central Somalia - unifying on the 1<sup>st</sup> July with Italian Somaliland just five days after the latter became independent. Bradbury notes that 'the Somaliland authorities assert that rather than being a secessionist state, the sovereign independence of Somaliland has been restored, a status it held for five days between 26 June and 1 July 1960.'<sup>22</sup>

Between 1991-1993, numerous peace clan conferences were held amongst the sub-clans in Somaliland (*shiir beeleed*) that would seek to avoid Somaliland descending into its own internal civil war as well as negotiating the transition to civilian rule. This was finally achieved in 1993 at the Borama conference and most critically from a statebuilding perspective, 'The structure of government agreed at Borama fused indigenous forms of social and political organisation with western-style institutions of government, in what would become known as the 'beel system' of government.'<sup>23</sup> Over the next ten years a gradual but imperfect process of democratisation took place in Somaliland that gradually moved the country from clan politics to one of political parties and from 'selected representation to elected representation.'<sup>24</sup>

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<sup>21</sup> Bradbury, B., & Hansen, S., 'Somaliland: A New Democracy in the Horn of Africa?', *Review of African Political Economy*, 2007, Vol 34, No 113, p 463.

<sup>22</sup> Ibid, p 464.

<sup>23</sup> Op Cit, Meridith, M., p 464.

<sup>24</sup> Ibid, p 464.

### *Warlordism & failed humanitarian intervention (1991-2001)*

With the central government having collapsed, between 1991-1995 Somalia was subject to an array of international humanitarian, military and statebuilding interventions which would respectively flounder in their attempt to rebuild the state. During this period, two new and important forms of authority emerged; firstly those of the warlords who controlled predatory clan-based militias that sought to maximise their own power and wealth by capturing state assets for their own ends and secondly, Islamist authorities, who in the absence of any functioning central government, opposed the warlords through the adoption of a local governance system based upon a particular interpretation of Islam.<sup>25</sup>

Following Barre's desertion of the capital, Mogadishu itself began to disintegrate into a power struggle between the Hawiye sub-clan warlords, Aideed from the Habar Gidir and Ali Mahdi of the Abgal with the latter controlling the southern area of Mogadishu and the former controlling the north with the resulting violence virtually destroying Mogadishu. Concurrently, Aideed and Siad competed for control of the Digil-Mirifleh region with the latter later defeated and pushed further into exile, 'leaving behind a region wracked by famine and starvation.'<sup>26</sup> Fleeing firstly to Kenya, a move which was met with public outcry, Barre lived in exile in Nigeria until his death in 1995.

As famine emerged across Somalia in late 1991, the United Nations, under the Secretary General Boutros Boutros-Ghali, had adopted a more interventionist mandate. Under its *Agenda for Peace* framework, a newly invigorated United Nations was eager to act, although arguably did not have the resources or mechanisms to engage in such a complex emergency. However, taking advantage of a brief ceasefire between Aideed and Madhi in March 1992, the UN Security Council established the United Nations Operation in Somalia (UNOSOM) to ensure the protection of an observer force to monitor the ceasefire and to ensure the safe delivery of humanitarian supplies. However,

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<sup>25</sup> Op Cit, Harper, p 66.

<sup>26</sup> Op Cit. Meridith, M., p 471.

the post-cold war arena of humanitarian assistance set a new precedent in securing access with 'various militias control[ing] access to the port and the international airport, demanding landing fees, holding supplies to ransom, running protection rackets, raiding warehouses and fighting among themselves. Relief agencies were obliged to negotiate a series of deals with them to enable food convoys to reach their destination.'<sup>27</sup>

Under increasing pressure from humanitarian agencies such as CARE International to provide greater security to ensure humanitarian access, the Unified Task Force (Unitaf) was created in December 1992 which consisted of 28,000 troops. This included a significant contingent of American personnel who would later launch 'Operation Restore Hope' in early 1993. However, on the ground, there was much disagreement of whether Unitaf's mandate should also include the disarmament of militias. After a number of incidents where Unitaf forces did not intervene, it was clear that the mission was purely humanitarian, leaving many Somalis to conclude that, 'Operation Restore Hope was little more than a cynical deal between the US and the warlords to allow the US to withdraw with minimum difficulty once relief supplies were assured.'<sup>28</sup> This position, however, would drastically change with the formation of UNOSOM II and one that would end with disastrous consequences.

The UNOSOM II mission fell much more in-line with the United Nation's newly invigorated mandate of interventionism and sought to establish 'a new government, a new police force and a new justice system.'<sup>29</sup> Critically, this would include the disarmament of militias – most significantly those belonging to Aideed and Madhi. However, Aideed's militia began to perceive that it was being unfairly targeted and set-up 'Radio Aideed', essentially a vitriolic propaganda channel accusing UNOSOM II of colonial aspirations. A bungled Pakistani-led mission to inspect an Aideed arms cache was mistakenly perceived as an attempt to close-down Radio Aideed and ended in a heavy exchange of fire in which twenty-six Pakistani soldiers died. This became a key

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<sup>27</sup> Ibid, p 472.

<sup>28</sup> Ibid, p 477.

<sup>29</sup> Ibid, p 478.



tipping point in the mission and led the Americans to push for Aideed's capture and arrest and a significant militarization of the UN mission. Led by the American Admiral Jonathan Howe, UNOSOM II went on to pursue Aideed in a wild-west fashion, complete with 'wanted posters' with and a \$25,000 bounty on his head which Aideed reciprocated for Admiral Howe.

After many months of intense urban warfare, which completely consumed the UN mission, the results were fairly bleak with significant civilian casualties. However, on the 3<sup>rd</sup> October 1993, intelligence was received which led to the capture of two of Aideed's closest advisors. The subsequent mission to capture Aideed, famously depicted in the Hollywood movie, *Black Hawk Down*, went disastrously wrong with two Black Hawk helicopters being shot down in urban Mogadishu and a drawn-out ground rescue mission which plunged American forces into unfamiliar urban warfare. In total, 18 American soldiers were killed with two bodies being dragged through the streets and seventy-three seriously injured. Several hundred Somalis are estimated to have also been killed. These events went on to send shockwaves through the American administration and led President Clinton to declare the search for Aideed over and the abandonment of the mission. This effectively brought the UNOSOM II mission to a close, although it dragged on formally until March 1993. However, the withdrawal of American troops brought about a new period of global non-interventionism amongst Western powers which would continue to have significant implications, most notably for the Rwandan Genocide a few years later, in which the international community had very little appetite to intervene.

Between 1995-2001, Somalia was both stateless and no longer the focus of international statebuilding efforts. Whilst it did not descend back to the levels of violence seen in the immediate aftermath of the collapse of the state, it did experience 'a gradual demise of armed factions and the rise of a somewhat more secure but much more complex mosaic of localised systems of informal governance.'<sup>30</sup> Most notably this period also the formation of Puntland as a federal state for the Harti-Darod following a series of clan conferences in which

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<sup>30</sup> Menkhaus, K., 'Stabilisation and humanitarian access in a collapsed state: the Somali case', *Disasters*, 2010, Vol 34, No 3, p 9.

the SSDF transitioned into a civilian government. Unlike Somaliland however, Puntland did not seek independence.<sup>31</sup> This period marked a very difficult period for international aid organisations as they negotiated access and security with numerous actors often under challenging security conditions with the World Food Programme (WFP) coming under particular scrutiny as the levels of food diversion became increasingly clear.

### *Kleptocracy & the rise of violent Islamism (2001-2017)*

The 9/11 attacks and the subsequent War on Terror in the US however, refocused international attention back to Somalia as ‘concerns grew about the security threats that could emanate from Somalia’s ‘un-governed space’ generating new interest in the promotion of state revival.’<sup>32</sup>

Between 2000 and 2004, there were a number of extensive and very expensive ‘peace conferences’ often taking place in the comfort of regional capitals, all of which failed to achieve a significant breakthrough. For those invited, these provided refuge from the violence and poverty of Somalia with participants seeking to keep them going as long as possible. Harper notes, ‘the Kenyan authorities became so desperate during one marathon conference that lasted for more than two years that they organised a ‘farewell party’ for the delegates as a polite way of telling them to go home.’<sup>33</sup>

During this period, two years of the Nairobi Peace Accords finally brokered an agreement that culminated in the formation of the Transitional Federal Government (TFG) in October 2004 which moved from exile in Kenya seven months later.

Particular concern at this time was focussed on the emergence of the Union of Islamic Courts (UIC), which emerged in late 2004 under Hassan Dahir Aweys

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<sup>31</sup> For a fuller historical account regarding the formation of Puntland, see Chapter Five, p 126.

<sup>32</sup> Op Cit. Menkhaus, K., p 12.

<sup>33</sup> Op Cit, Harper, M., p 64.

and eventually became the defacto authority in Mogadishu between 2005-2006. Whilst enforcing a form of Sharia law, it is generally considered that this brief period was in stark contrast to the preceding anarchy, with a semblance of law, order and stability that allowed for some normality to return to Mogadishu.<sup>34</sup>

However, such was the concern by both the US and regional states of an Islamist authority emerging, that the US sponsored local militias to form the Alliance for Restoration of Peace and Counterterrorism (ARPCT) as a force to combat the UIC, a grouping largely comprised of former warlords and the business community. However, to the surprise of the outside world, the ARPCT was convincingly defeated by the UIC. In doing so however, the UIC both overestimated its strength and rekindled earlier irredentist ideals. This led to territorial claims against Ethiopia which prompted the latter into a full-scale invasion of Somalia, in which it successfully defeated the UIC. Many commentators have stressed that the opportunity to build upon the stability offered by the UIC and take advantage of a grassroots bottom-up approach was lost and in turn led to the formation of the more radical al Shabaab movement. The BBC journalist Mary Harper concludes, 'Once again, the USA and its allies misjudged events in Somalia. They assumed too quickly that the Union of Islamic Courts constituted a threat. This misperception may well have inadvertently contributed to the rise of violent Islamism in the country.'<sup>35</sup>

During this time, the government was unable to move to Mogadishu and was based initially in Jowhar and then later in Baidoa, until Ethiopia effectively installed the TFG in Mogadishu. The TFG, widely deemed as completely ineffective and motivated almost entirely by a combination of both personal and clan interests, did not live up to expectations.<sup>36</sup> As Menkhaus notes of the TFG structure, the cabinet alone consisted of eighty-two ministers and deputy ministers, as a 'minimalist state structure and non-patronage-based state fly in the face of the existing political culture among Somali elites and civil servants,

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<sup>34</sup> Ibid, p 66.

<sup>35</sup> Ibid, p 103-4.

<sup>36</sup> Ibid, p 174-175.

whose past experience of the state was as a bloated patronage machine fed by Cold War foreign aid.<sup>37</sup>

After a number of unpopular extensions, the TFG finally dissolved to make way for the Federal Government of Somalia in September 2012. Surprisingly, even to seasoned Somalia observers, the incumbent was defeated and Hassan Sheikh Mohamud, a veteran within civil society circles, was elected as the new President. In the initial twelve months of his tenure, there was considerable optimism that the corrupt and ineffective government would be confined to Somalia's history. However, by late 2013, difficult questions were being asked with Matt Bryden concluding, 'whether Somalia progresses along the path to peace or relapses into fragmentation and conflict depends on whether the SFG continues [to] impose its own narrow, ideologically driven agenda or seizes the opportunity to enlarge its appeal by behaving as a government of national unity: a choice between Somalia redux or Somalia relapsed.'<sup>38</sup>

Meanwhile, whilst the UIC had been successfully defeated, this was far from the end of Islamist movements in Somalia. Rising to power in 2006, under the persuasive leadership of Sheikh Ahmed Abdi Godane and the 'spiritual' guide of the former UIC leader, Hassen Dahir Aweys, a fundamentalist and brutal organisation emerged that would quickly take over large swathes of South Central Somalia. The motives of al Shabaab fluctuate although include at a minimum, the establishment of an Islamic caliphate within the boundaries of Somalia and at a maximum, 'creating a giant Islamic state stretching down into East Africa and up towards Egypt.'<sup>39</sup> Al Shabaab's draconian Islamic interpretations led to extreme curtailing of freedoms including bans on music, sport and strict prescriptions on dress code, alongside a very violent application

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<sup>37</sup> Menkhaus, K., 'Governance without Government in Somalia – Spoilers, State Building and the Politics of Coping', Winter 2006/2007, *International Security*, Vol 31, No 3, p 95.

<sup>38</sup> Bryden, M., *Somalia Redux? Assessing the New Somali Federal Government*, Centre for Strategic & International Studies, August 2013, p 3.

<sup>39</sup> Op Cit, Harper. M., p 86.

of Sharia law. The latter includes summary executions, including beheadings and being buried and then stoned alive.<sup>40</sup>

Up until 2010, al Shabaab controlled vast swathes of the country including the capital, however, AMISOM forces have gradually managed to take control of major cities and by 2014 included Mogadishu, Kismayo and Baidoa. Although al Shabaab has been defeated as a conventional fighting force and wracked by internal in-fighting, including the killing ordered by Godane of the second in command, Ibrahim Haji Jama Mee'aad (al Afghani), who supposedly opposed Godane's affiliation with al Qaida, al Shabaab still retains significant asymmetric military capacity. Significant recent attacks have included complex attacks on the Supreme Court (April 2013), the Mogadishu UN Compound (June 2013), Villa Somalia (February 2014), attacks on numerous up-market hotels hosting MPs and international visitors and Mogadishu International Airport (February 2014 & July 2016). Less newsworthy, but still deadly are the almost constant assassinations, mortars, attacks on AMISOM convoys and regular deployment of improvised explosive devices. Despite regular proclamations by the Federal Government of Somalia that they have successfully defeated al Shabaab, a total military victory is highly unlikely. Currently, any form of political settlement that includes al Shabaab, is currently unpalatable for the international community to seriously discuss.

### **Historical implications on contemporary statebuilding discourse in Somalia & federalism**

The events outlined above continue to have a significant impact on the contemporary statebuilding discourse in Somalia and specifically that of federalism. Key areas to consider are as follows:

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<sup>40</sup> Ibid, p 94.

### *Strong suspicion of governance systems perceived to be externally imposed*

Somalia's history from colonialism to the present day has been one of multiple interventions. Prior to the European colonisation of Somalia, no centralised formal state existed and the Somali regions functioned through a mosaic of local governance structures that were structured around the clan. Colonisation arbitrarily carved Somalia into geographically distinct regions that did not correlate with the homogenous Somali population living across them and, in the case of south central Somalia in particular (under Italian colonial rule), significantly dismantled indigenous forms of governance. Thus, any new governance system that Somalia adopts will have to contend with these artificial boundaries that still exist today. More contemporary interventions have not fared much better. Many of these, particularly those from the 1990s onwards, have been particularly crude in their implementation and some exceptionally violent.

The implications for federalism are significant. The failed attempts to stabilise the country and the crude manner in which some of these interventions were undertaken, has again increased popular suspicion that contemporary statebuilding processes are being externally driven or imported from abroad. For federalism to succeed, it will need to demonstrate wide-spread public and political support in order to counter such sentiments.

### *Failure of the unitary state as a model for Somalia*

Somalia's history of failed irredentism and the subsequent civil war means that the option of returning to a centralised unitary state – even one that is highly decentralised – is likely to face strong opposition. The rise of a deeply corrupt and inefficient government since 1991 has deeply weakened public confidence in government generally, and in particular reinforced the negative perceptions of the central government.

These concerns remain critical to the discourse on federalism for a number of key reasons. In a similar fashion to that of the colonialists, Barre attempted to override indigenous systems of governance by dismantling clan as the fundamental building block of society, whilst at the same time using the state to strengthen the power of his own kinsmen. The implementation of federalism thus has to balance the risks of encouraging highly politicised clan entities to emerge and, conversely, negating clan entirely by pushing non-clan based political parties, which may result in a backlash by those that perceive this to be 'non-Somali'.

If successful, federalism has the potential to be a model which can effectively counter and hold in-check the power of the Federal Government whilst avoiding the need for federal member states to follow Somaliland and advocate for secession. Ultimately, this may be federalism's strongest appeal to the broader Somali population. However, the general aversion to a unitary state is likely to impact relations between the centre and the periphery as the latter will be keen to ensure the government does not exceed its powers. For instance, negotiations relating to the division of powers and responsibilities between new emerging federal states and the federal government are likely to be undertaken with deep suspicion by the latter.

However, conversely, resistance to a unitary state means there remains a real risk that having created functional new entities that if the relationship between the centre and the periphery sours, secession will be easier to achieve. Indeed, Somaliland's independence agenda has arguably been very effective and may appear an attractive option. Not only does the region receive separate aid flows from Mogadishu but it has achieved a reasonable degree of security and has successfully embedded a number of democratic norms having held multiple local, parliamentary and presidential elections. Again, this success might tempt newly emerging federal states to go alone, should they feel that the deal they have achieved under federalism has fallen short.

Given that many Somalis have a deep distrust of the central government yet reluctance to secede, it would appear that federalism might indeed be a popular

choice. Given these dynamics it is likely, however, that significant trust building between the centre and the periphery will need to take place if a mutually acceptable agreement regarding the division of powers is going to be agreed.

### *Norms of political violence & corruption*

Regardless of the governance system chosen, norms of political violence and corruption are likely to remain major hindrances. The legacy of warlordism in Somali politics remains strong and could indeed be strengthened by a federal agenda, as it remains likely that dominant clans and their associated militias are most likely to be installed as the leaders of local federal administrations. Indeed, as will be analysed in more detail in Chapter three, Ahmed Mohamed Islam (Madobe) and in effect, his Raskamboni militia, was selected through a clan conference in May 2013 as the leader of the Jubaland Interim Administration.

Whilst levels of political accommodation are not unusual in post-conflict settlements, this risks setting a precedence that past historical injustices, of which there are many, are not addressed. In addition, the suitability of such individuals to take on the complex task of post-conflict statebuilding in the interests of the broader population and not just their own group, is of real concern.

Any new statebuilding process in Somalia will need to work proactively to counter the winner-takes-all approach to Somali politics, whereby politicians use their power and influence to further their own agenda and that of their sub-clan. This will be critical to rebuilding public confidence. A careful balance needs to be struck in accommodating former warlords as part of the political reconciliation process versus supporting the rise of a new generation in politics that are committed to the rule of law, human rights and equitable development.



## *Islamism*

There are many Islamist groups, and not just al Shabaab, within Somalia who do not necessarily want to see the implementation of a new secular state. Somalia, as recently as the 1980s, practiced a Sufi and moderate Islam. Whilst this has become more conservative due to the influence of Saudi Wahhabism, the vast majority of Somalis remain strongly opposed to the dogma espoused by al Shabaab. Al Shabaab's ideology rejects a number of characteristics usually fundamental to modern states including a secular justice system, gender equality and universal suffrage. Whilst more moderate groups can be more easily accommodated, those with a more militant or Jihadi perspective are likely to remain outside of the mainstream polity, and are likely to pursue their resistance violently.

The significant territory held by Islamist groups such as al Shabaab means that the reach of federalism will be nominal in large parts of the country. However, federalism may, depending on how it is implemented, be part of the solution to this insecurity, as newly formed federal states represent an opportunity for groups to present a common front to al Shabaab. In addition, federalism also presents an opportunity for broader security sector reform including the police and the integration of militias into the Somali National Army, both of which could lead to significant security dividends.

## *Clan & tradition*

Lastly, there is a real need to consider how to integrate or accommodate traditional structures namely the clan and elders into a new modern governance system.

The role of traditional elders has changed considerably throughout the Somali conflict from one of marginalisation under Barre to effectively replacing the state following the collapse of the government, albeit contending with other power actors such as warlords and Islamist groups. As a result of the civil war, clan

elders proliferated as the trust within groups began to breakdown resulting in each sub-sub clan requiring its own representation. This new generation of elders currently lacks the authority that their predecessors had and has been more easily corrupted by incumbent politicians or political candidates seeking nomination.

Having currently lost the societal influence they once had there is a need to consider carefully the future role they may play in any new governance arrangement. Indeed, traditional Somali governance structures have never had the opportunity to evolve into a more formal system' having simply been violently repressed by external forces and internal forces from colonialism onwards.

In contemporary Somalia, the prominence of the clan significantly influences society and politics outside of the state, sometimes being in competition or even outright opposition to attempts to form modern state structures. For example, clannism continues to act as a major hurdle to forming political parties which are multi-clan and have a clear political ideology.

Whether federalism can successfully be implemented whilst competing with the clan remains to be seen. As will be illustrated in the next chapter, those sceptical of utilising federalism in post conflict countries would argue that this significantly risks the further politicising clan, perhaps to the detriment of minority groups residing within new federal member states. As to whether this will occur will depend on the manner in which federalism is introduced and whether the new political leadership within these entities is prepared to act outside of their own immediate political interests.

## **Conclusion**

In conclusion, this chapter has outlined how key historical events and trends have shaped contemporary discourses on statebuilding and federalism in Somalia. Whilst in many ways federalism can begin afresh, given until very

recently the absence of any formal government institutions at the federal state level, it will still have to contend with these colonial legacies.

These narratives – particularly the oppressive and violent practices of the Italians in south central Somalia; the suppression of clan and the brutality of the Barre’s government; the crudeness of military-humanitarian interventions in the 1990s; the repeated occupation of Somalia by foreign forces; and the rise of warlordism and Islamist movements, all in turn, contribute to a visceral narrative regarding the future of the Somali state.

The drive since 2012 to form federal states in Somalia is, in part, a reaction to this broader legacy but also the result of a new trend within post-conflict statebuilding processes globally that often sees federalism as an integral component in uniting highly divided societies. The Provisional Constitution lays the framework for the establishment of federal states as a means to accommodate some of the concerns regarding the dominance of one particular clan holding executive power across Somalia. However, this is not to say, that all groups within Somalia share this support for federalism and statebuilding in Somalia remains highly contested, as different groups, depending on their interpretation of the trends discussed above and their current access to power and political life, advocate for alternative models of governance.

However, a historical analysis would suggest that federalism’s success in Somalia will depend in part on how it responds to these historical events. This will include the degree to which it is perceived to be externally imposed, whether it can offer constitutionally guaranteed protection to the periphery that a unitary state cannot and whether it can compete with the alternative offerings of Islamism and clannism without become mired by corruption and political violence. Taking into consideration, the significance of these historical events, the following chapter will assess from a theoretical perspective, whether federalism may indeed offer Somalia such a viable governance model.

### **Chapter Three - Prospective governance options for Somalia: Federalism, Consociationalism & the Decentralised Unitary State**

This chapter provides a literature review and further seeks to answer the second subsidiary question noted in chapter one; *To what extent does the theoretical literature and evidence from other contexts support the proposition that federalism is likely to be an effective model of governance in Somalia and Somaliland?*

This chapter firstly defines three governance models, federalism, consociationalism and the decentralised unitary state, each of which are designed to distribute power and resources from the centre to the periphery in different ways. Secondly, the chapter outlines the contested advantages and disadvantages of each model at a theoretical level before assessing their respective relevance as a potential governance system for Somalia. This will provide the conceptual framework used to assess the success or failure of the introduction of federalism in Jubaland, which will be the focus of a detailed case study in Chapter four.

#### **Federalism**

The following section shall firstly define what is referred to as 'classical federalism' which is mainly derived from the literature relating to northern, stable and democratic countries such as the United States, Switzerland or Germany, which are often recognised as proto-type examples. Secondly, this section reviews more contemporary literatures on debates on 'post-conflict federalism' which explore the potential challenges and strengths of adopting federal governance as a post-conflict statebuilding option. Thirdly, this section reviews and analyses the relevance and viability of implementing federalism in Somalia.

##### *Classical federalism*

One of the most widely cited examples of so-called 'classical federalism', is that of Switzerland which adopted federalism in 1848 as a founding principle and as

a means to overcome societal divisions around religion and politics.<sup>41</sup> In this instance, the authority of the central government is highly limited and considerable powers are invested to the *cantons*. Power at the executive level is constrained by a collective presidency and a rotating president. With popular representation in the Federal Assembly at canton and commune levels and a Federal Court to resolve disputes both between the cantons and amongst the cantons themselves, the Swiss model can be seen as something of an ideal. In reality though, federal states exist in many different forms around the world.

K.C. Wheare defined federal government as follows:

‘An association of states so organised that powers are divided between a general government, which in certain matters – for example, the making of treaties and the coining of money – is independent of the government of the associated states, and on the other hand, state governments which in certain matters, are, in their turn, independent of the general government. This involves, as a necessary consequence, that general and regional governments both operate directly upon the people; each citizen is subject to two governments.’<sup>42</sup>

Similarly, Lewis suggests three ways in which power can be shared within a federal system:

‘1) the provinces have most of the powers of government, with the centre only exercising limited powers 2) the centre has most of the powers with the provinces having a limited amount; or 3) the provinces and the centre share

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<sup>41</sup> Fleiner, T., *Federalism: Basic Structure and Value of Switzerland Recent Developments In Swiss Federalism*, 2000, p1

<http://www.thomasfleiner.ch/files/categories/IntensivkursII/Switzerland.pdf>. Accessed 13th December 2016.

<sup>42</sup> Wheare, K., *Federal Government*, Fourth Edition, London, Oxford University Press, 1963, p 2 quoted in Adegehe, A., *Federalism and ethnic conflict in Ethiopia: a comparative study of the Somali and Benishangul-Gumuz regions*, Doctoral Thesis, Department of Political Science, Faculty of Social & Behavioural Sciences, Leiden University, 2009, p 24-25.

powers of government with specific means of mediating disputes between them.<sup>43</sup>

Another important distinction of classical federalism is how federal states are formed. Typically, this involves a process of individual sovereign states ‘coming together’ as a result of identifying shared interests which could be better realised collectively. It is also useful to distinguish between federalism and confederalism. Confederalism refers to instances whereby states come together with the European Union being the most prominent example.<sup>44</sup> In doing so they ‘retain their sovereignty – thus making it a weaker union than that of a federation – but are obliged, by terms of confederation to adhere to particular policies on, for example, trade, fiscal policy, immigration, defence and justice.’<sup>45</sup> Lister makes the important observation that in comparison to federalism, confederalism in ‘allowing each member state to keep its sovereignty, establishes a more clear cut and stable situation that can be altered only when the member states are agreed that they want to create a closer union.’<sup>46</sup> Elazar reinforces this point, noting that confederal states are ‘primarily communities of polities, which place greater emphasis on the liberties of the constituent polities.’<sup>47</sup>

However, beyond the mechanics of federalism, it is important to consider the underlying political theory underlying the classical form from legal, constitutional, sociological, political and ideological perspectives.

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<sup>43</sup> Lewis, I., *A study of decentralised political structures for Somalia – A menu of options*, European Union, EC Somalia Unit, London School of Economics and Political Science/UN Development Office for Somalia, August 1995, p xix.

<sup>44</sup> Golove., D., ‘The New Confederalism: Treaty Delegations of Legislative, Executive, and Judicial Authority’, *Stanford Law Review*, 2003, Vol. 55, No. 5, May, p 1697-1748.

<sup>45</sup> Elmi., A., *Decentralisation Options for Somalia*, The Heritage Institute for Policy Studies, 2014 p 4.

<sup>46</sup> Rivlen, Benjamin, and Frederick K. Lister. *European Union, the United Nations, and the Revival of Confederal Governance*, Greenwood Publishing Group Incorporated, 1996, p 24.

<sup>47</sup> Elazar, D., ‘Confederation and Federal Liberty’, *Publius*, Winter 1982, Vol. 12, No. 4, p 3.

A legal and constitutional approach, as the name would suggest, focuses on the primacy of the written constitution. This school of thought is strongly focussed on the formal processes that delineate power at the central and regional levels and how, through the set-up of an independent constitutional court, disputes between the periphery and the centre are managed.<sup>48</sup> Such approaches also often underline the importance of bicameralism as an important component of the federal model, whereby the 'lower house of parliament provides proportional representation to all citizens, while the upper house (second chamber) provides equal or qualified representation for the federating units.'<sup>49</sup> Elazar outlines how federal governments are structured from a constitutional perspective, 'Juridically, federal constitutions are distinctive in that they are not simply compacts between the rulers and the ruled but involved the people, the general government, and the polities constituting the federal union.

Moreover, the constituent polities often retain constitution making rights of their own.'<sup>50</sup> In a detailed analysis of different functions of national and state level constitutions in America, Donald Lutz concludes that the purpose of the latter is to ensure that, 'each state would be left to define its own way of life, thus preserving local control over this critical aspect of politics and permitting diversity in constitutional morality to reflect the diversity of the nation.'<sup>51</sup> The main critique of this legalistic perspective is, however, that it is overly focussed on the mechanics of federalism rather than the broader social and political process that drive its formation or collapse.<sup>52</sup>

Sociological approaches respond to the criticism above through an analysis of various drivers that lead to federal states forming or collapsing. One of its proponents, William S. Livingston, notes that, 'the essential nature of federalism is to be sought for, not in the shadings of legal and constitutional terminology,

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<sup>48</sup> Op cit, Adegehe, p 30.

<sup>49</sup> Ibid p 31-32.

<sup>50</sup> Elazar, D., *Exploring Federalism*, University of Alabama Press, 1991, p 157

<sup>51</sup> Lutz, D., 'The Purposes of American State Constitutions', *Publius*, Winter 1982, Vol. 12, No. 1, p 16.

<sup>52</sup> Ibid p 30.

but in the forces – economic, social, political and cultural – that have made outward forms of federalism necessary.’<sup>53</sup>

One additional contribution from the sociological approach are assessments of how the intersecting political, cultural and economic trends may enable a prediction as to whether a federal approach in a particular context will succeed or fail. Tarlton’s concept of symmetric and asymmetric federal systems is particularly useful in this regard. In symmetric systems, ‘units are of equal territory and population size and have similar cultural patterns, social groupings, political institutions and relationships with the political centre,’<sup>54</sup> whereas asymmetric systems units are characterised by their differences and inequality. Tarlton posited that the more symmetrical a system, the more likely that a stable political system would form, whereas in an asymmetrical system, stronger political forces would be more likely to push regional units towards secession.

Likewise a sociological approach can provide a useful analysis as to why a particular region or nation state would want to adopt a federal form of governance in the first place. A collective of pre-existing states coming together under a new federal structure, despite the loss of sovereignty that this entails, is often the result of a shrewd political calculation that such a formation will result in greater economic might or a greater deterrence to shared military threats. Alfred Stepan proposes that states that embark on federalism can be categorised as either ‘coming together’, ‘holding together’ or ‘putting together’. States such as America, Switzerland and Australia can be categorised as ‘coming together’ whereas Belgium, India & Spain are better described as ‘holding together’. States whereby there is an attempt by a strong autocratic centre to form a multinational state are best described as ‘putting together’ with the USSR the most notable example.<sup>55</sup>

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<sup>53</sup> Livingstone, W., ‘A note on the nature of federalism’, *Political Science Quarterly*, 1952, Vol. 67, No. 1, p 83-84.

<sup>54</sup> Op Cit. Adegehe , p 33.

<sup>55</sup> Stepan, A., ‘Federalism and Democracy: Beyond the U.S. Model’, *Journal of Democracy*, 1999, Vol. 10, No. 4, p 23.



Political and ideological approaches to federalism are more focussed on the philosophical framework in which a particular federal government is rooted. Malcolm Feeley's contemporary perspective offers some important insights into the relationship between political identity and federalism, stating that the 'geographical organisation of government, the physical pattern into which governmental authorities are arranged, powerfully implicates peoples sense of self, in a way that cannot be duplicated by other issues or government organisation, at least in the modern world.'<sup>56</sup>

The insight above in many ways clarifies why the issue of federalism is such a contested and impassioned subject. Federalism is not merely a technocratic governance arrangement to encourage more efficient and effective governance but 'expands the range of psychopolitical resources available for the creation of a political regime. Without federalism, the citizen or subject confronts the dichotomous choices between identification with central regime and rebellion against it in the realm of action.'<sup>57</sup> Federalism thus offers in some contexts a viable political response to managing multiple political identities in which 'subsidiary units possess rights against the central government,'<sup>58</sup> providing a degree of political autonomy within agreed areas of jurisdiction.

Lastly, it is worth clarifying five misunderstandings that apply equally to classical and post conflict-federalism, namely that federalism is falsely conflated with other, arguably desirable, political principles. These are, in reality, achieved as the result of separate processes.

One common belief is that federal governments are likely to be more democratic. Elazar notes for example that since American federalism was inherently linked with democratisation, 'no federal polity has been established in which the case for federalism has not been argued on democratic grounds.'<sup>59</sup> .

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<sup>56</sup> Feeley, Malcolm M., *Political Identity and Tragic Compromise*, University of Michigan Press, 2011, p 14.

<sup>57</sup> Ibid, p 15.

<sup>58</sup> Ibid, p 16.

<sup>59</sup> Op Cit, Elazar. D., p 108.

In this instance, federalism is often mistakenly viewed as a mechanism for protecting political liberty and, as such, goes hand-in-hand with democratic principles. However, as the examples of federally organised monarchies and dictatorships illustrate, this is not the case. Indeed, Stepan makes the point that architecture required by federal states arguably makes them inherently less democratic. He notes, 'Overrepresentation in the upper house, combined with constitutional provisions requiring a supermajority to pass certain kinds of legislation, could, in certain extreme cases, lead to a situation in which legislators representing less than 10 percent of the electorate are able to thwart the wishes of the vast majority.'<sup>60</sup>

Federalism is often recognised as being limited to democratic regimes as 'it depends on claims of the rights that political subdivisions can assert against the center,'<sup>61</sup> which are viewed as incompatible with non-democratic politics. However, this ignores the fact that in some authoritarian regimes it is not completely impossible (whereas it would be for totalitarian regimes) for subsidiary units to have claims against the central authority. In such incidences then, the link between democracy and federalism despite occurring together in many contexts cannot be universally applied.

Similarly, the literature includes widespread arguments that federalism can be a vehicle for promoting local democracy given the assumption that federal states will ensure the 'practice of selecting the executive or legislative authorities of government subunits by means of free and fair elections.'<sup>62</sup> However, this is not always the case. The fundamental difference between local democracy and federalism is that 'federalism reserves particular issues to sub-national governmental units, regardless of the political process that exists between these units without granting these units any particular area of authority.'<sup>63</sup>

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<sup>60</sup> Op Cit. Stepan A., p 22-23.

<sup>61</sup> Op Cit. Feeley M., p 33.

<sup>62</sup> Ibid, p 30.

<sup>63</sup> Ibid, p 31.

There is also an assumption that federalism can also secure liberty. Elazar comments, 'one "given" of federalism is that humans are born free and that good government must be grounded in a framework of maximum human liberty.'<sup>64</sup> However, as discussed above, given that federalism is not necessarily democratic and 'only democratic government, by definition, allows for unencumbered political participation, and only democratic governance, by experience, protects human rights.'<sup>65</sup>

Advocates of federalism often cite one of the main advantages as increasing participation. Frey and Stutzer note, 'A central aspect of federalism are the extended possibilities of democratic political decision-making. A decentralized country with small jurisdictions offers scope for participatory democracy.'<sup>66</sup> However, as the definition of federalism does not identify a democratic form of governance *per se*, then even if this does occur it is actually as a result additional efforts to promote democratisation and is not directly attributable to the introduction of a federal system.

Federalism is also viewed by some as a mechanism to enable or promote greater accountability. However, this is again likely to be achieved through the holding of local elections which enable authorities to be held to account, which are not a required component of federal forms of governance. As Feeley summarises, 'local democracy requires elections, whereas federalism involves an assignment of definitive authority to government subunits, whether democratic or not.'<sup>67</sup>

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<sup>64</sup> Op Cit. Elazar, D., p 91.

<sup>65</sup> Ibid, p 35.

<sup>66</sup> Frey, B., & Stutzer, A., *The role of direct democracy and federalism in local power*, University of Zurich, 2004, p 6.

<sup>67</sup> Op Cit. Feeley, M., p 31.

## *Post conflict federalism*

In recent years, a new academic field of study focussing on *post-conflict federalism* has developed, driven by three principle factors. Firstly, in a number of post-conflict states such as Iraq, Yemen or Sri Lanka, federalism has been widely advocated as one aspect of a broader statebuilding and reconstruction package.<sup>68</sup> Secondly, much of the 'classical' literature on statebuilding is actually derived from the detailed study of federalism in stable, democratic and northern states and as such has limitations in its ability to offer an analysis framework which automatically relates to its application in conflict-affected states. Thirdly, given the break-up of Yugoslavia, Czechoslovakia and the USSR and the ongoing tensions within Belgium and Quebec, there are increased question marks as to the inherent stability of federal governments. Smith comments, 'So while a perpetual state of crisis may be deemed as characteristic of certain multi-ethnic federations, it often becomes apparent following the break-up of federations that such a form of governance has over generations provided an important and effective means of regulating deep divisions within society and preventing their spill-over into inter-communal violence.'<sup>69</sup>

In discussing post-conflict federalism, there are key characteristics which clearly distinguish it from classical federalism. One of the most significant is the different motivation for state formation. Choudhry notes, 'the very mission of [post-conflict] federalism is different, its principle goals are not to combat tyranny or to provide incentives to states to adopt policies that match their citizen's preferences but rather to avoid civil war or secession.'<sup>70</sup>

Given that federalism is increasingly being used as a *post-conflict* tool, arguably the motivation goes beyond the mere aversion of future conflict but to instil a

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<sup>68</sup> Wolff, S., 'Post Conflict Statebuilding: The debate on institutional choice', *Third World Quarterly*, 2011, Vol. 32, No. 10, p 1784-1785.

<sup>69</sup> Graham, S., 'Mapping the Federal Condition: Ideology, Political Practice and Social Justice.', in *Federalism: The multi-ethnic challenge*, London, Longman, 1995, p 9.

<sup>70</sup> Ibid.

framework in which a new political settlement can be agreed and a sustainable peace secured. Whilst the incentives to form a new federal structure might be motivated by particular shared and concrete interests, given the painful legacy of political and violent conflict, federalism's ability, as discussed earlier, to allow and nurture the emergence of new shared regional and national identities may also be a significant consideration.<sup>71</sup>

Another characteristic of post-conflict federalism is the direction in which post-conflict federal states emerge. Whereas, in classical federalism, as stated earlier, new federal states usually come together through an agreement with pre-existing states out of a shared realisation that there are economic or security gains in doing so. However, in post-conflict statebuilding the reverse is often the case as 'internal boundaries are drawn to ensure that territorially concentrated national minorities constitute regional majorities.'<sup>72</sup>

Beyond defining the term, a debate has formed within the literature regarding the nature of federalism as either a viable peacebuilding mechanism or the converse, that it may in fact drive ethnic conflict further. Choudry and Hume note, 'One school holds that federalism can dampen secessionist sentiment; the other holds that federalism will in fact fuel it. In other words, federalism is either a solution or a catalyst for ethnic violence. Thus framed, these two positions are mutually exclusive.'<sup>73</sup> Central to this discussion is the question of whether such a settlement is likely to succeed, given the many turbulent social, political and cultural trends that such a system of governance attempts to harness. Choudry's definition of a 'divided state' is particularly helpful in this regard:

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<sup>71</sup> Ibid, p 14.

<sup>72</sup> Choudhry, S., & Hume, N., *Federalism, Secession & Devolution: From Classical to Post-Conflict Federalism*, Faculty of Law & Development of Political Science, University of Toronto, 2010, p 2.

<sup>73</sup> Choudhry, S., & Hume N, 'Federalism, Devolution & Secession - From Classical to post Conflict Federalism', in Ginsburg, T., Dixon, R., & Elgar, E., *Comparative Constitutional Law*, Edited by Cheltenham, 2011, p 364.

'As a category of political and constitutional analysis, a divided society is not merely a society that is ethnically, linguistically, religiously or culturally diverse. The age of the ethnoculturally homogenous state, if there ever was one, is long over. What marks a divided society is that these differences are politically salient.'<sup>74</sup> The 'salience' of these differences, and federalism's ability to either accentuate or bridge them, remains highly contested.

For those that advocate federalism as part of a peacebuilding strategy for divided countries emerging from conflict, one of the principle arguments offered is its ability to ensure the containment of internal conflicts, which are usually ethnic in nature and prevent the breakup of countries into small states that will have limited viability. Ted Gurr is one of the leading proponents of the rights of minority populations engaged in ethnopolitical conflict to be accommodated with greater autonomy, stating that, 'the quest of disadvantaged peoples for greater autonomy or access to power does not necessarily lead to protracted and violent conflict.'<sup>75</sup>

Gurr also highlights that accommodation of such groups is all the more important, given that the nature of ethnopolitical violent conflict, which, if left unaddressed, can be much harder to resolve than inter-state conflict. He identifies several possible reasons for this. Firstly, Gurr underlines the 'non-negotiable' demands of group identity and culture which if suppressed by a state structure that refuses to accommodate them are unlikely to remain placated in the long term. Secondly, the tendency for ethnopolitical movements to have weak and splintering governance structures risks a proliferation of political and armed actors which may become increasingly challenging to unify any new post conflict federal state building process. Thirdly, a reluctance to intervene externally by other states given the principle of non-interference in the internal affairs of sovereign states means that if states fail to provide a framework for

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<sup>74</sup> Op Cit, Choudry, *Federalism, Secession & Devolution: From Classical to Post-Conflict Federalism*, p 16-17.

<sup>75</sup> Gurr, T., Peoples Against States: Ethnopolitical Conflict and the Changing World System: 1994, Presidential Address, University of Maryland, *International Studies Quarterly*, 1994, Volume 38, No. 3, p 365.

managing ethno-political conflict and identity, external intervention is only likely when the security situation has deteriorated to the point where there are broader regional implications.<sup>76</sup>

Proponents of federalism in post-conflict states also argue that this can be a viable proposition for regions which are very ethnically diverse by creating a system that transforms ethnically heterogeneous regions into areas which are ethnically homogeneous such as the case of ethnofederalism in Ethiopia. In turn, the 'creation of democratic self-government for minority ethnic groups through a federal arrangement is expected to increase their sense of security and positive identification with the multi-ethnic state and thereby reduce conflicts.'<sup>77</sup>

To avoid outright calls for secession in ethno-political conflict, Michael Hechter has argued for accommodating the demands of minority groups, particularly through the provision of collective public goods at the sub-national level, such as formally instituting a particular language or allowing the practice of a minority religion in schools.<sup>78</sup> Beyond its function as a means to manage conflict and identity between the centre and periphery, in such cases, an additional benefit is that federalism may act as a mechanism which can strengthen and protect minority cultures and languages, with India posited as a leading example. Hechter, however notes with caution, that the calculations of some minority groups to pursue a federal agenda are not always completely rational:

'Sometimes realism tempers desire: groups perceiving that demands for sovereignty will bring down the full force of repression from central rulers back off rather than publicly advertise their true political preferences. Sometimes desire tempers realism: even though secession is an unlikely outcome in the best of circumstances, certain groups pursue it anyway.'<sup>79</sup>

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<sup>76</sup> Ibid.

<sup>77</sup> Op Cit, Adegehe, p 45.

<sup>78</sup> Hechter, M., *Containing Nationalism*, Oxford, Oxford University Press, UK, 2000.

<sup>79</sup> Ibid, p 115.

Lastly, federalism and in particular federalism that is intentionally *cooperative* by design can, via the linkages it creates between a central government and the periphery also establish a space for effective bargaining and compromise. If developed over a period of time, such an approach could even enable the normalisation of relationships between previously antagonistic groups. Furthermore, by creating a number of layers of power, there is the possibility that new alliances, based on mutual interests can be formed between regional identities, potentially transforming fractured relationships that previously sought to compete for limited resources from the centre.<sup>80</sup>

Conversely, those that view the imposition of federalism in a post-conflict context as a potentially dangerous structure tend to draw on ethnofederalist arguments that argue that its imposition can in many contexts inflame further local ethnic tensions. Hechter notes, 'federalism has the tendency to reify and solidify ethnic cleavages in multi-ethnic countries giving them political, legal, institutional and above all territorial status.'<sup>81</sup> This, therefore, solidifies and makes permanent identities which may have been only a fleeting necessity given the particular political context and limits the possibility of creating a national sense of citizenship, potentially restricting freedom of movement across the country.

Perhaps, the more damning criticism is that by enabling the re-enforcement or empowerment of ethnonationalist forces the conditions for the emergence of a successful and potentially violent secessionist movement (arguably the most critical scenario which federalism sets out to avoid) are set in place.<sup>82</sup> Philip Roeder summarises this perspective as follows:

'Ethnofederal and autonomy arrangements in ethnically divided societies structure politics inside ethnic communities, among ethnic communities and

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<sup>80</sup> For an in-depth analysis of the strengths and weaknesses of cooperative federalism see: Hills, R., 'The political economy of cooperative federalism: Why state autonomy makes sense and dual sovereignty doesn't', *Michigan Law Review*, 1998, Vol. 96, No. 4, p 813-944.

<sup>81</sup> Op Cit. Hechter, M., p 4.

<sup>82</sup> Ibid, p 49.



between those ethnic communities and the central government in ways that bring political instability. These institutions privilege some identities and interests and distribute coercive and defensive capabilities in a way that increases the likelihood of escalation of conflict into acute nation-state crises.<sup>83</sup>

Roeder goes further to suggest several weaknesses of the ethnofederal model. These include concerns which focus on centre-periphery relations such as the tendency for short-term political compromises between the centre and the periphery that ignore longer term needs and that by undertaking negotiations between the centre and the periphery, a precedent has been set, whereby the demands of the latter will continue to rise in future negotiations. Other concerns focus more on the emergence of zero-sum relations between the centre and the periphery such as the hardening of new sub-regional political identities, capabilities and opportunities which may escalate future conflict in regards to competing nation-state projects. This risks an undue focus on the threat of predation by the centre to renationalise rather than predation by newly formed subsidiary units against the centre. Lastly, at a more macro level, Roeder notes the tendency of the ethnofederal discourse to oscillate between two 'perils' of re-centralisation or dissolution, with reforms being solely focused on avoiding either option.<sup>84</sup>

Kymlicka, another prominent critic of federalism, specifically in regards to accommodating the needs of minorities, including in states where violent conflict is absent, outlines additional concerns. Federalism, per se, does not necessarily empower minority groups as this depends upon how boundaries are drawn which could even be done, somewhat maliciously, to actively disempower specific communities. This raises the further practical challenge in instigating federalism in post-conflict contexts regarding the 'impossibility of making ethnic and administrative boundaries congruent',<sup>85</sup> and the strong likelihood of future conflicts regarding where boundaries lie between ethnic

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<sup>83</sup> Roeder, P., 'Ethnofederalism and the Mismanagement of Conflicting Nationalisms', *Regional and Federal Studies*, May 2009, Vol. 19, No. 2, 203–219, p 206.

<sup>84</sup> Ibid, p 208.

<sup>85</sup> Op Cit Adegehe, p 46.

groups. As a result, the ideal promoted by pro-federalists in attempting to transform an ethnically heterogeneous region into smaller homogenous groupings is arguably not viable and merely recreates, in a microcosm, the same tensions that appear at the national level between the centre and the periphery.

Moreover, federalism has limited flexibility to adapt to the differing needs and sizes of populations within a specific country without developing asymmetric and thereby unequal power relations as a result. States which emerge with significant inequalities between federal units may risk further expanding centre-periphery grievances by creating, in addition, new tensions *between* federal member states themselves. Furthermore, as noted above, federalism may increase the likelihood by which federal member states seek secession.<sup>86</sup>

### **Federalism as an option for Somalia**

Given the broader debate surrounding the implementation of federalism in post-conflict contexts, the following section reviews the specific debates regarding federalism as an option for Somalia. The section will examine in particular the arguments that suggest federalism in Somalia will either unite or lead to further fragmentation of the country.

Federalism has been proposed for Somalia as a potential governance model that can successfully accommodate the vast number of often antagonistic sub-clan groupings under a single state. Emerging initially out of the Arta peace conferences in 2000, federalism was formally adopted for the first time in the 2004 Transitional Federal Charter and then later in the 2012 Provisional Constitution.<sup>87</sup>

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<sup>86</sup> Kymlicka, W., 'Is Federalism a viable alternative to secession?', in Lehning, P., (ed.) *Theories of Secession*, Routledge, London & New York, 1998, p 120-121.

<sup>87</sup> Kouroutakis, A., 'The provisional constitution of the Federal Republic of Somalia, process, architecture and perspectives', *Cambridge Journal of International and Comparative Law*, 2014, Vol. 3, Issue 4, p 1197.

Lewis was one of the first to explore the relevance of confederalism as a solution to address the Somalia-Somaliland issue as a way to both appease secessionist Somaliland and unionist South Central. Noting that the driving force of confederalism in Europe was to prevent another major war, this model of governance has been primarily designed (and arguably with some success) as a conflict prevention mechanism. Lewis suggests that this example could also be relevant for Somalia as, 'at some point in the future, [in] conformity with traditional values, it would be possible for the different Somali regions or states to create common institutions and policies. Somalis could then work together in central agencies, with representation from each state or region, protected by the sovereign status of each region and the right to veto, or opt out of unwelcome proposals.'<sup>88</sup>

The Puntland Development and Research Centre undertook an analysis of the arguments for and against federalism in 2015. The authors note, 'According to supporters of federalism, the traumas of previous governance and conflict experiences can only be remedied by the decentralization and devolution of power, which gives individual Somalis a direct route into the decision-making chambers of their government.'<sup>89</sup> In addition they note, that it is federalism's unique ability to begin bridging the trust deficit between clans and between certain regions and Mogadishu that explains why it enjoys strong support from particular groups.<sup>90</sup>

The United Nations Special Representative to Somalia, Nicholas Kay (2013-2015), who was one of the key architects of federalism in Somalia, emphasises that it will not yield automatic dividends. Speaking at a Chatham House event in 2014 he commented, 'It is how federalism occurs that is really the most important thing. Federalism should not be seen as structuring Somalia along strictly clan lines. There will always be minorities in each state and each state

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<sup>88</sup> Op Cit. Lewis, I., p xix.

<sup>89</sup> Mohamed, H., & Mohamed S., *Federalism and its discontents – Arguments for the future of Somalia*, Puntland Development and Research Centre, August 2015, p 10.

<sup>90</sup> Ibid, p 10-13.

must ensure that it is politically inclusive. Federalism is not a zero-sum clan domination exercise.<sup>91</sup>

However, on the contrary and echoing the caution of those opposed to federalism in post-conflict contexts more generally, Ken Menkhaus is particularly concerned about the tendency of federal experiments in Somalia to fall directly along clan lines. Forming what he terms 'clanustans', he cites the example of Puntland as a governance structure that has been carved specifically for the Harti sub-clans residing in the north-east. Whilst this may well be a pragmatic solution for a largely homogenous clan structure in the north (albeit highly divided at sub-clan level), in Somalia's multi-clan South such an approach will be significantly more complex as political power must balance a much wider number of stakeholders. Concluding in 2004, Menkhaus summarizes what remains the key challenge of the current statebuilding process:

'Thanks to decades of migration and settlement, much of the ethnic topography of south Somalia is more like the patchwork quilt of Bosnia Herzegovina than the ethno-state of Puntland. The building block approach is only viable in South Central Somalia if regional politics are ethnically heterogeneous experiments in co-existence and power-sharing, rather than tools of ethnic hegemony.'<sup>92</sup> The Puntland Development and Research Centre, extend this argument further noting, 'In addition to the fears about internal incoherence, some see the idea of a dismembered Somalia as open to continued predation from international actors, multinational corporations, as well as corrupt politicians.'<sup>93</sup>

Indeed, Abubakar's assessment of the success of Somalia's new federal system undertaken in 2016, highlights that some of the challenges the country faces in implementing such a system are equally practical in a country where

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<sup>91</sup> Chatham House, *Supporting a federal future for Somalia: The role of UNSOM*, 13<sup>th</sup> June, 2014, p 3.

<sup>92</sup> Menhaus, K., 'State Collapse in Somalia: Second Thoughts', *Review of African Political Economy*, 2003, Vol 30, No.97, p 505-422.

<sup>93</sup> Op Cit. Mohamed, H., & Mohamed S., p 19.

institutions have been so eroded by decades of conflict. On the basis of an analysis of interviews with parliamentarians from the 2012-2016 parliament he concludes: 'The findings indicate that there is an enormous need for reform, in terms of political inclusion through creation of a multi-party system, constitutional review, and a supportive atmosphere for political competition. In addition, the separation of powers between Parliament, the Executive and the Judiciary of the federal government must be made clear. The findings further showed that there is a need to define the exercisable powers between the states and central government and a fair and transparent process is necessary for the creation of federal member states.'<sup>94</sup>

An additional consideration, which is somewhat unique to Somalia, is to consider to the scope of the federalism project given the self-declared independence of Somaliland, a status which is not recognised by the Federal Government of Somalia. Bockenforde asks in 2012, 'Is the TFG [Transitional Federal Government] ready to dialogue with Somaliland and discuss the realities on the ground, even considering two independent countries, be it under one confederal roof or not?'<sup>95</sup>

In summary, Somalia's decision in 2012 to embark on implementing a federal government, thus places it at the heart of the post-conflict federalism debate. The stakes are extraordinarily high with the reconstruction of the country being dependent on federalism acting to reunite rather than to further antagonise conflicting clans and regions.

Central to this political reengineering, as Chapter two demonstrated, is the fear of a centralised state, with federalism offering a solution; a bottom-up process where 'free and independent states come together, and transfer a limited

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<sup>94</sup> Abubakar M., 'The patterns of state rebuilding and federalism in Somalia', *African Journal of Political Science and International Relations*, 2016, Vol. 10, Issue 6, p 94.

<sup>95</sup> Böckenförde, M., 'Beyond Federalism: Which concept of decentralisation best meets the needs of Somalia', in Dahre, U., (ed.), *Predicaments in the Horn of Africa – 10 years of SIRC Conferences in Lund on the Horn of Africa*, Lund University, Lund, 2012, p 123.

amount of sovereignty to the federal institutions.<sup>96</sup> The potential advantage of federalism is that it proposes both a degree of local self-determination and a greater share of national resources, making federalism a popular choice for many clans in Somalia, particularly those not currently in the seat of power. However, given the fractious nature of clan relations in Somalia, the concerns of those that doubt federalism's peacebuilding potential seem particularly relevant. With this in mind, the following section will review two alternative models, consociationalism and the unitary state, to assess whether they may be more applicable to Somalia's needs.

### **Consociationalism**

This section begins by clarifying what is referred to as a consociational form of governance and then proceeds to consider how applicable consociationalism is for Somalia, focussing in particular on the '4.5' clan sharing model that has been used in recent years as a tool of political accommodation.

Arend Lijphart is widely acknowledged to be a key figure in the concept and literatures on consociationalism as a means of managing power-sharing in highly diverse contexts. In particular, Lijphart's work has been deemed particularly relevant to contexts where, 'the participation of the representatives of all significant groups in political decision-making, especially at the executive level [and] group autonomy means that these groups have the authority to run their own internal affairs, especially in the areas of education and culture.'<sup>97</sup>

Lijphart argues that the consociational model has four integral components; proportional representation to allow minority representation; government through a grand coalition; a 'concurrent majority' to ensure all groups have veto power and a robust judicial review process. He argues that the distinct advantage of consociation over a federal model is that the needs of different groups can be met despite their geographical proximity. For instance in a region

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<sup>96</sup> Op Cit. Lewis, p xix.

<sup>97</sup> Op Cit. Feeley, p 19.

with different religious groups, education and health care can be delivered differently to meet the needs of each respective community.<sup>98</sup>

Lijphart notes that the defining characteristic of a consociational form of governance is 'not so much any particular institutional arrangement as the deliberate joint effort by the elites to stabilise the system.'<sup>99</sup> This means therefore that whilst a grand coalition government may be the most common form of consociationalism, it could also include advisory councils that seek to influence rather than share executive power.

Perhaps most fundamentally, 'consociational democracy violates the principle of majority rule.'<sup>100</sup> However, whilst this may initially appear radical, this happens too in non-consociational systems in periods of crisis, when political parties agree to drop their differences and form coalitions and act collectively to pursue an agreed public interest. In some instances, however, it can be difficult to make the distinction between federal and consociative approaches. Feeley reiterates, however, that often the latter approach does 'not establish geographically defined subunits with definitive autonomy rights against the central government.'<sup>101</sup>

Beyond the technical formulation of consociational systems, it is important to understand the underlying motives that drive its design, as it is often not from a principled position of needing to ensure universal representation. In highly fragmented and volatile systems, the stakes in pursuing competitive politics may be too high, and potentially threaten the very existence of the state itself. Lijphart notes, for example, that the 'cartel of elites may decide to extend the consociational principle to the electoral level in order to prevent the passions aroused by elections from upsetting the carefully constructed, and possibly fragile, system of cooperation.'<sup>102</sup> In addition, consociational systems will often

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<sup>98</sup> Ibid.

<sup>99</sup> Lijphart, A., 'Consociational Democracy', *World Politics*, January 1969, Vol. 21, No 2, p 213.

<sup>100</sup> Ibid.

<sup>101</sup> Op Cit, Feeley, p 19.

<sup>102</sup> Op Cit, Lijphart,, p 214.

fail to be completely representative of all groups with political actors only agreeing to form a coalition that is large enough to see them returned to power.

In terms of understanding what can drive a consociational democracy to success, Lijphart identifies three main characteristics; external threats, a multiple balance of power among the subcultures and the relative low total load on the decision-making apparatus.<sup>103</sup> In respect to the first factor, examples from across history, most notably from World War I & II, allude to fact that a national crisis can bring political elites together in response to a common threat. Secondly, whilst a consociational system could have representatives from all groups, this becomes far less effective if it is effectively dominated by one particular party or if there are two relatively equal groups which are constantly seeking to undermine each other. Lastly, given the difficulty in accommodating the interests of multiple groups and ensuring that the state is able to deliver services for its citizenry, the success of a consociational system is often proportionate to the challenges the government faces.

As alternative factors for success, Lewis notes that under consociation 'people need to be convinced that it is better to have a share of power than to risk the costs involved in trying to seek full control,<sup>104</sup> and continues to identify the following conditions for such a system to be viable:

1. 'Competing communities must not try to integrate other groups or establish their own separate sovereign state.
2. Politicians must strive to maintain these beliefs, economic and political stability and be mindful of the negative consequences of returning to a state of war and
3. The leaders of the communities must be able to act independently so that they are able to reach a compromise with other groups without being accused of betrayal by their own communities.'<sup>105</sup>

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<sup>103</sup> Ibid, p 217-219.

<sup>104</sup> Op Cit, Lewis p xxi.

<sup>105</sup> Ibid.



## *Consociationalism as an option for Somalia*

In order to consider the appropriateness of consociationalism for Somalia, it is interesting to reflect on how Lipjhart's three conditions can be applied in the Somali context. Somalia has numerous external and, in addition, significant internal threats. History would suggest, however, that far from providing a more conducive environment for a grand coalition, it has served to create a much more Hobbesian reality, as different groups, through a combination of clientalism and rent-seeking behaviour, seek to form fragile and fast-changing alliances so as to maximise their individual interests.<sup>106</sup>

A significant problem for south central Somalia has been how to best balance the numerous sub-clans. Whilst on a national level, it may be possible to balance clan representation using a consociational approach, at a regional level it is likely to be dominated by the most numerically populous clan meaning that smaller clans are likely to become quickly disenfranchised. Arguably, Somalia, for the federal elections in 2012 and 2016 used a national consociational model through the adoption of the '4.5' system of sharing power between the four major and other minority clans. This was agreed during the reconciliation conferences held in Arta in 2000 prior to the formation of the Transitional Federal Government.<sup>107</sup> However, in this attempt to ensure equal and genuine representation, the 4.5 model has been much maligned.

Mohamed A. Enow and Omar A. Enow, in their emotive essay refer to 4.5 as creating 'absolute discrimination and severe ethnic marginalization.'<sup>108</sup> Their principle critique is that by elevating four clans to a certain status and setting aside a 'half-clan' status for all other groups, not only does this discriminate

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<sup>106</sup> There exists a vast literature which documents the causes and legacy of the civil war. For a concise summary see Harper, M., *Getting Somalia Wrong? Faith, War and Hope in a Shattered State*, London, Zed Books, 2012.

<sup>107</sup> Conciliation Resources, 'Somali Peace Agreements – fuelling factionalism', in *Accord*, September 2010, No 21, p 33.

<sup>108</sup> Enow., M & Enow., O, 'Intellectualism amid Ethnocentrism: Muktar and the 4.5 Factor', *Bildhaan*, 2009, Vol, 9, p 138.

against already marginalised groups but also reinforces ‘clan’ as the dominant political unit, further reducing any potential of a nascent meritocracy to emerge. A further critique is that the decision to determine who is granted full status and who is resigned to join other minorities within the 0.5 remains highly contested and is essentially an arbitrary decision made by the more powerful clans who again are accused of acting purely in their own interest in designing such a system.

In relation to Lipjhart’s third factor, Somalia is often at, or very near the bottom of most international indexes on poverty or corruption and experienced widespread famine conditions in 2012. Starkly put, the ‘load’ on the government to address Somalia’s multiple developmental needs is perhaps one of the most extreme in the world. To conclude, Lijphart’s conditions for the success of consociational system seem unlikely to be met in the Somali context.

In regards to Lewis’ three factors of success, even two decades later, it seems that none of the conditions currently apply to Somalia. Competing groups have frequently tried to integrate or persuade other groups to form new federal states most notably during the formation of South West state.<sup>109</sup> Meanwhile Puntland repeatedly threatened to sever relations with the Federal Government if its demands were not addressed in regards to the 2016 Electoral Process.<sup>110</sup> In addition, despite decades of violent conflict, politicians continue to use the threat or deployment of violence to achieve their goals.<sup>111</sup> Lastly, the deeply embedded social norms that define the clan make independent concessions by

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<sup>109</sup> For a detailed overview of the state formation process in South West see Chapter 5, p 134-135

<sup>110</sup> In early 2016, Puntland threatened to boycott the 2016 process due to its dissatisfaction with the Federal Government’s preparations for universal elections and the decision to revert to the 4.5 power-sharing formula. Following intervention by the UN and other states, this crisis was averted through the signing of the so-called ‘Garowe Agreement’ in April 2016. See <http://puntlandi.com/wp-content/uploads/2016/04/Puntland-FGS-Agreement1.pdf>. Accessed 7th January 2017.

<sup>111</sup> For a comprehensive, contemporary and impartial analysis of the use of political violence in Somalia see reports of the UN Monitoring Group on Somalia & Eritrea, <https://www.un.org/sc/suborg/en/sanctions/751/work-and-mandate/reports>.

clan leaders very rare.<sup>112</sup> However as Lewis notes, if deeper traditional cultures can be revitalised, 'The Somali tradition of elders participating in consensual decision-making at the local level demonstrates that such principles could be appropriate here.'<sup>113</sup>

Thus, between 2000-2016 Somalia can be said to have adopted a blunt form of consociational governance through its adoption of the 4.5 clan sharing model. However, whilst this may have provided a period of stability, it does not meet the aspirations of Somalis for greater democracy and accountability as the model tends to encourage political appointments being made on the basis of clan identity and accommodation rather than a demonstrated competence or compelling political vision.<sup>114</sup>

### **A decentralised unitary state**

This section reviews the literature and debates concerning the option of a decentralised unitary state. It outlines the key characteristics of a decentralised unitary state and its inherent strengths and weaknesses prior to assessing its viability for the Somali context.

Decentralisation, at least from a theoretical perspective, is different from either federalism or consociationalism as its motive is less to appease antagonistic political identities and more about developing effective and efficient government structures that are able to adjust to local realities. Feeley argues 'Decentralisation in contrast [to federalism] is a managerial strategy by which a centralised regime can achieve the results it desires in a more effective manner,'<sup>115</sup> and making the further critical point, that 'while federalism generally

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<sup>112</sup>Sandstrom, K., 'Cooptation, Acceptance and Resistance in the Somali 'Everyday'' in Richmand, O., & Mitchell, A., *Hybrid Forms of Peace – From Everyday Agency to Post-liberalism*, Palgrave Macmillan, Basingstoke, 2015, p 135.

<sup>113</sup> Op Cit, Lewis p xxi

<sup>114</sup> Hersi, M., 'Application of power sharing models in managing intractable clan conflict in Somalia', *International Journal of Political Science*, 2015, Vol 2, No 1, November, p 29.

<sup>115</sup> Op Cit, Feeley, p 20.

results in a fairly high level of decentralisation, decentralisation does not necessarily lead to federalism.<sup>116</sup>

However, in practice we see decentralisation being utilised as an alternative to full federalism, whereby certain powers or areas of responsibility are given to regions as a concession, rather than purely in an attempt to increase efficiency of government.<sup>117</sup>

Furthermore, once federated, it is not constitutionally possible for a central government to repeal the right of subsidiary entities unless each federal state would agree, which is unlikely unless there is a significant recalibration of political identities that would support constitutional amendments that would diminish their power. However, in a decentralised state, repealing levels of authority does not require any formal permission from regional levels of government, although, depending on the state in question, attempts to do so, may be met with political resistance.<sup>118</sup>

Michiel S. de Vries, in his comparison of the relative merits and weaknesses of decentralised versus centralised states, offers a numerous list of benefits for the former. This includes the ability to delegate authority to officials and reducing bureaucracy and capitalising on local knowledge and access. In addition, decentralisation offers a modality in which to increase the penetration of national-level policies to the local level and to provide an overarching framework for the coordination of local service delivery which engages local elites who may be sceptical of centrally coordinated initiatives. As a result, such a model would reduce the decision-making demands on central government

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<sup>116</sup> Ibid.

<sup>117</sup> For a comprehensive discussion on how different governance models, including decentralisation, can assist or hinder political accommodation in Somalia, see Tamaru N., Simkin, P., Mukhtar, A., Kirsti S., & Middleton, R., *Cultivating consensus – Exploring options for political accommodation and promoting all Somali voices*, Conflict Dynamics International, 2014. Accessible at: [http://www.cdint.org/documents/Cultivating\\_Consensus\\_EnglishFull.pdf](http://www.cdint.org/documents/Cultivating_Consensus_EnglishFull.pdf)

<sup>118</sup> Op Cit. Feeley, M., p 29.

whilst simultaneously countering over-regulation and 'democratise' the provision of local government by engaging communities more closely in their provision.<sup>119</sup>

In contrast, he lists only three arguments in favour of centralised states; firstly, that this would create inequalities in terms of regulations that apply in the different states (citing environmental law as an example); secondly that decentralisation has to reconcile the 'tragedy of the commons' whereby richer regions could free-ride on the resources of poorer regions; and thirdly, that smaller states may struggle to respond effectively to complex social needs.<sup>120</sup> The extent to which these arguments are in favour of a unitary state outweigh the benefits of a decentralised state are likely to be context specific. For example, states which have high disparities in wealth distribution may seek to correct this through a centralised state that can better manage redistribution efforts. Conversely, states which have strong regional identities or ethnic division may deploy decentralisation as a soft form of federalism to prevent the emergence of independence movements threatening the overall integrity of the country.

#### *A decentralised unitary state as an option for Somalia*

The discussion regarding the applicability of a decentralised unitary state for Somalia has two important historical considerations, both of which were discussed previously in Chapter two. The unitary 'Westphalian' state became the de facto model which was used by the European powers in establishing new colonies around the world, regardless of whether such a system would correlate with how indigenous authorities were structured and exercised their power. Langenhove notes, 'The modern Westphalian state is certainly a European invention. But the European colonialism exported its model of state to

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<sup>119</sup> De Vries, M., 'The rise and fall of decentralization: A comparative analysis of arguments and practices in European countries', *European Journal of Political Research*, 2000, Volume 38, p 197.

<sup>120</sup> Ibid p 199.

the world.<sup>121</sup> In respect to Somalia, Italy's colonial legacy, which again utilized the unitary model, is mixed given its poor record of administration and the drawn-out process of independence.<sup>122</sup>

Moreover, the legacy of the civil war following the collapse of Siad Barre's regime, also a strong centralized unitary state, renders it impossible as a model for Somalia's reconstruction.<sup>123</sup> Such a system would require the presence of a strong government of which there is little or no devolution of power from the centre. In Somalia, such a government would likely to be dominated by one particular clan and thus would have total control over the entire territory of the country. Given the high-levels of distrust, a unitary state would struggle to achieve the cooperation needed from other clans, thus risking a mode of governance that was based entirely on the use or threat of force and one which would likely experience violent opposition in return.

Lewis notes, in what he refers to as a 'decentralised unitary state' that two major aspects of such systems could be included in a future Somali constitution should a decision be made to adopt such a form of governance. Firstly, 'the constitution could define the powers of local governments. These powers can always be subsequently transferred to the centre if a local government wishes and secondly, 'guarantees should be included to ensure that larger units of governments (such as provinces or the centre) cannot abolish smaller units.'<sup>124</sup>

Thus whilst a decentralised state may in principle be the most effective at overcoming the myriad developmental needs of the country, the historical legacy of Barre's unitary state and the fear of domination by one particular clan, means that decentralisation is also not a viable model for Somalia any

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<sup>121</sup> Langenhove, L., *Building Regions: The regionalisation of the world order*, Farnham, Ashgate, 2011, p 14.

<sup>122</sup> For a detailed discussion on the experience of Italian colonialism in Somalia see, Prunier, G., 'Benign Neglect versus La Grande Somalia - The colonial legacy and the post-colonial Somali state' in Hoehne. M., & Luling. V., *Milk and Peace, Drought and War – Somali Culture, Society and Politics*, Hurst & Company, London, 2010.

<sup>123</sup> Op Cit. Harper. M., p 54-59.

<sup>124</sup> Op Cit Lewis, p xx.

time soon. As, decentralisation lacks the constitutionally protected rights that federalism offers, it can only be effective in contexts in which there is sufficient trust of peripheral regions that the central government would uphold agreements to redistribute resources and delegate powers and responsibilities.<sup>125</sup> Clearly this is a criteria which is lacking in Somalia and it is likely that generations of both political and social reconciliation would be needed before decentralisation could be considered.

## **Conclusion**

This chapter has reviewed the literature on federalism in both its classical and post-conflict forms and compared this with two other governance models; consociationalism and decentralisation. In doing so, it has reviewed and assessed the main debates regarding the potential strengths and weaknesses of each model, in general, and in relation to potential usefulness and relevance to contemporary Somalia.

From the analysis above, it would appear that decentralisation can be effectively ruled out as a governance framework for Somalia given the need of the peripheral regions for greater legal reassurances that their rights and powers will be upheld.

Consociationalism to some extent has already been 'piloted' for Somalia via the 4.5 clan sharing formula. Despite its successes in achieving a level of stability across the country and enabling new parliaments to form in 2012 and 2016, it is loathed by both minorities who feel discriminated against and by a broader majority. In addition, such a system risks perpetuating a political system which is based on clan identity rather than individual competence or political vision.

This leaves us with federalism as the only remaining or untried governance model for Somalia. Its application remains a risk for all the issues that those sceptical of federalism as a post-conflict peacebuilding tool have outlined. To

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<sup>125</sup> Op Cit. Tamaru N., Simkin, P., Mukhtar, A., Kirsti S., & Middleton R., p 49.

understand whether these arguments are well-founded, the following chapter will further assess whether the data from Jubaland and other federal member states supports the arguments to advocate or be cautious of federalism's broader implementation.



## **Chapter Four: The Jubaland Case study**

Chapter four addresses the third subsidiary question; *To what extent do the nascent efforts to engage in a federal model of governance in Jubaland demonstrate the likely peacebuilding and governance dividends of such an approach?*

This chapter firstly provides a detailed overview of the historical events that led up to the formation of the Jubaland. Secondly, following a detailed summary of the methodology used, this chapter provides an analysis of the field data that was obtained from the quantitative survey, focus group discussions and key informant interviews.<sup>126</sup>

### **Gestation of the Jubaland State**

The modern origins of the Jubaland state date back to 2011 when the former Defence Minister of Somalia, Mohamed Abdi “Ghandi” attempted to form the Azania region, encompassing Middle Juba, Lower Juba and Gedo. Whilst this received broad support from a wide cross-section of society including civil society, the TFG and Kenya, a lack of support from Ethiopia and ASWJ and Azania’s own lack of military capacity led to the failure of these efforts to establish this state within Somalia.

However, in 2012, those engaged in the processes of establishing Azania as a federal state within Somalia began discussions with IGAD regarding the

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<sup>126</sup> A version of this chapter is also available in the April 2016 Saferworld publication entitled *‘Forging Jubaland: Community perspectives on federalism & reconciliation.’* This publication was jointly written by Oliver Chevreau and Joanne Crouch, however all of the content presented in Chapter four of this thesis is solely the original work of the former. Datasets from the Saferworld implemented, EU-funded project, *Building foundations for political reconciliation in Jubaland* were utilised in order to be able to complete the necessary primary analysis for this thesis.

creation of a new federal state. The so-called 'Karen-meetings' named after the up-market suburb of Nairobi, Kenya in which these took place were initiated in June 2012 and continued for a number of months. These meetings included representatives from Raskamboni, ASWJ, the Haarti group and the TFG. After much discussion, the meeting resulted in the signing of a Memorandum of Understanding between a number of disparate stakeholders including Azania, Raskamboni, ASWJ, Haarti faction, the Marehan and the TFG. Despite holding very different views of how Jubaland should evolve, three key points were agreed; a unified opposition to al Shabaab; a commitment to form a new Jubaland state which would engage with the Federal Government; and political representation would be on a district basis as opposed to using the 4.5 sub-clan system. In September 2012, IGAD once again convened the original signatories who agreed to form a technical committee so that the state formation process could begin in earnest. At this point, it was also agreed to expand the original group to thirty members to include minority groups. This technical committee was then further sub-divided into a number of working groups with specific tasks.<sup>127</sup>

Concurrently, Kenyan and Raskamboni forces had managed to secure Kismayo having ousted al Shabaab from the city. This paved the way for visits by the technical committee to conduct a number of consultations at Kismayo University. This included visits by smaller delegations of the technical committee to Mogadishu to discuss the state formation process with the newly formed Federal Government but faced a hostile reception, indicating the Federal Government's reluctance to embark on the broader federalisation agenda.<sup>128</sup>

Given the absence of resources to hold a referendum, both human and financial, on the formation of the Interim Jubaland Administration, a more pragmatic and arguably culturally relevant approach was taken, through the

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<sup>127</sup> Key Informant Interview, Individual aligned to Azania, Kismayo, 28<sup>th</sup> September 2015

<sup>128</sup> Ibid

holding of large and extended clan conferences. Despite opposition from the Federal Government of Somalia, the technical committee pressed ahead with a large-scale conference in February 2013 inviting between 500-1000 participants who successfully negotiated and agreed an interim Charter, the founding document that constituted Jubaland as a federal member state. The same conference also elected Ahmed Mohamed Islam (Madobe) as the President of Jubaland on 15<sup>th</sup> May 2013 who was previously the leader of the Raskamboni militia.

However, following his election, five other candidates also declared themselves as President. Most significantly, this included Barre Hirale, the previous leader of the Jubba Valley Alliance, a warlord who had violently ruled Kismayo between 1998-2006. Despite a constitutional commitment to pursue a federal system, the Federal Government sought to capitalise on the opportunity that these divisions provided, given their intention at the time to prevent the emergence of new federal states and chose to resist militarily the formation of the Jubaland state.

This was motivated by an attempt to realise an alternative two-state federal system based on previous colonial demarcations for British Somaliland and Italian Somalia, thus avoiding (from a Hawiye perspective) the emergence of two Darod strongholds in Puntland and Jubaland.<sup>129</sup> Thus, the Federal Government backed Hirale militarily, who had also formed a shadowy alliance with al Shabaab. This led to a large outbreak of violence in Kismayo itself which resulted in the deaths of dozens of people between Raskamboni and Hirale militias with the former, the eventual victor.<sup>130</sup>

With its proxy now defeated and Madobe's Raskamboni forces fully in control of Kismayo, the Federal Government did not have any other option but to

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<sup>129</sup> Op Cit. Bryden, M., p 22

<sup>130</sup> Op Cit. Bryden, M., p 22

recognise the newly formed authority in Kismayo.<sup>131</sup> This paved the way for mediation efforts in Ethiopia which resulted in the 'Addis Ababa Agreement' signed on 27<sup>th</sup> August 2013. This would see Jubaland established as an interim authority for two years, prior to becoming a fully-fledged Federal Member State. The agreement also stipulated requirements for Jubaland to hand over assets to the Federal Government, including the seaports and airports, which are the major sources of state revenue and the integration of the Raskamboni militia into the National Somali Army. The Addis Ababa agreement allowed international actors, most notably the United Kingdom, to provide significant levels of aid via the Stability Fund to support the reconstruction of Kismayo and other key ministries.

Following two years of an interim administration, in February 2015, an IGAD-facilitated process oversaw the process of selecting parliamentarians for a new regional assembly for Jubaland. This saw a district-based selection process take place in Somalia for the first time and was carefully scrutinised to ensure no al Shabaab infiltration. The process began with a participatory clan mapping to understand which sub-clans inhabited particular areas, an exercise which appears to have won broad community support. Each district was allocated four parliamentarians and seven for Kismayo (a further seven seats were later added to accommodate other actors), with three candidates for each post. In addition, an 'Arbitration Committee' constituted by respected elders was mandated to lead discussions at the local level regarding possible candidates and resolve any disputes that emerged. Once resolved, three candidates were put forward for each seat for consideration by a 'Selection Committee' (again formed of respected elders) of which one was ultimately chosen. The Selection Committee also screened candidates on their educational background and verified that they had no linkages to al Shabaab.<sup>132</sup> Whilst this was frequently

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<sup>131</sup> Ibid

<sup>132</sup> This historical account of the 2015 Jubaland regional parliament process and the new governance structure was compiled on the basis of a series of key informant interviews between

referred to as an election by national and international actors, however, in reality it remained an inter-clan selection process.

Communities in Jubaland widely saw this process as progress from the 4.5 clan sharing model. Firstly, by selecting on a district-basis, Members of Parliament that would have a closer geographical linkage to their constituents. Secondly, the requirement of three candidates per post made the process less likely to be corrupted as a candidate could not guarantee their selection even if they bribed local elders to ensure that they are one of the three that are put forward.<sup>133</sup>

Critically, however, both the original state formation process and the formation of the regional assembly faced particular challenges resulting from the broad political divisions between the Marehan and Ogaden. Additionally, this was the first time that Gedo formed part of a regional authority, having previously existed as an autonomous region. Furthermore, the Marehan population was itself split between those who were considered to be outsiders (referred to as Galti) originating from the Central Regions<sup>134</sup> and those who originated from Gedo itself (referred to as Guri). All nineteen Marehan MPs are Guri, as was the IJA Vice President Abdullahi Ismail Fartaag.

The new Jubaland Parliament was announced on 15<sup>th</sup> April 2015, comprising 75 parliamentarians. An inauguration ceremony held on 7<sup>th</sup> May was well attended by the international community, including the Foreign Ministers of both Kenya and Ethiopia, IGAD and the President of Somalia. The Parliament subsequently went on to appoint the President Madobe for another four year term until 2019.

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September-November 2015 that took place in Kismayo, Dollow and Mogadishu of stakeholders that were familiar to the process.

<sup>133</sup> Key Informant Interview, Jubaland Authority Minister/ Regional Governor, 30<sup>th</sup> November.

<sup>134</sup> The Galti, who were formerly led by Barre Hirale, now reside largely in Garbaharey.

The new Jubaland Authority led a relatively rapid development of a complex formal governance structure. By mid-2016 Jubaland was now governed by a President, Vice President, Speaker and a Cabinet, consisting also of vice Ministers and Heads of Departments. In addition, there are also Regional Governors and District Commissioners. Moreover, under the 2016 Electoral Process, Jubaland were to appoint parliamentarians and representatives to the Upper House.<sup>135</sup> This, as the field data will detail in subsequent sections of this chapter, created a confusing picture for citizens to understand, and has the potential to become problematic in terms of ensuring clear lines of accountability as the demarcation of responsibilities for each of these actors remains vague.

The above historical examination examines the first attempts to initiate federalism in Somalia since Puntland was declared its semi-autonomous status in 1998. The struggle by Jubaland to assert itself as a new state set a precedent for the formation of new federal states. Between 2013-16, South West, Galmadug and HirShabelle were all formed.

However, what clearly separates these later processes from that of Jubaland is that the latter was an inherently violent one, which the Federal Government sought to suppress. Once the Federal Government was defeated in Jubaland, the process of the federalisation of South Central Somalia had developed momentum and rather than aim to derail the process once more, the Federal Government began to play a much more active role in the political negotiations. However, even these later processes seemed to largely evolve independently of central control, with various factions aligning themselves at the local level to particular combinations of regional states. In early 2017, only the status of Benadir, the region which includes Mogadishu as the defacto national capital was unclear.

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<sup>135</sup> Key Informant Interview, Regional Governor, 30<sup>th</sup> September 2015

## **Jubaland governance survey**

The remainder of this chapter presents and analyses the findings from primary field data. This was gathered not only for the purposes of this MPhil research project but also within the framework of an EU-funded project, *Building foundations for political reconciliation in Jubaland*, for which I was a Principal Investigator. The project was delivered by a Project Team within the INGO Saferworld, of which I was a senior team member and was closely involved in all aspects of the research as it relates to the analysis in this present chapter.

The principle research question for this project was similar to this thesis in assessing whether the introduction of federalism has met the governance and reconciliation needs of Jubaland. However, the purpose of the project was more strongly focussed on developing practical policy recommendations for those working to strengthen governance processes in Somalia.

A secondary aim of the project was to build the capacity of civil society in political economy analysis. As such, Saferworld worked in partnership on this research with SOSSENSA (Somalia South Central Non State Actors), a membership organisation for civil society groups. It was explicitly understood and agreed that relevant aspects of my work on this project would also form part of my research as a post-graduate research student at Bradford University.

### *Methodology*

The Jubaland governance survey consisted of a mixture of quantitative perception surveys, Key Informant Interviews (KIIs) and Focus Group Discussions (FGDs). These took place in Mogadishu, Kismayo and Dollow between September-December 2015.

One of the central aims of this Saferworld project was to include local civil society actors in the field research, not only because this is necessary in the

Jubaland context given access constraints but also to build the capacity in research skills and analysis. This was done primarily through the identification of nine focal points, three from each of the three regions of Jubaland who would collectively undertake data collection and analysis training.

Following this, a three-day stakeholder analysis workshop of Jubaland was undertaken in Mogadishu to understand the key political actors and their respective relationships. Given the complexity of the political situation in Jubaland, such an exercise was not intended to be comprehensive but did provide the baseline understanding in order to design the analysis questions for the large-scale quantitative survey, FGDs and KIIs (see annex for quantitative questionnaire).

Altai Consulting, a specialist data collection firm provided the necessary training to the nine focal points. The focal points subsequently carried out a cascade training to a further thirty enumerators. In total, 961 quantitative questionnaires were completed. The data collection itself took place in three districts per region each with five research locations (two urban and three local). The 'Proportional to Size' methodology was used based on the 2005 UN population survey. Given security concerns, the focal points assessed whether the locations initially selected were indeed accessible resulting in some initial research locations being discarded until five suitable ones were identified. Having travelled to the research location, enumerators selected particular households based on a counting methodology. A breakdown by gender and region of the completed questionnaires is as follows:

*Figure 1 Breakdown of completed quantitative questionnaires by gender and region*

	Lower Juba	Middle Juba	Gedo	<b>Total</b>
Male	147	155	172	474
Female	132	199	143	474
Unknown				13
<b>Total</b>	279	354	315	961



Following cleaning of the data by an external consultant, an initial analysis workshop was held with the Focal Points in Mogadishu to draw out initial findings from the data. This provided the basis for a series of FGDs and KIIs with a variety of groups and individuals including civil society, parliamentarians, elders and minorities in Kismayo, Dollow and Mogadishu by the author and other Saferworld colleagues. Prior to publication of the Saferworld version of the report entitled, *'Forging Jubaland: Community perspectives on federalism and reconciliation*, (which as noted above, I co-authored with Joanne Crouch) a draft was shared with the Jubaland authorities for comment and validation.

### *Constraints & limitations*

During the course of the research, the data collection in the project faced a number of constraints and limitations:

Due to the presence of al Shabaab in Middle Juba and the serious security threats that this presents, it was not possible to collect first hand data in this region as the risk to enumerators and participants was too high. However, participants from Middle Juba were interviewed in IDP camps in Kismayo and Mogadishu, although their opinions on the questions asked may have been altered by their experience as an IDP and it is possible that different responses would have been gathered had data collection taken place in the region.

As a result of the security situation, data collection only took place in villages or towns that were under the control of the Federal Government of Somalia which could potentially result in a degree of bias. This means that the data does not reflect the opinions of those under al Shabaab control or those that openly sympathise with the views of the group. In addition, international staff (including the author) were only able to conduct KIIs and FGDs in major conurbations (Dollow, Kismayo and Mogadishu) due to the potential kidnap risk in rural areas. Again, this could result in a potential bias in the data as it captures data from people only residing in urban locations.

Every effort was made by the research team to reiterate to both individuals and groups that the data gathered over the course of the research programme would be kept confidential and that their names would not be attributed to the report. However, in some locations, in particular Dollow, the research team were aware that all participants were clearly vetted by the authorities prior to interviews. As such, given this environment, it is possible that the interviews do not always reflect the true perspectives of the individuals or groups concerned.

Finally, both the quantitative survey and the subsequent FGDs and KIIs explored a number of statebuilding themes using terminology and concepts that are grounded in the Western liberal tradition. For instance, the terms, 'good governance', 'civil service' and 'free and fair elections' may be understood differently across Somalia. As some of these interpretations may be very different to how they are commonly used within political science, this poses a risk that respondents meant to convey a different understanding and opinion from the one recorded. For instance, it became clear during the analysis that in some instances the term 'election' was sometimes used to refer to a clan selection rather than a process which used a secret vote.

The research attempted to partially mitigate some of these concerns. For example, participants were asked to provide their own definition of federalism. Furthermore, all of the interviews were conducted in Somali by staff that had a comprehensive understanding of how these terms are used generally in political science minimising risks of mistranslation. However, a more thorough analysis and comparison of key terms from both a linguistic and conceptual perspective lay outside of the scope of this study.

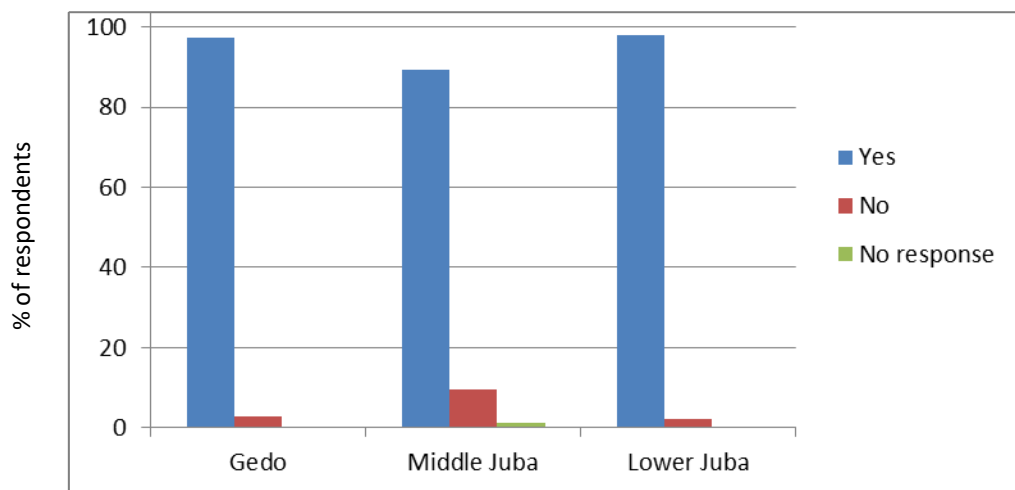
The following sections present and examine the key results from the survey, KIIs and FGDs. The analysis focuses on whether the perspectives of a broad range of stakeholders indicate broad support or scepticism for the move to establish Jubaland as a federal states, and for the emergent governance systems for Jubaland that have been developed in association with this. This

section is structured into six sub-sections; federalism as a governance structure for Jubaland; the formation and consultation process of the Interim Jubaland Authority; the performance of the Interim Jubaland Authority/Jubaland Authority; the 2015 Regional Assembly selection process; the role of the Federal Government of Somalia in the federalisation process; and the role of the international community in the Jubaland federalisation process.

### **Perspectives on federalism as a governance structure for Jubaland**

Overall, the survey data indicated overwhelming public and community-level support and awareness for federalism as it relates to Jubaland. The results indicate that the federalism process was very familiar to the vast majority of respondents that were surveyed across Jubaland, with little variation in response when disaggregated by gender, regional or rural/urban divides.

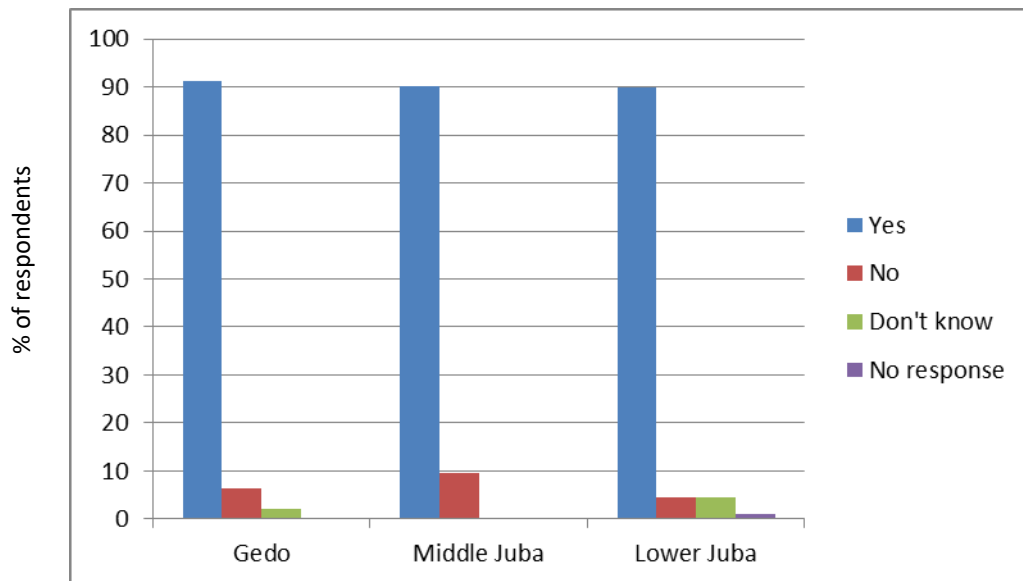
*Figure 2 Have you heard of the federalisation process*



In general, respondents also indicated near unanimous support for the process. The response was similar when disaggregated by gender and whether

respondents resided in rural or urban areas.<sup>136</sup> This is significant as high levels of public awareness and support are likely to be indicators of federalism being a relatively successful political framework for improved governance in Jubaland, given the distrust of externally imposed agendas as discussed in detail in Chapter two.

Figure 3 Is the federalisation process something that you want to see take place?



When asked to articulate the benefits of a federalist structure of governance, issues regarding resource and power sharing and conflict mitigation scored notably higher than the need to ensure that decision-making structures are brought closer to the community level.

This may reflect the fact that given the nascent nature of new governance structures, traditional elders are still the primary decision-makers at community level, although power may begin to shift as and when district councils form. However, a more immediate and significant benefit is that federalism was widely

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<sup>136</sup> Similar results for the same question when were very similar when disaggregated by both rural/urban (Rural - Yes 89.87 % No 6.96% Urban: Yes 92.31%: No 5.13% & Male -Yes 89.55% No 6.82%).

perceived to be a means of successfully addressing tensions between major clan groups and has in effect worked as a peacebuilding mechanism. A member of the Jubaland parliament noted, ‘Somalis have a lack of trust so there is a need for each part of Somalia to stabilise, to build again a common house. We have to start from our respective regions and people to forget the grievances and pain. I’m sure that Somalis will unite again but for the time being let each state build its own institutions.’<sup>137</sup>

As explored in Chapter three, federalism is not, however, an inherently ‘more democratic’ governance modality per se and the positive benefits attributed to it in Jubaland are likely to be a result of the efforts of the Jubaland authorities to pursue a consociational approach within federal structures, most notably through the division of ministries between sub-clans within the cabinet. This is a significant consideration in how federalism may be consolidated in other federal member states.

Federalism as a means of reducing conflict scored particularly highly in Middle Juba, the only remaining region still held by al Shabaab at the time of the survey. In some respects, this finding is somewhat unexpected as it is unlikely that al Shabaab will recognise any of the new formal federal structures nor will the Jubaland authorities consider any effort to accommodate them politically. However, as the respondents for Middle Juba were living in IDP camps in Kismayo and Mogadishu, it is possible that responses to these questions indicated support for federalism on the basis that this is viewed as a positive alternative to al Shabaab.

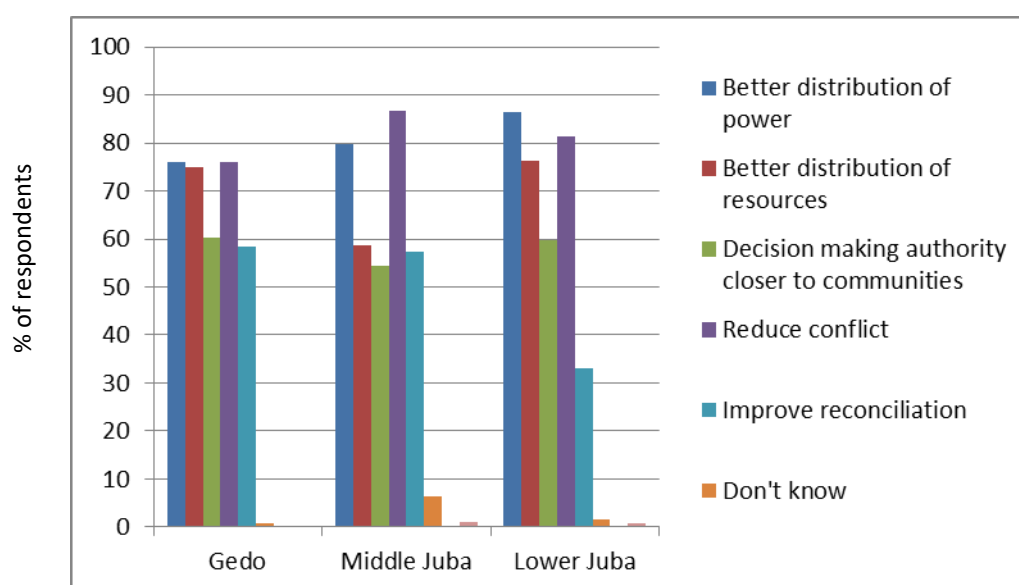
Indeed, it should also be noted that previously, when districts have been ‘liberated’ they have suddenly faced a plethora of inter-clan issues that had been dormant under al Shabaab rule who have tended to suppress and violently crackdown on any such tensions. It is possible then, given federalism’s

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<sup>137</sup> Focus Group Discussion, Jubaland Regional Assembly parliamentarians, Kismayo, 29<sup>th</sup> September 2015

visible success in managing clan-conflict across the Jubaland region, its potential to establish improved inter-clan relationships is another reason why Middle Juba respondents emphasised this factor so strongly. A governor commented, 'By the time Jubaland was liberated from AS, there were five other self-appointed presidents in Kismayo. That forced Jubaland into a bad war – a serious war in Kismayo town, but after that Jubaland has become tolerant to those previous challengers – this is political accommodation.'<sup>138</sup>

Figure 4 Is the federalisation process something that you want to see take place? If yes, why?



In the key informant interviews, one of the other most common reasons given for support of a federal model of governance was that it has enabled closer service provision or is likely to do so in future. A representative of Lower Juba civil society commented, 'We Jubalanders are very happy with federalism. Services are being decentralised; if anyone wants a passport or birth certificate we used to have to go to Mogadishu but we can get them from Kismayo too.'<sup>139</sup>

<sup>138</sup> Key Informant Interview, Jubaland Governor, Kismayo, 30<sup>th</sup> September, 2015.

<sup>139</sup> Focus Group Discussion, Lower Juba Civil Society, Kismayo, 29<sup>th</sup> September, 2015.

As explored in detail in Chapter three, from a theoretical perspective, federalism and decentralisation are two separate processes, in which the former does not inherently entail the closer provision of services. However, it seems clear that federalism's acceptance and support has been strengthened in Jubaland by a degree of decentralisation, particularly in regards to receiving services which otherwise would have high transaction costs to access. This is again another significant factor for other emerging federal states elsewhere in Somalia to consider in regards to how they may consolidate public opinion in favour of federalism.

Proponents of federalism also frequently stated in the KII that this form of governance was suitable for Somalia given the negative legacy of a strong unitary state under Siad Barre. This echoes the analysis and conclusions in Chapter two and three that the historical legacies of the conflict in Somalia have important repercussions in how contemporary statebuilding processes and structures are designed. A representative of a youth civil society group in Dollow noted:

'We are welcoming the adoption of federalism. Previously there was one centre of power. That government was an interim government and people had difficulties to access it as it was based in Mogadishu. The country has a long history of conflict and there are high levels of distrust and everyone is armed and it is not easy for the government to reach every corner, so federalism is the way to enable people to put their house in order and a way out of the chaos.'<sup>140</sup>

In a similar vein, a senior Minister from the Jubaland authorities restated the commitment by the Jubaland authorities to a unified federal structure:

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<sup>140</sup> Focus Group Discussion, Gedo Youth, Dollow, 6<sup>th</sup> October 2015.

'We are not trying to create a separate country – we are not Somaliland. We are trying to create a peaceful Somalia... What we are trying to make is a government that belongs to the people.'<sup>141</sup>

Such statements, particularly from those representing Jubaland state institutions are particularly significant in countering concerns that federalism may be a precursor to new secessionist movements emerging across Somalia. Whilst the current commitment to a federalised state is presumably dependent on the development of constructive relationships between the federal government and federal member states, there seemed to be little evidence of independence movements gaining ground in the near term. Again, this finding significantly strengthens the indications that federalism can contribute to good governance and peacebuilding in Jubaland and Somalia more broadly.

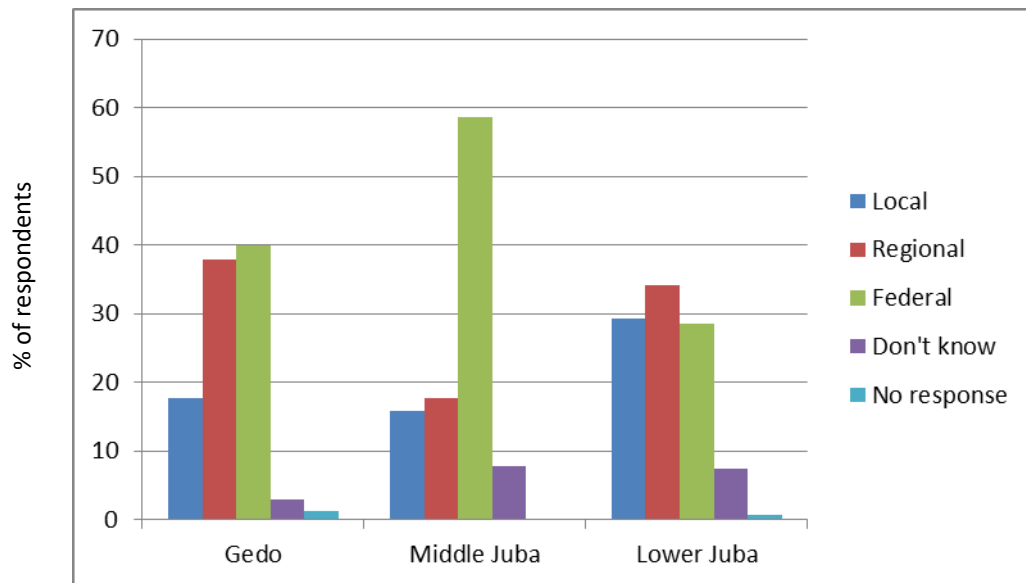
Interestingly, when survey respondents were asked who should ideally have the most power, the strongest support for the Federal Government of Somalia was in Middle Juba. In Gedo, there was equal support for federal and regional power and balanced support for federal, regional, and local government in Lower Juba. These findings are somewhat unexpected, given the capital of Jubaland and seat of the administration is based in Kismayo in Lower Juba. This is possibly explained by the fact that the formation of a new federal member state will involve the division and redistribution of power away from the current centre – Lower Juba. Conversely, those respondents reflecting the perspectives of Middle Juba who are both current under al Shabaab occupation and therefore the most politically marginalised, have the most to gain from any political realignment of power.

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<sup>141</sup> Key Informant Interview, Minister, Jubaland Authority, Kismayo, 30<sup>th</sup> November 2015.

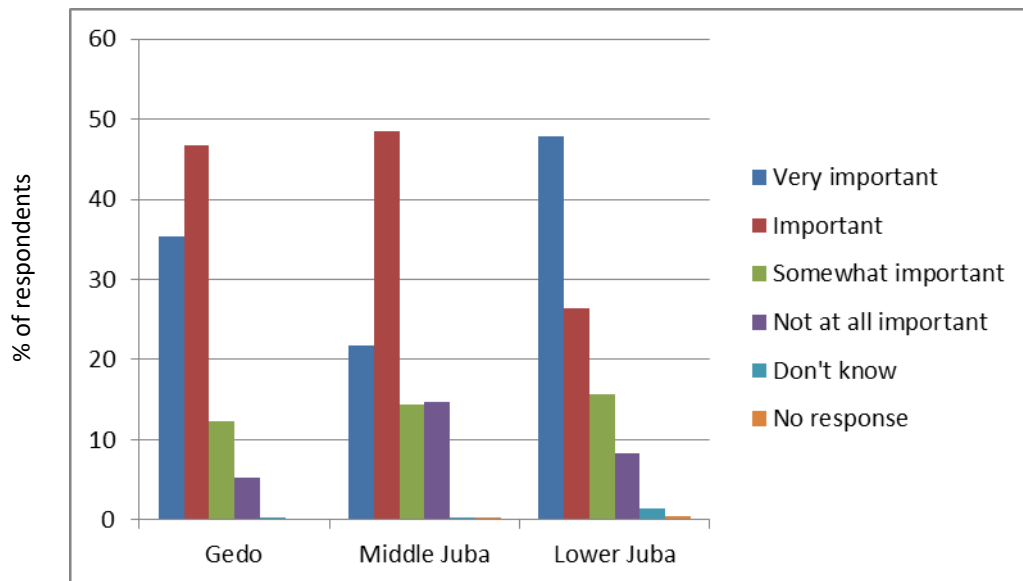


Figure 5 In an ideal situation which level of government should have greater power?



In addition, the varying levels of support for the Interim Jubaland Authority are broadly mirrored by support in principle for the existence of a regional authority, with Lower Juba respondents this time the most supportive of all the three regions. This may reflect the fact the reality that Kismayo will always be the defacto capital of any regional state and therefore has much to gain from the establishment of a regional authority.

Figure 6 How important is the establishment of a regional authority?



In general, only a small proportion of respondents stated negative perspectives towards federalism. However, in relation to the preceding discussion, in terms of those that did, one common theme was a concern over the potential fragmentation of Somalia, echoing many of the concerns explored in Chapter three regarding the disadvantages of post conflict federalism. For example, despite widespread distain for strong central governance, a number of respondents saw federalism as merely a transitory phase to a unified Somalia, noting that in contrast to many other countries that have adopted federalism, Somalia is largely homogenous in respect to ethnicity, religion and language. An Elder from Middle Juba commented:

‘As a nation I don’t believe we can be a federal nation. The name ‘Somali’ is one that you can’t talk about the separation and division of. This is just a transitional process until we can have a national government that represents all Somalis. This is what many believe.’<sup>142</sup>

Another Middle Juba elder stated that ‘Federalism is not fit for Somalia. It’s only the protracted conflict which makes us think otherwise. Federalism is just a transitional solution - if this stage is passed then Somalis are one.’<sup>143</sup>

However, whilst it may be true that Somalia has a more homogenous ethnic composition and demography that some other federal member states, this overlooks the reality that Somalis are strongly divided by clan and that these divisions have become extremely polarised as a result of the civil war. Whilst it may be true that federalism may act as bridge to reconcile these difficulties, it would seem unlikely that this would transform into a political movement calling for national unity anytime in the foreseeable future.

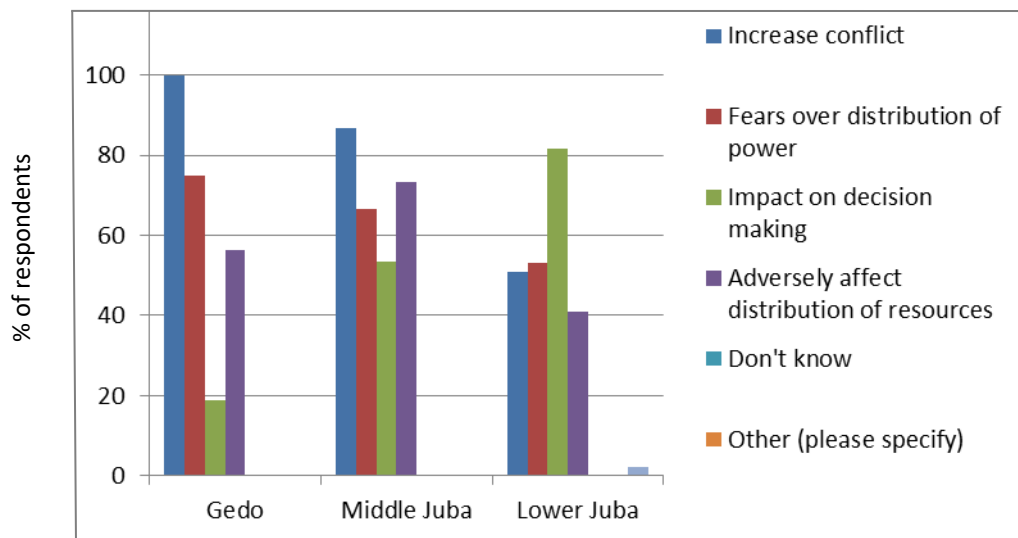
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<sup>142</sup> Focus Group Discussion, Middle Juba Elders, Kismayo, 28<sup>th</sup> September 2015.

<sup>143</sup> Ibid.

Another related and predictable concern of those opposing federalism is that the introduction of such a system could lead to the fragmentation of the country. Some respondents also noted that this could be accelerated by a weak central government that fails to unite all the federal member states under a broader national structure. A youth civil society respondent in Dollow commented: ‘Yes, the negative of federalism for me is if there is are strong federal states and a weak centre then we can expect conflict and chaos. Unless there is a strong central government that can deal with them we can expect chaos amongst them.’<sup>144</sup> These concerns were also reflected in the survey findings:

**Figure 7** *Is the federalisation process something that you want to see take place? If no, why? [Graph below shows only data for those that answered no to the first part of the question]*



As stated above, whilst no evidence was found regarding any political ambitions for Jubaland to secede, the comment and survey findings above are insightful in that they do illustrate a concern regarding the manner in which federalism has been implemented. In the process of implementing federalism, federal member states have captured significant levels of autonomy and power to the extent that they arguably have defacto sovereignty within their jurisdictions. Currently the

<sup>144</sup> Focus Group Discussion, Gedo Youth, Dollow, 6<sup>th</sup> October 2015.

Federal Government has little to no presence in Federal Member States living the latter to determine how the governance is structured and what policies are implemented.

Whilst this situation has resulted from the manner by which federalism has organically evolved in Somalia (as will be explored in Chapter 5) the high level of autonomy that federal member states have gained is unlikely to represent an existential threat to the Somali state. For example, despite a high degree of political contestation, the degree of participation by federal member states to participate in the 2016 Electoral Process demonstrated a broader commitment to Somalia as a singular nation state.

A further concern, reported by a few interviewees is that federalism was an imported system backed by external actors. One interviewee, who is politically opposed to the creation of the Jubaland Authority noted that:

'Federalism in Somalia. I believe that the idea did not originate from Somalis – it is an imported idea which has been taken in the Mbagathi conference in Kenya and has been pushed by Somalis there to take this system of foreign rules and countries.'<sup>145</sup>

This is in line with the conclusions of Chapter three that argued that any statebuilding mechanism must be perceived to Somali-owned. However, given that this was a minority response (with the vast majority articulating a preference for federalism), at this stage, such a sentiment is unlikely to impact the viability of federalism in the near future.

A final concern was the uncertainty of many people about what federalism means in Somalia. A representative of the Azania movement commented:

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<sup>145</sup> Key Informant Interview, Individual politically opposed to Jubaland, Mogadishu, 14<sup>th</sup> October 2015.

'Unity is my preferred option, federalism is my second option but it is not very clear what type of federalism we are using. Nobody has identified what type of federalism we are using.'<sup>146</sup>

The population's limited understanding of federalism at all levels was reiterated by a senior minister within the federal government, who commented that 'people believe this is a foreign idea, something that comes from the outside, something that divides the people rather than a strong government.'<sup>147</sup> Whilst, in general the survey found that awareness levels of federalism were very high, this lack of clarity among Somalis on the practical meaning of federalism may be an important factor in regards to its longer-term success or failure.

It would appear that federalism's introduction into Somalia has been largely articulated in terms of a system that can manage clan identity rather than by defining the governance dividends it can bring. Whilst this may account for its initial popularity, longer-term, for federalism to succeed, a much clear policy framework will need to be articulated, both for individual states and the country as a whole. This is likely to require large-scale consultations and civic education to transform what for many Somali citizens is a fairly ethereal concept into something more meaningful and tangible to their everyday lives.

*Summary: Perspectives on federalism as a governance structure for Jubaland*

These findings reinforce the discussion and conclusions in Chapter two and three. Firstly, the arguments expressed in the theoretical literature regarding the potential strengths and weaknesses of post-conflict federalism have very much come to the fore. It would appear at this stage, that the arguments for federalism are more persuasive. Notably this particular system has allowed for two political identities to emerge at the national and sub-national level

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<sup>146</sup> Key Informant Interview, Individual aligned to Azania, Kismayo, 28<sup>th</sup> September 2015.

<sup>147</sup> Key Informant Interview, Minister, Federal Government of Somalia, 2<sup>nd</sup> December 2015.

overriding concerns regarding fragmentation and the resurgence of ethnic conflict.

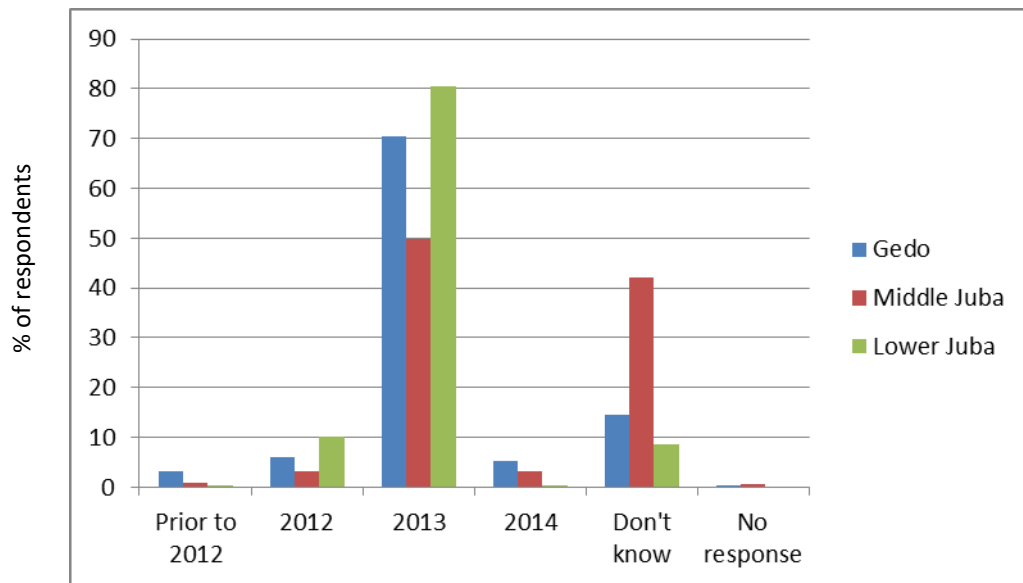
Secondly, and somewhat critically, is that the manner in which federalism has been implemented has been particularly successful from the perspective of local communities. Arguably, this has been achieved by merging federalism with consociationalism, resulting in a power sharing agreement between most clans and, in addition, ensuring a degree of decentralisation through the provision of services that were previously only available in Mogadishu. As a result, federalism in Jubaland has arguably resulted in *both* a peace and governance dividend which has significant implications for how federalism may be successfully replicated in other federal member states.

### **Perspectives on the formation and consultation process of the Interim Jubaland Authority**

The following section examines perspectives in Jubaland regarding the formation of the Interim Jubaland Authority (IJA). It is not possible completely to separate these from people's perspectives on federalism in general, given that the IJA has been the conduit for federal governance in Somalia. However, because of the broader challenges the country has faced in regards to state formation processes, these issues are worth examining in more detail.

Analysis of the survey data shows that awareness of the IJA is almost universal amongst the various people and communities in Jubaland, with little variation when disaggregated by gender or whether respondents lived in rural or urban areas. Most but not all respondents were able to correctly identify that the IJA was formed in 2013. These results are in line with the earlier data sets discussed in the preceding section that demonstrated high levels of awareness of federalism per se.

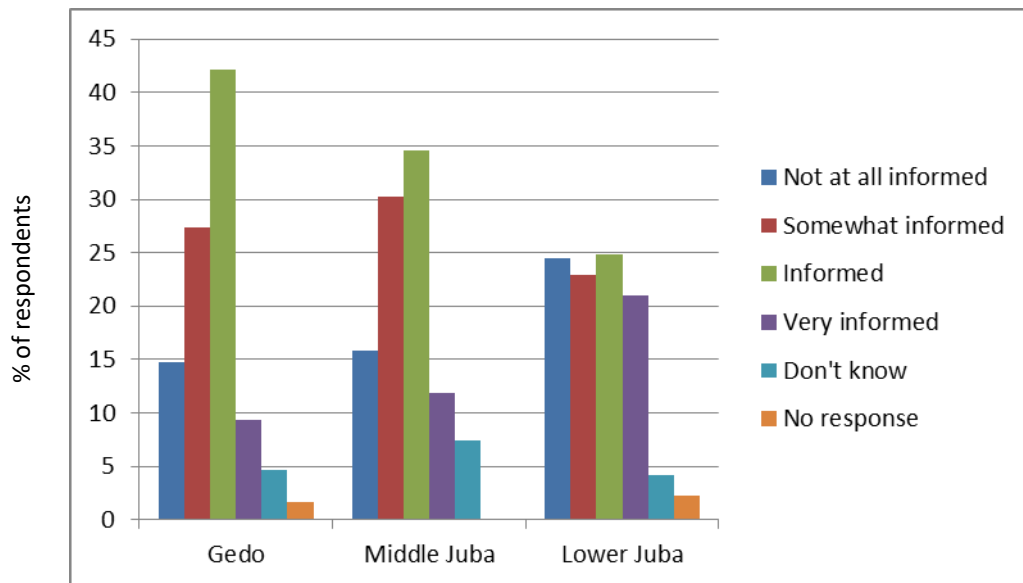
Figure 8 Which year was the authority set up?



The results from the quantitative survey and the key informant interviews indicate that most people felt that they were sufficiently informed about the formation process of the IJA. In addition, most people reported strong support for the formation process stating that they were able to engage through their representatives, if not directly, in the consultation process.

As noted earlier, given the historical legacy explored in Chapter two, evidence of strong public support for the state formation process is likely to counter claims that federalism is an externally imposed agenda and increases the likelihood that this is a viable governance modality at least in the near future. This is also a significant finding for other states which are currently still completing the state formation process in regards to how they can build public support for federal governance more generally.

Figure 9 Do you feel informed about the process?



Reflecting on the large clan conferences that were held in February 2013 to agree the formation of Jubaland, a representative of one of the minority clans in Dollow concluded: ‘We are very happy with the district administration – when it comes to consultation – it’s not possible to involve everybody – so it is those representatives that are consulted and we have our representatives in those consultations.’<sup>148</sup> Given that representation and participation are generally contentious issues in Somalia, particularly in relation to political processes given the lack of trust between groups, this finding was not expected. However, the fact that some groups were prepared to compromise their own direct participation on the pragmatic grounds that anything wider would be impossible to universally achieve, is arguably another indicator in their confidence of the state formation process in general.

In contrast to the above analysis, only one youth group residing outside of Kismayo raised concerns regarding the level of consultations, stating particular dissatisfaction in their role in the review of the Jubaland Constitution. One respondent argued that, ‘Currently the Jubaland headquarters are in Kismayo

<sup>148</sup> Focus Group Discussion, Gedo Minority Elders, Dollow, 7<sup>th</sup> October 2015.



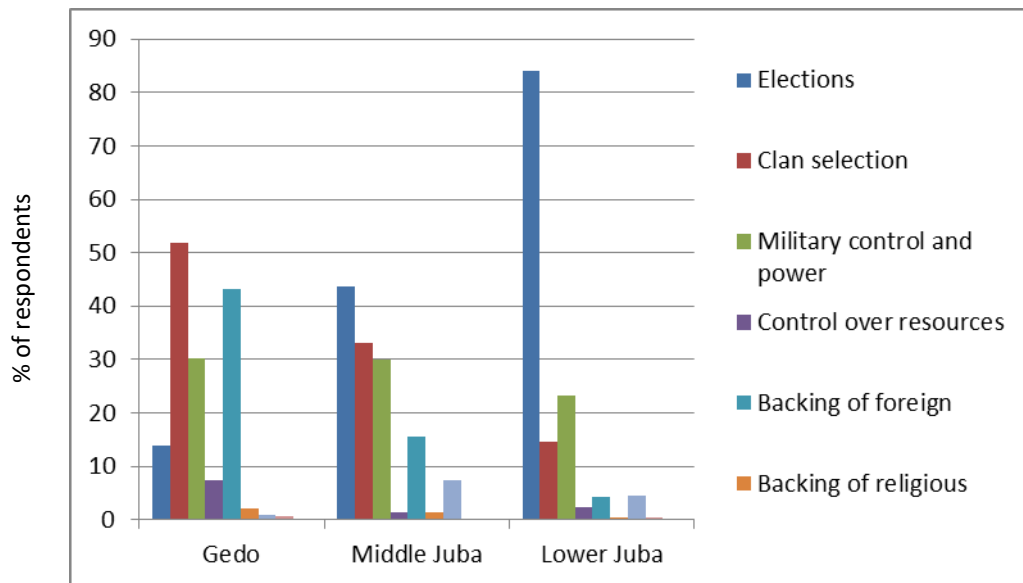
and the youth are not the priority. Our role in the Constitution process was very marginal.<sup>149</sup> Whilst this was not the majority view, as articulated in the preceding section, the concerns of such groups are an important reminder regarding the importance of deepening consultation with a wider range of groups over time, to ensure that grievances do not begin to emerge and consolidate. In addition, although supportive of the formation process for the IJA overall, responses were less definitive in Lower Juba. This is surprising given that this includes people from Kismayo, who had the greatest geographical proximity to the process. This may reflect a concern that the state formation process has resulted in the decentralisation of power from Kismayo, leaving some groups with less influence as a consequence this redistribution.

Perhaps most significantly, whilst respondents articulated confidence in the process leading to the formation of the IJA, the quantitative survey data suggests that populations were not actually very well informed about the process. In Middle Juba and, in particular, Lower Juba, the majority stated incorrectly that the IJA's establishment was achieved via elections rather than a selection process. This demonstrates the importance of international actors and authorities at all levels to refer to processes correctly, as often clan selections are incorrectly heralded as elections, which could contribute to further misinforming local populations who already have very low levels of understanding of electoral processes.

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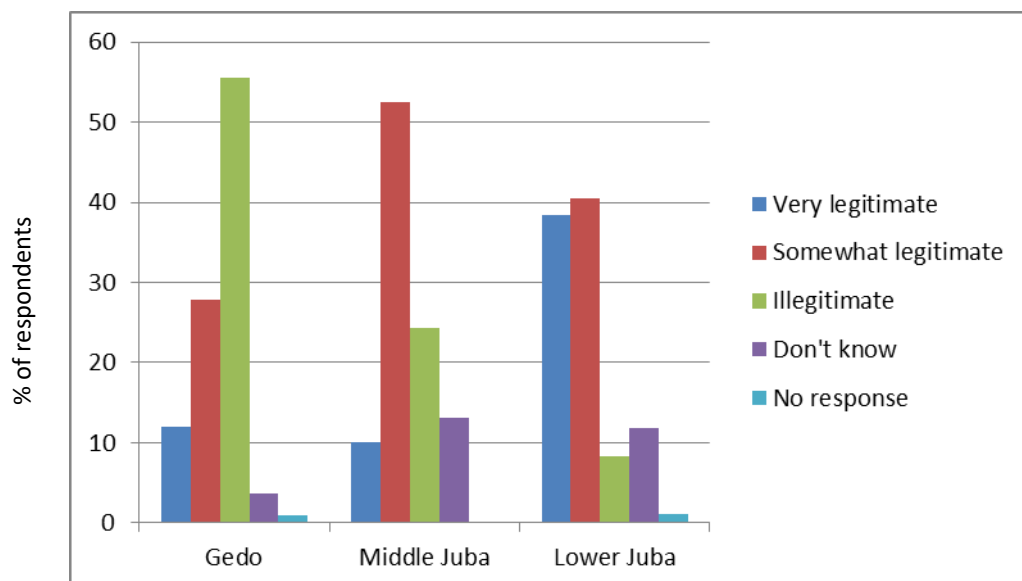
<sup>149</sup> Focus Group Discussion, Gedo Youth, Dollow, 6<sup>th</sup> October 2015.

Figure 10 How was this authority (IJA) established?



Lastly, in regards to support for the manner in which the IJA was created, respondents were sharply divided along regional lines. In Lower Juba the survey found that the process had somewhat legitimate levels of support which was echoed albeit to a lesser degree in Middle Juba. However, the majority of respondents in Gedo viewed the process as illegitimate, reflecting broad political divisions between the Marehan and Ogaden.

Figure 11 To what extent do you feel the process of establishment of the IJA was acceptable?



*Summary: Perspectives on the formation and consultation process of the Interim Jubaland Authority*

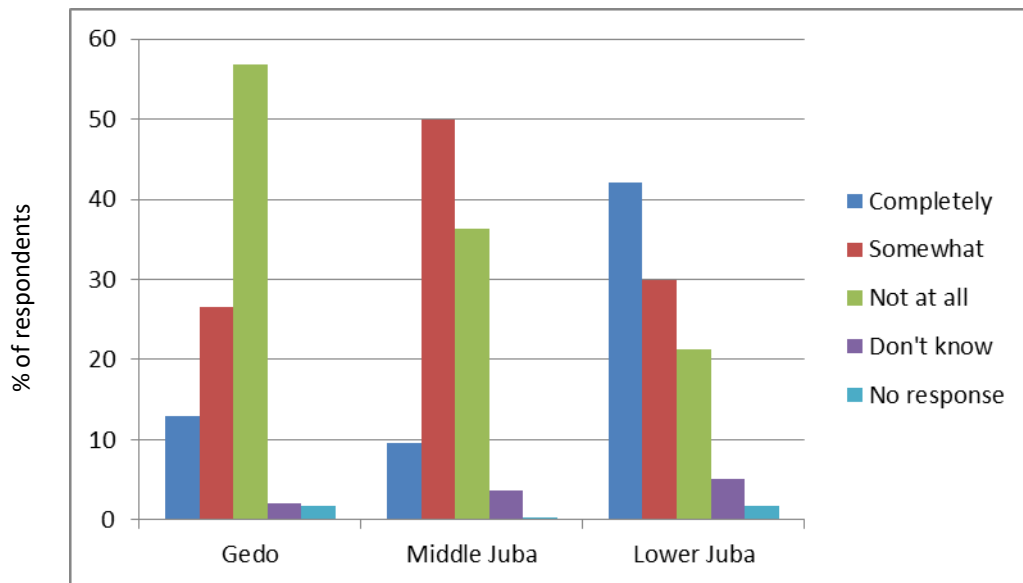
These findings in relation to how the IJA was formed build on the positive perspectives of federalism in general and strengthen the case that federalism within Jubaland is a viable governance modality.

It would appear this overall level of confidence has emerged from a widely shared perspective that the level of participation in the establishment of the IJA was sufficiently broad and participatory and is a significant finding for other states who are completing state formation processes. However, the data also concluded that the process of inclusive institution building is not yet complete, with a particular need to accommodate actors within Gedo into the broader political settlement. Indeed, following the data collection period (in early 2016), this was achieved following significant mediation efforts between the Ogaden and the Marehan. This finally concluded in an agreement whereby the latter secured the position of Vice President (with stronger clan affiliations to Gedo than his predecessor) and five ministerial positions.

**Perspectives on the performance of the Interim Jubaland Authority/Jubaland Authority**

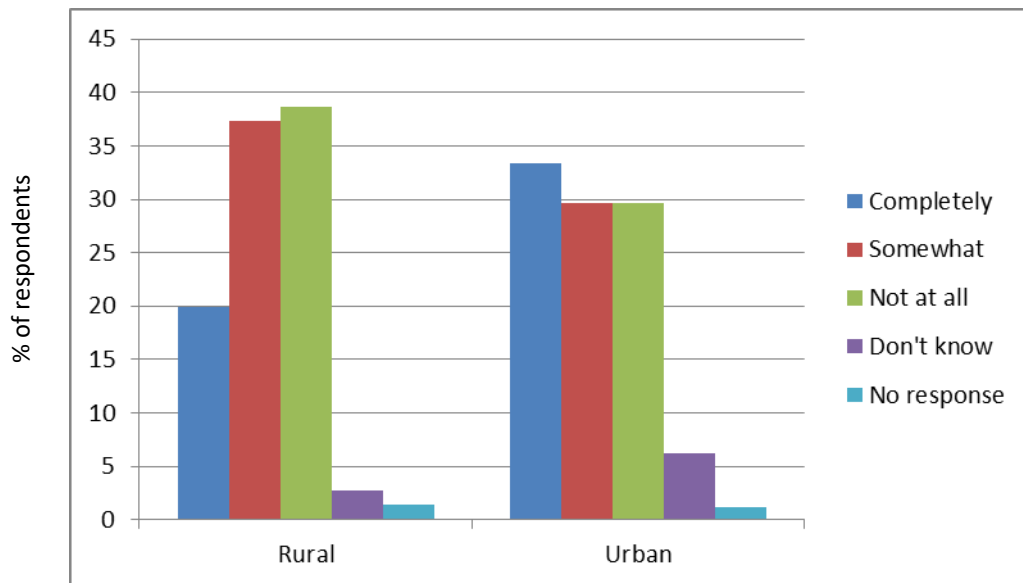
The following section presents and examines perspectives of the Jubaland population in regards to the performance of the Interim and permanent Jubaland Administration. This is possible since the data collection survey took place during the transition between the two. In general, the degree to which respondents thought that the IJA/JA represented their interests varied sharply between the regions, with the survey-data showing high levels of confidence in Lower Juba where the Jubaland authorities are based, a moderate level in Middle Juba and a much less consistent picture in Gedo.

Figure 12 To what extent does the IJA represent your interests? (by region)



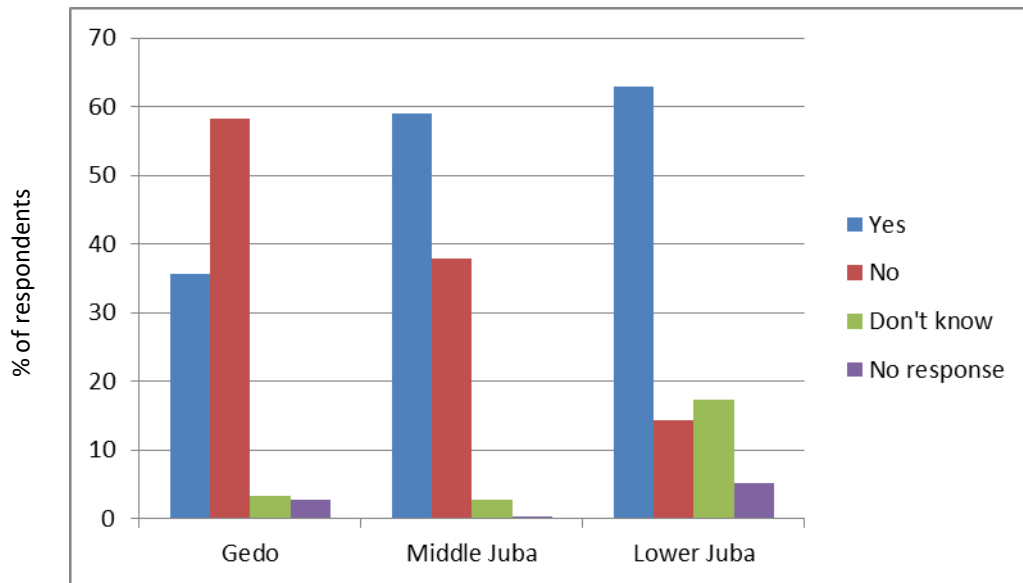
It is interesting to note that rural communities were less likely to consider that the IJA represents their interests than urban communities. There are several possible reasons for this, the most likely being that it reflects the limited access and influence that the IJA has beyond more urban conurbations. This will affect the extent to which the IJA can provide services for rural communities. In addition, rural communities may also face challenges in regards to receiving information about the services offered by the IJA and their priorities as an administration given limited access to radio, television and internet.

Figure 13 To what extent does IJA represent your interests? (by urban/rural)



The survey data demonstrated a clear divide between Gedo and the two Juba regions in regards to whether federalism had resulted in more localised decision-making. This again reflects the impact of how unresolved political tensions can impact citizens' perceptions more generally in regards to how empowered their group is within the broader political landscape. Whilst these particular issues appear to have been later resolved in the case of the Marehan-Ogaden conflict, this reinforces the need for other emerging states to prioritise reaching inclusive political agreements, as a failure to do so can seriously weaken the viability of federal state formation processes.

Figure 14 Since the introduction of the IJA do you feel that the decision making authority has come closer to you?



Another significant finding was support for the administration’s emphasis on being inclusive towards minority groups. A prominent member of the Jubaland Authority from the Bantu community noted that this inclusion has contributed to addressing the inequalities that marred previous systems stating that, ‘historically the Bantu have been marginalized, but gradually now, we are ready as a community. There were no representatives; we paid taxes, but no representatives. Since the Barre government there were so many grievances.’<sup>150</sup>

A senior minister within the federal government underlined the interconnection between reconciliation processes and state formation, noting that these ‘need to go hand in hand. If you want to form district councils without reconciliation you cannot form anything. That reconciliation was misunderstood – national reconciliation, regional reconciliation, but now we need grassroots

<sup>150</sup> Key Informant Interview, Minister, Jubaland Authorities, Kismayo, 28<sup>th</sup> November 2015.

reconciliation.<sup>151</sup> This again reinforces earlier conclusions regarding the particular manner in which federalism in Jubaland has been fused with consociationalism, resulting in both constitutional safeguards between the centre and the periphery but also security, inclusion and participation for minority clans within Jubaland. This process has resulted not only in a high-level of political reconciliation but one that establishes an environment for deeper social reconciliation at community level.

An additional and very significant result of pursuing this combined approach has been the improved public perceptions of security across much of Jubaland, (with the exception of Middle Juba which remains under al Shabaab control). A civil society representative from Lower Juba commented, 'On security, Jubaland security forces are present in all major areas, particularly in Kismayo town, so the reliability of security is much higher than before.'<sup>152</sup>

Several respondents praised the administration's approach to integration, with one noting that, 'the Jubaland administration is becoming one - the security forces are being integrated. They have one policy as a whole.'<sup>153</sup> This is notable, as increased internal security has not been necessarily identified as a possible benefit in either the literature on post-conflict federalism or the broader political discourse as a major reason for adopting a federal governance system, yet would appear to be a significant result in the Jubaland case.

Furthermore, the perceived gains appear to be relatively sustainable, particularly when compared with more military focussed approaches which have previously struggled to retain territory once captured from al Shabaab and whereby military actors have frequently been accused of gross human rights

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<sup>151</sup> Key Informant Interview, Minister, Federal Government of Somalia, Mogadishu, 2<sup>nd</sup> December 2015.

<sup>152</sup> Focus Group Discussion, Lower Juba Civil Society, Kismayo, 29<sup>th</sup> September 2015.

<sup>153</sup> Focus Group Discussion, Gedo Minority Elders, Dollow, 7<sup>th</sup> October 2015.

violations and have struggled to implement successful local governance strategies.

Another area which received recognition from respondents were the efforts made to initiate public financial management in Jubaland. Supported by the Somalia Stability Fund (SSF), the IJA has achieved considerable progress in setting up an online public financial management system in conjunction with relevant legislative reforms that have enabled Jubaland to quickly generate revenues, engage in detailed budgeting and successfully monitor expenditures.<sup>154</sup> This has led to Jubaland increasing its annual operating budget year-on-year and even running a small surplus of \$300,000 in 2013-2014. The extent of progress has also attracted other actors to support Jubaland in this arena, notably the World Bank.<sup>155</sup>

However, part of this success has been attributed to the fact that the governance system for the first two years of the IJA was considerably slimmer than at present, given the absence of a Regional Assembly, which enabled fast and streamlined decision-making, albeit with limited oversight. A representative of the Jubaland Finance Ministry commented: 'There was no system in place previously. There was political will from the leadership. On a technical aspect, we started from scratch. Puntland is different – you are trying to reform a system which didn't work but benefited some. Another thing that gave us space was that there was no parliament. The Council of Ministers could sign and pass things swiftly. For us it is very easy, if we want to create legislation and policies, we create it.'<sup>156</sup>

These responses raise two important considerations in regards to assessing the significance of federalism for Jubaland and beyond. Firstly, federalism has been

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<sup>154</sup> For further information on Somalia Stability Fund Priorities see <http://stabilityfund.so/>

<sup>155</sup> Focus Group Discussion, Representatives from Jubaland Finance Ministry, Kismayo, 29<sup>th</sup> November 2015

<sup>156</sup> Ibid.



strengthened by incorporating broader elements of good governance – in this case, financial accountability. Secondly, and somewhat controversially, state institutions have been created quickly because Jubaland was ruled solely by an executive for two years. This arguably reduced the space for political contestation and allowed for basic institutions to be developed and established, albeit with limited oversight and external scrutiny.

In Jubaland's case this interim strategy appears to have been successful from a statebuilding perspective given that a period of temporary and arguably necessary executive rule was later balanced by the formation of a regional legislature. One explanation for this success is that the new administration led by Madobe enjoyed sufficient public support to allow for a period of executive rule on the proviso that certain milestones were met. However, without the checks and balances of a parliament and independent judiciary, the likelihood of such an outcome remains solely dependent on the benevolence of the leadership in question. As such, this raises important questions of when emerging federal entities should embark on broader democratisation efforts, particularly given the clear public demand to do so or whether a period of temporary executive rule may be more effective in achieving an initial degree of stabilisation.

In general, negative perceptions regarding the performance of the IJA were reported less frequently. Some respondents were more sceptical regarding the motivations of minority clans in working within the administration. A representative of the Gedo opposition commented, 'They fear for their lives. They worry about what may happen if they oppose the administration. Or it could be that we have met with people who are pro-Madobe. There are a bunch of people from his group – it isn't the real representation because they have a small interest in this administration.'<sup>157</sup> Whilst it remains possible that minority participation was either coerced or self-interested, numerous interviews with

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<sup>157</sup> Focus Group Discussion, Representatives of Gedo Opposition, Kismayo, 29<sup>th</sup> November 2015.

minority groups suggested that this was not the case and that the approaches of the IJA had been genuine in their intention to broaden participation.

In addition, some focus group discussion participants were quite open that they had benefited personally from the process. If true, this could undermine one of the principal achievements of the first two years of the IJA in reaching a fairly inclusive executive and raises the prospect of embedded patronage networks in the long-term. A Lower Juba Elder commented: 'Previously we were looked down on but yesterday I was called by the President and I was given a brand new vehicle.'<sup>158</sup> As mentioned previously, if new federal governance structures become associated with patronage networks and corruption, then this may tarnish by association the broader federalism project.

However, whilst there is a high level of sub-clan inclusivity both within the IJA and the current Regional Assembly, this was not complete at the time of field research. Ahead of negotiations with the Jubaland Authorities in November 2015, a representative of the Galti Marehan outlined their key demands:

'We want two outcomes from my perspective. One, we need to have confidence that Madobe will be the leader of Jubaland for the next four years. Two, he needs to give us confidence that he is a leader for all Jubaland and will serve us all equally. Two months ago there was a lot of fear, fear that a soldier could kill anyone he likes, and there is still intimidation that they can put you in jail in a cell.'<sup>159</sup>

A number of respondents also raised serious concerns as to the extent to which parliamentarians actually represent communities or their interests. An elder from Middle Juba stated; 'This is why Somalia is in anarchy today. Politicians don't represent the community. Elders say that they need to be patient. This is a

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<sup>158</sup> Focus Group Discussion, Lower Juba Elders, Kismayo, 28<sup>th</sup> September 2015.

<sup>159</sup> Focus Group Discussion, Representatives of Gedo Opposition, Kismayo, 29<sup>th</sup> November 2015.

mechanism for politicians to get into power. It is a short-term phenomenon. Once a fake elder is selected and has completed his task, he is then discarded.’<sup>160</sup>

A member of the Gedo opposition (Galti Marehan) alluded that representation was not genuine from his community’s perspective and that this weakened their ability to ensure access to resources, stating that: ‘One, there has never been a real discussion of how we get a piece of the pie. Two, there has never been a genuine discussion within those groups that select that representative – in terms of who represents who.’<sup>161</sup>

Whilst the specific issue regarding splits within the Marehan has since been resolved, this raises important issues regarding how representation issues are managed within emergent federal systems. The decision to embark on a district-based selection process for the 2015 Regional Assembly, was a good first step in linking with representatives to specific geographical constituencies in which many clans are likely to reside rather than simply on a clan basis. At the time of writing, there were wide hopes that the planned move towards universal elections in 2019 could further cement this progress.

The survey indicated varying confidence in the ability of the Jubaland authorities to effectively distribute resources. Once again, there was a notable divide between respondents in Gedo and the Jubas regarding confidence in the equitability of the Jubaland authorities’ distribution of resources. This again underlines the importance for Jubaland to ensure that federalism is and continues to be based on a broader political settlement. More broadly, federalism’s success will be in part dependent on ensuring that resources are well managed and distributed equally between clans. Given that Jubaland has

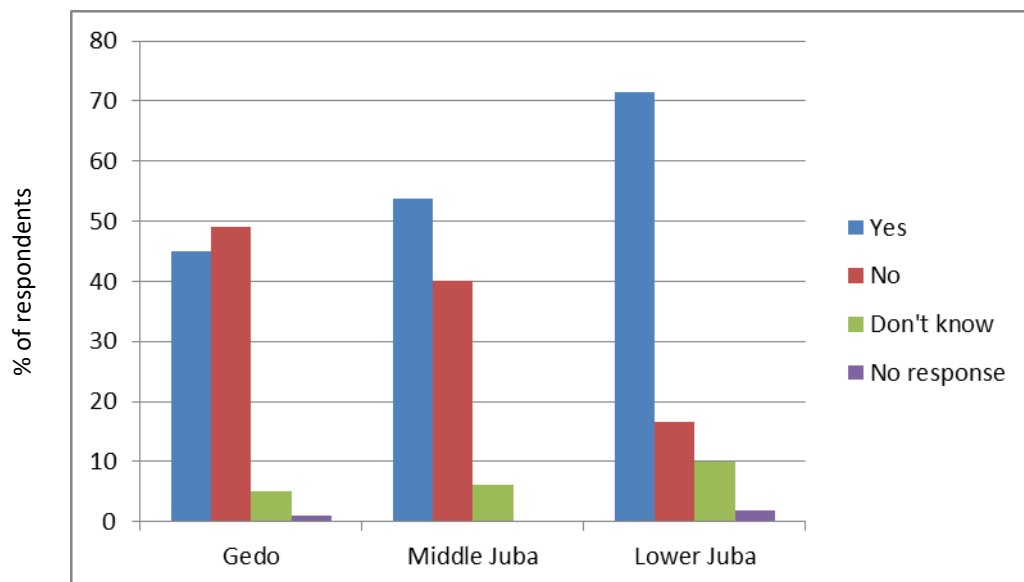
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<sup>160</sup> Focus Group Discussion, Middle Juba Elders, Kismayo, 28<sup>th</sup> September 2015.

<sup>161</sup> Focus Group Discussion, Representatives of Gedo Opposition, Kismayo, 29<sup>th</sup> November 2015.

invested heavily in a consociational approach to governance, there are at least some grounds for optimism that some of the foundations for such equitable resource management are coming into place.

*Figure 15 Do you think the IJA is currently able to distribute and manage resources to all of Jubaland region?*



*Summary: Perspectives on the performance of the Interim Jubaland Authority*

The findings reviewed in this section have again demonstrated broad support regarding the performance of the Interim Jubaland Authority. Generally, the IJA is seen to represent the interests of its constituents and has brought decision making closer to the population. However, such support was not universal and was undermined by the conflict between the Marehan and the Ogaden that significantly reduced trust in the broader state formation project, particularly in Gedo. This reinforces the importance of a broader inclusive peacebuilding process that seeks to reach a political settlement with all key actors. When this is achieved not only can better governance be realised as an end in itself but such a transformative approach can have a significant impact on broader

security dynamics as a whole. However, one explanation for Jubaland's early success is that the IJA was able to stabilise the region using executive powers that had the broad support of the population. This strategy was in many ways vindicated by the successful establishment of a regional parliament which will in future act as a balance against executive rule.

However, some concerns were raised regarding the practices of the IJA. Reports that state resources have been used to secure political patronage and that IJA politicians were solely representing their own interests could serve to severely weaken broader confidence in the performance of state authorities.

### **Perspectives on the 2015 Regional Assembly selection process**

Perspectives from the international community on the 2015 selection process were generally positive, albeit with a number of caveats. An advisor for the UK government described the process as 'somewhere approaching reasonably good in a difficult situation.'<sup>162</sup> A UN representative noted that the process was controversial given the resulting Marehan and Ogadeni domination, but praised the level of political will to see the process through.<sup>163</sup>

A number of KII respondents raised concerns about possible corruption in the process recently used to select members of the Jubaland. Firstly, a number of interviewees noted that candidates needed access to considerable financial resources if they were to ensure their selection. A representative from a Dollow minority clan commented, 'according to my estimation anyone who is to be an MP needs to raise \$15-20,000.'<sup>164</sup> However, these allegations were strongly refuted by the Jubaland authorities, with a senior minister noting that to prevent corruption, 'Three candidates were presented for each position. I can use my

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<sup>162</sup> Key Informant Interview, Advisor, UK Government, Mogadishu, 3<sup>rd</sup> December 2015.

<sup>163</sup> Key Informant Interview, UN Advisor, Kismayo, 30<sup>th</sup> November 2015

<sup>164</sup> Focus Group Discussion, Gedo Minority Elders, Dollow, 7<sup>th</sup> October 2015.

money but the probability of winning is much less. We declared that anyone trying to use corruption would be totally excluded from the process. We were told that in the election of the federal government the price has gone up to \$50,000.<sup>165</sup> Whilst no concrete evidence was found to support these claims, public confidence in selection and election processes is a critical component for sustained public support for the federalisation process.

In this context another issue raised regarding the selection process was the proliferation of clan elders, as well as prospective MPs' financial backing for so-called "copy chiefs" to ensure their own selection, was widely reported. A Lower Juba civil society representative illustrated the situation as follows:

'When I came back to Jubaland, the well-known elders used to be few in number, but now we are nearly 130! Just in Jubaland. There are no agreed criteria and these are not being respected. I think the Somali media has contributed to the inflation of the number of elders. Because every two people, they meet, give money and then they go to the media and announce a new traditional elder.'<sup>166</sup>

Despite evidence that the system used in Jubaland to select MPs and elders was clearly benefiting elites, both the survey and KII demonstrated strong and encouraging political support for direct elections in future among the Jubaland authorities and Elders. A prominent member of the authorities commented that he understood this to be the intention of the leadership:

'I think that one man, one vote, in less than a decade, by the end of the President's second term, I think this is realistic. The President wants to make a positive legacy here. His milestones and thinking are good for Somalia.'<sup>167</sup>

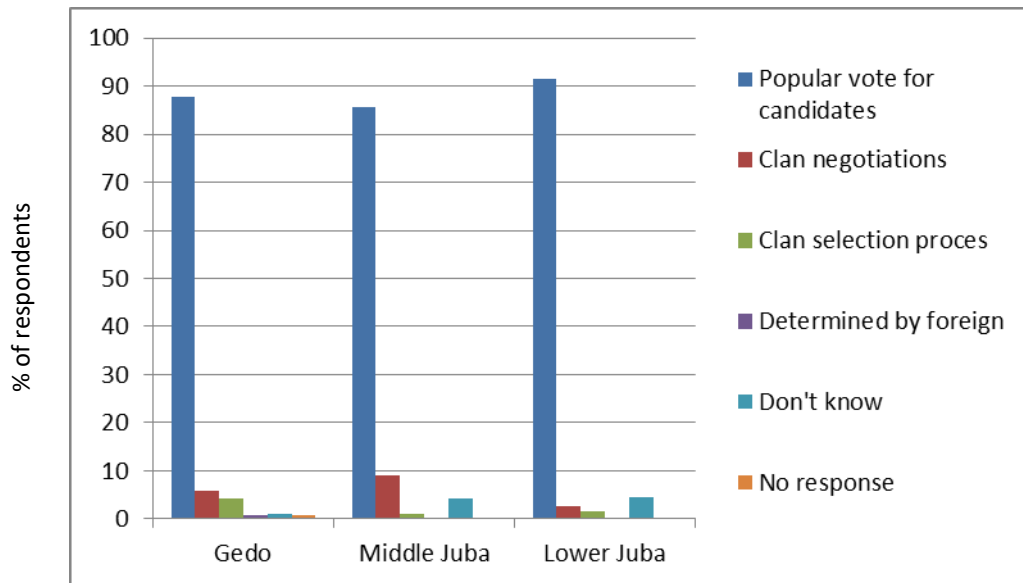
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<sup>165</sup> Key Informant Interview, Minister, Jubaland Authorities, Kismayo, 30<sup>th</sup> November 2015.

<sup>166</sup> Focus Group Discussion, Lower Juba Civil Society, Kismayo, 29<sup>th</sup> September 2015.

<sup>167</sup> Key Informant Interview, Minister, Jubaland Authorities, Kismayo, 28<sup>th</sup> November 2015.

Figure 16 When the IJA becomes a formal federal members state, how should be selected?



Representatives of the Jubaland authorities also repeatedly stated their commitment to hold Presidential and Parliamentary elections in 2019. The implications of these findings indicate that the international community will need to expedite any investment to ensure that the necessary administrative and legislative frameworks exist for elections to adhere to minimal international standards. If successful, this could not only strengthen public confidence in the Jubaland authorities but also catalyse similar processes in other Federal Member States. On the other hand, if this opportunity is not taken, Jubaland risks developing political norms that reinforce patronage networks and the emergence of an executive and parliament that are not held to account by the population, potentially undermining the federalism project as a whole.

*Summary: Perceptions on the 2015 Regional Assembly process*

The above analysis suggests that whilst some concerns were raised, the process for forming the 2015 Regional Assembly was broadly perceived by members of the emergent political authorities, elders and the wider populations

as acceptable. Holding a credible process for forming a regional parliament was critical in ensuring that Jubaland was able to transition from purely executive governance to one in which there is now parliamentary oversight. This significant strengthening of Jubaland's accountability framework combined with the decision to utilise a district based system for appointing parliamentarians indicates that the process of improved public support for the Jubaland emergent authorities has some momentum and sustainability. This evidence suggests that federalism in Jubaland has been a viable mechanism for strengthening governance in the region.

### **Perspectives on the role of the Federal Government of Somalia in the Jubaland federalisation process**

The following section presents and examines perceptions in Jubaland on the role of the Federal Government of Somalia in the federalisation process in Jubaland. Overall, the perceptions of the Federal Government's role were overwhelmingly negative. A senior minister within the federal government offered this analysis:

'The key problem was that people were not happy with the federal system. If Jubaland could have been prevented from becoming a state then federalism could be stopped and the hidden agenda was two federal states, north and south.'<sup>168</sup>

The quantitative data demonstrates a complex relationship between the federal government and the three regions of Jubaland, although requires further primary data to understand the issues fully. When respondents were asked whether the relationship between Jubaland and the federal government should change, Lower Juba and Gedo were strongly in favour of this. A slight majority

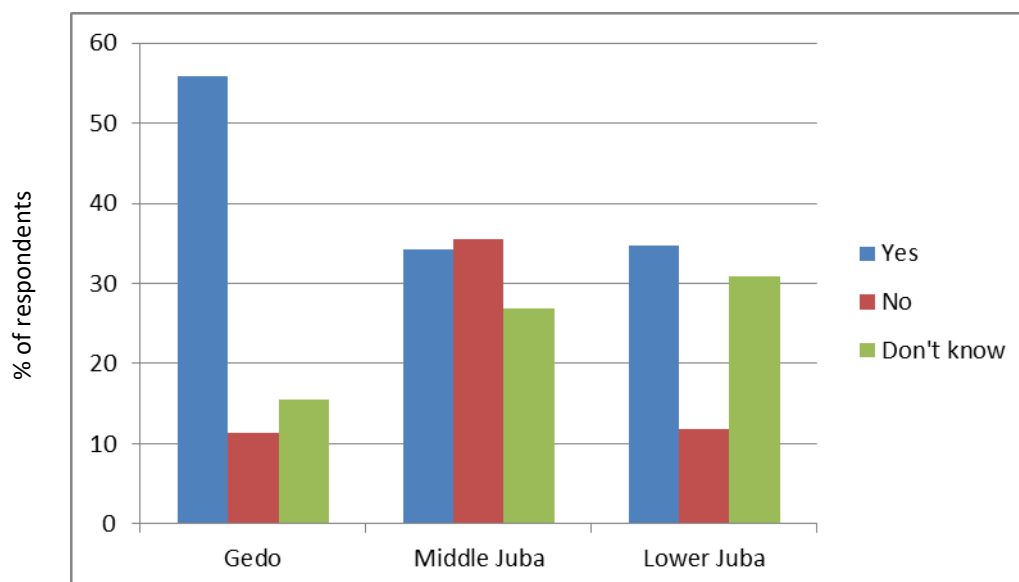
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<sup>168</sup> Key Informant Interview, Minister, Federal Government of Somalia, Mogadishu, 2<sup>nd</sup> December 2015.



in Middle Juba said it should not, and may reflect concerns that the region is still occupied by al Shabaab and would need the Somalia National Army and the support of AMISOM to liberate it.

*Figure 17 Would you say the relationship between regional and Federal government should change?*



These findings arguably suggest that the single largest threat to the implementation of federalism in Jubaland is the behaviour of and relationship with the Federal Government itself. The FGS, which was effectively forced to accommodate the establishment of Jubaland, subsequently adopted a radically different approach of facilitating (albeit whilst pursuing its own interests) the broader federalisation process rather than attempting to prevent it. The implications of these findings suggest that significant confidence-building processes between Jubaland and the federal government will be required as the negative legacy of the early years of the federalisation process is gradually overcome.

Related to this is the slow political and technical progress in Jubaland regarding the development of a policy framework for fiscal federalism. The technical progress in Jubaland in developing an effective public financial management

system, sharply contrasts with difficulties in reaching a broader political consensus on how resources will be shared between Jubaland and the federal government. Although there has recently been a series of constructive initial meetings between the respective federal member state finance ministers and the federal government, the details of any agreements have yet to be outlined. A representative from the Minister of Finance in Jubaland commented:

'Resource sharing, fiscal federalisation, it was part of the Addis Agreement - there was an article stipulating that after six months, the Jubaland state would give ports and airports back to the federal government. So far, still those structures are under the control of the Jubaland state. There was a meeting between the Ministries of Finance for the federal member states and the federal government and the issues were on resource sharing; the debate is ongoing.'<sup>169</sup>

*Summary: The role of the Federal Government of Somalia in the Jubaland federalisation process*

The findings explored in this section outline a number of issues that threaten the success of federalism in Jubaland. This includes evidence suggesting the need for greater political agreement and cooperation between the federal government and Jubaland. This would enable the emergence of a clearer policy and legislative framework to regulate the process and the establishment of functioning institutions to facilitate the process and arbitrate on disputes.

Without these in place, federalism in Jubaland risks remaining a largely political project rather than also being a governance mechanism which can deliver greater development dividends for its citizens. Federalism in this scenario risks losing public support which given the regions history, could threaten the political settlement that has been established in Jubaland.

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<sup>169</sup> Focus Group Discussion, Representatives from Jubaland Finance Ministry, Kismayo, 29<sup>th</sup> November 2015.

## **Perspectives on the role of the international community in Jubaland and the broader federalisation process**

The following section outlines perspectives that were shared on the role of the international community in the Jubaland state formation process. One of the most common concerns was that this was an elite-led process driven by the national interests of foreign states. From the UK perspective, support to the IJA presented something of a dilemma, as in their view, in 2013, the federal government acted as a spoiler and contravened the overarching federalism principles set out in the Provisional constitution. However, as regional powers increasingly backed Ras Kamboni, the decision ‘became easier for the West to side with this – going against IGAD would have been very difficult.’<sup>170</sup> Eventually this led the UK to directly support the work of IGAD, to the extent that UK staff were directly seconded within IGAD. This was in direct contrast to other international actors such as the United Nations, which have taken a much more cautious and indirect role, albeit one that became more substantive after the Addis Ababa Agreement was signed in May 2013. A United Nations staff member reflected:

‘UN involvement in Jubaland’s state formation began post Addis Ababa. [There was a] sense that Jubaland was being created without the consent of the SFG. So only after the Addis Ababa agreement was the UN comfortable with engaging, as that agreement included the SFG.’<sup>171</sup>

The interests of regional states were also key in the state formation process, particularly those of Kenya and Ethiopia. A senior federal government minister commented, ‘what I can say is that Ethiopia and Kenya - their current and long term interest is security.’<sup>172</sup> In addition, regional interests were also undertaken

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<sup>170</sup> Key Informant Interview, Advisor, UK Government, Mogadishu, 3<sup>rd</sup> December 2015.

<sup>171</sup> Key Informant Interview, Advisor, United Nations, Kismayo, 30<sup>th</sup> November 2015.

<sup>172</sup> Key Informant Interview, Minister, Federal Government of Somalia, Mogadishu, 2<sup>nd</sup> December 2015

through the auspices of IGAD, which was deeply involved in the process. A senior minister from the Jubaland authorities commented that:

'IGADs role was a facilitator. IGAD is a regional organisation and brings together all the states in the region. We are very grateful for the role of IGAD; if it was not for their role things would be very different. Economically they were helping us to attend those meetings. For example, the access of different regions was difficult because of al Shabaab, so IGAD provided flights so that people could reach each other.'<sup>173</sup>

Other respondents were very critical of the role of the international community in leading the process without the broad participation of Somalis representing all clans and subclans. A Barre Hiraale supporter commented:

'There's a joke –according to the power sharing of Somalia, we have 4.5, but now we are 5. There is another 'clan' so we are now 6. 5 Somalis and Halane – the airport! We don't know what is going on there. The international community are the 6<sup>th</sup> clan.'<sup>174</sup>

It is unclear whether regional or other states were pursuing national interests beyond their own security. However, it is likely that this was also motivated by economic interests, such as access to a seaport for Ethiopia and securing off-shore oil and gas reserves. Either way, as discussed in detail in Chapter two and three, for federalism to remain an effective governance mechanism for Jubaland, it is essential that this is perceived as a Somali-owned process in which governments at both federal and regional level have sovereignty over. However, given that these concerns were only raised by a minority of individuals, albeit those who may be in a better position to analyse such

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<sup>173</sup> Key Informant Interview, Minister, Jubaland Authorities, Kismayo, 30<sup>th</sup> November 2015.

<sup>174</sup> Key Informant Interview, Individual politically opposed to Jubaland, Mogadishu, 14<sup>th</sup> October 2015.

developments, the vast majority of the population is still strongly in favour of a federal system. As such it is unlikely that such sentiments pose a risk to the viability of federalism as a whole in the near future.

Another concern raised by delivery partners regarding the role of the international community, was the narrow focus of donors on providing stabilisation programmes for Kismayo, despite this potentially exacerbating tensions between the centre and the periphery within Jubaland. A contractor involved in stabilization programmes commented:

‘Two years ago we were barely in a position to work in Kismayo – even one year ago. There is no pressure from regional authorities or from donors to distribute across regions.’<sup>175</sup>

Given that the success of federalism in Jubaland has been predicated on finely balanced political negotiations between the various clans, to avoid destabilising these, it is critical that donors move more quickly to consider the broader regional needs of Federal Member States. If this does not occur, this risks reinforcing norms of political life at the regional level whereby election processes result in ‘winner-takes-all’ and in the Jubaland example could seriously undermine the consociational approach that has utilised with some success.

The final issue raised related to concerns regarding donor coordination in determining and overseeing development priorities in Jubaland which has been seen to be limited and somewhat constrained by the current mechanisms for aid coordination, most notably the New Deal. Currently the New Deal, via the five Peacebuilding and Statebuilding Working Groups, is coordinated thematically rather than geographically. An advisor working for the UK Government commented: ‘The New Deal is a very centralised approach – there is a sub-working group on federalism but no structures around FMSs with security often

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<sup>175</sup> Key Informant Interview, Contractor, Mogadishu, 14<sup>th</sup> October 2015.

a factor. Coordination is needed, there are many players and it is missing FMS representation. It requires a lot of bureaucracy, the politicians who attend are often very junior and it's not the format for difficult political decisions – it is essentially for information sharing. These are the reasons that the SSF is not conducted through the New Deal.<sup>176</sup> Given that federalism's success is dependent and very much associated with the broader state agenda improved donor coordination will be essential to consider, otherwise development risks becoming fragmented and potentially being perceived to favour particular groups over others.

## **Conclusion**

This chapter has sought to explore whether the introduction of federalism in Jubaland has resulted in improved governance or peacebuilding outcomes for communities and what factors may risk or strengthen any progress in the years to come. The empirical evidence explored in each of the preceding sections has identified a number of important considerations.

Evidence from the survey and key informant interviews demonstrates that federalism enjoys strong public support despite some anxiety regarding its potential to precipitate secessionist movements or clan tensions. The process of forming new administrations was widely seen as legitimate with sufficient representation and inclusion of all groups. In addition, the manner in which federalism has been implemented in Jubaland has benefited from being blended with consociationalism and decentralisation resulting in a fairly immediate peacebuilding, security and governance dividends for the population.

More specifically, the 2015 Regional Assembly selection process was broadly successful in ensuring that Jubaland transferred from purely executive role to one which enjoys the checks and balances of a parliament, the role of the Federal government has largely been unhelpful in the state formation process

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<sup>176</sup> Key Informant Interview, Advisor, UK Government, Mogadishu, 3<sup>rd</sup> December 2015.

having attempted to initially repress it with force and having largely failed to provide a coherent policy or legislative framework on federalism or create strong independent institutions to manage the process and arbitrate on disputes. Finally, the international community has been seen to use federalism as means of meeting its own interests and has taken risks by focusing its investment solely at the regional capital level without a broader donor coordination framework in place.

The implications of these findings however, suggest a more significant conclusion; federalism in Jubaland is not perceived to be merely a governance modality, despite its more narrow definition in the theoretical literature. The data from Jubaland suggests that for much of the population, federalism represents a corruption free, democratic governance system that is able to meet the service delivery expectations of communities whilst simultaneously uniting the country after many decades of instability and conflict. This expanded definition may be both a blessing and a curse. On the one hand, Jubaland has for many years sought to navigate a way out of seemingly eternal violence and poor governance and federalism may catalyse systemic change. However, on the other hand, the enormity of the task and the aspirations of the population may mean that a failure to deliver on elections, services, eradicate corruption and achieve political reconciliation may tarnish and discredit federalism in the process.

In summary, whether federalism is an appropriate governance model for Jubaland is not in question; there seems little doubt that it is the region's best option going forward. Its future success however is likely to be determined by *how* it continues to be delivered and the extent to which to it precipitates broader governance reform. The next chapter will analyse to what extent the findings in Jubaland have been replicated across Somalia in order to assess the extent to which federalism is likely to be an effective governance modality for the country as a whole.

## **Chapter five: Assessing the peacebuilding & governance dividends of federalism in Somalia**

This chapter will build upon the conclusions of Chapter four to answer the research question; *To what extent has the federalism process in other federal member states more broadly contributed to improved governance and peacebuilding outcomes?* The first section of this chapter will propose an analysis framework for assessing progress. The second section will then provide a brief overview of the federalism process in Puntland, South West and Galamadug as of April 2017 before using the analytical framework to assess whether the introduction of federal governance in each of these federal member states has delivered specific governance and peacebuilding dividends. The section will also analyse data from the Key Informant Interviews and the survey which relate to the opportunities and challenges of federalism at a national level.

### **Analytical framework**

Based on the findings of the Jubaland case study, this chapter proposes to assess the extent to which the other federal member states have delivered tangible peacebuilding or governance dividends utilising three indicators. These indicators have been selected to determine; the status of the relations between a specific federal member state and the federal government; relations between a specific federal state and other federal member states (inter-federal state relations); and internal relations between various groupings within a federal member state (intra-federal state relations).

#### *Federal government-federal state relations (FGS-FMS)*

From a theoretical perspective, a state undergoing federalisation requires a detailed political agreement between the centre and the periphery in order to define the boundaries of federal entities and promote clarity on their respective



rights and responsibilities. However, as Chapter Four illustrated, the federalism process in Jubaland was a highly-decentralised process whereby the latter announced its federal member status unilaterally following attempted suppression from the Federal Government. However, despite this recent violent history, the field research did not report any strong sentiment for secession. However, if this pattern of poor centre-periphery relations was repeated across the country, this would indicate a higher risk of possible state fragmentation and would seriously put at risk the ability of new federal states to deliver tangible governance and peacebuilding dividends for the population.

An implication of weak FMS-FGS relations is that the resulting governance structures and policies at FMS level are likely to be highly uneven across the country as a whole. Whilst there may be benefits in developing specific arrangements in response to local governance dynamics, this may reduce opportunities for more effective and efficient nation-wide systems. For example, a uniform FMS public financial management system or FMS electoral model across the country is likely to bring greater cost savings than each federal state developing their own.

#### *Interstate relations (FMS-FMS)*

For federalist approaches to deliver tangible governance or peacebuilding dividends for the population then political conflict between constituent states must be managed effectively to ensure that federal institutions can function and that violence does not emerge. This is particularly important for neighbouring federal member states who need to agree the demarcation of borders, the movement of goods and services and which populations are entitled to political representation.

As explored in Chapter three, one of the major risks of a state transitioning to federalism is that it potentially increases the risk of conflict between federal entities defined by ethnicity. Whilst Jubaland has appeared to enjoy good

relationships with other neighbouring states, it will be important to assess whether this is a common trend across Somalia.

Similarly, the Jubaland case study illustrated the tension within the Marehan of the political rights of *Guri* ('indigenous) and *Galti* ('outsider') communities. Given the levels of internal migration and displacement in Somalia over the course of the conflict, this is likely to be a significant challenge as FMSs design their processes for political transitions and determine who and who cannot participate.

#### *Intra-state governance relations & degree of FMS governance reform*

As explored in Chapter Four, the early successes of federalism in Jubaland were largely due to the administration's commitment to consociationalism which proved that federal governance has the potential to deliver both political and social reconciliation. In addition, despite Jubaland's brief existence, there is strong evidence that Jubaland's commitment to a reform agenda including the transition from Executive to parliamentary rule and progress in regards to public financial management have strengthened intra-state relations.

Federalism by itself will not, as the Jubaland case study also illustrated, deliver governance and peacebuilding dividends. This is likely to be only achieved if new administrations demonstrate a commitment to inclusive politics with other (most probably minority) groups. The status of these relations is also likely to be partly dependent on the extent to which the ruling party is committed to delivering governance reform. This includes at a minimum progress in providing basic health and education services, job creation (particularly for youth), and security. In addition, an agreed framework (i.e. universal elections or a clan selection process) that allows political power to be periodically and non-violently contested will be essential in maintaining peaceful intra-state relations.

However, if this ambition for change is uneven across Somalia, this may prevent federalism from replicating the same results at a national level. It will be important to assess whether this has been the case in other federal member states before concluding whether federalism can play a more transformative role at a national level.

### **Assessing the progress of federalism at federal state level**

The following section will outline the historical development of the federalisation process as it relates to other states, particularly in Puntland, South West and Galmadug, all of which are now either formal Federal Member States such as Puntland or, as is the case of South West and Galmadug, are classed as 'Interim Regional Authorities'. This will be followed by an analysis of the how federalism has impacted governance and peacebuilding dynamics using the proposed analytical framework above.

Of course, these three states and Jubaland do not form the entirety of Somalia. In addition, HirShabelle, which formed in October 2016, consists of Middle Shabelle and Hiraan.<sup>177</sup> There is also the unresolved legal status of Benadir, the defacto national (and ideally shared) capital of Somalia. An analysis of these two regions is not possible to include as their inaccessibility has meant that no secondary political-economy analysis is yet in the public domain.

However, by extending the analysis to include Somaliland, this also allows for an analysis of how regions embarking on secession compare to those who opt for federalism. The chapter will include a brief historical account of Somaliland

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<sup>177</sup> On 9<sup>th</sup> October 2016, the new HirShabelle Interim State was announced with Jawhar agreed as the new capital. Subsequently a state assembly was established which elected a President, Vice President, Vice President and Speaker. The process of forming the HirShabelle administration was highly contested and the leader of the Habar Gidir-Hawadle refused to recognize the legitimacy of the interim administration. See United Nations, *Report of the Secretary General on Somalia*, S/2017/21, 9<sup>th</sup> January 2017

before assessing the impact that this has had on its own peacebuilding and governance dynamics using the same analytical framework described above.

## **Puntland**

### *History of federalism in Puntland*

Arguably, it was Puntland that began the federalism experiment in Somalia by forming as a Federal Member State in 1998. Encompassing the north-east of the country, Puntland is significant in size, totalling about a third of Somalia's territory and ethnically dominated by the Harti group of the Darod. Puntland, in response to the broader civil war, which began in 1991, was formed in Garowe following a three-month clan conference. However, unlike its Somaliland neighbours to the West, Puntland's leadership never seriously considered a secessionist agenda, preferring to be recognised as a federal member state within the Transitional Federal Charter of the Somali Republic, the precursor to the current Provisional Constitution. Dill states that the principle reasons for this include the fact that the Darod community in Puntland were not deliberately targeted by the Siad Barre regime during the civil war and also the presence of significant Darod population in Jubaland meant that Puntland was not able to disconnect itself fully from wider Somalia.<sup>178</sup>

Puntland's political formation since the late 1990s took place under somewhat different conditions to other federal states. This was largely as a result of having been relatively untouched by the civil war, with the exception of Galkayo, in which the SSDF (Somali Salvation Democratic Front) and USC troops clashed

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<sup>178</sup> Dill, J., 'Puntland's declaration of autonomy and Somaliland's Secession: Two Quests for Self Governance in a failed state' in Weller, M., & Nobbs, K., *Asymmetric Autonomy and the Settlement of Ethnic Conflicts*, University of Pennsylvania Press, Pennsylvania, 2010, p 282.

as part of the broader Darod-Hawiye conflict and clashes with Al Ittihat Al Islami (AIAI) in Bossaso.<sup>179</sup>

Between May and August 1998, a large-scale clan conference took place in Garowe, partly emulating those which had previously taken place in Somaliland, with the objective of transitioning from military rule by the SSDF to a civilian administration. However, unlike Somaliland, Puntland did not choose to institutionalise the role of the elders through the formation of a 'Guurti' or an Upper House, relying solely on a single House of Representatives. However, in practice, elders continue to have a prominent role in political affairs, particularly on issues relating to dispute resolution.

Puntland's transition to an effective civilian administration was hindered by the authoritarian leadership of President Cabaduallahi Yusuf. In his detailed analysis, Markus Hoehne concludes that, 'After three years in office, his leadership had failed to accomplish the constitutional provisions to draft a new constitution, conduct a population census, organise a constitutional referendum and hold multi-party elections.'<sup>180</sup>

Hoehne goes on to note that this was in part at least to the changing external dynamics when Djibouti hosted a larger peace and reconciliation conference for Somalia which favoured a power-sharing mechanism between all the clans of the Somali regions as opposed to recognising the emerging territories of Somaliland and Puntland. As a result, both entities subsequently boycotted the conference which paved the way for other groups in attendance to gain prominence. Most notably, the Puntland opposition, led by Jaamac Cali Jaamac, used the event to gain international support and later, back in Puntland, went on to lead an armed campaign against the Yusuf administration.

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<sup>179</sup> Hoehne M., 'Mimesis & Mimicry in Dynamics of State Identity Formation - Northern Somalia in Africa', *Journal of the International African Institute*, 2009, Vol. 79, No. 2, p 261.

<sup>180</sup> Ibid, p 263.

Jaamac was later elected President by his own sub-clan, a claim strongly refuted by the Yusuf administration. Jaamac was finally defeated by Puntland government forces 2002. Yusuf went on to complete a second term before being elected as the Transitional National Government President (i.e. at Federal level) in October 2004 with Mohamed Hashi taking over as a caretaker president of Puntland until he lost a clan election to Mohamed Muse Hersi in January 2005. Hersi, stayed in power until 2009, but did little to reform Puntland with the exception of pushing through a draft constitution.

In 2009, Farole was elected as president of Puntland, again through a clan conference. An International Crisis Group report noted that whilst 'he inherited a fractured and impoverished state, [he also] has attracted growing criticism and is accused in particular of hoarding power for himself and his family.'<sup>181</sup> Whilst attempts were made by Farole's administration to undertake democratic elections in Puntland, a combination of poor administration and a lack of political consensus led to increasing violence ahead of the 2013 elections which ultimately led to their cancellation on the eve of polling day. Once again, Puntland fell back to a clan-based selection process, in which President Farole narrowly lost to Abdiweli Mohamed Ali by a single vote.

Theoretically, local council elections are scheduled in Puntland in 2017 followed by parliamentary and presidential elections in 2019, although all are likely to be delayed given funding constraints and insufficient preparation. When they do take place, elections are likely to emulate the model used in Somaliland, whereby local elections will determine the three political parties that can compete in national elections. This is an attempt to reduce the likelihood of an emergence of a myriad of very small political parties all representing specific sub-sub clans and instead encouraging the emergence of three larger groupings which are multi-clanic in nature.

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<sup>181</sup>International Crisis Group, *Somalia: Puntland's Punted Polls*, Africa Briefing No.97, December 2013, p 3.

### *Puntland's relationship with the Federal government*

Puntland's formation in 1998 pre-dates the existence of a national government, which places it in very different circumstances that characterise the wider shift to federalisation between 2013-16. However, at times, Puntland's longevity and significant geographical size, have resulted in the state adopting highly confrontational politics with the federal government. For example, in preparations for the 2016 electoral process, Puntland threatened to boycott the election until a number of its demands were met, principally that the 4.5 model be dropped in favour of electing MPs by district.<sup>182</sup> Whilst its demands were only partly met, in that the Federal Government agreed to drop 4.5 in future elections in return for Puntland's participation in 2016, this intransigence towards Mogadishu has been an effective counter-weight to the centre. However, on occasion its behaviour arguably also risks stability as it seeks to prioritise its own interests over national considerations, particularly in terms of its relations with Galmadug to the south and Somaliland to the east.

### *Puntland's inter-state relations*

In addition to an often-turbulent relationship with the Federal Government, Puntland also has a number of on-going territorial disputes with its immediate neighbours. To the west, Puntland has a longstanding dispute with Somaliland regarding the status of Sool and Sanaag. The area is dominated by the Dhulbahante, some of whom are active within the movement to create the so-called Khatumo state, an area between Somaliland and Puntland, centred on the town of Talex.

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<sup>182</sup> United Nations Assistance Mission to Somalia, *Briefing to the UN Secretary General, by the Special Representative of the UN Secretary General, Mr Michael Keating*, New York, 19<sup>th</sup> April 2016. [https://unsom.unmissions.org/sites/default/files/160419\\_srsrg\\_briefing\\_to\\_secco.pdf](https://unsom.unmissions.org/sites/default/files/160419_srsrg_briefing_to_secco.pdf) Accessed 23<sup>rd</sup> April 2017.

To the south, Puntland also has regular disputes with its southern neighbour Galmadug, some of which have become particularly violent, with clashes in Kismayo between December 2015-January 2016 leading to over forty deaths.<sup>183</sup> This is largely centred on a dispute regarding the status of Mudug which is currently split between Puntland and Galmadug. This leaves Galmadug formed of one-and-a-half states, a fact which many Somalis believe to be unconstitutional, given the clause within the Provisional Constitution that the minimum required should be two.

### *Puntland's intra-state relations & internal governance reform*

In terms of the extent of governance reform, Puntland's lack of progress is notable, particularly given its duration in comparison to the other federal states. As result of largely authoritarian leadership over extended periods, efforts to prioritise internal governance and democratic reform within Puntland have largely stalled and there appears little political will to synergise initiatives with other federal member states. A 2015 Interpeace report concluded with the following assessment:

'Inadequate institutional capacity and continued reliance on clan politics hamper decentralization efforts and the institutionalization of a fully democratic system of governance in Puntland. In addition, low public awareness and understanding of democratization and electoral processes, the lack of clear boundaries between Puntland's districts and regions, the absence of voter identification and registration mechanisms, and the absence of a Constitutional

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<sup>183</sup>International Crisis Group, *Galkayo and Somalia's dangerous fault lines*, 10<sup>th</sup> December 2015, <http://blog.crisisgroup.org/africa/somalia/2015/12/10/galkayo-and-somalias-dangerous-faultlines>. Accessed 1<sup>st</sup> June 2016.



Court provide further obstacles to the full realization of the democratic process.<sup>184</sup>

Saferworld, in their research into the primary causes of the postponement of the election in 2013 identified seven key issues including; a lack of consultation and consensus building, a disputed constitution and electoral laws, an electoral body lacking trust and confidence, restrictions on freedom of expression, limitations to genuine participation, the failure to carry out voter registration, and a lack of dispute resolution mechanisms.<sup>185</sup> The Saferworld report goes further to conclude, that, 'the election was seen by many as a means by which the authorities could extend its time in office rather than as a genuine move towards democratic governance.'<sup>186</sup>

#### *Summary: Federalism in Puntland*

In summary, whilst Puntland has experienced long periods of stability, its early adoption of federalism has not yielded either a governance or peacebuilding transformation. As a state that formed independently and in the absence of any central authority from the centre, it stills appears reluctant sometimes to recognise the executive powers of the Federal Government. In addition, Puntland has ongoing political and military conflicts with its neighbours and has only made tokenistic efforts at governance reform.

However, an important consideration when assessing federalism in other states across Somalia is that Puntland's creation has, in-effect, established loose norms for the other federal member states. This includes the creation of federal

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<sup>184</sup> Interpeace & Puntland Research & Development Centre, *Peace in Puntland: Mapping the Progress Democratization, Decentralization, and Security and Rule of Law*, Garowe, November 2015, p 64.

<sup>185</sup> Saferworld, *Puntland at the Polls*, April 2014.

<sup>186</sup> *Ibid*, p 10.

state presidents, cabinets and parliaments, although their exact configuration is not uniform across the country.

## **SouthWest State**

### *History of federalism in Southwest*

The process regarding the formation of the Interim Southwest Administration (ISWA), an area largely dominated by the Digil Mirifle, was also contentious. Beginning in December 2013 with two competing clan conferences, both held in Baidoa, these rival groups outlined two competing visions regarding the jurisdiction of the new Southwest state. One group, headed by the former Speaker, Aden Madobe, advocated for 'South West Six' which would consist of Bay, Bakool, Lower Shabelle, and, controversially, the three regions already under the Interim Jubaland Administration; Lower Juba, Middle Juba and Gedo. The other group, headed by Sharif Hassan Sheikh Aden, a former Minister of Finance and Speaker of Parliament, advocated instead for 'South West three' consisting of Bay, Bakool and Lower Shabelle. Both of these groups elected 'Presidents' with Madobe Nunnaw representing South West Six and Mohamed Haji Abdinur representing South West Three.<sup>187</sup>

The existence of these two groupings placed the Federal Government in a difficult position. Its attempts to outright stifle and suppress federalism across Somalia had failed, as evidenced by the emergence of the Interim Jubaland Authority and the relatively autonomous Puntland government. In addition, by having earlier adopted an anti-federalist stance, the Federal government had also severely weakened its credibility from the perspective of neighbouring

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<sup>187</sup> Bryden, M., & Thomas, T., *Somalia's Troubled Transition: Vision 2016 Revisited*, Sahan Research, May 2015, p 10.

states and the international community. Having reluctantly accepted the existence of Jubaland under the Addis Ababa agreement, the Federal Government understood that it must respond differently to the emergence of a South West administration.

Since the 'South West Six' (SW6) agenda conflicted with the territorial jurisdiction of Jubaland, Federal Government support quickly aligned to that of the rival 'South West Three' (SW3) group. This was despite reported divisions within the top echelons of the Somalia Federal Government. For example, Bryden noted that, 'Parliamentary Speaker Mohamed Osman Jawari was widely perceived as being sympathetic to the SW6 group, which enjoyed significant local support.'<sup>188</sup>

Given this need to reinstate both Federal government legitimacy and in order to demonstrate its political influence, President Hassan Sheikh personally visited Baidoa, ostensibly to 'mediate' between the two groups but in reality to try to ensure that the SW3 grouping was ultimately victorious. This eventually led to the merging of the SW3 and SW6 conferences in June 2014 and ultimately, the election of Sharif Hassan Sheikh Aden as President of the Interim South West Administration.<sup>189</sup>

### *Southwest's relations with the Federal Government*

Following the violence that occurred in the formation of Jubaland in 2013, the federalism process in Southwest marked a turning point whereby the Federal Government began to constructively engage in the future shape of the new federal member state, albeit in pursuit of its own interests. As a result of this new strategy, the process was considerably less violent in South West than in Jubaland and arguably prevented further conflict with the Jubaland authorities,

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<sup>188</sup> Ibid, p 11.

<sup>189</sup> Ibid

had the 'South West Six' grouping prevailed over the 'South West Three'. Since forming, relations with the Federal Government have appeared strong and have likely been strengthened by the re-election in February 2017 of Federal Speaker, Mohamed Osman Jawari, a prominent Digil Mirifle politician.

#### *Southwest's inter-state relations*

Since the state formation process was complete, no major confrontations have been reported with neighbouring states and Southwest appears to enjoy good relations with both Jubaland to the south and HirShabelle to the east. Arguably it was the partial re-engagement (or more centralised role) of the Federal Government that prevented these tensions from becoming violent.

#### *Southwest's intrastate state relations & governance reform*

During the state formation process, internal relations between different factions were frayed as the two opposing clan conferences competed for dominance, although tensions appear to have since reduced. However, the process of political accommodation appears not yet complete, with a January 2016 Security Council report noting, 'Continued grievances over representation by members of the Ogaden clan led to the declaration of a breakaway "Upper Bakool" administration on 28 December.'<sup>190</sup> Some media analysis has suggested that economic blockades targeting al Shabaab have also inadvertently hit the Upper Bakool region particularly hard, resulting in a perception amongst some communities that reside there that they are being marginalised by the ISWA administration.<sup>191</sup>

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<sup>190</sup>United Nations, Security Council, *Report of the Secretary General on Somalia*, S/2016/27, 8<sup>th</sup> January 2016, p 3.

<sup>191</sup> Somalia Newsroom, *New breakaway administration forms in Somalia in latest federalism dispute*, December 29<sup>th</sup>, 2016 <https://somalianewsroom.com/2015/12/29/new-breakaway-administration-forms-in-somalia-in-latest-federalism-dispute/>. Accessed on 23<sup>rd</sup> April 2017.

An analysis of the degree of governance reform must inevitably be limited at this stage, given the nascent nature of the Interim Southwest Administration, and the limited public data by which to assess progress to date. However, the formation of the new 146-member regional assembly has achieved some progress in uniting the clans of the region, and, somewhat significantly, included the appointment of thirty women parliamentarians.

#### *Summary: Federalism in Southwest*

In summary, the federal state formation process in Southwest appears to be a marked improvement in comparison to that of Jubaland. The process was strengthened by greater engagement of the Federal Government to constructively engage in the process thereby creating a stronger relationship between the centre and the periphery. The involvement of the Federal Government was also a significant contributing factor in the broadly peaceful state formation process despite considerable political contestation. There are some initial indications that South West is undertaking some efforts at implementing governance reforms. With the exception of tensions in the Upper Bakool region, Southwest appears to be managing internal tensions reasonably successfully.

### **Galmadug**

#### *History of federalism in Galmadug*

The origins of Galmadug as an emergent state within Somalia begin as far back as 2006, when on 14<sup>th</sup> August, the regions of Galgudud and Mudug merged. Subsequently, Mohamed Warsame Ali 'Kiimiko' was elected as President on a

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three-year term.<sup>192</sup> Between 2009 to 2012, Galmadug MPs elected President Mohamed Ahmed Aalin and between 2012 to 2014, General Abdi Hasan Awale (Qaybdiid). On 4<sup>th</sup> July, 2015, Abdikarim Hussein Guled was elected as the new President by the regional parliament.<sup>193</sup> Following pressure from MPs regarding the competency of his administration, Guled resigned in February 2017 citing health reasons. A Presidential election for Galmadug is scheduled for April 2017.

The process in forming the Galmadug state falls somewhere in-between the relatively peaceful approach in South West and the fairly violent one in Jubaland largely due to disputes between the moderate Islamist group, Ahlu Sunna wal Jama'a (ASWJ) who have a strong presence in Galmadug and the Galmadug authorities themselves.

Despite a broad allegiance between the Federal Government and ASWJ in their joint fight against al Shabaab, ASWJ and the Galmadug authorities have repeatedly competed for dominance. Mosely notes that ASWJ, 'consider themselves marginalized within the federal framework,'<sup>194</sup> and as result have rejected the Interim Galmadug Administration (IGA) led by Guled. This eventually led to the military takeover by ASWJ of Dhusamareb and the surrounding environs and the appointment of Sheikh Mohamed Shakur as its president.<sup>195</sup> With the IGA relocated in Adado, Galmadug remains effectively split between two separate spheres of influence.

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<sup>192</sup>Somalia Report, *What is Galmadug*, 4<sup>th</sup> August 2012, <http://www.somaliareport.com/index.p/post/3120>. Accessed 1<sup>st</sup> June 2016.

<sup>193</sup> Garowe Online, *Somalia ex-security Minister elected Galmudug President*, 4<sup>th</sup> July 2015 <http://www.garoweonline.com/en/news/somalia/somalia-exsecurity-minister-elected-galmudug-president>. Accessed 1st June 2016. All the elections to appoint a President were limited to a voting by MPs in the regional parliament and did not have any wider public participation,

<sup>194</sup>Mosely, J., *Somalia's Federal Future, Layered Agendas, risks and opportunities*, Chatham House, September 2015, p 10.

<sup>195</sup> October 2015, UN Monitoring Group on Somalia & Eritrea, *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2182 (2014): Somalia*, p 53

### *Galmadug's relations with the Federal Government*

During the state formation process, the Federal Government considerably increased its involvement in the state formation process, building on its relative success in Southwest. However, the SFG's failure to ensure a political settlement between the IGA and ASWJ has had significant implications for Galmadug as a whole. The October 2015 report by the Monitoring Group on Somalia and Eritrea notes, 'The FGS' loss of a key military ally and the emergence of a new, well-armed opposition group in central Somalia may prove to have significant consequences for the region. ASWJ's initiation of a parallel state formation process, and the election of their own president 3 days before Abdikarim Guled won the presidency of Galmadug IRA, indicate an entrenchment of their position in the region.'<sup>196</sup>

### *Galmadug's inter-state relations*

Galmadug's new constitution is in direct conflict with Puntland's, as they both claim the territory of northern Mudug within their respective jurisdictions. The division is most marked in Galkayo where the city is divided between the Majerteen dominated north and the Habir Gedir dominated south. Outside of Galkayo, the 'extent of Puntland territory east and west of Galkayo is poorly demarcated and remains a potential flashpoint for conflict between the two traditionally strongest clan families in Somalia, the Hawiye and the Darod.'<sup>197</sup> Central to this conflict is the tension between the agreement outlined in the 1993 Mudug Peace Agreement – an agreement between General Aideed of the United Somali Congress (Habir Gedir) and President Abdullahi Yusuf of the Transitional Federal Government, also representing the Somali Salvation Democratic Front (Majerteen).

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<sup>196</sup> Ibid, p 56.

<sup>197</sup> Ibid, p 55.

Forming a new regional state based on one and half regions may be a more pragmatic approach in maintaining the stability achieved under the Mudug Peace Agreement. However, such an arrangement would defy the specific requirements outlined in the Provisional Constitution which is clear that a new federal member state should be formed from two regions. Indeed, by making an exception in this instance, the Federal Government risks re-opening the state formation processes across the country, as other new entities emerge with claims as to why their particular unconstitutional arrangements should be permitted. This issue, as the UN Monitoring Group report notes, is further complicated by the lack of a functioning Boundaries and Federation Commission or a Constitutional Court, the bodies mandated to make rulings on such issues.<sup>198</sup>

#### *Galmadug's intra-state relations & governance reform*

Following the state formation process, the state remains highly divided between the area held by the Interim Galmadug Administration (Adado) and that held by ASWJ (Dhusamareb). However, the resignation of President Guled may present opportunities to break the impasse between the two groups and will be dependent on whether ASWJ is permitted and is willing to vote in the election.

Once more, the lack of existing literature on Galmadug, significantly hampers the ability in which an assessment can be made regarding the commitment to governance reform within this regional state. On a positive note, a UN report notes that in the last year, 'Efforts were made to reach out to communities in accessible districts, disarm clan militias, train security forces and improve an airstrip in south Gaalkacyo,'<sup>199</sup> but also refers to fact that IGAD has needed to be engaged to support mediation efforts between ASWJ and the Galmadug authorities.

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<sup>198</sup> Ibid, p 56

<sup>199</sup> Op Cit, United Nations, *Report of the Secretary General on Somalia*, p 2.



### *Summary: Federalism in Galmadug*

In summary, whilst the formation of Galmadug included active participation by the Federal Government, the decision to ignore and omit a major local actor has significantly weakened the prospects for it becoming an effective federal member state. In addition, the presence of significant external tensions with Puntland may further limit the delivery of tangible development and peacebuilding dividends in the near future.

## **Somaliland**

### *History of secession in Somaliland*

In contrast to the federal member states outlined above, Somaliland, which recently celebrated its twenty-fifth anniversary, undertook a very different path by choosing outright secession as opposed to federalism.<sup>200</sup>

The Somaliland 'state' emerged from the civil war however was the product of longstanding grievances of marginalisation in the north that built up throughout the 1980s. The Isaaq-dominated Somali National Movement (SNM) formed in 1982 to fight against Siad Barre's forces. However, it was the large-scale destruction of Hargeisa and Burao in 1988 which served to unify many of the other northern clans, namely the Dulbahante and the Gadabursi, to switch allegiance to the SNM cause. These agreements paved the way for the talks in Berbera in 1991 involving all of the northern clans. This was then subsequently followed by a larger conference in Burao in which six main resolutions were discussed, including that of independence from the South. Walls notes, 'This declaration needs to be placed in context. It had never been SNM policy to

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<sup>200</sup> For the definitive account of Somaliland's formation see Bradbury, M., *Becoming Somaliland*, Oxford, 2008

establish an independent state in the north, and many members of the leadership were against the idea, believing the northern regions too war ravaged and weak to survive on their own.<sup>201</sup>

The motivation for the secessionist agenda within the SNM was driven by a cumulative grievance that the Mogadishu-based government had repeatedly side-lined the interests of north, with the Isaaq poorly represented in senior level positions. This frustration was furthered by the unilateral decision in January 1991 by Ali Mahdi's USC to form a national government for the whole of Somalia, contravening earlier agreements with the SNM. Walls notes that, 'By the time of the Burao Conference at the end of April, public sentiment in the north had consolidated overwhelmingly in favour of independence.'<sup>202</sup> This would persuade the Central Committee of the SNM to declare outright independence from the rest of Somalia, as per the brief five-day status as a sovereign state that it held in 1960, following the granting of independence from the British.

Between 1991 and 1993, the Somaliland state struggled to gain much coherence with regular infighting within the SNM and between the SNM and opposition groups. Arguably, the most significant development during this period was the request by the interim Somaliland President Tuur for the Guurti to mediate between the government and the opposition. Walls notes, 'this unilateral move did not strengthen his position, but it did ultimately enable a peaceful transfer of power, and it had the effect of hastening the institutionalisation of the *guurti* as an organ of government.'<sup>203</sup>

The next significant clan conference took place in 1993 in Borama, hosted this time by the Gadabuursi rather than Issaq-dominated SNM. The objectives of

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<sup>201</sup> Walls, M., 'The Emergence of a Somali State: Building Peace from a Civil War in Somaliland', *African Affairs*, July 2009, Vol. 108, No. 432, p 379.

<sup>202</sup> Ibid p 380.

<sup>203</sup> Ibid p 383.

this conference were two-fold; firstly to provide a security framework for Somaliland and secondly to formalise the transition from a military to a civilian government. The first objective resulted in the creation of the 'Somaliland Communities Security and Peace Charter' and the second resulted in the election of Haji Ibrahim Egal as President by an overwhelming majority. The new governance system retained the Guurti as the upper house with the addition of a Lower House of Representatives. Bradbury notes that this arrangement, 'fused indigenous forms of social and political organisation with Western-style institutions of government, in what became known as the 'beel system' of government.'<sup>204</sup> This new arrangement provided a level of stability for eight years, with the exception of a return to fighting between 1994 to 1996. This was then followed by another national conference in Hargeisa in 1997 which re-elected President Egal and also approved a draft Constitution, ushering in a new era of stability for Somaliland.<sup>205</sup> Bradbury notes that the proceeding years would see the transfer from selected to elected representation in four stages;

'In May 2001, a plebiscite approved a constitution which provides the framework for a democratic system. This was followed by elections to 23 district councils in December 2002, the formation of three political parties, presidential elections in April 2003 and finally elections to the Lower House of Parliament in September 2005.'<sup>206</sup>

Through this process, Somaliland began to develop the beginnings of democratic norms which would lead to Presidential Elections in 2010 and local council elections in 2012. Preparations are currently underway for Presidential elections in 2017, with biometric voter registration complete. Parliamentary elections are delayed until 2019 following disagreement as to how seats should

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<sup>204</sup> September 2007. Hansen, S., & Bradbury, M., 'Somaliland: A New Democracy in the Horn of Africa?', *Review of African Political Economy*, September 2007, Vol. 34 No. 113, p 464.

<sup>205</sup> Ibid, p 464.

<sup>206</sup> Ibid, p 465.

be allocated between Somaliland's six regions. If completed on time, this will mean that parliamentarians will have served fourteen years without an election.

Since Somaliland chose to take an alternative route of secession, the assessment of whether this decision has resulted in tangible governance and peacebuilding needs to be adjusted accordingly. However, to some extent the three indicators used earlier may still provide the basis for useful analysis.

### *Somaliland's relations with the Federal Government*

Whilst the relationship with Somalia is no longer violent, Somaliland's unrecognised claims of secession continue to be strongly refuted by Somalia who continue to actively strive for reunification. In recent years, Turkey has become the defacto mediator although, 'Somaliland suspects Turkey's mediation is ultimately pro-union, given its investment in the Mogadishu government; its attempts at track two diplomacy have caused suspicions.'<sup>207</sup> Currently, it is unclear how the results of the 2016 electoral process will impact relationships between Somaliland and Somalia in the long-run. As the process used the 4.5 power sharing mechanism, the Isaacs were allocated seats in both the Lower and Upper houses. Officially, candidates running for these seats were all opposed to unification and in turn, Somaliland did not recognise the process or the inferred jurisdiction of Federal Government representation. However, unofficially, it is recognised that the process was underpinned by extensive back-channel discussions between the two entities.

In the immediate aftermath of the civil war, such was the devastation and oppression by the Federal Government, it provided those in the northern regions with the basis for a new and defiant political identity. However, somewhat ironically, Somaliland's continued existence as an independent state is likely to be determined by the success of federalism in Somalia. Should Somalia

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<sup>207</sup> Ibid, p 16.

emerge over the next ten years as a viable federal state, one that is able to secure its borders, resolve its internal political disputes, create jobs and provide basic services, then Somaliland's case for self-determination is likely to weaken. In such a scenario, domestic pressures within Somaliland to access these resources and livelihood opportunities will rise, particularly if its own internal government reforms are not realised. However, should progress in Somalia falter, leading to the development of an ineffective federal model this may reduce donor willingness to invest. In this instance, then Somaliland may well continue to be seen as an island of stability which the international community will actively seek to support.

### *Somaliland inter-state relations*

To the east, Somaliland's formation had initially managed to actively engage and incorporate the Dulbahante. However, following Puntland's formation in 1998, both Puntland and Somaliland proactively sought to gain Dulbahante support. In the early 2000s, this included various attempts by both administrations to ensure their influence in the Sool and Sanaag regions. However, Isaaq-Dulbahante relations soured following grievances by the latter over access and ownership over natural resources within Somaliland, particularly given the presence of natural gas and oil reserves that are present across these disputed regions, which the Government of Somaliland declares as its own. A sense of economic and political marginalisation has led some within the Dulbahante to push for the creation of a new 'Khatumo' federal state, with Talex as its capital. Puntland has done much to try to weaken the attempt to create Khatumo through the promotion of Dulbahante politicians, including the position of vice President, into its own administration. The Dulbahante is thus split into three groups between those with an allegiance to either Puntland, Khatumo or Somaliland.

### *Somaliland's intra-state relations & internal governance reforms*

To some extent the internal challenges Somaliland faces with the peripheral regions in the west and east are similar to the challenges that Somalia faces between Mogadishu and the emerging federal member states. Arguably in the early years of Somaliland's history, the Isaaq dominated SNM made strong concessions to other clans, namely the Dulbahante in the hope that they could be sufficiently accommodated to join the broader independence movement.

However, in more recent years, such engagement has waned due to increasing grievances by minority clans that Somaliland is the sole-preserve of one ethnic sub-clan, the Issac. For example, in the west, the Awdal region, dominated by the Gadabursi and the Cisse, have managed to maintain both close relations with their more immediate neighbours, Djibouti and Ethiopia and Isaaq-dominated Hargeisa. Under Somaliland President Egal and continuing under Somaliland President Silyano, the Gadabursi had also secured the post of vice President alongside thirteen MPs. However, more recently this settlement has soured over frustrations as to whether the local council elections in 2012 were adequately free and fair.<sup>208</sup> These grievances in Awdal has been further compounded by the closure of the Ethiopian and Djibouti borders following al Shabaab claimed attacks in 2014, thus depriving the region of the revenue flows it had previously enjoyed.

In terms of assessing the degree of governance reform, Somaliland has achieved a number of successes over its 25 years in terms of improved governance and security, which is all the more notable given that the region remains unrecognised by the international community as a sovereign state. From a democratic standpoint, Somaliland has successfully administered multiple elections at the local, parliamentary and presidential levels, which have, despite some short-comings, been generally considered to be free and fair.

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<sup>208</sup> Saferworld & SONSAF, *Somaliland Speaks – Lessons from the November 2012 local council elections*, 2013.

Most notably, a number of these elections have had extremely close results but have, after some legal wrangling, been finally accepted by all parties. The combined history of regular elections and the peaceful transition of power has done much to solidify democratic norms.

In some respects, Somaliland's success has been partly due to the successful merging of modern and traditional systems, in particular through the establishment of the Guurti. However, the lack of recent reform of the upper house is now seriously impacting public confidence. With most Guurti members holding office since 1997, there is an increasing need to address how the institution will in future appoint members and for how long. In reference to the decision by the Guurti made on 11<sup>th</sup> May 2015 to postpone the election for 21 months, International Crisis Group notes, 'Though its resolutions can be overturned or amended by the other house or an appeal to the Supreme Court, there is a reluctance to challenge a Guurti decision. Somaliland's institutions incline toward preserving stability rather than upholding the rule of law or constitutionality, and the public, for the most part, seems to support this.'<sup>209</sup>

On a related note, electoral legislation in Somaliland is also in urgent need of reform. One of the most contentious issues is the decision on upcoming seat allocations for parliamentary elections scheduled in 2019 which are fiercely contested between the six regions. The last parliamentary elections were held in 2005 meaning that MPs are currently serving at least twice their mandated term. Previously, a political compromise had been struck, which allowed seat allocations to be decided on the basis of legislation passed in 1960, albeit with a Constitutional Court ruling that stipulated that future parliamentary elections would need to reach a new agreement.

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<sup>209</sup> International Crisis Group, *Somaliland: The Strains of Success*, October 2015, Crisis Group Africa Briefing No 113, p 7.

### *Summary: Secession in Somaliland*

In summary, there have been both clear benefits and costs for Somaliland to seek secession as opposed to federalism. The Somaliland case study thus demonstrates that it would appear that states that secede may face similar risks in regards to external and internal conflict management as those that federate. To some degree, declaring independence has seen the emergence of the same centre-periphery dynamics within Somaliland that exist across Somalia as a whole.

Somaliland, particularly in its earlier years, actively sought a political settlement between the major clans. However, recent dissent in the eastern and western peripheral regions in addition to an unresolved dispute regarding the allocation of parliamentary seats across the six regions present possible existential issues regarding Somaliland's territorial jurisdiction.

In terms of governance reform, Somaliland's determination to achieve international recognition has catalysed a level of democratic reform unseen elsewhere across the Somali regions and, arguably, further afield. This latter point is particularly poignant given the extensive aid flows that have propped up the Federal Government of Somalia, despite the fact that successive administrations have achieved little of note.

### **Overall analysis**

The above analysis has aimed to examine recent historical processes of federalisation in Somalia and assess the extent to which federalism has contributed to peacebuilding and governance outcomes – both within each state and more widely across Somalia. The Somalia/Somaliland case study has also contrasted the strengths and weaknesses of federalism versus secession. The main conclusions are as follows:



## *Relations with the Federal Government*

The analysis above shows that the relationship between specific federal member states and the federal government during and after federal state formation has been highly variable.

Whilst federalism does not necessarily need to be uniformly applied across Somalia and may indeed benefit from an approach that seeks to adapt arrangements to local circumstances, poor relations with the centre has the potential to weaken federalism's ability to provide a comprehensive governance framework for Somalia as a whole. Balthazar notes, 'In today's Somalia, centrifugal tendencies persist and questions surrounding the nature of federalism remain the point of contention. While Federal President Mohamud has lobbied for strengthening the central government, (aspiring) federal member states have pushed for a greater devolution of powers.'<sup>210</sup>

In practice, federalism in Somalia has been an unplanned and uncoordinated project which in the short-term has significantly benefited the periphery, with the Federal Member States gaining effective sovereign control over their respective territories. As a result of this inconsistent approach to engaging with federal states, opportunities to imbed early norms of cooperation and dialogue have been lost. Without strong political partnerships between the centre and the periphery, technical discussions regarding how to manage and regulate federalism are likely to be harder. As a result, federalism's opportunity to provide a vehicle for better service delivery, greater security and a more resilient community may not be realised.

Inconsistent or poor federal government - federal state relations were also partly a result of a broader lack of policy coherence in regards to federalism by the Federal Government. In the absence of detail within the Provisional

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<sup>210</sup> Balthazar, D., *Somalia's federal agenda: From Fragility to Fragmentation*, June 2014, Brief Issue No. 17, European Institute for Security Studies, p 3.

Constitution, one initiative which aims to provide greater policy adherence to the broader statebuilding agenda is the development of the Wadajir framework, led by the Ministry of Interior. The framework itself has four pillars, social healing, peace dividends, civic dialogues and local governance, which means that its focus is broader than federalisation. However, there remains work to be done if Wadajir is to unite key actors around a common agenda. A UK government advisor noted that:

‘Wadajir has had limited consultation and its linkage with JPLG [Joint Programme on Local Governance] is not very clear. JPLG is leading the process of creating district councils and has the ability to grant with conditions to the District Council directly. JPLG’s focus is to work with FMS rather than the federal Ministry of Interior. This mirrors the process in Somaliland and Puntland where they take the lead. However, Wadajir can be the overarching chapeau.’<sup>211</sup>

For federalism in Somalia to effectively transition from an agenda dominated almost entirely by political identity and accommodation, it will need to be supported by a parallel policy framework which articulates and harmonises the roles and responsibilities between the federal government and the federal member states. If this is not quickly put in place, then public support for federalism may weaken as citizens’ demands are not met.

Related to this, the legislative agenda of the Federal Government for facilitating the emergence of federalism appears to be somewhat under-ambitious. The only identified legislation seen as a priority by the federal government was an upcoming bill by the Ministry of Finance on taxation. A senior minister commented: ‘That is the only one. There are a lot of ministries that are supposed to have a federalization acts such as the Ministries for Security and Justice, how courts work together, taxation, etc. But as the Ministry of Interior

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<sup>211</sup> Key Informant Interview, Advisor, UK Government, Mogadishu, 3<sup>rd</sup> December 2015.

and Federal Government we don't have anything new that needs to be passed. But we have broader items such as citizenship and political parties.<sup>212</sup>

Again, the reality is that a whole raft of new legislation is required at both federal and federal state levels. Currently, the system is effectively 'regulated' by the National Leadership Forum, an unconstitutional body representing the executives of the federal member states and the federal government. Whilst this may be effective from a stabilisation perspective, very quickly this needs to move towards a model based on the rule of law, overseen by parliament and a functional Constitutional Court.

### *Interstate relations*

The degree of political contestation between federal member states, outlines the potential fragility of these arrangements and the unpredictability of their resolution. Whilst the process of political accommodation has been particularly successful in Jubaland, this is not an inherent and inevitable outcome of federalism per se and is best attributed in the latter case to a more politically astute leadership. Indeed, even in those states where a temporary settlement has been achieved, the political calculations of those groups are likely to be based on an assessment of future dividends for themselves and their communities. On a tangential note, Somaliland has also struggled to maintain internal cohesion, providing some albeit very limited evidence that secessionist states face the same challenges as federal ones.

The tensions between the federal government and federal member states are partly constitutional with considerable confusion over the provisions for new federal states within the Provisional Constitution. Clause 1 of Article 49, stipulates that federal states will be formed by the House of the People,

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<sup>212</sup> Key Informant Interview, Minister, Federal Government of Somalia, Mogadishu, 2<sup>nd</sup> December 2015.

however Clause 6 stipulates that a federal state may form if two regions, on the basis of those that existed in 1991, agree to merge. However, as the details of how these processes are supposed to be enacted remain vague and contradictory, Bryden and Thomas note that ‘the result has been confusion, acrimony, and occasionally violent contestation both between the emerging states and the SFG, and within the emerging states themselves.’<sup>213</sup> In addition, a further clause within the Constitution, permits the Federal Government to rule directly those regions that are yet to join a state. As Mosley notes, ‘with many parts of southern and central Somalia still under the control of al-Shabaab in 2012, this interpretation gave the government in Mogadishu significant leeway to attempt to influence local events.’<sup>214</sup> Work to address such anomalies within the Constitution has yet to be finalised, due to years of political infighting within the Federal Government regarding the mandate of the three responsible bodies – the parliamentary Oversight Committee, the Independent Constitutional Review & Implementation Commission and the Ministry of Constitutional Affairs.

Another prominent issue raised was the perception that the formation of Galmadug is unconstitutional. A number of interviewees commented that they had a number of concerns regarding how federalism was being undertaken and how, in their view, this contradicted certain articles in the Provisional Constitution. A Barre Hirale supporter noted, ‘According to the Constitution, the states could be formed only of a minimum of two regions. The three people [Nicholas Kay, former UN SRSG, Hassan Sheikh Mohamoud, President of the Republic of Somalia & IGAD Special Envoy Mohamed Abdi Affey] they have violated that article, when they were establishing Galmudug – This is one region and two districts.’<sup>215</sup>

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<sup>213</sup> Op Cit, Bryden, M., & Tres, T., 2015, p 9.

<sup>214</sup> Op Cit, Mosely, J., 2015, p 9.

<sup>215</sup> Key Informant Interview, Individual politically opposed to Jubaland, Mogadishu, 14<sup>th</sup> October 2015.

This contrasted with a senior civil servant within the federal Ministry of Interior who concluded that, 'There are always lessons to be learned whenever you form a state. Galmudug has been the best model – it has had the most competitive election for their process of selection. The process for Galmudug was watertight – we are now applying those lessons learnt to Middle Shabelle and Hiraan.'<sup>216</sup>

At the time of writing, the situation between Galmadug and Puntland remains unresolved and led to the outbreak of severe clashes in November and December 2015 with serious implications for the viability of federalism in Somalia. The use of ad hoc arrangements to accommodate political peculiarities in certain regions risks developing a system which is not governed by agreed principles or rules. Setting such precedents may give other groups who are dissatisfied with the deal that has been reached in their region the basis on which to agitate for change. Should this occur, this may prove very difficult to resolve as refusing to renegotiate might increase the likelihood of violent rebellion whilst reopening discussions may precipitate a larger unravelling of federalism more widely.

The apparent ineffectiveness of institutions to manage and regulate federalism also provides some explanation of why inter-state relations have frequently been poor or violent. The absence of a Constitutional Court, the limited and unclear mandate of the Boundaries and Federalism Commission whose primary function was to address situations such as that described above in Galmadug, is clearly problematic. The Commission, whose formation within 90 days was a constitutional requirement, finally commenced its work three years late in mid-2015. However, the mandate, workplan, capacity and financing of the Commission are still unclear. One of the Commissioners admitted that political events have somewhat overtaken the Commission's role, 'The Commission has just started and is going back to the parliament every two months to present the

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<sup>216</sup> Key Informant Interview, Permanent Secretary, Federal Government of Somalia, Mogadishu, 15<sup>th</sup> October 2015.

way forward. The process, however, has pulled the cart before the horse and the challenges are that the federal states have already been formed – the challenges are very huge.<sup>217</sup>

Confidence in the Commission remains weak, even within the Ministry of Interior, with a senior minister commenting: ‘In fact, these people in the Commission have limited information on fiscal federalization and federalism. They need training themselves, they need technocrats. What they can do right now is very limited.’<sup>218</sup>

Central to ensuring that the Commission can play a more meaningful role is to understand whether the Commission is a primarily political or technical body and how it fits amongst the myriad of other actors engaged in similar issues. One Commissioner noted, ‘The whole issue is still new – there are a lot of overlapping issues between the functions of the Commission and the ICRIC. The six line Ministries plus the commission are still debating the type of federalism that the country should adopt and each one is going on its own. We are still speaking to other countries that adopted federalism, including Germany and the USA, and agreeing upon which form Somalia should adopt.’<sup>219</sup>

For federalism to function effectively, it is essential that there are formal mechanisms in place that can manage and oversee the state formation process. As such, it is imperative that the role and mandate of the Commission is urgently reviewed as it currently does not appear to have a clearly defined role in forthcoming political and technical processes.

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<sup>217</sup> Focus Group Discussion, Boundaries & Federalism Commission, Mogadishu, 2<sup>nd</sup> December 2015.

<sup>218</sup> Key Informant Interview, Minister, Federal Government of Somalia, Mogadishu, 2<sup>nd</sup> December 2015

<sup>219</sup> Focus Group Discussion, Boundaries & Federalism Commission, Mogadishu, 2<sup>nd</sup> December 2015.

Between 2012-2016, key issues regarding the evolution of federalism tended to be resolved politically, rather than via an independent official body. Many key decisions were brokered between the Federal Government and the Presidents of the Federal states which evolved into an ad hoc institution known as the National Leadership Forum (NLF). Whilst the NLF has been an effective mechanism for resolving a series of critical issues, it was a body with no constitutional mandate and one which risks completely usurping that of the Commission. In the short-term, this narrowing of political authority shifts responsibility away from a national parliament to a small political elite and could legitimately be assessed as a negative democratic development.

However, in the long-term, and on a more positive note, it could also be argued that politics in modern Somalia is now no longer solely the affairs of the Federal Government with federal member states being able to wield significant influence. This perhaps finally addresses the deep antagonism towards central government that has underpinned Somali politics since the fall of Siad Barre's government.

#### *Intra-state relations & internal governance reforms*

The varying levels of governance reform across Somalia also present a risk to federalism's wider success. Currently there is considerable inconsistency between federal member states in regards to how core state functions are or will be implemented including public financial management systems, security and justice, basic health and education and support to legislative institutions and democratic processes. Such reform agendas also face considerable challenges of being implemented in an insecure, resource-scarce and corrupt environment.

In addition, each federal member state in Somalia has a slightly different timeline for the implementation of democratic processes over the next five years. It remains to be seen whether incumbent administrations will also be

prepared to relinquish power peacefully, particularly given the current state of relations between some sub-clans. Balthazar speaks to some of these concerns when he notes that, 'Recent quarrels at the sub-national level suggest that the country, long considered a quintessential 'failed state', may be moving from fragility to fragmentation.'<sup>220</sup> Given that such transitions would take place within a context in which political power has for many decades been won through the deployment or threat of violence, significant support will be needed to create strong enough institutions and political norms to manage this level of contestation. To avoid these tensions escalating and the existing federal arrangements unravelling, extensive engagement by the SFG, donors, IGAD, African Union and UN will be needed to ensure a broader and deeper political settlement is put in place.

This is also significantly compounded by the non-uniformity of federal state structures, with the Federal Government facing a choice of either negotiating the realignment of these systems under one common national development plan or instead tailoring its support to each individual federal state. The latter may become more challenging when trying to determine federal laws and reach agreements on taxation and spending but could also reduce the opportunities for cost savings that could be made in implementing systems uniformly across Somalia. A recent UN report echoed this concern noting that, 'Despite significant progress in the establishment of state structures at the regional level, considerable challenges remain. State formation processes have not yet led to broadly supported and sufficiently detailed arrangements for federal state structures. Interim regional administrations are still struggling to establish authority, being faced with an absence of revenue, a lack of government infrastructure and insufficient staff levels.'<sup>221</sup>

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<sup>220</sup> Ibid, p 1.

<sup>221</sup> Op Cit, United Nations, Report of the Secretary General on Somalia, p 5.



## **Chapter Six - Conclusion**

This thesis has sought to answer one fundamental overarching question; *To what extent has the introduction of federalism in Somalia led to improved governance and peacebuilding dividends?* The answer to this, is that the manner in which federalism has been implemented has led to highly inconsistent governance and peacebuilding outcomes. Contrary to the generally positive findings for Jubaland, the inconsistent implementation of federalism in the other federal states risks delegitimising this model of governance as a longer-term solution for the country.

Inconsistency, in and of itself, is not necessarily problematic, as a more tailored approach to federalism to each federal state may lead the adoption of local solutions to local problems. However, in the case of Somalia, this approach to federalism has resulted in regular instances of poor relations between the Federal Government and Federal Member States and weak and sometimes conflictual inter-state and intra-state relations. The effectiveness of federalism has also been limited in some federal states by a reluctance to prioritise internal governance reforms.

Galmadug, in particular, has failed to achieve the level of broad political consensus that would enable ASWJ to be successfully accommodated, despite the fact that both parties are closely aligned to the Federal Government. Similarly, Puntland, despite its significantly longer history, seems to have failed to embark on an internal reform programme to ensure popular elections, despite public support to do so and continues to have significant conflicts with neighbouring states. ISWA, however, appears to be the closest to replicating the success of Jubaland, following a peaceful resolution of SW3 and SW6 groups during the state formation process and relatively strong relations with the Federal Government. Considerable political tensions continue in relation to the formation of HirShabelle state and an agreement on the status of the capital Benadir has yet to be reached.

Similarly, whilst it would appear that some states have enjoyed significant governance and peacebuilding gains, others appear to have simply stagnated. This would support the overall hypothesis of this thesis, that federalism is neither inherently a model of governance that will automatically deliver sustainable peace and good governance or, conversely, inevitably lead to fragmentation and conflict. As such, the difference in the sustainability of peacebuilding or governance results achieved through implementing a federal approach, whether positive or negative, is better explained by the varying quality of leadership at the federal state level. In short, it is the ability of newly appointed local elites to manage external and internal conflict dynamics and instil governance reform that matters more than the particular strengths and weaknesses of federalism as a theoretical model of governance.

On the basis of this conclusion, the final chapter will outline in more detail the key findings of the research and then reflect on the likely implications for Somalia as it continues to embark on federalism over the coming years. The chapter will conclude with reflections on the existing literature for Somalia and federalism in addition to suggesting areas for future research.

### **Key research findings**

In order to begin answering the overarching research question of whether federalism has led to improved peacebuilding and governance dividends, this research thesis has taken two approaches. Firstly, the theoretical and historical basis for Somalia adopting federalism was assessed in Chapters two and three. Secondly, Chapters four and five undertook a comparative case-study analysis of Jubaland, Southwest, Galmadug and Somaliland to assess public perceptions towards federalism and evidence of any tangible progress achieved to date.

Chapter two explored how historical events have shaped the broader discourse on statebuilding in Somalia in order to better understand how federalism has emerged as the dominant governance model and what might be important historical considerations for future statebuilding processes. Key research findings included the need to demonstrate broad public support for federalism to counter allegations that this is an externally imposed system. Given that Somaliland represents a strong example of secession, in order to avoid similar movements emerging in the other federal states, new authorities would need to quickly demonstrate governance and peacebuilding dividends from a federal system. To echo a concern raised in Chapter two, given Somalia's history and the broader critique that federalism can potentially increase the risk of ethnic conflict, new authorities would also need to proactively demonstrate a commitment to consociationalism at the federal state level alongside the development of constructive centre-periphery relations. However, these concerns withstanding, federalism, at least from a theoretical and historical perspective, remained the only viable (but untested) model for Somalia which could address the country's particular governance needs and history.

Chapter three, following an assessment of the relative merits of federalism versus consociationalism and decentralisation concluded that there was a strong basis for federal governance in Somalia. This was based on its potential to provide constitutionally protected rights to the periphery whilst also enabling citizens to reconcile two competing political identities; that of their region and the nation as a whole.

Chapter four assessed specifically how the implementation of federalism in Jubaland had impacted peacebuilding and governance dynamics. Critically, the introduction of federalism led to poor and at times violent relations with the Federal Government. On the contrary, however, Jubaland appears to have strong intra-state relations with its neighbours.

Most significantly, Jubaland has strong inter-state relations and a particular commitment to managing and resolving historic tensions between groups by embarking on a consociational model of governance. This is strengthened by data demonstrating that federalism enjoys strong public support. This has allowed minority groups to join political life in the first time thus reducing tensions around exclusion and marginalisation. A successful power-sharing agreement to share ministerial positions and seats in the regional assembly has also been reached with all major clans resulting in significant gains to local security.

In addition, the new authority in Jubaland has shown particular willingness to engage in meaningful governance reform and has delivered tangible benefits for the population. For example, there are promising signs that investment into core state functions such as public financial management has yielded tangible results. At a more tangible level, respondents spoke enthusiastically about the fact that they could now obtain passports and birth certificates in Kismayo rather than having to travel long distances to Mogadishu. However, the research also demonstrated that a lack of planning appeared to be restricting investment to regional capitals, risking the emergence of unhealthy centre-periphery dynamics within federal member states. Significantly, the chapter also concluded that federalism in Jubaland has become synonymous with broader reform including good governance, democratisation and improved service delivery. This potentially allows federalism to become a conduit for broader and more ambitious governance transformation. However, should these additional aspirations not be delivered, then public support for federalism more generally may begin to wane.

Chapter five, in its comparative assessment of federalism in Puntland, Galmadug and Southwest set out to assess whether the governance and peacebuilding dividends seen in Jubaland have been replicated elsewhere. Drawing on the key findings from Chapter four, an analytical framework assessed the quality of federal-federal state, intra-state and inter-state relations

and the degree of internal governance reform at federal state level. The chapter concluded that developments across these indicators had been highly uneven.

In general, relations between the Federal Government and Federal Member States were mixed. Puntland, generally had a fairly antagonistic relationship with the Federal Government, mirroring to some extent the dynamics in Jubaland. However, relations between Southwest and Galmaadug with the Federal Government appear to be markedly better. The varying strengths of these relations between the centre and the periphery are likely to have been impeded by the absence of a Federal Government policy framework or position on federalism more broadly. Initially, the Federal Government violently opposed the formation of Jubaland in the first year of its term, despite the commitment to federalism outlined within the Provisional Constitution. In doing so, it lost both control and credibility in shaping the federal agenda at a national level both in terms of setting out a political vision and its subsequent technical implementation.

This lack of a coherent policy position from the centre resulted in poor progress in establishing independent institutions or policy frameworks that could regulate and manage federalism. Between 2012-17, little progress was made in regards to the ratification of a final Somalia Constitution, the establishment of a Constitutional Court or ensuring that Boundaries and Federalism Commission could effectively function. Subsequently, the process of determining new states became determined instead by clan-based, strong-man politics, an environment which is not conducive to constructive centre-periphery relations. Thus, even in adopting a governance model that by definition provides constitutionally protected rights for the newly emerging federal states, such is the legacy of the civil war that contemporary politics in Somalia is still struggling to reconcile how power is distributed between the centre and the periphery. Given that determining this relationship is essential to any functional federal system, reconciling this tension in the coming years will be paramount if federalism is going to succeed in Somalia.

Another key implementation challenge for federalism, is whether conflict can be effectively managed within federal member states. For example, the clan settlement was eventually successful in Jubaland, given Madobe's efforts to eventually incorporate other clans including the Marehan within its administration. More generally, however, these processes have been fraught and at times violent both within and between states and between emerging entities and the Federal Government.

As explored in Chapter Five, Southwest saw prolonged political deadlock between the two major groupings, until ultimately the 'South West Three' group prevailed. In other emerging states, a political settlement has not been possible to achieve, given the effective division of Galmadug in two between the IGA and ASWJ. This is in addition to ongoing internal tensions regarding both the formation of HirShabelle and the status of Benadir, the national capital.

Whilst the research in Chapter four identified high levels of public support for federalism in Jubaland, more generally, emerging federal states should not be seen as political entities formed on the basis of strong shared identities and good relations as the ideal of 'classical federalism' would suggest. Rather, calculations are being made by particular groups out of political necessity often with a begrudging acceptance that such settlements provide their sub-sub clan with the best overall outcome.

As a result, Somalia's new Federal Member States should be viewed as highly fragile and whose existence and stability is based on upon the careful management of a number of challenging internal and external political dynamics. Indeed, the Jubaland case study demonstrated the very real level of external influence from both neighbouring states and the role of the international community, which, in their support for Madobe, were also clearly making decisions based on their own national interests, rather than in support of a particular 'ideal' form of governance for Somalia.

Lastly, federalism's success to date has been impacted considerably by varying degrees of progress on governance reform. There seems clear evidence that Jubaland has made significant strides in quickly moving from executive rule to a parliamentary system, with aspirations to hold universal elections in 2019. However, in the other federal member states, particularly Puntland, progress towards democratisation has largely stagnated following protracted political conflicts in regards to constitutional reform and implementing universal elections.

In summary, federalism has been neither a panacea nor the cause of Somalia's governance problems and that its success, or lack thereof, has been more determined more by the manner of its implication, than the model itself. The following section will consider the implications of this conclusion for future statebuilding processes in the country.

### **Future implications for statebuilding in Somalia**

This section will outline a number of likely scenarios that may develop over time depending on how the three indicators utilised in Chapter Five (Federal Government-Federal State, inter-state and intra-state relations and the extent of state-level governance reform) are addressed in the coming years.

#### *Federal Government-Federal State relations*

The state of centre-periphery relations is likely to be one of the most significant factors in determining whether federalism unfolds successfully across Somalia. As such, scenarios for Somalia's future will very much depend on how this national debate continues to evolve. Given the nature of Somali politics, in the short-term this is likely to depend on whether the new executive appointed through the 2016 electoral process adopts a truly national perspective or whether they continue to neglect the wider national interest in favour of narrow

personal or sub-clan advantage. However, if, in the coming years, a political consensus is reached which manages to meaningfully reconcile these centripetal and centrifugal forces, then federalism in Somalia may also become tamed. This may allow politicians and the civil service to refocus instead on overcoming the technical challenges in developing an effective federal system.

Despite its somewhat unconstitutional nature, the apparent success of the National Leadership Forum as a space where centre-periphery tensions can be managed offers some encouragement on this issue. Consisting of the Executive of the Federal Government and the Presidents of the other Federal Member States, the NLF has seemingly established a level of political trust between the centre and the periphery. However, the closed-door nature of its machinations and its tendency to usurp parliament, poses serious questions regarding the accountability and transparency of such a structure. Whilst arguably justifiable given the challenges that Somalia faces and the lack of a parliamentary culture that can govern in the country's national interest, power in the hands of so few is unlikely to continue to be successful in the long-term. In short, for federalism to become a truly national project, Somalia's parliament must regain control of the overarching agenda and be both representative of all the federal states and become meaningfully involved in the significant legislative agenda that is required for its successful implementation.

### *Inter-state relations*

Looking ahead, for federalism to contribute more positively to broader state building processes, this level of contestation between federal member states needs to substantively reduce. Critical to this will be the need to strengthen independent institutions such as a Constitutional Court and the Boundaries and Federalism Commission and ratify a final version of the Constitution. Functioning independent judicial institutions will be essential if conflict between states is going to be effectively managed but will need a clear constitutional mandate to operate effectively. The development of such institutions will also



reduce the tendency in which inter-state conflicts are resolved solely by regional politicians. Managing disputes independently through a judicial system offers a non-violent alternative to inter-state grievances which are otherwise likely to quickly escalate.

### *Intra-state relations & internal governance reform*

The instigation of new democratic processes and reforms at federal state level could be the most meaningful way to mitigate both political violence and deadlock, particularly given that many of the federal states have upcoming council, parliamentary and presidential elections in the coming years. Evidence from this research has found that Jubaland has gained recognition for its achievements in forming a regional parliament based for the first time on district-representation, as opposed to the 4.5 power-sharing formula. This gives credibility to its claims that it will hold universal elections by 2019, an aspiration which again has been found to enjoy strong public support.

However, reasons for such optimism in the instigation of democratic processes are not universal across Somalia. Progress in Puntland, despite the longevity of its existence, has remained painfully slow, although the appointment in early 2016 of new Commissioners to the Transitional Puntland Election Commission to oversee local council elections does offer some renewed hope. The effectiveness of any democratisation initiative to mitigate political tension is likely to be most effective if the Federal Government has a role in centralising and making uniform such processes. Not only could this strengthen federal and federal state relations but could assist in the institutional development of the National Independent Election Commission (NIEC), which will have sole responsibility for running the proposed universal national elections in 2020 but whose role in the federal state elections is unclear.

At a national level, such efforts at state-level could contribute to the development of democratic norms in the country in the run-up to 2020, particularly by enabling citizens to participate directly in an election process which is geographically proximate and thus presumably one which will have a degree of relevance to their everyday lives. From a conflict management perspective, if political competition at the regional level is seen by the majority of political actors to be free and fair, this may reduce the sense that national elections are 'winner takes all', as there are opportunities to compete for political positions at the state level too.

For Somalia to become an effective federal state, it also requires a strong commitment to governance reform. If efforts are not made to formulate a broader uniform technical framework for federalism in Somalia, this is likely to increase the tendency for some states to progress more quickly than others. A failure to establish any resource redistribution mechanism across the country, in addition to high implementation costs resulting from each federal member state pursuing its own governance and service delivery systems, may also place new strains on an already fragile and resource-scarce system.

Looking ahead, the likelihood of such uniform governance reform emerging is again very much linked to the extent to which the federalism agenda is stabilised by constructive centre-periphery relations. If so, then the existing investments made in some federal states can be viewed as pilots which if successful can be quickly expanded and replicated to other emerging states. If this is achieved in parallel to implementing a policy framework on fiscal federalism that promotes interstate trade, then development dividends are likely to emerge more quickly. Indeed, such efforts at harmonising federal systems and approaches are likely to formalise and ideally strengthen relationships both between federal member states and the federal government, likely resulting in a broader peacebuilding dividend as the economic costs to severing such relationships increase.

Recent political developments offer some optimism that a more uniform state can be created when there is a shared ambition for governance reform. The delivery of the 2016 electoral process, for example, demonstrated a level of commitment across all the federal member states regarding the establishment of a uniform electoral system. After many months of planning, an agreement was reached whereby the overall election will be overseen by a 'Federal Election Implementation Team' and delivered locally by individual 'State Electoral Implementation Teams.' Whilst not perfect, the 2016 Electoral Process does set a precedent in demonstrating that a federal Somalia can deliver complex processes when political elites have sufficient interests at stake.<sup>222</sup>

### **Implications for existing literature on federalisation and peacebuilding in Somalia**

Given the security constraints, which have only eased in recent years, much of the existing literature has focussed its analysis of the statebuilding discourse in Somalia at the national level but has rarely had the resources or access to undertake widespread citizen perception surveys to inform its conclusions. As such, analysis of the success or failure of contemporary statebuilding processes has largely been from a broader political-economy perspective (Balthazar, Harper, Samatar).

As a result, the perspectives of ordinary citizens towards these processes have been largely unknown. In particular, scant evidence existed as to whether there was public support for federalism and democratisation or whether such reforms were viewed as compatible with Somali cultural norms. Whilst recognising the datasets are very limited, the analysis undertaken in this research points to clear evidence that Somalis want both and, as such, are actually broadly

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<sup>222</sup> For background and an assessment of the 2016 Electoral Process, Saferworld, *Somalia's 2016 Electoral Process: Preliminary report of the Domestic Election Observer Mission*, March 2017

aligned to the current statebuilding trajectory of the country. This is significant, as the related literature on contemporary processes is often highly critical of international statebuilding efforts and in doing so, has arguably understated the degree to which citizens aspire for elements of a modern state.

Specifically on federalism in Somalia (Menkhaus, Bryden, Mosely), much of the existing literature is again highly critical and laden with warnings of state fragmentation or increased ethnic conflict. However, these concerns have not been based on an analysis of public opinion. As a result, this research directly challenges earlier conclusions that federalism is a risk-laden option for Somalia by providing evidence that if implemented effectively, it could act as a catalyst for broader reform.

### **Implications for the wider literature on federalism**

As explored in Chapter two, much of the existing literature on federalism is highly divided between those that see wider autonomy for ethnic groups as beneficial for peace and stability and those that do not (Choudry, Feeley, Gurr, Kymlicka). Both camps have utilised comparative data sets to argue their case, often focussing on whether the introduction of federalism increased the frequency of violent conflict. However, widespread analysis of public opinion towards federalism in post-conflict contexts does not appear to have been previously undertaken. As a result, the existing debate in the literature is again generally informed by an assessment of the likely political-economy implications of federalism rather than an analysis of what the general public desire from a national governance framework.

By basing the conclusions of whether a particular country should or should not undertake federalism by assessing public support, the approach used in this research lies outside the two existing camps in the literature which are either definitively for or against federalism in post-conflict contexts. In the case of Somalia, there is clear evidence that the majority of Somalis want a federal

governance system, however for this to be successful, as the research has explored, there are a number of implementation challenges to be overcome. However, in other contexts, should public support be reversed, then a similar research approach would conclude that federalism is unlikely to be appropriate.

Fundamental to this stance, is the view that federalism is inherently a political rather than a technical concept, in the sense that it offers citizens an option to balance regional and national political identities. From this perspective, federalism will only work when the majority of the population desire it. Once that is established its success is likely to be determined by the extent to which a particular country is able to successfully manage centre-periphery, inter-state and intra state relations and the degree to which federal units are willing to undertake meaningful governance reform. In summary, federalism may (if implemented well) work in some post-conflict countries but fail in others.

### **Areas for further research**

This thesis has been able to draw some tentative conclusions regarding the extent to which federalism can bring broader governance and peacebuilding benefits to Somalia. For these findings to become more grounded in empirical data, further data analysis would be required from the other federal member states. Ideally, data collection would need to be repeated over intervals to track how public perception regarding federalism changed over time. In addition, the lack of publicly accessible data in regards to the status of governance reform efforts at the federal member state represents a considerable gap in the literature. In terms of broader research on post-conflict federalism, in order to further overcome the divide in the literature between those that advocate and oppose its use, any future studies may benefit from also utilising public perception studies across different contexts to inform their conclusions. Over the long-term, such an approach may be able to distinguish factors that determine whether populations are more likely to be pro-federalist or not and

under what circumstances post-conflict federalism has been an effective or ineffective statebuilding tool.

<b>Annex: Quantitative Questionnaire</b>			
<b>Questionnaire ID</b>			
(3)	Dist. Code:	Village Code:	Quest. ID:
	<input type="checkbox"/> GARB (1) <input type="checkbox"/> BELT H (2) <input type="checkbox"/> DOLOW (3) <input type="checkbox"/> BUA'LE (4) <input type="checkbox"/> JILIB (5) <input type="checkbox"/> SAAKOW (6) <input type="checkbox"/> KISMAYO (7) <input type="checkbox"/> AFMADOW (8) <input type="checkbox"/> BADHAADHE (9)	<input type="checkbox"/> 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07	<input type="checkbox"/> 01 <input type="checkbox"/> 11 <input type="checkbox"/> 02 <input type="checkbox"/> 12 <input type="checkbox"/> 03 <input type="checkbox"/> 13 <input type="checkbox"/> 04 <input type="checkbox"/> 14 <input type="checkbox"/> 05 <input type="checkbox"/> 15 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10
<b>Interviewer Code</b>			
3) (9)	Interviewer ID:		
	<input type="checkbox"/> 01 <input type="checkbox"/> 11 <input type="checkbox"/> 21 <input type="checkbox"/> 02 <input type="checkbox"/> 12 <input type="checkbox"/> 22 <input type="checkbox"/> 03 <input type="checkbox"/> 13 <input type="checkbox"/> 23 <input type="checkbox"/> 04 <input type="checkbox"/> 14 <input type="checkbox"/> 24 <input type="checkbox"/> 05 <input type="checkbox"/> 15 <input type="checkbox"/> 25 <input type="checkbox"/> 06 <input type="checkbox"/> 16 <input type="checkbox"/> 26 <input type="checkbox"/> 07 <input type="checkbox"/> 17 <input type="checkbox"/> 27 <input type="checkbox"/> 08 <input type="checkbox"/> 18 <input type="checkbox"/> 28 <input type="checkbox"/> 09 <input type="checkbox"/> 19 <input type="checkbox"/> 29 <input type="checkbox"/> 10 <input type="checkbox"/> 20 <input type="checkbox"/> 30 <input type="checkbox"/> 31 <input type="checkbox"/> 32 <input type="checkbox"/> 33 <input type="checkbox"/> 34 <input type="checkbox"/> 35 <input type="checkbox"/> 36 <input type="checkbox"/> 37 <input type="checkbox"/> 38 <input type="checkbox"/> 39 <input type="checkbox"/> 40 <input type="checkbox"/> 41 <input type="checkbox"/> 42 <input type="checkbox"/> 43 <input type="checkbox"/> 44 <input type="checkbox"/> 45		
<p><i>Introduction:</i>          Dear Sir/madam,          My name is _____ and I work for a Somali organization that is interested in understanding the nature of services within your village the level of satisfaction or dissatisfaction among the population, and the reasons for it. As part of this survey we would like to interview members of the community and understand their perceptions and experiences. The interview will take a maximum of 45 minutes and is completely anonymous. Your name will not be mentioned in any report or publication. You are not obliged to answer any question, and you can stop at any moment you like. Regardless of your decision, I thank you for your time.</p>			
Q1	Would you be willing to take this survey?	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2)	
<p><b>If No Is Selected, Then Skip to End of Survey</b></p>			
<b>Section 1 BACKGROUND INFORMATION</b>			
Could you share some information regarding your age and educational status and other such details			
Q2	Gender	<input type="checkbox"/> Male (1) <input type="checkbox"/> Female (2)	
<b>No Prompt: One Answer</b>			
Q3	What is your marital status?	<input type="checkbox"/> Single (1) <input type="checkbox"/> Engaged (2)	

	<b>Prompt: One Answer</b>	<input type="checkbox"/> Married (3) <input type="checkbox"/> Divorced (4) <input type="checkbox"/> Widower (5) <input type="checkbox"/> No response (100)
Q4	What is your age?  <b>Prompt: One Answer</b>	<input type="checkbox"/> Below 18yrs (1) <input type="checkbox"/> 18-27yrs (2) <input type="checkbox"/> 28-37yrs (3) <input type="checkbox"/> 38-47yrs (4) <input type="checkbox"/> 48-57yrs (5) <input type="checkbox"/> Above 57yrs (6) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q5	What is your highest level of education?  <b>Prompt: One Answer</b>	<input type="checkbox"/> No education (1) <input type="checkbox"/> Primary education (2) <input type="checkbox"/> Secondary education (3) <input type="checkbox"/> High school education (4) <input type="checkbox"/> Undergraduate (5) <input type="checkbox"/> Post graduate (6) <input type="checkbox"/> Alternative education programme (7) <input type="checkbox"/> Religious (8) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Others (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)
Q6	What is your primary occupation?  <b>No Prompt: One Answer</b>	<input type="checkbox"/> Agriculturalist (1) <input type="checkbox"/> Pastoralist (2) <input type="checkbox"/> Government (3) <input type="checkbox"/> NGO (4) <input type="checkbox"/> Trade (5) <input type="checkbox"/> Services (6) <input type="checkbox"/> Manufacturing (7) <input type="checkbox"/> Student (8) <input type="checkbox"/> Unemployed (9) <input type="checkbox"/> Retired (10) <input type="checkbox"/> Housewife (11) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)
Q7	What are the total number of people within your household?  <b>Prompt: One Answer</b>  <i>(A household is described as people who eat from the same pot and live either under the same roof or then in the same compound)</i>	<input type="checkbox"/> 1-3 (1) <input type="checkbox"/> 4-7 (2) <input type="checkbox"/> 8-11 (3) <input type="checkbox"/> 11-14 (4) <input type="checkbox"/> 14+ (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q8	How long have you lived in this particular village/town?  <b>Prompt: One Answer</b>	<input type="checkbox"/> Less than 1yr (1) <input type="checkbox"/> 1-5yrs (2) <input type="checkbox"/> 6-10yrs (3) <input type="checkbox"/> 11-15yrs (4) <input type="checkbox"/> 16-20yrs (5) <input type="checkbox"/> More than 20yrs (6) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
<b>Section 2.1 DECISION MAKING STRUCTURES- VILLAGE</b> To begin with we would like to understand the main decision makers within your particular village		



Q9	<p>Which person/group makes decisions in your village regarding the following?</p> <p><i>Please ask for each type of issue</i></p> <p><b>Prompt: Multiple/Response No limit</b></p>	
Type of issue	Decision Maker	
Resolving disputes (1)	<input type="checkbox"/> Clan elders (1) <input type="checkbox"/> Federal Government (SFG) (2) <input type="checkbox"/> Jubaland Interim Administration (3) <input type="checkbox"/> Regional administration (4) <input type="checkbox"/> District administration (5) <input type="checkbox"/> Religious leader (6) <input type="checkbox"/> Business leaders (7) <input type="checkbox"/> Village committee (8) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)	
Providing access to services- water, health, education, etc. (2)	<input type="checkbox"/> Clan elders (1) <input type="checkbox"/> Federal Government (SFG) (2) <input type="checkbox"/> Jubaland Interim Administration (3) <input type="checkbox"/> Regional administration (4) <input type="checkbox"/> District administration (5) <input type="checkbox"/> Religious leader (6) <input type="checkbox"/> Business leaders (7) <input type="checkbox"/> Village committee (8) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)	
Regulating the use of natural resources (3)	<input type="checkbox"/> Clan elders (1) <input type="checkbox"/> Federal Government (SFG) (2) <input type="checkbox"/> Jubaland Interim Administration (3) <input type="checkbox"/> Regional administration (4) <input type="checkbox"/> District administration (5) <input type="checkbox"/> Religious leader (6) <input type="checkbox"/> Business leaders (7) <input type="checkbox"/> Village committee (8) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)	
Security of the community from external actors (4)	<input type="checkbox"/> Clan elders (1) <input type="checkbox"/> Federal Government (SFG) (2) <input type="checkbox"/> Jubaland Interim Administration (3) <input type="checkbox"/> Regional administration (4) <input type="checkbox"/> District administration (5) <input type="checkbox"/> Religious leader (6) <input type="checkbox"/> Business leaders (7) <input type="checkbox"/> Village committee (8) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)	
Setting law and ensuring order	<input type="checkbox"/> Clan elders (1)	

	within the community (5)	<input type="checkbox"/> Federal Government (SFG) (2) <input type="checkbox"/> Jubaland Interim Administration (3) <input type="checkbox"/> Regional administration (4) <input type="checkbox"/> District administration (5) <input type="checkbox"/> Religious leader (6) <input type="checkbox"/> Business leaders (7) <input type="checkbox"/> Village committee (8) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)		
	Negotiating with development actors (6)	<input type="checkbox"/> Clan elders (1) <input type="checkbox"/> Federal Government (SFG) (2) <input type="checkbox"/> Jubaland Interim Administration (3) <input type="checkbox"/> Regional administration (4) <input type="checkbox"/> District administration (5) <input type="checkbox"/> Religious leader (6) <input type="checkbox"/> Business leaders (7) <input type="checkbox"/> Village committee (8) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)		
	Other (Please specify) (98) <hr/> <hr/>	<input type="checkbox"/> Clan elders (1) <input type="checkbox"/> Federal Government (SFG) (2) <input type="checkbox"/> Jubaland Interim Administration (3) <input type="checkbox"/> Regional administration (4) <input type="checkbox"/> District administration (5) <input type="checkbox"/> Religious leader (6) <input type="checkbox"/> Business leaders (7) <input type="checkbox"/> Village committee (8) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)		
Q10	Overall, who would you describe as the primary decision makers within your village?  <b>Prompt: Multiple/Response max. 3</b>  <b>If Don't know or No response Skip to Q15</b>	<input type="checkbox"/> Clan elders (1) <input type="checkbox"/> Federal Government (SFG) (2) <input type="checkbox"/> Jubaland Interim Administration (3) <input type="checkbox"/> Regional administration (4) <input type="checkbox"/> District administration (5) <input type="checkbox"/> Religious leader (6) <input type="checkbox"/> Business leaders (7) <input type="checkbox"/> Village committee (8) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)		
Q11	How did the primary decision makers come to that position?  <b>Only for the three primary decision makers identified in question Q10</b>  <b>Prompt: for each decision maker a max 3 responses</b>			
	Response <b>Circle Q10 answers</b>	DM (1) <b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>	DM (2) <b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>	DM (3) <b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>

	Through elections (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Through choice of majority clan (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Military power and control (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Seniority and age (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Control over natural resources (specify which type of resource) (5) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Through service to the community (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please Specify) (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	
	No response (100)	<input type="checkbox"/>		
Q12	Is the manner in which the decision maker has come to hold power acceptable to you?			
	<b>Only for the three primary decision makers identified in question Q10</b>			
	<b>No Prompt: One Answer per decision maker</b>			
	Response	DM (1)	DM (2)	DM (3)
	<b>Circle Q10 answers</b>	<b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>	<b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>	<b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>
	Yes (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>		
Q13	Do you think that persons/groups who hold decision making authority within your village, represent your interests?			
	<b>Only for the three primary decision makers identified in question Q11</b>			
	<b>No Prompt: One Answer per decision maker</b>			
	<b>If Completely Is Selected, Then Skip to Q15</b>			
	Response	DM (1)	DM (2)	DM (3)
	<b>Circle Q11 answers</b>	<b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>	<b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>	<b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>
	Completely (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Somewhat (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Not at all (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>		
Q14	Whose interest do you think persons who hold decision making power represent?			
	<b>Prompt: Multiple/Response No limit</b>			
	Response	DM (1)	DM (2)	DM (3)
	<b>Circle Q10 answers</b>	<b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>	<b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>	<b>1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 98</b>
	Their own interest (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	The interest of their clan/sub clan (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	The interest of their financial supporter (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please Specify) (98)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	_____			
	No response (100)	<input type="checkbox"/>		
Q15	Are community grievances heard and addressed by decision makers?  <b>No Prompt: One Answer</b>	<input type="checkbox"/> Every time (1) <input type="checkbox"/> Sometimes (2) <input type="checkbox"/> Not at all (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)		
Q16	In cases where decision makers are seen to make decisions that do not serve the interest of the community as a whole, is there any way/mechanism of taking action against them?  <b>No Prompt: One Answer</b>  <b>If No or Don't know Is Selected, Then Skip to Section 2.2</b>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> Sometimes (2) <input type="checkbox"/> No (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)		
Q17	If yes or Sometimes, Please provide an example  <b>Text response</b>	<hr/> <hr/> <hr/> <hr/> <hr/> <input type="checkbox"/> No response (100)		
Q18	Do you consider this process to be simple?  <b>No Prompt: One Answer</b>	<input type="checkbox"/> Very simple (1) <input type="checkbox"/> Somewhat Simple (2) <input type="checkbox"/> Not at all simple (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)		
Q19	What are the potential consequences of removing a decision maker?  <b>Prompt: Multiple/Response No limit</b>	<input type="checkbox"/> Building consensus between clans (1) <input type="checkbox"/> Inter-clan conflict (2) <input type="checkbox"/> Sub-clan disintegration (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please Specify) (98) _____ <input type="checkbox"/> No response (100)		
<b>Section 2. 2. NEED ASSESSMENT AND SERVICE DELIVERY- VILLAGE</b>				
We would now like to understand the availability and quality of services in your village				
Q20	What would you say are the most pressing needs of your village?  <b>Prompt: Multiple/Response No limit</b>	<input type="checkbox"/> <b>Health</b> (lack of (nearby) access/equipment/treatment/medicine/staff/drinking water) (1) <input type="checkbox"/> <b>Education</b> (lack of (nearby) access/supplies/staff; school closed) (2) <input type="checkbox"/> <b>Economic</b> (joblessness; poverty; debt; high prices) (3) <input type="checkbox"/> <b>Agriculture/Livestock</b> (drought; flood; disease; lack of improved seeds/fertilizer) (4) <input type="checkbox"/> <b>Security</b> (military operations/bombardments; restricted movement) (5) <input type="checkbox"/> <b>Justice</b> (violation of rights; adjudication too long; compensation claim unpaid) (6) <input type="checkbox"/> <b>Infrastructure</b> (lack of roads/bridges/electricity/dams/buildings (schools, clinics) (7) <input type="checkbox"/> <b>Corruption</b> (bribery/unfair aid distribution/misappropriation of		

		development funds) (8) <input type="checkbox"/> <b>Land</b> (no/not enough land/land dispute/destruction of land) (9) <input type="checkbox"/> <b>Housing</b> (do not own home/cannot afford to build/repair/expand home) (10) <input type="checkbox"/> <b>Electricity</b> (no access/ no money to afford) (11) <input type="checkbox"/> <b>Irrigation</b> (lack of water/water dispute/no irrigation system/system damaged) (12) <input type="checkbox"/> <b>Lack of Govt. Staff Capacity</b> (Teachers, Police, DG Officials not "Professional") (13) <input type="checkbox"/> <b>Money transfer services</b> (mobile/ Bakaal services) (14) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Specify) (98) _____ _____ <input type="checkbox"/> No response (100)							
Q21	Who currently provides the following services?  <b>Prompt: Multiple/Response max. 2 for each type of service</b>								
	Response	Village DMs (1)	District DM (2)	IJA (3)	Businesses (4)	SFG (5)	NGOS (6)	D/K (97)	N/A (0)
	Health (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Education (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Security (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Water and Sanitation Facilities (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other Public Infrastructure-street lights and roads (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please Specify) (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>							
Q22	Who should be responsible for providing the following services?  <b>Prompt: Multiple/Response max. 2 for each type of service</b>								
	Response	Village DMs (1)	District DM (2)	IJA (3)	Businesses (4)	SFG (5)	NGOS (6)	D/K (97)	N/A (0)
	Health (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Education (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Security (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Water and Sanitation Facilities (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other Public Infrastructure-street lights and roads (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please Specify) (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Q23	Has the provision of services changed since 2013?  <b>Prompt: One Answer for each type of service</b>								
	Response	Improved A lot (1)	Improved a little (2)	No change (3)	Worsened a little (4)	Worsened a lot (5)	D/K (97)	N/A (0)	
	Health (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Education (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Security (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Water and Sanitation Facilities (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other Public Infrastructure-street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	lights and roads (5)							
	Other (Please Specify) (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>						
Q24	Who do you attribute this change to?							
	<b>Prompt: One Answer for each type of service</b>							
	Response	IJA (1)	SFG (2)	NGOs (3)	Business (4)	Diaspora (5)	D/K (97)	N/ A (0)
	Health (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Education (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Security (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Water and Sanitation Facilities (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other Public Infrastructure-street lights and roads (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please Specify) (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>						
Q25	Are taxes or similar payments collected in this area?	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)						
	<b>No Prompt: One Answer</b>							
	<b>If No or Don't know Is Selected, Then Skip to Q28</b>							
Q26	Who or what is taxed?	<input type="checkbox"/> Charcoal trade (1) <input type="checkbox"/> Roads (2) <input type="checkbox"/> Ports (3) <input type="checkbox"/> Traders/businessmen (4) <input type="checkbox"/> Other (Please Specify) (98) _____ <input type="checkbox"/> No response (100)						
	<b>No Prompt: Multiple/Response No limit</b>							
Q27	Do you believe that taxes collected are spent on community services?	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)						
	<b>No Prompt: One Answer</b>							
Q28	How does your local authority generate income?	<input type="checkbox"/> Local taxes (1) <input type="checkbox"/> Business donations (2) <input type="checkbox"/> Funding from SFG (3) <input type="checkbox"/> Support from IJA (4) <input type="checkbox"/> Support from UN (5) <input type="checkbox"/> Support from other international actors (6) <input type="checkbox"/> Not Applicable (0) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)						
	<b>Prompt: Multiple/Response No limit</b>							
Q29	Are public services accessed equally by all groups/clans?							
	<b>Prompt: One Answer for each type of service</b>							
	Response	Equal (1)	Somewhat equal (2)	Unequal (97)	D/K (97)	N/A (0)		
	Health (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Education (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Land (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Water points for grazing lands (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Use of ports (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Use of markets (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Water and Sanitation Facilities (7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

	Other Public Infrastructure-street lights and roads (8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please Specify) (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>				
<b>Section 2.3. SOCIAL STRUCTURE-VILLAGE</b>						
We would now like to understand a little bit better the types of social groups in your village.						
Q30	How would you describe the overall relationship between the different clan/groups within your village?  <b>Prompt: One Answer</b>  <b>If very/good Is Selected, Then Skip To Q33</b>	<input type="checkbox"/> Very good (1) <input type="checkbox"/> Good (2) <input type="checkbox"/> Fair (3) <input type="checkbox"/> Poor (4) <input type="checkbox"/> Very Poor (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)				
Q31	If Poor/Very poor, what are some the reasons for such relations and how long have they persisted?  <b>No Prompt: Multiple/Response No limit however only mark one time period per response</b>					
	Response	0-5yr (1)	10yrs (2)	20yrs (3)	20+yrs (4)	D/K (97)
	Differences arising from ownership and use of resources (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Differences over job and economic opportunities (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Differences over land and grazing (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Differences over lack of access to basic services (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Differences over control of political power at local level (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Differences over control of power at the national level (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Differences in ideology-religious (7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Differences in military strength (8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Involvement of foreign actors (9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Youth violence (10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please specify) (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>				
Q32	What is the primary reason why such issues have not been resolved?  <b>Prompt: Multiple/Response No limit for responses and for factors that have contributed to the situation</b>					
	Response	Factors that have contributed to the situation				
	Differences arising from ownership and use of resources (1)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97)				

	<input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
Differences over job and economic opportunities (2)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
Differences over land and grazing (3)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
Differences over lack of access to basic services (4)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
Differences over control of political power at local level (5)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
Differences over control of power at the national level (6)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
Control over political power at national level government (8)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
Differences in ideology-religious (7)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2)



		<input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
	Differences in military strength (8)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
	Involvement of foreign actors (9)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
	Youth violence (10)	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____ <input type="checkbox"/> No response (100)
	Don't know (97)	<input type="checkbox"/>
	Other (Please specify) (98) _____ _____	<input type="checkbox"/> No attempts made at resolving conflict by the various groups (1) <input type="checkbox"/> No institutions to facilitate the resolution of issues (2) <input type="checkbox"/> Lack of effective leadership (3) <input type="checkbox"/> Lack of trust between communities (4) <input type="checkbox"/> Role of external actors (5) <input type="checkbox"/> Other (Please specify) (98) _____ <input type="checkbox"/> Other (Please specify) (99) _____
	No response (100)	<input type="checkbox"/>
Q33	Have there been grievances or conflicts that have been resolved?  <b>No Prompt: One Answer</b>  <b>If Yes Is not Selected, Then Skip to section 3.1</b>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q34	What were the issues?  <b>No Prompt: Multiple/Responses up to 3</b>	<input type="checkbox"/> Inter-clan conflict (1) <input type="checkbox"/> Conflict over natural resources-water, charcoal, (2) <input type="checkbox"/> Conflict over natural resources- land and grazing land (3) <input type="checkbox"/> Conflict over jobs and economic opportunities (4) <input type="checkbox"/> Lack of access to basic services (5) <input type="checkbox"/> Lack of effective government- law and order (6) <input type="checkbox"/> Competition over political power -local level (7)

		<input type="checkbox"/> Competition over political power -national level (8) <input type="checkbox"/> Involvement of foreign actors (9) <input type="checkbox"/> Youth violence (10) <input type="checkbox"/> Banditry (11) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) _____  <input type="checkbox"/> No response (100)		
Q35	What was the primary mode of reaching a conclusion?  <b>Prompt: One Answer per type of conflict</b>			
	Response <b>Circle Q34 answers</b>  	Conflict 1 <b>1-2-3-4-5-6-7-8-9-10-11-98</b> 	Conflict 2 <b>1-2-3-4-5-6-7-8-9-10-11-98</b> 	Conflict 3 <b>1-2-3-4-5-6-7-8-9-10-11-98</b> 
	Intervention by IJA (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Intervention by SFG (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Local system of resolution (Please specify) (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Resolution by formal courts (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Military / violent defeat of one group by another (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	External Intervention (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please specify) (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>		
Q36	Do you feel the solution was fair?  <b>Prompt: One Answer per type of Conflict</b>			
	Conflict 1  <b>Circle Q34 answers</b> <b>1-2-3-4-5-6-7-8-9-10-11-98</b> 	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (3) <input type="checkbox"/> No response (100)		
	Conflict 2  <b>Circle Q34 answers</b> <b>1-2-3-4-5-6-7-8-9-10-11-98</b> 	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (3) <input type="checkbox"/> No response (100)		
	Conflict 3  <b>Circle Q34 answers</b> <b>1-2-3-4-5-6-7-8-9-10-11-98</b> 	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (3) <input type="checkbox"/> No response (100)		
Q37	Was the solution enforced?  <b>Prompt: One Answer per type of Conflict</b>			
	Conflict 1  <b>Circle Q34 answers</b> <b>1-2-3-4-5-6-7-8-9-10-11-98</b> 	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (3) <input type="checkbox"/> No response (100)		
	Conflict 2  <b>Circle Q34 answers</b> <b>1-2-3-4-5-6-7-8-9-10-11-98</b> 	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (3) <input type="checkbox"/> No response (100)		
	Conflict 3 	<input type="checkbox"/> Yes (1)		

	<p><b>Circle Q34 answers</b></p> <p><b>1-2-3-4-5-6-7-8-9-10-11-98</b></p>	<input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (3) <input type="checkbox"/> No response (100)						
Q38	<p>Which actor is best suited to resolve grievances?</p> <p><b>Prompt: Multiple/Response No limit for either type of conflict or type of actor</b>  <i>Ask for all response options</i></p>							
	Response	Village DMs (1)	District DMs (2)	Regional DMs (3)	SFG (4)	International Actors (5)	Other (Please Specify) (98) _____	D/K (97)
	Inter-klan conflict (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Conflict over natural resources- water, charcoal (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Lack of access to basic services (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Lack of an effective government- law and order (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Banditry (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please specify) (98) _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>						
<p><b>Section 3. 1. DECISION MAKING STRUCTURES-REGION</b></p> <p>We would now like to ask you some questions about who/which group makes decisions at the regional level</p>								
Q39	<p>Who are the decision makers/ political authority within your particular region?</p> <p><b>Rank the decision making authorities 1-5</b></p> <p><b>If Don't know or No response Is Selected, Then Skip To Q45</b></p>		<p>_____ Federal Government (SFG) (1)</p> <p>_____ Jubaland Interim Authority (JIA) (2)</p> <p>_____ District Authority- Affiliated to Federal Government (SFG) (3)</p> <p>_____ District Authority-Affiliated to Jubaland Interim Authority (JIA) (4)</p> <p>_____ District Authority- Independent of SFG and IJA (Specify) (5) _____</p> <p>_____ Regional Actor (Specify) (6) _____</p> <p>_____ Kenyan Actors (7)</p> <p>_____ Ethiopian Actors (8)</p> <p>_____ Other International actors (Specify) (9) _____</p> <p><input type="checkbox"/> Don't know (97)</p> <p>_____ Other (Please specify) (98)</p>					
Q40	<p>For the top three decision makers, what are the primary functions?</p> <p><b>Prompt: Multiple/Response No limit</b></p> <p><b>Only ask for the top three ranked decision makers</b></p>							
	Response <b>Refer to Ranks in Q39</b>	DM (1) <b>Rank 1</b>	DM (2) <b>Rank 2</b>	DM (3) <b>Rank 3</b>				
	Resolving disputes (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
	Providing access to services- water, health, education, etc. (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
	Regulating the use of natural resources (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
	Safety of the community from	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

	external actors (4)			
	Setting law and ensuring order within the community (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Negotiating with development actors (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Please specify) (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>		
Q41	For the top three decision makers, how did they come to hold that position?			
	<b>Prompt: One Answer per type of authority</b>			
	Response <b>Refer to Ranks in Q39</b>	DM (1) <b>Rank 1</b>	DM (2) <b>Rank 2</b>	DM (3) <b>Rank 3</b>
	Through elections (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Through selection by majority clan (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Military power and control (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Appointment by SFG (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Appointment by IJA (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Support by foreign Actors (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Others please specify (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>		
Q42	Is the manner in which decision makers came to hold elections acceptable to you?			
	<b>No Prompt: One Answer per type of decision maker</b>			
	Response <b>Refer to Ranks in Q39</b>	DM (1) <b>Rank 1</b>	DM (2) <b>Rank 2</b>	DM (3) <b>Rank 3</b>
	Yes (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>		
Q43	To what extent would you say that persons/groups who hold decision making authority within your district, represent your interests?			
	<b>No Prompt: One Answer per type of decision maker</b>			
	<b>If Completely Is Selected, Then Skip to Q45</b>			
	Response <b>Refer to Ranks in Q39</b>	DM (1) <b>Rank 1</b>	DM (2) <b>Rank 2</b>	DM (3) <b>Rank 3</b>
	Completely (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Somewhat (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Not at all (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>		
Q44	If not at completely, whose interest do you think persons who hold decision making power represent?			
	<b>No Prompt: One Answer per type of authority</b>			
	Response <b>Refer to Ranks in Q39</b>	DM (1) <b>Rank 1</b>	DM (2) <b>Rank 2</b>	DM (3) <b>Rank 3</b>
	Their own interest (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	The interest of their supporters (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	The interest of the community (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Others Please specify (98) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>		
Q45	Are community grievances heard and addressed by decision makers?  <b>Prompt: One Answer</b>	<input type="checkbox"/> Every time (1) <input type="checkbox"/> Sometimes (2) <input type="checkbox"/> Not at all (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)		
Q46	In cases where decision makers are seen to make decisions that do not serve the interest of the community as a whole, is there any way/mechanism of taking action against them?  <b>Prompt: One Answer</b>  <b>If Don't know or No response is Selected, Then Skip to section 4.2</b>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> Sometimes (2) <input type="checkbox"/> No (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)		
Q47	If yes or Sometimes, Please provide an example	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <input type="checkbox"/> No response (100)		
Q48	Do you consider this process to be simple?  <b>No Prompt: One Answer</b>  <b>If Don't know or No response is Selected, Then Skip to Section 4.2</b>	<input type="checkbox"/> Very simple (1) <input type="checkbox"/> Somewhat Simple (2) <input type="checkbox"/> Not at all simple (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)		
Q49	What are the potential consequences of a removal of a decision maker?  <b>No Prompt: One Answer</b>	<input type="checkbox"/> Building consensus between clans (1) <input type="checkbox"/> Inter-clan conflict (2) <input type="checkbox"/> Sub clan disintegration (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please Specify) (98) _____ <input type="checkbox"/> No response (100)		
<b>Section 4. 2. JUBALAND INTERIM ADMINISTRATION-REGION</b>				
We would now like to understand a little bit more about the Jubaland Interim administration				
Q50	Have you heard of the Interim Juba Administration?  <b>Prompt: One Answer</b>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> No response (100)		

	<b><i>If No Is Selected, Then Skip To Q58</i></b>	
Q51	Which year was this authority set up?  <b><i>No Prompt: One Answer</i></b>	<input type="checkbox"/> Prior to 2012 (1) <input type="checkbox"/> 2012 (2) <input type="checkbox"/> 2013 (3) <input type="checkbox"/> 2014 (4) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q52	Who heads the JIA authority?  <b><i>No Prompt: One Answer</i></b>	<input type="checkbox"/> Answer (1) <hr/> <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q53	How was this authority (JIA) established?  <b><i>Prompt: Multiple/Response max. 2</i></b>	<input type="checkbox"/> Elections (1) <input type="checkbox"/> Clan selection (2) <input type="checkbox"/> Military control and power (3) <input type="checkbox"/> Control over resources (4) <input type="checkbox"/> Backing of foreign powers (5) <input type="checkbox"/> Backing of religious leaders (6) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)
Q54	To what extent do you feel the process of establishment of the JIA was acceptable?  <b><i>No Prompt: One Answer</i></b>	<input type="checkbox"/> Very legitimate (1) <input type="checkbox"/> Somewhat legitimate (2) <input type="checkbox"/> Illegitimate (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q55	When the IJA becomes a formal federal member state, how should it be selected?  <b><i>Prompt: One Answer</i></b>	<input type="checkbox"/> Popular vote for candidates (1) <input type="checkbox"/> Clan negotiations (2) <input type="checkbox"/> Clan selection process (3) <input type="checkbox"/> Determined by foreign actors (4) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q56	To what extent does the JIA represent your interests?  <b><i>No Prompt: One Answer</i></b>  <b><i>If Completely Is Selected, Then Skip To Q58</i></b>	<input type="checkbox"/> Completely (1) <input type="checkbox"/> Somewhat (2) <input type="checkbox"/> Not at all (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q57	If not completely, whose interests do you think the JIA represents?  <b><i>No Prompt: Multiple/Response max. 2</i></b>	<input type="checkbox"/> Interest of the Jubaland region (1) <input type="checkbox"/> Interest of a particular clan grouping (2) <input type="checkbox"/> Interest of a particular sub-clan (3) <input type="checkbox"/> Interest of its leaders (1) <input type="checkbox"/> Interest of foreign powers (5) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)
Q58	How important is the establishment of a regional authority?  <b><i>No Prompt: One Answer</i></b>	<input type="checkbox"/> Very important (1) <input type="checkbox"/> Important (2) <input type="checkbox"/> Somewhat important (3) <input type="checkbox"/> Not at all important (4) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q59	What is the current distribution of power between the regional govt. (could be specifically asked as JIA)	<input type="checkbox"/> Equal (1) <input type="checkbox"/> Somewhat equal (2) <input type="checkbox"/> Unequal in favour of the Federal government (3)

	and the Federal government?  <b>No Prompt: One Answer</b>	<input type="checkbox"/> Unequal in favour of the regional government (4) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)				
Q60	Would you say the relationship between regional and Federal governments should change?  <b>No Prompt: One Answer</b>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)				
Q61	If yes, why? If not, why not?  <b>Text response</b>	<hr/> <hr/> <hr/> <hr/> <hr/> No response (100)				
Q62	Do you think the IJA is currently able to distribute and manage resources to all of Jubaland region?  <b>No Prompt: One Answer</b>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)				
Q63	Do you think the Govt. in Mogadishu is currently able to manage and distribute resources for the Jubaland region?  <b>No Prompt: One Answer</b>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)				
Q64	Since the introduction of the IJA do you feel that the decision making authority has come closer to you?  <b>No Prompt: One Answer</b>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)				
Q65	In an ideal situation which level of government should have greater power?  <b>Prompt: One Answer</b>	<input type="checkbox"/> Local (1) <input type="checkbox"/> Regional (2) <input type="checkbox"/> Federal (3) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)				
Q66	Which authority should manage the provision and distribution of the following services?  <b>Prompt: Multiple/Response ask for each type of service</b>					
	Response	SFG (1)	IJA (2)	IJA+SFG (3)	District (4)	D/K (97)
	National security (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Policing (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Judicial system (3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Provision of basic services (4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Taxes-collection and distribution (5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Management of extractive resources-charcoal, oil, minerals (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Management of natural resources-lakes, land, water, etc. (7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Relationship with international donors (8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Relationship with foreign actors? (9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reconciliation mechanisms (10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Don't know (97)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No response (100)	<input type="checkbox"/>				

**Section 5. FEDERALIZATION**

*Currently the Somalia is going through a process to create what are known as federal states – the Interim Jubaland Administration is an example of a federal state. This process is broadly known as federalisation and would see a change in the amount of power the central government would have and the power exercised by federal states would have. Each federal state would have a governing authority which would have responsibility for particular services – in this case, the IJA. We are keen to understand your perspectives on the creation of such federal states and the kind of responsibilities such states should have.*

Q67	<p>Have you heard of the federalization process?</p> <p><b>Prompt: One Answer</b></p> <p><b>If Completely Is Selected, Then Skip To Q71</b></p>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2)
Q68	<p>Do you feel informed about the process?</p> <p><b>Prompt: One Answer</b></p>	<input type="checkbox"/> Very informed (1) <input type="checkbox"/> Informed (2) <input type="checkbox"/> Somewhat informed (3) <input type="checkbox"/> Not at all informed (4) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q69	<p>Do you feel the federalisation agenda is relevant to you?</p> <p><b>Prompt: One Answer</b></p>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q70	<p>Do you feel consulted about the process?</p> <p><b>Prompt: One Answer</b></p>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q71	<p>Do you think the introduction of the regional authority can better unify communities?</p> <p><b>Prompt: One Answer</b></p>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q72	<p>How do you think a regional authority can best serve your interest?</p> <p><b>Text response</b></p>	<hr/> <hr/> <hr/> <p>No response (100)</p>
Q73	<p>Is the federalisation process something that you want to see take place?</p> <p><b>Prompt: One Answer</b></p>	<input type="checkbox"/> Yes (1) <input type="checkbox"/> No (2) <input type="checkbox"/> Don't know (97) <input type="checkbox"/> No response (100)
Q74	<p>If yes to Q90, why?</p> <p><b>Prompt: Multiple/Response no limit</b></p>	<input type="checkbox"/> Better distribution of power <input type="checkbox"/> Better distribution of resources <input type="checkbox"/> Decision making closer to communities <input type="checkbox"/> Reduce conflict <input type="checkbox"/> Improve reconciliation <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)
Q75	<p>If no to Q90, why not?</p> <p><b>Prompt: Multiple/Response no</b></p>	<input type="checkbox"/> Increase conflict <input type="checkbox"/> Fears over distribution of power



	<i>limit</i>	<input type="checkbox"/> Impact on decision making <input type="checkbox"/> Adversely affect distribution of resources <input type="checkbox"/> Don't know (97) <input type="checkbox"/> Other (Please specify) (98) <hr/> <input type="checkbox"/> No response (100)
<p><i>Note: The following questions are not compulsory, only ask if you feel the respondent will be comfortable answering the questions.</i></p>		
Q76	What is your primary clan affiliation	<hr/> <hr/> No response (100)
Q77	What is your primary sub clan affiliation?	<hr/> <hr/> NA (0)
Q78	Could you share your first and last name	<hr/> <hr/> No response (100)
Q79	Could you share with us your cell phone number?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> No response (100)

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