FEDERALISM IN SOMALIA: OBSTACLES, ASPIRATIONS, AND OPPORTUNITIES IN JUBALAND

by

Cleophus Thomas, III
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George Mason University
Fairfax, VA
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<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>Ahlu Sunna Wal Jama’a</td>
<td>ASWJ</td>
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<td>African Union Mission in Somalia</td>
<td>AMISOM</td>
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<tr>
<td>Boundaries and Federation Commission</td>
<td>BFC</td>
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<td>European Union</td>
<td>EU</td>
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<td>Federal Government of Somalia</td>
<td>FGS</td>
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<td>Intergovernmental Authority on Development</td>
<td>IGAD</td>
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<td>Interim Jubba Administration</td>
<td>IJA</td>
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<td>Islamic Courts Union</td>
<td>ICU</td>
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<td>Somalia National Army</td>
<td>SNA</td>
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<td>Southwest Six</td>
<td>SW6</td>
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<td>Southwest Three</td>
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<td>Transitional Federal Government of Somalia</td>
<td>TFG</td>
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<tr>
<td>Transitional National Government</td>
<td>TNG</td>
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<tr>
<td>United Nations</td>
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<td>United Nations High Commissioner for Refugees</td>
<td>UNHCR</td>
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<tr>
<td>United Nations Assistance Mission in Somalia</td>
<td>UNSOM</td>
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ABSTRACT

FEDERALISM IN SOMALIA: OBSTACLES, ASPIRATIONS, AND OPPORTUNITIES IN JUBALAND

Cleophus Thomas, III, Ph.D.
George Mason University, 2017
Dissertation Director: Dr. Terrence Lyons

Many scholars have advocated for federalism and other forms of power-sharing in states emerging from violent conflict in order to provide governance structures that can promote inter-ethnic cooperation, local political empowerment, and effective institutions that can reduce the likelihood of re-escalation. Others warn it could harden social divisions and prove difficult to implement in weak states with few functioning institutions. My dissertation will apply this debate to the ongoing implementation of federalism in Somalia, which has struggled to establish a functional government since the collapse of the military dictatorship in 1991 and the ensuing crises involving clan conflict and terrorism. This research is intended to contribute to how scholars and practitioners think about the challenges of implementing federalism in weak states and potential best practices to reduce the risks of exacerbating conflict along the way.
CHAPTER 1: INTRODUCTION

Many scholars have advocated for various forms of power-sharing in states emerging from violent conflict in order to provide governance structures that can promote inter-ethnic cooperation, local political empowerment, and effective institutions that can reduce the likelihood of re-escalation. Other academics have warned about its shortfalls, arguing it could harden social divisions and prove difficult to implement in weak states that have poor local and national institutions required to make federalism effective. My dissertation applied this debate to the context of Somalia, which has been the poster case for failed and fragile states since its collapse in 1991. After successive failures to reinstitute a centralized form of government throughout the 1990s and early 2000s, Somali leaders and the international community, since 2004, have increased efforts to decentralize power to regional states under a federal model of government with the intention of improving stability and addressing longstanding political grievances from stakeholders outside the capital Mogadishu.

Somalis inside the country and in the Diaspora are engaged in an intense debate about whether federalism is the most effective form of government for the country. Many Somalis argue that this type of power sharing structure can help to
address decades of marginalization or absence of a central government and can bring the administration of social services and security closer to the people. Others argue that federalism will create tribal-based states that simply transfer marginalization to the regional level.

Figure 1: Somalia with its major cities. Source: Central Intelligence Agency Online Public Library

Federalism’s opponents also claim the system is advantageous to Somalia’s rivals who seek to shape regional states into their own proxies against the central government. In light of these claims, the aim of my dissertation was to explore Somalia’s federalism process in order to highlight the obstacles and conflict dynamics that took place from 2012-2016, as well as to identify important issues
moving forward. The scope of this dissertation largely corresponds with the term of the first “post-transitional” government to emerge after a series of transitional governments that began in 2000, as will be explained further in the following section. While this research cannot state definitively what type of government is best for Somalia, it is intended to fill a gap in academic literature by providing contemporary qualitative data on the status of the federalism process. This will enhance the debate among academics, policymakers, and Somali stakeholders about how to improve institutions and governance in Somalia.

In January 1991, the military dictatorship of Somali leader Siad Barre finally fell under the pressure of a myriad of militia groups that were disenchanted with longstanding clan injustices and costly and ultimately unsuccessful wars with its rival Ethiopia.1 Following Barre’s downfall, Somalia’s northern regions, including Somaliland and Puntland began a slow journey toward relative stability through a sustained local dialogue and conflict resolution process. Somaliland claimed independence in 1991, but no country has recognized it as such. In contrast, Puntland chose to remain part of Somalia and promoted a strong stance of states’ rights within a federal structure.2 The story was much different in central and southern Somalia. The demography of the population was much more diverse,

and the number of armed religious and clan-based militia groups that were swirling around urban and rural areas competing for control was substantially higher. Equally important, foreign actors (including Ethiopia, the U.S., the United Nations (UN) and foreign peacekeepers, and non-governmental organizations) were much more active in those areas, which created a complicated mix of interests and objectives that made it difficult to reach a resolution on how aggrieved groups could share power in a post-1991 Somalia. Watershed moments such as the Black Hawk Down incident, in which 18 U.S. military service members and hundreds of Somalis were killed in a battle following the attempted arrest of warlord Mohamed Farah Aideed, led to a deflation of efforts to quell the violence as American troops were eventually withdrawn. As a result, clan militias continued to fight amongst each other for control of the country’s territories.

The unpredictability and brutality of clan militia rule took its toll on local communities, which were seeking any sort of respite from the violence. In the early 2000s, groups of moderate Islamic factions, extremist factions (e.g., the Islamic Courts Union (ICU) and eventually another ICU-affiliated group known as al-Shabaab) set up religious courts (some with their own armed enforcement wings) that provided a predictable but brutal form of justice against those alleged from misdemeanors to serious crimes. The legal framework for some of these

courts was based on an extreme interpretation of Sunni Islam that was outside the bounds of the Sufi Islamic beliefs to which most Somalis subscribed, and Western diplomats were concerned that they received support from the terrorist outfit Al-Qaeda. For Somali communities, there was tension between those that believed the courts were necessary at the time to de-escalate the chaos versus those that believed they brought a different form of repression. Ultimately, the courts were the only option at a time in which foreign-backed Somali transitional governments were failing. It was not until 2000 that the international community was able to convene Somali stakeholders in Djibouti (due to safety concerns in Somalia) to elect the first Transitional National government (TNG). In 2004, after four years with few major successes, the international community established a similar forum — this time in Nairobi, Kenya — to form a second transitional body known as the Transitional Federal Government (TFG), which did not move its business to Somalia until 2006, again due to security concerns. The deployment of the Africa Union Mission in Somalia (AMISOM) in 2007 as a peacekeeping force, ironically with a combat mission, was intended to serve as a mechanism through which terror groups – mainly al-Shabaab – could be defeated and other unaligned militias could be disbanded or integrated with Somali forces that would ostensibly take over for the mission in the future. From 2008-2012, militia forces loyal to the TFG and AMISOM made slow but steady

progress against al-Shabaab as it pushed the group outside the capital Mogadishu. But al-Shabaab remained in control of many urban and rural areas and continued to carry out attacks in Mogadishu. In addition, rampant corruption and lack of credibility outside the capital left the TFG dependent upon international support and unable to exercise much domestic political authority.6

In 2012, after eight years of the TFG, Somalia inaugurated the Federal Government of Somalia (FGS) under the leadership of civil society veteran and educator Hassan Sheikh Mohamud. His “post-transitional” administration would become the first U.S.-recognized Somali government since 1991. In 2013, an internationally backed plan known as Vision 2016 was produced as the key policy document driving the implementation of federalism. The document outlined three main tasks:

- revise and ratify the provisional constitution;
- complete the formation of four additional regional administrations (aka federal member states) to join Puntland (and technically Somaliland) as part of a federal Somalia; these states included (in order of their intended formation): Jubaland, Southwest, Galmudug, and Hir-Shabelle administrations

lay the groundwork to move from clan-based formulas for political representation to democratic one person-one vote elections; hold a credible transition process in 2016 at the end of the government’s mandate.

My dissertation posed the following research question: **What obstacles did Somalia face in the state formation component of its federalization process from 2012-2016, specifically in the Jubaland region?**

![Figure 2: Jubaland’s three comprising regions — Gedo, Middle Jubba, and Lower Jubba. Source: Somalia Newsroom](image-url)
The project investigated the social, political, and armed conflicts, as well as reconciliatory and political developments that transpired during efforts to form a regional administration in Jubaland -- comprising of Somalia’s Gedo, Middle Juba, and Lower Juba regions. The region is uniquely important to the federalism process, as well as in respect to the interests of Somalia’s neighbors. Before 2012, Somali stakeholders often created regional administrations without any official guidance from the central government or sufficient participation from local communities -- leading to an often confusing assemblage of regional entities. However, the approval of Somalia’s provisional federal constitution in August 2012 set forth the beginning of a government-led and internationally-supported regional state formation process in which Jubaland became the first such effort to take place under the new constitutional design.

The Jubaland region is also critical to Somalia’s neighbors, particularly with Kenya and Ethiopia. In October 2011, after a series of attacks by the Islamic militant group al-Shabaab, Kenya invaded Somalia’s Jubaland region in an effort to oust al-Shabaab from Somali border areas and create a regional political administration that could provide adequate security and services, thereby serving as a “buffer zone” against the spillover of terrorism into Kenya.7 Kenya believed this prospective administration also could begin to take back many of the

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300,000-plus Somali refugees that had made a home in Kenya since 1991. Refugee repatriation was important to Kenya because it perceived Somali refugees as a security threat and that the camps were incubators for al-Shabaab planning and recruitment. Ethiopia also believed securing its foreign policy priorities in the Jubaland region was key to its national security interests. For years, ethnic Somali members of the Darod-Ogaden clan have carried out a small-scale, and often failing, insurgency in eastern Ethiopia as part of groups such as the Ogaden National Liberation Front (ONLF) -- which seeks autonomous control of the region for its contingent of largely Somali-Ethiopians (Hagmann 2014). The Ethiopian government has long been skeptical about the capacity of the Darod-Ogaden clan to organize as a powerful political stakeholder and militia group in Somalia that could support rebel operations in Ethiopia. The center of gravity of the Darod-Ogaden clan is concentrated in the Jubaland region, particularly in the strategic port town of Kismayo, where tens of millions of dollars in trade is done each year. So, the Ogaden clan had a significant interest in leading any new administration that would emerge in the region, and Ethiopia would be following that aspiration closely, according to experts at the International Crisis Group.10

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In this context, this dissertation explores how competing aspirations and interests of local and foreign stakeholders regarding how federalism should be implemented played out during the Jubaland state formation process. It also will look at how these dynamics reverberated within the debate among Somalis about whether federalization was a pragmatic and appropriate model of governance for the country. Lastly, in considering shortfalls and successes in Jubaland in the last five years, I will evaluate opportunities for Somalia to improve the federalism process moving forward as other federal states are formed and developed.

The objective of the study was to provide a detailed description and analysis of the conflict dynamics -- including obstacles and successes -- that were part of Somalia’s efforts to implement a federal model of government from 2012-2016. The research focused in particular on the process to form a regional administration in the Jubaland (aka Jubba region) of southern Somalia because it was the top priority for Somalia and its international partners under the Vision 2016 plans from 2012-2016. The dissertation aimed to explain the wide range of aspirations that Somalis and international stakeholders had for how federalism should be work and how these varied interests played out during the regional state formation process. Data was collected from Somali- and English-language news sources, academic journals, and other reports, as well as interviews with

knowledgeable Somali informants, followed by a content analysis of the data.  

An important objective of this dissertation was to identify key themes that were relevant during the first years of the implementation of federalism. But more broadly, the research aimed to contribute to a longer-term and broader debate among Somalis and the international community, namely, “What — if any— form of federalism can satisfy a majority of Somali stakeholders as an acceptable and effective model of government for Somalia?”

This dissertation identified five major themes to explain the challenges that were experienced during the Jubaland state formation process:

- Weak rules to guide implementation
- Absence of genuine reconciliation
- Contested inclusivity
- Weak regional administrations
- Regional actors’ shaping of the process

There was not a consensus among Somali stakeholders on the interpretation of

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11 Information about the informants is as follows: (gender); (age); (clan); (profession)  
Informant 1: Female; early 30s; Darod-Majerteen; non-governmental organization advisor  
Informant 2: Male; early 30s; Hawiye-Abgaal; Information Technology professional  
Informant 3: Male; early 60s; Digil-Mirifle; educator  
Informant 4: Male; early 30s; Hawiye-Murusade; security consultant  
Informant 5: Female; late 50s; clan N/A; librarian  
Informant 6: Female; late 30s; Dir; security consultant  
Informant 7: Male; Hawiye; early 40s; politician  
Informant 8: Male; late 20s; Digil-Mirifle; graduate student  
Informant 9: Male; late 60s; Bantu; educator
the guiding legal and political documents that were intended to define the federalism process, which began with the formation of Jubaland as the first of several new regional states in 2012. The most critical legal document was the provisional constitution. It ostensibly should have outlined the precise nature of how decentralization was going to occur and how the central government and regional states were going to divide responsibilities, wealth, and power in a federal state. However, it did not define the specific roles and responsibilities of local and federal stakeholders during the state formation process, or how revenue and resources would be shared. It also contained many provisions that were contradictory with other parts of the document, creating the ingredients for political chaos since there was no constitutional court to manage disputes. As a result, stakeholders endured multiple political crises over who directed the state formation conference in Jubaland and how clan communities would be represented and share power.

Contrary to established best practices in the literature showing that locally-led reconciliation yielded the best prospects for sustainable political agreements, the Jubaland regional administration was formed primarily through a series of elite pacts through top-down negotiations led by Western diplomats and Ethiopia, according to the research in this dissertation. Several Somali informants and public commentators believed Somali political leaders benefitted from the international community’s approach because it allowed them to monopolize
influence in the state formation and federalism process. In this context, it is difficult to foresee reconciliation in the style of Somaliland and Puntland occurring in the Jubaland region in the near term if the factors as outlined above continue to drive motivations of Somali leaders. Nevertheless, it may still be helpful for the Jubaland administration to hold either reconciliatory, trust-building, or confidence-building measures to expand its legitimacy and credibility — if these processes are spearheaded by local leaders and maintain the acknowledgment of local stakeholders.

Contestation over inclusivity in the Jubaland state formation process occurred at three main levels. Firstly, within Jubaland, many clans and political leaders in Jubaland claimed that Ras Kamboni militia leader Ahmed Madobe privileged his clan and inner circle over other communities in order to guarantee his selection as regional president among clan delegates in May 2013. Secondly, the Digil-Mirifle clan communities in neighboring regions complained that their kin in Jubaland was under-represented in the process and in the top leadership of the Jubaland administration once it was formed. As a result, they threatened to bring their collective clansmen under a Southwest administration that included regions in Jubaland. Lastly, the Somali federal government complained that the Jubaland administration largely locked it out of the state formation meetings, which it claimed violated the provisional constitution. In each of these cases, Ethiopia and Western diplomats rushed to reach inadequate and ad hoc peace agreements with
only a fraction of the relevant disputants. As a result, the agreements provoked groups excluded from the agreement to take subversive actions, such as declaring *counter-states* in which marginalized stakeholders announced they were forming a separate regional administration. These moves were intended to challenge the credibility and authority of the overarching regional administration, as well as to trigger negotiations that may yield their group or individual leaders concessions from their opponents. While the tactic of declaring the counter-state often succeeded in prompting negotiations, it did not always lead to comprehensive or robust agreements because these deals only made superficial changes to already weak political structures on the ground rather than sweeping reforms that involved and impacted everyday Somalis.

Relatedly, the Jubaland administration lacked the independent ability to provide security and services for its constituents, as well as the capability to capture territory from al-Shabaab, which controlled more than 30% of Jubaland territory. Instead, it relied on at least 6,000 Ethiopian and Kenyan troops, who were largely part of the African Union Mission in Somalia (AMISOM) to maintain the territory that could be kept out of al-Shabaab’s hands. Jubaland’s lack of capacity was important because academic literature emphasized that federal institutions are more heavily reliant on strong local administrations compared to those in centralized governance systems. Kimble, Boex, and Kapitanova (2012) explained, “...[I]n order for local governments to become efficient and responsive providers
of local infrastructure and public services, local government organizations have to be transformed from entities that are local administrators of centrally-mandated public functions...into high-performing local government organizations (HPLGOs) which are capable of proactively identifying and responding to local needs.”\textsuperscript{12} Hiskey and Seligson (2003) also argued that underperforming local institutions exacerbate negative attitudes toward political decentralization, according to their study of public surveys in Bolivia.\textsuperscript{13}

The weakness of the Jubaland administration allowed Somalia’s neighbors in Kenya and Ethiopia to usurp locals’ attempts to exercise their own aspirations for the creation of the state. On one hand, Kenya and Ethiopia provided invaluable support to Jubaland because they were responsible for leading the charge to capture several key towns from al-Shabaab in Lower Jubba and Gedo regions that Jubaland forces would not have been able to capture otherwise. On the other hand, Ethiopia usurped the will of locals in Jubaland by often placing leaders in control who were loyal to its interests rather than the aspirations of Somali residents. In a different sense, Kenya hampered Jubaland’s development through its intent to repatriate as many Somali refugees as possible despite the region’s ability to handle the influx ultimately added onto the Jubaland administration’s


challenges.

Significance of the Research

Given the number of transitional governments that have been established since 2000, Somalia is no stranger to statebuilding processes. After each effort, researchers have offered lessons learned on why certain obstacles occurred and suggest opportunities for improving political settlements. U.S. policymakers and Somali stakeholders, among others, have recognized the importance of correcting past mis-steps and have tried with modest success to incorporate those lessons into subsequent processes. My dissertation found that local and foreign stakeholders did not utilize past lessons learned and did not sufficiently apply theories and tools that, according to some academics, were needed to sow the seeds for federalism’s success in divided societies such as Somalia. It also will help rival schools of thought debate whether improved tools and resources need to be brought to bear in order to make federalism work in Somalia, or whether they are probably not likely to improve the effectiveness of this model due to other intervening variables. Additional expected outcomes include the following:

- **Analyzing Somalia's Unique Current Context**: Though some scholars have looked at individual country case studies on power-sharing, much of the literature is generalized and only anecdotally refers to how certain aspects of power-sharing work or do not work in country-specific contexts. Somalia deserves special attention as an individual case study. The country’s new and ongoing efforts to implement federalism amid
other important crossroads (security, constitutions, and politics) mean that new scholarship should focus on these developments in this unique context. Equally important, I provided insight on what Somalis’ perspectives and aspirations are on the prospects of federalism. Certainly, a key indicator of federalism’s potential relates to whose interests and aspirations it is serving – and whose it is not.

- **Political Frameworks and Social Dynamics:** I used Somalia as a case study to engage other research that argues how political frameworks often do not repair social relationships or address local and regional power dynamics that caused conflict to occur or continue. As a result, my research will investigate in the case of Somalia how the implementation of federalism has experienced the past and current dynamics of conflict—and may continue to do so unless there are processes put in place to address these points of conflict that are perceived as locally legitimate and effective.

- **Somalia and Power-Sharing Models in Post-Civil War and Weak States:** The findings are increasingly important as other countries, including Mali, Kenya, Sudan, South Sudan, Libya, and Tanzania, grapple with the concept of power-sharing. Indeed, power-sharing has often been a notion that either rebels or mediators advocate, but it is not easy to implement, particularly in weak states. As power-sharing models are increasingly considered as a tool in peacebuilding, this research highlights
important roadblocks in one of the world's most intractable conflicts – Somalia – so as to inform future efforts.
CHAPTER 2: LITERATURE REVIEW AND METHODOLOGY

My dissertation relates to the theory and practice of power-sharing forms of government, with an emphasis on federalism. This literature review begins with an overview of how academic scholarship has defined the topic and will highlight the debates among scholars of the benefits and drawbacks of power-sharing, especially in states emerging from civil war. The literature on federalism is extensive and detailed. Some of the scholarship on federalism regarding fiscal policy and other interdisciplinary studies are not yet applicable to Somalia’s case because many of these requisite institutions do not exist in Somalia currently. As a result, this literature review focuses on the basic frameworks of power-sharing and federalism that apply to my research. Then, this section will give a more detailed history of Somalia as a preface for more advanced discussions on academic literature specifically on federalism in Somalia.

Power-Sharing

Timothy Sisk defines power-sharing as when "practices and institutions, provide every significant identity group or segment in a society representation and decision-making abilities on common issues and a degree of autonomy over
issues of importance to the group”. There are various mechanisms to achieve such an end state. One main school of thought in power-sharing literature advocates for an integrative approach, which believes that power-sharing should be relatively bottom-up. The approach recommends models that distribute power territorially, institute broad institutional quotas, incentives for intergroup cooperation during elections, and improving sharing of national resources. However, as Sisk notes, Horowitz has serious concerns about his own recommendations, including "a paucity of empirical examples of the system at work; the questionable assumption that politicians will respond to the incentive system for moderate [behavior]; that voters will be willing to vote for parties not based in their own group; and that the electoral systems...are essentially majoritarian."

Many scholars argue that power-sharing has democratic roots and that "there are no viable alternatives to democracy as a system of just and stable conflict management". However, Lijphart, for example, often seems to struggle with

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how to connect representation and fairness because his work notably chides "majoritarian democracy"—which relies on the will of the majority—as in essence a "majority dictatorship".  

Lijphart's concerns are in part derived in John Adams, Frederic Nietzsche, and Alexis de Tocqueville's own trepidations on the ability of the masses to trample on others' rights.  

Furthermore, Rothchild and Roeder argue that "power sharing limits democracy" by "creating a stable cartel among the elites of ethnic groups and often other interests groups."  

Nordlinger and Huntington wrote that this is sub-optimal because it creates a bigger gap between elites and the constituencies which should have a voice (but often do not) regarding elites' role in government in order to ensure that their "demands are regularly fulfilled."  

Other research on power-sharing already has established an understanding of its benefits regarding conflict and democracy. For example, in evaluating the outcomes of democracies since the 1960s under various forms of power-sharing governments in case studies, Lijphart determined that the sharing of power at the

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18 Ibid  
top-level of government is an integral component of stability, especially in states emerging from civil war. Other scholars, such as Binningsbø as well as Hartzell and Hoddie have taken a quantitative approach to evaluating the outcomes of power-sharing models through looking at the degree to which post-conflict states shared dimensions of territorial, political, economic, and military power. In examining 38 civil war cases between 1945 and 1998, Hartzell and Hoddie reached the same conclusion as Lijphart. As a result of these widely-accepted assumptions and perceived success of power-sharing models in other contexts, the international community in the last ten years has promoted federalism and power-sharing principles without always fully appreciating its inability to address root causes of conflict and its potential to create new tensions or exacerbate existing ones.

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Dilemmas in Power-Sharing

There is interesting research about how scholars understand the dilemmas of power-sharing. Jarstad argues it presents a choice between establishing "peace" and separately "democracy". She notes that those involved in power-sharing negotiations or setting up these forms of government often have to make critical choices between two types of process dilemmas. Jarstad talks about a “vertical dilemma”, which relates to whether the public should be able to have a seat at the table during peace talks. While further inclusion increases the chance that a peace agreement will be more representative of the will of the public, it can also make the process of creating a consensus among stakeholders more difficult and lengthy. She also discusses a “horizontal” dilemma that involves whether peacebuilders should allow the leaders of armed groups to be included in negotiations with political leaders. As Lilley (2010) noted, “While inclusion can facilitate or may even be necessary for a peace agreement, it may also be taken as a validation of past violence or encouragement to violent tactics concurrent with the ongoing political process.”

In addition, Tull and Mehler (2005) argue that the international community’s increasing preference for governments to reach power-sharing agreements with

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armed rebel movements has incentivized would-be leaders to seek power through violence or an insurgency rather than through the ballot box. The authors state, “As a result, and irrespective of their effectiveness in any given case, power-sharing agreements may contribute to the reproduction of insurgent violence.”28

Spears has similar reservations about the international community’s penchant for arranging power-sharing deals in Africa, in part because he believes outside parties seek to minimize long-term commitments that may be required through other pathways to peace. Spears argues, “An examination of recent high-profile peace processes in Sierra Leone, Angola, and Rwanda suggests that power-sharing is a surprisingly unstable form of government that, even at the best of times, provides only a short-term reprieve from violent conflict...the problem with power-sharing is even more fundamental: It does not resolve conflict but instead may only temporarily displace it or disguise disputants' more malevolent intentions...By default, power-sharing becomes the only option for a commitment-averse international community because it offers a logically attractive approach to conflict management.”29

On one hand, these lines of argument are applicable to Somalia because warlords who emerged after Somalia’s collapse recognized power was accessible to elites such as themselves through numerous internationally mediated negotiations on power-sharing deals.

throughout the late 1990s and early 2000s. On the other hand, the more recent insurgency of al-Shabaab is not interested or incentivized by the prospect of a power-sharing deal with the federal government because the group does not believe in the concept of democratic governance. Nevertheless, these scholars’ arguments were relevant in my research because I investigated how other groups that were marginalized within the federalism process at times used armed conflict as means to gain political concessions.

The breadth of research on the basic components of federalism provided key insight into how I carried out my own research. Pulling from Ziblatt's work on how regional interests shape evolution toward centralization or decentralization, my research focused on what factors drove Somalia's regions to push for federalism over centralization. My past work on Somalia informed my understanding that some regions believed they harbored valuable resources of which they sought to control exploitation, including taxation, oil, and gas. Longstanding patterns of abuse on behalf of the central government also play a significant role.30 However, the literature warned how sub-national governments can become "autocracies" of their own.31 Many Somalis continue to debate whether emerging regional administrations will be inclusive or if they will serve

narrow tribal agendas. Therefore, my research intended to add new data to the issues Gibson (2005) and others raise about the willingness of regional administrations to include groups on the margins of power.

Lastly, there is more room for debate on how federal structures are built over time, especially in weak states. Erk (2007) argues federal structures, particularly in Europe, will respond to the social changes in communities over time while Pierson (1994) claims that institutions can actually shape societies toward a more integrative and centralized approach. My exploration of Somalia’s journey in federalism showed how the relationship between Jubaland and the central government changed over the time span between 2012-2016 and offers new qualitative data to the federalism literature.

Introduction to Federalism

William Riker is one of the important founding scholars on federalism and defines the concept as follows: “Federalism is an outcome of institutional bargaining among politicians...[it] is a political organization in which the activities of government are divided between regional governments and a central government in such a way that each kind of government has some activities on

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which it makes final decisions.” ³⁴ Riker’s research predominantly focuses on the application of federalism in the United States but he aspired for other academics to “[generate] hypotheses that can be tested against experience in other societies.” ³⁵ One of Riker’s most important contributions to the field was his emphasis on methodological individualism in federalism studies, which encouraged academics to use individuals as units of analysis for assessing the viability of federalism rather than looking at broader units of nations, states and larger social groups to assess the viability of federalism in particular cases. Riker’s logic was that individuals could have important capabilities and motivations that were influential in driving how federal structures are organized.

Federalism structures political, economic, and/or security participation around regional semi-autonomous units. McGarry and O’Leary wrote, “In a genuinely democratic federation there is a compound sovereign state, in which at least two governmental units, the federal and the regional, enjoy constitutionally separate competencies - although they may also have concurrent powers”.³⁶ According to the Forum of Federations, which calls itself an intergovernmental organization that studies multi-level governance, there are 25 federal nations in the world, including the United States, Brazil, India and Switzerland, with Iraq and Sudan

in "transitional" phases to federalism. Federalism grew in popularity within academic literature as academics discussed post-World War II interstate cooperation, the future of Africa as a decolonized continent, and what types of government would work in the independent countries that would be born after the 1950s. The international community's concern of security was often prioritized. Some scholars theorized that a decentralized federal state could address insecurity but they also believed that there were institutional limits to its potential, particularly in Africa.

Debates on the Qualities of Federalism

There has been disagreement in the literature on whether countries that have adopted federalism are less corrupt. Many academics argue federalism can reduce corruption and increase efficiency because corrupt leaders would not be able to outperform their more efficient colleagues and could not sustain the support of their constituencies. For example, the Tiebout Hypothesis argued that central governments would be motivated to deliver services more effectively when they were put into competition with their regional counterparts, much like firms competing in the private sector. In addition, scholars James Buchanan

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and Robert Inman claim that regional administrations are incentivized to protect rights and provide services for their constituents because locals could move (and take their tax base with them) if they were not served adequately. Of course, this outlook assumes that constituencies have the capacity or will to move to another state or country, which is not always the case, especially in Somalia. Lastly, in 2002, Fisman and Gatti claimed in a quantitative study that “estimates suggest that fiscal decentralization in government expenditure is strongly and significantly associated with lower corruption...these results persist when decentralization is instrumented for by the origin of a country’s legal system.” However, Treisman and others have concluded from other metrics, including indexes that compile perceived levels of corruption in databases from the 1980s and 1990s, that federal states appear to be more corrupt.

There is also substantial debate in the literature on whether regional leaders in a federal system are more likely to become innovative political actors that are able to diffuse best practices in governance to other sub-states, or if other factors often prevent such innovative governance from taking root. As early as Brandeis (1932)

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and as recently as Tanzi (1996) and Oates (1999), scholars have described federal states as “laboratories of democracy” in which political leaders can tailor policies to specific communities and even “export” these solutions to their counterparts.\textsuperscript{44} In contrast, Rose-Ackerman (1980) and Cremer and Palfrey (1999) claim innovation requires both bold leadership and political risks to be taken, and some countries may not have such leaders or a desire to take risks when in power.\textsuperscript{45}

Lastly, scholars such as Falleti (2005) contest the notion that federalism as a governance structure necessarily provides greater power to sub-regions. She poses a “sequential theory of decentralization” that accounts for how the process takes place and the interests and capacities of the political actors in determining the how much power – if any significant amount – is transferred to regional authorities. Her research showed that in some cases like Colombia, mayors and governors were able to retain broad authorities because of how the sequencing of administrative, fiscal, and political power was sequenced. As she states, “The level of government whose territorial interests prevail at the origin of the decentralization process is likely to dictate the first type of decentralization. The

first round of decentralization, in turn, produces policy feedback effects that account for the order and characteristics of the reforms that follow. If subnational interests prevail in the first round of negotiations, political decentralization is likely to happen first. Political decentralization is likely to produce a policy ratchet effect [in which] a group of supporters who will continue to push in the direction of further decentralization."46 When “national interests prevail” at the beginning of decentralization processes, Falleti asserts that the central government can sequence how power is decentralized to its benefit and deprive regional authorities of greater power, as was the case in Argentina from 1978-1994.

Variations of Federalism

Federalism can take many shapes based on how it is implemented. Elazar (1987) and Watts (1998) have outlined "symmetric" federalism in which the central government allots the same kinds of authorities to regional states, and the United States is often cited as an example of this case.47 Other scholars such as Zuber (2011), Solnick (2000), and others have described "asymmetric" federalism as when some regional states receive broader and unique rights.48 In these cases,

Bednar states that "one justifies asymmetrical federalism to recognize the distinct preferences of clustered subpopulations, such as ethnically-identified states, who negotiate...increased authority over domains important to their identity, such as education or language." Bednar (2008) also argued that federal institutions' independence and ability to check the power of partner institutions make the system robust: "...in an effective constitutional system, institutions complement one another; each makes the others more powerful. Diverse but complementary safeguards—including the courts, political parties, and the people—cover different transgressions, punish to different extents, and fail under different circumstances." Countries with a federal model depend on safeguards to protect the relationship of cooperation between the central government and regional administrations. In many cases, the constitutional court or high court is the main venue in which disagreements over federal and state power are adjudicated. There are also non-judicial components to reducing the risk that the central or state governments monopolize power, including the formation of bicameral legislature and multi-layered veto processes for proposed laws, which create multiple opportunities to deliberate and contest any changes to the federal structure at the national level.50

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40 Bednar, Jenna. “Structuring the State: The Formation of Italy and Germany and the Puzzle of Federalism.” *Perspectives on Politics*, vol. 6, no. 1, 2008, pp. 199–200.

Federalism comes in several forms. For example, at some levels, Somalia's governance structures has elements of ethnocorporatism, in which a level of autonomy is given to community-based administrations that in many cases control particularly sensitive or acutely local issues. District leaders are often chosen by a select number of elites from local clans rather than by one person-one vote throughout the whole district. Women, business leaders, and other community members often have had a role in these local processes. In mononational federations, like the United States, regions are created as a practical means to divide power and to create checks and balances with the federal government rather than as a function to institutionalize "national-ethnic differences or the protection of minorities.”

In cases where federal units are intended to delineate power between ethnic groups, ethnofederalism (or ethno-federations) is the term applied. States such as Ethiopia divide power and regions explicitly by ethnicity, with several groups like the Oromo, Somali, Amhara and others receiving control over territory in which their populations are predominant but not exclusive. Ethnofederalism as a mechanism to divide power in diverse societies is not without its disadvantages.

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but has worked well to a notable degree in Switzerland and India. However, critics like Roeder argue that it "increases the likelihood of escalating conflict that results in nation-state crises." While Roeder has made distinct criticisms against ethnofederalism, he has added that federalist structure that cuts across social divides or break up areas heavily concentrated by one social group are methods to localize power but at the same time promote the necessity of cross-cutting cooperation. Other scholars have also argued that ethnicity-based governance actually deepens divisions within society, which could sow the seeds for future conflict. This is especially true if the central government is seen to co-opt regional administrations or continue to degrade the authority of regional constituencies—which some scholars say has happened in Ethiopia.

Regardless of the variation, scholars note that federalism requires active political parties, one person-one vote elections, sound electoral systems, a functioning judiciary, executive, and legislature, and a relative cessation of ongoing armed conflict, among other elements. These principles are simply not existent (or

easy to achieve) in post-civil war or weak states such as Somalia.

Historical Review

The following section begins with a historical review of Somalia, including an explanation of key social and political dynamics. This section serves as a preface to inform further discussions of the literature review that pertains to more modern research on Somalia.

Clan kinship among Somalis forms the basis of social relationships, security, and political life. There are dozens of clans and sub-clans that traverse the Horn of Africa. Several main clans derive their ancestry from a common Somali ancestry and are considered "noble" groups, which include the Darod, Dir, and Hawiye clans. Many other groups, including the Rahanweyn (aka Digil-Mirifle), Bantu groups, and clans with mixed east African/Gulf Arab ancestry, are often perceived as less noble and having no direct ties to

the oldest direct descendent of the noble clans. Less "noble" groups traditionally have had much less political power than the Darod, Dir, and Hawiye clans, although the Digil-Mirifle arguably have been the most successful in ensuring it is a major player in national politics. The map above depicts the general geographic locations of clans in the region, though the dispersal of clans is more nuanced than a map could easily connote. (Note: the map separately

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labels the Dir and Isaq clans, but the latter is generally considered a sub-clan of the former.)

Historically, Somalis in the Horn of Africa had never been consolidated under a single independent nation-state or empire. Most Somalis in the region adopted Islam between the 8th and 9th centuries, and a mix of clan-affiliated and multi-ethnic Islamic sultanates were established. In parts of modern-day Somaliland region, Ethiopia, and Djibouti, the

Adal Sultanate ruled from the 9th-13th centuries and composed of Somalis (largely from the Dir clan), Afars, Hararis, and Arabs. In other areas like modern-day Puntland, an Islamic kingdom known as the Sultanate of the Majerteen (the most populous Darod sub-clan in the region) existed from the 18th century to 1929. Lastly, in southern Somalia, the Ajuran and Hobyo Sultanates (both ruled by Hawiye sub-clans) controlled large swaths of territory between central and southern Somalia between the 13th and 17th centuries and resisted invasion from both Oromo and Portuguese invaders before its decline. During the colonial era, many of these Sultanates were turned into protectorates, with the British ruling areas of modern-day northwestern Somaliland region and the Italians administered the northeastern region of Puntland and southern

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Somalia. While colonial powers contributed to the infrastructure and culture of urban areas like Mogadishu, many rural areas continued to remain largely under the auspices of local authorities with fewer developmental support.62

When Somalis were given limited rights to form political parties in the 1950s, there continued to be signs that federalism was a preferred choice of governance. The Hizbia Digil Mirifle Soomaaliyeed party, founded in 1947 by Digil-Mirifle clan members, was one of the first proponents of federalism because it feared continued domination and marginalization in its fertile agropastoral homelands by more powerful clans (like the Hawiye and Darod) in southern and southwestern Somalia under a unitary form of government.63 In addition to being traditionally weaker, the Digil-Mirifle were also separated culturally and linguistically—as most spoke af-Maay, which is only partially intelligible with Somali.64 During the same period, the Somali Youth League (SYL) began a campaign of a "Greater Somalia", which sought to unite all Somalis, including those in Djibouti, Kenya, and Ethiopia, under a single nation.65 But this vision failed for two main reasons. The concurrent intervening factor was that French and British authorities sabotaged efforts in Ethiopia, Djibouti and Kenya, which

would have allowed Somalis in those territories to join the Republic of Somalia. The longer-term intervening factor comprised of the abuses during the military regime of Siad Barre from 1969-1991, which are detailed in a later section. These abuses solidified the belief that a centralized government could not satisfy the needs and interests of the greater populace.

In 1949, the United Nations (UN) General Assembly voted for Italian Somaliland to become a UN trusteeship under Italian administration, but British Somaliland remained a protectorate. The trusteeship led to the establishment of a national council known in Italian as Amministrazione Fiduciaria Italiana della Somalia (AFIS) and a territorial council to serve as the interim legislative organ. AFIS was mandated for a 10-year period, after which Somalia would be granted independence and vote on a new national legislative body. AFIS and the territorial council made several important accomplishments in expanding education and increasing economic exports. In 1956, it also oversaw the election of its succeeding body, the Legislative Assembly, which was ruled under a majority of members from the secular multi-clan party known as the Somali Youth League (SYL). Although the period of SYL-rule in the Legislative Assembly marked one of the most stable political periods in Somalia’s post-colonial existence, the issue of whether the territory should have a unitary or federal

model of government one was one of the most divisive questions that caused
tension among the assembly’s constituent parties.

On 1 July 1960, British Somaliland and the trust territory of Italian Somaliland
merged to form the Republic of Somalia. The leaders of the respective former
regions decided to form a unitary form of government in which a National
Assembly would elect a President, who would form a government that was
approved by the legislative body. Somalia’s first independent administration was
headed by President Aden Abdullah Osman Daar, a Hawiye clan member, former
legislative speaker, and SYL leader from Hiiraan region. The government
comprised of Prime Minister Abdirashid Ali Sharmarke, a fellow SYL leader who
chose an inclusive government consisting of major party members from across
Somalia’s clans and political coalitions. However, the changing power dynamics
among clans now under a unified government created tensions and anxieties.67

For example, before unification, the biggest party from Somaliland -- known as
the Somali National League (SNL) -- had become a political minnow in a national
government after having predominate control of Somali affairs in an autonomous
British Somaliland. Rival political parties in Somaliland joined the SYL along

Tripodi, Paolo. “Italy and the Administration of Somalia: A Difficult Mandate.” The Colonial
with Darod clan political parties in the Puntland region -- further weakening the SNL’s prominence on the national stage. There was a sense among the SNL -- primarily comprising of the Isaaq clan -- that it could be looking at a future of domination by rival and southern clans. As a result, Somalia’s first nine years of independent governance was marked by clan elites jockeying for political power.\footnote{Maxted, Julia, and Abebe Zegeye. “Human Stability and Conflict in the Horn of Africa: Part One.” \textit{African Security Review}, vol. 10, no. 4, 2001, pp. 95–109.} Although Somalia became the first post-colonial African country to have a peaceful democratic transfer of power -- when Abdirashid Ali Sharmarke was elected as President in 1967 -- national politics remained fragile throughout the first decade. These tensions came to a head when military dictator Colonel Siad Barre overthrew the government in a bloodless coup in 1969 after Somali Prime Minister Abdirashid Ali Sharmarke was assassinated by one of his own bodyguards. Further factors would emerge that would entrench communities’ opposition to centralized governance.\footnote{Ibid}

From 1969-1991, Barre preached a theory of socialist and Islamic principles that saw industries and land nationalized. Any sort of clan favoritism and politics -- at least on paper -- were banned and national unity was to become the focus of his economic, political, and defense policy. In practice, however, Barre often favored his own Darod sub-clan (the Marehan) by relocating community members to Somalia's most fertile areas, often displacing local less powerful clans. (This, of
course, validated the aforementioned fears of the Digil-Mirifle clan that their land was vulnerable to usurpation.)\textsuperscript{70} Barre also pursued expeditionary wars in Ethiopia throughout the 1970s and 80s, which eventually faltered after the Soviet Union began to send heavy technical support and foreign manpower to Ethiopia's Derg regime during the Cold War. When Barre failed to sustain economic and military progress and live by his anti-clan rhetoric, a steady wave of clan-affiliated militias and Islamic insurgencies began to form. In the late 1980s, Barre's regime -- including the military and security services -- used torture and execution on a wide scale as he tried to combat the various armed opposition groups trying to topple his regime. In Somaliland, mass graves from the era of the civil war have been increasingly a focus of study and there are estimates that between 60,000-200,000 people from the region could have been killed during that time. While the foundational desires for decentralized governance in Somalia had existed for centuries before the unitary government was formed, those instincts were strengthened after the experience of centralized governance under the Barre regime.\textsuperscript{71}

In the mid-1990s, Somalia began its slow climb out of instability as communities, particularly in the north, established regional administrations to guide its own affairs and reassert their authority over (or apart from) a central government. Since 1991, the regional government of Somaliland has had virtually no

Figure 4: Somalia's Prospective Federal States. Source: Chatham House
relationship with the central government since declaring its independence in 1991. It is unrecognized in the international community, despite holding a referendum on its independence in 2001 -- a declaration meant to acknowledge past injustices, violent subjugation, and the will of many of its claimed constituents.\textsuperscript{72} The neighboring region of Puntland chose a similar self-led path toward building a regional administration that was established in 1998, but it has chosen to stay within the union of Somalia.

In its regional constitution, Puntland has claimed territory on its border with Somaliland—which is a notable dispute within Somalia’s federalism conundrum. Lastly, Puntland remains only loosely tied politically, economically, and militarily to the central government, and seeks autonomy in most regards to its political arrangement with the FGS.\textsuperscript{73} By the early and mid-2000s, Somalia's southern and central regions shifted in control (politically, economically, socially, and militarily) among local clan militias, self-declared "mini-states," foreign armies as part of the African Union mission in Somalia (AMISOM), warlords, armed jihadi groups such as al-Shabaab, and the central government. Somalia Diaspora and Somali-owned businesses inside and outside of the country also shaped shifts in


control through tools at their disposal to support certain social, political, and religious factions\textsuperscript{74}.

The path to federalism was solidified in the 2004 Transitional Federal Charter of Somalia, which defined the country as a federal state and put in place several constitutional and institutional mechanisms to further define how the central government would work with emerging regional administrations.\textsuperscript{75} In line with the aforementioned Vision 2016 plan, the current Somali federal government was mandated to assist in the formation of four regional administrations that would be slated to join Puntland as Federal Member States, including Jubaland, Southwest, Galmudug, and Hir-Shabelle. As of 2017, although federalism has been the adopted Somalia’s provisional constitution and these regional administrations have been formed, the specifics surrounding the relationship between the central government and Federal Member States (FMS) have yet to be ironed out—which has created conflict over how to set up actual institutions to redefine political representation from clan-based affiliations, share revenue, establish security, and deliver services. In addition, emerging regional administrations themselves have struggled to deal with accusations that they are not inclusive of all communities, meaning that regional leaders have limited


influence in their jurisdiction and have been subject to the influence of Somalia’s neighbors, including Ethiopia and Kenya. Lastly, the central government and regional administrations have not yet agreed on the process of democratization, namely if Somalis would like to establish a political system based on individual representation and one person-one vote, or alternatively, a clan-based quota system. How the FGS addresses these issues will shape how Somalis view the potential of federalism in the country.

Relevant Themes in Academic Research on Somalia

As Somalia ventured toward self-rule in the 1960s, academic literature on Somalia focused on the colonial experience of Somalis under British and Italian rule and the nascent nature of the Somali patriotism and institutions at the time of independence.76 Scholars discussed that Somalia was arguably Africa’s most “homogenous” state in terms of ethnicity but would have to reconcile a history of decades of decentralized authority with efforts to integrate Western colonial law into the legal fabric of a new state.77 Scholarship following United States’ interventions in Somalia – named Operation Restore Hope (1992) and Operation Support Hope (1994) also highlighted its accomplishments and shortfalls in humanitarian and military ventures abroad. Allard (1995) argued that long-term

military foreign military operations are not sustainable for development, stating “while military power may well set the stage for [peace operations], the real responsibility for nation-building must be carried out by the civilian agencies of the government better able to specialize in such long-term humanitarian efforts.” Similarly, Lyons and Samatar (1995) argue the U.S. “focused on the humanitarian aspects of the emergency, thereby limiting their ability to act on the core political and security dimensions.”  

Locally-Led Statebuilding

The rise in prominence of Somaliland and Puntland as regional administrations has been studied in depth by scholars who have detailed how regional governance evolved after the beginning of the civil in 1991. Bradbury, Abokor, and Yusuf (2003) believe Somaliland succeeded in creating a government amidst the raging civil war in the south because its reconciliation and political processes fused traditional values, including the role of elders and clan-sharing mechanisms, with Western-style institutions such as one person-one vote elections. Other authors have suggested that south central Somalia should utilize a pathway similar to Somaliland region in order to establish a sustainable peace (Bradbury 2008; Lyons, Terrence P., and Ahmed Ismail Samatar. *Somalia: State Collapse, Multilateral Intervention, and Strategies for Political Reconstruction*. Brookings Institution Press, 1995. Google Scholar, http://books.google.com/books?hl=en&lr=&id=Z-8MR42dZ0YC&oi=fnd&pg=PA1&dq=somalia+failed+state&ots=-FCMdx6Lz&sigh=mkkfRKnY7Xw6IOBuyhkMaYck97A. Bradbury, Mark, et al. “Somaliland: Choosing Politics over Violence.” *Review of African Political Economy*, vol. 30, no. 97, 2003, pp. 455–478.
Haile 2012; Walls 2009). Jhazbay goes further in arguing that the international community should grant Somaliland’s wish to become recognized as an independent state because “Somalia...no longer exists ... despite the fiction dreamt up by African, Arab, and international diplomacy to serve their vested political interests”. Like many other scholars, Jhazbay believes that recognizing Somaliland will create to peace and stability in the Horn of Africa because it would reward efforts to establish more democratic and credible governments in region struggling to embrace democratic politics. Other scholars have argued that recognizing Somaliland would embolden other regions in Somalia (i.e. Puntland and Jubaland) and the Horn of Africa to pursue similar secessionist efforts. It also could further undermine efforts to build a coherent central government in Mogadishu and cause further territorial and armed conflict - especially since Somaliland and Puntland continue to be engaged in a border dispute in areas where there are potentially large volumes of natural resources such as oil and gas.

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Farley, Benjamin R. Calling a State a State: Somaliland and International Recognition. 2010.
The administration in Puntland region arguably has been the second most popular topic of regional governance in Somalia. Since its founding in 1998, Puntland emerged from a similarly organic reconciliation process like Somaliland. After the Somali Salvation Democratic Front (SSDF) -- comprising predominately of Darod clan rebel fighters from Puntland -- wrestled control of rival groups, including Islamist fighters from the al-Itihad al-Islamiya group, clan leaders organized a series of conferences to write a constitution and reconcile regional clans. Academics have written about the lessons that Puntland’s political development can offer for Somalia as a whole. Hesse suggests continuing to employ clan elders are political brokers in statebuilding conferences and improving checks and balances in government that encourage a consensus to be reached in politics, rather than to have power consolidated within the Presidency as is the case in Somalia’s national government.84

Even though Puntland has not sought independence, Doornbos (2006) has explained that it has exhibited the characteristics of a state, positing, “Puntland

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state has a population, a territory, and a constitutional-political framework theoretically holding a monopoly over the means of violence...It has also begun to develop a taxation capacity...”\(^8_5\) However, as Marchal (2010) has written, Puntland has been governed largely around the interests of three particular Darod sub-clans – the Dhulbahante, Warsangeli, and the Majerteen. The dominance of sub-clans within the Majerteen often has cost the Puntland government credibility in the eyes of weaker clans, but alternatively, has mostly kept more powerful sub-clans within the Majerteen clan from engaging in disputes that could undermine the stability of the regional government. As a result, Puntland’s long-term stability depends in part on his efforts to ensure that traditionally less powerful clans have access to power and resources as well – especially if oil or gas deposits that are speculated to be present are formally discovered.\(^8_6\) As Hesse wrote, Puntland’s clans have negotiated how the region’s 66 member regional parliament will be divided by clans, who choose their own representatives. At the same time, the region has embarked on an ambitious plan to implement a one person-one vote system at the regional level.\(^8_7\) The literature points out that fears this could upset the clan balance system and undermine the power of elders and other political elites to choose top leadership have served as

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the primary obstacles for setting the system up in the region.88

Foreign Role in Statebuilding

In addition to research on local ownership of reconciliation efforts in Somaliland and Puntland, the negative ramifications of Western nations taking a large role in south central Somalia's statebuilding process has been covered extensively.89 Mohamed (2009) researched how the United States often has taken an opportunistic or short-sighted approach toward Somalia spanning from its efforts to use Somalia as a proxy force during the Cold War with the Soviet Union to the humanitarian/military intervention at the beginning of the civil war to its current involvement in counterterrorism operations. The ultimate impact, Mohamed claims, has been that interventions often have made advancement on some problems while creating or exacerbating others.90 Similarly, Bronwyn Bruton argued that “Washington has lacked both the political will and the resources to launch a large enough state-building program” -- but more importantly -- “given the shortage of viable national leaders, bottom-up governance strategies might

90 Mohamed, Mohamed. U.S. STRATEGIC INTEREST IN SOMALIA: From Cold War Era to War on Terror. State University at Buffalo, 2009.
appear to be a solution to Somalia's messy...politics”.91

The intervention by the African Union Mission in Somalia (AMISOM) has resulted in a new burst of literature regarding the impact of troop-contributing countries on Somalia. AMISOM was launched in 2007 as a relatively small force of almost 8,000 troops from Uganda and Burundi with the intent of pushing al-Shabaab out of urban areas. By 2016, the force had grown to approximately 22,000 troops with additional contributing countries joining the mission, including Kenya, Ethiopia, and Djibouti. The expanded mission has supported Somali forces in reducing the amount of territory controlled by al-Shabaab, but not necessarily reduce its ability to execute high-profile attacks. More importantly, AMISOM and Somali forces have created space for some political progress, including Somalia’s regional state formation process. However, the presence of foreign military troops has presented other dilemmas to Somalia’s political development. For example, Bademosi (2012) has written about the ethical and legal dilemmas of Kenya’s intervention into Somalia beginning in 2011.92 He noted that the Kenyan government had a short-term plan for the end-state in Somalia that it sought, namely a stable and secure Jubaland region. But Kenya did not have an understanding of local clan dynamics or resources to

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pursue the political and humanitarian components of its agenda once its initial military objective were accomplished. Former Somali diplomat and observer Abukar Arman (2015) also has noted Ethiopia’s primary motives are to expand its influence among Somalia’s security apparatus and political institutions, rather than to support an inclusive and indigenous development and statebuilding.93

Table 1: 4.5 Clan-sharing formula – This is how Somalia’s federal parliamentary seats are divided by clan within each regional administration. Minority clans are abbreviated as Beelaha 5aad in Somali. Source: wakiil.org

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Even though international stakeholders and Somali political elites often have not been successful at rebuilding the state, that does not mean that functions of the state have ceased to be fulfilled by other actors. Menkhaus (2007) describes how local actors and diaspora filled some of the gaps left by the government during and after the warlord era of the civil war, which allowed for some continuity of authority and services in some areas. Menkhaus points out that certainly some of these warlords morphed into “landlords” -- a euphemism for their transference of war capital to sociopolitical capital.94 A major result of this phenomenon was the “state mediated model” in which there are opportunities and challenges for a nascent national government to negotiate with pre-existing authorities regarding how power can be divided as the central government rebuilds its capacity.

Menkhaus also detailed trends in political violence from 1950-1980. He found that traditional “rules of the game”, including the Somali justice system of xeer, remained relatively intact in the first two decades after trusteeship and independence beginning in the 1950s. However, after the assassination of PM Sharmarke and military coup in 1969, Menkhaus offers that new powerholders brought in a different ideology and allies -- including Marxism and the Soviet Union -- that eroded the previous social contract. This eventually inspired other actors to resort to violence in order to pursue their political objectives and social

grievances. Most recently, Menkhaus has theorized that Somalia should take a grassroots approach to statebuilding similar to Bryden's "building block approach". In his "If Mayors Ruled Somalia" piece, he argues for an approach that supports district-level governance because it has been "the most practical, legitimate, and effective formal governance in Somalia." 

Future of Governance in Somalia

It is in this long historical and current context in which academics, politicians, and policymakers have pondered if and how to decentralize governance in Somalia. A recent paper co-written between Somali scholar Afyare Elmi and Mogadishu-based think tank Heritage Institute for Policy Studies (HIPS) outlined the advantages and disadvantages of certain power-sharing models, including federalism, confederalism, consociationalism, and devolution. The findings highlighted that a confederalist approach—bringing together a "union of states" similar to the European Union—could induce the participation of Somaliland and other potential entities that seek the greatest amount of autonomy or independence. However, scholars such as Marchal and Menkhaus have pushed back against this logic. Marchal points out that actors ranging from

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Islamist militants to pro-Nationalist politicians have equated confederation with succumbing to attempts by Ethiopia, Kenya, and other international actors to "balkanize" Somalia for their own interests and to weaken the country overall.\(^{98}\) Menkhaus, on the other hand, echoes aforementioned concerns that less powerful clans in clan-centric administrations are treated "at best as 'guests'...and at worst as illegal immigrants".\(^{99}\) Elmi also discusses the controversial nature of the 4.5 formula clan quota that is used as a baseline for a clan balanced national political system. Under this formula adopted at a peace conference in Djibouti in 2000, four clans (the Dir, Hawiye, Darod, and Digil-Mirifle) each receive twice as many representatives as those from “minority” clans (including Bantu and other groups of mixed heritage). Elmi labels the 4.5 formula as part of Somalia’s consociational approach that—depending on one’s perspective—ensures some form of equality or actually perpetuates inequality and clan tensions.\(^{100}\)


Not to be overlooked, federalism and democracy's most vociferous critics are represented most clearly by al-Shabaab, which currently controls many rural areas of Somalia and the entirety of the Middle Jubba region. While al-Shabaab consistently targets and kills innocent civilians, the group's brutal interpretation of Islamic governance at times provides more consistent security in some areas compared to the Somali government. (Note: al-Shabaab’s justice system often is not perceived as fair in many instances but may be considered more predictable than justice the government can deliver.) Al-Shabaab and its sympathizers often exploit this in their propaganda. The group also claims that democracy is a form of new colonialism by the West to exploit Somalis and that it supports corrupt...
Somali officials who have embezzled hundreds of millions of dollars over the past ten years.\textsuperscript{101} Instead, al-Shabaab has argued that an Islamic state in Somalia—and the rest of the world—is not only a religious duty but a solution to clan violence because the foremost identity is as a "Muslim" and not as a member of a clan. (Still, al-Shabaab exploits marginalized clans in order to draw support from one clan against pro-government factions.)\textsuperscript{102} Al-Shabaab also insists corruption would be solved by the fact that authority is entrusted to ostensibly effective religious leaders.\textsuperscript{103} Most governments would not accept al-Shabaab's interpretation of Islamic governance as a legitimate authority. The forcefulness with which the group imposes itself on populations makes objective assessments about its overall popularity in its territories as a governing force hard to assess outside mixed anecdotal evidence. However, as long as Somalia's government—whether attempting to be federal or democratic—fails in its core duties, the complex appeal or tolerance of al-Shabaab's style of governance will try to challenge notions that there are "no viable alternatives" to democracy.


\textsuperscript{102} Note: Al-Shabaab seeks an Islamic state but has vociferously and aggressively protested, arrested, and killed supporters of the Islamic State in Syria and the Levant (ISIL) in Somalia because it views it as a rival to its power and al-Qai’da affiliates like al-Shabaab (Hellyer 2015; Kriel and Leposo 2015)

More broadly, generalizations have circulated for years that Hawiye clan elites who have fought over dominance in the political heart of the country in Mogadishu and have been influential in the formation of recent transitional institutions have favored a unitary or strong federal government. Contrastingly, Darod, Rahanweyn and Dir clan elites are seen as favoring federalism as a way to contest Hawiye domination, while traditionally less powerful clans are often regarded as supporting federalism in response to the rivalry of dominant clans as best they can as a means of political self-preservation. There is a mix of truth, fiction, and misleading themes among these narratives, and therefore, it is important to focus on more nuanced dynamics and perspectives among a broad cross-section of Somalis on federalism and related issues in Somalia. One researcher who has done this, George Mason University Ph.D. Mary Hope Schwoebel, completed one of the most important recent studies on nation-building in Somalia in her 2007 dissertation. Schwoebel explained the successes and hurdles of various regional efforts to establish a federated government model and identified "tension points" that still exist today, including clan rivalries, the participation of women, and the inclusion of minority groups.  

Lastly, many researchers have published online editorials, and research on Somali news sites and blogs that offer helpful insight. Since 2013, I have studied the Somali language and read through much of the ongoing debate. Many of

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these reports are published on clan-affiliated websites that offer views that are very specific to the clan that manages the site. These reports can be generalized into three categories: [1] federalism is the only way forward for Somalia due to past traumas, [2] "clan federalism" will lead a continued forms of marginalization within the micro-states, and [3] there are several possibilities for federalism in Somalia with different benefits and drawbacks.105 Thus, my research helps to fill the gap in academic literature about links between conflict reduction and power-sharing models of government, especially in Somalia. Overall, the literature has focused predominately on broad themes of statebuilding in Somalia, regional developments in Somaliland and Puntland, and the theoretical arguments of whether federalism can improve governance in Somalia. There is a significant gap in the literature regarding the experience of the Jubaland region and other parts of Somalia that are currently undergoing the same kind of regional political developments that Somaliland and Puntland began almost 20 years ago. In order to understand the challenges, successes, and prospects of implementing federalism in Somalia, there must be deeper research into the experiences of other regions as they build their own regional administrations, define their relationship with the central government, and define what it means to be a

Somali citizen in a federal Somalia.

**METHODOLOGY**

This research employed qualitative strategies in a case study approach involving document archival research supplemented by expert interviews in order to show the conflict drivers, obstacles, and opportunities that Somalia faced in the federalism process from 2012-2016. Hartley explains in an edited volume on qualitative methods that a case study consists of "detailed investigation often with data collected over a period of time of phenomena within their context [that provides] an analysis of the context and process which illuminate the theoretical issues being studied".\(^{106}\) In the same way, my Somalia case study focused on Jubaland because its story can illuminate dynamics of the federalism process that are occurring broadly in Somalia.

Yin has also written in support of using case studies to research events as they are ongoing, stating, "The case study relies on many of the same techniques as a history, but it adds two sources of evidence not usually included in the historian’s repertoire: direct observation of the events being studied and interviews of the persons involved in the events".\(^{107}\) Theorists from the positivist school of thought believe that the "hallmark of scientific research" is the ability to make predictions

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based on collected data.\textsuperscript{108} Thus, some researchers have criticized case study research for at times exploring contexts that are too unique to serve as the basis point for generalized knowledge (Kennedy 1979) or accurate predictions.\textsuperscript{109}

**Data Collection**

I conducted desk research and interviews for the data collection phase of my research, and wrote and analyzed my findings as I collected the data. The desk review involved collecting information from a variety of sources: Somali- and English-language news outlets, academic articles, news and non-governmental (NGO) reports, editorials by Somali authors, Somali government documents, as well as surveys with credible Somali informants. It is important to note that Somali websites often were slanted by clear biases in favor or against certain clans and often report rumors instead of facts. Similar biases were inevitable with Somali informants. This represented advantages and disadvantages to my research. On the positive side, bias (if I identified it correctly) was useful because it offered me a direct perspective on how certain individuals or segments of society felt about specific issues. Even if not all details of reporting were true or able to be verified, these particularities in some cases were important for understanding the narratives that were being disseminated—and were often


believed—by certain communities. Overall, these reports were useful for breaking down various local perspectives and understandings. On the other hand, these biases and potential misreporting further underscored the need for triangulation and verification of data. In order to make sure non-ideological and event-related data was accurate, I used multiple sites with different or more neutral biases (including BBC, Reuters, etc.) to verify potentially specious claims.

Culling information from Somali-language sources presented unique benefits and challenges to my research. On one hand, Somali-language websites were incredibly important for my research because many issues and perspectives were only covered in these outlets, which predominately were not translated into English or covered by non-Somali outlets. However, there has been a problem in the past in which Somali news sites are shuttered after a number of years, probably because many of them do not have large staffs or budgets in order to make the sites sustainable. This posed a challenge for my citations because I do not want references used in my research to become unavailable later due to a website shutting down. On the other hand, there are several Somali websites that have existed or several years and have built up credibility with a solid cadre of journalists and reliable reporting. As a result, I made efforts to use multiple citations for information that is sourced in part from Somali websites that have less of an established history.
My second method for collecting data was through interviews with Somalis who have an expert handle on issues within my research. I focused on Somali interviews because I wanted to prioritize insight from individuals who I believe have the highest stake in the outcome of the federalism process. I interviewed nine Somali experts who I believe provided the highest pedigree of opinions about the topics in my research that went well beyond mainstream headlines. I initially intended to conduct between 40-50 interviews with predominately Somali informants in order to collect a large amount of information and ensure there was a sufficient balance among informants from different backgrounds. However, I discovered through the course of my desk research — in part because of the clear bifurcation of Somali news sites along distinct clan and political trends and other publicly available information — that it would be more efficient and effective to focus the interviews among informants that could provide the type of insight that might not normally appear in most editorials.

The informants were picked upon a vetting process in which I determined—with the help of Somali contacts—that the informant could provide the most valuable insight about Jubaland, federalism, and politics in Somalia. Members of al-Shabaab were not interviewed; however, informants were very familiar with their position and available public documents regarding al-Shabaab’s views on the federalism process were part the data that is explained in this research. Informants were asked for verbal consent to be interviewed and were informed
that their anonymous responses would be included in my final dissertation. The interviews took place in Kenya and the U.S., while other interviews took place over the phone or via audio-video conferencing tool Skype. The latter enabled me to speak with informants in Somalia. The interviews were not audio recorded because I believed that unrecorded conversations would lead to a more relaxed discussion. The informant's names did not appear in the research but vague descriptors of the informants are given for clarity. The interviews began with a discussion of the personal and professional backgrounds of the informant and myself. Then, I asked the informant about their perceptions of what federalism means, how it could work, and potential obstacles and pathways to attaining these aspirations based off these questions within a free-flowing conversation:

1. Where were you born and raised?

2. What is your current occupation?

3. To promote diversity of representation in my research, I am seeking interviews with those who claim affiliation from each of a wide spectrum of Somalia's clans and sub-clans, with the understanding that opinions may not one's clan identity may not explain points of view. With that said, are there clan(s)/sub-clan(s) that you associate yourself with, if any?

4. Is federalism the best model of governing for Somalia? If not, what is another potentially effective model? Why is this model better? What are the obstacles to pursuing this alternative model?

5. Will new and old sources of conflict play a part in how federalism works in
Somalia? If so, how? If no, why not?

6. Can Somalia mix clan balance and direct elections for political positions? If so, how? If no, why not?

7. What are the biggest obstacles to the regional state formation process?

8. What is your vision for power-sharing socially, politically, economically, and otherwise? How could this be accomplished?

The information from the interviews contributed directly to findings in my desk review on the relationship between sources of conflict, the constitution, institutions, and the federalism process. Additionally, the interview findings formed the basis of some of the recommendations covered in the conclusion.

Data Analysis

In order to analyze the data, I used a content analysis. This method is a process of analyzing various types of communication in order to "develop...inferences about a subject of interest in any type of communication". It is used in a variety of fields ranging from nutrition and behavior studies to political science. This was an appropriate approach for this research because, as scholars note, it can "reveal...differences in communication content; identify the intentions, focus or communication trends of an individual, group or institution; and describe

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attitudinal and behavioral responses". A content analysis can be done in several ways and in many cases is done by establishing parameters for coding textual data and making inferences about the results. However, Dermot McKeone has also written about an open analysis which "can be applied to many types of texts and content, and where dominant messages are identified in the analysis". This is the approach that I took, and I divided the findings of the data collection into three categories relative to the implementation of federalism in Somalia: [1] obstacles and conflict drivers [2] perceptions on federalism and [3] opportunities (to optimize the federalism process). I chose these categories for analysis because they provided a specific outlet to analyze the theories and conflict dynamics that I sought to address in the research. The obstacles category was used for analyzing various factors that will inhibit the implementation of federalism in Somalia, while in perceptions, I broke down the similarities and differences among Somalis (as discovered in desk research and interviews) about the federalism process. The intention was to create various camps with which similar perceptions could be grouped and identify cross-cutting themes. Lastly, the opportunities category was used to document and analyze suggestions that informants, scholars, and other data collected about what needs to be done to implement the federalism process more effectively—including my own recommendations. This data organization was the framework for my analysis about the obstacles and opportunities that should be recognized in order for

111 Writing@CSU. 2014, http://writing.colostate.edu.
federalism to be implemented more effectively in Somalia.

Limitations

My research design yielded significant results because it explained important elements of the ongoing federalism process in Somalia that have not been covered adequately in academic literature to date—in part because the current process is new and ongoing. However, the complexity and broad nature of the topic is such that this design encountered the following limitations:

- Since the federalism process was very new during the course of my research, dynamics on the ground were changing quickly as I completed my research and analysis. While I believe that my findings will stand the test of time, it is possible that new information about the Jubaland process will come out in the coming years that would have better informed — and possibly changed — my conclusion about the factors that were at play. However, I accepted this potential shortcoming because I thought that there was substantial value in having this current data and analysis now as policymakers continue to hash over what immediate steps they should take in improving governance.

- The research to some degree prioritized the dynamics of federalism by devoting the focus to the Jubaland region. Other region-building efforts in Somalia ultimately encountered similar problems—but also had unique
elements that deserve equally focused research not entirely present in my research. In the future, I do plan to conduct research on the state-formation process in other regions. But since there is already substantial complexity to the case of the Jubaland, I believed it was more practical to scale down the research to one region.

- While I have travelled to Somalia on multiple occasions to visit friends or for work projects, I did not do so for the purpose of this research. I chose not to seek approval from the Institutional Review Board (IRB) for such a trip because the information that I sought was available through public resources or remote communication with informants. In addition, I have never travelled to the Jubaland region, and the logistical planning would have been more challenging than I was willing to accept, even if it had been approved by the IRB. Nevertheless, my research would have been greatly enhanced if I had the resources and capability to spend some amount of week or months on the ground in Jubaland to directly observe the dynamics that I had read about the last several years.
CHAPTER 3: CONTESTED INCLUSIVITY

This chapter provides a historical overview of the Jubaland region, followed by an in-depth timeline of the process to create the Jubaland administration in southern Somalia. While the history detailed in the previous chapter focused on Somalia more broadly, this section narrows the scope on Jubaland’s own history, major figures and groups, and the basic relationships among regional clans. It begins with a description of the Islamic sultanates that ruled many parts of Somalia during the 13th-17 centuries, followed by an explanation of how the Jubba region fared in the colonial, post-independence, and civil war eras. While this history takes back quite a long time ago, it is important because the clan dynamics and political rivalries that characterized these periods had a direct impact on state building efforts in the beginning of the 21st century. This chapter’s inevitable focus begins in 2011 when a group of Somali elites reconstituted efforts to build a regional administration in Jubaland, and it follows the evolution of the controversial process that brought together the competing visions and goals of various stakeholders.

The chapter concludes with election of the Jubaland president in May 2013 -- just
before a spate of violence among contestants to that position would engulf the headquarters of the administration in the city of Kismayo. What the history of this chapter shows is that Jubaland and Somalia have a history of extreme decentralization (via Islamic clan-based Sultanates) and strong centralization (via colonialism and the military dictatorship of Siad Barre). However, federalism under a Somali-led central government represented a potentially effective compromise given Somalis’ storied history with both types of governance. I also discuss how Jubaland failed to implement lessons learned from previously successful state formation processes, particularly in Somaliland, and how the lack of credible local leadership opened the doors for outsiders, including Ethiopia and Western diplomats, to become more involved in the process.\textsuperscript{113}

**History of the Jubba Region**

From the 13th to 17th centuries, much of the Jubba region was administered under the Islamic Ajuran sultanate, which was one of several sultanates in east Africa in the pre-colonial era. The region has a mixture of rich farming land and semi-arid areas where traditional nomadic life with livestock was practiced, and the empire was known for its contributions to agriculture, hydraulic engineering, and fortress-building. The most important wetland areas are adjacent to the Jubba river and in the Lag Dera catchment in modern-day Afmadow district,

\textsuperscript{113} For the purpose of my research, “Western diplomats” is shorthand for the United States, United Kingdom, and the European Union (EU).
located in Lower Jubba. These areas are critical for Somali communities because there is perennial grass even in the dry seasons, where many other parts of Somalia prone to drought and do not have much access to grazing territory.\textsuperscript{114} Therefore, the Jubba river valley contains some of the highest concentration of livestock grazing in the country and in eastern Africa.

The Ajuran rulers established dominance over communities in Jubaland and broader areas of south central Somalia in part through its control of water wells, which were used by nomads in the region. The centralization of authority under Ajuran leaders made it easier for nomads, farmers, and traders to settle disputes, as there were well-established mechanisms with the empire for how to reconcile dispute particularly over the use of wells. The productivity of farms along the
Jubba and Shabelle rivers also increased under the centralized authority because the Ajuran sultanate devised an effective irrigation system with dikes and dams. In order to fund infrastructure development, the empire taxed farmers through taking some of the harvest of their crops and similarly excised livestock from nomads. The Ajuran also printed its own currency and incorporated coins from the adjacent Mogadishu sultanate into its economy. For security, the empire leveraged slaves, known as mamluke, which were largely of Bantu, Arab, Persian, and Turkish descent, making them less likely to be able to establish a revolt with Somali communities.\footnote{Casanelli, Lee V. The Shaping of Somali Society: Reconstructing the History of a Pastoral People, 1600-1900. University of Pennsylvania Press Philadelphia, 1982. Google Scholar, http://www.getcited.org/pub/102149528.}

The Ajuran sultanate deteriorated in the 17th century after wars with the
neighboring Oromo nation (in modern-day-Ethiopia) and a subsequent revolution among its constituents after what they perceived as overly heavy taxation. By the beginning of the 18th and 19th centuries, the Geledi sultanate had established its dominance in Jubaland and southwest Somalia. The founder of the Geledi regime was Ibrahim Adeer, who had defeated the Ajuran’s weakening military around the areas of Afgoye and had named himself as Sultan. The Geledi administration was able to continue the strategy of owning land as a

Figure 7: Horn of Africa in 1550 C.E.: East African historian James Dahl’s portrayal of Sultanates in the 16th century. Source: Preceden.com
means to turn farmers into their clients.\textsuperscript{116} One phenomenon with which the Geledi sultanate had to contend was the emergence of autonomous settlements of conservative religious settlements in modern-day Gedo region around the riverine town of Baardheere.\textsuperscript{117} As Reese notes, these religious settlements were a “refuge for those seeking a life of quiet prayer and contemplation as well as individuals seeking social protection”.\textsuperscript{118} Scholars disagree on the exact Islamic order from which these communities identified among Shia and Salafist schools, so it is possible that different communities in the region held divergent views or that these views changed over time. In the 1830s, these communities -- known as the Baardheere Jama -- embarked on what was called the Baardheere Jihad, which described their efforts to expand their influence over rival territories that did not accept their conservative interpretation of Islam that often disallowed dancing, mingling of the sexes, and the consumption of alcohol. When the movement captured the Lower Shabelle coastal town of Barawe in 1840, the Geledi Sultanate recognized that the Baardheere Jihad was an existential threat to its budding regime. By 1843, an opponent of the Baardheere Jihad, Sultan Yusuf Mohamed, mobilized an army of approximately 40,000 men from every clan in the Shabelle valley region and launched a series of military offensives that allowed them to take over much of the territory in Jubaland, including the


\textsuperscript{117} The source for the map is the following:

movement’s stronghold in Baardheere.\textsuperscript{119} The war was not merely a battle of competing religious ideologies. Cassanelli (1982) argued that armed conflict between Baardheere Jama and other power holders in the region was inevitable because thousands of hectares of valuable land used for agriculture, as well as urban centers key for trade and exports, were at risk of coming under control of the Baardheere movement.\textsuperscript{120}

\textsuperscript{119} Reese, Scott Steven. Renewers of the Age: Holy Men and Social Discourse in Colonial Benaadir. BRILL, 2008.
Throughout its history, the Geledi did not control the entire Jubba region because the Sultanates of Muscat and Zanzibar, which were to exert control in areas along the southern coast, including Kismayo. The Geledi Sultanate and other authorities ultimately would crumble under the force of the Scramble for Africa, which brought the British, Italians and their respective military might to bear. In 1890, the territories of the Sultanate of Zanzibar, including the Jubba region,
were turned into a British protectorate. Farther north up the coast, in 1908, the Geledi sultanate and other areas were incorporated into Italian Somaliland before its collapse in 1910, despite a fierce resistance.121

Jubaland in the Early 20th Century

During the colonial period, Jubaland’s borders were defined as the territory between the Jubba river in modern-day Somalia and the Tana river in northern Kenya. In 1925, the British transferred control of the region to Italy due to their contributions as a converted member of the Allies during World War I. By 1960, Jubaland was part of the newly independent Republic of Somalia, after which time the region’s territorial value would become a perennial political football as clans competed for power and influence. Mukhtar (2003) described how the agricultural and territorial value of the region played a significant role in the social change that Jubaland experienced during transition from the colonial period and short flirtation with democracy to the era of the military dictatorship that began in 1969 under Colonel Siad Barre: “During the Italian colonial administration, Luuq was part of the Alta Giubba (Upper Jubba Region), but Mohamed Siad Barre, in a move [against the Digil-Mirifle clan122], [Barre] created a new regional entity called Gedo, so that Luuq would lose its central economic, historical, and political role...From 1974 the nomadic Marehan

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122 Digil-Mirifle clan is collectively known as the *Rahanweyn*. 

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clan...settled in Luuq and drove out the original inhabitants, who became refugees in Baidoa, Huddur, and coastal cities. The [Digil-Mirifle clan] became landlocked in the dry lands of central Somalia, because they no longer had access to the Juba River or to Luuq. Moreover, Barre’s internal partition cut Luuq off from its century-old history as a center of [Rahanweyn] political and juridical life”. 123

The displacement of the Digil-Mirifle clan, reflects a broader history of clan conflict in the region that has revolved around territorial and political disputes. For example, in Gedo region, the district of Garbahaarey, which hosts the highest density of Darod-Marehan communities, has been one of the predominate sites in which Marehan have fought over political control between the Marehan’s Reer Hassan, Reer Garad, and Reer Siyad sub-sub clans. 124 Farther north in Luuq district, the Jubba river divides largely Marehan communities on the west side while the east side is occupied by Rahanweyn

124 For the purpose of this dissertation, hyphenations distinguish clans, followed by the next sub-clan
clans of whom many speak a distinct dialects or languages. In addition to the mid-1970s displacement of the Rahanweyn by the Marehan, another part of the traumatic history between the two clans occurred as the Marehan were responsible for high-profile looting of Rahanweyn food warehouses and rape of women in Rahanweyn internally displaced person (IDP) camps during the height of the civil war in the 1990s. These actions exacerbated the conditions of the famine and humanitarian crisis that attracted worldwide attention during that time. The rivalries also shaped how the Rahanweyn clan would develop its aspirations for federalism process and the boundaries of the Jubaland

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125 These dialects and languages include Af-Maay, Af-Jiddu, Af-Dabarre, and Af-Tunni, among others. See: https://waajid.wordpress.com/who-are-the-digil-mirifle-clan-in-somalia/
administration, as will be shown later in this dissertation.126

Rahanweyn sub-clans such as the Gabaweyn, who historically are farmers, also have claimed that Marehan pastoralists have ousted them their traditional lands in the last two decades. There are similar clan issues in other districts in which the Marehan have had to compete with non-Marehan clans for political power. For example, in El Wak district, Darod-Marehan clans traditionally have battled the Rahanweyn-Digil-Garre clan over political control, natural resources, and distribution of humanitarian assistance. In Baardheere district, Darod-Marehan, other Darod-Marehan sub-clans, Darod-Ogaden, Ajuran (minority), and Bantu (minority) clans have competed for political power, control over trade, and land.127 The exact same issues have plagued the Middle Jubba region before and after the civil war, only with different dyads and triads of clans at the center of the conflict. One of the biggest prizes of Jubaland historically has been control of Kismayo port, which saw substantial fighting during the height of the Somali civil war and remains a central focus on contention in the Jubaland process.

Civil War Era and Control of Kismayo

After the civil war began in 1991, control of Jubaland shifted between alliances of


127 From the Bottom up: Southern Regions - Perspectives through Conflict Analysis and Key Political Actors’ Mapping of Gedo, Middle Juba, Lower Juba, and Lower Shabelle. Conflict Early Warning Early Response Unit (CEWERU), 2013.
clan militias and warlords, who prized the strategic and lucrative port city of Kismayo arguably above all other areas in the region. As a buildup of rebel operations against dictator Siad Barre continued, a faction of largely Hawiye clan militias known as the United Somali Congress (USC) -- led by Hawiye-Habar Gidir clan General Farah Aideed -- had wrested control of Kismayo. By late 1991, the group was overthrown by a predominately Darod clan militia faction known as the Somali Patriotic Movement (SPM). The region continued to experience volatility throughout 1992 as several groups vied for control, including the USC, SPM, and the Somali Democratic Movement (SDM), which was composed largely of Rahanweyn members. It was not until 1993 that the SPM (Darod-Ogaden and Darod-Harti clans) finally succeeded in taking Kismayo and was able to hold control until 1999.128

While the SPM was able to capture Kismayo, there was other fighting elsewhere in the region out of the bounds of its control. In Gede region, the Somali National Front (SNF; mainly Darod-Marehan clan) was engaged in heavy battles with the Islamist organization Al-Itihad Al-Islamiya (AIAI). AIAI was one of the first major Islamic militant groups to emerge out of the civil war in Somalia and had begun mobilizing in 1992. By 1994 the group had established a presence in the Somali region of Ethiopia and by 1997 it was attempting to control southwestern

Somalia.\textsuperscript{129} AIAI was able to gain some traction in Gedo because it had recruited Darod-Marehan forces into its outfit, but sporadic invasions by Ethiopia to counter the group degraded its ability to maintain its presence in the region.\textsuperscript{130}

In 1999, the Juba Valley Alliance, a coalition of convenience between Darod-Marehan and Hawiye-Habar Gidir-Ayr under the leadership of Barre Hiiraale and Yusuf Seerar was able to wrest control of Kismayo for almost ten years -- one of the longest periods of time since the civil war began. Research on the performance of the JVA as an administration framed the coalition as a largely one clan-oriented oligarchy: “The JVA’s principal interest is in the trade through the all-weather seaport, where Ayr and Marehan businessmen are making handsome profits exporting charcoal and importing a range of goods, including sugar and weaponry, destined either for Kenya or Mogadishu. The JVA is essentially an outside occupying force.”\textsuperscript{131} Since the JVA was unable to cultivate any sense that it was operating under the best interest among the diverse set of clans, it had to contend with several rivals during the course of its seven year tenure. For example, in August 2001, Kismayo briefly saw the SPM coalition of Darod-Majerteen and Darod-Harti clans re-establish control of the port before


\textsuperscript{131} Somalia: Researched and Compiled by the Refugee Documentation Centre of Ireland on 5 July 2010. Refugee Documentation Centre, 2010, \url{http://www.refworld.org/pdfid/4c3d830b2.pdf}, page 3
inevitably being ousted by the JVA again that same month.\(^{132}\) The most serious competitor to the JVA would emerge as the Islamic Courts Union (ICU or Union of Islamic Courts – UIC), which emerged out of the ongoing competition between Islamists, warlords, and business entities that sought to take advantage of the lack of a genuine government presence throughout southern areas of the country.\(^{133}\) In the capital Mogadishu, the level of unpredictable violence among clan militias incentivized a group of Hawiye-Abgaal clan religious figures to establish a singular new Islamic court in 1994. As Barnes and Hassan (2007) point out, “The establishment of the Islamic Courts was not so much an Islamist imperative as a response to the need for some means of upholding law and order.”\(^{134}\)

To give some context for the violence at the time, it was in March 1994 that the final batch of U.S. troops were pulling out of Somalia after the political fallout from the infamous Black Hawk Down incident in 1993. During this incident, clan militia forces hotly contested U.S. operations to arrest warlord Mohamed Farah Aideed -- leading to the death of 18 Americans and prompting the phased withdrawal of the U.S. from Somalia.\(^{135}\) While to many observers in America it

\(^{132}\) "Opposition forces take key Somali port," in Reliefweb, 6 August 2011, reliefweb.int/report/somalia/opposition-forces-take-key-somali-port


marked the beginning of a reduction in U.S. engagement in Somalia, it reflected to Somalis a broader vicious pattern of violence that continuously claimed the lives of academics, peacemakers, and ordinary locals on a regular basis. The Islamic courts that would follow were intended to provide some order over this violence. The initial Islamic court in 1994 in Mogadishu did not last long due to internal squabbling over the leadership of the court, as well as difficulties setting up similar processes in other areas of Mogadishu where a rival Hawiye sub-clan, the Habar Gidir, and its warlords were able to resist the efforts at that time.

Eventually, the courts would make a comeback. As Menkhaus (2007) explains, “Following political setbacks in 2001-2003, the sharia courts reemerged in 2004, under a new umbrella movement, the Supreme Council of Islamic Courts. The Council was a loose and broad coalition led by a traditional Sufi figure, Sheikh Sharif Sheikh Ahmed, but with hardliner [ex-AIAI figure Hassan Dahir] Aweys still playing a dominant role. Most of the 11 clan-based courts in Mogadishu remained moderate and under the control of clan elders, but two courts were linked to militancy and possessed radical militias that undertook a dirty war of assassinations in Mogadishu.” Throughout 2005, the power and influence of

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the ICU increased, and the suspicions that its leadership had ties to

Al-Qaida probably contributed to U.S. efforts to carry out covert operations against its leaders.\(^{138}\) It was in this context that a parallel group of Islamists, known as Harakat al-Shabaab al-Mujahideen (or al-Shabab for short), began to organize and develop a relationship with the ICU in order to serve as armed forces that defended the interests of businessmen who supported the courts. In 2006, the Islamic Courts Union began to expand its control into the Jubaland

region, including Baardheere in Gedo and Jilib in Middle Jubba region. Barre Hiiraale, who was the Somali transitional government’s defence minister and leader of the Juba Valley Alliance (JVA), hastily gave up control of the strategic port city of Kismayo when a contingent of 600 ICU forces came marching toward the town that September -- even though he had previously claimed he would defend the port.\textsuperscript{139} The ICU’s governor for Kismayo was Ahmed Mohamed Islam “Madobe” -- the leader of a predominately Darod-Ogaden militia known as Ras Kamboni. Madobe was a charismatic powerbroker who would remain an influential figure in the region for the next ten years.\textsuperscript{140}

The growing threat of the ICU sparked a full-scale invasion by Ethiopia, which feared the tentacles of Islamic militancy could begin reaching deeper into its borders if left unchecked.\textsuperscript{141} The Ethiopian army, along with Somali forces, began the invasion with a simultaneous push in the Hiiraan and Bay/Bakool regions. The coalition pushed the ICU out of major towns including Beledweyne and Baidoa before finally capturing Mogadishu on 28 December 2006.\textsuperscript{142} The ICU was forced to move its headquarters to Kismayo after losing Mogadishu.

\textsuperscript{141} While some U.S. officials were hesitant to publicly endorse the invasion, there is also strong speculation that the U.S. covertly supported the invasion as a means to solicit a regional ally to take up the fight against terrorism in east Africa while the U.S. focused on counter-terrorism efforts in the Middle East. See: \url{https://www.theguardian.com/world/2007/jan/13/alqaida.usa}

\textsuperscript{142} Sanders, Edmund and Abukar Albadri, "Somalian troops take their capital," LA Times, 29 December 2006, \url{articles.latimes.com/2006/dec/29/world/fg-somalia29}
Ethiopian and Somali forces continued their offensive southward into the Jubba river valley and succeeded in ousting the ICU from the port town by New Year’s Day in January 2007.\footnote{Somalia r2,” Long War Journal, 4 January 2007, \url{http://www.longwarjournal.org/maps/Somalia%20r2.php}}

The Ethiopian-led offensive only bought Somali authorities a year of relief before an emboldened cadre of religious leaders and fighters allied to al-Shabaab emerged from the ashes of the ICU. Since Somali government forces were largely composed of undisciplined and ill-paid militias that were more tied to clan interests than loyalty to the government, it was difficult -- if not impossible -- for the Ethiopians to transfer their successes into sustainable gains. As a result, by December 2007 and throughout 2008, Al-Shabaab was able to regroup from the ICU’s losses the previous year and began building alliances with other Islamist organizations in order to consolidate its control of central and southern Somalia. These groups included Hizbul Islam, led by former AIAI senior figure Hassan Sheikh Aweys, and Ras Kamboni led by Hassan al-Turki. With this alliance, militants were able to gradually overrun most of southern Somalia.\footnote{Raineri, Daniel. “Turf War in Kismayo.” \textit{FDD’s Long War Journal}, 1 October 2009, \url{https://www.longwarjournal.org/archives/2009/10/turf_war_in_kismayo.php}} The core of al-Shabaab even proved too powerful for its Islamic allies, as various leaders in Hizbul Islam and Ras Kamboni eventually were forced to give up power, or like Ahmed Madobe, leave the alliance after a series of power disputes in 2009 and
By 2011, al-Shabaab leveraged its dominance over rival jihadist movements to gain control of the majority of the Jubaland region and southern Somalia. However, this did not stop several aspirational leaders from attempting to form an alternative administration on the ground, in spite of the realities of where power rested.

From Azania to Jubaland

In March 2011, approximately 300 Somali delegates claiming to represent communities from Lower Jubba, Middle Jubba, and Gedo met in Kiambu, Kenya to proclaim the formation of a regional administration for Jubaland named Azania. This project was spearheaded by Professor Abdi Mohamed “Gandhi”, who had served as Defense Minister in the transitional Somali government from February 2009 to November 2010 and had earned his doctorate at the Institut de recherche pour le développement (IRD) in France. The event was attended by members of Somalia’s transitional government, religious leaders, clan elders, and

even the Special Representative for the African Union, Waful Wamunyinyi. It was only scheduled to last one week, but it still managed to declare at its convocation that one of its main goals was to “liberate Jubaland from al-Shabaab.”

Observers were unimpressed with the prospect of Gandhi to lead a regional administration. Abdourahman Waberi, an acquaintance of Gandhi, stated in an interview, “Professor Gandhi hardly engaged publicly in politics before 2000 when he became an active member of the Peace talks held in Arta, Djibouti, and resulting in the establishment of the Transitional National Government of Somalia (TNG). Yet I can’t still imagine the soft-spoken, mild mannered and almost sly scholar in the roughest political arena of East Africa. It is no secret that Professor Gandhi lacks both experience and charisma. Gandhi is the mere creation of Nairobi and not the face and voice of a tangible grassroots movement similar to the experience of Somaliland. But again I might be wrong.”

Regional countries also had mixed feelings about the viability of the Azania project, as well as doubts about how the project fit within their respective foreign policy interests. Unsurprisingly, Kenya, who allowed the meeting to be hosted inside the country, was sympathetic to a non-threatening academic attempting to

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form an administration that -- at least on paper -- strove to create a buffer zone between Kenya and al-Shabaab-controlled territories in Somalia. On the other hand, Ethiopia and Djibouti believed Azania did not have the requisite legitimacy to restore order in the region, and could actually exacerbate the impact of a political gap in Jubaland. At the time, Gandhi was one of several aspirants looking to put himself literally on the map by forming an administration in a Scramble-for-Somalia among Somalis.

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Figure 12: Scramble for Somalia - In 2011, the New York Times published its own analysis of Somalia’s mini-states based on NGO reports and interviews with clan elders. Azania was fighting for territory in the southernmost portion.
Some of these aspirational leaders had no hesitation to speak about the lack of local presence and legitimacy they maintained in Jubaland. For example, in May 2012, news site Somalia Report asked self-described Jubaland president Dr. Ahmed Farah Dualeh, a Danish Somali Diaspora member, about the regional government he claimed to have formed:

“Somalia Report: Most of the regional administrations in Somalia have been established outside of Somalia, so what is restricting you from leaving Kenya, consulting with elders, and other key decisions makers in order to establish a viable and workable administration?

Dr. Ahmed Farah Duale: For security [purposes] we were not able to access these regions, hold meetings, there, and finally from our administration, so we opted to declare this regional administration outside the country. Our difference from the other regions [that declared] outside Somalia is that I have not appointed my cabinet so far, and this is because I know without having consulting the local people, it will be a unilateral decision if I appoint them.”

The interview with Dr. Ahmed Farah Duale reflected the grand tasks that remained for this aspirant leader and others. Apart from gaining the buy-in from

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locals, another route to potential legitimacy was to have the support of the Somali government. As a result, on 22 June 2011, Azania officials went to Mogadishu to plead with Transitional Federal Government (TFG) officials to recognize the Gandhi-led administration but were unsuccessful in doing so. By September 2011, the leaders behind the Azania initiative had not gained much political support from Somali communities or foreign backers, most notably Kenya and Ethiopia. The Azania administration also did not control territory in Jubaland or establish any institutions that indicated it had the legitimacy or capacity to govern. As an analyst for the International Crisis Group (2011) stated: “[Gandhi had] a very huge challenge in front of him...Gandhi has credibility and his name has not been tarnished but he has not done enough grassroot political networking. He is very much disconnected. Now there is a security reason for that: he cannot travel as much as he wants inside Somalia.”

According to Kenyan media, the Kenyan government had trained 2,500 militiamen to support Gandhi’s territorial aspirations, but it probably ceased to support to the forces because they did not perform well under his command, according to a news report. Despite Gandhi’s inability to rally his own set of forces, Kenya had been planning an invasion of the Jubaland region, largely as a

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result of al-Shabaab attacks in the northeastern areas of the country. The
government still maintained the desire to establish a “buffer zone” that
comprised of a political administration in the region that was sympathetic to
Nairobi. Ahmed Madobe, a senior leader in the Ras Kamboni militia that was part
of al-Shabaab until relations with the group soured in 2010, took advantage of
the waning influence of the Azania project and Kenya’s continued interested in a
political dispensation for southern Somalia by restarting the Jubaland project
under his own auspices with support of the Kenyan government. Madobe’s
history was as contested and controversial as his present. There were the obvious
concerns -- that he had formerly been associated with Islamic militants with al-
Qai’da ties and that he was even once a target of a U.S. airstrike, raising doubt
whether he was the best candidate to lead a regional government that would work
with the Somali government and Kenya. Even the location of his birth has been
subject to dispute. His opponents regularly pointed out his affinity with the
Ethiopian government by claiming he was born in Ethiopia’s Somali region, while
his supporters claimed his upbringing was in Galkayo and Mogadishu in Somalia,
probably in order to preserve his credibility as a Somali-bred leader.

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155 Ras Kamboni movement, eventually known as Ras Kamboni Brigade, was a splinter group
from the aforementioned group of the same name led by Hassan al-Turki
157 "The rise of proxy leaders in Somalia," Somali Agenda, 20 September 2015,
https://somaliagenda.com/the-rise-of-proxy-leaders-in-somalia/;
"Kismayo's Sheikh Ahmed Mohamed Islam ‘Madobe,'" Africa Report, 3 December 2012,
www.theafricareport.com/East-Horn-Africa/kismayos-sheikh-ahmed-mohamed-islam-
madobe.html
By establishing a partnership with the Kenyan military ahead of its October 2011 offensive in southern Somalia, Madobe was able to expand his influence territorially and politically in the Jubba region and use it as a foundation from which to build his vision of a regional administration. Many analysts viewed this vision through a clan perspective -- that Madobe sought to advantage his own Darod-Ogaden-Mohamed Zubeyr clan through establishing the Jubaland administration. There were also concerns that the dislodging of al-Shabaab in Jubaland could escalate conflict between clan militias that would seek to establish their own clan-based administrations in areas where al-Shabaab fled. Speaking to the New York Times, Somalia expert Rashid Abdi noted, “What you now have is a free-for-all contest in which clans are unilaterally carving up the country into unviable clan enclaves and cantons...The way things are going, the risk of future interregional wars and instability is real even after Al Shabab is defeated.”

The Kenyan military finally began its invasion of Somalia under an effort dubbed Operation LINDA NCHI (“Protect the Nation”) in October 2011, after numerous kidnappings in northeastern Kenya blamed on al-Shabaab. At the time, Kenya was not part of AMISOM, and the TFG was reportedly not consulted before the

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incursion. This raised the question of the legality of the maneuver: while some Somali observers deemed it “illegal,” the Kenyan government claimed it was legal under the right to engage in “self-defense” as enumerated in Article 51 of the UN Charter. Somalia’s president at the time, Sharif Sheikh Ahmed, was a moderate Islamist who had surrendered to the government from the ICU in January 2007 after he was pursued by Ethiopian, Somali, and Western forces during the anti-Islamist campaigns. As such, he was especially unsympathetic to the idea of rival foreign forces incurring on Somali territory. Nevertheless, Sheikh Sharif only gave what seemed as light criticism of the invasion in the days following its commencement, stating, “There are things we see as inappropriate...Kenyan troops crossing the border into Somalia.” In reality, the TFG was in no real position to oppose the Kenyan invasion largely because its existence was dependent on foreign troops. In addition, the international community’s priority to clear Somalia from terrorist threats eliminated any real chance it would push back against the invasion, even though the U.S. has warned Kenya not to do so without much more sophisticated planning in prior diplomatic conversations.

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By the third week of Kenya’s invasion toward its ultimate goal of Kismayo, AMISOM already had begun to worry about the lack of planning regarding who would govern an eventual Jubaland administration. The East African newspaper wrote in November 2011: “There is no doubt we shall get Al Shabaab out, but the key problem for Kenya is management of victory. The moment the city of [Kismayo] falls, who will control it? There is a major potential for conflict between Kenya and Ethiopia.”

Due to a mix of bad weather and flooded roads, al-Shabaab’s guerrilla tactics, and the novelty that it was Kenya’s first war on foreign territory, it took Kenyan and Somali forces predominately loyal to Ras Kamboni leader Ahmed Madobe a year to drive al-Shabaab out of Kismayo and other selected areas of Jubaland, with the militants finally vacating Kismayo on 29 September 2012. As a result, the end of 2012 and beginning of 2013 would be the time in which the Jubaland process would pick up steam because the center of gravity for the region had been captured. The debate about how political dispensation would be divided between Somali elites was a consistent point of discussion. Joakim Gundel, a political analyst with Bridges Analytics at the time, pointed for the need to find leaders that could be acceptable among all factions in the region. Gundel argued, “Rival

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Somali clans in Jubaland have never been able to agree on how to share Kismayo, which has reportedly been earning al-Shabaab about $4 million per annum, mainly from the illegal export of charcoal to Gulf markets...The real challenge is to find an all-inclusive person for the entire Juba basin”.

Contested Plans after Kismayo’s Capture

The capture of Kismayo by Kenyan and Somali forces in September 2012 came at such a seemingly auspicious time that it seemed scripted for a film. Just three weeks before Islamic militants were ousted from the port town, Somali parliamentarians in the TFG were set to hold a vote to select the next federal administration after the nearly four-year tenure of President Sheikh Sharif Sheikh Ahmed, who had taken office in January 2009. Perhaps the most glistening achievement of Sheikh Sharif’s term was that he presided over AMISOM and Somali forces’ push to wrest control of all Mogadishu neighborhoods in October 2011. That success led to an influx of private investors that created a building boom in the capital and many other social activities — from sports leagues to literary festivals — began to re-root themselves in the capital. Al-Shabaab continued to carry out sporadic car bombs and assaults, but Somalis’ resiliency was tangible. Each attacks’ explosion was

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followed by a crew of fearless custodians and business owners sweeping away debris and carefully carting away those who had been injured or killed in the often indiscriminate blasts.\textsuperscript{169} The broader belief was that Somalia was rising and that gains could be sustained. As a result, housing prices were also skyrocketing, as downtown property that had cost $20,000 in previous years spiked to $100,000.\textsuperscript{170} However, Sheikh Sharif’s tenure was marred by such high levels of corruption that he could not take credit for the sudden surge in development for which private investors were responsible. At the end of 2011, Somalia had topped Transparency International’s Most Corrupt nation index for a fifth year in a row, and the UN Somalia-Eritrea Monitoring group reported that 70% of the funds donated to the government were embezzled for private use in 2009 and 2010.\textsuperscript{171} Somalis and foreign donors were hoping that the next administration would be able to leverage the gains made in the private sector. Since no Somali president had won re-election in any of the various transitional processes since 1991, there was high hope that a fresh face would come to the forefront of the country’s leadership.

The 10 September 2012 election was organized in a manner similar to previous transitional exercises since 2000: elders from each clan nominated their respective members of parliament (MPs), which were reviewed and approved by a technical committee to meet certain education and age requirements. Then, the 275 total MPs – which were divided among clans using the 4.5 clan formula – would vote for a president, who would then select a Prime Minister (PM) that would need to be confirmed by parliament. On election day, there was a surprise result when a reported “dark horse” candidate in Hassan Sheikh Mohamud – a 57-year old educator and civil society activist – emerged as the winner in the second round of voting. He defeated the incumbent by a margin of 121 votes.

Abdinur Mohamed – a former minister of education -- was one of many Somali observers that outlined the challenges that Hassan Sheikh was expected to prioritize in his first few months as president, stating, “With al-Shabab...on the decline, the new government needs to remain vigilant and immediately train and equip a strong national army by integrating existing clan militias and recruiting new cadets. Equally compelling challenges facing the new government include ensuring a complete review and official ratification of the new constitution by the

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172 For reference, the 4.5 clan formula goes as follows: four main clans (the Dir, Hawiye, Darod, and Digil-Mirifle) each receive twice as many representatives as those from “minority” clans (including Bantu and other groups of mixed heritage)


parliament and initiating a genuine national reconciliation process to pave the way for the parliament to address the hotly contested issue of Somali federalism.”

Hassan Sheikh published a broad six point plan in response, promising to focus on (1) improving security, (2) working on national unity, (3) delivering social services, (4) peacebuilding, (5) economic recovery, and (6) improving Somalia’s relations in the international community. While this helped observers to understand his priorities, what was noticeably absent from Hassan Sheikh’s list was the revision of the provisional constitution. Although he undoubtedly understood work that needed to be done to approve the document, this oversight in his six-point plan underscored perhaps how some Somali elites did not fully appreciate the impact that the unfinished constitution would have on the process to form regional states.

Provisional Constitution: Insufficient Framework for State Formation

A major contributing factor to the disagreement regarding the federalism process, how regional states would be formed, and who would be responsible for forming them was the divergent interpretations among Somalis of a vague and often contradictory provisional constitution. The version at the time was largely

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adapted from the 2004 Transitional Federal Charter that defined Somalia’s federal nature at the beginning of the term of transitional president Abdullahi Yusuf. 176 According to Kristi Samuels (2010), the constitutional writing process was a way to bring Somali voices to the table that were not often afforded seats at elite political negotiations with the international community. However she noted that if fell far short of being a comprehensive political and legal framework, noting that in the context of Somalia, “...the range of issues that need to be debated in a constitution are too vast for a peace negotiation, and that many of these issues are best debated at a slower pace, in a more inclusive fashion.”177 But by the time came to begin the formation of the Jubaland administration, the provisional constitution had not been put to a referendum to the Somali public because it was still in the process of being revised.

The lack of progress on the constitutional review was important because the federal government of Somalia (FGS) had a very different constitutional interpretation of how the state formation process was supposed to occur compared to those in Jubaland powerbroker Ahmed Madobe’s camp who sought to organize efforts with minimal FGS influence. The FGS claimed control of the federalism process via Article 48(2) of the provisional constitution, which states:

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“No single region can stand alone. Until such time as a region merges with another region(s) to form a new Federal Member State, a region shall be directly administered by the Federal Government for a maximum period of two years.” The FGS used this right to appoint a governor to the Gedo region—even as the Jubaland administration sought to unify Gedo and Lower and Middle Jubba. Opponents of the FGS labeled this and other temporary administrations as a deliberate effort to undermine Jubaland and other potential state formation processes.

Jubaland supporters and other advocates for decentralization believed local communities had the right to build their own administration without mandates from the FGS as long as they followed the guidelines in Article 49(6), which states: “Based on a voluntary decision, two or more regions may merge to form a Federal Member State.” The fact that this article did not specify which parties could make this “voluntary decision” was one the most critical details lacking in the document and almost certainly contributed to a perception among stakeholders that were not in the main circles of power (e.g., minority clans) that the state formation process was not voluntary -- or at least backed up

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by sufficient public consultation. There was no process to determine what requirements would have to be met so that stakeholders could credibly claim their effort to combine regions was done with the consent of resident communities.

In addition, there were other legal aspects of the federalism process that fell directly on the shoulders of the federal parliament, which had historically failed to execute many of its core duties, thereby further complicating the process. Article 49(1-5) tasked the body with nominating a Boundaries and Federation Commission (BFC) with defined powers to study and make recommendations to parliament on which regions should be merged to form federal states. Parliament ultimately would be responsible for implementing the BFC’s research, as sub-point 4 states, “The number and the boundaries of the districts in a Federal Member State shall be determined by a law enacted by the parliament of the Federal Member State, which must be approved by the House of the People of the Federal Parliament.”\textsuperscript{181} However, in the months leading up to the Jubaland process, the Federal Parliament had not completed any of these duties and had failed to pass any significant motions other than its budget.\textsuperscript{182} More broadly, the parliament’s failure to fulfill many of its own mandates in creating other independent commissions relevant to statebuilding efforts was one of the

\textsuperscript{181} Ibid.
constant stumbling blocks of the federalism process.\textsuperscript{183} Lastly, Somalia did not have a constitutional court as mandated in the provisional constitution to settle any disputes, and the Supreme Court did not have sufficient trust or institutional leverage to adjudicate serious disagreements in how to interpret the constitution. This did not make the constitutional disputes moot -- rather -- it meant that stakeholders could only rely on their inherent ability to control local politics, influence international partners, and as will be seen, exert military power on the ground in order to make their constitutional interpretation a reality.\textsuperscript{184}

Pre-Jubaland Conference Drama

The possibility for armed conflict in Kismayo manifested itself from the beginning of the Jubaland state formation process. On 23 February 2013, just days before the conference was to open, armed clashes broke out in the port city with predominately Darod-Ogaden clan militias loyal to Ahmed Madobe on one side and largely Darod-Marehan militias on another side. The fighting began when the opposition militia stormed the police headquarters in Kismayo in an attempt to free clansmen that had been arrested in recent security sweeps targeting suspected al-Shabaab members. Subsequent clashes with Madobe’s forces led to the deaths of at least nine people.\textsuperscript{185} This would not be the last time

\textsuperscript{185} “Clan feud kills 11 in Somali port city of Kismayo,” in Hiiraan, 23 February 2013,
that armed clashes over the Kismayo conference took place, and these tenuous dynamics were not lost on al-Shabaab. After the 23 February incident, al-Shabaab’s designated “governor” for the Jubba region Sheikh Abdirahman Hudeyfa commented that the fighting “illustrated the failure of Kenyan and Somali government troops to maintain security in Kismayo” and that “residents had enjoyed total security before Kenyan and Somali government troops captured the city.”

Despite the hints of violence emanating from disputes over control of the port town, the Jubaland conference was opened on 28 February 2013 on the grounds of the University of Kismayo. Ahmed Madobe’s planners invited 500 delegates purported to represent Lower Jubba, Middle Jubba, and Gedo regions. The gathering immediately drew rebuke from the federal government in a statement from Somali Prime Minister (PM) Abdifarah Shirdon, who had just visited Kismayo prior to the start of the conference. According to local media, PM Shirdon stated “if the people of Kismayo [need] a government, they should give full authority to the government and the government will reconcile the Juba clans who had previously fought over authority. After this the government will form a trusted fair local government that shall satisfy the people of Juba and Gedo”.


187 “The Show-Down in Jubbaland Begins,” Garowe Online, April 2013,
One of Madobe’s senior militia leaders -- Ma'alin Muhammad Ibrahim -- served as the commissioner of the technical committee and had refused an earlier invitation from PM Shirdon to come to Mogadishu to discuss how the federal government could become involved in the conference. So instead, the FGS flew a ministerial delegation to Kismayo on 27 February -- the day before the conference was scheduled to open. The FGS delegation was led by security minister Abdikarim Guled, a close ally to President Hassan Sheikh. Guled proposed that the Jubaland conference be held in Mogadishu under the auspices of the government -- an offer that was a non-starter to the Jubaland conference planners.\textsuperscript{188} Despite the lack of an official presence from the federal government, the conference proceeded under the protection of AMISOM -- which ironically was mandated to work in concert with the FGS rather than the political aspirations of regional leaders.\textsuperscript{189}

In early March, reports alleged that the Somali government sought to undermine the Jubaland conference by sending a pro-government militia from Gedo region to Berhani district, located 40km outside the venue site. According to Somali media, these militiamen were able to pass through road checkpoints operated by al-Shabaab without any hindrance, suggesting that the Somali government

\textsuperscript{188} "The Somali Govt requested the conference 2b held in #Mogadishu but was strongly rejected by da interim admin in #Kismayo led by Ahmad Madobe," in Twitter, 28 February 2013, https://twitter.com/Daudoo/status/307158634020872192

proxies were in some way cooperating with al-Shabaab in order to threaten or disrupt the conference. In response, Gedo governor and pro-FGS politician Mohamed Abdi Khalil denied the troops moved through al-Shabaab territory.\(^\text{190}\)

Part of this suspicion on part of critics of the FGS was driven by the fact that they believed the federal government was working from a clandestine plan to monopolize the federalism process. Garowe Online — which was run by the family of the Puntland president at the time — reported that it was aware of a classified document outlining a government plan to overtly control the federalism process — to the detriment of regional and local stakeholders, particularly in Jubaland. The media site reported the following:

“A classified document from the [FGS] under the National Stabilization Plan called Laying Foundations for Functional and Effective Local Governance Structure, was obtained by Garowe Online. The document given to IGAD officials argued that regions like Lower Jubba, Middle Jubba, Bay and Bakool were not ready to form states either due to al-Shabaab’s control in geographical areas within these regions or due to the lack of local administrations in the regions. It suggested that the FGS should appoint local governments...The document then refers to FGS implemented administrations in regions like Hiiraan and Bay. The document states

that after the interim administrations are in place, partners such as IGAD and AMISOM could support, by backing up the Federal government's technical team in sending observers, mediation and negotiating experts or providing funds for the implementation of conferences and similar processes which the Somali Federal government intends to facilitate.”

Al-Shabaab also made efforts to disrupt the conference and discourage Somalis from attending any state formation-related events. In mid-March, a Somali media outlet reported, “Some of the threatened elders told [the website] that they had high hopes of attending the conference for establishing an administration for Jubba and Gedo regions, but now they would not be able to leave”. Meanwhile, PM Shirdon continued to declare through March that the conference was illegal stating, “This unilateral act, carried out without reference to the federal government, violates the constitution and is an obstacle to peaceful political development...It neither serves the best interests of the local communities in the area nor that of the new Somali state. The government's constitutional mandate is to establish a federal state as the end goal...As stated in the past, the government will only be a facilitator.” And yet, Shirdon would not give up on

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his quest to take over the Jubaland process from Ahmed Madobe. On 26 March 2013, PM Shirdon arrived in Kismayo for another round of talks aimed at reconciling Jubaland stakeholders and the Somali government. The PM framed the visit as the beginning of a listening tour in which he would visit all of Somalia’s regions in order to bring government involvement into the state formation process, collect local opinions on how it should occur, and organize reconciliation processes among clans. PM Shirdon emphasized upon arrival that it was the government’s prerogative that it should lead the state formation process but in partnership with local leadership. However, after two days of talks, the negotiations hit a wall, and Jubaland continued on with the conference.

Members of Somalia’s federal parliament who had clan ties to the Jubba region and members from the Puntland government began streaming in to support the process.194 Perhaps lending more credibility to the process, several delegates from Gedo who previously had refused to attend ultimately arrived at the University of Kismayo venue to participate.195

The conference continued to represent the paramount battle between the Somali government as guardians of centrism versus proponents of decentralization. The FGS took further moves to counter Ahmed Madobe’s claims that his conference

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195 “Southern Somalia administration talks planned despite government’s absence,” BBC Monitoring, 31 March 2013, Factiva Document ID: a15e242a
was inclusive of all the regions’ authorities, particularly in Gedo. On 3 April, PM Shirdon re-appointed Mohamed Abdi Kalil as Gedo’s interim governor, taking advantage of Article 48(2) in the constitution to allow the FGS to name regional governors for up to two years until a federal state was formed in that region.\(^{196}\) As one his first actions, Mohamed Abdi issued a statement alleging that any delegates from Gedo that attended the conference in Kismayo were “not allowed” to return. The threat reaffirmed the new Gedo administration’s position regarding the Jubaland conference.\(^{197}\) PM Shirdon also signed a deal to integrate another regional militia in Gedo, known as Ahlu Sunna Wal Jama’a (ASWJ) into the national army -- effectively trying to make a double play for influence right as the Jubaland conference was getting started.\(^{198}\) But this did not keep Jubaland stakeholders from taking the first formal steps to establish the administration.

On 2 April, over 800 delegates endorsed the transitional regional constitution of the regional government. The delegation temporarily expanded ostensibly to lend an extra semblance of credibility to the proceedings, but that credibility came under close scrutiny.\(^{199}\) According to one delegate, “There were 870 delegates


\(^{199}\) DRAFT INTERIM CHARTER OF THE STATE GOVERNMENT OF JUBALAND OF SOMALIA.
who approved the constitution, when there were supposed to be 500. Some of these delegates were Ras Kamboni militiamen who were in civilian clothes.” As the conference continued, some of the elders developed doubts on whether it was going to be a genuine forum to discuss the future of the region, and instead, would develop into a way in which to corone Ahmed Madobe as the region’s leader under the auspices of foreign troops protecting the venue. Mohamed Ali Hussein, a Somali elder who withdrew from the meeting stated, “I am warning the Somali citizens of this plan to sell some of its resources. This will bring instability in the region.” Another delegate to drop out included Iftiin Hassan “Baasto”, who hailed from the Awrmale sub-clan of the Hawiye. According to Baasto (whose nickname literally means “pasta” in Somali), “local leaders were not allowed to voice their opinions and instructions came from unknown sources within the delegation”. By late April, up to 20 delegates had pulled out of the conference, including the spokesman Mohamed Abdullahi Guled, who described the process as “a personal agenda that is not for and by the Somali people as three communities have pulled out of the process,” according to local media.

Hassan Samantar, a Somali politician from outside the Jubba region, spoke to

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200 “‘Mad’ Somali security officer said kills Jubbaland delegates, elder in Kismayo,” in Kismaayo News, 17 May 2013, Factiva ID: a19bcaf1


202 "Another Delegation Withdraws From the Kismayu Meeting," All Africa, 25 April 2013, Factiva Document ID: AFNWS00020130425e94p000ct

203 "Somali delegates said walk out on Kismaayo conference," BBC Monitoring, 25 April 2013, Factiva Document ID: a17ec103
Voice of America (VOA) about the issues with the composition of the delegates:

"The problem now is the representation of the elders who will select the delegates based on the regions, so this is really a big headache...Some groups, they were protesting yesterday that they were not having a fair representation [and] that some clans, they were given for example 10 elders to represent them, others one or two, so there was no balance."204 In essence, the representation in the eyes of the participants and outside observers was slanted heavily in favor of Madobe, who made no secret that he was a candidate vying for regional president. The VOA report also noted that Barre Hiiraale, a longtime militant who once controlled Kismayo as part of the Jubba Valley Alliance (JVA) in the 1990s, had recently arrived in the town with dozens of armed forces -- potentially foreshadowing violence if the conferenced continued to sour on participants.

Vote and Violence

On 15 May 2013, the conference held a vote to determine the Jubaland president. Five hundred delegates gathered together to cast their vote for who would lead the new administration. Other candidates had thrown their hat into the race and made modest efforts to campaign in Kismayo and even laid out campaign platforms leading into the vote.205 But ultimately, Ahmed Madobe was the


frontrunner. His militia had been the predominate local force providing security for the venue site, and his colleagues has been the primary organizers of the conference. When the 500 delegates cast their vote, Madobe won in a landslide as he acquired an astonishing 495 votes.206 The day following the election, multiple figures in Jubaland also claimed to be president at rival forums that had popped up in recent days, including Iftiin Baasto and most notably Barre Hiiraale.207 Hiiraale’s claim to the seat of power rested in his claim that his conference was organized by clan elders rather than as a forum for alleged Kenyan subjugation of the aspirations of local communities. Hiiraale told Somali media, “I was nominated president of Jubaland by the elders...I call on the people to support my presidency to assist me in bringing peace...The conference where I was nominated was organized and belonged to the people...while the other conference was organized and pushed by Kenya.” Hiiraale lastly called on Jubalanders “to lay down their arms and help rebuild the region.”208

Hiiraale’s announcement of forming a Jubaland state as a means of challenging

208 "Kismayo :Two claim to be Jubuland’s ‘president’," Midnimo, 16 May 2013, www.midnimo.com/2013/05/16/kismayo-two-claim-to-be-jubalands-president/
Madobe’s own conference characterized a dynamic that would appear throughout the federalism process with marginalized stakeholders often announcing a counter-state. In some recent academic literature, scholars have used the term counter-state as a means to identify how Islamic insurgent groups have attempted to undermine a central government by creating an administration within a sovereign territory with no ties to official authorities.\textsuperscript{209} In the context of this research, I have found that Somali stakeholders such as Hiiraale used this tactic in a slightly different sense. Hiiraale did not use the announcement to signal the formation of an entity that was independent of the central government; rather it was done to distance itself from the declaration of a regional administration that it considered illegitimate. Of course, Hiiraale’s own Jubaland state conference, quickly put together as it was, did not have any more trappings of legitimacy than Madobe, but the declaration was a political tactic intended to force Madobe to give up his monopoly on the Jubaland state formation process. As will be seen, this would not be the last time that stakeholders would use the tactic of forming a “counter-state” as a means of contesting the inclusivity of state formation processes.

Hiiraale’s supporters and conference celebrated his victory at the Barnawaa Hotel in Kismayo, and supporters in the Diaspora also relayed their support of the

election. Opposition to Madobe also organized protests in Kismayo, further ramping up tensions. However, residents in Kismayo immediately began bracing for armed conflict over the dispute. In mid-May, a resident in Kismayo also stated, “The city is quiet but people are not moving in the streets as they are worried...Clan militia supporting either side are reinforcing their positions across the town.” Madobe was prepared to blame the central government for any clashes, stating, “If fighting breaks out in Kismayo, it will be the Somali government that will take responsibility for the bloodshed, because they are creating instability between brotherly clans.” While the personal ambitions of Hiiraale and Iftin Hassan Baasto to establish dominance in the region were no secret, there were certainly clan alliances that were leveraged as part of their aspirations. Iftin Hassan was able to leverage his ties to the Hawiye-Awrmale sub-clan while Barre Hiiraale was seen as the mobilizer of the Darod-Marehan clans in the region.

By 7 June, tensions had reached a boiling point and armed clashes finally broke out. Fighting began when Iftin Hassan’s militia ran into a checkpoint manned by security forces loyal to Madobe. Iftin Hassan’s forces were en route to meet the visiting Somali Minister of Defense, who was in town reportedly to resolve the

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210 “Kismaayo Banaanbax Looga Soo Horjeedo Axmed Madoobe ,” in YouTube, 19 May 2013, https://www.youtube.com/watch?v=5a4VQ_SBIDs
211 “Kismayo :Two claim to be Jubaland’s ‘president’,” in Midnimo, 16 May 2013, www.midnimo.com/2013/05/16/kismayo-two-claim-to-be-jubalands-president/
212 Notably, Barre Hiiraale was from a Darod-Marehan clan community that resided in Galgaduud -- which is technically distinct from the Marehan communities that have lived in the Jubaland region.
dispute.\textsuperscript{213} BBC reported that “three civilians and four fighters died when the two sides exchanged fire.”\textsuperscript{214} As expected, Jubaland blamed the central government for fueling the militia build-up and subsequent clashes, claiming it had sent in Somali national army troops to blend in with the militia -- a charge vociferously denied by Somalia’s defense chief.\textsuperscript{215} On Saturday 8 June, residents began flowing out of Kismayo amid fears that the fighting would continue, which was hardly the celebration that one would expect after the conclusion of the conference. Human Rights Watch documented the 2nd day of clashes and the disregard for women, children, and medical facilities: “On June 8, fighting broke out at around 8 a.m. and lasted until about 6 p.m. A local source told Human Rights Watch that a Quranic schoolteacher and one of his pupils [was] hit by stray bullets during fighting in the morning. Witnesses described heavy shelling in...during the afternoon. Three children, two siblings aged four and five and another seven-year-old girl, were killed when a shell, possibly a mortar round based on witness descriptions, struck near their house...”\textsuperscript{216} The humanitarian situation in the port town took a swift turn downward, according to situation reports from UNHCR:

“The majority of humanitarian facilities and schools in Kismayo closed when clashes erupted, but have since reopened. The Kismayo Hospital remained open

\textsuperscript{215} Ibid.
and with its limited current capacity was able to partially serve the people injured by the fighting. Three nutritional feeding centres run by local NGOs are open, but reported scarcity of supplies. There are seven mother and child health centres run by local and international partners reportedly operating with adequate supplies in various parts of Kismayo.\footnote{“Somalia Situation Update issue 1 - Clashes in Kismayo, Lower Juba,” in Reliefweb, 14 June 2013, reliefweb.int/report/somalia/somalia-situation-update-issue-1-clashes-kismayo-lower-juba-14-june-2013} By late June, reports surfaced that Hiiraale and Basto had formed an alliance among their respective militias to oppose Madobe, and subsequent sporadic clashes had resulted in the injury of at least 300 people and 71 killed, according to the World Health Organization.\footnote{“HomeWararArimaha BulshadaBarnaamijyo Khaas ahWaraysiyoDiintaSuugaanMaqaalloLa soo xiriirBarre Hiiraale iyo Iftiin Baasto oo isku biirey,” Kismaayo News, 28 June 2013, kismaayonews.com/2013/06/28/barre-hiiraale-iyo-iftiin-baasto-oo-isku-biirey/ “Increased fighting in Kismayo leaves more than 300 injured in June,” World Health Organization, June 2013, www.emro.who.int/som/somalia-news/31-killed-in-fighting-kismayo.html} Western nations and international organizations including the United Nations (UN) decried the violence and demanded a ceasefire, but it was clear what was needed was a mediated solution to the crisis.\footnote{Mohammed Yusuf, “UN, Mogadishu Call for Kismayo Ceasefire,” in VOA, 29 June 2013, www.voanews.com/a/fighting-continues-over-kismayo/1691922.html}

Reconciliation Deferred

As of July 2013, clan tensions still boiled as an acute threat in Kismayo, and the Jubaland administration had little or no control of areas outside Kismayo.

Meanwhile, al-Shabaab remained in complete control of the Middle Jubba region and rural areas of Gedo and Lower Juba regions. This was an underwhelming and
inauspicious start for a process that was intended to improve stability and expand the political participation in the country. More broadly, the way in which the Jubaland conference proceeded -- from its initial convocation to the election of Ahmed Madobe and to inevitable violence with his opponents -- was a result of the contested inclusivity of the comprising events.

This chapter showed how the Jubaland process raised the stakes of political dispensation among clans and elites in Somalia without addressing any of the causes of previous conflicts or addressing stakeholders’ concerns moving forward. Many communities in the Jubaland region did not believe Madobe was leading a process that was fair, transparent, and inclusive. Secondly, the process did not follow the lessons learned from previous Somali state formation processes, particularly in Somaliland during the civil war in the 1990s. While Somaliland’s peace process during and after the civil war has been extensively covered in the literature, it is helpful to explore the basic dynamics of the endeavor that led to the formation of the Somaliland government because this can provide a perspective on the components that were missing from the Jubaland state formation process.

An important take away from the

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Somaliland example is that inclusivity was not a sufficient factor alone to guarantee a successful outcome to peace negotiations. Credible leadership and trust among stakeholders was a critical factor that allowed Somalilanders to rebound from often violent interruptions to the process and create a consensus on an outcome.

The reconciliation process in Somaliland arguably has been the most rigorous Somali peace process in modern history. Once the Somali National Movement (SNM) had routed government forces from Somaliland, leaders organized a multi-level peace process. In February 1991, a council of elders known as the guurti called for an initial meeting in Berbera to establish an initial ceasefire so that trade and social activities could resume, as well as to agree on a date for a more comprehensive reconciliation conference. Two months later, the follow-up conference in Burco -- dubbed the Brotherhood Conference of Northern Clans -- was held with representatives from all communities in Somaliland. After a week of deliberations, the Burco conference concluded with several recommendations, including a call for all clans to be represented equally in a new northern administration and that it would exist without relations with any government in the rest of Somalia, beginning the first step of its secession. Those recommendations were subsequently incorporated into a political framework drafted by the SNM, which officially declared its separation from Somalia and outlined further steps for reconciliation in the region. However, the inclusiveness
and consistency of dialogues following the major cessation of violence in the civil war did not stop subsequent fighting between internal factions of the revolution. Tension was building over which clan would be given the leadership of the SNM after the term of president Abdulrahman “Tuur” expired in May 1992. And, similar to the conflict in the south, northern clan militias engaged in violence over control of the major port town Berbera due to its financial and strategic value. Several clans wanted assurances that control and revenue from the port would not simply be managed by a small privileged elite. Somaliland was able to overcome these obstacles because communities on the ground believed the violence was being instigated by self-interested elite and did not have support from a majority of their respective clan constituents on the ground. Secondly, components of reconciliation were incorporated throughout the process over a period of six years rather than remaining as a one-off event, which helped reinforce and adapt as necessary the terms that fostered peace and resolved outstanding conflict. Lastly, the state formation process was equitably divided between stakeholders, meaning that “there was no single party strong enough to wield undue political influence”.

In consideration of what it took to reach sustainable agreements in previous

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reconciliation processes, it was unlikely that the insufficient level of reconciliation that was carried out as part of the Jubaland conference could achieve any meaningful or sustainable results. There was a deep level of mistrust from many stakeholders about the fairness of the process and little efforts by the organizers, including Ahmed Madobe, to take these concerns into account as the process moved forward, providing further gas for the conflict. With no local momentum to resolve the quandary, the task of shaping the evolution of Jubaland would fall largely into the hands of Ethiopia under its role in the regional organization known as the Inter-regional Governmental Authority on Development (IGAD) and Western diplomats. Somali reconciliation conferences that take place outside the country or that have been spearheaded by non-Somalis have not been successful in delivering results on the ground compared to genuine locally-led efforts. As the subsequent chapter will demonstrate, Ethiopia and the West’s efforts to mediate the conflict in Jubaland would encounter the same difficulties as experienced in the past and lead to new unintended consequences in the state formation process.

**Rules of the Game and Federalism Implementation**

This chapter also displayed the importance that *rules of the game* have in the implementation of federalism processes, particularly in weak states. Decentralization processes such as federalism must have an agreed upon legal and political framework from which they operate in order to ensure that stakeholders can operate on a common set of guidelines and to reduce the risk
that stakeholders either protest the fairness of proceedings or act as spoilers to disrupt the process. Of course, Somalia was not missing such a framework. The problem was that the framework was not written adequately enough to fulfill the aforementioned objectives. Somalia’s provisional constitution did not concretely identify and delineate responsibilities between those in the federal government and at regional and local levels about the respective roles each party would have in the Jubaland state formation process. As a result, this allowed militia leader Ahmed Madobe – who controlled just one faction out of the region’s complex social, political, and security landscape -- to leverage support from the Kenyan military in order to monopolize the process due to the plurality of influence he maintained in Kismayo, which was the political center of gravity in the region. This was a critical driver for mid-213 violence in Kismayo between Madobe and his political opponents.

There has been significant debate in the literature on how the process for constitution writing in weak and post-civil war states can impact stability.\textsuperscript{223} Scholars are still debating best practices to link the constitution writing process to stable and sustainable political outcomes. Different approaches regarding the transparency of the process, the size and level of representation, the length of time of proceedings, and the permanent versus provisional nature of the final product, among other factors, have led to disparate outcomes in case studies due

to unique factors in each conflict. Scholar Jennifer Widner specifically asks, "Under what circumstances is ambiguity helpful and when is it dangerous?"224 This research can help fill the gap on this, as it will continue to show that the ambiguity of the provisional constitutional certainly fomented conflict between Somali stakeholders.

224 Ibid. p.1536
CHAPTER 4: TRIAGE IN JUBALAND -- RESOLVING STATE FORMATION DISPUTES

The previous chapter focused predominately on the roles and disputes among Somali stakeholders regarding the Jubaland state formation conference led by Ahmed Madobe and the mid-2013 violence that followed its conclusion. This chapter will look at the negotiations between the Somali government and Madobe’s faction to reach a deal, known as the Addis Ababa Agreement, that sought to cease violence in Kismayo and create a regional administration in the Jubaland region that would be acceptable to the invited disputants. The process succeeded in largely reducing the violence. However, it only involved two sides in a conflict in which many more stakeholders maintained grievances and interests that were unaddressed. As a result, the Addis Ababa agreement exacerbated the relationship between Ahmed Madobe and other stakeholders, particularly clans that lived in southwest Somalia, further hampering the long-term of creating a credible and coherent regional administration in the region. This chapter’s objective is to demonstrate the strengths and weaknesses of the negotiating process and to explain the ramifications the Addis Ababa agreement would have on the dispute over how power and borders would be delimited in a federal Somalia. As will be shown, the deal created a framework for cooperation between
Madobe and the Federal Government of Somalia (FGS), which was needed in order to better define the relationship between the central government and Interim Jubaland administration (IJA), which was established under Ahmed Madobe’s auspices as a result of the agreement. However, in the absence of an agreement that ensured a more regional consensus, the deal created a cascade of reactionary efforts by additional stakeholders and undermined the coherency of the state formation process. The international community was ultimately able to accommodate some of the elites who opposed the IJA and the Addis Ababa agreement, but this engagement did not improve the IJA’s reputation among Jubba communities – showing that political accommodation only among elites was not a sufficient substitute for bottom-up reconciliation.

Addis Ababa Agreement

In late June 2013, Ahmed Madobe, as leader of the Ras Kamboni militia, and Somali government officials began meetings in Addis Ababa, Ethiopia intended to reach a settlement over the violence in Kismayo and the status of Jubaland in a federal Somalia. While there is little public information about the content of the private proceedings, the talks involved multiple rounds and were led by the Ethiopia Prime Minister Tedros Adhanom under the auspices of

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225 For breadth and clarity, this dissertation will also refer to the IJA as simply the Jubaland administration.
226 Interview with Informant 8: Male; late 20s; Digil-Mirifle; graduate student.
Intergovernmental Authority on Development (IGAD) and were supported by Western diplomatic partners. On 28 August 2013, the FGS, led by Farah Sheikh Abdulkadir (State Minister for the Presidency and close associate of President Hassan Sheikh Mohamud) and the Jubba delegation reached a deal that -- at least on paper -- was a critical step toward resolving the political and security crisis in the region.

Article One of the agreement stated the following: “The Federal Government of Somalia and the Jubba delegations have agreed...to an Interim Administration for Jubba, consisting of Gedo, Lower Jubba and Middle Jubba Regions without prejudice to whatever the people of these regions decide finally as a result of constitutional process. This Interim Administration shall be called the Interim Jubba Administration...The duration of the Interim Administration shall be a period of not more than 2 years, during which - and subject to the constitutional process - a permanent Federal Member State will be established.”

This point gave political and territorial legitimacy to Madobe’s administration under the auspices of its new name -- the Interim Jubba Administration (IJA). In

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230 Ibid.
addition, the FGS and Ahmed Madobe agreed to allow the central government and its allies in the Gedo administration to continue to administer parts of Gedo while Madobe’s faction would administer Lower Juba and Middle Juba. Notably, at the time, al-Shabaab still controlled large portions of the regions that were shared in the agreement, limiting the degree to which the deal could be implemented on the ground.²³¹

Figure 13: Control of Somalia (May 2013) - Al-Shabaab controlled much of the territory that was discussed during the Addis Ababa negotiations, raising questions about the effectiveness of peace talks. Source: polgeonow.com

The agreement also stipulated that “the [IJA] Regional Assembly should be an

all-inclusive and representative body of all clans and constituencies and selected by the traditional elders with seats been distributed proportionally among the districts of the three regions in full consideration of inclusivity, balance and in reconciliatory manner.” In reviewing the agreement, Somali think tank Heritage Institute for Policy Studies pointed out that “fair” representation among clans in the Jubba regional assembly and the executive council to be established per the agreement would be difficult without the availability of an updated and widely acceptable census to account for all communities in the region. Somalia had not had a robust census since 1975, and the data from a 1985-86 census during the regime of military dictator Siad Barre was never publicly released. This had not prevented Somalis from devising various clan-based formulas at the national level and local level for representation through open dialogue. If a rigorous census was conducted, it would have serious implications for the possibilities of how clans and individuals would be represented in Somalia. Traditionally marginalized clans could find that the size of their population is on par with powerhouse communities, handing them further justification for more representation than what they receive in the current power-sharing formulas. This may not be something leaders from powerful communities want to come into fruition. Inevitably, though, better census data is needed because regional

administrations like Jubaland or the national government need to have the appropriate information for policy planning purposes. It is more difficult to provide services to one’s constituents if it is not clear how many constituents are being served.

*Port Control*

Much of the political and armed violence over control of Kismayo emanated from the value of the sea and airport, from which millions of dollars of tax revenue was generated each year. Perhaps quite appropriately, during the negotiations, the United Nations Somalia-Eritrea Monitoring Group reported that Kenyan troops operating as part of AMISOM at Kismayo port, along with Madobe’s militiamen, were profiting from the illegal export of charcoal and import of sugar, which would be illegally introduced into Kenyan markets, undercutting the price of the regulated industry there. The report noted, “At the rate of export since November 2012, the Monitoring Group estimates that [the number of exported charcoal sacks] is rising to 24 million sacks per year and represents an overall international market value of $360-384 million USD, with profits divided along the charcoal trade supply chain, including for al Shabaab.” Control of these ports was a significant topic of negotiations in Addis Ababa. The conclusion of the

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234 "Exclusive - Kenyan peacekeepers aided illegal Somalia charcoal export - U.N.,” Reuters, 14 July 2013, uk.reuters.com/article/uk-somalia-charcoal-un-idUKBRE96D01C20130714

235 Ibid
agreement provided that their management would be transferred to the Somali government within six months of the time the agreement was signed under a new management team approved by both sides. It also stipulated that the revenue from the ports would be utilized within the region, but did not specify how the administration would share port funding among Jubaland communities.

Military Integration

The agreement established a technical committee to facilitate the integration of the Ras Kamboni militia and rival clan militias into government auspices. Madobe’s troops and clan militias were to be transferred into the Somali National Army while regional police were to operate under the command of the IJA. Importantly, militia leader Barre Hiiraale, whose troops were directly involved in the mid-2013 Kismayo violence, accepted the terms of integration for his forces.236 However, the Somali government did not have proper command and control of its existing troops because widespread corruption prevented the distribution of consistent salaries, and as a result, troops were often more loyal to clan interests than to the FGS.237 As a result, it would be unlikely that Ahmed Madobe would allow his troops to submit the authority of the FGS without

further confidence-building steps. Both these factors posed serious challenges to the prospect of genuine militia integration.

While the Addis Ababa deal established basic guidelines regarding the borders of the interim Jubaland administration, it also undermined the provisional constitution. Boundaries of the federal states were supposed to be approved by the parliament after receiving recommendations and research from the Boundaries and Federation Commission (BFC). The “interim” nature of the regional government implied that the borders were open for further adjustment by the BFC. But in reality, as will be explained, the way in which the FGS and foreign diplomats handled subsequent contestation of Jubaland’s borders by stakeholders in the southwest region of Somalia suggested that the boundaries were intended to be permanent, thus limiting any further debate.

Southwest-Jubaland Conflict

After celebrating the signing of the Addis Ababa agreement, Somalia and its international partners in IGAD and the United Nations Assistance Mission in Somalia (UNSOM) stumbled upon another federalism crisis emanating from the Bay region capital of Baidoa. Prior to February 2013 when Madobe opened his own state formation conference in Kismayo, leaders from two different factions

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among Digil-Mirifle clan leaders held meetings in Baidoa to form a new administration called Southwest state. The historical record of marginalization meted out by other clans in regard to control of territory and representation in local politics created the impetus among the Digil-Mirifle clan to establish the largest state possible in a federal Somalia—a concept voiced first promoted by the Hizbia Digil-Mirifle Soomaaliyeed (Digil-Mirifle political party) in 1947.239 Earlier attempts to form the state in the early 2000s failed in part because of internal fighting among leaders in the Rahanweyn Resistance Army (RRA) -- a militia formed in the region to protect Digil-Mirifle clan interests and communities in the civil war -- and external efforts to fold the RRA into a transitional government.240

Some Digil-Mirifle leaders saw an opportunity in the federalism process to negotiate its longstanding objectives.241 These aspirations involved claiming the Jubaland region, where Digil-Mirifle communities lived in notable numbers on the east side of the Jubba river that weaved its way from north to south from Gedo all the way to Lower Jubba. However, this aspiration divided the Digil-Mirifle clan. Some community leaders sought to unite the clan under one state

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banner. Others sought a more pragmatic formation of a smaller state that would be easier to form but would divide the clan’s interests between two regional administrations (i.e., Jubaland and Southwest State) and fail to increase the clan’s collective power. The idea to form a broad-based Digil-Mirifle state that included Jubaland may have been unrealistic from the beginning, considering the limited historical bargaining power of the clan. However, the effort served the purpose of putting Digil-Mirifle clan interests on the national stage as it would create a crisis large enough that the international community would have to address.

The most aspirational process to create a state in the Southwest region was headed by Sheikh Adan Mohamed Nuur (aka “Adan Madobe”) and Madobe Nunow.242 Adan Madobe was a deputy leader in the RRA and later served in multiple positions in the Somali transitional government as a Minister of Justice and Speaker of Parliament, while Nunow was a former parliamentarian.243 Madobe and Nunow sought to form a Southwest state as a merger of six regions including Bay, Bakool, Lower Shabelle, and controversially all the constituent parts of the Interim Jubba Administration. This faction became known as the “Southwest Six” (SW6). By the end of January 2014, the SW6 camp had met in

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242 Adan Madobe belongs to the Mirifle-Hadame clan.
Baidoa to approve its regional constitution and elect a chairperson of its Constitutive Assembly of Traditional Elders, which would elect its president.\textsuperscript{244} A rival to the SW6 camp was led by Sharif Hassan Sheikh Adan, who was a longtime opponent of Adan Madobe. In fact, Adan Madobe succeeded Sharif Hassan as parliament speaker in December 2011, and the parliamentary vote was marred by fisticuffs among their respective supporters.\textsuperscript{245} Sharif Hassan also convened his supporters in Baidoa but sought to form a 3-region state with Bay, Bakool, and Lower Shabelle -- thus his effort was dubbed as “Southwest Three” (SW3).

In early February, SW3 approved its own constitution--creating two constitutions for the would-be state.\textsuperscript{246} This came in the aftermath of several major stakeholders offering support to the SW3 group over its SW6 rivals. For example, in the previous December, a broad spectrum of communities from the Darod-Ogaden clan met over tele-conference, allegedly involving 2,000 participants, to discuss the SW6 process and released a statement rejecting these efforts.\textsuperscript{247} The

\textsuperscript{244} "Baidoa: Press statement on Constitutive Assembly Traditional Elders Chair election (Photos)," Ishabaydhaba, 4 February 2014, http://www.ishabaydhaba.com/?p=52814
community claimed the SW6 process was “hijacking” Somalia’s state formation process because it did not receive consent from all communities from Jubaland, as well as the Bakool region, where there are some Ogaden communities. In addition, authorities in the Interim Jubba Administration (IJA) including its spokesperson Abdinasir Seerar encouraged southwestern stakeholders to adopt the SW3 plan in order to respect the territorial integrity of the IJA. Lastly, a small group of federal parliamentarians from the Digil-Mirifle clan offered further support to the IJA as they urged elders in the southwest regions to cease the six-region state plans.\(^{248}\) Overall, Sharif Hassan and his SW3 faction – though not leading a consolidated front of Digil-Mirifle elite – appeared to be expanding key support with its more practical political strategy intended to bring the three-region state into fruition without angering the Jubaland administration.

**FGS Approach to the Conflict**

President Hassan Sheikh Mohamud addressed the Baidoa crisis by tacitly warning Baidoans not to support a process that interfered with the borders of the IJA. However, multiple FGS delegations sent to Baidoa to mediate failed to reconcile the two camps.\(^{249}\) Another potential powerbroker in government was


Digil-Mirifle elder statesman and legal expert Mohamed Osman Jawari, who was serving as parliament speaker. But, he reportedly supported the SW6 plan and was not seen as an objective observer. The Somali president’s support for SW3 could have been in part an effort to defend the terms of the Addis Ababa agreement in order to pressure the IJA into abiding by unfulfilled terms that would have benefitted the FGS. For example, as of February 2014, key provisions of the deal such as the handover of management of Kismayo sea and airports and integration of militias into the SNA had not occurred—in part due to unwillingness and lack of sincerity among both parties. The Jubaland administration argued that since the FGS had failed to hold up its end of the bargain with integrating militias into the national army, then the IJA should not have had to give up management of lucrative ports in Kismayo. Alternatively, it was possible the FGS was supporting the three-region plan as a political gift to aspirant Southwest State leader Sharif Hassan—who had cultivated several allies in the Prime Minister’s cabinet and allegedly helped President Hassan in his political battles against his rival in the Prime Minister.

How the FGS addressed the aspirations of an opportunist such as Sharif Hassan would greatly impact its ability to tackle the crisis. Sharif was a wealthy and

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influential politician who knew how to manipulate politics in the favor of his clan, and more often in his personal interests. For example, Mohamed Haji Nur, the leader who was selected as president of the SW3 faction in the initial state formation conference was the half-brother of Sharif Hassan. Several observers, including the UN Somalia and Eritrea Monitoring Group, saw Mohamed Haji, who was not an influential politician, as a mere placeholder for Sharif Hassan, who ostensibly planned to orchestrate his ascendency to the regional presidency when Baidoa stakeholders could be consolidated into one camp and would prospectively hold a new regional election.253

There were also risks that FGS attempts to jettison the SW6 plan would only involve Baidoa elites rather than communities from all three regions – Bay, Bakool, and Lower Shabelle – that had a stake in the boundaries between the southwest region and Jubaland. The sporadic but significant fighting between clan militias in Lower Shabelle region since the beginning of the civil war highlighted just how high the stakes were for territorial, social, and political power in that region alone.254 This should have tamed myopic thoughts that a 3-region state would be necessarily more “practical” to govern than a six-region state. The potential of the FGS to produce a sustainable agreement also would

depend on whether it could also initiate a meaningful reconciliation process among stakeholders on complex issues, including short-term questions on how to share political power and long-term issues such as which parties will control key resources such as taxation points on roads, sea and airports. Due to the gravity of the situation, the UN Special Representative for Somalia Nicholas Kay made it clear that regional and international actors would play a key role as the Baidoa situation evolved.\textsuperscript{255} The necessity of the international community to play mediator heightened perceptions that President Hassan and his inner circle were opponents to federalism and were looking to stall the process, or alternatively, were unable to exercise much authority further than standing on the sidelines as foreign diplomats overtook the process.\textsuperscript{256}

Factors that Escalated Tensions

As tension grew between rival Baidoa camps, AMISOM forces could not avoid playing a role in the dispute. Peacekeeping troops in Sector 3, which included Bay, Bakool and Gedo regions, largely were neutral as Baidoa elites from SW3 and SW6 began planning their respective Southwestern state processes. However, on 30 January 2014, Ethiopian and Burundian troops barricaded the entrance to both SW6 and SW3 conference halls—according to some reports on orders from the Somali government—before eventually giving up the controversial

\textsuperscript{255} "UN SPECIAL REPRESENTATIVE FOR SOMALIA URGES CALM IN Bайдоа," in UNSOM, 21 January 2014, unsom.unmissions.org/un-special-representative-somalia-urges-calm-baidoa

sieges. In response, there were raucous protests at the scene of the SW6 venue and gunshots could be heard during the incident.\textsuperscript{257} The blockades stirred up local protests and challenged the AU’s claims of being a neutral force in the crisis.\textsuperscript{258} While the AMISOM mandate required its forces to support the Somali government, in reality, troop-contributing countries in the Jubba and Southwest regions at times used their presence in the region to sculpt politics to benefit their interests, including the selection of local and regional politicians.\textsuperscript{259} Therefore, many Somalis did not see AMISOM as objective bystanders in the federalism process, and the blockade emboldened the delegates of the SW6 camp.

Peacekeeping troops were also accused of housing and protecting Sharif Hassan, which contributed to a perception that AMISOM, namely Ethiopian forces in the town, preferred his group and him as a candidate to lead the region.\textsuperscript{260}

On 23 March 2014, protests by SW6 supporters against their SW3 rivals resulted in exchanges of gunfire and casualties.\textsuperscript{261} Bodyguards at the house of SW3 leader Sharif Hassan Sheikh Adan’s house allegedly responded to protesters by shooting

\textsuperscript{258} "Colonel Ali: "We have no business building federal states or siding with anyone, we create conducive conditions and provide counsel" #AMISOM," AMISOM on Twitter, 24 March 2014, https://twitter.com/amisomsomalia/status/448019480321748992
\textsuperscript{259} "Somalia’s New Race Against Time," in Foreign Policy Association, 5 January 2015, foreignpolicyblogs.com/2015/01/05/somalias-new-race-against-time/
\textsuperscript{260} "SOMALIA: Anti-Sharif Hassan demonstration continues for the second day in Baydhaba," Raxanreeb, 24 March 2014, raxanreeb.com/2014/03/somalia-anti-sharif-hassan-demonstration-continues-for-the-second-day-in-baydhaba/
a 16-year-old boy who later died from his injuries. The same day, eight pro-SW6 Dir-Biyomaal clan elders were murdered execution-style near Buur Hakaba. While it was not known (and heavily contested) whether al-Shabaab, SW3 elements, or unidentified criminals were responsible for the killings, the incident contributed to a sense of victimization among SW6 supporters that re-energized its call for a six region state.

As the FGS and foreign diplomats scrambled to prevent SW6 from stirring conflict with Jubaland, a new counter-state was emerging that contested both SW6 and SW3’s claims over its territory. Communities in the Shabelle region were also feeling marginalized in the debate among Jubaland and southwestern communities because they were excluded from discussions about which authority would administer its region.

This dynamic became the impetus for Shabelle elites to attempt to forge their own future in a federal Somalia. In early March 2014, a conference in the Lower Shabelle town of Afgoye brought together 800 delegates to declare their intent on forming an administration with Lower Shabelle and Middle Shabelle regions. The Afgoye conference quickly approved a regional constitution. It also elected a president from a Digil-Mirifle sub-clan and a vice president from the Hawiye-Abgaal clan. Despite these developments, the FGS, the local government in Middle Shabelle region, and the SW3 camp all rejected the legitimacy of the

conference, but for different reasons. While SW3 and the FGS sought for Lower Shabelle to become part of the southwestern state, Middle Shabelle region was expected to merge with Hiiraan region in order to give each regional administration access to coast (which was considered critical asset for development) in a federal Somalia.

There were hints that Shabelle State delegates were open to compromising with other regional entities in Baidoa and Mogadishu. In a press statement during the conference, the delegates stated they intended “to continue reaching out to all segments of the society including those in Baidoa conference with a view to find a lasting solution through reconciliation, compromise and dialogue...[and]...to continue discussions and dialogue with the Federal Government so that they can take the leading role of the process, as what we are doing is in line with the provisional constitution and the laws of the country.” In June 2014, the Shabelle State asserted a degree of military muscle to complement its political claims as it mobilized a militia to take over the port town of Marka after defeating a Biyomaal clan militia that had been present in the town. Despite the show of

"DHAGEYSO:- Maamulka Saddexda gobal ee Baydhabo iyo kan Shabelle State oo isku heysta maamulidda gobalka Shabeellaha Hoose," Saadaal News, 13 May 2014, saadaalnews.net/?p=8214
267 "Ciidamada Shabelle State oo qabsaday deegaano ka tirsan Sh/Hoose (XOG),” Caasimadda, 26 June 2014, caasimadda.com/ciidamada-shabelle-state-oo-qabsaday-deegaano-ka-tirsan-
force, SW3 president Mohamed Haji Madeer denied the existence of a Shabelle State force and declared his administration would confront the militia in control of the town.\textsuperscript{268} More broadly, the emergence of Shabelle State reaffirmed that bilateral deals were not sufficient to facilitate a consensus among Somalis on regional borders and that eluded stakeholders were willing to continue employing the tactic of the counter-state to seek redress for their grievances. Without such a consensus, Somalia’s federalism process was becoming a cycle of contestations and retaliatory actions as regional administrations were formed. But as will be seen, the FGS and international community did not seek to expand the voices at the table as they sought to resolve the tension between Jubaland, southwest, and Lower Shabelle stakeholders.

Flawed Resolution

By mid-2014, the international community and the FGS had worked for weeks to negotiate between the SW6 and SW3 camps before finally reaching a consensus. On 22 June 2014, the rival groups signed an agreement to form an interim administration in the presence of the Somali government and international officials.\textsuperscript{269} Foreign diplomats hailed the agreement as “historic,” and though participation in the agreement did not include key parties from Lower Shabelle and others, the agreement was dubbed “An Inclusive Interim Administration for

the South West Regions of Somalia.” Unfortunately, the international community had not embraced a negotiating approach that broadened the stakeholders outside of a basic dyad of two rival groups, which was the same failed strategy that was employed during the Addis Ababa Agreement negotiations. Nevertheless, the deal reaffirmed the territorial boundaries of the IJA as outlined in the Addis Ababa agreement and defined the borders of the new interim southwest administration, stating, “the Interim South West Administration (ISWA)...will include the regions of Bay, Bakool, and Lower Shabelle and provide equitable representation to the region’s communities.” It also ensured that “all [Jubba region] communities” would get representation in the IJA and “when appropriate”, the ISWA would negotiate with the IJA over the representation of Digil-Mirifle communities in the Jubaland regional government.  

However, only a part of the SW6 camp signed onto the agreement, bringing a shadow over the deal’s credibility. Abdifatah Geesey, the representative who signed the deal of the SW6’s behalf, was fired by his superior Madobe Nunow a day before it was signed, and Nunow made it clear that Geesey did not represent the voice of the SW6 camp, stating, “No one can dictate the future of our people, if they [the Federal Government of Somalia] want to do something let them talk

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270 "Agreement: An Inclusive Interim Administration for the South West Regions of Somalia (Bay, Bakol and Lower Shabelle),” UN, 22 June 2014, peacemaker.un.org/somalia-interim-admin-southwest-14

271 Ibid
to us...This is the decision of the majority of the people in South West regions. We cannot be forced to compromise from the interest of our people.” 272 Though some in Baidoa supported the deal, many other residents in the Bay region capital protested against the agreement and its architects in Somali Prime Minister and the international community. The deal’s legitimacy was contested in what would be the heart of an interim Southwest administration in Baidoa—despite how it was intended to address the concerns of this particular community first and foremost. Even in the Somali government, Interior and Federalism Minister Goodax Barre rejected the legitimacy of the deal, showing a key crack in the government’s cabinet from the minister who was actually in charge of the federalism portfolio. 273 The international community pressured SW6 leader Madobe Nunow to accept the agreement. But Nunow refused to capitulate and chose to maintain the support of his constituency in Baidoa—who did not want him to submit so easily to the demands from foreign and local rivals. 274

While the deal failed to receive approval from all sides in Baidoa, it also resulted in the provocation of others. Many key stakeholders in the Hawiye clan community, including the self-proclaimed Shabelle State and several Hawiye clan federal ministers rejected the agreement, and elders called on their respective politicians and militiamen to resist working under the framework of the deal. One Hawiye elder, Hassan Elmi Yahiya, argued, “The government’s decision [to acknowledge the three-region state] will not work because it is unconstitutional...The constitution states that two or more regions that are in agreement can establish a federal state, but the people of Lower Shabelle are not ready to join Bay and Bakool. There is a [clan] war going on in Lower Shabelle. It needs reconciliation, therefore the people must first reconcile.” To make matters worse, only SW6, SW3, FGS representatives were afforded positions in a 13-member technical committee to resolve outstanding differences on the accord. The political exclusion of an important and influential bloc of Hawiye sub-clans left these groups with little recourse but to attempt asserting more de

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facto dominance on the ground politically and militarily in the much coveted grounds of Lower Shabelle.278

Tying Loose Ends

Through the end of 2014, the Somali government, the United Kingdom, and other Western partners followed up the Baidoa agreement with efforts to bring in other parties to the deal by holding regular meetings with SW6 leader Madobe Nunow.279 Reconciliation efforts at times appeared not to yield any tangible gains. For example, in mid-September 2014, the UN and FGS sponsored a reconciliation conference for several southwestern clans in Baidoa.280 But local residents protested the conference, putting a damper on any interpretation that genuine reconciliation was occurring.281 In addition, the SW6 camp attempted to expand clan support for its faction by adding a “second vice president” from the Dir-Biyomaal clan, which live predominately in Lower Shabelle region.282

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279 "Is #Somalia Parliament Speaker Jawari--here w/SW6 leader Nunow--closer to resolving the political crisis in #Baidoa?" Twitter, 3 September 2014, https://twitter.com/search?q=sw6%20nunow%2osince%3A2014-06-01%2ountil%3A2014-12-31&src=typd
281 "What happen today in my Home town Baidoa - Somalia, not only today everyday my people Protests agains F.government." Twitter, 12 September 2014, https://twitter.com/100Td/status/510378434678489088
Despite the obstacles to reconcile the rest of the SW6 faction, Somali authorities and the international community worked to [1] further legitimize the authority of the southwest administration, [2] define its borders as distinct from Jubaland, and [3] offer olive branches to dissident groups. In November 2014, with financial support from Western countries, the Southwest administration gathered 373 delegates in a conference with representatives from SW6 and SW3 (except for Nunow’s faction) to approve a new interim constitution and elect a new regional president.\(^{283}\) In an attempt to appease Lower Shabelle delegates, the region’s port town of Barawe was made the administrative capital, and the seat of government eventually would be moved from Baidoa.\(^{284}\) Unsurprisingly, Sharif Hassan Sheikh Adan was elected as regional president during the conference, meaning that his prospective scheme to maneuver for the region’s top job had played out to perfection.\(^{285}\) It would not be until early March 2015 when a breakthrough was finally reached with Nunow as the dissident politician agreed to recognize the Southwest administration’s three-region borders. His capitulation also afforded him a position in the new administration as the

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\(^{283}\) "Formation of the Interim South-West Administration," Stability Fund, January 2015, stabilityfund.so/formation-of-the-interim-south-west-administration/

\(^{284}\) "Barawe to become the administrative capital of the administration of South West Somalia," Goobjoog, 8 November 2014, goobjoog.com/english/barawe-to-become-the-administrative-capital-of-the-administration-of-south-west-somalia/

regional Minister of Livestock. Notably, a deputy leader under Nunow would later garner a position as a “second vice president” in the Jubaland administration, highlighting how SW6 leaders ultimately benefitted from the dispute.

Cycle of Contestation

Through mid-2015, the non-inclusive and contested state formation process in Jubaland was consistently followed by an equally non-representative and foreign-led peace agreement, thus sparking further conflicts with other stakeholders in the Jubaland and southwest regions that believed the agreement was unfair because they were not consulted. One group of stakeholders, known as SW6, initiated their own state formation process, but it also failed to include representation from all regions it sought to govern. It also clashed with a rival project in SW3 that sought to establish a regional state that did not interfere with Jubaland’s borders. This had two ramifications: [1] it brought up the need for the Somali government and international community to reconcile SW6 with other groups; and [2] it created another reactionary counter-state formation process that led to the establishment of Shabelle State -- whose supporters felt marginalized by both SW3 and SW6. These threats of forming counter-states

collectively formed the components of a cycle that would be emulated in the rest of Somalia’s state formation process in which agreements to resolve contested processes created new disputes that required resolution.

Figure 15: Timeline of Contestation - Marginalized stakeholders cyclically react to legitimacy disputes and non-inclusive resolutions
In the previous chapters, dissidents in Jubaland took up arms in Kismayo as its primary mode of contestation while SW6 chose to form a dissident administration focused primarily on political negotiations. SW6 chose a different route for two key reasons. Firstly, it did not have a legitimate armed component of its movement, and its center of gravity was concentrated over 400 miles away from Kismayo, so the group could not pose an existential threat to Madobe compared to well-armed dissidents like Barre Hiiraale and Iftin Baasto, whose equipment and loyalists were near Kismayo. Secondly, SW6 probably recognized that its bid to establish a wide-reaching state was beyond the capacity of its leadership, which had only enough support and resources to attract attention in Baidoa.

However, the group’s leaders may have made overzealous demands about the borders of a Digil-Mirifle-led state to increase the likelihood that in the case they were not accepted, they could negotiate for lesser demands that would – at the least -- fulfill their individual interests. The self-interested pursuits of Somali elites, along with the protests against foreign-organized reconciliation efforts in Baidoa, underscored how genuine reconciliation among communities was not able to be prioritized and executed in the follow-up to Kismayo violence in June 2013. Tensions in Kismayo loomed, and some clans complained that Madobe’s forces were targeting non-Ogaden clans in extrajudicial clans in several cases.288

288 Thomas III, Cleophus. "Clan Tensions in Kismayo Simmer a Year after Violent Battles," in
In addition, many Somalis in the Jubaland region still believed the process that established the IJA was illegitimate, particularly in Gedo region, according to a mid-2015 survey of almost 1,000 respondents conducted by non-governmental organization Saferworld and its local partners. The data pointed toward a large trust gap between the IJA and many communities that could not be resolved through negotiations only among elites.

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"Shacabka Kismaayo oo Habeenkii Guryaha loogu galo, Maalintiina Suuqayada lagu dilo!," in Keyd Media, 24 April 2014,

www.keydmedia.net/news/article/warbixin_shacabka_kismaayo_oo_habeenkii_guryaha_loogu_galo_maalintiina/
Table 2: Survey on the credibility of the Jubaland process; Source: Saferworld (2016)

The international community appeared to prefer negotiating predominately with elites rather than to facilitate a bottom-up reconciliation process as was done in Somaliland and Puntland in the 1990s. One explanation for this could be that foreign nations did not have the capacity or willingness, as outsiders, to carry out long-term reconciliation projects similar to those in northern regions, especially given the failures of past with such conferences. And, according to press statements from the UN Assistance Mission in Somalia (UNSOM), diplomats

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knew that the agreements following the state formation disputes would have to be pruned and re-purposed along the way.\footnote{290 "Briefing to the Security Council by Ambassador Nicholas Kay, Special Representative of the Secretary-General (SRSG) for Somalia," in United Nations Mission in Somalia, 11 March 2014, \url{https://unsom.unmissions.org/sites/default/files/old_dnn/docs/140311%20SRSG's%20Briefing%20to%20the%20SecCo_2.pdf}; in his address, the UN Special Representative to Somalia states, “There have been positive steps towards reconciliation and inclusivity. But the full implementation of the 28 August Addis Ababa Agreement requires continued engagement and compromise.”}

While foreign diplomats believed exclusive agreements solely among elites could only provide stop-gap measures, it did offer them more time to press Somali stakeholders on other statebuilding priorities, including elections, security, work on the provisional constitution. This particular approach from the international community reduced the pressure on the Jubaland administration that was being exerted by its rivals. However, it would mean that unless Jubaland expanded its legitimacy at the community level through gaining buy-in from locals and delivering security and social services, it would fall short of serving as an effective regional administration.

**Resolving Federalism Disputes**

In a broad sense, a dilemma for future efforts to implement federalism in weak states will be how to best resolve disputes between stakeholders. A common feature of these contexts is that there are often weak judicial institutions which do not have the capacity or political capital to serve as trusted venues in which decisions can be adjudicated and enforced. Thus, while there is scholarly

Future federalism processes that lack established rules of the game to resolve disagreements, as mentioned at the end of the previous chapter, or adequate judicial mechanisms, may create similar incentives for some stakeholders to see a distinct benefit – and perhaps sole recourse – in disrupting perceivably unfair proceedings through subversive actions such as leveraging violence or declaring counter-states. As a result, diplomats, local stakeholders, and conflict resolution scholar-practitioners in other country cases should weigh the potential benefits and drawbacks of relying on ad hoc agreements to address process disputes vice long-term reconciliatory efforts, using the Jubaland case as a point of comparison.
CHAPTER 5: JUBALAND SEEKS EXPANDED LEGITIMACY

The objective of this chapter is to demonstrate the efforts of the Interim Jubaland Administration (IJA) and its leader Ahmed Madobe to enhance its credibility in the region following another series of major disputes over its legitimacy from late 2013 through mid-2015. During this period, foreign diplomats made serious endeavors to quell violence in the Jubaland headquarters of Kismayo, where Madobe and his rivals had been engaged in violent clashes following a contested vote for regional president in May 2013. Following a flimsy and non-inclusive deal to address the issue under the Addis Ababa agreement, diplomats were then required to reconcile Madobe’s faction with communities in southwest Somalia that continued to dispute regional boundaries that ultimately sparked a disagreement within southwest Somalia about its own future borders in a federal Somalia. The research presented thus far suggests that three factors are critical pillars for an effective federal state in Somalia: the ability to provide security independent from foreign forces in regional boundaries, political buy-in from local communities, and the ability to provide social services. This chapter will show how the IJA attempted to address all these factors as a means to rebound from the aforementioned conflicts. Firstly, in an effort to improve security, Madobe’s forces worked with troops from
AMISOM, the Somalia National Army (SNA), and other militias in July 2015 to carry out operations against al-Shabaab in a string of towns largely in Jubaland’s Gedo region -- the stronghold of Madobe’s opposition. While operations were nominally successful, Madobe denied local communities the opportunity to have a substantial voice in selecting the new leadership. Instead, Madobe allowed the Ethiopian government, who provided significant support to his administration, to choose the new authority, as it sought to ensure that administrators would not be hostile to Ethiopian forces deployed in the region. By sidestepping local voices in Gedo region, the IJA and Ethiopia violated the terms of the August 2013 Addis Ababa Agreement that stipulated Gedo stakeholders could choose their own leadership in consultation with the Federal Government of Somalia rather than the IJA. Perhaps equally important, it also reaffirmed ongoing fears that Ethiopia was leveraging its access and influence with weak emerging regional administrations to put Ethiopian proxies in Somali political offices.

Secondly, the IJA exhibited signs that it lacked the capacity at the time to handle the authorities and responsibilities decentralized to it. On security matters, the IJA continued to rely entirely on AMISOM forces to hold major towns in Jubaland because it did not have the requisite forces, equipment, and resources to hold ground independently. Without AMISOM support, al-Shabaab would be able to recapture most urban areas from the IJA, meaning that the IJA’s existence was dependent on foreign assistance. The IJA also encountered
substantial challenges addressing the needs of at least 6,000 refugees that Kenya and the United Nations rushed to repatriate to Somalia, ultimately resulting in the IJA issuing a temporary suspension on repatriation while it explored how to prevent the exacerbation of its humanitarian situation. Ultimately, this chapter will round out the major phases and themes of the IJA’s state formation process from 2012-2016.

Expanding Territory, Not Support

Given the dispute over Jubaland’s boundaries between various regional factions, one clear way for IJA president Ahmed Madobe to gain leverage over his rivals was to expand territorial control. This motivation coincided with a goal of AMISOM troops to capture further territory from al-Shabaab in the region. What would transpire would be an operational order issued by AMISOM to focus on the objectives of taking Bardhere and Dinsoor -- two major towns in the northeast corner of Jubaland and just beyond its border with the neighboring southwest administration. The rationale behind the Bardheere and Dinsoor operations was that this would be the beginning of a string of offensives, dubbed Operation Juba Corridor, to remove al-Shabaab from its largest remaining contiguously held territories in Jubaland. Somali and AMISOM troops were scheduled to mobilize and execute the offensive in mid-July 2015 during the peak of Somalia’s dry season when logistical operations would be unimpeded by flooded roads. If successful, it would allow AMISOM forces to begin a phased
withdrawal from Somalia beginning in 2018 and for Jubaland and federal government forces to administer the territory, presuming Somali forces could hold these areas independently. The timing of the operations also coincided with U.S. President Barack Obama’s scheduled visit to Nairobi and Addis Ababa for key bilateral talks where the U.S. was expected to emphasize the critical peacekeeping role that Kenya and Ethiopia played in the region.

Lastly, there was a diverse coalition of troops that were part of the mission: regional troops under the IJA, Ethiopian-supported Somali Ahlu Sunna Wal Jama’a (ASWJ), Somali National Army (SNA) troops, as well as Kenyan and Ethiopian forces. While the mixed composition added manpower to the operations, it ultimately complicated plans for post-operational governance, as will be explained.

On 19 July 2015, Ethiopian, Kenyan, and Somali forces launched a multi-pronged operation to oust al-Shabaab from several areas in Gedo and the edge of Bay region, including the major towns of Bardheere and Dinsoor. Bardheere was of particular importance. It was only one of the biggest towns in the Jubaland region, and it hosted a key bridge across the Juba river through which al-Shabaab facilitated much of its movement across southwest Somalia. AMISOM

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highlighted the importance of Bardheere to the group in its public information operation campaign:

“From Bardheere the terror group controlled food production and collected tax from farming communities to sustain their operations. They also controlled human and motorized traffic at the bridge, turning it into a toll station and a prime source of funds for terrorism activities.”

Figure 15: Offensive operations – Map key: AMISOM and Somali forces (dark green/blue joint icons); al-Shabaab (bright green icons) Source: Created by Cleophus Thomas, III; published on Somalia Newsroom in 2015

Al-Shabaab responded to the military action in the same way that it had in the past. The group withdrew from towns that were the military objectives of AMISOM and Somali forces and chose to maintain control of main supply routes between these towns, which allowed militants to interrupt commercial activity and military logistical support.\(^{296}\) Al-Shabaab’s “tactical withdrawal” allowed it to preserve its forces while it hoped that feuding between AMISOM, Somali forces, and the FGS would undermine local support to the new authorities. What also became reaffirmed after the operations was that Somali forces could not hold the territory without AMISOM support.\(^{297}\) This meant that AMISOM troops were required to remain stationed in newly captured areas in Bardheere but also hold onto territory it had manned until that point. There were benefits and drawbacks to this predicament for the IJA, AMISOM, and other regional actors. While it allowed the IJA to maintain modest territorial integrity, it unfortunately overstretched AMISOM troops across the Jubaland region. Even though the troop cap of the mission stood at approximately 22,000 soldiers, AMISOM did not have the sufficient manpower to capture further major urban areas beyond Bardheere. Equally important, IJA’s reliance on foreign troops cast major doubts about the sustainability of AMISOM’s gains; unless the IJA ramped up its efforts to find the financial resources and equipment necessary to pay and arm its own


forces consistently, then the eventual exit of the African Union mission would leave IJA without a solid defense and allow al-Shabaab to recapture the areas AMISOM had won over since 2007.

Despite the niggling question of how and when AMISOM would exit Jubaland and the rest of Somalia, Ethiopia leveraged every opportunity available to it to enact the political components of its foreign policy agenda in Somalia, namely, to designate friendly political actors in areas where its troops were deployed. This served as a constant grievance among Jubaland stakeholders that believed the capture of new towns should have allowed them to choose their own local leadership, especially given the country was implementing a decentralized form of government intended to support such aspirations.

Leadership Disputes

Disputes over the process to determine the new leadership in Bardheere occurred almost immediately, which is exactly what al-Shabaab hoped would occur. On 23 July 2015, IJA vice president Abdullahi Sheikh Fartaag proclaimed that Jubaland troops had successfully captured Bardheere while ASWJ and SNA commanders refuted the claims, stating instead that it was their respective forces who were in control.298 Following the dispute over credit for the military victory, IJA

"Dhagayso" Ahlu Sunna Anaga iyo Itoobiya ayaa Qabsanay Baardhere Wax Jubaland iyo Kenya Layiraahdana ma Arag Anagu," in Calanside, 24 July 2015,
president Ahmed Madobe made sweeping political appointments aimed at consolidating military and political control of the newly acquired territory and other areas. The Ethiopian military served as a facilitator and enforcer of these moves. It took direct steps to approve new leadership and arrest those who opposed the decisions. Unsurprisingly, many stakeholders in Gedo opposed Madobe’s political offensive, contrasting to the unity that was temporarily shown in the preceding military operations.

Days after completion of the operations, disputes emerged over the composition of the new Bardheere administration. IJA president Ahmed Madobe appointed Adow Ahmed Nuur as the new district commissioner. However, in early August, the SNA and ASWJ contingents temporarily blocked Adow Ahmed’s entry into Bardheere, as they challenged his credentials as the new local administrator. Ethiopia -- perhaps sensing the rising tension between Madobe and his rivals in Gedo -- initiated its own meeting between rival camps in Dolow, an Ethiopia-Somalia border town. On one side was Madobe and his deputy Abdullahi Ismail Fartaag while the FGS-appointed governor of Gedo Mohamed Abdi Khalil and his associates were on the other side. The meeting feigned having the


traditional components of a local reconciliation process as it was held under a mango tree, but ultimately it involved more coercive methods. Ethiopia reportedly arrested members of Madobe’s opposition, drawing the ire of federal parliamentarians.\textsuperscript{302} The meeting concluded with an agreement for both sides to work together despite the controversies surrounding the meeting, but little cooperation would follow.\textsuperscript{303} In early August, the day after the accord was signed, Madobe announced he had “fired” Mohamed Khalil as governor of Gedo and hired Ahmed Bulle in his place. Khalil immediately rejected the move, stating to local press, “I am a governor of Gedo Region who was legally appointed, Ahmad Madobe cannot sack me. He has no authority to fire me.” \textsuperscript{304} He also specifically blamed Ethiopia for being behind his dismissal.\textsuperscript{305}

According to the 28 August 2013 Addis Ababa agreement that Madobe and the Somali government signed, Mohamed Khalil was correct. The agreement stipulated Gedo region would be administered by the federal government rather than by Madobe’s orders. In addition, the accord was scheduled to run for two years unless it was renegotiated. If Madobe had waited until the expiry of the

\begin{footnotesize}
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  \item \textsuperscript{302}"Ethiopian soldiers have got no rights to interfere Somalia’s affairs, says MP Jeesow," in Goobjoog, 14 August 2015, goobjoog.com/english/ethiopian-soldiers-have-got-no-rights-to-interfere-somalias-affairs-says-mp-jeesow/
  \item \textsuperscript{303}"Newly appointed Gedo Governor takes office," in Goobjoog, 9 August 2015, http://goobjoog.com/english/newly-appointed-gedo-governor-takes-office/
  \item \textsuperscript{304}“Somalia’s Gedo governor says Jubba interim leader "has no authority" to fire him,” in BBC Monitoring via Radio Kulmiye, 8 August 2015, Factiva ID: BBCAP00020150808eb88001xh
  \item \textsuperscript{305}"Gudoomiye Kaliil" Ciidamada Itoobiya ayaa Xilka si qasab ah iiga qaaday”, in Hiiraanweyn, 15 August 2015, http://www.hiiraanweyn.net/2015/08/gudoomiye-kaliil-ciidamada-itoobiya-ayaa-xilka-si-qasab-ah-iiga-qaaday/
\end{itemize}
\end{footnotesize}
Addis Ababa agreement on 28 August 2015, he could have justified the firing with
the logic that the framework of the agreement no longer applied. But, the
decision was made within the timeline of the deal, as well as days after a
subsequent agreement to work with his opposition. But once again, a political
contract became worth no more than the paper upon which it was signed because
actors responsible for enforcing it, in this case Ethiopia, supported its preferred
side's extralegal decision.306

Overall, following the capture of new territories, IJA president Ahmed Madobe
failed to ensure that communities in Jubaland had a voice in selecting emerging
leadership in the region. Instead, Madobe chose to expand his own cadre of
loyalists with the help of Ethiopia -- rather than to increase his base of support.
The focus on Jubaland's development following these disputes -- perhaps
appropriately -- would shift toward institutionalizing more representational and
accountable political sub-structures in the IJA through the formation of a
regional parliament.

Political Institutionalization

Despite the development of multiple frameworks to guide state formation, the
constitutionally mandated process for forming federal states had not been

306 For evidence that Ethiopia supported the decision, see information here regarding how
Ethiopia sought to arrest those who opposed the firing of the Gedo governor:
occurring during the two year interim period of the IJA. This presented a quandary for the regional administration, the federal government, and foreign donors -- which wanted to help the IJA make a smooth transition from its “interim” status to one denoting its de jure permanency. There already were delays for the IJA to fulfill key parts of the Addis Ababa agreement aimed at institutionalizing governance structures within the administration. For example, it was not until June 2015 -- almost two years after the agreement’s signing -- that the IJA began to form a regional assembly, which was critical to serving as a check on the power of the regional president.307

Once the process to form the assembly kicked off, it was unsurprisingly steeped in controversy because Madobe’s opponents alleged the process was tightly controlled by the regional leader in order to prevent the body from becoming a bureaucracy that could truly oppose Madobe’s directives or the interests of his Darod-Ogaden clan.308 Early prospective formulas of the regional assembly gave the Darod-Ogaden clan the most seats compared to all other clans. In public discussions, there was a strong and vibrant debate about which clans comprised of the original inhabitants of territories in the Jubaland region and which were more recent settlers. This was defined in the Somali language through two

specific terms: *guri*, which meant those claiming to be original inhabitants, and *galti*, which could be translated as newcomers or pejoratively as “guests”, according to scholars Ken Menkhaus, Roland Marchal, and other sources.309

This had implications for how many members each community believed it deserved compared to others, with clans that saw themselves as historical residents believing they should have more parliamentarians. 310 In the formula first proposed by the IJA, the Darod-Ogaden clan received more seats than all other clans with at least twenty-one seats, while the Darod-Marehan clan received 18 seats. All other clans received between one and nine seats in the 75-member body. 311 The seats were allocated according to what Madobe’s administration deemed was proportionate to their population in each district, even though there was no official modern census data with such specific disaggregation.312


In reaction, on 6 June 2015, federal parliamentarians in Mogadishu approved a bill to “nullify” the Jubaland regional assembly on the grounds that its alleged marginalization of certain clans made the body “illegal.” Not to be outdone, the IJA then released a communiqué detailing how it had decided to “suspend relations” with the FGS, in effect, refusing to cooperate on key national issues until its regional assembly was recognized by its national counterpart. The move was not unprecedented. The Puntland regional government in northern Somalia, which was allied politically with the IJA, similarly had cut ties with the FGS on at least two occasions in the previous two years. The defiance of the national parliament was largely symbolic, as it could not take any real measures to stop the regional assembly from pursuing its next steps to hold an election for regional president again before the end of the IJA’s mandate on 27 August 2015. An important part of what emboldened the IJA was that the international community supported the IJA’s efforts throughout the period of suspended

relations between the Somali government and IJA. For example, in July 2015, AMISOM, the United Nations, the European Union, and the Intergovernmental Authority on Development (IGAD) continued plans to train 600 Somali police officers and other regional forces with coordination from regional ministers.\textsuperscript{316} IGAD also prioritized efforts to quell the complaints of local politicians, including the ousted Gedo governor Mohamed Khalil and his allies. One week before the scheduled regional election on 15 August, IGAD officials from Ethiopia finalized another agreement between the dueling sides in the Ethiopia-Somalia border town of Dolow after only three days of talks.\textsuperscript{317} The results of the deal were not significantly different or more genuine than those reached previously, as it outlined a political cessation of hostilities. But the timing was critical in that it served to de-escalate tensions about the regional parliament’s legitimacy ahead of the regional presidential election. With one less obstacle, the IJA moved forward with the election of the regional president. The seat would be determined by a vote among the very same regional assembly that was under fire. The incumbent Ahmed Madobe did not have any serious candidates opposing his re-election campaign, and that was reflected in the 15 August 2015 vote in which he garnered 68 out of 74 votes among regional representatives to extend his term another four


years.\textsuperscript{318}

There was a perception among Somali analysts that Madobe’s monopoly over the security structure in Kismayo and his oversight over the establishment of the regional parliament almost certainly assured his re-election victory because parliamentarians either feared voting against him or had been handpicked by his allies to the seat in the first place.\textsuperscript{319} Alternatively, there could have been a fear of discontinuity of leadership that also motivated assembly members to keep Madobe. In either case, the international community was more than welcome to anoint legitimacy on the process, as every major foreign stakeholder congratulated Madobe on his victory without questioning any of the compromising factors that may have contributed to the result.\textsuperscript{320}

With a fresh mandate, Madobe could refocus his attention on the crisis with the central government over the composition of the parliament. After negotiations with a special parliamentary committee from Mogadishu, Madobe agreed on 10 September 2015 to add ten seats to the Jubaland parliament from the Rahanweyn

(Digil-Mirifle) clan to appease these communities. Madobe’s political accommodation was sufficient to de-escalate Jubaland’s political crisis back to a simmering discontent, and he arguably modestly increased his standing among some of the aggrieved stakeholders that sought power in the regional assembly’s headquarters in Kismayo. However, there was a larger concern that the IJA was unprepared to provide services not only to long-term residents of its provisional capital but also to an ongoing influx of Somalis from across the border. With particular vigor since 2015, the Kenyan government, in coordination with international humanitarian agencies, had been ramping up operations to repatriate thousands of refugees originally from Jubaland and other areas of Somalia, back to their respective regions with family members who had spent their entire lives on the Kenyan side of the border. The next section will show that the refugee crisis exposed a critical weakness in the capabilities of the IJA as an effective administrator of humanitarian support similar to the way in which its reliance on AMISOM highlighted its shortfalls as a security provider.

Refugee Return Challenges Jubaland Administration

After the outbreak of civil war in Somalia in 1991, tens of thousands of Somalis

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began streaming across the border, with many ending up in Kenya where the
Dadaab refugee camp was established in the northeastern region in 1992.  
Continued instability in Somalia due to violence, drought, and famine has meant
that Dadaab camp’s population had stayed at a massive level -- the biggest
refugee site in the world with over 275,000 residents, by the end of December
2016. Since 2015, Kenya has threatened to close Dadaab on multiple occasions
because the government considers the camp as a base for terrorist activity. Kenya’s High Court and the international community has forced Kenya to walk
back these threats, citing Kenya’s legal responsibility to host the camp until
refugees can be safely and voluntarily resettled, as well as the infeasibility and
risks of a mass repatriation of refugees back to Somalia. Nevertheless,
repatriation has continued under a Tripartite Agreement between Kenya, Somalia
and the United Nations High Commissioner on Refugees (UNHCR). This deal has
provided a platform for “voluntary” return. The way in which the Kenyan and

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322 Redden, Jack. "Dadaab - World’s biggest refugee camp 20 years old," in UNHCR, 21 February
biggest-refugee-camp-20-years-old.html
323 "Dadaab Refugee Camps, Kenya UNHCR Dadaab bi-weekly Update 16 - 31 December 2016," in
ReliefWeb, 31 December 2016, reliefweb.int/report/kenya/dadaab-refugee-camps-kenya-unhcr-
dadaab-bi-weekly-update-16-31-december-2016
324 Sieff, Kevin. "Kenya is threatening to close the world’s largest refugee camp," in Washington
Post, 28 April 2015, https://www.washingtonpost.com/world/africa/kenya-is-threatening-to-
close-the-worlds-largest-refugee-camp/2015/04/27/ab296316-e9cd-11e4-8581-
633c536add4b_story.html
325 Noah Raymna, "Kenya rolls back threat to close massive refugee camp," in Time, 6 May 2015,
time.com/3849568/kenya-dadaab-refugee-camp-uhuru-kenyatta/
"Kenya vows to appeal verdict blocking Dadaab camp closure," in Daily Nation, 9 February 2017,
www.nation.co.ke/news/High-Court-cancels-closure-of-Dabaab/1056-3806030-7enmgdz/
326 "Kenya assures head of UN refugee agency that rights obligations will be followed for Somali
returns," in UN News Centre, 31 June 2016,
Somali governments, non-governmental organizations (NGOs), and the international community approached refugee repatriation had a significant impact on security and development in the Jubaland region, where many of Dadaab’s constituencies are from originally.\footnote{327 "UNHCR Dadaab Monthly Update," in UNHCR, 16 July 2016, reliefweb.int/sites/reliefweb.int/files/resources/31%20July%20UNHCR%20Dadaab%20obweekly%20Update_o.pdf}

In September 2016, Human Rights Watch argued that Kenya’s role in the repatriation process was “fueled by fear and misinformation, [and] does not meet international standards for voluntary refugee return.”\footnote{328 "Kenya: Involuntary Refugee Returns to Somalia," in Reliefweb, 14 September 2016, reliefweb.int/report/kenya/kenya-involuntary-refugee-returns-somalia} Thus, there has been a concern about the legal context in which refugees are being offered, and often intimidated, to leave Dadaab. According to UNHCR’s Kenya Comprehensive Refugee Program 2016, the organization planned to embark on an ambitious effort to repatriate refugees out of Dadaab. It noted, “As programming for voluntary repatriation gains more focus and support for returnees is enhanced on both sides of the border, there will likely be an increase in returns (UNHCR planning figure for returnees is 50,000 for 2016 and 75,000 for 2017). Based on this assumption, the total number of Somali refugees can decrease by some 25\%.”\footnote{329 "Kenya Comprehensive Refugee Programme 2016," UNHCR, 2016, http://reliefweb.int/sites/reliefweb.int/files/resources/2016-KCRP5.13fv.pdf} However, implementing a mass repatriation of refugees back into Somalia poses a significant risk to those refugees and to security and development in Jubaland -- where most refugees originate -- and other areas of
Somalia. According to demographic data of returning refugees obtained by UNHCR in 2016, more than 8,000 returnees out of 16,200 refugees have returned without a trade, and more than 11,000 have no education.\textsuperscript{330} This means that thousands of returnees have little resources to develop a sustainable livelihood when they reach their destination. UNHCR’s support mechanism only provided returnees with a small $200 stipend for travel and follow-up assistance for six months, which included a monthly $200 support payment.\textsuperscript{331} Notably, 50\% of these returnees were hosted in IJA headquarters of Kismayo, according to the same data set.

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<th>Table 3: UNHCR breakdown of refugee return by location and gender for 2016</th>
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<td><strong>Return Area</strong></td>
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<td>Baidoa</td>
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<td><strong>Grand Total</strong></td>
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The repatriation process lacked buy-in from the IJA, which ultimately will be


responsible for ensuring the sustainability of refugees’ returns, because it has felt overwhelmed by the pace and volume of returnees. In August 2016, the Jubaland administration stopped a convoy of over 1,000 refugees from entering the region, citing a lack of resources to support new arrivals. With over one million of internally displaced persons (IDPs) already in Somalia, humanitarian resources were certainly already strained, validating the concerns the administration expressed. Additional data provided by UNHCR showed that over 1,000 refugees have returned to areas that are under the control of al-Shabaab in Middle Jubba. While refugees should be allowed to return to either areas of their origin or choice, humanitarian actors may not have fully appreciated the risks posed by this dynamic. Newly arriving refugees allowed al-Shabaab further opportunities to tax, harass, indoctrinate, and recruit these individuals. And, refugees voiced their concerns about how they would engage with the threat of terrorism upon return. A twenty-three year old refugee who identified himself as Mohamed told International Business Times in June 2016, "When you go back to Somalia, you'll become suspected by the government and the al-Shabaab group because you come back from Kenya. They will ask: 'Is he a spy for the government or for al-Shabaab?'" Returning refugees that could not find stable homes in

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334 Elsa Buchanan, "Kenyan refugees may be forced to join al-Shabaab or face sexual abuse if repatriated to Somalia," in International Business Times, 30 June 2016, www.ibtimes.co.uk/kenya-refugee-repatriation-somalia-may-see-many-join-al-shabaab-face-sexual-abuse-1568051
Somalia were forced to take refuge in a camp for internally displaced persons (IDPs) -- which were less resourced than Dadaab. A Somali radio station detailed the dilemma for refugees that expected their return to Jubaland to encompass a more hospitable environment:

“Muhubo Abdullahi Aden has been living with her 10 children in Towfiq IDP camp in Kismayo city since January, when she returned to southern Somalia after 25 years as a refugee in Dadaab, northeastern Kenya....We were told that we would be resettled in houses complete with running water and toilets, and our children would get education similar to what they had in the camps. They made us believe that life in Somalia would be better than in the camps,” she said. “But seven of my children who were attending schools in the refugee camps are now at home... and we don’t even have toilets and water.”

The repatriation process as it occurred in Jubaland throughout 2015-16 was arguably impractical and unsustainable and highlighted another critical deficiency in the IJA’s ability to administer services to old and new residents in its territories. It also would continue to serve as another obstacle to Jubaland’s development if there was not a substantial improvement in infrastructure and governance. If the IJA could not provide services for its current population,

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including IDPs, it almost certainly could not support the return of thousands of new residents. In this way, Kenya’s interests of repatriating refugees en masse served in direct contrast to its other primary goal of building a strong regional administration in the IJA that would serve as a buffer zone against al-Shabaab.

**Reverberations from Jubaland**

Somalia began the implementation of federalism with the idea of bringing governance closer to the aspirations and priorities of the people. However, events in Jubaland from 2013-2016 showed that more power was concentrated in the hands of the regional president than the district authorities and communities in the region. It also revealed that the IJA did not have the capacity to execute the responsibilities of those powers independently and required substantial international support in order to maintain any progress in governance that had occurred during that time period.

Local communities in Jubaland became increasingly frustrated when they did not receive an opportunity to choose their own local leadership after AMISOM and Somali forces captured new areas from al-Shabaab. Similar grievances followed during the process of choosing Jubaland’s regional parliament. In both scenarios, Madobe exploited these opportunities to install leaders of his choice, arguably including himself, after his re-election as regional president. While some local stakeholders felt disenfranchised, foreign stakeholders including Ethiopia and
Kenya capitalized on the IJA’s lack of political institutionalization. Both countries’ strategic interests in the Jubaland region revolved around the placement of sympathetic Somali politicians and implementation of policies that could advance their respective interests. Ethiopia ensured that following successful offensive operations to capture new territory from al-Shabaab, the administrations in areas where it deployed troops were approved by the Ethiopian military, despite protests from locals. These actions contributed to perceptions that federalism could serve as a mechanism for neighboring states to exercise greater influence in Somalia through exploiting weak emerging regional administrations.\(^{336}\) In addition, Kenya ensured that refugee repatriation -- as part of its national security strategy -- would move forward at a rapid pace, despite the negative impact it had on the IJA.

A central question behind the establishment of the IJA and other federal states in Somalia was: how long it would take for these administrations to be able to exercise the power that was decentralized to it? The international community made significant efforts to improve the legitimacy of the IJA territorially and politically by supporting military operations to take areas from al-Shabaab and supporting the development of a regional parliament. However, the IJA could not maintain these gains without substantial international support, reducing the

notional credibility foreign stakeholders intended to inculcate. At the end of 2016, IJA forces still did not independently control any major towns in the region, as they relied on the support of AMISOM, despite numerous efforts to train Somali forces. Equally important, al-Shabaab controlled the entirety of the Middle Jubba region. As a result, the Jubaland administration was not in control of its own fate as a sustainable government. The IJA, in conjunction with the Somali government, would have to ensure it could provide security with its own forces in order to make decentralization work, but there was no agreed plan or resources dedicated to implement such cooperation. More broadly, the ability of federalism to thrive in Somalia would depend on how well regional administrations absorbed power decentralized to it. The IJA’s display that it could not handle greater responsibilities led to a protracted situation in which foreign stakeholders would be responsible for carrying out those tasks, thwarting the intentions of the federalism process.

The dynamics that played out during the Jubaland state formation process did not occur in a vacuum. Rather, these issues appeared in similar forms in each subsequent state formation conferences to form the Galmudug and Hir-shabelle administrations, highlighting the importance of the Jubaland process in understanding the broader context of Somalia’s federalism efforts. This section will briefly detail the series of events that led to the creation of the Interim Galmudug Administration (IGA), which was formed as a merger between parts of
the Mudug and Galgaduud regions, as a means to explain the ways in which the process mirrored that which occurred in Jubaland.

Galgaduud and Mudug regions are situated in central Somalia and are home to a number of clans in the region, including many Hawiye sub-clans (Habar Gidir, Murusade, Saleeban, Abgaal, et al), Darod (Marehan, Majerteen), Dir, Madhiban, among many others. During the Somali civil war, these regions witnessed substantial violence between the Hawiye-Habar Gidir and Darod-Majerteen clan militias. Some humanitarian agencies shied away from providing humanitarian support to the region, particularly in Galgaduud, because it was perceived as too insecure. One prominent Hawiye-Habar Gidir elder in the Galgaduud town of Dhusamareeb believed the reluctance to bring humanitarian assistance to the region was because it hosted some clans that were loyal to clan leader Mohamed Farah Aideed, who was pursued as an outlaw by international forces after clan forces loyal to him attacked peacekeepers. However, local communities established some Islamic-based courts in rural areas and set up cheap satellite communication in urban areas, highlighting some of the efforts of resiliency despite spates of violence.337 The hotspot of Galkayo arguably saw the most serious clan fighting in central Somalia during the civil war. According to oral accounts in February 1991, fighting between Hawiye- Habar Gidir militias against their Darod-Majerteen clan rivals resulted in the deaths of 500 and left at least

In the mid-2000s, clan leaders began to form new small administrations to cater to their communities' territorial and political interests, as well as to create broader political authorities for the region due to the absence of an effective central government. Dozens of projects claimed to form mini-states with their

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own regional “presidents”. Several officials were inspired in part by a provision of Somalia’s 2004 Transitional Federal Charter that allowed for two or more regions to create a state “based on their free will.” This ostensibly was intended for whole regions to merge out of the 18 that existed after 1991, but local leaders focused predominately on creating administrations with allied clan boundaries rather than broader pluralistic political boundaries.

By 2012, there were five major administrations in Galgaduud and Mudug regions. The Puntland administration claimed northern neighborhoods in Galkayo (in line with the 1993 Mudug Peace Agreement) and all districts in Mudug with major Darod clan constituencies, which excluded Hobyo and Harardheere. The Galmudug administration, which largely represented Hawiye-Habar Gidir-Sa’ad interests, claimed south Galkayo and areas stretching south toward Hobyo, with Galinsoor near its western border. Thirdly, the Himan and Heeb administration -- which was formed separately by Hawiye-Habar Gidir-Saleeban clan leaders -- carved out its own areas of control between Adado and Amaara. Lastly, al-Shabaab militants controlled much of the southern half of Galgaduud region and

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a corner of Mudug region. In this context, it was the aim of the Somali government to form a regional administration in Galgaduud and Mudug that could voluntarily incorporate various clan enclaves (apart from al-Shabaab) under a common regional government. The process to form the Interim Galmudug Administration was the third of four iterations to form regional administrations.

During the beginning of the Jubaland process, the dispute over how the provisional constitution attributed roles between the FGS and local stakeholders on setting up each regional administration created an uncertain legal and political cloud and contentious environment under which proceedings occurred. Similarly, in July 2014, one of the toughest questions at the beginning of the Galmudug state formation process was rooted in a constitutional disagreement on whether Somalia’s Mudug region could be legally split between two administrations. On one hand, Article 49 of the provisional constitution stated Federal Member States (FMS) needed to be based from two or more (ostensibly whole) regions merging. Meanwhile, Puntland’s regional constitution defined its borders as to include certain parts of Mudug region while excluding others. Though this would appear to “unconstitutionally” split Mudug region, Article 142 of the provisional constitution stated that Puntland’s constitution would retain the rights and powers as defined in its regional constitution until it was harmonized with its federal counterpart. This reading -- from Puntland’s
perspective -- backed its claim that its regional constitutional borders in Mudug were legally sound. Since there was no constitutional court in which to resolve the matter, a technical resolution was virtually impossible — driving the need for a political solution.

On 30 July 2014, Somali government officials and foreign diplomats officially announced what would become the third successive dispute over the management of the state formation process in Somalia. A ceremony was held in Mogadishu to announce the intent to form an interim Central State administration (aka Galmudug) consisting of Mudug and Galgaduud regions that could eventually become a Federal Member State. The UN Special Representative for Somalia Nicholas Kay hailed the deal but caveated its non-inclusive success:

“Every region in Somalia is home to all Somalis, and is very diverse. Today not every representative managed to attend this ceremony, but I hope that very soon all stakeholders will be at the table and part of this historic process. I urge in particular full participation by women.”

Several mainstream leaders recognized the agreement to form the administration, including representatives from the Galmudug administration, ASWJ, Ximan and Xeeb, the Somali federal government, and the international

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community. However, out of the eleven signatures on the agreement, only three represented entities from central Somalia, while four were from the FGS and four others were from IGAD, the AU, and UNSOM. None of the signatories were women. In addition, there was still outspoken dissent among other senior members of groups from Galmudug, as well as other relevant clans and leaders from the region.

Puntland’s president Abdiweli Gaas was under the impression that the process would seek to merge Galgaduud with the entirety of Mudug region, thus attempting to usurp his administration’s control of these areas. In retaliation, he suspended relations with the federal government again, called back federal parliamentarians from Puntland, and condemned the international community for supporting the agreement, according to a lengthy press statement issued one week after the accord. Ximan and Xeeb’s president Abdullahi Ali Mohamed “Baarleex” initially condemned the agreement, but inevitably succumbed to pressure to join the other signatories. Many of his constituents, however, protested in the streets of Adado as a sign of their own skepticism.

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346 "Madaxweynaha Ximin Iyo Xeeb oo Sharci darro ku tilmaamay Heshiiska Maamulka Gobolada Dhexe .TvwaagacusbTvwaagacusub," in YouTube, 31 July 2014, https://www.youtube.com/watch?v=Vxk4D08gr_s&list=UU6IYhrn7aVC4gSD6IzZH BzQ%20;
ASWJ’s chairperson Sheikh Abdirisak Ali Mire “Ashcari” rejected the signature of his counterpart Ibrahim Hassan Gurey, highlighting the lack of a consensus within one of the most important political and armed groups in the Galmudug region. Lastly, both Darod-Marehan of northern Galgaduud (which generally were allied closely to ASWJ) and Hawiye sub-clans (including the Murusade, Waceysle, and Saruur) all either expressed dissatisfaction with the lack of consultation or rejected any claims that their clans approved of the agreement.347

The international community’s proclamation regarding the beginning of the Galmudug state formation processes was mired in a level of discontent similar to what occurred in the Jubaland case. This did not stop the FGS and foreign partners from continuing with the process, and equitable representation among the region’s most influential actors did not sufficiently improve during the year-long process. Despite having one ASWJ member sign on to the initial state formation agenda, ASWJ was absent from much of the Galmudug conferences because it did not accept the boundaries around which representation was decided, which was based on equitable clan representation. From ASWJ’s perspective, it was not a “clan-based” entity because it was comprised of multiple clans and had a non-clan oriented political and religious agenda. Thus, the group


believed its representatives – regardless of what clan they came from -- should have been able to participate in the state formation proceedings without any clan-based restrictions. On the other hand, other stakeholders were concerned that this would create a “clan imbalance” among other delegates that were selected on a locally-devised clan-based formula. ASWJ’s second complaint was that the FGS had continued to not fulfill past cooperation agreements about integrating the group politically and militarily into regional authorities. Simply put, the FGS and other Galmudug political leaders were not willing to cede the level of authority and resources that ASWJ consistently demanded, even though the group controlled key terrain in the region and served as an effective bulwark against al-Shabaab. If FGS and Galmudug leaders had met ASWJ’s demands, it would have altered the balance of power in the region against them while at the same time empowering a traditional ally of the Ethiopian government, and this probably disincentivized capitulation.

After a year of proceedings, the Galmudug state formation conference yielded a regional constitution and 89-member parliament. Those parliamentarians, in July 2015, elected Abdikarim Guled, a former security minister and an ally of then-president Hassan Sheikh Mohamud, as leader of the region. Guled managed to defeat a rival candidate in Somalia Envoy to Ethiopia, Ahmed Abdisalan Adan, who received support for his candidacy from the Ethiopian government because

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he was seen as a potential regional leader that would not harm Addis Ababa’s interests in the region. Nevertheless, since the process had failed to reconcile complaints from ASWJ and Puntland, the new Galmudug administration faced significant problems with its political credibility and authority. ASWJ began what was effectively an offensive military campaign against Galmudug forces to capture key areas, including the capital of the new Galmudug administration in Dhusamareeb. While the United Nation’s Somalia team denounced the maneuvers, the idea behind the campaign was to show that ASWJ had more capabilities and influence on the ground than its rivals, despite the elite pacts made between other regional leaders and foreign diplomats.

Through the end of 2016, the Galmudug administration and the FGS had failed to conclude its feud with ASWJ, and the latter still retained control of important towns in the Galmudug region.

The re-opened wound of the contested border with Puntland also flared up again following the establishment of the new Galmudug administration. Ordinary activities that may not have otherwise triggered violence carried more gravity in the context of political tensions. For example, in November 2015, when Puntland began construction of a road project in neighborhood close to the Galmudug region.


border, Galmudug forces open fired on construction workers. This set off a chain of retaliatory attacks in which militias used automatic weapons, anti-aircraft fire and mortars, resulting in at least 40 dead, hundreds injured, and 90,000 displaced before a ceasefire was reached in December.\textsuperscript{351} Overall, the crises during the Galmudug process shared a similar root with the Jubaland case in a clumsily worded and insufficiently detailed guideline for the process that provided an unstable foundation for state formation efforts. In addition, the FGS and foreign diplomats did not apply lessons learned from the Jubaland case about the consequences of a non-inclusive state formation process. As a result, the stakeholders witnessed a similar sequence of violence and political disagreement that ultimately hampered the credibility of the final product.

**Territorial Contestation and Federalism**

The dynamics of regional state formation in Jubaland and the similar trends that emerged in central Somalia highlight the challenges of implementing federalism in weak states where territory often changes hands between rival groups with varying loyalties to local and foreign authorities. For Somalia and other weak states, the fundamental question is as follows: can power be formally

\textsuperscript{351} Farah, Hussein. "Somalia: Seven dead in clashes between Puntland & Galmudug forces in Galkayo City," in Horseed, 29 November 2015, \url{https://horseedmedia.net/2015/11/29/217682/}.


decentralized in a context in which most of it is already so informally diffused? In other words, how can a weak central government decentralize authority to a similarly weak regional government in a way that shifts, and ostensibly improves, how security and social services are provided?

Figure 17: Control of Somalia (2017). Territorial control is highly diffused between rival militias and groups. Source: polgeonow.com
This is a critical issue for how scholars study decentralization and federalism in weak states because the map of territorial control is one that often changes frequently based how actors pursue new areas due to economic incentives, provocations of grievances, climate changes, and other factors.352 For Somalia and other weak states, this research underscores how high-stakes political processes such as the implementation of federalism can certainly motivate stakeholders to seek expanded areas of control, or conversely, to keep newly designated authorities out of areas claimed by rival groups. These territorial shifts may complicate processes to divide power and responsibilities because groups may fight to redraw the map to fit their respective visions rather than one envisioned in the formal federalism process.

As a result, in a federalism process, the sequencing of when borders optimally should be drawn for regional administrations in states where there is still active armed conflict is another dilemma. If borders are drawn early on in the process, this raises the prospect of having a high number of regional administrations as many groups may seek their own territory. This could prove unwieldy and make
downstream processes to divide resources more difficult because there would be more groups at the negotiating table. However, the advantage of this approach would be that these groups could be discouraged (although certainly not prevented) from efforts to take further territory because they were allotted their own areas from the beginning.

Alternatively, a country attempting to implement federalism could commit more time and resources at the front end of the process to reconcile competing groups and areas as a means of creating a lower number and cohesive set of regional administrations. The down side of this approach is that it is more timely and difficult to execute, particularly in countries with complex multitudes of dyadic conflict over ethnicity, religion, and resources. The advantage is that, if successful, it incorporates components of reconciliation and trust-building between disparate groups that can produce regional administrations with more buy-in from local communities and less risk of territorial disputes with their counterparts.

Somalia’s regional state formation process, as shown in the research on Jubaland, attempted to create a low number of regional administrations with larger regions without the key component of grassroots reconciliation to bring diverse communities under one umbrella. And, as discussed, Jubaland president Ahmed Madobe’s faction did not have an independent capability to secure the
territory under his auspices. This allowed one of Madobe’s primary foreign partners – in this case Ethiopia – the opportunity to assist Madobe in taking new areas effectively in exchange for Ethiopia’s opportunity to name new leadership in these towns and extend its own sphere of influence in Somalia, which was one of its primary foreign policy objectives. As scholars consider how to divide newly federal countries into regional administrations in a way that reduces the amount of territorial contestation, this research on Somalia should provide a useful model of the factors to take into consideration when attempting to formally decentralize power in a weak state where many authorities are already informally decentralized.

The next chapter will engage with academic literature to determine how the experience of the IJA contributes to how scholars think about federalism processes, including how the planning and execution of efforts to create the IJA compared to the normative prescriptions of political decentralization in academic literature. Similarly, it will assess potential pathways forward for the IJA to resolve the various conundrums that have hampered its existence so far, and this may have implications for state formation in Somalia more broadly. Such academic brainstorming will provide useful because the problems that plagued the IJA’s state formation process did not occur in a vacuum. Stakeholders in subsequent state formation processes adopted the same strategies and tactics in order to take advantage of the lack of a consensus regarding how the federalism
process should be implemented in the country.
CHAPTER 6: SOMALI FEDERALISM IN REVIEW

As Balasuriya wrote in 2014, “Academic literature on the impact of decentralization on conflict is not yet fully settled. Some scholars find decentralization reforms contributing towards conflict mitigation while others see them leading to conflict intensification. This has been a major constraint in designing conflict-sensitive decentralization reforms and in measuring their impact.”353 The aim of this dissertation was to help fill the gap in academic literature on federalism and decentralization in Somalia -- and more broadly on nascent processes to implement federalism in weak and fragile states. In 2012, Somalia approved a new provisional constitution that established the country as a federal administration that would be divided into regional administrations and devise a set of laws to share powers and responsibilities. Four new regional administrations were formed between 2012 and 2016.354 This research sought to identify the challenges to the regional state formation process in Jubaland, and I

354 Those new administrations, in order of establishment, include Jubaland, Southwest, Galmudug, and Hir-Shabelle. The status of Banaadir region, which includes the capital Mogadishu, remains unresolved and a source of contention. See: https://somaliagenda.com/federating-banadir/
chose this region as my focus because it was the first new administration to be formed and the growing pains it experienced resonated throughout the state formation process in other regions.

Equally important, this research supports a strong interest among Somali stakeholders, Western policymakers, and academics who are trying to understand how federalism could work from a technical perspective and how it is currently being implemented in Somalia. The U.S., among others, have committed whole-heartedly to the idea that Somalia is on a federal path and that it should strengthen its federal foundation rather than attempt any retreat to centralization. For example, in October 2013, then-Deputy Assistant Secretary for African Affairs Linda Thomas-Greenfield stated during a Congressional testimony that “building political cooperation among Somali regions and clans in support of the federal framework is essential, if democracy, economic growth, and security are truly to take hold in Somalia [and the U.S.] will continue to fund humanitarian assistance and civil society programs in Somaliland and Puntland, with an objective of improving regional collaboration towards federalism.”

As a result, understanding the dynamics of how federalism can emerge and evolve in Somalia and in developing states will be critical to academic literature.

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that relies so much on comparative quantitative and qualitative analysis. Decentralization in Africa is also a critical issue that is being researched intensively in Western policymaking circles, particularly in the United States government. Since 2010, the United States Agency for International Development (USAID) has been producing reports on federalism, devolution, and sub-national political development in Africa. According to the agency, the goal of the research is to “[document] their experiences and [examine] in each case how decentralization affects key governance characteristics...”

According to the same article, USAID has been following many of the factors that are important for an effective federal government that have been discussed at length in this dissertation:

“Among the characteristics of interest are the legal authority of subnational units, their degree of autonomy from the central government, along with patterns of accountability between actors, and the overall capacity of actors in African governance. The overall success of decentralization experiences in Africa depends upon a mix of these characteristics that gives local actors greater opportunities for decision-making while also ensuring that the central government retains the power to oversee and monitor local actors.”

This research showed, as the following sections will summarize, that the

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357 Ibid.
stakeholders in the Jubaland region and Somalia more broadly lacked many of
the aforementioned prerequisites. This resulted in a disorganized
decentralization process that allowed a handful of local Jubaland elites to control
the process with their foreign backers and left many stakeholders – often
including the Somali federal government – without a meaningful voice in the
process. Even though the Jubaland regional administration inevitably was
formed at least on paper, it lacked a widespread base of support, the ability to
provide security and services to its constituents, and relied almost completely on
foreign military and international humanitarian support for its existence. This
was not the brand of federalism to which most Somali stakeholders or Somalia’s
Western partners had aspired.

The following sections will summarize why Somalia failed to carry out an
organized federalism process in Jubaland. It will also fit those occurrences within
the debate in academic literature about how to measure the efficacy of
decentralization processes. There is room in the literature to focus more on the
dynamics of federalism in fragile and developing countries, where weak
institutions often cannot yet independently produce data that is helpful to
researchers. This is important because scholars have used quantitative research
methods in order to compare the efficacy of federalism across the board among
cases, including Lijphart, Binningsbø, and Hartzell and Hodie. In Hartzell and
Hodie’s 2004 research, their independent variables were “a composite measure
designed to reflect four separate categories of power sharing that may appear in a peace settlement: political, territorial, military, and economic.” The authors further explained, “A settlement is ranked one unit higher for each category of power-sharing provision that it includes. The coding for the composite sharing variable is based on the texts of the settlements themselves”. Somalia was not covered in this study, and it would be difficult to include it in future studies of this nature unless there is robust research about what qualities defined Somalia’s adoption of federalism. This dissertation aimed to fill some of the gaps in that research question.

**Weak Rules to Govern Implementation**

Somalia’s provisional constitution – part of its own “peace settlement” – was inadequately detailed to serve as a roadmap for the federalism process. This consistently incited disagreement that would cause further downstream conflicts. The country’s provisional constitution was the product of years of negotiations between Somali and international experts that intended to provide much of the framework for federalism. However, the document was substantially vague in how it described the process to create regional administrations, as well as in how it detailed the relationship between the central government and an emerging regional state in Jubaland. When the provisional constitution was approved in

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2012, it was still in the process of revision before it could be put up for a public referendum. Parliamentary committees that were responsible for its revisions failed to submit changes to parliament over a period of four years due to lack of funding and political disagreements about its composition.\textsuperscript{359} Thus, for the entirety of the 2012-2016 period that was the focus of this research, there was not a consensus on the roadmap for setting up the federal system.

For example, in terms of the central-periphery relationship, the principles of federalism laid out in Article 50 of the document did not specify which levels of government were given authority over various political, fiscal, and social issues. Article 50(b) stated, “Power is given to the level of government where it is likely to be most effectively exercised;” Article 50(f) stated, “The responsibility for the raising of revenue shall be given to the level of government where it is likely to be most effectively exercised;” In another example, Article 54 lays out that many of the divisions of powers and resources between the federal government and states (with exception on foreign affairs, monetary policy, and immigration) would not be negotiated until after the formation of the regional administrations.\textsuperscript{360} But constitutional guidelines for the state formation process were also vague and contradictory. Pro-regional states’ rights groups contended that Article 49(6)


deferred the power to create the regional administration with locals to particular regions; it stated, “Based on a voluntary decision, two or more regions may merge to form a Federal Member State”. Contrastingly, the federal parliament presumed that it possessed several authorities regarding how regional boundaries were going to be drawn, as Article 49(1-5) provided that parliamentarians were in charge of (1) nominating a commission with defined powers to study and make recommendations on the federalism issue and (2) determining the number and boundaries of Federal Member States.

The unfinished nature of the constitution as a roadmap for federalism directly contributed to stakeholders’ frequent disagreements over the interpretation of its content, particularly over the rights and responsibilities of local, regional, and national leaders during the state formation process. The irreconcilable constitutional text led to tension between the federal government of Somalia (FGS) and Jubaland stakeholders, as well as between elites in Jubaland and neighboring regions. The FGS exerted serious efforts to either usurp control of the Jubaland state formation process, or alternatively, pause its proceedings in order to stake its influence in the conference Ahmed Madobe was leading. At the same time, rivals to Madobe led competing state formation conferences. By early-to-mid 2013 multiple candidates declared themselves “president” of the region.

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from their respective headquarters in Kismayo, despite no candidate’s ability to independently secure territory in the region from al-Shabaab without the help of AMISOM forces. In June 2013, the dispute inevitably led to violence in Kismayo, which triggered diplomatic action by Somalia’s neighbors, namely Ethiopia, and Western diplomats to defuse the situation through ad hoc political negotiations. Ahmed Madobe, the most well-resourced and internationally supported regional actor in Jubaland, took advantage of the ad hoc nature of negotiations in order to virtually exclude the role of his Jubaland rivals in talks, which focused on the bilateral relationship between Madobe and the FGS. While the agreement led to a cessation of hostilities in Kismayo, its provisions on the prospective division of power between the FGS and the Jubaland administration were not accepted by many stakeholders in the region as a legitimate agreement because they were not consulted or involved in the process. This led other Somali groups in Jubaland (e.g., factions of the populous Darod-Marehan clan) and neighboring southwest regions (e.g., the Digil-Mirifle clans) to protest the agreement and refuse to acknowledge the leadership and boundaries of the Jubaland state. What followed were further ad hoc negotiations that yielded similarly non-comprehensive and non-inclusive peace deals; Each iteration of the crisis management process added a small number of formerly excluded participants, but failed to include many others – thus creating a ripple effect of increasingly discontented marginalized stakeholders. By the end of 2016, the peace agreements negotiated by Somalia’s foreign partners helped to reduce the public spectacle of the state formation
process, but it had not engendered significantly more credibility for the Jubaland administration outside of Kismayo – which was a more important long-term goal.

The theme that a weak process misguided the implementation of federalism is one the most important findings of the research in terms of the broader discussion in scholarly literature about whether a federal model can have demonstrably positive or negative effect, particularly on weak and fragile states. In the introductory chapters, two key schools of thought were discussed. Academics such as Lijphart (2008) determined through quantitative research that power sharing was an integral component of stability in states emerging from civil war, and Tiebout (1956) argued that federalism could reduce graft and improve efficiency because corrupt leaders would not be able to outperform their more efficient colleagues and could not sustain the support of their constituencies. Buchanan (1995) and Inman (2007) also suggested regional states are incentivized to protect rights and provide services for its constituents because locals could move (and take their tax base with them) if they were not served effectively. On the other hand, Rothchild and Roeder contended that "power sharing [limited] democracy" by "creating a stable cartel among the elites of ethnic groups and often other interests groups." Additionally, Spears (2002) argued that power sharing “provides only a short-term reprieve from violent conflict...it does not resolve conflict but instead may only temporarily displace it

or disguise disputants' more malevolent intentions...By default, power-sharing becomes the only option for a commitment-averse international community because it offers a logically attractive approach to conflict management”.

I posit that there was not demonstrable evidence during this time period that a federal model would fail in Somalia. Rather, it showed that Somalia’s weak institutions and disagreements over process guidelines prevented the construction of two key building blocks of federalism, namely (1) the agreement between the central government and outlying regions on the basic division of power and responsibilities, and (2) the ability of regions to contribute to security and services. What should be noted from the outcomes of this case study is that the process to implement a federal model of government had significant impact on the nature and quality of the model that was produced. As was referenced in Chapter 1, scholars such as Falletti (2005) argued under a “sequential theory” of decentralization that when regional leaders controlled the process, then they were more likely to retain broader rights and responsibilities from the central government, and vice-versa when the center was able to guide the process. Falletti also posited that if regional leaders prevailed at the beginning of a decentralization process with their demands, then that would embolden calls for

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further decentralization in the future.\textsuperscript{364}

It can certainly be argued that a specific group of regional stakeholders — particularly those close to Ahmed Madobe — succeeded in preventing the Somali federal government from controlling the state formation and broader federalism process. But the case study of Jubaland was not a zero-sum transaction. Madobe’s Jubaland faction was reliant on foreign forces and international assistance for the plurality of superficial influence it was able to maintain in terms of remaining in political control and keeping the central government from controlling key resources like the airport and seaport of Kismayo. Nevertheless, this research supports Falleti’s general principal behind her “sequential theory” of decentralization. This suggests that it will be difficult for the Somali central government to redirect the balance of power with the federal states moving forward.

\textbf{Elite versus Grassroots Reconciliation}

A key question for observers at the beginning of Somalia’s federalism process was whether it would be predominantly carried out through bottom-up social and political dialogues involving a broad spectrum of stakeholders, or alternatively, if Western and Somali elites would be the primary interlocutors for

implementation. Academic literature and reports from conflict resolution experts have repeatedly emphasized the need for inclusive, locally led, and sustained grassroots reconciliation efforts as a means to forge consensus on sensitive or politically difficult issues in Somalia. Within case study research of conflict in the Horn of Africa, there has been fairly definitive evidence that foreign-led and short-term peace conferences in general have not yielded effective social and political agreements, while locally-led and sustained meetings -- such as those held in Somaliland and Puntland during the civil war era have resulted in more effective outcomes. Menkhaus specifically stated, “From a survey of the numerous reconciliation strategies in Somalia, the most successful were at local level, using traditional Somali social mechanisms...”\textsuperscript{365}

Contrary to the suggestions in the literature, the Jubaland regional administration was formed primarily through a series of elite pacts through top-down negotiations led by Western diplomats and Ethiopia, according to the research in this dissertation. There were several explanations that could explain why short-term, foreign-led, top-down processes occurred in place of a long-term bottom-up engagement. In absence of a concrete roadmap in the provisional constitution, foreign diplomats had developed a rigid timeline in 2013 for accomplishing the most critical political tasks known as the Vision 2016 planning document. This agenda outlined dates for when Somali stakeholders and

international partners should finish certain tasks related to state formation, ratification of the provisional constitution, and holding national elections. In order to limit the number of delays in meeting those deadlines, these officials, along with intermediaries from Somalia’s regional neighbors, were consistently engaged in troubleshooting political crises through ad hoc negotiations, including the Addis Ababa agreement to quell violence in Kismayo over leadership of the Jubaland region and the Southwest agreement, which reaffirmed the regional administration’s boundaries in a federal state between southwest Digil-Mirifle clans and Madobe. Diplomats prioritized short-term deals to create stop-gaps for crises rather than investing more time and effort in agreements that were more inclusive and sustainable.

In addition, Western diplomats have preferred elite pacts in Somalia because it is a common practice in the trade. It was not generally within their role or capability to organize a sustained grassroots reconciliation in the Jubaland region. That responsibility fell on the shoulders of Somali leaders to the degree that they sought to facilitate such local engagement. However, some Somali commentators believed political leaders benefitted from the international community’s approach because it allowed them to monopolize influence in the state formation and federalism process.\textsuperscript{366} As a result, experts such as Abukar Arman believed that these leaders were unlikely to push a more open and

\textsuperscript{366} Interview with Informant 1: Female; early 30s; Darod-Majerteen; non-governmental organization advisor; Interview with Informant 3: Male; early 60s; Digil-Mirifle; educator
populist approach via reconciliation. In August 2015, he wrote, “...[Leadership] — both in the center and the peripheries — as well as those within the civil society who are direct beneficiaries of the current arrangement, may attempt to torpedo any transformative effort that threatens the status quo. Neither of these entities have the necessary public support withstand any type of resistance...Contrary to the conventional wisdom of Somalia’s political elite and power brokers, reconciliation is not made up of powwows, artificial communiques, and photo opportunities in banquet halls. Rather, it is a deliberate and a systematic process driven by a comprehensive strategic plan fully understood and implemented by the Somali people.” 367 Liban Ahmed published a similar analysis in December 2015 in which he claimed the conciliatory meetings sponsored by Somalia’s elite were not held in earnest, jeopardizing public trust. Ahmed wrote, “When political leaders embark on conflict resolution initiatives for short-term political gains, citizens will be reluctant to cooperate with authorities on strengthening peace. Somalia needs leaders who can rekindle civic consciousness as a springboard for genuine conflict resolution initiatives.” 368

It is difficult to foresee reconciliation in the style of Somaliland and Puntland occurring in the Jubaland region in the near term if the factors as outlined above

continue to drive motivations of Somali leaders. Moreover, the phases of reconciliation through the 1990s in Somalia’s northern regions occurred before the creation of robust regional administrations in order to ensure there was buy-in from communities the government would represent. Though the Jubaland administration already now exists, it may still be helpful to hold either reconciliatory, trust-building, or confidence-building measures to expand its legitimacy and credibility — if these processes are spearheaded by local leaders and maintain the acknowledgment of local stakeholders.369

Non-Inclusivity and the Employment of the Counter-State Threat

Stakeholders who were marginalized during the state formation process in Jubaland employed the threat of forming a counter-state with only limited success. The tactic of forming of mini-states as a reaction to marginalization from other regional authorities in Somalia was not without precedent before the state formation process began in earnest in 2012. As was explained in previous chapters, in the early 2000s, several mini-states were created in central Somalia by small sub-clans who believed they did not have sufficient political representation in other regional states. As a result, they sought to carve out administrations for their community in small areas, such as the Ximan and Xeeb administration for the Hawiye-Habar Gidir-Saleeban clan in central Somalia.

369 Interview with Informant 7: Male; Hawiye; early 40s; politician
However, the federalism process required aspirant statemakers to merge at least two whole regions, and this effectively forced the supporters of these administrations to join broader efforts to create regional administrations with rival clans.
There were many groups that contested the perceived lack of inclusivity during the initial proceedings of the Jubaland conference in early 2013. In the conference site in the city of Kismayo, this included clans like the Hawiye and...
Darod-Marehan, who were generally stronger in other part of the country, as well as minority clans who were traditionally struggled to attain major positions of political power or control over key resources. When Ras Kamboni militia leader Ahmed Madobe was declared the winner of the regional presidency from a vote among delegates who were not perceived to credibly represent all the clans of the region, the federal government refused to recognize its legitimacy and Barre Hiiraale (a perennial militia leader), Iftin Hassan Baasto and other rebels declared that they had formed their own Jubaland state in separate conference. They quickly began organizing a militia to take up arms against Madobe. The latter ultimately led to violence in Kismayo that resulted in the injury of at least 300 people and 71 killed.

There were several desired end states to this threat. Since Madobe had the support of better resourced Kenyan troops operating under AMISOM, it is likely that Hiiraale, Baasto, and their militiamen probably did not expect to oust Madobe from Kismayo, which had been fought over as the crown jewel of the region for centuries due to its strategic location and lucrative seaport and airport. The more likely intention of the weeks-long rebellion was to trigger negotiations with Madobe that ostensively would have offered the two dissidents positions of power in Madobe’s administration or create the impetus for fresh elections.³⁷⁰ Regional powerbroker Ethiopia, as well as Western diplomats, were alarmed at

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³⁷⁰ Interview with Informant 4: Male; early 30s; Hawiye-Murusade; security consultant
the possibility of widening instability in Jubaland. However, Ethiopia, as the organizer of peace negotiations, only invited the federal government and Ahmed Madobe’s inner circle to talks in Addis Ababa in August 2013 -- leaving out a majority of parties with serious grievances about the integrity of the state formation conference. Perhaps even worse for excluded parties, Ethiopia reached an agreement that was favorable to Madobe because it led to an acknowledgement of his leadership over the administration and ensured that revenue from the lucrative ports would remain under his control. The Addis Ababa agreement did allow the federal government to continue naming leadership in Gedo region, which harbored many of Madobe’s rivals. However, Ethiopia and Madobe inevitably violated this provision in mid-2015 when both parties successfully carried out a plan to replace the Gedo governor and other local officials in Gedo with leaders that were allied to them -- further infuriating Madobe’s opponents. Overall, Barre Hiiraale and Iftin Hassan “Baasto” succeeded in triggering negotiations after their counter-state threat but ultimately did not benefit from it because they were not allowed to participate in those talks or ensure concessions were enforced.
The graph above summarized the sequence of how other counter-states emerged following claims of non-inclusivity after the beginning of the Jubaland state formation process. The lack of inclusivity in finding a resolution to each crisis created ripple effects that continued through late 2014 as different parties challenged the outcomes of the previous agreement. Hiiraale and Baasto took to arms to defend their declaration of a counter-state, but this was not the only way the tactic was employed. When the Addis Ababa agreement defined the borders
of the Jubaland administration as Gedo, Lower Juba (aka Jubbada Hoose in Somali), and Middle Juba (aka Jubbada Dhexe in Somali) without consulting other resident communities, another group known as Southwest Six (SW6) announced its intent to form an administration with those three regions, as well as Bakool, Bay, and Lower Shabelle (Shabeelaha House in Somali).

![Figure 9: The southern areas of Somalia. Source: University of Texas-Austin map library](image)

The intent behind this declaration was to undermine Ahmed Madobe’s legitimacy, as well as to advocate for the perceivably under-represented interests of the Digil-Mirifle clan -- which had significant pockets of constituents in each
region. SW6 did not have the capability of a well-resourced militia to present any type of military threat to Jubaland. But it was comprised of political leaders with enough clout to present a concern to Somalia’s neighbors and Western diplomats who were anxious with how the proposed counter-state would impact the stability of the stat formation process. The SW6 counter-state effort yielded better results than those of Hiiraale and Baasto; several members of the SW6 leadership earned regional political positions after a negotiated was agreed to form a Southwest state that included only Bay, Bakool, and Lower Shabelle.

Similar to the Addis Ababa agreement, the Southwest agreement failed to include major stakeholders in the conflict. This included key representatives from the Lower Shabelle, as this agreement apportioned the region to the Southwest administration without its approval of the outcome. As a result, in July 2014, the next counter-state to shoot to the forefront after this agreement was Shabelle State, which sought to merge Lower and Middle Shabelle regions, despite not having the full buy-in of Middle Shabelle communities. By November 2014, the Southwest state had begun to offer concessions to Shabelle State by making the Lower Shabelle town of Barawe as the Southwest capital. The further development of this particular conflict goes beyond the scope of this research. However, the underscoring theme is that stakeholders recognized that the threat of forming a counter-state was broadly an effective strategy toward the goal of

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371 Interview with Informant 5: Female; late 50s; clan N/A; librarian
either triggering negotiations concerning state formation grievances or ascertaining concessions regarding said grievances. This dissertation suggests that excluded stakeholders will continue to use this tactic in the future if regional administrations do not credibly serve their constituents and reach fair negotiations on political representation, revenue sharing, and representation in security forces. The lack of support that Jubaland and other regional administrations have received from locals will make these institutions further vulnerable to outside influence.

Regional Actors’ Shaping of Somali Federalism

The weakness of the Jubaland administration allowed Somalia’s neighbors to have a big hand in the state formation process, making it harder for locals to assert power. The legal documentation behind the establishment of AMISOM described that the contributing countries involved in the mission (currently Ethiopia, Kenya, Djibouti, Uganda, and Burundi) would work in support of the Somali federal government’s goals and objectives. But in reality, Kenya and Ethiopia often acted to support local proxies or actions that prioritized their respective national interests over that of the FGS. On one hand, Kenya and Ethiopia provided invaluable support to Jubaland because they were responsible for leading the charge to capture several key towns from al-Shabaab in Lower Jubba and Gedo regions that Somali forces would not have been able to capture otherwise. On the other hand, Ethiopia’s interference into the process to choose
local Somali leadership and Kenya’s intent to repatriate as many Somali refugees as possible despite the region’s ability to handle the influx ultimately added onto the Jubaland administration’s challenges.

An important goal of the Ethiopia government in Jubaland was to ensure that any regional administration that was established would support Ethiopia’s local and regional interests. Addis Ababa sought to have Jubaland led by an individual who would not be sympathetic to al-Shabaab’s intent to carry out attacks in Ethiopia from safe havens in the Jubaland region and other areas of southern and central Somalia. It also sought a leader who would act independent from the Somali federal government as part of a broader strategy to keep Somalia’s elites divided and lessen the cohesive threat that Somalia could present to Ethiopia.³⁷² At the outset of the state formation process, many scholars believed Ethiopia would hesitate to support the initiative led by Ahmed Madobe — even though some reports claimed he was born in Ethiopia’s Somali region — because of his history with Islamic militant groups and his affiliation with the Ogaden clan, which had long been at loggerheads with the Ethiopian government. In addition, Madobe had been in many early talks to cooperate more closely with the Kenyan government on their mutual objectives, and observers believed the Kenyans had

secured a long-term ally that could be kept within its auspices. However, Ethiopia inevitably co-opted Madobe from the Kenyans, and this was done as a means to control and reduce the threat Madobe could pose to Ethiopia in the future. Ethiopia had an unprecedented understanding of how to play within Somali politics and had battle-tested military that could offer more robust support to its allies in Somalia. These two factors inevitably helped Ethiopia wrest Madobe from the auspices of Kenya -- a country that had a poor understanding of clan dynamics in Somalia and had never deployed combat troops abroad before its invasion of Somalia in 2011.

While Madobe had hundreds of troops loyal to him, he could not have maintained their salaries or provided the necessary equipment for them for combat operations against al-Shabaab without foreign support. So, Ethiopia aided Madobe’s Jubaland forces to capture important areas from al-Shabaab in Gedo region, which happened to be the headquarters of many groups (including the Darod-Marehan clan) who opposed Madobe based on allegations that he did not involve their acknowledged leadership in the state formation process. As a result, Madobe was able to expand his territorial area of control, and this nominally gave his claim to be the leader of Jubaland more credibility even

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374 Interview with Informant 7: Male; Hawiye; early 40s; politician
though he did not control majority of territory in the region. On the other side, Ethiopia ensured that leaders who were installed in captured territories were sympathetic to its interests rather than that of locals, and it helped to enforce Madobe’s controversial firing of the Somali government-appointed governor of Gedo in August 2015. This measure was especially egregious because Ethiopia had negotiated the Addis Ababa peace agreement between the Somali government and Madobe in August 2013 that stipulated the Somali government would choose the leadership of Gedo region. Nevertheless, it did show that Ethiopia’s involvement in Somalia was not tied to its legal obligations with AMISOM as a force supporting the objectives of the Somali federal government, or necessarily to terms of any agreement it negotiated with Somali parties. Instead, it co-opted Madobe as the Jubaland stakeholder with a plurality of influence as a means to secure its own interests — and this has continued to contribute to grievances that Madobe’s opponents have, as of this writing.375

The Jubaland state formation process presented Kenya with an opportunity to achieve two of its most coveted foreign policy goals. After its controversial invasion in October 2011, it sought the establishment of a regional administration that could serve as a “buffer zone” against terror threats by offering both security and social services to Somali border communities. Secondly, it wanted Jubaland to absorb tens of thousands of Somali refugees from the Dadaab refugee camp

375 Interview with Informant 3: Male; early 60s; Digil-Mirifle; educator; Interview with Informant 9: Male; late 60s; Bantu; educator.
that had traversed the border to escape violence and drought since 1991. At the beginning of 2012, the camp hosted over 460,000 residents and was the largest refugee camp in the world. However, Kenya considered these refugee camps as breeding grounds for al-Shabaab recruitment and planning.\textsuperscript{376}

In September 2012, Kenyan troops spearheaded operations with Madobe’s forces that captured Kismayo from al-Shabaab. After the critical victory to take away one of the most strategic and lucrative sources of revenue for the militant group, Kenyan government officials and media were optimistic that this was the earnest beginning of accomplishing the aforementioned goals. As the Jubaland state formation conference proceeded following Kismayo’s capture, Kenyan officials did not express any serious concerns that Madobe’s allies were dominating the process at the expense of outlying groups and the Somali government, which certainly alleviated pressure on Madobe.\textsuperscript{377} But by June 2013, Madobe began complaining that Kenya was not providing sufficient military and financial support for the leader to expand his control and influence beyond his base of support in several Lower Jubba towns and parts of Kismayo.\textsuperscript{378} As mentioned earlier, this provided Ethiopia with an opportunity to co-opt Madobe support.

Kenya still decided to keep its 3,600 troops in the Jubaland region despite losing influence with Madobe, but this was largely because its troops were stationed near the Kenya-Somalia border where they could continue to function as border forces subsidized by the international community under AMISOM. Nevertheless, this benefitted Madobe and his desire to maintain territorial integrity of his administration.379

Without the talisman central to their first foreign policy objective, Kenya soldiered on with its secondary goal of facilitating the return of as many Somali refugees to Somalia. In the two years following the establishment of Jubaland, 20,000 refugees were repatriated to Somalia, with a majority being sent back to the Jubaland region. By August 2016, Jubaland officials were overwhelmed with the number of Somali refugees returning because it did not have the humanitarian resources to deal with the volume of repatriation, and as a result, it temporarily halted its participation in the repatriation process until more resources could be secured. Overall, Jubaland never quite lived up to the expectation that Kenya had for the administration following its entry into Somalia in 2011. Madobe’s forces were reliant on foreign troops, so they could not provide the independent “buffer zone” that Kenya had envisioned. And, while many refugees certainly were returned to Jubaland between 2012 and 2016, the

regional administration ultimately was not capable of sustaining those returns; if Kenyan and Ethiopian troops created a security gap by withdrawing from Jubaland, or if new spells of drought or violence befell the region, then these returnees almost certainly would look for refuge in Kenya again.\textsuperscript{380}

Jubaland’s lack of capacity was important because academic literature has emphasized that federal institutions are more heavily reliant on strong local administrations compared to those in centralized governance systems. Kimble, Boex, and Kapitanova (2012) explained, “...[I]n order for local governments to become efficient and responsive providers of local infrastructure and public services, local government organizations have to be transformed from entities that are local administrators of centrally-mandated public functions...into high-performing local government organizations (HPLGOs) which are capable of proactively identifying and responding to local needs.”\textsuperscript{381} Hiskey and Seligson (2003) also argued that underperforming local institutions have the undesired consequence of exacerbating negative attitudes toward a decentralized political system as it is adopted, according to their study of public surveys in Bolivia.\textsuperscript{382}

\textsuperscript{380} Interview with Informant 1: Female; early 30s; Darod-Majerteen; non-governmental organization advisor
Other scholars, including Sujarwoto’s work (2012) on Indonesia and Larizza and Sacks’s writing (2012) on Sierra Leone concluded that high-functioning local institutions are required to provide services effectively and transparently while also allowing inclusive political participation during the transition to decentralized governance. Jubaland has plenty of room to grow in terms of its political institutions and service delivery capabilities in order to becoming a high-performing regional administration. However, I offer that the ability to secure its own territory independently is the most important gap to fill.

**Solidifying Gains with Security**

In consideration of all the research presented here, as a short-term priority in the next four years, I recommend that Somalia must prioritize its efforts on dividing federal and state responsibilities within the context of security reform. The reason for this is straightforward: AMISOM troops have been in Somalia since 2007. Despite a steady increase in its mandate from 6,300 troops at its commencement to more than 22,000 in 2016, Somali forces in Jubaland and other regions have been unable to independently control almost any of the territory that has been captured by joint AMISOM-Somali forces. In addition, in January 2016, the European Union decreased its support for AMISOM salaries by 20% due to other pressing global priorities and dissatisfaction with the mission’s

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progress.\textsuperscript{384} Overall, there is a growing fatigue and frustration within AMISOM and continuing discussion about the sustainability of the mission and options for its conclusion.\textsuperscript{385} There is little debate that the most effective resolution to this dilemma would be for the Somali government and regional administrations to agree on a plan for how to organize command and control of forces, as well as a feasible way to pay for these troops. The security blanket of AMISOM has removed much of the urgency from Somali authorities of resolving the matter, and discussions and plans among the FGS and regional leaders have often failed to go beyond press statements. Perhaps as a result, in mid-2016, AMISOM announced a plan to gradually begin a withdrawal from Somalia in 2018 and aim for a full withdrawal of 2020 — at which time it was expected that Somali forces in Jubaland and the rest of southern and central Somalia would be responsibility for security.\textsuperscript{386} Without a consensus on a security transition plan, any AMISOM withdrawal would mean that Jubaland and other regional administrations would almost certainly cede territory to al-Shabaab and ultimately lose most of the measured political development that has occurred since the early 2000s.


Fortunately, in May 2017, Somalia’s National Leadership Forum (NLF) — an ad hoc forum for national and regional leaders to discuss critical issues — announced a new effort to overhaul the country’s security sector with a new security architecture to define how the government, regional leaders, police, and the army could operate. The plan lacked specifics in many areas and had ambitious timelines to complete various tasks. It called for at least 18,000 regular Somalia National Army (SNA) forces and 32,000 federal and regional police. SNA forces would be redistributed along regional government boundaries according to their respective needs.\(^\text{387}\)

Other details include the following:

- The FGS would be responsible for salaries to the SNA, federal police, and select state police in certain circumstances.
- Regional governments would be responsible for paying state police.
- The President would remain the commander and chief, but regional presidents would sit on the National Security Council and chair regional security councils that implement security policy;

The international community has created several similar plans in the past to build a coherent and capable Somali army. For example, in 2011, the National Security and Stabilization Plan (NSSP) called for a 25,000 member military force and 12,000 National Police Force. After limited progress on this approach, the

international community approved the Guulwade Plan in 2013, calling for 10,900 in the army and a refurbished police force under the Heegan Plan.\textsuperscript{388} However, efforts to build regional militias in Jubaland or an army at the national level have failed for the same reasons: certain clans dominate the force at the expense of others, and very few receive consistent salaries — leading to indiscipline, extortion of private citizens, and non-existent espirit de corps.\textsuperscript{389} Equally important, the international community, which often grants stipends to support Somali forces’ salaries, has not figured out a way to ensure the government holds its end of the deal to share the financial burden of compensating forces on the front lines.\textsuperscript{390} Until financial and military officials at the regional and national levels are held accountable or sanctioned by Western and Gulf donors for the misappropriation of funds, there is little incentive for Somali officials to guarantee salaries reach regional and national troops.

Security reform between regional states and the FGS should not repeat the same mistakes of the state formation process to only convene a small number of Somali elites to address complex problems and political questions. The tendency to rely

on a small cadre of elites for execution of major deals during a time of crisis risks boxing out other relevant stakeholders, as well as parliamentary and independent commissions that are already hampered by low political influence and interference and at times insufficient resources.\textsuperscript{391} Deferring these kinds of stakeholders to minor roles also may draw complicating reactions, which would hamper the credibility of the security reform process as shown in this research. For example, when Somali leaders and international diplomats announced the approval of the newest security architecture, the parliamentary defense committee was dismayed at its lack of involvement in the deliberations. It also suggested several revisions of its own that included bumping up the cap of SNA forces to 22,000 and tweaking “unconstitutional” provisions.\textsuperscript{392} Parliamentarians also suggested steps to limit the authority of regional leaders to decide on the redistribution of national forces across regions, and this would certainly be a bone of contention moving forward with implementation. The security reform process in several ways already has begun to develop some of the obstacles that hampered the Jubaland state formation process: a foreign-supported plan with insufficient details becomes the fodder of tension among stakeholders with various levels of power who do not have a consistent forum in which they can all meet. Ultimately, the scale of security reform and the number


of parties that are involved make it a very difficult task to get off the ground.

Somalia could consider a scaled down plan in which AMISOM, Somali leaders, and other foreign partners engage in a process to transfer **one town at a time** in the main urban areas it controls to Somali forces. This would downsize the political, financial, and logistical challenges of security reform from the national level to a potentially more manageable task. The Somali government should consider choosing one town as a test case for this approach — whether it be in Kismayo or Baidoa — and concentrate on local-level questions rather than big picture issues. Ideally, representatives from the federal government, regional government, delegates from each clan in the town, and more broadly unaffiliated non-governmental delegates would comprise the main organizers of the security forum. Since the aperture of participants would be scaled down to the town level, it would reduce some (but probably not all) of the challenges related to ensuring a fairly representative cross-section of relevant stakeholders have a voice at the table.

The most important issues that would need to be discussed including the following:

- **How many forces are needed to secure the town?** Each town in Somalia will have different requirements for security depending on the normal threats they face and the number of forces already trained and deployed. To determine the most pragmatic number, it might be best to
work backwards toward the goal of consistently paying troops. The appropriate question may be, “How many forces can the regional administration and federal government afford to pay in the particular town?” This would reduce the risk that stakeholders put forth a number that is not in line with its financial capacity, and it would encourage the deployment of a number of forces that would not require as much foreign support in the long-term, making it locally sustainable.

- **Which forces will patrol each neighborhood?** This is the kind of granularity of a question that can be asked when security reform takes place at the local level, and it can provide a forum to discuss some of the tensions that have been seen in some Somali towns where residents do not necessarily have good relationships with patrolling troops, often due to clan differences.

- **Who pays each force and how?** The identification of a mechanism to share the burden of costs for governing and security has been perenniably elusive in Somalia due to the number of actors, money, and stakes involved. It may be years more before a codified system is approved by the FGS and regional administrations. However, a smaller scale venue in which federal, regional, and town stakeholders can discuss possibilities of properly compensating forces may provide a forum where the problem set is slightly more manageable than at the national level: the number of forces as total funding involved would be more manageable compared to
the task of organizing the budget for the entire country.

A key advantage of this approach is that it would not require the attention of all regional leaders at once, meaning that they could focus respectively on providing security and services within its own boundaries while the FGS worked with a specific region and town on a security plan. If this plan proved fruitful, it could be adopted in other towns in a way that gradually and sustainably reduces Somalia’s reliance on foreign troops.

Finally, “grassroots-level” processes should not be understood as automatically conferring legitimacy and local buy-in. The Jubaland state formation conference showed that having a process led by local elites (albeit not all of them) did not mean that relevant stakeholders would perceive the process as credible or fair to all communities. Nor did it prevent foreign actors from influencing proceedings. Grassroots security reform should go beyond the expectations of holding meetings at the local level and ensure that those who must deal with the consequences of the new security architecture have an opportunity to understand and contribute to what changes may occur in the near term.

Challenges of Using Lessons Learned

It would be useful in the future if scholars continued to focus on the challenges of implementing best practices of decentralization processes, in particular with
cases concerning the same country. This research on Jubaland displayed how difficult it was for local stakeholders, regional countries, and more remote foreign partners to agree on a process for decentralization that appeased all parties. In Somalia’s case, there was in fact a historical blueprint for how to conduct a reconciliation process successfully through locally led and equitably represented peace initiatives, as had occurred in Puntland and Somaliland in the 1990s in the northern areas of the country. However, the context of conflict in Jubaland was dramatically different than that in Somaliland and Puntland to such a degree that it was difficult to use those best practices:

- There were thousands of troops in the Jubba region from neighboring Ethiopia and Kenya that pushed on the scales of political influence on their own behalf rather than that of locals; in Somaliland and Puntland, there was no large presence of foreign troops to interfere with proceedings;

- The Jubaland region was significantly more diverse in terms of clan representation than in Somaliland and Puntland, and the dyadic conflict between many clans in Jubaland was arguably much more abundant and deep-seated than those in the north.\(^{393}\) This made it more difficult to come up with “fair” clan representation during the state formation process and more dangerous to embark on such a process without first resolving the protracted conflicts over land and political representation.

- Another contributing factor as to why Somaliland and Puntland were able

\(^{393}\) Interview with Informant 6: Female; late 30s; Dir; security consultant
to commence locally-led peace building initiatives with minimal outside interference after the civil war began in 1991 was that the international community was, perhaps rightfully, concerned with the egregious scale of violence that was occurring in southern Somalia; that allowed both regions to adopt their own timelines for peace conferences that inevitably went on for years in order to reach sustainable solutions. Contrastingly, foreign diplomats involved in the Jubaland state formation process pushed tight timelines and there was very little meaningful reconciliation among communities during the process. This ultimately led to a regional administration that had not gained much credibility in the region and was reliant on foreign support for its existence.

**Federalism Beyond Somalia**

As of 2017, there are a multitude of scenarios in which hundreds or thousands of foreign troops are either witness to or supporting various local militias engaged in domestic conflict against other militias, rebels, or insurgent groups, including Iraq, Syria, Central African Republic, South Sudan, Mali, and Nigeria, among others.\footnote{\textit{Current Peacekeeping Operations. United Nations Peacekeeping.} \textit{United Nations, 2017,} http://www.un.org/en/peacekeeping/operations/current.shtml.} In many of these cases, such as in Iraq and Syria, regional militias are attempting to leverage battlefield gains to promote their aspiration for autonomy.

Without a doubt, there are still serious challenges to promoting decentralization processes that are democratic, credible, and organized. And part of these challenges is that the impetus for decentralization is occurring in a context in which conflict tensions are still high and armed groups have not been demobilized, which raises the stakes of political negotiations and the likelihood of armed conflict when there are disagreements. What this reveals is that peacebuilders, analysts, diplomats, and local stakeholders must be increasingly creative to create new best practices rather than relying on “tested” blueprints.
What worked in one part of Somalia may not work in another for many of the reasons already mentioned. But, I feel confident that unique solutions do exist for complicated problem sets such as Jubaland – if we are willing to think of these challenges and long-term local processes rather than short-term crisis management projects.
APPENDIX: 4.5 SOMALI CLAN-SHARING FORMULA

Table 1: How Somalia’s federal parliamentary seats are divided by clan within each regional administration. Minority clans are abbreviated as Beelaha 5aad in Somali. Source: wakiil.org
APPENDIX B: SURVEY ON THE CREDIBILITY OF THE JUBALAND PROCESS;

Table 2: Survey on the credibility of the Jubaland process; Source: Saferworld (2016)\textsuperscript{397}

\begin{figure}[h]
\centering
\begin{minipage}[c]{0.45\textwidth}
\caption{To what extent do you feel the process of establishment of the IJA was acceptable? All regions}
\end{minipage}\hfill
\begin{minipage}[c]{0.45\textwidth}
\caption{To what extent do you feel the process of establishment of the IJA was acceptable? Gedo}
\end{minipage}
\end{figure}

APPENDIX C: UNHCR BREAKDOWN OF REFUGEE RETURN BY LOCATION AND GENDER FOR 2016

Table 3: UNHCR breakdown of refugee return by location and gender for 2016

<table>
<thead>
<tr>
<th>Return Area</th>
<th>Female</th>
<th>Male</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baidoa</td>
<td>2,407</td>
<td>2,552</td>
<td>4,959</td>
<td>31%</td>
</tr>
<tr>
<td>Kismayo</td>
<td>4,088</td>
<td>3,849</td>
<td>7,937</td>
<td>49%</td>
</tr>
<tr>
<td>Luuq</td>
<td>885</td>
<td>893</td>
<td>1,778</td>
<td>11%</td>
</tr>
<tr>
<td>Mogadishu</td>
<td>745</td>
<td>781</td>
<td>1,526</td>
<td>9%</td>
</tr>
<tr>
<td>Afgoye</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>8,125</strong></td>
<td><strong>8,075</strong></td>
<td><strong>16,200</strong></td>
<td>-</td>
</tr>
</tbody>
</table>
APPENDIX D: SOMALIA WITH ITS MAJOR CITIES

Figure 1: Somalia with its major cities. Source: Central Intelligence Agency Online Public Library
APPENDIX E: JUBALAND’S THREE COMPRISING REGIONS

Figure 2: Jubaland’s three comprising regions — Gedo, Middle Jubba, and Lower Jubba. Source: Somalia Newsroom
APPENDIX F: MAIN CLAN GROUPS IN SOMALIA

Figure 3: Main clan groups of Somalia. Source: University of Texas libraries. 2012)
APPENDIX G: MAP OF SOMALIA

Figure 4: Somalia's Prospective Federal States. Source: Chatham House
APPENDIX H: BBC DEPICTION OF WHICH GROUPS CONTROL SOMALIA

Figure 5: British Broadcasting Corporation (BBC) depiction of which groups control Somalia as of November 2016
APPENDIX I: JUBALAND RIVERINE AREAS

Figure 6: Jubaland riverine areas: the region contains several basins that offer rich wetland areas for agriculture and grazing. Source: Food and Agricultural Organization of the United Nations
Figure 7: East African historian James Dahl’s portrayal of Sultanates in the 16th century. Source: Preceden
APPENDIX K: HORN OF AFRICA IN 1915 C.E.

Figure 8: East African historian James Dahl’s portrayal of Sultanates in the early 20th century. Source: Preceden
APPENDIX L: SOUTHERN AREAS OF SOMALIA

Figure 9: Southern areas of Somalia. Source: University of Texas-Austin map library
APPENDIX M: AHMED MADOBE

Figure 10: Ahmed Madobe — the one time Islamic militant allied with the ICU and al-Shabaab eventually would emerged as an ally to the Somali government. Source: Wardoon.net
Figure 11: Islamic Courts Union expansion - In October 2006, Ethiopian forces ousted Islamist militants from areas near the border, but al-Shabaab later recounted the losses in 2008. Source: BBC
APPENDIX O: SCRAMBLE FOR SOMALIA

Figure 12: Scramble for Somalia: In 2011, the New York Times published its own analysis of Somalia’s mini-states based on NGO reports and interviews with clan elders. Azania was fighting for territory in the southernmost portion.
APPENDIX P: CONTROL OF SOMALIA IN MAY 2013

Figure 13: Map of territorial control - Al-Shabaab controlled much of the territory that was discussed during the Addis Ababa negotiations, raising questions about the effectiveness of negotiations. Source: polgeonow.com
APPENDIX Q: SHABELLE STATE LEADERS

Figure 14: Shabelle State leaders - Vice President Muhideen Hassan Afrah (third from right) is sworn in alongside Shabelle State president Abukar Mardaadi (second from right) in Afgoye in March 2014. Source: Manabolvo.com
Figure 14: Somalia’s regional state formation has been characterized by a process in which stakeholders cyclically react to legitimacy disputes and non-inclusive resolutions.
APPENDIX S: JULY 2015 OFFENSIVE OPERATIONS AGAINST AL-SHABAAB

Figure 15: Offensive operations – Map key: AMISOM and Somali forces (dark green/blue joint icons); al-Shabaab (bright green icons) Source: Created by Cleophus Thomas, III; published on Somalia Newsroom in 2015
APPENDIX T: MINI-STATES IN CENTRAL SOMALIA IN MID-2013

Figure 16: Mini-states in central Somalia in mid-2013. Source: PiracyReport.com
APPENDIX U: INFORMED CONSENT

Informed Consent Form

Research Study: The Future of Federalism in Somalia: Aspirations, Obstacles, and Opportunities

RESEARCH PROCEDURES

This research is being conducted to identify the obstacles and opportunities to implementing federalism in Somalia. If you agree to participate, you will be asked to sit down for an interview either in-person or over Skype for approximately two hours to answer the researcher's questions about the dynamics of decentralization in Somalia.

RISKS

The foreseeable risks or discomforts include potential physical harm if violent or extremist elements discover your participation in the study. Also, some of the interviewer's questions may inadvertently trigger traumatic memories that may cause psychological harm.

To address the risk that participants could receive threats or be subject to physical attacks, names or personally identifiable information from the
participant will not be attributed in the published research and precautions about protecting the security of the data – detailed in the confidentiality section below – will be undertaken. Also, verbal consent will be asked for rather than written consent in order to reduce the risk that a paper trail exists connecting the participant to the study. Lastly, as a participant, you have the option to answer or not answer any question for any reason.

**BENEFITS**

There are no benefits to you as a participant other than to further research in power-sharing forms of government.

**CONFIDENTIALITY**

The data in this study will be confidential. The process to protect your anonymity is as follows: (1) your name will not be included on notes from the interview or the final research project; (2) a code will be placed on the interview notes and other collected data; (3) through the use of an identification key, the researcher will be able to link your survey to your identity; and (4) only the researcher will have access to the identification key.) Information from the interview may be included in public blog pieces authored by the researcher, but any data that could lead to direct identification with the participant will be not be included.

As part of the interview, I may contact you via Skype. Participants may review Skype’s website for information about their privacy

There is one exception to confidentiality. It is our legal responsibility to report situations of suspected child abuse or neglect to appropriate authorities. Although we are not seeking this type of information in this study nor will you be asked questions about these issues we will disclose them as required under the law if discovered.

**PARTICIPATION**

Your participation is voluntary, and you may withdraw from the study at any time and for any reason. If you decide not to participate or if you withdraw from the study, there is no penalty or loss of benefits to which you are otherwise entitled. There are no costs to you or any other party.

**CONTACT**

This research is being conducted by Cleophus "Tres" Thomas III), PhD Candidate at George Mason University under the direction of Dr. Terrence Lyons (phone: 703-993-1300) as his dissertation chair. Mr. Thomas may be reached by phone at 256-454-3148 for questions or to report a research-related problem. You may contact the George Mason University Office of Research Integrity & Assurance at 703-993-4121 if you have questions or comments regarding your rights as a participant in the research.
This research has been reviewed according to George Mason University procedures governing your participation in this research.

CONSENT

I have read this form and agree to participate in this study.
APPENDIX V: RECRUITMENT LETTER

Dear ________,

I am a PhD candidate at the School for Conflict Analysis and Resolution at George Mason University in Arlington, Virginia. I am conducting research on the obstacles and opportunities of implementing federalism in Somalia, and I believe that you would have valuable opinions to take into consideration for the research. Would you be available for an interview? If so, please let me know, and I can send you additional information. Your participation would be anonymous, and the information would help me complete my dissertation on the obstacles and opportunities for federalism in Somalia. The dissertation chair overseeing the research is Dr. Terrence Lyons.

Please let me know if you have any questions. I look forward to hearing from you.

Best,
Tres Thomas

256-454-3148
APPENDIX W: INTERVIEW QUESTIONS AND ABBREVIATED INFORMANT BIO

Questions to Informants

1. Where were you born and raised?

2. What is your current occupation?

3. To promote diversity of representation in my research, I am seeking interviews with those who claim affiliation from each of a wide spectrum of Somalia's clans and sub-clans, with the understanding that opinions may not one's clan identity may not explain points of view. With that said, are there clan(s)/sub-clan(s) that you associate yourself with, if any?

4. Is federalism the best model of governing for Somalia? If not, what is another potentially effective model? Why is this model better? What are the obstacles to pursuing this alternative model?

5. Will new and old sources of conflict play a part in how federalism works in Somalia? If so, how? If no, why not?

6. Can Somalia mix clan balance and direct elections for political positions? If so, how? If no, why not?

7. What are the biggest obstacles to the regional state formation process?

8. What is your vision for power-sharing socially, politically, economically, and otherwise? How could this be accomplished?
**Informant Information**

Information about the informants is as follows: (gender); (age); (clan); (profession)

Informant 1: Female; early 30s; Darod-Majerteen; non-governmental organization advisor

Informant 2: Male; early 30s; Hawiye-Abgaal; Information Technology professional

Informant 3: Male; early 60s; Digil-Mirifle; educator

Informant 4: Male; early 30s; Hawiye-Murusade; security consultant

Informant 5: Female; late 50s; clan N/A; librarian

Informant 6: Female; late 30s; Dir; security consultant

Informant 7: Male; Hawiye; early 40s; politician

Informant 8: Male; late 20s; Digil-Mirifle; graduate student

Informant 9: Male; late 60s; Bantu; educator
APPENDIX X: CONTROL OF SOMALIA (2017)

Figure 17: Control of Somalia (2017). Source: polgeonow.com


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Colonel Ali: “We Have No Business Building Federal States or Siding with Anyone, We Create Conducive Conditions and Provide Counsel”


“‘Dhagayso’ Ahlu Sunna Anaga Iyo Itoobiya Ayaa Qabsanay Baardhere Wax Jubaland Iyo Kenya Layiraahdana Ma Arag Anagu.” *Calanside*, 24 July


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