



# CRU Policy Brief

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## When the Centre Doesn't Hold: Imagining a Different Somalia

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The impending expiration of the mandate of the Transitional Federal Government (TFG) offers donors an opportunity to critically assess the state-building policies they have been pursuing in Somalia. Building on contemporary notions of how Somali politics work, this brief aims to contribute to the 'what next?' debate by examining the emerging trend towards a more decentralized approach. In the absence of a functioning central government, a variety of non-state actors have responded to the needs of the Somali people. Donors are right to try and build upon, rather than to work around, this reality. In order to be effective, however, such an approach would also require a fundamental reconsideration of how to engage with the TFG or a succeeding settlement at Somalia's centre.<sup>1</sup>

### The TFG: high hopes, unmet expectations

In August 2011, the mandate of the Transitional Federal Government (TFG) of Somalia will expire. The TFG was formed at the end of 2004 after two years of painstaking negotiations, which came to a close only under substantial external pressure. Tasked with implementing the country's transition towards a federal state and ensuring the adoption of a new constitution, the TFG has, until now, failed to deliver.

Throughout the past seven years, the TFG has lacked the primary foundation of any government's mandate: a territory to govern. The area that is recognized by the name 'Somalia' consists of three large polities: (i) the relatively stable and governed Somaliland in the northwest, which has declared independence and refuses to be part of any federal configuration, (ii) the northeastern region of Puntland, with its own fragile institutions, which is seeking autonomy but is interested in negotiating power-sharing arrangements with the TFG, and (iii) south-central Somalia, which is divided between various clan and ideological militias. Among the latter, the most powerful is Al-Shabaab, an Islamist movement that holds most of the territory and has publicly advertised its links with Al-Qaeda. Despite a recent offensive to gain some

ground, the government itself controls just a few districts of the capital, Mogadishu, and even that control is achieved only through the assistance of the African Union peacekeeping forces, AMISOM. The TFG's own security forces are weak and unreliable.

Aside from its inability to exercise authority over its territory, the TFG also lacks legitimacy among the Somali population. Somalis are commonly thought to be organized along the lines of four to six major clan families, around which various clan-based interest groups have emerged. In each of its incarnations since 2004, the TFG has been dominated by just a few of these groups, to the exclusion of others. An apparent chance to break this pattern arose with the January 2009 appointment of President Sheikh Sharif Sheikh Ahmed, who was presented as a moderate, pragmatic Islamist with the ability to reach out to other groups and gain grassroots support.<sup>2</sup> But hopes for change soon dissipated, as the TFG made no real effort to extend its power base and started acting as a vehicle for the redistribution of donor aid and domestic revenues within the tight circle of its clients.

Despite a recent reshuffle of government positions, in an attempt to counter this image and come to a new power-sharing arrangement,<sup>3</sup> the TFG remains an

isolated political entity with very little constituency or clout outside the walls of its AMISOM-protected compound. Although its hold on the country and its political performance are unconvincing at best, donors persist in treating the TFG as the only legitimate interlocutor in discussing Somalia's future.

The ineffectiveness of the TFG is often explained by poor leadership, bad personnel choices, conflicting regional and international agendas, clan politics, and its military and financial weakness. Yet a more fundamental problem may be found in the fact that the TFG's institutions and functions were molded to fit within a conventional model of a centrally-run state. This is a model that donors feel comfortable working with and hope to be effective in addressing the assumed consequences of Somalia's state failure, particularly the threat of terrorism and piracy. However, the notion of a centrally-run state is deeply at odds with Somalia's political reality.

## Trouble at the centre

Somali political culture is often described as 'egalitarian', a by-product of a nomadic way of life. This lifestyle has promoted the clan as the main support network, and inter-clan negotiations as the foremost instrument for settling disputes. A less often mentioned, but equally important, derivative of this culture is the population's ambivalent attitude towards the state: while most Somalis would favor a state that projects strength in the region, few are willing to cede to this state much authority over their own lives.

Some of this reluctance can be traced back to the repressive and predatory nature of Somali statehood before it collapsed in 1991, and the extent to which President Siad Barre used the state apparatus to pursue the interests of his own clan. The horrors of the war that ensued were not just a result of the sudden disappearance of Barre's government, but also a reaction to its abusive behavior in the preceding years.

While Somaliland and, to a lesser extent, Puntland have managed to achieve some measure of stability in the course of the 1990s, south-central Somalia remains a fragmented polity. Here, mistrust, resentment over past crimes and intractable disputes over land ownership continue to distort relations between different groups. But amidst this fragmentation, localized governance arrangements have also emerged in this region. Their existence has created further disincentives for Somalis to support

the revival of an unrepresentative political entity at the centre, which they fear will be intrusive at best and openly hostile at worst. Nevertheless, in most internationally backed negotiations since 1991, outside parties have remained focused on reconstructing a centrally-run state.

The TFG turns out to be no exception. Initially, it was envisaged as an interim body whose main role would be to prepare the ground for a federal Somalia. But in practice, donors have acquiesced, as the TFG has neglected the federalization agenda and focused instead on the more lucrative business of governance. Three of its governance tasks stand out as the most contentious: (i) managing international aid and tax collection; (ii) regulating economic activity and delivering basic services; and (iii) providing security.

(i) The TFG has been the prime recipient of international development aid, delivered mainly through the United Nations Development Programme. Because it enjoys security assistance through AMISOM, it has also been able to control Mogadishu airport and seaport, and therefore has a first go at income generated through these trade routes.<sup>4</sup> Given that the TFG has no access to its own population and no means of investing funds in the country it purports to govern, the only institution it actually supports with these funds is itself. Consequently, it has developed into the principal instrument of patronage, overseeing a bloated bureaucracy inconsistent with the revenues that any future central government could realistically generate.<sup>5</sup>

(ii) The TFG has Ministries in place that carry the formal responsibility for sectors ranging from public finances to education. But in reality, Somalis have been building economic enterprises and providing services without much central regulation or support. Remittances are the most important source of income and the need to ensure their flow has led to the emergence of efficient, privately run money transfer systems, which include high-tech facilities such as mobile phone banking. Communication thrives: Somalia has dense mobile network coverage, and possibly the cheapest international mobile phone tariffs worldwide. It is also a prominent camel exporter. Lively, though illegal, trade has developed across the porous border with Kenya. Similarly, communities have set up private schools and medical care, and are maintaining rudimentary water management facilities. While many Somali businessmen and service providers recognize the added value of at least a basic

overarching regulatory framework, few would trust the TFG to provide a fair one.

(iii) Finally, since 2009, the TFG has received substantial international assistance to strengthen its security capacity. This has included 213 million dollars worth of donor pledges (most of it intended for AMISOM), shipments of weapons and ammunition to Mogadishu by the United States, and training of government troops provided by the European Union. In light of the TFG's very limited representativeness and accountability, building its military capacity is laden with risks: the TFG troops have a poor human rights record, a disastrous defection rate, and are by no means seen as a legitimate national security force by Somali citizens.

The key reason for shoring up the TFG's security apparatus is its perceived role in fighting Al-Shabaab. But Somalia's political landscape is much more complicated than the TFG/Al-Shabaab dichotomy that influences much international policy-making. South-central Somalia is a patchwork of territories ruled by clan-affiliated groups, each with their own security forces. Al-Shabaab's control of these territories partly relies on striking alliances with these groups, most of which have sided with it not out of shared ideology, but out of pragmatic cost-benefit calculations. Their choice is not only indicative of Al-Shabaab's strength, but also of the TFG's reluctance to negotiate attractive power-sharing arrangements.<sup>6</sup> Simply increasing the TFG's military capacity is not going to solve that problem.

Financially secure and militarily propped by outside actors, the TFG has enthusiastically mimicked an executive government, while failing to seek political settlements with the parties in south-central Somalia that exercise real control over territory. The result has been entrenched instability. As long as the TFG remains the only beneficiary of international aid and security assistance, this disturbing dynamic will likely persist.

## Towards a decentralized approach

The impending expiration of the TFG's mandate provides donors with an opportunity to re-examine the dominant statebuilding approach that has been pursued in recent years. The most notable trend in the 'what next?' debate is the acknowledgment by key international actors, particularly the United States, of the need to move beyond their exclusive support for the TFG. Recently, donors have started deliberating a

second policy track that would entail, first of all, a more active engagement with Somaliland and Puntland. But, as the United States Assistant Secretary of State for African Affairs, Johnnie Carson, announced in September 2010, it would also have to involve reaching out to regional administrations in south-central Somalia, regardless of whether they are formally linked to the TFG.

If implemented, this shift towards more decentralized donor engagement would be a step in the right direction. In the absence of a functioning central government, regional administrations, traditional clan leaders, members of the business community and other civil society actors have responded to the needs of the Somali people. Donors are right to try and build upon, rather than to work around, this reality. However, such a decentralized approach can only be effective if the role of the TFG or its successor is re-negotiated with regard to at least three governance tasks:

1. *Somalia's central government should not claim unrestricted access to all financial flows in the country.* Donor aid will need to be dispersed among central and regional governing bodies. Similarly, the central government should not, as a rule, be the only entity entitled to collect and redistribute taxes and other revenues, such as the incomes from the largely privatized airports and seaports. The expectation that control over the presidential palace provides unrestrained access to these funds has been one of the fundamental drivers of Somali conflict since 1991. A structural arrangement between the government and regional administrations to manage these profits would go a long way in tempering this expectation, reducing a key incentive for certain interest groups to contest the emergence of a viable political settlement at the centre.

2. *Somalia's central government should, for the time being, aspire only to a limited role in regulating economic life or providing basic services.* Somali communities have proved able to manage their own affairs and will likely reject the transfer of this capability to a central government that is uncertain to act on their behalf. Private entrepreneurs and service providers should be allowed and stimulated to continue their operations, and be closely involved in the setup of any future regulatory framework. Where the government could play a more active role is in facilitating collective action – for instance, by coordinating the (re)construction of basic infrastructure across territories governed by different regional administrations.

3. *Most controversially, Somalia's central government will have to redefine its responsibilities in the organization of security.* Given the existing divisions in Somali society, no group will currently accept the military supremacy of another. The same would apply to a centrally imposed judicial system. Therefore, at least for now, security and justice will have to be provided locally, as is already happening virtually everywhere in Somalia. The challenge will be to reconcile and coordinate these local arrangements. Ideally, the central government would serve as a platform for regional administrations to negotiate differences and settle disputes in these fields. International guarantees could be considered as a modality for addressing Somalia's external security concerns.

## Engaging locally – challenges and considerations

By necessity, a viable central government in Somalia would have to be a minimal one. Its most important function would be to mediate between various local bodies and other interest groups, rather than to exercise executive capacity. In such a configuration, the task of implementing governance would primarily be in the hands of regional administrations, providing donors with an entry point to start engaging with them directly. In this regard, three immediate practical questions emerge.

First of all, what should be the aim of this local engagement? At first sight, strengthening the governance capacity of regional administrations would seem a logical donor priority. However, two decades of conflict have severely damaged Somalia's societal infrastructure, especially in the south-central region. Here, Somalis need to build mutual trust as much as they need functioning institutions. Therefore, support to capacity building should go hand in hand with support to local conflict resolution and reconciliation processes, so as to allow Somali communities to work on repairing their social fabric.

Secondly, who to engage with? Clearly, the focus should be on those regional administrations that have already shown some capacity to govern, and have done so peacefully. But identifying credible and legitimate counterparts – including those who might want to abandon their arrangements with Al-Shabaab – requires an in-depth knowledge of the local context. To inform responsible engagement, donors will need to invest in their in-house capacity to understand and monitor developments in south-central Somalia, as

well as in their relations with a wide spectrum of Somali actors. This would necessarily entail some presence on the ground, which is especially challenging given the security risks involved. Yet in the long run, such investments will probably yield better results than repetitively backing-up dysfunctional governments confined to Mogadishu.

Thirdly, what should constitute 'support'? Without adequate accountability or a system of checks and balances in place, simply giving sums of money to regional administrations could have the same effect as it has had on the central government: it could hamper political dialogue and encourage rent-seeking behavior. Therefore, donors should practice restraint and be extremely careful not to over-engage. Importantly, their aim should be to nurture existing initiatives rather than promote new ones. This would serve to reduce the risk that local leaders use donor funds to carve out and legitimize their control over personal fiefdoms. In any case, in such a conflict-sensitive area, close coordination between donors will be vital.

At the end of the day, certain actors will reject settlements that may reinforce peace and stability in south-central Somalia, regardless of their form and shape. Undoubtedly, some of the most powerful resistance will come from members of the current TFG and their network of clients. Moreover Al-Shabaab's radical wing, which largely consists of foreigners with no connection to the Somali clan system, can be expected to stage violent attempts to sabotage governance processes that look promising. In this event, it is important not to overreact. Roughly 300-700 extremists should not be allowed to keep an entire country of 9 million people hostage. Arguably, isolation will damage these spoilers more than a continuation of the war.

## Closing remarks

Concerns over terrorism and piracy are likely to keep Somalia on the international agenda for years to come. At the same time, it is hard to imagine a more challenging environment for donor intervention. Any outside engagement will require patience, commitment, humility, and a willingness to acknowledge and learn from past mistakes. In addition, donors that provide support to state- and peacebuilding processes in Somalia will need to be open-minded about the range of possible results. This implies caution not to clampdown on the political space by precluding certain options from the onset.

Moving from a conventional statebuilding model to one more attuned to Somali reality is not a panacea, nor is it an easy, clear-cut path to follow. But a well-managed shift of emphasis from the centre to regional administrations will decrease some of the perverse incentives that currently encourage exclusionary politics and violence. Equally important, such a shift may offer Somalis an opportunity to restart negotiating the shape and modalities of their state on a more level political field.

## Recommended reading

Alex de Waal (2007). *Class and Power in a Stateless Somalia*. Social Science Research Council.

Brian J. Hesse (2010). 'Where Somalia Works'. In: *Journal of Contemporary African Studies*, 28:3, p343-362.

International Crisis Group (2011). *Somalia: The Transitional Government on Life Support*. Nairobi/Brussels: Crisis Group Africa Report.

Ken Menkhaus (2006/2007). 'Governance without Government in Somalia: Spoilers State Building, and the Politics of Coping'. In: *International Security*, 31: 3, p74-106.

Mark Bradbury and Sally Healy (ed.) (2010). *Whose peace is it anyway? Connecting Somali and international peacemaking*. Conciliation Resources. London: Accord series.

Matt Bryden and Jeremy Brickhill (2010). 'Disarming Somalia: lessons in stabilization from a collapsed state'. In: *Conflict, Security & Development*, 10: 2, p239-262.

- <sup>1</sup> The analysis presented here partly draws on a number of landmark works on Somalia (see recommended reading section). Additional research was conducted in Somaliland and in Nairobi, Kenya, in November 2010. While the authors are fully responsible for the content of this policy brief, they greatly benefited from comments on earlier drafts, provided by Ken Menkhaus, Luc van de Goor, Mariska van Beijnum and Megan Price.
- <sup>2</sup> Sheikh Sharif was one of the leaders of the Union of Islamic Courts (UIC), an umbrella organization of local Sharia courts that started providing justice, security and other basic governance services across Somalia in the mid-1990s. In 2006, the UIC launched a successful offensive on Mogadishu and governed most of the south-central region for six months, before being ousted by the Ethiopian army that restored the TFG's rule. Sheikh Sharif moved on to head an oppositional faction that negotiated a power-sharing agreement with the TFG in June 2008, paving the way for his appointment as President.
- <sup>3</sup> After a period of pushing and hauling, the Somali transitional parliament approved a new cabinet in December 2010. The new composition reflects an effort to accommodate the interests of branches of the powerful Hawiye and Darood clans, and to offset the TFG's poor reputation by bringing in a number of 'technocratic' ministers from the diaspora.

- <sup>4</sup> The importance of Mogadishu can hardly be over-estimated. Being the heart of the country's political, economic and commercial affairs, Somalia's capital is the most coveted prize for all Somali actors competing for power.
- <sup>5</sup> Since its emergence in 2004, the number of TFG ministries has oscillated between 30 and 40, led by Ministers and staffed with civil servants whose exact work or whereabouts are often unclear. Responding to growing criticism of its size, the current TFG has recently cut down the number of ministries to 18.
- <sup>6</sup> Aside from failing to build workable ties with Somaliland and Puntland, the TFG has also ignored the overtures of some influential groups in south-central Somalia. For example, in 2009, the TFG failed to reach an agreement with the Ras Kamboni movement that could have resulted in gaining control over the lucrative southern port of Kismaayo. Similarly, the TFG struggles to establish a power-sharing arrangement with Ahlu Sunna Wal Jama'a, its closest ally outside of Mogadishu, which governs the central region of Galmudug.

## ABOUT ...

### The Clingendael Conflict Research Unit

The Netherlands Institute of International Relations 'Clingendael' is a training and research organization on international affairs. The Conflict Research Unit (CRU) is a specialized team, focusing on conflict-related issues in developing countries.

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