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Peacebuilding through federalism: A road half-travelled in Ethiopia

By Tegbaru Yared

It has been two decades now since Ethiopia formally adopted a decentralized/federal form of governance. Ethiopia's federalist project was a radical departure from the hitherto highly centralized state structure and it represented the culmination of a century old nation-building project. The remaking of the state was unique not only for it adopted a federal system of governance but also because of the prominence it gave to 'ethnicity' and the notion of 'self-determination' in the affairs of the state.

After the fall of the *Derg*[1] regime in 1991, the Ethiopian People's Revolutionary Democratic Front (EPRDF), the victor of the civil war, utilized federalism as an instrument of truce, as a mechanism to come up with a negotiated state building venture to accommodate the grievances of the many ethno-nationalist power contenders. At the formative stage of the federalist project, the late Prime Minister Meles Zenawi argued that they opted for the multi-ethnic federal system to stop the war and prevent another one and to democratically restructure the state by way of entrenching ethno-cultural justice and self-determination to the hitherto oppressed nationalities.[2] This was nothing but a peacebuilding project. Reflecting on the 20 years of political praxis, this piece attempts to discuss the synergy between Ethiopia's federalism and its 'peacebuilding' project.

'Nation state': genesis and evolution

The central theme and ideological orientation[3] of the 1995 constitution of the Federal Democratic Republic of Ethiopia is 'ethno-cultural justice' and the right to self-determination. The genesis of this ideological orientation can be traced back to the 1960s Ethiopian Student Movement (ESM). In a bold departure from the mainstream political dictum, the ESM attempted to redefine the 'Ethiopian-Nation State' whose state politics was largely defined by the Amhara culture[4].

Amharic and Orthodox Christianity were the identity of the state and one should speak Amharic and be an Orthodox Christian to identify with and to relate to the state. The ESM challenged that idea of the state and contended that Ethiopia is a multi-ethnic, multi-linguistic and multi-cultural polity and mobilized people along the Stalinist thesis of 'the national question'. In line with this thesis, it diagnosed 'national oppression'[5] as the political malaise at the heart of the problem.

However, the ESM's agenda was hijacked by the military, which later called itself the *Derg*, which toppled the Haile Selassie regime in 1974 and stayed in power until 1991. Despite the *Derg's* rhetoric that it subscribed to Marxism-Leninism, it delivered too little to make peace with the political wings of the ESM, hence a fierce political rivalry between the civilian opposition and the military regime. However, the *Derg* was swift enough to quash the opposition with the infamous use of state force called 'Red terror', and by practically turning Ethiopia into a brutal police state.

The *Derg's* success in suppressing political opposition by the intelligentsia in the urban areas was short-lived. It proved to be a futile attempt as the other offspring of the ESM, who exchanged politics with the barrel of the gun, sustained the very ideological orientation the ESM used in diagnosing the

political ills of the *ancien regime*. After more than a decade of insurgency and conflict, mostly in the northern part of the country, the ethno-nationalist rebels (such as the Tigray People's Liberation Front (TPLF) and Eritrean People's Liberation Front (EPLF) grew in strength against the *Derg*. As a desperate attempt to appease the constituency of the rebel forces, if not the rebels themselves, the *Derg* established the Institute of Nationalities to set up a new administrative structure along the geographic settlement of nationalities in the country.

Following the Institute's study, the *Derg* constitutionally restructured the country into 24 provinces and five autonomous regions. The latter include Eritrea, Tigray, Diredawa, Addis Ababa, and Asab. The constitution was designed, albeit hesitantly, to lower the momentum of the rebellion in the northern part of the country as most of the regions with autonomous status were hubs of the anti-regime rebellion. By then, the TPLF and EPLF had the upper hand in the war and had the political capital to topple the *Derg*. In May 1991, the ethno-nationalist forces, mainly the TPLF within the umbrella of EPRDF and EPLF, removed the *Derg* regime and controlled Addis Ababa and Asmara, respectively.

In a very short period of time, the EPRDF convened a conference ('Democratic and Peaceful Transitional Conference') in July 1991 and signalled the official resurgence of the national question as a core value of the transitional charter and future constitutional design and state building. Among the more than 28 mostly ethnic parties who participated in the conference, EPRDF and the Oromo Liberation Front (OLF) were the key players with regard to setting the agenda. The conference led to a reconfiguration of the state in the transitional period and later in the 1995 constitution, despite OLF's withdrawal and declaration of armed resistance complaining about the harassment and exclusion by the EPRDF on the eve of regional election.

Given the number and composition of political actors in the conference that yielded the transitional charter and government, particularly ethnic-based political actors, the process can be considered inclusive. In fact, looking at the composition of the then transitional government, some argue that it was the most legitimate government ever.^[6] The charter recognized the right to self-determination including the right to secession (with conditions) and established regional states along ethnic lines. This very notion of the right to self-determination and the official recognition of the country as the conglomeration of multitudes of nationalities was a revolutionary step as it changed the identity of the state and decentralized power to sub-national groups.^[7]

Nonetheless, the process was dominated by ethno-nationalist forces. Those 'pan-Ethiopian'/nationalist forces and remnants of the ESM such as Ethiopian Peoples' Revolutionary Party (EPRP) and All-Ethiopian Socialist Movement (MEISON) were not represented because EPRDF set a condition that they should renounce violence. In fact, the absence/and forcing out of these forces from the process of remaking the state has been at the heart of the legitimacy deficit and contestation of the Ethiopian brand of federalism.

The 1995 constitution: 'destructible union'

The 1995 constitution declares Ethiopia a federal democratic republic. The preamble of the constitution implies the core ideological and political dictum the constitution revolves around: the 'national question' and 'self-determination'. Among others, it asserts that it is the product of 'nations,

nationalities and peoples' exercise of their right to self-determination' in a bid to 'rectifying unjust historical relationships' and building a political community 'capable of ensuring a lasting peace'. The notion that there was a need to rectify historically unjust relationships stems from the political conviction (of EPRDF) that there were ethnic oppressions in the past which ought to be redressed by granting the right to self-determination to those ethnic communities. In effect, it aspires, to realize sustainable peace.

The constitution is unique as it declares the federation as a conglomeration of ethno-linguistic groups. More so, sovereignty resides in the 'nations, nationalities and peoples' of Ethiopia (article 8/1). In line with this, the controversial article 39/1 states that every nation, nationality and people has an unconditional right to self-determination including the right to secession. With some unequivocally stipulated procedures, the constitution grants the right to a unilateral secession to those ethno-linguistic communities, hence a 'destructible union'.

As per the constitution, the right to self-determination is twofold—external and internal. Even though, the constitution restructured the country in to nine multi-ethnic regional states (article 47/1) and a 'capital city' responsible to the federal government (article 49), it recognizes the right of ethno-linguistic communities within the nine regional states to establish their own regional states (article 47/2) along, chiefly, ethno-linguistic criteria such as settlement pattern, language, identity and consent of the people concerned (article 46/2).

The constitution also contains some other provisions that are, seemingly, designed to rekindle 'ethno-cultural justice' for the 'oppressed nationalities'. With all the linguistic diversity in Ethiopia, 'all languages [...] enjoy equal state recognition' (article 5/1) and regional states shall determine their working language (article 5/2). In what seems to be a constitutional prudence devised to make the state (the federal state) neutral, the federation does not have either an official or national language, but a working language which is Amharic (article 5/2).

The other key departure from the hitherto state is the notion of secularism which is enshrined in article 11. Article 11/1 and 11/2 entrench the separation of state and religion and that there shall be no state religion. Undercurrent in the notion of secularism and the constitutional semantic in labelling Amharic as a 'working language' is the 'national oppression' narrative (manifested through linguistic and religious oppression) the ethno-nationalist forces subscribed to.

These and other provisions are basically related to, and translations of, the 'national question' ideological orientation and the subsequent 'national oppression' narrative the ethno-nationalist forces subscribed to after diagnosing the political malaise of the long centralized state. Implicit in the text is, therefore, peacebuilding by way of dismantling ethnic domination and making ethno-cultural rights constitutional.

The genius of a federal model for multi-ethnic/multi-national politics is the institutions it sets up in a bid to realize both 'the politics of recognition' and 'the politics of representation'.^[8] While the former could be achieved by the 'self-rule' notion at sub-national level coupled with ethno-cultural rights, institutions like second chambers redress grievances for 'the politics of representation'. Federalism also avails some conventional divisions of power to further perfect those institutions. In this regard, the Ethiopian constitution tells a mixed story.

The constitution 'grants' almost all crucial group rights (the rights to self-administration, use and develop, promote and sustain one's own language and culture, establish their own state, properly represented at every level of government etc). Parliamentary in form, with the prime minister being *primus inter pares*, the federal government and the regional states have legislative, executive and judicial powers (article 50/2) while residual powers are reserved to the states (article 52/1). One could discern a 'classic' federation approach with regard to division of powers from these provisions but a critical look at the list of exclusive powers of the federal government (article 51) and others throughout the constitution tells us a different story—more federal powers.

Be that as it may, the legislative power of the second chamber, the House of Federation (HOF), which is designed to be the house for those ethno-linguistic groups, is almost none compared to other federations. It is, in fact, ironic that the house is more of an adjudicatory body with powers such as constitutional interpretation, inter-state dispute regulation and distribution of federal subsidies (as it stands now) to regions.

In essence, the HOF, as the house of those nationalities, should have had more of a legislative competence as second chambers are often designed to advance the interest of sub-national units, in the Ethiopian case ethno-linguistic groups. Ironically, the apparent majoritarian composition^[9] of the HOF also defies the very purpose, among others, of second chambers in federations-withstanding majority tyranny. Paradoxical as it is, this underscores a constitutional silence pertaining to the 'politics of representation'.

A contested agenda

The current federal dispensation is as contested as it was in the 1990s and has been the issue that controlled the political terrain among political groups, the academia and the public alike. In a nutshell, one can relate this to three intertwined sources of discontent: discontent over the process that led to the current federal arrangement; 'contradictory interpretation of Ethiopian history'^[10] impregnated with 'competing nationalisms'^[11]; and the practice of the system.

The discontent over the process that led to the current system is related to the inclusiveness of the transitional period that culminated with the adoption of federalism. This discontent has been consequential as it laid a 'cracked foundation' and a severe 'legitimacy vacuum' for the federalist project. The discontent that the formative stage of the state restructuring process was dominated by EPRDF and its allies brought critical questions to the fore, such as 'whose agenda was federalism?'

The withdrawal of OLF, a senior guerrilla front that for long had the backing of the Oromos, was a political blow to EPRDF, as it was to the transition process, which cemented political distrust among the political actors and even some pro-federalist ethno-linguistic communities. The discontent over the process is, to some extent, related to the question of 'who took part in setting the agenda' and 'who lost the political space to set the (other/alternative) agenda'.

The notion of 'agenda setting' leads us to the second source of contestation as those who claimed to have been excluded from the process are the 'pan-Ethiopian'/unionist political forces. These forces reject the ethno-linguistic/multi-national federal arrangement and characterize it as divisive at best and, at worst, a project designed to disintegrate the hitherto intact

nation-state. More often than not, they claim an EPRDF conspiracy of disintegrating the 'nation' through the federalist project and single out the secession clause as evidence. There is a world of difference between the nationalists and ethno-nationalists in understanding and interpreting the political history of Ethiopia[12].

While it is a story of national glory and a 'conventional' empire for the nationalists, the ethno-nationalists conceive it as a story of domination by one ethno-linguistic group over the many others. This irreconcilable political disagreement is reflected in their stance on the role of federalism in the political life of the state. For the EPRDF and other ethno-nationalist forces it is accommodating, while the mainstream 'Ethiopianist' nationalists consider it 'disintegrating and anti-unity'.

The third source of contestation emanates from the practice of federalism. The ruling EPRDF, ever since the inception of the federalist project, often presents itself as the sole guardian of the constitution and the federal setup. It claims that federalism has already brought peace, stability and development. This mentality stems from the orthodoxy that federalism is the panacea—it is not. As contested as it has been, Ethiopia's federalism has, to a certain degree, achieved its 'peacebuilding project'. The self-determination notion preeminent in the transitional charter resolved the 30 years bloody civil war, with Eritrea becoming an independent state. Within Ethiopia, it has helped manage the potential inter-ethnic conflict simmering in the early 1990s and fairly reduced secessionist movements compared to the preceding years on the one hand and on the other hand, the federal dispensation has also created new conflicts with new dynamics. [13]

The self-determination notion preeminent in the transitional charter resolved the 30 years bloody civil war, with Eritrea becoming an independent state. It has fairly reduced secessionist movements compared to the preceding years. But, the federal dispensation has also created new conflicts with new dynamics.[14]

For all the rhetoric that every ethno-linguistic group has the right to establish its own homeland, there is no one entirely homogeneous regional state in the federation. In multi-ethnic regional states, for instance in Gambella, it revitalized inter-ethnic disputes over who controls the government[15] and the spoils thereof. In the other multi-ethnic region, the Southern Nations, Nationalities and Peoples region, it brought about a quest for new regional state status which led to violent conflicts over the years.

The constitutional assumption that ethno-linguistic communities are territorially concentrated in a certain geographic area and the subsequent delimitation of regional borders as such has fuelled inter-ethnic conflict among different pastoral communities—the enduring Afar-Issa dispute is a case in point. Federalism entails non-centralization[16] but there is a perennial accusation that the ruling EPRDF has a centralization tendency[17].

There is more to the list. On top of these, the democratic credential of the government is far from what federalism presumes to entail. Institutions of justice (e.g. the judiciary, the police forces), institutions of governance (e.g. the parliament) and overall democratization efforts are still weak. The goals of the 'peacebuilding project' are yet to be attained.

Way forward

The Ethiopian brand of federalism has registered mixed results against its

peacebuilding aspirations. It averted an all-out civil war and has fostered relative stability. Nonetheless, the acid test for Ethiopia's federalism, to survive beyond one regime, has yet to come. With all its achievements, the federal set up demands vibrant and independent institutions, commitment to democratization and the 'text and spirit' of the constitution. Federalism is about 'non-centralization'; it is about installing multiple centres. The Ethiopian experience tells a story of one dominant centre. Ethiopia should take the critical leap forward in empowering the regional states and making the federation a federation of multiple centres. To achieve its peacebuilding aspirations, the system needs to be open to transcend and adapt to new circumstances and remain as dynamic as a federal set up should be.

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Kenya: Devolution and prospects for peace

By Fred Otieno

After a struggle for two decades, in August 2010 Kenyans passed a new constitution which, provides for transfer of authority, administrative responsibility and resources from the central government to 47 subnational governance units—or counties. This constitutional provision under Chapter 11 represents a fundamental shift in the state structure and mode of governance in Kenya from centralized governance to a devolved government.

The overarching expectations of the devolved government are twofold. First, the new administrative system seeks to address the previous systemic exclusion of certain ethnic groups which has resulted in glaring disparities in regional development. Second, by attempting to solve this problem, devolution is also expected in the long run to tackle ethnically motivated violence by lowering the stakes in the competition for presidency, a perennial cause of ethnic violence in Kenya.^[1]

Origin of the debate

Kenya is a multi-ethnic society with 43 asymmetrically distributed ethnic groups. Historically, these groups, often through their political elite, have always (mis)appropriated their ethnic identities in the scramble to control state power. Over time, this tendency has not only created the notion of ethnic “otherness” but has also widened the social distance between these ethnic cleavages. Scholarship on constitutional design for divided societies prescribes either power-sharing or group autonomy to address the political disputes and problems created because of these cleavages.^[2] It is therefore not surprising that Kenya, like a number of African countries largely characterized by ethnic plurality, have been experimenting with different forms of federated administrative systems.

From the time of negotiations on Kenya’s independence, the question of federalism, has characterized all constitutional debates.^[3] The federalism debate took place as *majimboism*, a Swahili word meaning *regions*. During the negotiations, which were spearheaded by a political elite drawn from a number of ethnic groups, there emerged an ideological split as the communities perceiving themselves as minority pushed for a federal republic while those perceived to be dominant ethnic groups preferred a unitary state.

Apparently, the word *majimbo*’s loose translation exaggerated fears of secession, lending impetus to opponents of any form of decentralization. As a result, opposition to the *majimbo* debate obscured genuine fears of systemic exclusion under a constitution that had an inbuilt bias for centralizing state power in the hands of a powerful presidency in a fragmented society. Also, the 1960s post-independence state-building process in Africa was happening within a broader historical context in which citing the need for order and favourable environment for economic development, centralization of state power was preferred to federalism.^[4]

In the end, Kenya’s first constitution provided for regionalism or *majimboism* with a central government and seven regional administrative units, each with its legislature and executive.^[5] But this lasted for only two years (1963-

64). The short stint of that system could be explained in part by the unclear constitutional foundation on which it was based^[6] and by the strong centralist ideology supported by a section of the political elite then.

Between 1964 and 1990, the country witnessed an exponential degeneration into authoritarianism. A series of constitutional amendments concentrated unchecked executive power at the centre, creating a powerful neopatrimonial presidency. In fact, the country's second president best put the neo-patrimonial behaviour of the powerful executive in a Swahili phrase, "*siasa mbaya, maisha mbaya*"—meaning 'wrong political choices, bad life'.

Authoritarianism and neopatrimonialism deepened disparity in levels of regional development while the central government's capacity to provide public goods deteriorated. Understandably so, in the circumstances, it was inevitable that the nationwide debate in 2010 on the new constitution was based on how to share power amongst the various ethnic and regional groups.

New constitutional features

It is against the foregoing background that decentralization of power in Kenya under the new constitution promulgated in 2010 should be situated—as an apt and potentially transformative point for the future of governance of Kenya.

The new structure of the Republic of Kenya has a two-tier government, each with its legislative and executive powers. While delineating the counties, the crafters of the new constitution took into account the geographical size of regions, population, ethnic and cultural diversity, public goods provision and cost implications of the new administration system.^[7] Still, to a large extent, the federated units are based on ethnic homogeneity, a consideration with mixed implications for peace in Kenya.

A popularly elected president heads the national government's executive while the executive power in each of the 47 counties is vested in a popularly elected governor. The national government has a bicameral legislature with members of parliament forming the National Assembly and a Senate with 47 elected members, one each from the counties. The county governments, too, have a legislature—county assembly.

The manner in which national government and county governments' functions are divided grants a significant degree of autonomy to county governments, especially in matters of regional development such as cultural preservation, regional development planning and trade. However, functions deemed sensitive to national stability (e.g. defense, security and foreign policy) are retained at the national level. Similarly, the constitution provides that the two levels of government view each other as distinct but interrelated. These two levels of government must also foster national unity while recognizing diversity. This arrangement allows for regions to grow while also guarding against the possibility of emergence of secessionist agenda.

Fiscally, the devolved government arrangement requires the national government to allocate at least 15% of the national revenue to be shared among the 47 county governments based on a set criterion. Currently, revenue sharing among the counties is based on a basic equal share, according to population size, poverty index, land area and fiscal responsibility. In addition, the new constitution also outlays robust

mechanisms of citizen participation within the structures of county governance with a requirement that not more than two-thirds of one gender shall occupy public offices. This provision is applicable at both national and county government levels.

Emerging Issues

Decentralization is a gradual process and does not necessarily follow a linear path to success. The Kenyan experiment is barely two years old. Yet, two fundamental concerns, one on the relations between the two levels of government and the other on weaknesses of county governments, have emerged.

First, there is a concern that by only setting the minimum allocation to county governments at 15%, a reactionary executive at the national government could stifle devolution. Indeed, the opposition has been campaigning for a national referendum on, among other things, raising the minimum allocation to county governments, accusing the current administration of being anti-devolution.^[8] The senate, the legislative body charged with safeguarding the interests of devolution, is also facing an existential problem as the judiciary, the National Assembly, executive and county governors are divided on its role. This situation is a throwback to the challenges faced by federalism at independence and has raised fears over the future of devolution.

Second, a number of worrying trends have emerged as county governments settle down. First, there are fears that county governments may reproduce a new layer of marginalization based on nepotism. Citizen involvement and accountability mechanisms in the running of county governments—critical pillar of this new system—are still weak. A recent study on elected county government leaders and the implications on inequality show that traditional patronage networks have not been broken.^[9]

Third, county governments' focus on revenue allocation from the national government seems to have overshadowed the concomitant need for economic innovation using local resources.

Implications for peace

As mentioned earlier, electoral competition in Kenya has been marred with inter-ethnic violence implicating both the state and political elites from the dominant ethnic groups. Poverty, wealth disparities and real or perceived marginalization have historically compounded the notions of "otherness". Considering that since the 1990s, intra-state conflicts account for up to 94% of conflicts around the world,^[10] reducing the impact of identity politics has increasingly become critical to peacebuilding in Kenya as well.

The devolution of government in Kenya—as laid down in the constitution—grants significant autonomy to the counties in terms of executive power, especially on functions that often cause inter-group conflict such as cultural preservation and local development planning. The regions have also been accorded identical relationship with the centre—an important aspect of federalism which eliminates perceptions of the central government's bias towards certain regions or groups. The new system provides an opportunity for improved citizen involvement in decision-making and their innovative regional economic productivity. It also gives attention to traditionally marginalized groups.

Therefore, if it is properly implemented, we can make an optimistic projection of the long-term implications of this new system for peace in the country. It is hoped that, gradually, competition to control state power will cease to be a zero-sum game and there will be a net reduction of inequality while would markedly transform public goods and services provision. In so doing, devolution in Kenya is expected to substantially address the causes of inter-ethnic conflicts.

Regionally, stability and peace in Kenya is intricately linked with other countries in the Horn as it shares several trans-border ethnic groups with its neighbouring countries. Reduction in inter-ethnic conflicts and the attendant long-term stability is critical for its close neighbours such as Somalia and South Sudan. In addition, because other countries around the Horn are also currently involved in experiments with federalism, one cannot rule out possible cross-fertilization, exploiting the existing regional linkages.

Recommendations

The foregoing discussion has underscored some areas which pose threats to Kenya's federalism experiment, which leads to the following three recommendations:

- *National government's commitment*

Evidence from federal experiments in other parts of the world shows that a national government's political will, especially in terms of fiscal decentralization supported by adequate allocation of funds to subnational units, is critical to the success of this experiment.^[11] The national government, therefore, must provide political leadership in the ongoing constitutional debates surrounding the relevance of the Senate, and questions on oversight and accountability of counties. It must also genuinely facilitate a constructive debate and agreement on the basis of current and future allocation of funds to county governments including the question of if, when and how the issue of 15% minimum allocation to county governments will be addressed.

- *Innovation at county level*

Inevitably, the new devolved system comes with considerable pressure to a country's economy, a cost implication which will further burden the taxpayers. To check this and the possible opposition to devolution, the county governments must be pushed, using available political and economic policy tools, to unleash the economic potential of the regions, previously overlooked under the centralized system. This must be a made to be a primary objective of devolution and not devolution pegged only on appropriation of funds from the national government.

- *Citizen involvement*

There are already fears that devolution may not only continue hierarchical power structures but could also reproduce new forms of marginalization in the counties. Stories of entrenched corruption in the counties and accusations that nepotism is rife in county governments suggest that the new system is devolving ethnicity—the very problem the new system of government seeks to address. The success of decentralization in Kenya in part will depend on whether citizens and previously marginalized groups feel that they are part and parcel of day-to-day decision-making on local issues. As such, there is a need to enforce compliance with the existing provisions

on citizen involvement while also bridging loopholes currently being exploited by county government leaders to perpetuate nepotism.

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Federalism amid political and military chaos in Somalia

By Najum Mushtaq

What can be done to put Humpty-Dumpty back together again?” asked Said S Samatar in an Africa Report paper in 1993 after the fragmentation of the state of Somalia into regional, clan-based entities.^[1]

Even as 2014 comes to an end, the question of how to rebuild the broken state haunts Somalia’s political class, its neighbouring states and, of course, the US-EU-UN-led international community that has been trying to put together the deeply fragmented, divided and, in many cases, warring Somali factions. The latest formula prescribed for Somalia is the 2012 constitution—which is still a work in progress—and which lays down federalism as the future form of governance for a fractured society that has not been governed by a central state since 1991.

Unlike other Horn of Africa countries, state-building in Somalia is happening along a diagonally divergent trajectory. For instance, whilst Kenya and Ethiopia have had entrenched, established—and highly centralised—state structures and institutions for decades before embarking on reform through devolution and decentralisation, Somalia has been shredded into pieces since 1991.

The emergence of a Somali Federal Government (SFG) in Mogadishu under the new constitution in September 2012 led to a New Deal Compact agreed in Brussels in September 2013 under the auspices of the European Union and other members of the international community. The deal sets several benchmarks—key among them is establishment of regional federating states or regional administrations before the planned 2016 election.

The idea of regionalisation

After over a decade of disengagement from Somalia, the United States resumed a robust diplomatic and military engagement as part of the war on terrorism. Especially since the emergence of al-Shabab as the main protagonist in the Somali conflict, the goal of countering and containing the threat of extremism and terrorism has shaped American—and, to a large extent, European—policies towards Somalia. The so-called ‘dual-track’ approach to put Somalia back together as a state was “first enunciated in 2010 as a policy for supporting the central government in Mogadishu in addition to Somaliland, Puntland, and other emerging entities in Somalia.”^[2] Since then the US recognition of the Somali federal government and support for the Djibouti process has given further impetus to the idea of installing regional states in south-central Somalia as constituent units of a federal setup.

Both steps in the process—bringing together different clans and factions under one regional authority and making the relationship between Mogadishu and regional authorities work—have thus far proved to be a source of political tension and, in numerous cases, armed conflict. Leaving aside the northern regions of Somaliland and Puntland—both claiming independence and autonomy from Mogadishu—the process to form regional administrations in south-central Somalia, the main theatre of conflict, has exacerbated the existing conflicts among clans controlling, or laying claim

to, certain regions.

This perennial clan dilemma has been further complicated by the peculiar religio-political and military context in which the federal project is being laid out in Somalia. In political terms, as the following discussion argues, religion and control of internal and external resources prevents the possibility of a wide-ranging and durable political settlement among the various political and armed factions. From a military perspective, the role of al-Shabab, most of its Somali armed rivals (that also have feuds among themselves) as well as the multi-nation African Union force (AMISOM) are the key actors whose actions directly impinge upon the processes of building a Somali federation.

Political and religious snags

Two Somali prime ministers have been sacked since the emergence of the SFG in late 2012 under a new constitution. In the latest episode, in December 2014, in response to Prime Minister Abdiweli's cabinet reshuffle in which some of the president's close allies were removed, President Hassan Sheikh Mahamud nullified the decision, leading to a vote of no-confidence in parliament. This enables the president to regain control and appoint a head of government. Regardless of who he picks to be his prime minister, the dual nature of the executive office in the constitution suggests that another showdown between the two will not be far down the line.

Analysts point to a "structural problem" in Somalia's political system under the new constitution that seems to accommodate two executive offices. "This hybrid system where you have an executive president and executive prime minister, both powerful offices, does not work," says Rashid Abdi, a former senior analyst with Crisis Group. "The earlier Somalia makes a constitutional amendment to create a simpler system, where only the president or prime minister has executive powers, the better." [3]

Another Somalia observer notes that while the provisional constitution vests executive authority with the prime minister, with the president intended to play a balancing role between the cabinet and parliament. Indeed, "President Hassan Sheikh has taken a robust interpretation of his mandate, which donors have tended to countenance - seeing in his civil society background a potential partner with whom they could work, and who would mark a significant departure from the domination of politics by former warlords under the SFG." [4]

Unlike the Ethiopia and Kenya, the Somali constitution lays down a state religion, espousing Sharia as the supreme law. Jason Mosley of Chatham House notes that the sacking of the latest prime minister also underscores the competition between different conservative visions of how the goal of enforcing Sharia should be pursued.

"There are signs that the motivation for the present infighting is linked to the question of building the judiciary. Competition is fierce between different conservative Islamist visions over how Sharia will form the base of Somalia's constitutional order, and how the country's nascent judicial apparatus will evolve to interpret and implement such an order."

Ascendency of religious movements: [5] A June 2014 report by the Life & Peace Institute (LPI) had concluded that, while none of the original Somali protagonists in the civil war had an ideological religious orientation, the political landscape in south-central Somalia is now dominated by Islamist organisations and movements of various hues. For example, three of the seven political groups covered in the study—al-Shabab, Al-Islah and Ahlu

Sunnah Wal Jam'a—are avowedly Islamists and make religion the main plank of their ideology and an Islamic state and society their ultimate goal. The federal constitution also pledges to establish an Islamic state. The Jubaland administration, whose President Ahmed Mohamed Islam Madobe is the leader of Ras Kamboni Brigade, is also Islamist in its orientation and was part of the Islamic Courts Union which ruled south-central Somalia from June 2006 to December 2010. Even the organisations not covered by this project—such as Hizbul Islam, Ala Sheikh and al-Ictisaam—are religious movements.

Diversity within 'political Islam': The above scenario challenges the notion of a monolithic Somali movement of 'political Islam'. Whilst LPI's research clearly draws out a number of similarities between these movements in terms of organisational structure, modus operandi and strategies for socio-political transformation in Somalia, the fault-lines that divide these Somali Islamist groups are so deep, to the extent of being a source of violent conflict. In addition to divergent religious orientation and sectarian differences, these groups also have different political agendas and sometimes rival foreign sponsors.

Unlike 2006 when 17 Islamist groups of all strands, including al-Shabab, had come together to form the Islamic Courts Union and ruled south-central Somalia for a rare six months of stability and peace, the LPI research shows that the gaps and differences between them have widened to an extent that a reunion seems unlikely in the near future. While the international community and regional powers back so-called 'moderate Islamists', both at the centre in Mogadishu and in the regions such Jubaland, the extremist fringe has been further radicalised and broadened its recruitment base as well as sphere of activities.

Based on the responses received during LPI's research project, Somali Islamists can be divided into three broad religious and political categories:

- *Traditionalists* (Sufi-oriented), such as ASWJ. They consider 'foreign' Islamist influences as anathema to traditional Somali Muslim culture and practices, and have taken up arms to counter them. For example, shrines and the Prophet's birthday celebrations are of great importance in the traditional Somali Muslim culture but Wahhabi movements like al-Shabab and most of the modernists see such practices as deviations from true Islamic tenets.
- *Modernists*, such as Al-Islah and the government of President Hassan Sheikh Mahamud, are the Somali equivalent of Egypt's Muslim Brotherhood and share the Brotherhood's ideology and methodology of Islamising modern education, engaging in social services and reforming the state and society along Islamic lines. They profess nonviolence.
- *Salafis or Wahabis*, such as al-Shabab, reject all modern education and 'western' influences, impose by force a strict interpretation of Sharia, consider every other Islamic movement and sect to be outside the pail of Islam and, most of them, have a global agenda of establishing a caliphate. Hence, al-Shabab's links to al-Qaida.

Regional and clan markers: Despite their ostensible approach to transcend clan and regional boundaries, and promotion of an Islamist-Somali nationalism, political groups in Somalia tend to get associated with a specific regional span or dominated by a clan family. That is true of almost all the groups interviewed for this project except al-Shabab which retains a cross-clan—and even a non-Somali, international—base. All established and emerging regional administrations are associated with particular clans.

The dichotomy between these groups' nationalistic and, at times, universal outlook and, on the other hand, the imperative of clan dynamics emerges as one of the key features of the struggle for political power in the new federal setup.

An overcrowded military landscape

Another major factor to be taken into account with the federalism enterprise is the presence of dozens—if not hundreds—of clan militia scattered across south-central Somalia, thousands of soldiers from other African countries and several other militaries from round the world maintaining a direct or indirect operational capability for strikes inside Somalia. Amid this chaotic and busy military activity, the process to form a Somali National Army—critical to statebuilding—has yet to make much progress. Furthermore, direct foreign military interventions are all grist for al-Shabab's propaganda mill.

AMISOM's role: At present, military contingents from six African countries are clubbed together under the military component of AMISOM—the African Union Mission in Somalia. (Howsoever small, the mission has political and humanitarian components as well.)

Authorised by the UN Security Council Resolution, 2124 and first deployed in March 2007, AMISOM now comprises 22,126 soldiers in addition to 540 police officers, with troops drawn from Uganda, Burundi, Djibouti, Sierra Leone, Kenya and Ethiopia who are deployed in six sectors carving up south and central Somalia.^[6] (Kenya and Ethiopia were not originally part of the AMISOM contingent and their troops had had an independent operational presence, mainly in regions along the Somalia border, before formally putting on the AMISOM hat.)^[7]

According to AMISOM authorities, the “military component has been instrumental in helping Somali National Security Forces push the Al Qaeda-affiliated terror group, al-Shabaab, out of much of southern Somalia including most major towns and cities. It has created a relatively secure environment which has allowed the Somali peace process to take root, allowed local population the opportunity to...establish accountable local governance institutions that can begin to deliver services as well as rebuild the local economy and create linkages to the national economy and government.”^[8]

Impact on the local context: The sectoral approach taken by AMISOM reflects the linkage between the Somali conflict and geopolitics of the Horn of Africa as well as the international community's response to the phenomenon of militant Islamist movements.

First, the Kenyan and Ethiopian forces are mainly concentrated in areas along the Somalia border with the overt purpose of securing their Somali-dominated border regions, and creating 'buffer zones' that will contain the threat of al-Shabab and gain domestic political mileage. This also means that the civil war in south-central Somalia, already devastated by decades of conflict and recurring famine, has morphed into a regional and international conflict whose resolution no longer depends upon the actions and policies of local Somali armed actors alone.

Second, sectorisation reinforces and encourages the trend of fragmentation and disintegration of Somalia, which undermines the federal process. Alliances with foreign powers have become as important for the competing leadership of the newly emerging regional authorities as local intra-Somali

clan alliances. Many of them, including the SFG, may not survive long without AMISOM's military cover. And how so many competing regional administrations and a federal government with limited writ would be able to forge an amicable, viable federation, especially if and when there is no AMISOM cover, is a quandary without a foreseeable solution.

Third, the presence of non-Somali forces to complement the political and humanitarian intervention by the international community provides ample propaganda fodder to groups like al-Shabab that do not recognise the legitimacy of the SFG or the regional authorities—or indeed the federal process itself. Is it possible for foreign non-Somali forces to not only completely defeat a resilient enemy that employs unconventional means of warfare, religious nationalistic rhetoric and belongs to an international militant network, but also help resolve the ever so complicated clan feuds over land, resources and political power that have been going since the collapse of the state in 1991?

Need for a broad-based political settlement

The future of political movements, especially Islamic movements, in Somalia is very much tied to policies pursued by the major powers internationally and in the region. Each of these Islamist organisations acts as a proxy of one or more regional or international powers owing to the single-minded focus on eliminating al-Shabab. Unless there is a considered and deliberate policy by the international community of bringing all Somali factions in south-central Somalia—whether Islamists or otherwise—to the negotiation table to hammer out a peace plan, the dominant conservative Islamist groups will remain embroiled in Somalia's internal power struggle, more often than not through violent means.

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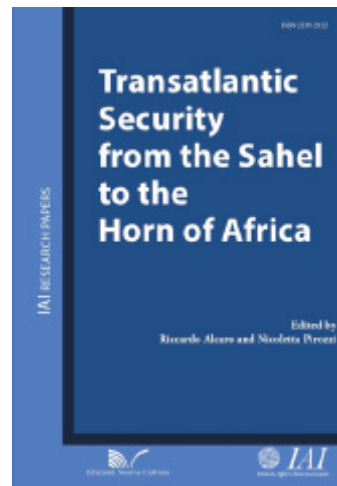
Resources

South Sudan's Experience at Peace Making

In his Bertrand Russell Peace lecture in Ontario, Canada, Douglas Johnson clearly states that South Sudan does have experience at peace making, as three historic peace negotiations, the 1972 negotiations that led to the Addis Ababa Agreement, the 1999 Wunlit people-to-people peace conference, and the 2005 Comprehensive Peace Agreement, prove. However, the question that remains is whether this experience is relevant to the conflict that is threatening to tear South Sudan apart today or not.

In the following lecture Johnson tries to answer this query by first briefly outlining South Sudan's experience in peace making, then looking at the legacy of war as a contributing factor to the current conflict and the missed opportunities to deal with that legacy during the interim period prior to independence, then analysing the contribution of the diaspora in promoting either conflict or peace, and finally suggesting how the experience of South Sudanese might be harnessed towards creating a space for peace.

Access the full lecture [here](#).

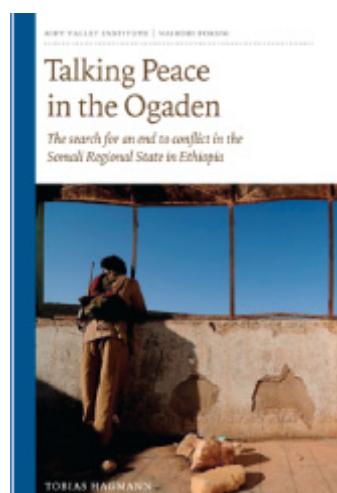


Transatlantic Security from the Sahel to the Horn of Africa

As the so-called Arab Spring has slid into political uncertainty, lingering insecurity and civil conflict, European and American initial enthusiasm for anti-authoritarian protests has given way to growing concerns that revolutionary turmoil in North Africa may in fact have exposed the West to new risks. Critical in cementing this conviction has been the realisation that developments originated from Arab

Mediterranean countries and spread to the Sahel have now such a potential to affect Western security and interests as to warrant even military intervention, as France's operation in Mali attests. EU and US involvement in fighting piracy off the Horn of Africa had already laid bare the nexus between their security interests and protracted crises in sub-Saharan Africa. But the new centrality acquired by the Sahel after the Arab uprisings - particularly after Libya's civil war - has elevated this nexus to a new, larger dimension. The centre of gravity of Europe's security may be swinging to Africa, encompassing a wide portion of the continental landmass extending south of Mediterranean coastal states. The recrudescence of the terrorist threat from Mali to Algeria might pave the way to an American pivot to Africa, thus requiring fresh thinking on how the European Union and the United States can better collaborate with each other and with relevant regional actors. All of the above and more has been discussed in *Transatlantic Security from the Sahel to the Horn of Africa* edited by Riccardo Alcaro and Nicoletta Pirozzi.

Download the book [here](#).



Talking Peace in the Ogaden

Since the 1990s, war in the Ogaden region of Ethiopia has claimed thousands of lives. The conflict between the Government of Ethiopia and the insurgent Ogaden National Liberation Front has impoverished the communities of Ethiopia's Somali Regional State, swollen the refugee population in Kenya, and added to insecurity in the Somali territories of the Horn of Africa.

Talking Peace in the Ogaden outlines the modern history of ethnic Somalis in relation to the Ethiopian state from the late 19th century to the present day, and assesses prospects for a peaceful settlement between the Ethiopian government and the Ogaden National Liberation Front. Written by Tobias Hagmann, and researched by Rashid Abdi and others, the report brings us up to date on a 20 year-old insurgency waged by some Ogadeeni members of the larger ethnic Somali population in parts of the Ogaden region, which stretches across south-eastern Ethiopia and the borders of Kenya and the Somali territories. The report argues that international

engagement and encouragement is needed to bring to an end a largely-hidden insurgency—and the counter-insurgency waged against it—that has cost thousands of non-civilian and civilian lives.

This report is the outcome of extensive research in Ethiopia, East Africa and the global Ogaadeeni diaspora. It analyses the evolution of the conflict, the changing balance of forces, and the current prospects for peace.

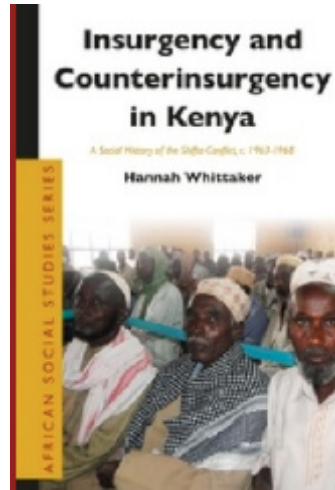
The report can be accessed [here](#).



Kenya: The Struggle for a New Constitutional Order

The aftermath of recent Kenyan elections has been marred by violence and an apparent crisis in democratic governance, with the negotiated settlement resulting from the 2007 election bringing into sharp focus longstanding problems of state and society. The broader reform process has involved electoral, judicial and security sector reforms, among others, which in turn revolve around constitutional reforms.

Murunga, Okello and Sjögren, an eminent gathering of specialists, interrogate in this highly original volume about the roots and impacts of the 2010 constitution; explain why struggles for reforms were blocked in the past but were successful this time around, and explore the scope for their implementation in the face of continued resistance by powerful groups. In doing so, the book demonstrates that the Kenyan experience carries significance well past its borders, speaking to debates surrounding social justice and national cohesion across the African continent and beyond.



The Somali question in Kenya

In *Insurgency and Counterinsurgency in Kenya*, Hannah Whittaker offers an in-depth analysis of the Somali secessionist war in northern Kenya, 1963-68. Combining archival and oral data, the work captures the complexity of the conflict, which combined a series of local, national and regional confrontations. The conflict was not, Whittaker argues, evidence of the potency of Somali nationalism, but rather an early expression of its failure. The book also deals with the Kenyan government's response to the conflict as part of the entrenchment of African colonial boundaries at independence. Contrary to current narratives of an increasingly borderless world, Whittaker reminds us of the violence that is produced by state-led attempts to shore up contested borderlands. This work provides vital insights into the history behind the on-going troubled relationship between the Kenyan state and its Somali minority, and between Kenya and Somalia.