

Somalia's Dysfunctional Clan-Federalism

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Global Research, March 16, 2020

Region: [sub-Saharan Africa](#)

Theme: [History](#)

"Technological progress has merely provided us with more efficient means for going backwards." – Aldous Huxley

"History can come in handy. If you were born yesterday, with no knowledge of the past, you might easily accept whatever the government tells you. But knowing a bit of history—while it would not absolutely prove the government was lying in a given instance—might make you skeptical, lead you to ask questions, make it more likely that you would find out the truth." – Howard Zinn

"How we understand history is shaped by when we start the clock." – Roger Waters

Introduction

Historical Background

The Federal Republic of Somalia is a country located in the Horn of Africa. It is bordered with Ethiopia to the west, Djibouti to the northwest, the Gulf of Aden to the north, the Indian Ocean to the east, and Kenya to the southwest. Somalia has the longest coastline on the continent's mainland, and its terrain consists mainly of plateaus, plains and highlands. Climatically, hot conditions prevail year-round, with periodic monsoon winds and irregular rainfall. Somalia has a population of around 19 million (2017). Around 95% of its residents are ethnic Somalis, who share common language, land, history, culture. Somalis are 99% homogenous since the first settlement in Somalia's history.

AS late *Saadia Touval* wrote

"Somalis are primarily homogenous people United by Cultural, Historical, religious, and linguistic ties as well by territorial contiguity, common traditions, and way of life. They possess, moreover, a highly developed sense of belonging to a Somali race and have a strong desire together in a government of their own.

Thus, Somali nationalism springs not from any influence of or reaction to colonial nor is it due to colonial rule, nor is it due to any absorption of the political outlook and ideas of the west; rather, it arises from the essentially homogenous nature of the Somali people. As a matter of fact, even the divisive impact of alien domination has utterly failed to make any headway in undermining the fundamental unity of the Somali nation"¹

Somalis almost exclusively inhabit the Horn of Africa, form one of the most uniformly homogeneous populations of the continent. They speak one language, adhere to a single faith, and share a common cultural heritage which is an integral part of their nomadic way

of life.

The very name “*So maal*”, when spoken in the imperative, means ‘*Go and milk a beast for yourself*’, welcome words of hospitality in a wandering stranger’s ears. The Somali’s self-conception is inseparable from his flocks and his historical grazing lands. Yet, the Somalis have watched helplessly for the past generation or two as their pasturelands were dismembered by colonizing European powers and neighbouring potentates.²

Since the demise of the central government of Somalia [Siad Barre’s government](#) in [January 1991](#) and The Civil war and Violence that ensued up to 1996 when a strong man SNA leader Gen. Mohamed Farah Aideed was killed by one of his own tribal militias.

Somalia was ravaged by a vicious tribal and resources Hyper-warfare founded, funded, and controlled from outside of the country, especially by western corporate and deep state complex interest using tribal wars and supewramacy as means to political and economic supremacy.

After 16 reconciliation conferences mostly outside of insecure Somalia, the warring Somali factions agreed to political Transition & the establishment of the [Transitional National Government](#) in 2006 (succeeded by the [Transitional Federal Government](#)), there was no [central](#) in Somalia.^[3]

The Transitional Federal Government, formed in 2004 under the Transitional Federal Charter Which recognized it as the central government of Somalia. Under this charter there was alongside the national constitution, the Transitional Federal Charter of the Somali Republic [2] (TFC) lays out the basic way in which the government is to operate.

Executive power (President), Legislative (Parliament) and independent and separate Judiciary (lawmaking bodies + delivery system) as well as semi-autonomous regional states i.e. Somaliland & Puntland.

This political arrangement has function and administered the republic from 2004-2008 and 2009 - 2013 for Presidents Abdullahi Ahmed Yussuf and Sheikh Sharif Sheikh Ahmed respectively Until the Nascence and rebirth of a Somali Federal system and Government on August 22, 2014 after the end of the Transitional Federal System.

This Federal System heralded the nation to a new and challenging (Legally and politically) territories Which Somalis have no experience now and in the past. Since Somalia from independence up to 1991 was administered in a unitary central system of a Republic. Especially in Governance, Socio- Economic, development of national security apparatus, and the development and revival of Somali National character and culture.

What is federalism and Why for Somalia?

federalism is a system of government in which power is divided between a central authority and constituent (*regional, provincial and local starlets-Cantons*) political units. Federalism balances powers by distributing functions between a central government and a regional government.

Federalism divides authority between the state/regional/constituent governments and federal governments. Ex: The federal authorities are responsible in Foreign Affairs, and

International Cooperation, National Finance, Taxation, and Defense departments. Internal Securities, Border security and control; Immigration and Citizenship departments. National Treasury and Development Policies and Constitutional Laws.

There are two types of federation: 1) Coming together Federation and 2) Holding together Federation. Federalism has dual objectives of safeguarding and promoting unity of the country and recognizing regional diversity (*in the case of Somalia -clan affinities +belongings*) by way of mutual trust and agreement of living together.

The use of Federal System in Somalia is new although it has been used globally in many African, American (both North + South), Asian, European and Latin America countries before. Such Examples are Austria, Belgium, Brazil, Canada, India, Ethiopia, Former Federal Republic of Yugoslavia, Germany, Mexico, Nigeria, Russia, Switzerland, South Africa, Spain & the USA.

Out of 54 African Nations, ethnic (clan) federalism is found only in 3 countries of (*Ethiopia, Nigeria and S. Africa*) which have special sociological, historical, cultural and political experience then Homogeneous united Somalia.

There are many types of federalism: Regional Federalism; Cooperative Federalism; Ethnic Federalism and Territorial federalism. Why would Somalia a homogenous nation (98%) in every aspect i.e. culturally, socially, ethnically, historically, linguistically, and religiously, choose clan federalism? And who was behind it?

In specific matters of legislation, taxation and administration, in federalism each tier has its own jurisdiction. Jurisdiction is the legal authority and can be defined in terms of geographical area or subject-matter to which such authority applies. There are two or more tiers or levels of Government: In Somalia's case there are The Central government, The State government and the local (*District*) self-government.

Since the inception of clan- Federalism based on 4.5 model of clan power division in 2014 in Somalia, the central government faced a lot of challenges developmental, fiscal, constitutional, security and above all how to implement and make functional the federalist political system in the country.

"From developing functional state, regional and local federal governing systems to strengthening the central federal system in Mogadishu Capital City (3.7 pop), Benadir region which is an independent regional administration of 17 districts which under the federal constitution the Executive Branch/President appoints the Regional Governor of Benadir who is also the Mayor of City of Mogadishu.

All processes used to form the Federal States have undermined the sovereignty and political independence of the *federal (central)* government, usurped the responsibilities of the federal parliament, and legitimized political dishonesty and disregard of the rule of law. They abolished the right of the Somali citizens to challenge the unconstitutionality and harmful consequences of the clan based States.

Nepotism, injustices, economic and financial mismanagement, rampant corruption, and abuse of political power, have caused the total collapse of the Somali State. The fight against those negative clan influences in the public sphere of Somalia is fundamental for rebuilding the Somali State. There are tested legal systems, public administration practices,

and economic policies that guarantee regional autonomy or decentralization of state power while strengthening the leadership authority of the central government for national unity and harmony. The path for Somalia's recovery starts and ends with patriotic conscience, respect and defense of the rule of law and Islamic values rather than in clan rivalry and discrimination disapproved by Almighty Allah.

The Somali society enjoys unique culture that has less to share with Germany, Switzerland, or United States of America in terms of the letters' choices for different federal systems of governance suitable for them. Somalia needs a system of governance that counters clan ills.

The litigation over the federal and local governments' democratic performances with respect to the rule of law would make sense after the establishment of shared central government that exercises power all over Somalia through integrated governance structures. Then, the current temporary clan formula of 4.5 or 3.5 in Puntland and Somaliland will be replaced by a transparent and well administered electoral political system. Clan federalism weakens national identity, unity, and reliance."4

Who is behind the push for Clan Federalism in Homogenous Somalia?

Clan federalism was pushed into Somali political and social psyche after 10 years of European Union, UK, US, Ethiopian, Kenyan, Emirates and Saudi external destabilization process of Somalia from 1998-2015.

All the (17) UN brokered Reconciliations conferences were infested, controlled, influenced and pushed by non-Somalis for their own narrow + destructive Geo-strategic and political interests in Somalia Not that of Somalia, its future, sovereignty, independence, territorial integrity and absolutely not its Unity and Prosperity.

Clan Federalism and "*killilism + Balkanization*" of Somalia through Ethiopian manipulations of AU & IGAD offices as well as the UN in perpetuating the ideology of clanism and clan federalism in another words, it is the full development of the "*Building Block theory* of Ethiopia, Kenya and Djibouti, which are, of course, both members of the Standing Committee whose current strategy for Somalia revolves around the "building block" approach, using the development of local administrative units as the basis for a decentralised approach to Somali unity. The Ethiopian and Egyptian-sponsored conferences at Sodere (January 1997) and Cairo (October 1997) only succeeded in highlighting the divisions among Somali faction leaders, and among interested regional powers. The idea of the "building blocks" arises from the SACB's evaluation of certain local administrative bodies as "responsible", and the UN's identification of zones of "recovery", "transition" and "crisis" in Somalia." 5)

Foreign and External Actors using Clan Federalism for Somali "Balkanization-Killilism"

"Clan politics, rivalry and hatred have ruined the social bond, moral principles and trust among Somalis who share a language, culture, territory, history and religion. Now, three political manifestations - secession, clan based federalism and a unitary decentralized political system - divide them and are an obstacle to the recovery of the lost nation.

The Provisional Constitution (PC) rejects secession, suggests voluntary federalism of regions while it establishes a unitary democratic central government. Respect for human rights, political and civil rights for all citizens, a free market economic system, political pluralism and

promotion of peace constitute the basic foundation of the new constitution. The US diplomatic recognition of the government of Somalia gives impetus to the implementation of these goals and offers space and encouragement for internal unity and dialogue

Therefore the people of Somalia led by their farsighted and legitimate leaders have the responsibility to engage a national dialogue that aims to respond to the sentiments and anxieties underlying the three political manifestations so that a strong Somalia can bargain with the international community. In his 1963 book on Somali nationalism, Saadia Touval wrote,

“Somali nationalism as opposed to “they” which has existed among the Somalis for many centuries. It was nurtured by tribal genealogies and traditions, by the Islamic religious ties, and by conflicts with foreign people.” This kind of exceptional Somali nationalism is now needed more than ever. Political negotiations in bad faith fail Somalia.

Today’s acrimonious relations among Somalis are in full public display. The late Said Osman Kenediid captured this sad situation when he said in his book *“xusuusqor”*, a Somali becomes foe of the other when clan diversity is discovered. This approximates the present social breakdown.

Clan federalism worsens the situation and tears Somalia apart. It is an overstatement, even wrong, to claim that the PC has created a federal government for Somalia. Yes, article 1(1) stipulates the establishment of the Federal Republic of Somalia (FG). The stakeholders of this FG are the 4.5 clans represented by the 275 members of the Federal Parliament (FP) and not by Federal Member States (FMS), Ahlu Sunna Wal Jama, Ras Kamboni or other factions.

In accordance with articles 48 and 49 of the PC, the FP must enact a law establishing the parameters and conditions to be used for the establishment of FMS and appoint a commission that will study the issue. The findings of the commission will determine the options. Article 49 (6) sets only one parameter: The voluntary merger of two or more regions based on the 1991 boundaries can form an FMS. In the interim, FG will represent the country and administer the regions and districts.

Clan-based federalism is against many articles of the PC. For example it is against Article 8 on the people and citizenship; Article 11 concerning equality of all citizens and prohibition of clan based discrimination; Article 21 on the freedom of movement and residence; Article 46 which prescribes that the power of self-governance begins and ends with the people. Article 142 does not recognize in name the existing FMSs and harms national interest.

The late Ethiopian PM Meles Zenawi believed that Somalia could be divided strictly by their clan identity, and *“killilism + clan-land”* so as to fulfill the Menelik (Abyssinian king and Amharic crusader and warmongering Ras of 19th) ideology of usurping Somali territories+soverngiuty by *“divide & conquer”* ideological hyper-warfare. This clan- federalism is straight from Abyssinian Menelik policy towards *“Ethiopianization of Somalia”* 6

“Also, in 1995, the European Union funded a study project co-chaired by Prof Ioan M Lewis and James Mayall who issued a document titled, *“A study of decentralized political structure of Somalia: A Menu of Options,”* In 1998, the Ethiopian Foreign Ministry drafted a policy paper for the conceptualization and implementation of a *“clan based building blocks strategy”* for Somalia. Despite the widely documented criticisms (debunking), if not outright

rejection of clan federalism by the majority of Somalis, foreign powers spearheading federalism went ahead with the imposition of a federal system- a harbinger of national conflict.

Nation building opponents, theorists of "*wicked problem*" concept in political science, revisionists of Westphalian nation-state sovereignty for fragile (failed, weakened, collapsed) States, war on terror pundits and profiteers, donor bureaucrats, and historically rival neighbors (Ethiopia and Kenya) have targeted Somalia to seriously debilitate rather than rehabilitate. These groups would use Somalia as a laboratory experiment or as a site for looting foreign aid. They have developed brilliant narratives that have obfuscated the flaws and superficiality of the perfunctory international efforts to help Somalia" (7)

As I have mentioned in a policy paper to Somali Monitoring Group (SMG) 1996.

"The EU perverted the International community's and their own precious Institutions, in order to cover their plundering and corrupting goals in Somalia. The United Nations and its specialized agencies in Somalia plus the International NGOs are also perverted. Millions of Humanitarian and Development Funds are diverted to secret and private Europeans Accounts for personal deposit, both by EU officials such as, Illing and by Somali collaborators (Warlords). Somali peoples wishes, hopes, and dreams are subverted, by keeping the internal civil strife, clan wars, drought and lawlessness on.

It hardly needs mentioning that European Union funds and financial contributions to some of the Somali Factions in the South and to Egal's Administration in the North-West contributed the internal conflict in the country. EU funds disguised as "Humanitarian Aid" were given in huge amount, usually through European or/ and Somali middle men. In the wake of this adventurous and enterprising European policy, the political situation in Somalia and the Horn of Africa turned polarized and corrupt.

According to European Union and Illing, Somali history is being re-written in a very big way and as a result of that we are now living in a world where our past is being denied, where our political, social, cultural and historical developments in the past has been reduced to a minor footnote, thus designing and creating a new Somalia according to their wishes (*Western*).

These days Somalia and many African and Developing nations which are experiencing internal Civil strife/ wars are turned into a political and economic "*Feifdoms*" run and operated by Western NGO's who are an extension of their nations foreign departments and policies. They propagate western political ideology and economic/ social dependency in these countries at time of great social and political CRISIS.

Through EU funding many International (European) NGO's such as the Swedish "Life and Peace" are funded in order to assist Illing's policy plane of disseminating and propagating the idea of many small, independent tribe/ethnics in Somalia with their own tribal Regions/Homelands with ethnic exclusiveness that will be composed in the whole map of the country. And through "Life and Peace NGO," European Union is trying to socially, politically, ethnically (tribal) engineer a New Somalia according to their Liking.

The truth of the matter is, that European Union Funds and Policy towards Somalia is politically motivated and is Eurocentric. It is generally not permanent nor can they fulfill

wholly, or even substantially, the great needs (Infra-structure and sustainability) of Somalia, since this type of Aid and Assistance does not essentially reverse the Socio - Economic and Political circumstances that created current conditions of need and despair in the country.

"In Conclusion, Sigurd Illing and the European Union can disturb Somali peace and reconstruction, fuel clan wars and tribal discourses through their "Humanitarian Aid Funds", destroy precious Somali lives and properties, but they will never succeed in realizing their GOALS. They will never DESTROY Somali nationalism, Somali Dignity and History of fighting against oppression and neo-colonialism but can only disturb it, and damage it. And if Somalis yield to this harmful policy of European intervention they would be surrendering their independence and sovereignty to them which will continue to perpetuate their dominance over them ad Infinitum - it will then be a matter of time before re-colonization of Somalia becomes a total REALITY.

European Union Development funds and their political system have impacted Somalia negatively, for what is emerging is an unjust and corrupt society and system. A system which allows a privileged foreigners (EC/US) plus their Somalia collaborators to dominate the political and social life of Somalia; A system which leaves vast majority of Somalis poor, diseased and powerless. A system which allows greed by the few (*Expatriates*) to grow and authoritarian rule to spread as a thread to the *Nationhood*.

In sum, the impact of continued western (EU/US) interference into Somalia has resulted the destruction and blunder of the country's national infrastructure and its wealth - assets that were built over 3 decades with national and international expertise and help. The future outlook for Somalia is indeed bleak as long as this external intervention continues."(8)

Conclusion

Somalia clan federalism resembles the clan division suggested by President Yoweri K. Museveni of Uganda in his [letter](#) dated July 15, 2009 for handling the Banyoro political grievance against Bafuruki in Banyoro region. Banyoro are considered an indigenous (natives) clan, while Bafuruki (migrants/settlers) - a derogatory word - are Ugandan citizens whose ancestral land is not Banyoro region even if they were born in it. The president proposed clan land ownership and ring-fencing the positions of local councils and Member of Parliament for the indigenous (native) Banyoro clan. This has raised a firestorm inside and outside Uganda because it was seen as tribalist, unpatriotic and unconstitutional and later President Museveni backtracked.

The signs of many problems associated with clan federalism like violent minority dissent within are now visible in Puntland. In fact, clan federalism rather than solving the problems of bad governance expands them. Only Ethiopia, Nigeria and South Africa practice clan based federalism in the African continent. A comparative study carried out in 2012 shows that African federalism fails for at least nine causes like a lack of commitment to democratic values and obstruction of the central government authority.

In the gloomy prospect for Somalia's future, the observations of Saadia Touval about Somali nationalism provide pride and hope. He testified that Somali leaders were always striving to eradicate "political tribalism" because it was and still is detrimental to national harmony. In 1958, political parties with clan names were banned. He also stated that Somali leaders (northerners) gave up their privileged positions for the sake of realizing the broader nationalist goals of unifying the British and Italian territories in 1960. These kinds of

patriotism are deeply rooted in the Somali culture and could re-emergence at the right moment like today.(9)

To me, one question Somalis need to ask themselves at this juncture is: *Will western and special interest external forces induced (pushed) Clan – federalism ever work in Somalia or will it simply open up a Pandora’s box of more problems that can eventually destroy Somalia?*

In its current form, I honestly think, Somalia can’t afford to have a federal system because to introduce one in a country like Somalia, which is in the grip of security, economic and political crises, is to dismember Somalia . What the Horn of Africa nation needs now is stability that allows it to resolve its myriad problems and have a strong government that works not for certain regions or clans but for all Somalis.

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Notes

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