

Somalia's Jubbaland conundrum

Three states in southern Somalia are keen to become an autonomous region known as Jubbaland.

IHS Jane's examines why the central government opposes these plans, despite initially backing the idea.

► KEY POINTS

- The Somali Federal Government's new policy of doing away with the federalism that brought it to power poses a threat to the country's progress towards stability.
- The government's reluctance to allow the creation of the autonomous state of Jubbaland illustrates the lack of a central policy that takes into account the country's clan-based politics.
- To bring stability to Somalia and finally defeat the Islamist militant group the Shabab, all clans need to be equally represented in federal institutions, including military forces and the security apparatus.

A centre of trade, commerce, agriculture and rich in marine resources, Kismayo and the surrounding Jubbaland area is of great economic importance to Somalia. The region also has the potential to hold the balance of power in the country, meaning all important actors – indigenous or foreign – want to control it. Strategically located at the southern tip of Somalia on the Indian Ocean coast, it has the biggest working sea port in Somalia and two airports. Kismayo and the surrounding region has been fought over by warlords, radical Islamists in the Shabab and clan militias (mainly from the Darod clan) since the start of civil war in 1991, in the process displacing approximately 500,000 refugees to camps in Kenya.

Since the emergence of the United Islamic Courts (UIC) in 2006, Kismayo has changed hands between various groups including the Transitional Federal Government (TFG), Hizbul Islam (HI), the Muaskar Ras Kamboni (MRK) and the Shabab. The Shabab's capture of Kismayo in 2008 began the longest period of control by one group since 2006. This prompted the TFG to formulate a 'liberation

strategy' that ultimately sought to mobilise the dominant clans in the Jubba regions against the Shabab by promising to support the creation of a 'Jubbaland' autonomous region – akin to those already existing in Puntland, Galmudug, and Khatumo – once the area was liberated.

An alliance of the Kenyan Defence Forces (KDF), the MRK led by Ahmed Mohamed Islam (alias Ahmed Madobe), and TFG forces ousted the Shabab from Kismayo in late 2012. However, the newly created Somali Federal Government, under new President Hassan Sheikh Mohamud, reversed its earlier position and now opposes the establishment of Jubbaland. This decision has created new political tensions and allegations of bias from clans and figures in Jubbaland as the government has endorsed the establishment of an autonomous regional authority in Hiiraan.

As Somalia begins the long-delayed process of state-building, this potential dispute could pose a threat to the country's current – and almost unprecedented – sense of stability and optimism. Arguments about federalism could also affect the future political shape and stability of Somalia as a whole.

The 'Jubbaland' process

The process of establishing a Jubbaland regional state consisting of Gedo, Middle Jubba and Lower Jubba regions is not new. It has been under consideration since 2009, when then-president Sheikh Sharif Sheikh Ahmed affirmed the TFG's commitment to the process as he sought to mobilise the regions' political elites against the Shabab, which was then in control of much of region.

The plan then was led by then-minister of defence, Mohamed Abdi Gandi, who is from the Jubba region and is Ogaden by clan. At the time, Gandi toured the region with the aim of developing a Kenyan offer to train more than 2,000 TFG soldiers hailing from the Jubbaland regions into an opportunity to also train would-be civil servants to administer a potential Jubbaland regional authority. Following this, a conference brought together respective

clan elders in Kenya in March 2011 and the Azania regional state came into being under Gandi's leadership. Ethiopia and other Somali actors opposed the creation of Azania, viewing it as an Ogadeni-dominated Kenyan project. This opposition quickly brought about the demise of Azania, sending the process of southern regional autonomy back to the drawing board.

Kenya maintained the momentum behind the process when in June 2012 it proposed the formation of a technical committee to study the feasibility of creating an autonomous Jubbaland region. It invited Intergovernmental Authority on Development (IGAD) member states, including Ethiopia; the TFG; delegates from the wider international community; Ahlu Sunna Wal Jama (Marehan clan-based); the MRK (Ogaden clan-based); and representatives from the doomed multi-clan Azania project.

Together with delegates from the Harti, Hawiye, and Bantu clans, a committee was formed to draft a Jubbaland constitution and convene an inclusive regional state-building conference. With the capture of Kismayo from the Shabab in September 2012 by Kenyan forces and the MRK, the technical committee finalised its draft of the new constitution and relocated from the Kenyan capital Nairobi to Kismayo.

However, tensions and an absence of consensus between the Somali government and the Transitional Administration of Jubbaland (TAJ) had led to the postponement of the proposed conference several times before it eventually opened at Kismayo University on 28 February with the participation of clan elders and other key civil society members, including women from the three regions, as well as representatives from the Somali government. However, substantive talks failed to produce an agreement.

Since then, a conference of 870 delegates in Kismayo in April approved a draft constitution and flag for Jubbaland regional state and is already beginning the process of selecting members of the regional parliament, who

will in turn elect the region's president. The central government regards these decisions as illegal and has refused to recognise the outcome of the conference, leading to a widening rift between the government and delegates backing the idea of an autonomous Jubbaland.

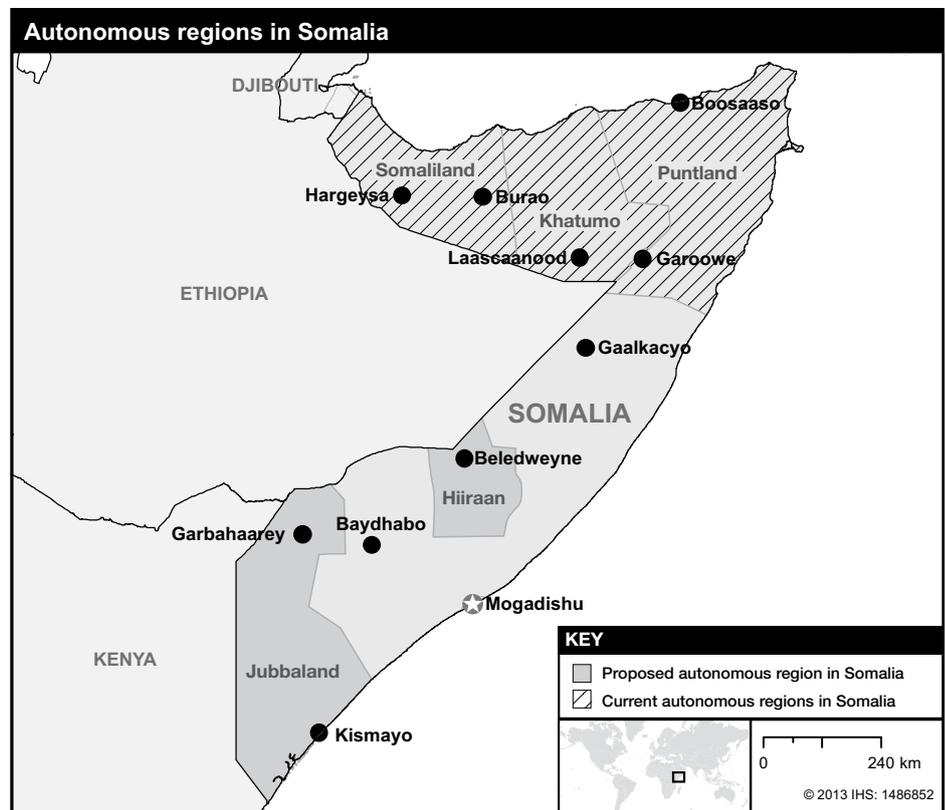
Tensions and strategies

Since it was established in September 2012, the government has been opposed to the Jubbaland process, even though it was endorsed by the preceding TFG and IGAD's 2012 *Grand stabilising plan for south central Somali regions*. It has instead adopted policies that all indicate a tendency towards centralisation and the creation of a unitary state authority rather than support for the system of the constitutional federalism that helped bring it to power. However, as Somali politics is not institutionalised and remains based on clan and clan-family interests, the tensions between Jubbaland and the government are multi-faceted and can quickly change as the political interests of clans and the political conditions in Somalia change.

As a result, this shift in policy has led to an escalation in tensions between the government and already established or proposed regional states. These tensions have clan, political and economic dimensions, but are also rooted in suspicion and mistrust about whether federalism will be enshrined in the new Somali constitution or whether the government will attempt to use a policy of centralisation as part of efforts to win international recognition and legitimacy.

If this is the government's aim, it appears to be creating as many problems as it is designed to resolve. The government has failed to persuade IGAD members to accept its diktats on the Jubbaland region and has operated a divide-and-rule approach towards local clans in the three regions. It went as far as to convene a parallel Jubbaland conference in Mogadishu in February, terming the Kismayo process exclusionary and announcing the impossibility of establishing Jubbaland in the near future because some of its districts remain under the control of the Shabab.

Finally, as part of a new strategy seemingly aimed at engaging with local actors, Somali Prime Minister Abdi Farah Shirdon and several ministers arrived in Kismayo on 26 March. However, the delegation insisted that the Jubbaland regional state-building conference



Current and proposed Somali autonomous regions. The Somali government is promoting a policy of centralisation and opposes the creation of an autonomous Jubbaland region.

be converted into a reconciliatory conference and that a governor be appointed. The conference rejected this, and negotiations ended in deadlock and a further escalation of tensions. The situation worsened when Shirdon then went to Gedo, where he appointed a local governor while its regional clan elders and political representatives were away participating in the Kismayo conference. As a consequence, despite its inclusive rhetoric, government critics have accused it of bias and deliberately working to do away with federalism by appointing governors to regions rather than federating the country along lines already established by Puntland and Galmudug.

For the government, the central assumption for its hardline position is the fact that it is internationally recognised, has the support of powerful international actors, and has an army. However, these assumptions are not based on a sound social policy that is timely and commensurate with its strengths. More importantly, the government is overlooking the clan fault lines that started the civil war and state collapse in Somalia and which

remain prevalent social and political factors in the country. Deep mistrust still exists between Somali clan families because the majority of the Somali national army comes from the Hawiye clan. Puntland and Khatumo have suggested that all Somali regions and clans should be represented in the national army on a quota basis.

The importance of clan rivalry in Somalia is not so much how much power each clan has, but rather how much power it has in relation to its clan rivals. As a consequence, confidence-building and reform of important state institutions to reflect differing clan interests should be a major priority for the government. However, although the government has said it would do this, its policies are contradictory. Instead of focusing on priority issues such as land and property restitution, national reconciliation, creating a representative national army, and liberating remaining areas still controlled by the Shabab, the government has been drawn into a political dispute over the very federalism that has helped bring it to power.

Federalism or centralisation

The government argues that centralism is the solution to Somalia's intricate problems. However, centralism has been and continues to be one of the major causes of the prevailing problems in Somalia.

Somali society, albeit homogenous, has always been organised in a decentralised manner, a fact that has helped it survive. Moreover, even at the times when it had a centralised form of state, a system of decentralised governance existed in parallel.

Clan systems and clan elders practised *xeer* (customary law) and imams practised *sharia* (Islamic law) despite the existence of a national constitution. These systems were and are more efficient at settling disputes and resolving conflicts, and at times the Somali government has resorted to them to challenge societal norms.

After the collapse of the Somali state in the 1990s, the clan elders and imams became the most important sources of governance. Clan elders also took a larger role in security provision as refugees attempted to flee to their home clan areas in order to escape general insecurity.

Clan leaders have been instrumental in establishing the institutional structures that exist in Somalia today (be it Somaliland, Puntland, Khatumo, Galmudug, and even the government itself), reflecting the decentralised and autonomous nature of Somali society. Indeed, the failure of numerous centralising state-building approaches since the state collapse in the 1990s led to the adoption of federalism and the bottom-up peace process that has eventually led to the gradual progress of recreating the Somali state.

Although this reality and the fact that a centralised unitary state may well help minimise fragmentation in the future, its feasibility, constitutionality, and practicality at the moment is questionable. Indeed, many Somalis are increasingly asking why the government is seemingly prioritising this issue above all others.

Centralism in a clan-based society such as Somalia will almost inevitably lead to suspicions that one clan is trying to dominate the others. The previous leader of the TFG and the current president are both from the Hawiye clan, while the newly emerging Jubbaland elite are from the Darod clan. This has revived the power struggle between the two clans,

affecting the mood of optimism in Somalia and exacerbating wider clanism trends in the country.

Neighbouring states

Djibouti, Eritrea, Ethiopia, and Kenya have all become embroiled in the Somali conflicts in various contradictory ways, driven by national security and other geostrategic prerequisites. However, the apparent change of policy seems to be rooted in a geostrategic shift within the traditional alliance between Somalis and Ethiopians that led to the marginalisation of the Ogaden clan in the Jubbaland regions in the past.

Since 2012, Ethiopia appears to have adopt-

'Clan leaders have been instrumental in establishing the institutional structures that exist in Somalia today'

ed a more pragmatic approach to resolving the conflict in its own Somalia regional state waged by the Ogaden National Liberation Front (ONLF), in the process reinvigorating peace negotiations mediated by Kenya. This, together with the 2013 Somalia-Turkey military co-operation agreement providing training and assistance, has allowed the Ethiopian army to withdraw from the town of Hudur in Bakool region.

Kenya is playing an increasingly important role, because by safeguarding its own tourist industry it is helping to create the stability that has allowed Ethiopia to withdraw from Somalia and the plans for Jubbaland to advance as far as they have. Especially important is the fact that these considerations have led Ethiopia to lessen its opposition to the establishment of a southern regional autonomous region in which Ogadenis are likely to play a leading role.

Nevertheless, the military agreement between the Somali government and Turkey has alarmed Kenya and Ethiopia as it realigns interests in the Horn of Africa by allying

Djibouti, Turkey, and Egypt with the government, potentially against Kenya and Ethiopia, who both support the concept of federalism in Somalia. Moreover, while Uganda and other contributor nations to the African Union Mission in Somalia (AMISOM) may currently appear sympathetic to the Somali government, they are likely to walk away with Kenya and Ethiopia should clan rivalries and conflict again break out in Somalia.

Conclusion

A change of the presidency, a new parliament with a new leader that excluded former warlords, and a new constitution all brought a new hope for a more stable future in Somalia. However, the current government, despite the goodwill and ambivalent public mood, is struggling to retain that optimism and gain widespread support from the population, especially in parts of the country dominated by non-Hawiye clans.

Indeed, the issue of establishing Jubbaland is now a test of federalism in Somalia, and the government may need to reconsider its current centralising strategy to avoid the risk of fuelling the prevailing feelings of disenchantment among non-Hawiye clans and those supporting an autonomous Jubbaland. However, federalism is not the answer to all of the country's problems.

Mogadishu's relationships with neighbouring states could again threaten the stability of the Horn in the longer-term while at the short-term imperilling the state-building project in Somalia.

Finally, the failure of the government on issues of land and properties restitution, national reconciliation, and the representation of all Somali clans in national institutions (including the army and security apparatus) will continue to lead to persistent instability and hold up the defeat of the Shabab. ■

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27 January 2012

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