



Somalia's transitional government starts building a federal democracy

BY **BURHAAN WARSAME**

Several ministers from Somalia's newly-formed transitional federal government have recently toured the country's coastline to assess the damage caused by the tsunami, which left 50,000 people without shelter, water and food.

The tour marked the first foray into the country by the new government, formed by a transitional federal parliament made up of representatives of the country's clans meeting in Nairobi, Kenya. The government plans to start moving members of parliament and cabinet ministers to the capital, Mogadishu, by the end of January. Moving the rest of the government would continue until April. The African Union has pledged to send a peacekeeping force to protect the government in Somalia.

The process that led to the formation of the new government has been long and difficult. It took two years to agree on the make-up of the transitional parliament. In early October, the parliament elected Abdullahi Yusuf as president. Then President Yusuf presented Ali Mohamed Ghedi as his choice for Prime Minister. But when Ghedi announced a cabinet, he lost an initial no-confidence vote, proving that parliamentary democracy had indeed begun in Somalia – a government motion had been defeated.

In late December, the president presented Ghedi again – without a cabinet – and parliament approved. And in January, the parliament agreed on a formula for dividing cabinet posts among the clans and later approved Ghedi's second cabinet, made up of all the major warlords, factional leaders and some former politicians and technocrats.

New hope for a failed state

The transitional federal government of Somalia is the result of a two-year reconciliation conference in Kenya. The conference, sponsored by the Inter-Governmental Authority on Development (IGAD) – a regional body consisting of Ethiopia, Djibouti, Eritrea, Sudan, Somalia, Kenya and Uganda – brought together representatives from various Somali clans, civil society groups and political factions. The conference was the most serious and sustained effort at reconstituting a national authority for Somalia, a country that has experienced one of the longest-running instances of state collapse in modern history.

The country's unitary national system of governance collapsed in 1991 when clan-based armed factions overthrew President Mohammed Siyad Barre and turned on each other in a disastrous civil war that divided the country into clan

fiefdoms. Since the collapse, numerous attempts, including a major American-led United Nations military intervention in the early 1990s and at least 13 internationally sponsored reconciliation conferences, have all failed to restore peace and national authority.



Somalia's President Abdullahi Yusuf and Prime Minister Mohamed Ghedi (right).

Skeptics predicted a similar fate for the latest attempt. But after much acrimony and disagreement, the IGAD-sponsored conference has produced consensus on key points, including sharing power along clan lines and adopting a federal system for governing the country's fractious regions.

Power-sharing: the 4.5 formula

In a break with the post-colonial "nationhood" rhetoric that characterized both the first republic (1960-1969) and the second (1969-1991), the Somali participants at the Nairobi reconciliation conference have embraced the traditional clan system as a power-sharing mechanism.

The participants, whose ranks occasionally swelled to as many as 800 delegates representing competing political factions, civil society groups and traditional elders, agreed to lay the groundwork for a national authority by forming a parliament where all the Somali clans are represented. And after lengthy negotiations on who gets what and how much, they agreed on a 4.5 formula: The four major clans (Dir, Darod, Hawiye, and Digil-Mirifle) would get 61 seats each, while a bloc of minority clans would get 31 seats to form a 275-member transitional national parliament.

The process of sharing parliamentary seats according to the 4.5 formula was complicated and at several points during the process, the Nairobi talks almost collapsed. Within each clan are dozens of subsidiary clans, all of whom have an inflated image of their importance and numerical strength.

In the end, however, the Transitional Federal Parliament of Somalia was inaugurated in Nairobi, Kenya on August 29, 2004, with the understanding that the executive and judicial branches of the Transitional Federal Government of Somalia would also be shared along the same 4.5 formula. So when the parliament elected Sharif Hassan Sheikh Aden of the Digil-Mirifle clan as the Speaker on September 15, his clan understood that they were out of the running for the position of President and Prime Minister.

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By early October, in a campaign contested by 28 candidates, the parliament elected Abdullahi Yusuf, a member of the Darod clan and the leader of the autonomous northeastern state of Puntland, as President of the Republic. Less than a month later, President Yusuf appointed Ali Ghedi, a member of the Hawiye clan, as Prime Minister, who formed a cabinet according to the 4.5 formula.

The clan formula has its critics. The nationalists, a group that seems to have been relegated to the margins of the political process, see the adopted formula as an institutionalization of the clan system that would further weaken the cohesiveness of the homogenous Somali people (a majority of whom share a common language, culture and religion). Some women's groups have also expressed concern over what they see as an old patriarchal system that may negate female participation in the political process – only 16 members of the 275-member parliament are women. Still, most Somalis appear to have welcomed the clan-based power-sharing mechanism as a suitable transitional system.

Agreement on a federal charter

Of all the issues under discussion at the Somali reconciliation conference, none has been thornier than the adoption of a federal charter for the country. By summer of 2003, five of the six committees that were set up to deal with the core issues – from disarmament to land rights – had submitted consensus reports. But the one on the federal charter had split along factional lines.

Among other things, one camp wanted to immediately adopt a federal form of governance, while the other wanted to work towards an adoption by first forming a national constitutional commission, which would be given the responsibility of developing a federal constitution and determining the constituent units of the federation. The two camps were still in disagreement when, on September 15, 2003, a poorly-organized plenary of the delegates approved the seventh draft of the federal charter. This premature approval of a charter some considered to be still under discussion led some delegates, including several important factional leaders, to walk out and pronounce the collapse of the Nairobi talks.

Although the disagreement among the delegates was not on whether to adopt a federal system, but merely on how to adopt it, their disagreement had the effect of re-energizing those who opposed the federal option in the first place. Some nationalist intellectuals, who felt shut out of the talks, used the near-collapse of the Nairobi talks as an opportunity to once again dismiss the whole process as a charade orchestrated by the enemies of Somalia (they remain particularly suspicious of Ethiopia).

It took the intervention of President Mwai Kibaki of Kenya, the host country, and President Yoweri Museveni of Uganda, chairman of IGAD at the time, to bring the two sides back to the negotiating table. By the end of January 2004, there was a convergence of opinion on the charter, including an agreement to take a pragmatic, asymmetrical approach to federalism, one that allows for working with existing autonomous states, while working towards the formation of the remaining other units of the federation.

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Making peace among the clans and regions

There is a general understanding that the possible units of the federation may be identified with the major clans, which would allow for five or six states, each made up of two or more of the 18 regions of the last regime. However, only the self-declared republic of Somaliland in the northwest and the Puntland State in the northeast have functioning administrations and local parliaments that may be viewed as ready-made constituent states. And Somaliland is not likely to become a member of the federation anytime soon. The administration in Hargeisa, the Somaliland capital, does not recognize the outcome of the Nairobi talks, though representatives from the clans there have participated in the talks. Somaliland is engaged in a dangerous dispute with Puntland over two regions that have been the source of political and sometimes military confrontation between the two autonomous states.

The central and southern parts of the country either have very minimal or no regional administrations. Rival clan militias contest some areas. It would be immensely difficult for the precariously constituted transitional federal government to reconcile competing clan interests, which are mostly trans-regional, with the amalgamation of regions that would form the basis of future state units of the federation.

On top of the challenges of building a federal framework from the bottom up, the government has to also deal with the more pressing operational tasks and the issues inherited from the civil war. These issues include reestablishing an effective administrative presence in the volatile capital; reclaiming control over revenue-generating assets like air and seaports; facilitating genuine reconciliation among the polarized clans and sub-clans while demobilizing and rehabilitating their still-warring militias; rebuilding the police force, judiciary and other aspects of public security; and preparing the country for free and fair national elections. All this has to be done with minimal resources and under the gaze of a skeptical international community that is more likely to adopt a wait-and-see approach than offer a helping hand. ☠

What do Somalis think?

The BBC World website ran a weblog for Somalis at home and in the diaspora with the heading "Is Somalia proof that we need governments?" Of 20 or so Somalis who responded, the overwhelming majority said yes, with only a few arguing that no government was better, and a few praising the break-away government of Somaliland in the north of the country. A BBC reporter also interviewed eight Somalis in Mogadishu and asked them what the new government's priorities should be and how they survived 14 years with no government. People mentioned security and transportation (without roadblocks) as the greatest needs. The eight survived by doing everything from selling khat (a mild drug) to manning an armed checkpoint, to carrying supplies in the market, to singing at weddings of rich Somalis. Nearly all supported the new government, but with some skepticism. The weblog is at http://news.bbc.co.uk/1/hi/talking_point/4022009.stm