

**SOMALIA: THE TRANSITIONAL GOVERNMENT
ON LIFE SUPPORT**

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SOMALIA: THE TRANSITIONAL GOVERNMENT ON LIFE SUPPORT

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Somalia's Transitional Federal Government (TFG) has squandered the goodwill and support it received and achieved little of significance in the two years it has been in office. It is inept, increasingly corrupt and hobbled by President Sharif's weak leadership. So far, every effort to make the administration modestly functional has come unstuck. The new leaner cabinet looks impressive on paper but, given divisive politics and the short timeframe, is unlikely to deliver significant progress on key transitional objectives, such as stabilising Somalia and delivering a permanent constitution before August 2011, when the TFG's official mandate ends. Although the Transitional Federal Parliament unilaterally has awarded itself a further three-year-extension, urgent attention needs to be given to the government's structural flaws that stymie peacebuilding in central and south Somalia. If the TFG does not make serious progress on correcting its deficiencies by August, the international community should concentrate its support on the more effective local entities, until a more appropriate and effective national government is negotiated.

To blame the TFG or Sharif solely for the continued catastrophe would be unfair. At the core of Somalia's governance crisis is a deeply-flawed centralising state model. The international community has not yet learned the lesson that re-establishing a European-style centralised state, based in Mogadishu, is almost certain to fail. For most Somalis, their only experience with the central government is that of predation. Since independence, one clan, or group of clans, has always used its control of the centre to take most of the resources and deny them to rival clans. Thus, whenever a new transitional government is created, Somalis are naturally wary and give it limited, or no, support, fearing it will only be used to dominate and marginalise them.

The logical alternative is a more decentralised system of governance, but despite serious attempts, since 2004, to push transitional governments to devolve power away from Mogadishu, the political class – and much of the international community – has remained instinctively wedded to re-establishing a strong central government. The current

TFG is even less willing to share power than previous transitional administrations, which explains the recurrent tensions between it and self-governing enclaves like Puntland, Galmudug, Ximan and Xeeb and local grassroots movements like Ahlu Sunna Wal Jama'a (ASWJ). Not surprisingly, many are going their own way. Indeed, Somalia today is experiencing a multi-faceted, chaotic, clan-driven and virtually countrywide revolt against the centre.

Nothing highlights the general ineptitude of the TFG in forging political alliances and achieving wider reconciliation better than the botched power-sharing agreement with the ASWJ. Originally, an alliance of clans seeking to protect their traditional version of Sufi Islam, ASWJ is the only group in south and central Somalia able to oppose the extreme Islamist movement Al-Shabaab effectively. It was a natural ally of the TFG but was only brought into a formal power-sharing agreement under tremendous pressure from regional and other international allies. That accord is now in tatters, though officials in Mogadishu insist it still officially holds. The movement is itself deeply fragmented, and no one knows which of the plethora of emerging splinter factions speaks for the "old" ASWJ. The TFG appears in no hurry to save what is left of the deal.

The level of corruption within the TFG has increased significantly, and many local and foreign observers regard the current government as the most corrupt since the cycles of ineffectual transitions began in 2000. A cabal within the regime presides over a corruption syndicate that is massive, sophisticated and extends well beyond Somalia's borders. The impunity with which its members operate and manipulate the system to serve their greed is remarkable. They are not fit to hold public office and should be forced to resign, isolated and sanctioned.

TFG military prospects are not good, despite gains in Mogadishu since the end of Ramadan in late September 2010. The army is ineffectual, and the government's survival is entirely dependent on some 8,000 troops of the African Union Mission in Somalia (AMISOM) and the

international community. The modest Western-led Security Sector Reform (SSR) initiative to train thousands of soldiers and revamp the army can only be meaningful and ultimately successful within a larger political plan and in concert with a TFG leadership that is able to imbue its soldiery with a sense of loyalty, patriotism and direction. The current government seems incapable of providing that.

AMISOM has in recent months extended its military positions in Mogadishu, and there are indications of an impending major military campaign to retake the city and then fan out to areas in central and south Somalia. Any offensive would undoubtedly put Al-Shabaab under considerable pressure. However, it is not clear how much planning or preparation has been dedicated to formulating a political strategy for holding and stabilising “liberated” areas. Some clan elders may be secretly supportive, but without adequate political preparation, assumptions of a groundswell of support for the invasion in the south may turn out to be overly optimistic, notwithstanding that Al-Shabaab is increasingly unpopular. As history demonstrates, Somalis tend to reject foreign military interventions, even those that may, potentially, be best for their long-term interest.

Yet, the situation is not as bleak as it may seem. Some parts of Somalia, most notably Somaliland and Puntland in the north, are relatively stable, and as the ill-fated Union of Islamic Courts demonstrated in 2006, it is possible to rapidly reestablish peace and stability in central and south Somalia if the right conditions exist. Contrary to what is often assumed, there is little anarchy in the country. Local authorities administer most areas and maintain a modicum of law and order. Somalis and humanitarian agencies and NGOs on the ground know who is in charge and what the rules are and get on with their work. The way forward needs to be a more devolved political and security structure and far greater international support for local administrations. Furthermore, if by August, the TFG has not made meaningful progress in coping with its internal problems and shown itself genuinely willing to work and share power with these local authorities, the international community should shift all its aid to them.

RECOMMENDATIONS

To the Transitional Federal Government:

1. Decentralise the system of administration – per the Transitional Federal Charter – as soon as possible, by providing delegated authority and resources to allied local administrations and groups.
2. Restructure and revive the High Level Committee and Joint Security Committee (negotiated during the

Djibouti peace talks) to coordinate the activities of allied local administrations and their security forces.

3. Prioritise national reconciliation, as a first step by reactivating the moribund reconciliation commission, reconstituting its membership, broadening its mandate and giving it the resources to draw up a comprehensive national plan.
4. Constitute an inclusive consultative forum to amend the transitional charter, deliberate on the constitution and agree on reform of the transitional federal institutions for the post-August period, with the focus solely on governance, in particular the relationship between local administrations and the national government in Mogadishu, the structure of that national government and the division of power within it.

To the UN Security Council and the UN Political Office for Somalia (UNPOS):

5. Give much greater attention than hitherto to local authorities that are providing some security and law and order in areas they control.
6. Support carefully and incentivise the emergence and growth of local, multi-clan administrations willing to cooperate with the TFG.

To the AU Mission in Somalia (AMISOM):

7. Prioritise recruitment and coordination of the security forces of allied local administrations rather than focusing on increasing the number of AMISOM troops on the ground.
8. Use the revived High Level Committee and Joint Security Committee called for above to coordinate the activities of allied local security forces.
9. Do not attempt a major offensive unless an appropriate accompanying political strategy has been developed.

To Donors:

10. Begin to provide assistance, including governance capacity building, directly to emerging local administrations, and calibrate and link it (as well as aid to the TFG) to realistic, transparent benchmarks.
11. Support efforts to create mechanisms in both the TFG and local administrations to combat corruption, such as by improving revenue collection and management, increasing budgetary transparency and strengthening internal auditing capabilities.
12. Investigate, stop supporting and sanction corrupt officials.

13. Withdraw support from the TFG – unless it clearly demonstrates by August 2011 (when its formal mandate expires) credible outreach to and reconciliation with other regions and administrations and willingness to share power with them; serious security sector reform; genuine anti-corruption efforts; and meaningful restructuring of the government – and direct it instead at those administrations that are serving the interests of the Somali people.

Nairobi/Brussels, 21 February 2011

SOMALIA: THE TRANSITIONAL GOVERNMENT ON LIFE SUPPORT

I. INTRODUCTION

Somalia remains the quintessential “failed state”, without an effective national government for more than twenty years. The latest version of the Transitional Federal Government (TFG), established with much fanfare in January 2009, remains weak, confined to part of Mogadishu, riven by political squabbles and dependent for its survival on the troops of the African Union (AU) mission (AMI-SOM).¹ Relatively stable regions to the north refuse to recognise its authority, and much of southern and central Somalia is controlled by Al-Shabaab, a Salafi jihadi group bent on overthrowing the TFG and imposing its extreme version of Islam on the entire country, if not the entire region.² Continuous conflict has displaced millions, and this, combined with another drought, has led to fears of yet another humanitarian catastrophe. Living conditions have worsened, and millions are again on the brink of mass starvation, as local and world-wide shortages push the price of food and other essential commodities beyond reach.³

The TFG is in no position to deal with a humanitarian catastrophe or to protect its citizens from Al-Shabaab and other

violent groups. Despite substantial financial assistance and much other help, it remains a caricature of a government; dysfunctional and deeply corrupt. The appointment of Prime Minister Mohamed Abdullahi “Farmajo” and a smaller, more technocratic cabinet was welcomed but has done little to improve its prospects or overcome its crisis of legitimacy. As currently constituted, the TFG is unlikely to significantly expand its authority or make the political deals necessary to stabilise other parts of south and central Somalia.

Yet, the international community continues to recognise it as the sole representative of the Somali people, treat its officials as international statesmen and focus most of its peacebuilding attention and efforts in Mogadishu. The effort to prop up an untenable status quo is largely based on the calculation that support for the TFG is the least costly and most realistic choice on the menu of available options, but it has nourished TFG complacency and contributed to the lack of progress in stabilising the country. Unless that calculation is reviewed and ties with the TFG re-balanced and pegged to a set of meaningful benchmarks, the deadening business-as-usual attitude will continue, and no substantial improvement in the government’s performance is possible.

This report is based on more than six months of research in the region, including hundreds of interviews with Somali leaders and politicians, foreign experts, diplomats and international officials. Because of security concerns, only a small part of the research was conducted in Somalia, but many Somali officials were interviewed by telephone or when they transited through Nairobi, the regional hub for international peacebuilding and humanitarian efforts in the country.

¹ For more information, see Crisis Group Africa Briefing N°74, *Somalia’s Divided Islamists*, 18 May 2010; and Africa Report N°147, *Somalia: To Move Beyond the Failed State*, 23 December 2008.

² Salafi jihadism in Somalia is a convergence of Wahhabism and modern Salafism. For an in-depth analysis of Wahhabism and Salafi jihadism, see Crisis Group Africa Report N°100, *Somalia’s Islamists*, 12 December 2005; Crisis Group Middle East/North Africa Report N°37, *Understanding Islamism*, 2 March 2005; and Crisis Group Report, *Somalia’s Divided Islamists*, op. cit.

³ The failure of seasonal rains has led to failed crops in most of the south’s crop producing regions and considerable water and pasture shortages in most pastoral areas of the country. There has been a dramatic increase in local cereal prices – up to 80 per cent, especially in southern regions of Somalia. Food shortages have already affected the large IDP population in Afgoye, outside Mogadishu, where the highest levels of acute malnutrition have been recorded since the camps were established in 2007. “Somalia faces severe water crisis as drought looms”, UN Food Security and Analysis Unit-Somalia, 28 January 2011.

II. STRUCTURAL AND OTHER FACTORS OF INSTABILITY

The tendency to always blame the leadership for the TFG's frequent political brawls distracts attention from the structural and systemic problems that are the main catalysts, if not the principle causes, of perennial instability. No interim regime since 1996 has been immune from internal crisis. The primary triggers, character and pattern of their troubles tend to be uncannily similar, including fixation on re-establishing the central state, a large and unwieldy government, refusal to share power with local governments, a divided executive and a rigid clan quota system.

A. THE FIXATION ON CENTRAL GOVERNMENT

Since the collapse of the Somali central state in 1991 and the descent into violence, international peacemaking efforts have, with minor variations, been driven by a single imperative: to revive the old central government. This was the agenda of the hard men who took charge after the overthrow of Siyad Barre. The mistake the international community collectively made was to support their effort and regard these men as legitimate actors voicing popular sentiment. After three failed attempts to revive the central state, in 1991, 1996 and 2000,⁴ views were slightly modified, and the federalism agenda was adopted during the 2002-2004 Mbagathi peace conference that culminated in creation of the TFG. Despite the political and legal arguments advanced to justify and popularise the new concept, however, business continued as usual. Governments with little or no popular support were created in exile and relocated to Mogadishu.

Whether led, controlled or influenced by the hard men, the net effect was the same. Power and resources were concentrated in the battered capital.⁵ The new rulers behaved much like their predecessors. Politics remained zero-sum and winner-takes-all. There were no penalties for failure to devolve power. Compelling evidence was ignored of the political change sweeping through the restive periphery, where a number of attempts were made to set up local and regional administrations, including Somaliland in 1991 and Puntland in 1998.⁶ Despite the success of those two in creating far greater peace and stability in

⁴ Over the last two decades, there have been more than fourteen separate international Somalia peace processes.

⁵ Aid flows often reinforce the centralisation of power in developing countries.

⁶ In the late 1990s, there were also attempts to set up administrations in the Jubba Valley and Bay and Bakool. These failed, in part because Somalia became the site of a proxy war between Ethiopia and Eritrea.

their regions, much of the international community, including the UN, only slowly increased direct assistance to these administrations, while maintaining that the government in Mogadishu could adequately serve the Somali people.⁷ Over the last two years, the former Special Representative of the Secretary-General, Ould Abdallah, insisted that most aid and attention be given to the TFG, rather than other authorities in Somalia.

The transition is now an end in itself and a means of sustenance for many of the political actors. The frequent disagreements and infighting are often about how best to feather one's own nests. Many international actors, principally the UN, have actively helped to maintain the charade: squandering resources on meaningless discussions of federalism while paying only lip service to genuine devolution.

B. A LARGE AND UNWIELDY GOVERNMENT

President Sharif's leadership woes have been compounded by a bloated, unwieldy and expensive government. In an effort to co-opt potential spoilers and encourage inclusiveness, donors agreed during the Djibouti peace process to support a dramatic expansion of the administration.⁸ His first cabinet had 36 ministers, with twice as many assistant ministers, and in subsequent reshuffles increased to 39 full ministers. Parliament membership more than doubled, to 550, to accommodate an additional 275 from the Alliance for the Re-liberation of Somalia (ARS) and from civil society.⁹ The selection process – ostensibly based on the 4.5 clan quota system – was hasty and arbitrary.¹⁰ The bulk of the new parliamentarians and many

⁷ Because of TFG and international opposition to Somaliland's demand for recognition, the UN and other international organisations put quotation marks around both Somaliland and Puntland when they discuss these entities in their reports. Many are beginning to acknowledge Somaliland's special status, although its quest for international recognition is unlikely to be successful anytime soon. Crisis Group has reported on Somaliland as a distinct entity. Puntland formally remains part of the old Somali state and despite deteriorating ties with the TFG is unlikely to break away. See Crisis Group Africa Report N°10, *Somaliland: Time for African Union Leadership*, 23 May 2006; Africa Briefing N°67, *Somaliland: A Way out of the Electoral Crisis*, 7 December 2009; and Africa Briefing N°64, *Somalia: The Trouble with Puntland*, 12 August 2009.

⁸ The peace process was started in May 2008, in neighbouring Djibouti, when the international community realised that the Somali crisis would not be resolved without a negotiated settlement with Islamist groups.

⁹ The ARS was an alliance of Islamic groups that fought against the first TFG and Ethiopian forces supporting it. Civil society members were supposed to get 75 seats.

¹⁰ An official privy to the accord and involved in the efforts to draw up the ARS list said the former Special Representative of

ministers had limited formal education, little government experience and no clan constituencies or demonstrable political talent. More than half the ministries – for example, tourism and wildlife – were irrelevant for an embattled wartime administration dependent for its survival on the troops of the AU mission (AMISOM). Personnel costs consume a huge amount of the funds contributed by donors.¹¹

1. Cabinet

The new government squandered the chance to create a smaller administration of key ministries flexibly adapted to the main priorities of the transition. Decision-making was complicated by size, and even achieving a quorum became more difficult. At any given time, tens of ministers and over 150 parliamentarians were outside Mogadishu, often in neighbouring Kenya. A fractious coalition with no clear or coherent program drifted into paralysis. Even worse, Sharif's relations with his prime minister deteriorated, and the standoff that lasted through much of 2010 threw the TFG into turmoil.¹²

Feeble attempts by Sharif to prod Prime Minister Sharmarke to make minor personnel changes failed to reverse the decline. Important figures retained their posts through a combination of subtle threats and backroom deals. As much as he may have wanted to sideline former allies, the president recognised that could spark a mass walkout and bring down the coalition. As a result, the old rival power centres continued to flourish inside the cabinet and parliament. Moreover, a secretive, conservative Islamist faction – Aala Sheikh (House of Sheikh) – intruded into the power equation.¹³ Its influence, ideology and composition

the UN Secretary-General, Ould Abdallah, pressured the parties to make haste in completing the process, ahead of an AU summit, at which he hoped to unveil his Somalia success. This artificial deadline stretched the negotiators, and the creaky selection process buckled under the strain. Crisis Group interview, Nairobi, July 2010. The 4.5 formula allocates an equal number of seats in parliament to each of the four major clan-families – the Darood, Hawiye, Dir and Digele-Mirifle – and half that number to remaining minority groups. Its appeal derives mainly from the principles that no major clan is inherently superior and that it distributes decision-making power more evenly.

¹¹ In 2009, \$9.8 million of the TFG's \$11 million official budget was spent on wages and salaries. Elizabeth Dickinson, "What it costs to run Somalia", www.blogforeignpolicy.com, 26 August 2010.

¹² Prime Minister Sharmarke fought to retain his office, fending off an effort to engineer his ouster by parliament in May, but handed in his resignation in September, when it was clear he could not defeat a planned no-confidence vote. He now lives in Nairobi. Crisis Group telephone interviews, Somali politicians, Mogadishu, October 2010.

¹³ Little is known about Aala Sheikh. It is loosely structured as a brotherhood of like-minded individuals who were part of the ARS inner core. The name refers to a generation of Somalis

is a subject of controversy, but many domestic and international actors alike are increasingly concerned that it may further complicate the transition and stifle Sharif's tentative moves toward reform.

The president turns increasingly to this faction for support. Key figures in the presidency and a handful of the new ministers in the recently appointed, leaner cabinet are widely thought to be members. Some observers believe Sharif is in effect returning to his conservative roots, a development that could be problematic for an international community that has invested heavily in him as a moderate. The apparent trend has not gone down well in Puntland and in the ASWJ-dominated central regions of Hiraan, Galguduud and Mudug.¹⁴ ASWJ groups see Aala Sheikh's assertiveness as proof Sharif was always disingenuous about the power-sharing accord he reached with them.

The appointment of the new prime minister, a U.S.-based Somali academic from the Darood/Marehan clan, has had a mixed reception. Some see him as a good choice – a political scientist and a diaspora figure above the political fray.¹⁵ Many, however, are sceptical, because his clan support is tenuous, and his understanding of local political

influenced by the teachings of Sheikh Mohamed Ma'alin, which incorporated elements of Ikhwan thought, conservative Shafi'ism and Salafism. The offspring of this generation are extremely diverse and could be considered to include followers of ASWJ, Al-Islaax, Hizb al-Islam and possibly even Al-Shabaab. In contemporary Nairobi circles, Aala Sheikh seems to have acquired a new meaning, relating essentially to the political clique around Sheikh Sharif. But using the term in this way also implies a misleading degree of organisation and cohesion. It espouses Salafi jihadism but expresses opposition to Al-Shabaab's violent tactics. Its ideological father is said to be Ibrahim Suley, a prominent Islamist cleric who died in 2009. Key presidency figures, such as Abdulkarim Jama, Hasan Ma'alin, Mukhtar Ainanshe and Mursal Mahmud Saney, are believed to be members. Crisis Group interviews, Somali politicians, Nairobi, November 2010.

¹⁴ The ASWJ was established in 1991 to bring together traditional Sufi leaders to resist encroachment of reformist Islamic groups, but it was of only limited military importance until mid-2008, when clashes broke out between it and Al-Shabaab militias in areas where Al-Shabaab tried to ban Sufi religious practices. In December 2008, ASWJ obtained military support from Ethiopia and started a campaign to expel Al-Shabaab. By late 2009 it was the largest TFG-allied force in south and central Somalia. See Crisis Group Report, *Somalia's Divided Islamists*, op. cit., pp. 13-14.

¹⁵ Farmajo is a naturalised U.S. citizen from a privileged background. His father was a senior official in the defunct national carrier, Somali Airways. He was an accountant in the Washington embassy in the late 1980's (TFG sources say as first secretary). He later studied political science in the U.S., and taught at a community college and has been involved in local New York State government.

dynamics appears deficient. A powerful group in parliament (estimated at over 100) is deeply opposed to him, because of suspicions he is against the 4.5 clan quota system. Ethiopia is also said to be hostile.¹⁶

The much reduced eighteen-member cabinet named by Prime Minister “Farmajo” is the boldest reform the Sharif TFG has yet undertaken.¹⁷ Most ministers are from the diaspora, well-educated and potentially capable technocrats. However, charges of nepotism have been levelled at Sharif for promoting two close aides – believed to be key Aala Sheikh figures – to full ministerial posts, and there are claims the 4.5 formula was disregarded.¹⁸

Yet, this cabinet does appear to be the first tentative step toward rewarding merit, rather than political expediency. Many, like the finance minister, add a level of administrative and managerial competence. What most lack is political experience and the links with influential clan constituencies needed to be effective. Recent experience shows that politicians with no natural political constituencies tend to be vulnerable, their influence severely hampered and their survivability diminished. Cynics suggest they possess the precise qualities and weaknesses the president sought, in order to tighten his own grip on power.

Sharif’s motivation seems to have been to appease domestic and foreign critics, restore his image as a reformer and upstage his key rival, Speaker Sharif Hasan, a former ally and confidante who wanted to scuttle the new cabinet entirely and for more than two weeks used procedural tactics to delay its approval. Given the escalating high-stakes political contest and with the transition’s official end barely six months away, in August, the new ministers have little room for manoeuvre and limited prospects of fundamentally changing the government’s bleak situation.

2. Parliament and the rivalry of the two Sharifs

The Transitional Federal Parliament is arguably the most powerful of the transitional institutions, though its ability

to function effectively is limited. Lately, its influence has significantly increased, because squabbling senior leaders often take their disputes there for settlement. This added power and prestige, however, has its own price. Factionalism is endemic, corruption rife and alliances in constant flux.

The parliament is located in an old police academy in a volatile district of the capital and routinely subjected to mortar attacks. It is not a secure venue, and with many members fearful for their lives, a quorum is usually attained only when critical matters are to be discussed, and AMISOM troops have established a heavy security cordon.¹⁹ The security problem and the logistical complications involved in organising a successful session seriously hamper effectiveness. As noted above, an estimated 150 parliamentarians are based in Nairobi, citing insecurity as the main reason not to relocate to Mogadishu.

Following its enlargement in early January 2009, the parliament was dogged by a lengthy leadership crisis that centred on the mandate of the former speaker, Sheikh Adan Madobe. A gentleman’s agreement at Djibouti between the old TFG and the Alliance for the Re-liberation of Somalia-Djibouti (ARS-D, Sheikh Sharif’s faction of the insurgency) kept him in his post, despite attempts by some in ARS-D to elect one of their own. He refused to step down in August 2009, when his mandate was to end, arguing it was automatically renewed for the two-year life of the new TFG. However, he underestimated the influence of Sharif Hasan, his clansman, who was working behind the scenes to replace him.²⁰ To make matters difficult for Madobe, the two Sharifs worked out a mutually-beneficial deal, under which Hasan was to use his influence to force out Prime Minister Sharmarke in return for Sharif’s support for his own speakership candidacy.²¹ But the initial attempt to execute the plan, in May 2010, partially failed. Though Madobe resigned, Sharmarke held on.

Much of the subsequent tumult within the TFG stems from the escalating power struggle between President Sharif and his erstwhile confidante and political fixer, the new speaker of the parliament, Sharif Hasan. Opinion is divided on when and why the once close personal relationship began to sour. What is not in contention is that it is irretrievably broken. They are now propelled by dia-

¹⁶ Apparently Farmajo’s master’s thesis was deeply critical of Ethiopia’s role in Somalia. Crisis Group interview, Somali politician, Nairobi, November 2010.

¹⁷ Although the new cabinet is smaller than its predecessors, it also includes eighteen deputy ministers and nine state ministers.

¹⁸ Farmajo’s first public comment, days after taking his post, appeared to confirm that he is personally opposed to the 4.5 formula. In a meeting with women activists in Mogadishu in November 2010, he said the formula is partly to blame for the leadership crisis. This caused a political storm and briefly appeared to have destroyed his chances to be confirmed by parliament. A press statement from his office shortly afterwards suggested he was quoted out of context. This has not, however, eased concern within the powerful parliamentary lobby that supports 4.5 because members owe their seats to it.

¹⁹ There is some reason for this concern. On 24 August 2010, Al-Shabaab fighters, wearing government uniforms, stormed the Muna Hotel in the government-controlled area of Mogadishu, killing four parliamentarians and wounding five.

²⁰ Part of the unwritten deal on clan distribution of power was that the positions of president and prime minister were reserved for the Darood and a Hawiye (they have alternated, with the Hawiye dominating the presidency), while a Rahanweyn would hold the speaker of parliament position.

²¹ Sharif Hasan also was speaker from 2005 to 2007, during the first TFG under President Yusuf.

metrically opposed political calculations and ambitions that contribute to growing factionalism and a dangerous state of flux in politics.

Sharif Hasan and former associates such as Mohamed Abdirizak Osman “Jurille” and Abdurahman Haji Ibrahim Aden “Ibbi” are well-established businessmen who represent the interests of a clique of the Mogadishu commercial elite.²² The speaker has been discreetly campaigning to realise his presidential ambitions. A skilful and persuasive operator, he is adept at mobilising support, often using his wealth and knowledge of the political terrain to advantage. His dextrous manoeuvre to secure the powerful post of speaker was masterly.²³ Ethiopia and other international actors are said to favour him, and he has cleverly exploited wide suspicion of Sharif and his Aala Sheikh supporters to project himself as a secularist and the only man capable of stopping “closet Shabaabists” from completely taking over the TFG.²⁴ While his star is rising in parts of the international community at the expense of the president, his history is problematic, and he has generally exercised a negative and destructive influence within the TFG.

President Sharif is under international pressure to deliver on reform and is also sensitive to calls for change within the regime, notably from a group of reform-minded figures known as the Kutla (caucus or bloc) that is becoming important in parliament. He knows that he needs to cultivate them in his struggle with Sharif Hasan, but some members increasingly view him as part of the problem.²⁵ The Kutla is an interesting phenomenon: cross-clan, issue-oriented and carving out a centrist place in the new, polarised political landscape. It is led by Abdi Hashi, a widely respected northerner and an Isaaq who, despite ill health and advanced age, has mobilised reformers and articulated an agenda that has struck a chord with well-educated parliamentarians of various ideological persuasions.²⁶ Attempts by the two Sharifs to bribe and co-opt Kutla members have not succeeded, but the high stakes suggest that the strain on its cohesion will grow in coming months.

C. REFUSAL TO SHARE POWER

The Transitional Federal Charter of the Somali Republic commits the TFG to a “decentralised system of administration based on federalism”.²⁷ The Independent Federal Constitution Commission was charged with proposing the appropriate federal structure, while the government was to “ensure that the process of federating Somalia shall take place within a period of two and a half years”.²⁸ Critics have complained, however, that the process was dominated by the TFG, and consultation was minimal. The TFG has demonstrated neither the will nor desire to devolve power. In fact, under President Sharif, there has been a subtle shift away from the federalism idea that official rhetoric cannot mask.

1. Failure to reach out

The TFG made modest attempts in the first four months of 2009 to reach out to a select few within the leadership of the hardline Islamist insurgency.²⁹ President Sharif wanted to quickly demonstrate that he was serious about national reconciliation, but the attempt was not sustained for long. By late April, the new regime had lost the will to continue the discreet exploratory talks. Admittedly, the insurgency, buoyed by Ethiopia’s military pullout, had become more extreme, had no incentive to entertain Sharif’s overtures and was spoiling for a decisive fight. The few who appeared amenable to cutting a deal with the president, like Al-Shabaab leader Mukhtar Robow, were often hamstrung by more urgent political considerations.

Sharif’s outreach dilemma was a familiar one. A leader of a feeble government, with little territorial control and without an effective army, he was in no position to dictate a peace settlement and had little to offer an insurgency that felt it was winning.³⁰ He was unwilling or unable to jettison ministers and other senior officials who contributed nothing to the government and offer their positions to other leaders. His strategy was exclusively to appeal to noble sentiments and values of Islamic brotherhood, peace, forgiveness and *Somalinimo* (Somaliness).³¹ It can

²² Jurille was the telecommunications and post minister and Ibbi was the fisheries and marine minister.

²³ As part of his campaign for the position, Sharif Hasan reportedly paid members of parliament \$2,000 for support. Crisis Group interviews, Somali members of parliament, civil society members, diplomats, Nairobi, June–December 2010.

²⁴ The transitional parliament’s term extension (see below) strengthens Sharif Hasan.

²⁵ Crisis Group interviews, Kutla members, Nairobi, August, December 2010; telephone interviews, Mogadishu, August 2010.

²⁶ New prominent Kutla members include Abdurahman Abdishakur, a moderate Islamist leader who was the chief negotiator for the ARS-D faction during the Djibouti talks. He broke with the Sharif camp and resigned from the cabinet in early 2010.

²⁷ Article 11. For the division of powers between the federal government and the states, see Appendix B below.

²⁸ Article 11. The Independent Federal Constitution Commission was established on 15 June 2006. Initially fifteen members, it was expanded to 30 after the 2009 reconciliation conference in Djibouti to include representatives of Sheikh Sharif Sheikh Ahmed’s wing of the Alliance for Re-liberation of Somalia (ARS).

²⁹ See Crisis Group Briefing, *Somalia’s Divided Islamists*, op. cit.

³⁰ As important, President Sharif was also in no position to provide security to leaders who switched sides. Over the past several years, Al-Shabaab has assassinated many of its opponents.

³¹ *Somalinimo* is a vaguely defined term still current in the political lexicon and widely used by politicians to whip up patriotism and cross-clan solidarity. It is not Pan-Somali nationalism but

be asked whether Sharif – lacking military means to shift the power balance and thus force concessions – should not have done more to build a broader, more attractive national reconciliation strategy, but his decision to quickly give up the project rather than continue to work on the resistance of the many disillusioned Al-Shabaab leaders was at least a strategic blunder.

The failure of the power-sharing agreement with the ASWJ illustrates the TFG's ineffectiveness in forging political alliances and fostering reconciliation. The ASWJ began as an alliance of clans that wished to protect their traditional version of Sufi Islam and is the only group in central Somalia able to mount effective opposition to Al-Shabaab. Though it was a natural ally, regional states and other international allies had to bring considerable pressure to bear on the TFG before it brought the movement into a formal power-sharing agreement.³² A number of ASWJ politicians were appointed to the cabinet, and the militia commander, Abdikarin Dhego-Badan, became deputy commander of the TFG army. Nevertheless, its share of government power was not commensurate with its military power and territorial control relative to the embattled TFG, which held only a few districts of Mogadishu. That signalled to other potential allies that the government was not serious about sharing power.

The ASWJ-TFG agreement has now virtually collapsed, although officials in Mogadishu deny it. ASWJ is itself deeply fragmented, and no one knows which splinter faction speaks for the “old” ASWJ.³³ The TFG appears to attach no urgency to rescuing anything from the deal. Indeed, it is an open secret that government hardliners are happy with the deadlock and are pressuring Sharif to scuttle the agreement altogether.

probably best defined as a term that evokes a sense of shared history, linguistic, religious and cultural affinity – a mystical bond that restores the fractured homogeneity of the Somali race.

³² After lengthy delays and bickering, the agreement was signed in Addis Ababa in March 2010. Most of those who obtained positions were from the Galguduud faction of ASWJ.

³³ Leadership disputes and clan and personality friction are now endemic. Opinion is deeply divided over how many ASWJ splinter factions have emerged and which are dominant. They include the Qadi faction, based in Mogadishu, associated with the ASWJ “spokesman”, Abdullahi Sheikh Abu Yusuf al-Qadi; the Guriceel faction, based in the central town of Guriceel (Galguduud region), led by Sheikh Mohamed Yusuf “Heefow”; and the Abudwaaq faction, based in the central town of Abudwaaq (Hiraan region), associated with a prominent cleric and founder of the movement, Sheikh Omar Mohammed Farah. Less influential factions are associated with minor officials like Abdiqadir Abdirahman “Abu Zakariya”. The two regional administrations in Galmudug and Ximan and Xeeb tend to be associated with the wider ASWJ cause but appear to have closer links with local factions.

A number of ASWJ leaders blame Ethiopia for the movement's growing political and military woes.³⁴ They say the “overt and uncritical” embrace of that country was naïve, fomented dissension and badly undermined public support and credibility.³⁵ Yet, most blame for the internal crisis lies with TFG and ASWJ leaderships that failed to resolve their differences and muster the will to carry out the agreement. Sharif and his colleagues remained deeply ambivalent, endorsed it only reluctantly and often employed delaying tactics to obstruct full implementation. ASWJ leaders failed to manage differences and speak with one voice – a mistake that quickly led to fragmentation and thwarted their ambition to use the TFG platform to realise their objective of defeating Al-Shabaab. It is probably impossible to resuscitate the deal now, given the chasm that has opened in the “moderate alliance” so painstakingly stitched together in early 2010 and once touted as the best tool with which to defeat the insurgency.

While it may be too late for Sharif to rectify that mistake, his or any future government must prioritise national reconciliation. The first step should be to reactivate the moribund reconciliation commission, reconstitute its membership, broaden its mandate and give it the resources to draw up a comprehensive national plan.³⁶ The commission should also reach out to “moderate” Al-Shabaab leaders willing to renounce terror and pledge to cooperate with the government.

2. Reluctance to federalise

Historically, there has been a strong undercurrent of hostility to federalism within Somali Islamism, whether classified as moderate, conservative or hardline.³⁷ Most Islamists tend to favour a strong central state. Significant segments within Sharif's Islamist camp are privately hostile to federalism, which they consider a secularist agenda they were compelled to acquiesce in at the Djibouti talks.³⁸

³⁴ Crisis Group interview, two prominent ASWJ leaders from Galmudug, Nairobi, September 2010.

³⁵ Crisis Group interviews, Nairobi, September-November 2010.

³⁶ The Reconciliation Commission was launched in early 2005 by President Abdullahi Yusuf. It originally had a dozen members, with Ismail Ma'alin Nur, an Abgal politician, as chairman. From the beginning it was clear it was “designed not to work”, according to a parliamentarian, Mohammed Daryel. It had no clear structure, focus or strategy. Daryel and other reformist legislators said it was primarily a “one-man institution”. Crisis Group interview, Momahammed Daryel, Nairobi, December 2010.

³⁷ Many Somalis are torn between a desire to have a strong central state that can stand up to the historic enemy, Ethiopia, and recognition that clan concerns are best addressed through a more decentralised system of government.

³⁸ Crisis Group interview, ARS-D negotiators, Djibouti, October 2008.

The president's ambivalence is a function of this unresolved tension and need to appease the two camps in the TFG.

Ministers who have taken the TFG's federalism promise too literally do not last long. For example, when former Defence Minister Mohamed Abdi Mohamed "Gandi" reached out to Ogadeni elders in the Jubba regions of the south with a view to obtaining their support for establishment of a federal state called "Jubbaland" (and with the help of Kenya put together 2,500 fighters as the nucleus of a Jubbaland regional force), he was swiftly marginalised and forced out.

Nowhere has ambivalence, if not aversion, to devolution been more apparent than in the relations between the TFG and Puntland, which have been worsening since 2009 and are at an all-time low. Puntland complains that its support for the TFG is not reciprocated, and Mogadishu is implacably hostile to its federal ambitions. The region is under-represented in the transitional federal institutions and does not receive what it considers its fair share of donor funds meant for the whole country. Scholarships offered by friendly states, training opportunities and other forms of capacity-building and technical support remain the unshared monopoly of Mogadishu. The Galkacyo Agreement (August 2009) between the TFG and Puntland to some extent acknowledged the validity of these complaints and sought to address them. However, Puntland considers that the TFG was disingenuous, and the deal produced nothing tangible. Its anti-Mogadishu rhetoric has recently become more strident, and it appears intent on escalating the dispute.

In late January 2011, the Puntland government—angered by the composition of the new cabinet and its own apparent marginalisation—announced it "shall not cooperate with the TFG until a legitimate and representative federal government is established and agreed upon by the legitimate stakeholders in Somalia".³⁹ Several days later, Puntland banned TFG officials from visiting the region.⁴⁰ For its part, the TFG views Puntland as obstinate and intent on secession.⁴¹ The inability to find an amicable solution to a host of resource and power issues is a function of managerial inexperience and political incompetence,⁴² but the escalating dispute is not a classic periphery-centre power struggle. It is symptomatic of the fundamental problem at

the heart of the debate about devolution, and the polarised and highly divergent understandings of federalism.⁴³

Those who from the beginning have been sceptical of federalism cite Puntland as a cautionary tale and proof of why the country should not go down that route. Alternatively, a significant number blame the leadership for provoking the backlash from Puntland by its ambivalent positions. They argue that a clear pro-federalism stance would have created an atmosphere more conducive to calm discussion. A view prevalent in reform circles tends to blame both sides: the TFG for lack of leadership and Puntland for "reckless posturing" to divert attention from its own poor record.⁴⁴

Both regimes appear to want antagonism and escalation to continue, at least in the short term, in order to make political capital. Garowe seeks to permanently discredit the TFG's official pro-federalism stance, while Mogadishu appears intent on projecting Puntland as a devolution experiment gone too far, its government as unreliable in the struggle against extremism and its brand of federalism as an obstacle to extending the central government's writ throughout the country. The contest threatens to reopen clan fault lines and revive chauvinism. Stereotypes about Hawiye "ineptitude" and Majerten "arrogance" are being revived and beginning to colour discourse.

3. Local administrations going their own way

Because the TFG has failed to lead the devolution process, impatient communities on the periphery have begun organising and creating their own local administrations. In effect, Somalia is experiencing a huge revolt against the centre—a chaotic, unilateral, clan-driven process. While many welcome the attempt by communities, especially in central Somalia, to create their own administrations, the nature of that process is arbitrary, and its trajectory is troubling. An inter-clan and intra-clan race to carve out

³⁹ "Somalia: Puntland discontinues TFG cooperation", Garoweonline.com, 16 January 2011.

⁴⁰ "Somalia: Puntland bans TFG officials, dispute escalates", Garoweonline.com, 22 January 2011. This happened after Puntland's representatives were not invited to the Joint Security Meeting on 20 January.

⁴¹ Crisis Group interview, TFG official, Nairobi, October 2010.

⁴² Crisis Group interviews, Somali politicians, Nairobi, November 2010.

⁴³ The region's assertiveness and anti-Mogadishu rhetoric have been growing since late 2008, when then TFG President Abdullahi Yusuf (a former Puntland president) was forced out of office, but there is now a much harder edge.

⁴⁴ The perception of Puntland as an increasingly troubled region difficult to hold up as an example of a healthy federal model is gaining traction in the south. It is beset by political and security problems. The pace of democratisation and institutional reforms has slowed. Domestically, it is clamping down on dissent, arresting independent journalists and activists. Officials routinely whip up anti-southern sentiments and migrant communities, especially the Rahanweyn, are systematically harassed and blamed for insecurity. Beyond its borders, it is adopting a belligerent stance, severely straining ties with all other regions and clans as well as the TFG. While it has made some remarkable progress and achieved relatively good stability, progress has stalled.

fiefdoms – unmediated by any neutral agency – that ultimately leads to a difficult to reverse fait accompli is not the kind of federalism most had in mind.⁴⁵ At the same time, a number of diaspora groups – seeking to capitalise on growing international interest in decentralisation – are creating “briefcase” administrations that have no local constituency or even on-the-ground presence.⁴⁶

Two enclaves in north-central Somalia, Galmudug, and Ximan and Xeeb, have made progress in restoring stability, rebuilding the rudimentary structures of local governance and providing a modicum of essential services. They should be encouraged, but political infighting and factionalism abound in both regions, and attempts to create quasi-democratic or consensual systems of governance remain shaky, so it is difficult to hold up them up as models. Despite attempts to reach out to other clans and broaden the composition of their administrations, they remain largely dominated by single clans: Galmudug by the Sa’ad and Ximan and Xeeb by the Saleeban (also known as Suleiman), both sub-clans of the Hawiye/Habar Gedir clan. There are territorial disputes between them, and Galmudug has had tense relations with Puntland that have, on occasion, spilled over into armed confrontation. Crime syndicates involved in piracy and kidnapping are active; Al-Shabaab and other hardline insurgent groups pose serious threats; and the recent fighting in Adaado, the seat of the Ximan and Xeeb government, demonstrates that any stability is tenuous.

The two areas have been engaged in prolonged but encouraging negotiations to form a larger, single, and more viable, local administration.⁴⁷ The fighting that broke out in November 2010, ostensibly over pasture and water for livestock following a prolonged drought,⁴⁸ was largely over the post-agreement dispensation and stimulated by spoilers seeking to scuttle the negotiations.⁴⁹ The areas

are starved of resources and mostly depend on the goodwill of their kin in the diaspora and the volunteerism and civic spirit of their populations to function. The international community should support their efforts but also needs to create greater incentives for such administrations to merge (see Section VI below).

D. A DIVIDED EXECUTIVE

A key structural problem is beginning to be openly acknowledged: the failure by the Transitional Federal Charter to properly define and demarcate the whole range of executive powers between the president and the prime minister. These are often bitterly contested by two power centres that in theory were meant to be complementary but have in practice tended to be adversarial. The result feeds a poisonous factionalism and contributes to the debilitating paralysis that has infected every regime since 2000.⁵⁰

The Transitional National Government (TNG), negotiated at Arta, Djibouti, in 2000, inaugurated the hybrid power structure that has become the most salient and debilitating feature of all subsequent transitional federal governments,⁵¹ though the struggle between then President Abdiqasim Salat Hasan and Prime Minister Ali Khalif Galayd (eventually forced to resign) was tame compared with what followed. The most memorable dispute – between President Abdullahi Yusuf Ahmed and Prime Minister Ali Mohammed Gedi in 2004–2005 – divided the government into intensely antagonistic camps and was resolved only after Gedi was pressured by his Ethiopian allies to resign.⁵² The leadership wrangles, especially the periodic

⁴⁵ Some NGOs, such as Interpeace, are trying to mediate local conflict and promote cross-clan administrations.

⁴⁶ An example is “Hiraanland”, formed by Somalis from that region based in Nairobi and elsewhere. The new region was declared at a ceremony in Nairobi in August 2010. Its self-appointed president is Mahamud Abdi Gaab (Hawadle), who currently lives in London and is a businessman engaged in the qat trade – a narcotic leaf sold at special markets in that city. Clan leaders in the region have since denounced Abdi Gaab’s unilateral initiative, and there is little evidence he enjoys significant public support in the central region of Hiraan.

⁴⁷ This has occurred with assistance from local and international NGOs.

⁴⁸ The two groups have fought over grazing land in the past, using “technicals”, machine guns and anti-aircraft cannons in an area with very little cover. “Somalia: Fight over water, pasture send hundreds fleeing”, IRIN, 9 November 2010.

⁴⁹ Crisis Group interview, international observer, Nairobi, December 2010.

⁵⁰ Crisis Group interviews, Somali intellectuals, politicians, Nairobi, May, June 2010. The hastily-drafted Transitional Federal Charter formalised the flawed system. Disagreements over it were to be handled by the Supreme Court, which in effect is moribund. The draft constitution to replace the charter and unveiled in July 2010 is widely considered an improvement but does not adequately address power distribution. Proponents of the hybrid model (halfway between a parliamentary and a presidential system) say it is the best for creating a democratic, accountable government, because of checks and balances designed to prevent executive excess and authoritarianism. Some of them suggest the TFG’s problems are flawed implementation, an “archaic” dominant political culture and the “authoritarian streak” of a political class still wedded to Africa’s “Big Man Syndrome”. Others believe there is room for “minor adjustments” and amendments to clarify the language on executive powers. A prominent advocate of that view, Ali Khalif Galayd, a U.S.-based academic, was prime minister in the Transitional National Government.

⁵¹ That TNG lasted from 2000 to 2004 and was replaced by the TFG, first under President Yusuf, then Sheikh Sharif.

⁵² Gedi was appointed by President Yusuf in November 2004. The split was so severe that there were in effect two govern-

triangular struggles between the president, prime minister and speaker, are to a large extent responsible for the governmental stalemate. Yet, debates and attempts at reforming the TFG treat the issue, if at all, as marginal or something to defer.⁵³

Fixing the structural faults of the TFG requires a level of boldness and leadership that President Sharif has not shown he possesses. Nor does there appear to be the will within the leadership to find a permanent solution. Powerful vested domestic interests are served by the status quo, however shaky it may be, while the international community is cautious about the risks, and costs, of re-opening the Djibouti compromises.⁵⁴ Compelling reasons exist for creating a single power centre vested temporarily with full constitutional powers, if only to improve decision-making and put the transition agenda back on track. There are no easy or ideal solutions, however, and reform carries its own unforeseeable complexities.

E. THE 4.5 CLAN QUOTA SYSTEM

At the core of much of the recent political crisis is a system of selecting leaders that is intrinsically anti-democratic, anti-meritocratic and unfair. Hailed as ensuring greater clan balance and representation, it has in practice locked many competent people out of office, perpetuated clan chauvinism and prevented the emergence of issue-based politics.⁵⁵ As long as this rigid system is in place, democratisation and political pluralism will remain a pipe dream. Defenders argue that 4.5 is a stop-gap measure designed only for the transitional phase, but this does not explain

why a system that is demonstrably flawed and produces crop after crop of inept leaders should be considered even a temporary remedy. Clan representation is a legitimate and emotional issue, and debate over a fair system is necessary. However, the sooner Somalia abandons this retrogressive formula for policy-based politics in which leaders are freely chosen on merit rather than clan affiliation, the sooner progress can be expected on all fronts.

ments, one loyal to Yusuf in Baidoa, the other to Gedi in Mogadishu. The dispute was aggravated by Sharif Hasan.

⁵³ A constant refrain is that security is the overriding priority, and counter-insurgency takes precedence over everything. This is a convenient excuse the transitional regimes have often used to scuttle reform.

⁵⁴ The parliament is also a reform obstacle. Members have benefited materially, including financially, from the leadership struggles. The international community has been reluctant to address the dossier, fearful to do so could further destabilise the troubled transition. Privately, many diplomats admit concern about the structural problems that fuel the perennial infighting, but they are, on the whole, opposed to moves that might trigger calls for restarting inevitably divisive and prolonged negotiations. "Re-opening Djibouti is a red line and is not an option". Crisis Group interview, senior French official, Paris, July 2010. The president, prime minister and speaker are themselves obstacles. Their frustrations at the status quo are trumped by fear a new dispensation would reduce their power. Crisis Group interviews, Nairobi, July-November 2010; Mogadishu, May 2010.

⁵⁵ It is clear this was a system designed to serve the interests of the "hard men" for whom politics is the continuation of clan wars by other means. The arbiters of the system tend to be a non-transparent cabal of clan elders.

III. THE FAILURES OF SHEIKH SHARIF'S GOVERNMENT

President Sheikh Sharif Sheikh Ahmed was elected in the early morning of 31 January 2009 in Djibouti, in a hotly-contested, overnight vote by the expanded Transitional Federal Parliament.⁵⁶ His predecessor, Abdullahi Yusuf, had been a gutsy, supremely self-assured, even arrogant military leader,⁵⁷ whose authoritarian, aggressive style and close ties with unsavoury warlords had damaged his standing. His regime was widely detested, and his intransigence and uncompromising style alienated powerful foreign powers, especially the Ethiopians, and in the end triggered a campaign that forced him from the political scene.

No one doubted the tough challenge before the new president once the TFG relocated to Mogadishu. Saddled with an unwieldy and incoherent cabinet and parliament, lacking an effective army and heavily under-resourced, Sharif had his work cut out, yet the majority of Somalis, deeply disillusioned with the inept secular political elite, appeared cautiously supportive of his ambitions to make a radical break with the past and inaugurate – in his own words – a new era of *siyaasad nadiif ah* (“clean politics”).⁵⁸ There was an almost euphoric hope that Somalia had its best chance in a decade to create a viable transition and restore peace.

⁵⁶ See Crisis Group Report, *Somalia's Divided Islamists*, op. cit. That an avowedly Islamist leader – even a moderate one – could be so swiftly legitimised and internationally recognised was in itself remarkable. The new leader was showered with praise and promised full support. Washington and other Western capitals led the campaign to win Sharif greater international acceptance. Significantly, Ethiopia, historically averse to all forms of Islamism, appeared supportive. This apparent *volte face* had much to do with the change of U.S. administrations and the resulting greater emphasis on dialogue and engagement to resolve conflicts. It was also an admission of the strategic blunder in 2006, when the West tacitly allowed Ethiopia to send troops to Somalia to dislodge the Union of Islamic Courts (UIC), an Islamist movement that might have been steered toward greater moderation. In a way, the Djibouti peace process was an attempt to correct that mistake and rehabilitate the Sharif wing of the UIC. Even Western envoys with reservations about Sharif appeared willing to accept his victory, not least because they wished to show the West was not necessarily opposed to Islamist political ambitions. Many privately acknowledged that empowering Islamist moderates was a good option in the struggle against extremism. Crisis Group interviews, Djibouti, Nairobi, September-December 2008.

⁵⁷ These qualities were initially seen as positive, the thinking being that a strong leader was needed to counteract spoilers.

⁵⁸ Millions of Somalis watched the election and a Sharif victory speech that laid out his priorities live on Djibouti TV.

Much of the initial public goodwill and support for Sharif stemmed from his former leadership of the Union of Islamic Courts' Executive Council (Golaha Fulinta) and the role he played in fomenting and directing the 2006 uprising in Mogadishu that overthrew the warlords and ushered in a brief reign of calm and order in the city – and much of south and central Somalia – until cut short by the Ethiopian invasion that December. Some observers and critics tend to downplay his role during the period, suggesting he was merely a figurehead and that real power was vested in Hasan Dahir Aweys and the Islamist businessman Abukar Omar Adani, whom he subsequently abandoned. In fact, the decision to put him in charge of the UIC may have been, at least in part, motivated by the desire to have a less abrasive and less polarising leader than Aweys, able to harness and mobilise public support for the Islamist project.

Lack of executive experience and poor grasp of the TFG's political and institutional dynamics, however, have badly undermined his presidency. Anxious to project himself as a consensus-builder running a tight ship and able to hold the coalition government together, he delegated too much authority to those he deemed more experienced. By ceding control at an early stage – mainly to Sharif Hasan and his inner circle – he inadvertently helped to create a new power centre that soon overshadowed his own. Subsequent attempts to re-assert his authority were deftly outflanked. Averse to crisis, aware of his vulnerable position and unable to summon the boldness to fight back, he played along, a tactic that carried a hefty political price. The marriage of convenience with Sharif Hasan thwarted his own ambitions, stalled wider reforms, alienated large segments of his support base and ultimately tarnished his moral standing.

In light of the TFG's dismal record, the verdict of many is unflattering, even harsh. Former key allies and senior ministers, regional and international partners, diplomats and ordinary Somalis hold Sharif personally responsible for the failures. To understand the corrosive ramifications on the body politic and public morale, it is important to recall the hopes with which he came to the presidency. That an avowedly Islamist government – the first in Somalia's history – could so quickly prove inept and, worse, become embroiled in infighting and corruption deepened public despair and brought disillusionment with the entire transitional governance model to an all-time high.

A. LACK OF VISION

President Sharif failed to articulate a broad and coherent vision founded on his moderate Islamist values and principles. He missed the chance to capitalise on the momentum of his election to craft a message able to galvanise a public that was for the first time receptive and with it the opportunity to regain the initiative from the insurgency, whose

extremist agenda was beginning to alienate large segments of society. Public unease mounted, faith in the regime waned and optimism quickly gave way to cynicism.⁵⁹

Sharif's carefully cultivated public persona and image as a reformist and moderate Islamist leader is now under assault. Secularists and liberal-minded Muslims, who supported him in the past, view him with growing suspicion.⁶⁰ Followers of Sufi Islam, an important constituency that was initially sympathetic to and broadly supportive of the TFG and keen to make common cause against Al-Shabaab, have become implacably hostile to him.⁶¹

The failure to articulate a moderate vision reflects the intellectual weakness of the modern Islamist movement in Somalia. There is no culture of original thinking or systematic theorisation on the big socio-political and economic themes, such as ambitious Islamist groups have made use of elsewhere. Beyond the populist catch phrases, "Islam is the solution", and "the Holy Koran is our constitution", there is little on offer for the critical mind. No great intellectual figure has emerged within the movement to "indigenise" Islamism, which in Somalia – whether hard line or moderate – consequently lacks that fundamental anchor and is largely based on imitation. The blame is not Sharif's alone. No one has invested in explaining what a moderate Islamist vision is and the practical policy implications.

Sharif is ambivalent on democracy, civil liberties and devolution. The only clues to his political ideas are a set of phrases that recur in his public pronouncements, such as *adalat*, *sinaan*, *talawadaag* (justice, equality and consultation). The principle of shura (council) governance in Islamist thinking is distinct from democracy. It means consensus-based governance. Islamist modernisers say

⁵⁹ Many sources attribute the TFG's failure primarily to Sharif. Former cabinet minister and confidante Abdirahman Abdishakur Warsame said, "if Sharif had made a serious attempt to improve things, do good things, and failed, many would have been forgiving. Those who want to portray him as a 'heroic failure' are mistaken. The truth is: this is a man who never made any serious attempt to succeed". Crisis Group interview, Nairobi, September 2010.

⁶⁰ Ex-Sharif allies, observers and diplomats portray an enigmatic leader, aloof and unperturbed by the mounting public unease and speculation about his true beliefs. His ambivalence on key issues was politically damaging for the TFG, fed rumours, engendered intra-cabinet mistrust and undermined cohesion. Crisis Group interviews, Mogadishu, May 2010; Nairobi, July-November 2010.

⁶¹ Crisis Group interviews, Nairobi, Mogadishu, July 2010. ASWJ officials now openly call Sharif a Wahhabi, secretly sympathetic to Al-Shabaab's campaign to build an exclusively Wahhabi state. Defenders call him a nationalist keen to avoid divisive and sectarian issues, but it is hard to see what national interest his ambivalence serves.

the shura principle is consistent with modern democratic values, and there is no contradiction between Islam and democracy, but conservative Islamists are often distrustful of the concept, which probably explains why Sharif avoids using the word democracy.

Because it had no overarching policy framework or coherent action plan, the regime quickly sank into policy drift and muddle. There was little to guide senior cabinet members and military officers, so they improvised policy in an arbitrary way. In some instances, officials pursued selfish interests that they framed as national interests.⁶² When a few others, frustrated by the inaction and claiming loyalty to what they believed was the TFG's original mandate and agenda, acted, they quickly ran afoul of the president and his allies.⁶³

Nowhere was this policy and strategy void more damaging than in the national security sector. Commanders lacked clear instructions on the so-called big offensive to take control of Mogadishu.⁶⁴ Recruits were sent to the fronts without adequate psychological and political preparation. In the absence of an inspiring message that theirs was a

⁶² The then deputy prime minister and finance minister, Sharif Hasan Sheikh Aden (now speaker of parliament) negotiated a deal in April 2009 for \$17 million worth of new Somali banknotes to be printed in Sudan, largely without consulting his colleagues. Central Bank Governor Bashir Isse said he was not consulted and challenged the arrangement on the grounds that the government lacked the capacity to implement a currency change. Puntland also voiced opposition. The deal met stiff resistance from Western donors, and the divided cabinet ratified it only in January 2010 under pressure from Sharif Hasan and President Sharif. Only the first batch of notes was printed and introduced in a few districts of Mogadishu in late 2010. In Puntland, the new banknotes were gathered in a heap and burned in a symbolic show of rejection. The Sudanese government is said to have pulled out of the deal after its review suggested it was not "entirely above board". Crisis Group interviews, Somali politician, EU official, Nairobi, August 2010.

⁶³ Ex-Deputy Defence Minister Yusuf Indha Adde took the promised major offensive too seriously. His troops occupied frontline positions in central and north Mogadishu, and he personally directed some of the fighting with Al-Shabaab. He lost patience after repeated requests to the prime minister's office for support were rejected or delayed, resigned in June 2010 and said categorically a month later that the TFG had neither will nor capacity to fight the insurgency. Crisis Group interview, Nairobi, July 2010. AMISOM commanders agreed he showed more resolve to fight than his colleagues. Crisis Group interview, Mogadishu, May 2010. He, and his militia, are now aligned directly with AMISOM.

⁶⁴ From late 2009 to mid-2010, Prime Minister Sharmarke and President Sharif made public statements about a "major offensive" that never materialised. Sharif often did so dressed in military fatigues. The failure to conduct the operation reinforced the public's growing negative perception of the TFG and undermined military morale.

cause worth dying for, morale quickly collapsed.⁶⁵ High rates of desertion have continued; soldiers switch sides with ease, cooperate with the enemy, sell weapons, uniforms and equipment, pilfer food rations and siphon fuel from vehicles.

B. WEAK LEADERSHIP

There is a growing realisation that the current political and military crisis is, in large measure, the outcome of weak leadership. The TFG's record has disappointed those who had hoped Somalia now had a credible, youthful and dynamic leader. However, President Sharif's desire to prevent early discord within the coalition left him vulnerable to the machinations of a powerful faction of the old order, led by Sharif Hasan. In effect, he became a rubber-stamp president, fronting for the interests of his new allies. The friendship and alliance with Sharif Hasan alienated old friends, especially the more conservative elements now referred to as Aala Sheikh. Much of his time was spent in non-essential foreign travel and lengthy talk with minor local clan potentates, politicians and influence peddlers.

Sharif Hasan, then deputy prime minister and finance minister, accumulated more power and gradually usurped the president's role, becoming in many ways the de facto head of government. Many officials and ordinary people seeking government favours had to initially obtain his approval. The widespread perception he is not his own man has deeply damaged President Sharif. The notion that he remains best suited to lead the transition is still advanced by a diminishing circle of loyalists but is now unpalatable to many Somalis and part of the international community.⁶⁶ Although the president has recently clawed back some of his power, Sharif Hasan continues to use the speaker position to further his influence.

The performance of the administration's first prime minister, Omar Abdirashid Sharmarke, was hardly better. Cabinet meetings he chaired were often dominated by

marginal, non-controversial issues, while the crucial budget process that he was responsible for remained in limbo. From May 2010 until September when he finally resigned, pressure mounted on him to quit, cabinet meetings grew rarer, and he became more reclusive.

C. CORRUPTION

President Sharif's pledge to inaugurate a new era of ethical and clean politics (*siyaasad nadhif ah*) and create an administration that would advance good governance and tackle the endemic corruption that blighted past regimes, remains unfulfilled. Expectations that he would move to clean up the government were quickly dashed. The rhetoric of a crusade against corruption was abandoned, as a beleaguered Sharif, desperate to maintain the alliance with Sharif Hasan's powerful clique, sacrificed principle to expediency. As a consequence, corruption has continued unchecked and is now, by most accounts, more pernicious and serious than ever, presided over by powerful establishment figures and permeating every tier of government.⁶⁷ A nepotistic jobs culture, poor bookkeeping, weak and unclear internal procedures and regulations and the total absence of reliable records add to the problem and make even the best forensic audit attempt difficult.

Much of the official corruption centres on the port of Mogadishu and Aden Adde International Airport. The two facilities, guarded around the clock by heavily-armed AMISOM troops, are a major source of income.⁶⁸ Despite numerous attempts by former Prime Minister Sharmarke to clean them up and administrative, managerial and staffing changes, they remain stubbornly inimical to reform. Aid and grants from multilateral and bilateral sources are another traditional source of mega corruption, though nowhere near as bad as under Presidents Abdiqasim Salat Hasan and Abdullahi Yusuf, when millions of dollars would routinely disappear without a trace.

The way in which aid and grants are disbursed to the TFG has changed, and some, though inadequate, mechanisms

⁶⁵ By contrast, Al-Shabaab has a sophisticated mentoring system for recruits. Every unit has a preacher from the "moral guidance department" (*firqat tawjih al-ma'nawi*) – a concept borrowed from Sudan's Islamist militia, the Popular Defence Forces (PDF). Regular *muhazarah* (spiritual edification gatherings) are held, usually before or after an operation, focusing on the big themes and contextualising victory or defeat. Crisis Group telephone interview, ex-Al-Shabaab combatant, Mogadishu, June 2010.

⁶⁶ Crisis Group interviews, diplomats, multilateral organisation officials, Nairobi, October 2010. According to one official, views are hardening against Sharif, and a number of key TFG supporters will likely block any attempt to extend his mandate past August 2011.

⁶⁷ Crisis Group interviews, diplomats, financial experts, politicians, Nairobi, Mogadishu, July, August 2010. His critics reject the idea that the president is a victim, forced by difficult political circumstances to tolerate corruption. They suggest he has been co-opted and is aware old friends skim off aid money, and that growing insecurity and a desire to build a political war chest to rival those of his adversaries have led to his own complicity. Transparency International ranks Somalia 178th, the bottom of its corruption perception index, www.transparency.org.

⁶⁸ Estimates of the precise amount generated by the two facilities vary widely. The TFG claims \$1.5 million is collected from the port and around \$100,000 from the airport each month. Some experts and independent sources consulted by Crisis Group put the figures much higher, especially for the port.

are now in place that offer a measure of deterrence. The international firm PricewaterhouseCoopers (PwC) has been contracted to act as a fiduciary agent for the TFG with respect to funds from Western donors but has no oversight of how these funds are spent and little on-ground presence. The contract with the TFG should be revised to strengthen the international community's ability to monitor transactions and conduct regular and thorough audits. But this would be strongly resisted by those in the government who opposed the arrangement from the beginning, arguing it violated Somalia's sovereignty and amounted to a form of neo-colonialism.⁶⁹

The chaotic, unregulated laissez faire market system that came into being after the collapse of Siyad Barre's "scientific socialism" regime is widely credited for unleashing the entrepreneurial energy of Somalis and spawning a dynamic business model that has transformed much of the Somali-speaking Horn, but it is also partly to blame for fuelling corruption. Most major enterprise sectors pay no taxes to the state but routinely pay non-statutory fees to senior TFG officials, often to obtain signatures on legal documents related to international business, support for a foreign business deal or simply as insurance to keep the government on their side.⁷⁰

The telecom sector is reportedly particularly corrupt. With nine cellular networks, it has grown phenomenally in the last decade, as the demand for mobile telephony and internet services has increased, largely fuelled by continued emigration and the *hawala* remittance trade. With an annual combined turnover of several hundred million dollars, the sector is the country's most lucrative and vibrant commercial venture. Past and present regime figures have stakes in some of these firms. Though they pay no taxes, they regularly offer "fees" to individuals in key government departments, especially those in charge of the post and telecommunication ministry. Such fees – reportedly thousands of dollars – are not declared to the treasury.⁷¹

Petty corruption, especially in the security services, immigration department and Somali diplomatic missions also continues unabated. More worrying and arguably more serious is the culture of profligacy, wanton misuse of state resources and disregard for ethical conduct by those holding public office. Large sums are spent on un-

necessary foreign travel and creature comforts, and the line between what is personal and governmental has become blurred.⁷²

The TFG's response has been disappointing. The official culture of tolerating corruption, downplaying its magnitude and shrugging it off as a fact of life remains intact. President Sharif appears in no hurry to address it, despite his rhetoric.⁷³ Anti-corruption is unlikely to feature high in the reinvigorated drive to reform the TFG after the resignation of Prime Minister Sharmarke. In fact, the motives and timing of the initiative are questionable. All indications are that the president is now in survival mode, animated by a desire to outflank his rivals and obtain an extension of his mandate.

The respected new finance minister, Hussein Halane, has been making serious attempts in recent months to inject professionalism and transparency into the revenue collection and management system, as well as to strengthen internal mechanisms governing dispersal of government money. So far he appears to have a free hand to revamp the ministry and create a more open and accountable fiscal and monetary system, but he is moving cautiously, aware a more radical reform would be resisted by powerful interests. There are unconfirmed reports that, at donor instigation, he intends to audit TFG finances. That would put him on a collision course with individuals already jittery at threats of sanctions emanating from key Western capitals, especially Washington.

The international community should support efforts to create mechanisms in both the TFG and local administrations to combat corruption, such as by improving revenue collection and management, increasing budgetary transparency and strengthening internal auditing capabilities.

The international community is increasingly concerned about corruption. A number of influential supporters, led by the U.S. and the EU, are privately voicing frustration, discreetly conveying growing displeasure to regime leaders

⁶⁹ Crisis Group interview, Somali politician, Nairobi, September 2010.

⁷⁰ Corrupt officials see the TFG's international status as leverage for extracting cash and favours from businesses, especially those keen on expanding beyond Somalia or already operating in the Greater Horn and beyond. Crisis Group interview, former official, Nairobi, July 2010.

⁷¹ Crisis Group interviews, former TFG officials, Nairobi, August 2010.

⁷² Informed sources claim that a high-level official delegation spent \$400,000 during a one-week tour of major Western capitals. A top official is well known for trips to Dubai once or twice every month to look after his personal business interests, sometimes using chartered planes. A former cabinet minister, dismissed after complaints from some Western governments, led an extravagant lifestyle, globe-trotting with his mistress (disguised as an official) at Western taxpayer expense. Crisis Group interviews, Somali politicians, ex-officials, Nairobi; telephone interview, politicians, Mogadishu, August 2010.

⁷³ He tends to speak of corruption as a moral vice, rather than a crime and a governance problem. In visits to Mogadishu port and meetings with staff, he has sermonised on its evils but rarely articulated a strategy to deal with it.

and demanding action.⁷⁴ The donors have had no appetite for public confrontation with a government in which they have invested so much hope and that could trigger a major internal crisis that would worsen its already tattered image and hand the insurgency a propaganda victory. But this tactical weakness plays into the hands of the corrupt.

The TFG's partners need to adopt a tougher approach, including pressing Sharif to put the fight against graft firmly on the agenda, themselves supporting institutional reform and capacity building and, not least, investigating, ceasing to back and starting to sanction corrupt officials. They should also be prepared to deliver the message that the TFG is not their only possible partner, beginning by giving aid earmarked for other areas of the country directly to the local authorities.

D. THE PUSH FOR A MANDATE EXTENSION

TFG political figures are fighting for their political lives. President Sharif is under pressure from Aala Sheikh, which wants him to decisively claw back power from his "secularist" allies, who it believes have thwarted his "true Islamisation" agenda. They blame the president for empowering Sharif Hasan and argue he made a strategic blunder in choosing him as an ally. He is seeking to extend his term beyond August 2011, when the TFG's official mandate expires, arguing that Somalia has had too many short-lived transitional governments. His supporters believe the reforms he is now implementing, such as identifying a new prime minister and agreeing to a smaller more "technocratic" cabinet, will shore up his position.⁷⁵ Reportedly he has built a formidable war chest for his political campaign with millions of dollars siphoned from Arab donors.⁷⁶ The parliament has already moved. Immediately after a hasty IGAD decision to call for a two-year extension of its mandate, it voted to extend its own term for three years.⁷⁷ Key partners and donors criticised this "unilateral" and "unrepresentative" move.⁷⁸

⁷⁴ Crisis Group interviews, U.S. and European Union diplomats, Nairobi, August-November 2010.

⁷⁵ Crisis Group interview, Somali MP, Nairobi, December 2010.

⁷⁶ However, the evidence suggests morale is flagging in his camp, and he is said to be making contingency plans. His three wives and children reportedly are now in Turkey and Yemen.

⁷⁷ The communiqué "Notes that the transitional period ends on 20 August 2011 and the Assembly reached a consensus on the urgent need to extend the term of the current Transitional Federal Parliament while the remaining political dispensation be handled by the people of Somalia". "Communiqué of the 17th Extraordinary Session of the IGAD Assembly of Heads of State and Government on Sudan, Somalia and Kenya", Addis Ababa, 30 January 2011.

⁷⁸ See, "Statement by Special Representative for Somalia Augustine P. Mahiga on parliament's decision to extend its

The recent choice of Mohamed Abdullahi Mohamed "Farmajo" as prime minister and the eighteen-member cabinet have been cautiously welcomed internationally but controversial domestically, with the president and prime minister accused of partisanship and sidestepping the 4.5 formula. Sharif Hasan and his supporters will undoubtedly milk this discontent to maximum political advantage. There is growing opposition to the president's ambitions, and rumours are rife that an active search for his replacement is underway.

Neither President Sharif nor Sharif Hasan should be retained in their leadership positions after August 2011, unless the TFG implements major, meaningful reforms, including to devolve power to local administrations and clarify the roles of and division of power between the president and the prime minister. Up to now, rather than support peacebuilding, they have undermined it, and they have also failed the Somali people by not attacking large-scale corruption.

But, given that it will be impossible to significantly expand the writ of the government or deliver a broadly accepted permanent constitution by August, reform of the TFG is even more important than new leadership. Otherwise the new government will inevitably succumb to the same structural faults as the three previous Somali administrations.

One priority should be to make the transitional federal institutions much more representative of regional and local administrations. The current practice of selecting parliamentarians from a small group of people with the means or connections to participate in internationally-sponsored peace and reconciliation conferences has led to the appointment of a large number of members with little, if any, local constituency and few ties to local authorities running the areas they claim to represent. Two possible alternatives would be to have local administrations directly appoint parliamentarians representing their areas and the clans living therein; or, to establish a second chamber of parliament whose purpose would be to represent those regions and local administrations cooperating with the national government.

Another reform would be to reduce the size of parliament from its currently unmanageable and unsustainable 550 members by at least half.⁷⁹ This could be done either by the current parliamentarians creating a mechanism for

mandate", press release, UNPOS, 4 February 2011; Jeffrey Gettleman, "U.S. critical of assembly in Somalia", *The New York Times*, 4 February 2011; Richard Lough, "UK, U.S. condemn extension of Somali assembly term", Reuters, 4 February 2011.
⁷⁹ Some have suggested the number should go down to 144, the size of the Barre-era parliament.

pruning their bloated ranks,⁸⁰ or the government negotiating a mechanism by which local administrations would select a new, smaller body to represent them and the Somali people (see Section VI.C below).

IV. INADEQUATE SECURITY SECTOR REFORM

The TFG's security sector as a whole lacks structure, organisation and an effective chain of command and is undermined by systemic corruption.⁸¹ Pressure from allies and training by AMISOM and other international partners have so far failed to produce much progress in addressing these challenges. After two years, training of the TFG's troops finally appears to have made some modest headway, and they are somewhat more visible, but the TFG has not been able to capture and hold large insurgent-controlled sections of Mogadishu. It is largely AMISOM and militias allied to it that have prosecuted the war against Al-Shabaab and slowly expanded government "control". Because of the TFG's limitations, any future AMISOM offensive would probably only be able to take territory piecemeal and gradually.⁸²

Lessons do appear to have been learned from earlier failed training initiatives.⁸³ There is now more concerted action, and on the whole recruits are getting better, more systematic instruction from the EU Training Mission for Somalia (EUTM) and the Ugandan army in Bihanga (south-western Uganda), as well as AMISOM in Mogadishu, although they are yet to be tested on the battlefield. The Spanish-led EUTM initiative was originally designed to harmonise and lend coherence and structure to haphazard security sector reforms previously provided by individual Western nations. The aim is to train as many as 2,000 TFG soldiers in two phases, so as to modestly complement and ease AMISOM's training burden and free resources for its counter-insurgency efforts.⁸⁴ The first batch of 700

⁸¹ Crisis Group interviews, Somali parliamentarians, diplomats and security experts, August-December 2010.

⁸² Crisis Group interview, AMISOM official, Nairobi, March 2010.

⁸³ Various states have provided direct support to TFG forces. The U.S. provided some 40 tons of arms and ammunition (through AMISOM) after the May 2009 Islamist offensive. France trained 500 troops in Djibouti in 2009. Uganda, Djibouti and Sudan have also provided training. The UN Development Programme (UNDP) has supported efforts to train and pay salaries of TFG police. Training has occurred in Puntland, Djibouti, Kenya, Uganda and Ethiopia. Recently AMISOM has taken over much of the police training.

⁸⁴ The Bihanga training is superior in quality and variety. Instructors from a number of African and European armies are imparting skills and mentoring a new generation of TFG soldiers. There is a good division of labour between the training teams, with Ugandan soldiers providing basic training and European soldiers teaching specialised skills: for example the Irish (infantry), the Germans (communications) and the Portuguese (urban warfare); French officers have been training a select twelve-man team. The U.S. is stepping up financial assistance and providing critical logistical and technical support, especially airlift of recruits, supplies and equipment. It also helps

⁸⁰ One obvious means of reducing the number of parliamentarians would be to dismiss those members who have consistently failed to participate in sessions.

recruits completed basic training in October 2010 and is to undergo a cohesion-building exercise conducted by AMISOM at the Jazira training facility in Mogadishu before being integrated into units and assuming an active combat role.⁸⁵

However, many problems persist. The selection process favours certain clans, especially the Abgal. Because recruits are provided by the TFG, and some elements of the training now occur in Mogadishu, self-governing regional enclaves and political groups like the ASWJ have largely refused to participate (see Section VI.B). This is increasing Somali suspicions that Sharif is building a partisan force, rather than a cross-clan national army loyal to the institutions of government.

Powerful vested interests and corrupt commanders are still the biggest obstacles to reform. Efforts to provide the army with better equipment have been sluggish and dogged by allegations some is sold by officers. Attempts led by AMISOM to develop a coherent structure for the disparate militias and whip their estimated 8,000 members into fighting form have been problematic.⁸⁶ There remains resistance to creation of an effective chain of command, rational military formations and even a credible troop roster.⁸⁷ The respected former army chief, General Gelle, tried to improve things but was marginalised, then dismissed.

The TFG's political failures, as well as the military's own systemic problems, inhibit the effectiveness of any new force, irrespective of the quality of training. Although EUTM was not meant to tackle this wider crisis, its overall record will be measured not simply by how good that training was, but also by the use made of it and the end it served. The bottom line is that the TFG army is still in no

shape to take over the twin roles of defending the government and prosecuting the counter-insurgency campaign.

vet the recruits at the initial selection stages. Crisis Group interviews, Bihanga, September 2010. Complaints by recruits about language problems, poor diet, insensitivity and rough practices of Ugandan instructors in the early training that almost triggered a mutiny have been addressed, and morale appears to have significantly improved. EUTM has hired a handful of Kenyan ethnic-Somali former servicemen as translators and mentors. A similar team works with AMISOM in Mogadishu. Crisis Group interviews, Mogadishu, May 2010; Bihanga, September 2010.

⁸⁵ The first batch of 902 trainees, including 276 non-commissioned officers and some twenty young officers, was scheduled to return to Mogadishu on 19 February 2011, to undergo two to three months of reintegration training by AMISOM, as well as some advanced training. Email communication, EU official, February 2011.

⁸⁶ Crisis Group interview, senior AMISOM military officer, Mogadishu, May 2010.

⁸⁷ Crisis Group interviews, diplomats and security experts, Nairobi, November-December 2010. Some senior officers have been given shorter staff courses. Crisis Group interviews, security expert, December 2010.

V. AMISOM: WINNING THE BATTLE, LOSING THE WAR?

Ugandan-led AMISOM has grown and become better resourced, but the projected original maximum (and current) troop strength of some 8,000 seriously underestimated the numbers needed. In December 2010, the UN Security Council authorised an increase to 12,000, but AMISOM and the East African regional Intergovernmental Authority on Development (IGAD) argue 20,000 are required.⁸⁸ Funding gaps continue to be a challenge, and the need for more specialised tactical combat equipment is acute.⁸⁹ While it is unlikely these and other issues can be resolved at least in the short term, the international community appears willing to step up support, because it regards the mission as the last line of containment against Al-Shabaab. Despite criticism of its sometimes indiscriminate use of force, there is grudging appreciation for AMISOM's success at fending off repeated insurgent attempts to overthrow the TFG, a prospect many in the international community deem a red-line issue that must be avoided at all costs.⁹⁰

A fundamental problem is that AMISOM does not receive sufficient guidance on its goals, how to achieve them, the timeline for doing so and an exit strategy. This is partly because there was inadequate appreciation during the planning stages of the complex nature of the task, while the optimism surrounding the Djibouti process influenced many of the political and diplomatic decisions. Uganda's lack of peacekeeping/peacemaking experience compounded this. The result was a traditional UN-style peacekeeping format – essentially to protect the transitional federal institutions and leave the critical political strategy to the

TFG (with input from the UN Political Office for Somalia, UNPOS). This was inadequate from the start, and attempts to redesign it so AMISOM can respond to new challenges and in particular exercise greater combat flexibility have engendered protracted struggles within and between the UN and AU.⁹¹

A more rigorous process might have helped AMISOM's planners anticipate some of the major post-deployment complications, better define its mission, obtain a more flexible mandate and at least avoid some of the rancorous, time-consuming debate. However the diplomatic struggle over the mandate has not been a simple one between the defenders of a traditional peacekeeping model and those desirous of a more agile and robust mission better able to respond to an unconventional post-Cold War conflict. Many – even in the Security Council – are torn between a growing desire to see AMISOM launch a major offensive to defeat Al-Shabaab in Mogadishu and fear that, as happened during the Ethiopian intervention, the population will turn against the foreigners.

AMISOM has recently begun to exploit this ambivalence and a flexible interpretation of its current mandate. Ugandan and Burundian troops have extended their toeholds beyond the southern part of the capital and now have over a dozen forward operating bases (officially “defensive” positions), deep in insurgent territory in north Mogadishu.⁹² AMISOM also has been working with independent militias, including those of Yusuf Mohammed Siad “Indha Adde”, Abdi Hasan Awale “Qeybdiid”, Ahmed Da’I, Omar Mohamoud “Finnish” and Col. Osman Abdullahi “Agey”, supplying them with arms and ammunition and offering other incentives to hold recaptured areas.⁹³

The new outposts give AMISOM tactical advantages consistent with even a narrow interpretation of its mandate. Loosening Al-Shabaab's grip on Mogadishu also arguably is within the scope of defending the government. However, there is speculation the greater activity signals an impending campaign to retake the city and then fan out to south and central Somalia. It is likely that at least part of the motivation is a desire to punish Al-Shabaab for

⁸⁸ Because of budget and logistical constraints, the 4,000 additional authorised troops can be deployed at the earliest in April.

⁸⁹ For more than a year, AMISOM has requested attack helicopters and other advanced weapon systems. Crisis Group interviews, AMISOM officials and diplomats, Nairobi, June and November 2010; UN official, New York, February 2011.

⁹⁰ Since 2009, AMISOM has been instrumental in saving the TFG from defeat. The insurgency's so-called Ramadan offensive in September 2010 was hampered by internal rifts and quickly foiled, but the first major assault by a combined Al-Shabaab-Hizbul Islam force, estimated at 5,000, in May 2009 rapidly broke through TFG positions and came near to the president's residence. AMISOM was slow to respond, because it had been stung by repeated criticisms of disproportionate use of force, but once the danger was realised, it killed hundreds of insurgents in the most intense week of fighting in Mogadishu in a decade. The gravity of the subsequent humanitarian crisis and realisation of how close the TFG had come to collapse galvanised the international community to deliver more support, including to AMISOM, which was recognised as the only effective bulwark against an Al-Shabaab takeover of the capital. The UN set up a special mechanism – UNSOA – to fast-track vital logistical assistance for the mission.

⁹¹ One aspect of the debate revolves around changing AMISOM's mandate of defending the transitional federal institutions to include a greater offensive role. In July 2010, shortly after an Al-Shabaab suicide attack killed more than 70 in Kampala, Uganda, IGAD tried to obtain this from the AU summit. They were turned down, mainly to avoid a row with the UN, which feared a more aggressive foreign intervention could ultimately strengthen the insurgency.

⁹² AMISOM claims to hold more than 50 per cent of the city. “AMISOM gains political momentum as its forces take more ground”, www.bar-kulan.org, 17 November 2010.

⁹³ Crisis Group interview, international observer, Nairobi, December 2010.

its involvement in the suicide bombings in Kampala, in July 2010, that killed more than 70 people. Such an extensive offensive without Security Council authorisation would carry risks for AMISOM and stimulate legal, diplomatic and political disputes but may be part of a wider plan tacitly approved by powerful international actors.⁹⁴

Officials remain secretive about details of military thinking within the International Governmental Authority for Development (IGAD, the regional bloc), but Kenya and Ethiopia may be prepared to provide combat support and back-up for a multi-pronged offensive, led by ethnic Somali units trained in both countries.⁹⁵ There are indications, however, that Ethiopia is having second thoughts and holding up the launch.⁹⁶

An offensive would put considerable pressure on Al-Shabaab, but it is not clear how much attention has been given to a political strategy for holding and stabilising “liberated” areas. Though some clan elders may be secretly supportive of the planning, especially in the southern regions of Jubba and Gedo and the central regions of Galmudug, Galguduud and Hiraan, assumptions of a groundswell of support in the south may be overly optimistic, notwithstanding that Al-Shabaab is increasingly unpopular. History suggests Somalis tend to reject foreign military interventions, even those that may potentially serve their long-term interests.

Al-Shabaab has been trying to turn Somalis against AMISOM since Ethiopian forces withdrew. Its strategy of firing mortars from civilian areas into AMISOM positions – thereby triggering indiscriminate and disproportionate counter-attacks – has resulted in many civilian casualties. The group has also stepped up its propaganda against AMISOM, including a slick multimedia campaign involving HD videos posted on its website, *kataib.net*, and captioned “Mogadishu: The Crusaders Graveyard” that feature attacks on the mission’s armoured personnel carriers. The commentaries accompanying the clips, interspersed with jihadi songs, are usually delivered in fluent English by diaspora Somalis.⁹⁷

The risks of an exclusively military strategy are obvious but worth reiterating. Defeating Al-Shabaab and other groups may well be achievable, but it is unlikely that would mean an end to the insurgency. Remnants would probably regroup and use the involvement of Kenya and Ethiopia to whip up nationalist sentiments, further globalise jihad and recruit more youths in and outside Somalia.⁹⁸ Extremists who felt cornered could be expected to maximise their asymmetric advantage, stepping up terror attacks across the Horn and beyond. AMISOM’s increased efforts will only succeed if the political structure and support are in place to bring the “liberated” areas into the government as meaningful partners with assurances they will not be dominated by the centre.

It was hoped that the TFG would provide that political structure, but in the absence of a more concerted and organised push from the international community, meaningful reform will not occur. At the moment, there remains a great deal of divergence among international actors over how to reestablish peace and stability in Somalia, with some continuing to support a process driven by the central government in Mogadishu and others more willing also to work with emerging regions of greater stability.

⁹⁴ Crisis Group interviews, Western diplomats and AMISOM official, Nairobi, November-December 2010.

⁹⁵ Security Council Resolutions 733 and 1725 called on Somalia’s immediate neighbours not to intervene militarily.

⁹⁶ Crisis Group interview, international official, Nairobi, November 2010.

⁹⁷ The website has been engaged in a cat-and-mouse game with security services and has survived repeated attempts to shut it down, sometimes dispersing its videos and posting them on social networking and file-sharing sites. While aggressive cyber-policing is increasingly disrupting jihadi propaganda, Al-Shabaab’s diaspora support base allows it to tap into the technical expertise needed to adapt and ensure some continued presence

on the web. Its propaganda has been effective within diaspora communities scattered around the world. In response, Western donors have supported a number of pro-TFG media outlets.

⁹⁸ To provoke greater foreign intervention was probably a reason for Al-Shabaab’s terror bombings in Kampala in July 2010.

VI. A WAY FORWARD

The international community's strategy to prop up the TFG at all cost in order to hold back an extreme and violent brand of Islamism has failed to pay dividends, much less advance the basic goals of Somalia's stalled transition. Despite substantial financial and other assistance, the TFG has accomplished very little. While it has concentrated power and resources in the capital, its prospects are bleak.⁹⁹ The virtually unqualified backing it enjoys internationally has fed complacency and hubris, and it remains not much more than the illusion of a government. Unless the relationship is recalibrated and pegged to reform and progress on meeting a set of meaningful benchmarks, no substantial improvement is foreseeable.

Despite twenty years of trying, the international community has not yet learned that restoration of a European-style centralised state, based in Mogadishu, is almost certain to fail. The only experience most Somalis have had with central government is that of predation. One clan, or group of clans, has always used its control of such an enterprise to take most of the state's resources and deny them to their rivals.¹⁰⁰ When a new government is created, citizens are wary, and those clans not well represented give it limited or no support, fearing it will be used to dominate and marginalise them.

The logical alternative is a much more decentralised system, in which most power and resources are devolved to local multi-clan administrations, while the federal government performs fewer functions and mainly coordinates the activities of the local administrations. This is acknowledged in principle in the 2004 Transitional Federal Charter and the 2010 draft that is supposed to form the basis for negotiation of a new permanent constitution. However, that process has dragged on for more than six years with very little progress in devolving power – and more importantly resources – from Mogadishu to local administrations that actually provide a minimum of stability and rule of law.

Calls for decentralisation are not new. In 1995, the London School of Economics conducted an extensive analysis into ways political authority could be devolved in Somalia and presented four models: a confederation (a union of separate but equal states); a federal system (with three ways of organising federal-provincial relations); a decen-

tralised unitary state with guarantees of regional or local autonomy; and a consociation (a non-territorial option).¹⁰¹ It also noted that decentralisation does not preclude evolution to a more centralised and stronger state, but the immediate goal should be to establish an environment of peace and stability, in which clans feel relatively secure and the country can develop.

Rather than await promulgation of a new constitution, the TFG should already have begun to devolve power to local administrations. Contrary to what is often assumed, there is little anarchy in the country. Local authorities administer and maintain a degree of law and order in most of southern and central Somalia. Somalis and humanitarian agencies and NGOs on the ground know who is in charge and what the rules are and get on with their work. Some of these authorities have even established local administrations with their own constitutions and aspirations to develop more robust and sustainable administrations, like in Somaliland and Puntland. The international community should deal directly with those authorities willing to cooperate with the TFG and to renounce Al-Shabaab's extremist goals. At the very least a pilot project could be initiated with the young administrations of Galmudug and Ximan and Xeeb in central Somalia.¹⁰²

A. SUPPORTING LOCAL ADMINISTRATIONS

Ethiopia has long supported federalism,¹⁰³ while both Washington and Brussels appear to be increasingly amenable to more decentralised governance.¹⁰⁴ The U.S. has shifted from a largely TFG-only to a "dual-track" approach.¹⁰⁵ This involves limited support to the TFG to

⁹⁹ This concentration of power and resources is one reason politicians are loath to give up their positions in the TFG. Without them, they have no ability to influence or siphon off international assistance.

¹⁰⁰ Siyad Barre's regime depended on the Marehan, Ogaden and Dulbehante clans of the Darood clan family.

¹⁰¹ I.M. Lewis and J. Mayall et al, "A Study of Decentralised Political Structures for Somalia: A Menu of Options", report commissioned by the European Union, European Commission Somalia Unit, with assistance of the UN Development Office for Somalia, August 1995. The executive summary was translated into Somali and distributed to participants of the Mbagathi talks. The study presented no preferred option, saying it was up to the Somalis to determine the most appropriate solution to their governance problems.

¹⁰² Support would be more welcome if the two administrations agreed to form a single, multi-clan administration.

¹⁰³ During the late 1990s, Ethiopia championed the so-called bottom-up approach that argued peace and stability should be reestablished by creating regional administrations from the grassroots, rather than from the top down. This policy was viewed with scepticism by many Somalis, because they saw it as a ploy by its traditional enemy to keep the country weak and divided. (Ethiopians and Somalis have fought a series of wars since the thirteenth century, the latest in 1977.)

¹⁰⁴ Crisis Group interviews, diplomats, Nairobi, November-December 2010.

¹⁰⁵ Assistant Secretary of State (African Affairs) Johnnie Carson, "State Department: A Dual-Track Approach to Somalia",

prevent Al-Shabaab from taking over Mogadishu, but also pressuring it to reform and ensuring more resources go to decentralised entities and directly engaging with Somaliland, Puntland and local administrations, including with aid once the Washington bureaucracy determines how best to extend it.¹⁰⁶ Increased support for Somaliland and Puntland is welcome, but the Obama administration should move with speed to elaborate its strategy of support for newer self-governing administrations; build international consensus; and seek the input of Somali stakeholders to ensure wider buy-in and ownership. The EU has also indicated it will provide more direct support to local authorities. Most of what is being suggested is consistent with the TFG's own stalled devolution project and what most Somalis have long sought and are increasingly demanding.

Implementing a new international plan to support local administrations could create more stable and viable governments and incentivise democratic reforms, but it is important to be aware of risks. First, it may raise unrealistic expectations and stimulate further proliferation of unviable regions. Many crafty politicians already sense a changed mood and are manoeuvring to cash in. (An example is Hiraanland, which was declared an autonomous region in 2010 in Nairobi but has no meaningful presence in Somalia.) Secondly, unless support is pegged to clear criteria and stringent benchmarks, it could prop up TFG-style regimes on the periphery. Thirdly, opposition may come from the TFG, within which a powerful anti-devolution lobby has been dismayed by Washington's public shift.¹⁰⁷

Speech to the Center for Security and International Studies, Washington, DC, 20 October 2010; Letter to Augustine Mahiga, SRSRG for Somalia, from the governments of the UK, Denmark, Sweden, Norway and the Netherlands, as well as the European Union, 23 November 2010; and Crisis Group interviews, European Union officials, Nairobi, November-December 2010; U.S. officials, Washington, DC, January 2011.

¹⁰⁶ The U.S. government has not yet been able to implement much of this strategy, because of concerns for the security of its employees, legal issues and lack of confidence in the administrative integrity of intermediaries. International and local NGO's are carrying out emergency water, sanitation, food security and other humanitarian activities in Somaliland and a half dozen or more local districts but local district security and institution capacity-building remain extremely limited. Crisis Group interviews, U.S. officials, Washington, DC, December 2010-February 2011. The European Union is carrying out similar activities through international NGOs and local civil society. "The European Union and Somalia EC Development Programme", January 2010; Crisis Group interviews, EU officials and diplomats, Nairobi, October-December 2010.

¹⁰⁷ Washington has been quick to reassure the Sharif government the new policy is not at the TFG's expense, and cooperation will not be affected. Crisis Group interviews, Nairobi, November-December 2010, Washington DC, January 2011. Officials in Mogadishu publicly played down speculation the U.S. shift

It is likely some elements will be active spoilers. One way to mitigate against this would be to obtain an unequivocal public statement recommitting the government to the devolution and federalism agenda. But this must be followed with a clear blueprint the international community will need to help draw up by providing expertise and resources and then stay engaged.

1. Redirecting aid and resources

The new self-governing administrations, especially Gal-mudug and Ximan and Xeeb but also the ASWJ administrations in parts of Galguduud and Hiraan regions (central Somalia), are cash starved. They lack local sources of revenue and are largely dependent on diaspora donations. To survive, they urgently need international aid. They are making progress in restoring peace, are working hard to provide basic services and deserve help.

Redirecting some funds from Mogadishu to the more stable recovery areas on the periphery so as to support promising experiments in regional self-governance makes good sense.

Encouragingly, the UN has considered setting up a presence in Adaado, the capital of Ximan and Xeeb, and the U.S., the EU and a number of other donors have funded limited development projects in some of the new self-governing administrations.¹⁰⁸ Ethiopia is working directly with the security forces of local authorities along its common border. Yet, massive aid would be problematic. Fragile as these entities are and short of competent manpower and institutional capacity, their ability to absorb aid is limited, at least in the short term. Assistance provided should thus be limited¹⁰⁹ but carefully targeted to enhance governance capacity, including delivering basic services and improving general well being. Micro-credit schemes, income-generating projects and vocational training, primarily targeted at women and youths, would be

would impact negatively on the government. Privately, some are voice disquiet, suggesting Washington no longer sees any utility in the TFG, while others say it is little more than the Americans expressing frustration. Crisis Group interviews, Nairobi, Mogadishu, November 2010.

¹⁰⁸ Crisis Group interviews, aid officials, Nairobi, December 2010, Washington, DC, January 2011.

¹⁰⁹ One observer has suggested that aid should only be given as grants to match revenue raised by local administrations, for example through donations from the diaspora and businesses or via fees and taxes. The idea is that this would ensure that expenditures were supported by Somalis and so could be better sustained after international assistance ends. Whether the matching ratio would be one-to-one or something else would be negotiated between the donor and the administration. Crisis Group interview, Andre le Sage, Somalia expert, Washington, DC, January 2011.

especially important, because they could strengthen traditional coping mechanisms, entrepreneurial spirit and self-reliance.

Aid coordination is critical. UNPOS should provide the necessary political guidance, and urgently needs to increase its presence in Somalia and particularly in the emerging local administrations.¹¹⁰ For humanitarian assistance, the UN should re-invigorate the Somalia Aid Coordinating Body (SABC).

Assistance might well also increase conflict among and within clans over its distribution and control, at least in the short term. For example, greater international attention on and assistance to Galmudug and Ximan and Xeeb has generated conflict in both areas. Conflict over distribution of resources is normal to politics, and the challenge is to limit the violence it triggers. Assistance must be provided equitably, linked to inclusive governance, carefully monitored and calibrated to the ability of local authorities to absorb and utilise it effectively.

2. Realistic and transparent benchmarks

Any aid to local administrations (or the TFG) should be calibrated and linked to realistic, transparent benchmarks.

A good point of departure would be the “Guideline for Assessment of Minimum Conditions (MCs) and Performance Measures (PMs) for Districts”, negotiated by Somaliland and the UN Program on Local Governance and Service Delivery for Somalia.¹¹¹ Conceived to measure local governments’ ability to plan, budget and provide resources for development and service delivery, it could be modified to apply to local administrations in central and south Somalia. The key is to have clear and transparent benchmarks tied to levels of support: as capacity improves, local administrations would become eligible for greater support.¹¹²

An important component must be improved local financial management capacity. This would not only help prevent

the siphoning away of aid and the emergence of endemic corruption, but also attract additional assistance once donors are confident it will not be squandered or diverted. In addition, care should be given to avoid a one-size-fits-all model. Southern Somalia is very diverse, and local structures will need to adjust to those differences. Lastly, a primary condition of help for any local administration must be a sufficiently safe environment to allow international staff at a minimum to visit periodically to evaluate and monitor.¹¹³

3. Inclusive and viable governance

The administrative and governance structures of Galmudug and Ximan and Xeeb are unstable, rudimentary and subject to periodic power struggles. The apparent intent is to establish quasi-democratic or consensual-style polities, based on traditional clan identity and whose writ extends over self-claimed ancestral territories. This in itself is not unusual; there are historical precedents and plausible political reasons that explain the re-emergence of clan-based cantons. However, clan enclaves are not viable. They lack the population and resources or taxable infrastructure (a busy harbour or airport) to independently support an administration. At the same time, Galmudug and Ximan and Xeeb would be politically dwarfed by larger regions.¹¹⁴ These administrations can become economically and politically sustainable only by enlarging.¹¹⁵ They must, therefore, forge cross-clan alliances with a view to achieving greater political, administrative and economic integration. Officials there say they are trying.¹¹⁶ The international

¹¹³ The UN and foreign missions should also reconsider the onerous and overly-cautious security guidelines that prevent most people working on Somalia from even visiting the country.

¹¹⁴ An income or value-added tax would currently be impractical in Somalia. Somaliland and Puntland largely depend on harbour and airport fees and limited taxation of imports and exports to fund their administrations. Fees and taxes need to remain low, if businessmen are not to take their trade to other areas. For example, when Somaliland tried to raise import and export taxes, traders moved most of their business from Berbera to Bosasso in neighbouring Puntland.

¹¹⁵ Puntland, still in the early stages of evolution as an autonomous, self-governing region, offers a model of what an organic and viable federal state – in the Somali context – could look like. Despite its poor leadership and serious political and security problems, the region has the potential to become a successful example for the rest of Somalia. Its geography, the cross-clan nature of its politics (despite Majerten dominance) and existing and potential economic resources make it a promising devolution experiment.

¹¹⁶ Crisis Group interview, Galmudug minister, Nairobi, July 2010. According to the minister, the Galmudug administration – predominantly led by the Sa’ad sub-clan of the Habar Gedir – has been reaching out to the Dir and Marehan clans.

¹¹⁰ UNPOS has already declared its intent to expand its presence in Somaliland, Puntland and Mogadishu. It should consider increasing UN missions to local administrations and negotiate with AMISOM the possibility of establishing a permanent presence in those areas, when appropriate.

¹¹¹ Another good source of information on support to local administrations is the “Democratic Decentralization Programming Handbook”, U.S. Agency for International Development and ARD, Inc., June 2009.

¹¹² The first level of support should be to increase local governments’ capacity to plan, budget and provide services. Once this is achieved, they would become eligible for money from local development funds to increase service delivery.

community should design its aid packages in the regions to encourage their efforts.

B. DEVOLVING SECURITY

The same problem with recreating a central government exists with reconstructing an integrated national army. There is concern it would be dominated by a single clan and used to enforce its rule. Thus, many clans and local administrations are reluctant to send their troops to serve a notional national government far from their home territory. Although the EUTM offered to train their troops, Somaliland, Puntland, ASWJ and local administrations declined, because some of the pre- and post-Bihanga training was to be in Mogadishu, and they feared their forces would be kept there under TFG command.¹¹⁷

It has also been difficult to build unit cohesion in cross-clan forces. Even Al-Shabaab, which claims to be above clan politics, largely recruits from a few clans, and its units are mostly single-clan and based in home areas.¹¹⁸ A possible alternative would be to adopt a model of recruitment, organisation and deployment along regional/local lines, as in the UK, where many units are recruited from specific regions, and Scotland, Wales and Northern Ireland have their “own” infantry regiments, or along the lines of the state-recruited and commanded U.S. national guard. It would then be the role of the defence ministry and general staff to coordinate these units in campaigns of mutual interest. Alternatively, these security forces could be coordinated through an expanded version of the Joint Security Committee that was created during the Djibouti peace process to enhance cooperation between the TFG, TFG forces and AMISOM.

Much of the international support to the transitional federal institutions is predicated on the assumption that Somalia requires a strong central government and effective *national* army to defeat Al-Shabaab.¹¹⁹ The reality is that Al-Shabaab is not that powerful, but its fragmented opponents are weak. The most reasonable assessments of Al-Shabaab’s core military strength are in the range of 5,000

to 10,000 fighters, with most closer to the lower end.¹²⁰ With this relatively small force, it is able to control almost half of Somalia (an area roughly the size of Italy). At the same time, the estimate of armed clan militia members in south and central Somalia is in the range of 50,000.¹²¹ But these fighters are loyal to their clans and sub-clans and do not cooperate. Were they to act together, like the clans that comprise ASWJ,¹²² they could stand up to Al-Shabaab.

It is a classic collective action problem, in which Al-Shabaab’s opponents are unwilling and unable to work together for a mutually beneficial goal – defeating the insurgency and restoring local control. Normally the government could solve this by coordinating the efforts of its constituencies, but the TFG has done too little genuine outreach and reconciliation to overcome the deep distrust between and within clans after twenty years of civil war. Consequently, Al-Shabaab can dominate and coerce each individual clan, because it is more powerful than any single militia.

What is perhaps most surprising is that despite the small size of most ASWJ armed elements, they are able to keep Al-Shabaab from capturing their territory.¹²³ For example, the Galmudug ASWJ, supporting the local administration, has only an estimated 100 quasi-regular troops and 400-500 “reservists” who can be called up when necessary. They have little training and only small arms, but they are effective because they have the support of local clans and are highly motivated.

Rather than try to deploy the troops to defeat Al-Shabaab by themselves, the AU or UN should help clans solve this collective action problem. AMISOM has taken steps in this direction, working closely with independent militias in Mogadishu. But instead of dealing directly with individual warlords, it should support state building by working only with formally constituted local administrations and their designated security forces and coordinating outreach with the TFG and UN.

¹¹⁷ Crisis Group interviews, diplomats, Nairobi, December 2010. That was one reason the Ogadenis were unwilling to send their Kenyan-trained forces to Mogadishu, as demanded by President Sharif.

¹¹⁸ The bulk of the fighters are from the Rahanweyn and Murosad clans. Much of Al-Shabaab’s military strength comes from a relatively small number of more ideologically committed Somali and foreign fighters.

¹¹⁹ Crisis Group supported this notion in its earlier reports but has reconsidered.

¹²⁰ This is smaller than the police force of most major cities. For example, New York has some 37,800 officers and London 22,350.

¹²¹ Crisis Group interviews, UN officials, diplomats, Nairobi, October-December 2010.

¹²² ASWJ’s forces share a common goal (defending their Sufi Islam faith and territory) and are largely composed of militia drawn from subclans of the Hawiye, Dir and Marehan. To coordinate these militias, the clans and sub-clans agreed to form a shura (council). Since its initial success, however, ASWJ has grown and fragmented. There are now distinct “ASWJ” groups in Galgaduud, Hiraan, Bakool, Gedo and Galmudug.

¹²³ A large portion of the Al-Shabaab force, of course, is concentrated in Mogadishu.

C. THE GOVERNMENT PAST AUGUST 2011

Much of the current debate is focused on whether to extend the TFG's mandate past August 2011, by how long, under whom, and with what conditions. Few are asking the fundamental question: to what end? Despite their rhetoric, the supporters and managers of the transition have acted as if it is an end in itself. Somali politicians have become transition junkies, hooked on and comfortable in the transition morass, incapable and unwilling to redesign the TFG as an effective instrument. Unless the failed model is thoroughly transformed, Somalia will not move forward. This process cannot be left solely to the transitional federal institutions, but there is little appetite, in Somalia or the international community, for yet another multi-year reconciliation process.

Somalis should convene an inclusive consultative forum, to be held in Somalia, to agree on reform of the transitional federal institutions for the post-TFG period. The focus should be solely on governance: the relationship between local administrations and the government in Mogadishu, the structure of the national government and the division of power within that government. If meaningful reforms are negotiated, the international community should then extend its support of the national government for a further two years, during which time a widely-acceptable permanent constitution should be negotiated.

1. Nature of the consultative forum

The consultative forum should be "technical", purely focused on reforming the government, and not another "reconciliation" conference that reopens divisions, is unstructured and lacks a timeline. It should include members of the current transitional federal institutions, acknowledged and respected clan elders and intellectuals/representatives from civil society, and incumbent politicians should not have veto power. The total number of participants should be limited, perhaps to no more than about 45, so that the body remains manageable and efficient.¹²⁴ To avoid conflict of interest, members should be ineligible to hold senior office in the next government. Foreign experts should be invited to observe and serve as resource persons.¹²⁵

¹²⁴ This would allow the forum to easily adhere to the problematic, but politically still necessary 4.5 formula.

¹²⁵ This might well include experts from other relatively decentralised political entities, such as the United Arab Emirates and Switzerland.

2. Relationship between local administrations and the government in Mogadishu

This forum needs to clarify how power and resources can be immediately devolved to local administrations willing to cooperate with the national government. The local administrations should be given a clear right to manage their own affairs, guaranteed an equitable share of international development and security assistance and offered a voice in the government's decision-making process.

The Transitional Federal Charter already specifies many of the "state" powers that could be formally transferred to local administrations (see Appendix B). The forum should guarantee those powers and deliberate on whether additional authority should be delegated. Furthermore, given that many local administrations do not yet exist, or need to develop capacity to govern their areas, the forum should also determine when formal authority and responsibility should be transferred and how new administrations could be brought into the governance structure. That way government control could be extended gradually, rather than adhering to the fiction that self-designated representatives in Mogadishu truly represent distant constituencies in areas dominated by Al-Shabaab.

A formula should also be developed to ensure that national resources and international assistance are shared equitably with all the areas allied to the government, as well as a mechanism to transparently verify these transfers. This could be supervised by an independent institution linked to the government, or by some other body delegated that task.

Lastly, local administrations should be given a much greater voice in the government's decision-making process. This could be achieved in a number of ways; for example, Somalis could choose to establish a council of regional states or a second chamber of parliament representing local administrations.¹²⁶ This body should then have sufficient power to prevent the executive from dominating the government and the entire country.¹²⁷

3. Structure of the national government

With much power devolved to the local level, the national government would exercise more of a coordinating role and could also be smaller, less costly and more focused on national priorities. The consultative forum should determine what those priorities should be, as well as how

¹²⁶ This has been suggested in Crisis Group interviews. Roland Marchal, Somalia expert, Nairobi, January 2011; and Yash Gai, constitutional expert, Nairobi, July 2010.

¹²⁷ It should also have a voice in how national government resources are distributed to different regions.

the government's structure could be reformed to best achieve them. One priority should certainly be reducing the size of both the cabinet (council of ministers) and the parliament. The appointment of a new, much smaller, eighteen-member cabinet in November 2010 was a step in the right direction but could be taken even further.

The 550-member parliament is too large, expensive and unwieldy and is weakened by chronic absenteeism. This could become an even bigger problem if a second chamber for regional representatives is created. At a minimum, the chamber representing all Somalis (the House of Representatives/People) should be reduced at least to its original size (275), and the forum should determine how new members would be selected.

The current parliament has already been extended once – by two years, in 2008, during the Djibouti peace talks – and needs to be renewed with members who actually live in Somalia, are committed to the job and have real constituencies and ties to the areas they represent. The AU's January 2011 recommendation for a further two-year extension – which emboldened the parliament to vote itself three years – was ill-advised and ignored the role the legislature has played in obstructing genuine wider reforms.¹²⁸ Without direct elections and a national census, the most plausible mechanism would be through traditional clan structures. One possibility would be to have the forum organise, with international input, an inclusive gathering of clan elders to appoint new members consistent with the 4.5 clan formula.

4. The division of national power and unified leadership

The forum will also need to determine the division of national power in the reformed government. The basic division between the executive, parliament and judiciary should be maintained, but it will be necessary to think hard about the structure of the parliament (one or two chambers) and the division of executive power between the president and the prime minister, or indeed whether the two positions should be folded into one. Faced with significant threats and challenges, Somalia needs unified leadership. It might well be preferable, therefore, for the prime minister to wield most of the executive power, while the president is relegated to the more traditional role (in parliamentary systems) of approving and dissolving the government but having very little input on the day-to-day management of the government. Alternatively, the two positions might be merged, or a limited presidency could be replaced with a presidential council or a rotating presidency to give all the clans an opportunity to hold that prestigious but less powerful position.

5. Pulling the plug?

Faced with an uncertain alternative, the easy path would be simply to continue to back what is already there and hope it will improve. But experience suggests that continuing to support an unabashed and unreformed TFG for several more years would only be throwing good money after bad, without resulting in any meaningful improvements (in the absence of AMISOM trying to impose a peace – itself a worrying possibility).

Unless by August 2011, when its mandate expires, the TFG clearly demonstrates new signs of life – that is, credible outreach and reconciliation efforts, the willingness to share power with other regions and administrations, serious security sector reform and government restructuring and a genuine effort to combat corruption – the international community should withdraw its support and direct it instead at those administrations that are serving the interests of the Somali people.

The international community should then help establish an alternative caretaker body, possibly a shura (council) of representatives from regional and local administrations to take over the executive functions of the national government and coordinate the activities of the different regional and local administrations. This model worked successfully during the brief reign of the Union of Islamic Courts, when it helped address fears of local authorities that they would be dominated by those in power in Mogadishu.

¹²⁸ IGAD communiqué, op. cit.

VII. CONCLUSION

The decision to prop up the TFG at all cost has been a failure, feeding complacency and contributing to stalemate and humanitarian crises. Unless that decision is reviewed and the approach to the TFG rebalanced and pegged to solid benchmarks, no substantial improvement is likely in central and south Somalia. Additionally, the international community needs to reconsider its emphasis on restoring a European-style centralised state, based in Mogadishu, given the unhappy experiences Somalis have had with that concept. The logical alternative is a much more decentralised system in which most power and resources are devolved to local administrations, while the federal government takes a modest role of primarily coordinating the activities of those administrations. This would be a slow process, but given the lack of progress in twenty years, it should be tried.

Nairobi/Brussels, 21 February 2011

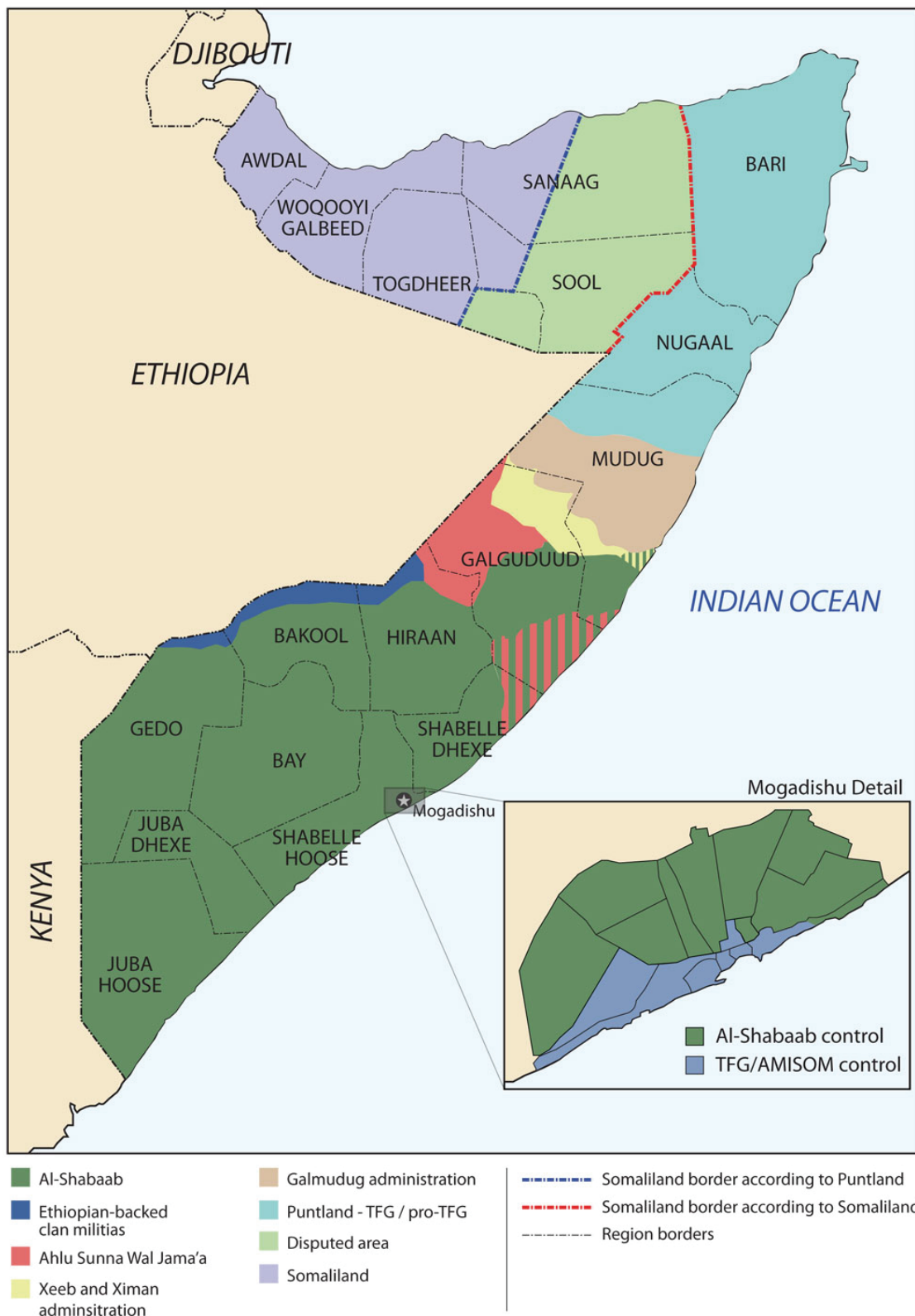
APPENDIX A

MAP OF SOMALIA



APPENDIX B

SOMALIA: AREAS OF CONTROL AS OF JANUARY 2011



This map has been produced by the International Crisis Group. Sources: UN OCHA, WFP

APPENDIX C

THE TRANSITIONAL FEDERAL CHARTER'S DISTRIBUTION OF POWERS BETWEEN THE TFG AND STATE GOVERNMENTS¹²⁹

SCHEDULE I

The power of the transitional federal government

The Transitional Federal Government shall have authority throughout the Somali Republic over the following matters:

1. Foreign Affairs.
2. Defence and Security.
3. Finance and Central Bank.
4. Establishment of State structures.
5. Posts and Telecommunications.
6. Immigration and Naturalisation.
7. Ports Administration.
8. Planning and Economic Development.
9. Natural Resources.
10. Acceptance and licensing of private companies specifically at national level.
11. Collecting import/export and indirect taxes.

SCHEDULE II

Powers of the state governments

The State Governments shall control the following functions within their territories:

1. Education.
2. Health.
3. Regional Roads.
4. Environment protection.
5. Regional police.
6. Housing.
7. Water and Electricity Development.
8. Agricultural Development and Water Management.
9. Livestock and rangeland development.
10. Development of small businesses and states business co-operations.
11. Settlement of population.
12. Develop state constitutions, their state flags and state emblem.
13. Appoint their state election committees and implement the state elections.
14. Collect all direct taxes.
15. Promote sports, arts, literature and folklore.
16. Business licenses.
17. Town planning and construction permits.
18. Public sanitation.
19. Recreation centres and child gardens.
20. General Public Health.

¹²⁹ States are two or more freely federated regions, according to the Transitional Federal Charter of the Somali Republic, Article 1.1, February 2004.

APPENDIX D

GLOSSARY

TFG – The Transitional Federal Institutions, comprising the government, parliament and judiciary, were established in October 2004, in Nairobi, Kenya. They were enlarged during the Djibouti peace talks, where Sheikh Sharif Sheikh Ahmed also was elected the new president (January 2009). Already extended once, the transition is scheduled to end on 21 August 2011. The Transitional Federal Parliament voted in February, however, to extend its own mandate by another three years.

Capital: Mogadishu

President: Sheikh Sharif Sheikh Ahmed

Prime Minister: Mohamed Abdullahi Mohamed “Farmajo”

Parliament speaker: Sharif Hassan Sheikh Aden

Galmudug Administration – Established 14 August, 2006.

Capital: South Galkacyo

President: Mohamed Ahmed Alin

Vice President: Abdidamad Nur Guled

Somaliland – Established in 1991, and seeks recognition as an independent state. Relatively stable and democratic, it conducts direct elections and has conducted two successful transfers of power, the latest in 2010.

Capital: Hargeisa

President: Ahmed M. Mahamoud “Silanyo”

Vice President: Abdirhman Abdillahi Ismail

Puntland – Established in August 1998 as an autonomous state within the Federal State of Somalia. Abdirahman Mohamud “Farole” was elected president by a parliament of clan representatives.

Capital: Garowe

President: Abdirahman Mohamud Farole

Vice President: Abdi Samad Ali Shire

Ahlu Sunna Wal Jama’a (ASWJ) – Rose to prominence in 2009 as a coalition of clans (lead by a Shura council) to defend its Sufi Islamism from Al-Shabaab’s campaign to impose Wahabbi Islam on Somalia. It has splintered, and there are now separate ASWJ groups in Galmudug, Galguduug, Hiraan, Bakool and Gedo.

Chairman: Sheikh Sharif Sheikh Muhieddin

Spiritual Leader: Sheikh Mahmud Shaykh Hasan Farah

Spokesman for Galguduud province: Sheikh Abdirazzaq Al Askari

Spokesman in Mogadishu: Sheikh Abu Yusuf al-Qadi

Harakat Al-Shabaab Al-Mujahideen (“Al-Shabaab”) – Rose to prominence in 2006 as the most effective insurgent group fighting Ethiopian forces allied to the previous TFG of President Abdullahi Yusuf Ahmed. A coalition of Islamist militias, it is supported by a core of foreign fighters and seeks to impose an extreme form of Wahabbi Islam on Somalia and the wider region. Lead by a Shura council, its leadership was revised in December 2010. It recently “merged” with a weakened Hizb Islam insurgent group lead by Hasan Dahir Aweys.

Emir: Ibrahim Haji Jamaa “Afgani” (Isaq)

In charge of operations in Puntland: Fuad Ahmed Khalaf “Shongole” (Harti Darod)

In charge of operations in Jubbaland: Hassan Abdullah Hersi “al-Turki (Ogaden)

In charge of operations in Somaliland: Ahmed Abdi Aw Mohamed “Godane” (Issaq)

In charge of operations in Bay/Bakool: Muktar Robow (Rahanweyn)

In charge of operations in Central Region (Galmudug): Sheikh Dahir Aweys (Habr Gedir/Ayr)

In charge of operations in Banaadir: Fazul Abdullah Mohamed (Comorian)

AS spokesman and operations in Banaadir: Ali Mohamed H Rage “Ali Dheere” (Abgal)

Military Commander: Ahmed Korgab (Murursade)