

“The Somali Compact:” A New Deal or an Indirect Rule?

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Introduction

Hosted by top Diplomat Catharine Ashton, the European Union (EU) convened a 2-day conference (Sep. 15-16, 2013, Brussels) on Somalia. Co-hosting the conference was President Hassan Sheikh Mohamoud of the Federal Somali Government with an entourage larger than life. Other participants also included Presidents Abdurrahman Faroole of Puntland and Ahmed Islam of Jubba state. Somaliland defiantly refused to participate at the conference since it sees itself as a completely new and separate country from the rest of Somalia. Yet, it submitted its portion of the Somali Compact (the Compact).



The President of Somalia thence presented to the EU the result of what he called the Compact. What could have been a smooth conference was immediately tainted by an alleged un-presidential conduct by President Hassan in that he used his prerogative as the cohost to sabotage the airing of President Faroole’s speech. The Compact itself is

claims to satisfy the Busan principles. But in reality it circumvents one of the most important requirements that would have strengthened the document - a robust public process in the adoption of the document.

In this essay, I will highlight the origins of the Busan New Deal, assess the Compact, and put forward preliminary bottom-up recommendations to reconstruct Somalia.

Origins of the Post-Conflict Reconstruction (Busan) Principles

The Busan New Deal principles (the result of the Fourth High Level Forum on Aid Effectiveness - which took place in Busan, Korea, November 29 to December 1, 2011) are meant to breathe live back into failed states like Somalia. Somalia is one of the first countries to except all the conditions and strings attached to the Busan New Deal principles hence to be in a position to potentially utilize its huge financial pledge. The Compact will serve as a tool to implement the Busan New Deal for Somalia.

As far back as the 1980s, the issue of soft states in African has been debated in political science literature and development theories. After the demise of Robert McNamara's failed approach to Africa's development challenges (the Income Inequality Study backed by the World Bank in 1972), the Ford Foundation funded several studies to identify the role of non-state entities in providing key services to African citizens in the face of growing soft states (Goran Hyden, 1984). By soft state we mean non-democratic governments whose operating budgets and military capabilities to maintain state machinery their depended on their dependency on the West.

Soon, a consensus emerged in the West that Non-Governmental Organizations (NGOs) and Private Voluntary Organization (PVOs), and church groups were agreed on to be the right agents for filling the void created by African soft states. This school of thought assumed a weak government with limited functions, aided and guided by a robust NGO and PVO technical knowhow thus doing major parts of the state domain, can survive within the cold war context. Several Schools in the US, including UCLA's African Studies, started training church affiliated development officers under a USAID grant.

The formation of close relationship between national elites and Western NGOs/PVOs, however, created a powerful predatory state directly linked to and financed by the West. Barre's government, for instance, in the 1980s was a typical predatory case where the country's Primary Health care (among other sectors) was run by USAID; arms were provided by USA, and hard cash was injected into the dictator's institution through the International Monterey Fund (IMF) program called Structural Adjustment.

By the 1990s and 2000s, a host of African countries failed and proved unsustainable due to national/NGO corruptions of local and international resources. In some instances, subsidiary companies siphoned massive resources from their host countries (Colin Leys). By the early 1990s, following massive atrocities in several regions of the country and several clan-based movements, Somalia too reached the limit to aid-based sustenance and its soft state had nowhere else to go but to crumple (Michael Maren).

With the failure of the Somali state, along with several other countries, came out a new thinking centered on how to revive failed states: The Busan New Deal conceptualizes a partnership between the failed state of Somalia and the West as the best option in rebuilding Somalia. The problem with this model lies in the terminology "partnership;" it stipulates that partial ownership of Somalia belongs to its funding partners. In practical terms, Somalia and its reconstruction is hereafter a joint venture between Villa Somalia and the EU, where a host of NGOs and PVOS would be empowered to co-manage Somalia and its reconstruction affairs.

What is less discussed with the Somali public is the long term pitfalls associated with this new partnership on the future of Somalia. In simple terms, are Somalis signing a document that officially limits national sovereignty, as much as the 19th century colonial treaties and the Berlin Conference (Scramble for Africa) deprived Somalis of their liberty and their united country?

President Hassan of Somalia and his aides revel on the discussion of Post Conflict State Building without much attention paid to the political economy and the associated pitfalls with the Busan New Deal. Implicitly or otherwise, Hassan's government is systemically giving away the country's sovereignty more than Barre's soft state did in his waning years.

The President is presiding on what political economists call a *rentier state*. At least one of the experts on Somalia, Alex Dee Waal, will not hesitate to consider Hassan's Somalia a *rentier state*. According to Dee Waal, a *rentier state* is a form of state "where the ruler enjoys and expends sufficient income from rents of which he is the principal economic actor." A substantial of said income comes from western Somalia's benefactors.



By signing the Compact, this Horn of African country would be completely under the tutelage of EU: the EU already controls the coastline of Somalia; it has already started paying the salaries of the Somali

army and its parliament, and it would soon be funding national development programs and the rebuilding of the country's devastated institutions. The question remains to what extent does huge cash infusion by EU limit or undermine the sovereign state that Somalis once dreamed of.

Moving Somalia forward is challenging and has been further complicated by the role and degree of foreign countries' involvement. In many Somali circles, the debate is not whether Somalia needs the hand of the international community, but on what terms. On that question, the Compact has surrendered Somalia to its highest bidders thus causing the likes of Adan Abdulla Osman and Dr. Abdul Rashid Sharmarke, et al leaders of the Somali Youth League and Somali National League of the 1940s and 1950s, roll up in their graves.

A recent tour of Somalia's coastal line by President Hassan Sheikh on especial helicopter owned by EU shocked many Somalis to the extent to which their coastal lines are already

overtaken by Western military establishments. The President was flown in a highly sophisticated military helicopter to visit hangers and temporary military joints that have never been visited before by any Somali leader (ironically, Somalia does not own a single helicopter, and the President must have been saying “Gods must be crazy” as much as the villager in the Kalahari desert said the same thing upon finding an empty Coca-Cola bottle in the desert).

It was shocking to see the grip hand with which Western military colonels control Somalia’s sea and air space. It was less comforting to see Somalia’s President looking like a child in a war theater (something that looked like a star war warship) being lectured at by European colonels on the protection of his own country. Whether one calls this new arrangement a new colonialism or a new “indirect rule” akin to the 1890s rule in Anglo-Africa, it is certain Somalia is not in the hands of its people.

Therefor the pledge of 1.2 Billion Euro to move Somalia forward is not only a bonanza for corrupt elite that is less patriotic, but a potential vehicle to limit Somalia’s sovereignty. It could also prove to be something that could also chart a disastrous roadmap for Somalia unless a careful balance between what the western countries want (security) and the Somalis’ desire for an independent nation is stricken.

The Compact - One Document for “Two Nations”

The Compact, a thin report of about 30 pages with some tables, is by far ambitious with potential challenges in implementation. The document consists of two major Sections with equal weight and length that are drafted separately for the former Italian Somalia (*Somalia*) and for the former British Somalia (*Somaliland*), respectively. Although the two sections are more or less identical in format and content, due to the fact the entire document is a cookie cutter document from [the joint project of the Center for Strategic and International Studies \(CSIS\) and Association of the United States Army \(AUSA\) Task Framework, May 2002](#), each preamble speaks to what seems to be priorities for the two separate *Somalias*.

The two sections for the two respective regions of the two “Somalias” clearly demonstrate their different goals pertaining to their visions and realities. So are their potential implementation programs. For Somalia, the goals are mainly to improve security situation both for Somalia for its Western benefactors, reconstruct national institutions from scratches, and to seek elections by 2016. It is a plan for security and state building that covers a broadly outlined work program for the period of 2014-2016.

To the contrary, the Somaliland section of the document reinforces “*Somaliland’s unique development*” paradigm that sustainability took roots in the last 20 years. Although

Somaliland requests funding for the period of 2013-2016 (different timeline because there are already programs funded by the EU for Year 2013), unlike Mogadishu, it took its “*Somaliland Vision 2030*,” a complete and comprehensive National plan, to the conference. (It is to be recalled that President Ahmed Silanyo and his new Foreign Minister, Mohamed Biihi Yonis are both accomplished national and regional development Planners).

The Somalia portion seems to have been hastily organized due to tight timeline, or absence of local expertise as well as absence of the right political environment. As a result, the document lacks a robust public engagement. Yet, Mogadishu claims to have engaged “citizens, civil society and parliament members in Mogadishu, Baidoa, Galkayo and Garowe..., and stake-holders.” What it did is it manipulated a Busan principle which calls for “*aid recipients to forge their own national development strategies with their parliaments and electorates (ownership)*.” Where there are no electorates in Somalia, the Mogadishu government consulted a narrow constituency to satisfy the above principle but failed to consult either the regional government (Puntland) that was instrumental in the formulation of the Provisional Constitution of Somalia or other emergent state in the South (Jubbaland state).

As a result, the Puntland and Jubbaland leaders have distanced themselves from the above cited stakeholders’ engagement. To make matters worse, the consultative meeting on the validation of the document drafted by Mogadishu was concluded in on September 8, 2013, only days before the Brussels conference begun. Neither the participants of this meeting were kosher for regional partners were not consulted, nor did they poses the right skills to validate such a key document for a nation at risk like Somalia.

The Somaliland portion of the Compact was presented to the EU as a national agenda and a *Vision for the coming 20 years (2030)*, and was developed under “the leadership of the Somaliland Ministry of National and Planning and Development (MoNPD) in consultation with Somaliland stake-holders.” In other words, Somaliland had presented a plan of action that is worked out between the government’s professional employees and its citizens. The claim of Somaliland for its portion would have been strengthened had it brought Khatumo state onboard.

Strengths and Weaknesses in the Document

The Somali Compact is a typical planning document that has strengths and weaknesses. The most obvious weakness is that the document is a template document. For example, objectives such as “*to create a Stable, Democratic and Prosperous Somaliland where People enjoy a High Quality of Life*” are not only laughable, but even rich countries

avoid endorsing such empty and unattainable phrases in their planning documents. This is an indication that the document is not grounded in the Somalia experience.

Weaknesses: The biggest weakness in the Compact is its outright violation or manipulation of a major Busan principle: *“that aid recipients forge their own national development strategies with their society at large.”* The fact that both Puntland and Jubbalnd, two regions that have negatively being impacted by the twenty years civil war in the country, were not engaged in the public process phase of the production of the document renders the entire Compact business as usual.

First, the process through which the document is produced is not comprehensive enough. There are no visioning workshops where the Somali public had been engaged. There is no persuasive data to show that the drafting of the document has a structured public process. No chart or timeline in the document is shown to authenticate the government’s argument of reaching out to the Somali masses.

It is apparent that the document lacks inclusiveness. The declarative sentence that *“The Compact is the result of an inclusive process to determine the priorities of Somalia for the next three years (2014-2016)”* is a gross and blatant exaggeration. Neither the document nor the process through which it was produced mentions any formal or informal engagement of the existing regional governments, in particular Puntland and Jubbland. These entities were not officially and sufficiently consulted so far.

This is especially important because the report lavishly makes multiple references to the Garowe principles and the importance of federalism in the reconstitution of Somalia. Moreover, the Jubba state, liberated by its current President Ahmed Islan, is the most crucial region for the creation of a sustainable peace. Both Islan and Faroole already showed signs of disappointment with the behavior of President Hassan Sheikh and his tenacity to try to sideline them, thus the beginning of the undoing of “the Compact.”

Second, Villa Somalia treats national conferences on national issues as its pet project, not a national matter; therefore the projects rightly lack legitimacy, particularly in the way citizens and stakeholders are engaged. Rather, several Mogadishu – sponsored meetings/conference, amounting to nothing more than what I call “intellectual corruption” is a far cry to validate such an important “Compact” or contract of one’s nation. (“Intellectual corruption” is a post-conflict phenomenon in Somalia characterized by Mogadishu’s repeated actions to convene hand-picked “yes men and women” most of whom often lack skills, to partake nationally sensitive issues only to rubber stamp what authorities in Mogadishu want.

Third, the document also contradicts the Addis Ababa agreement by not referring the Jubba state by its official name, the Jubba; instead it calls “*the*” Jubbas, a deviant way to suggest that Mogadishu recognizes two Jubbas (Upper Jubba and Lower Jubba) and Gedo separately. By sidelining the regional governments, the Compact may at first sight appear to be a win for President Hassan’s insistence that the federal entities are null and void as a result of the establishment of the Provisional Federal Parliament in August 2012. This is an argument both the President and his supporters repeatedly asserted. Also, the EU’s uncritical endorsement of the Compact could lead to diluting and watering down Article 59 of the PFC, which calls for the President of Somalia to consult regional entities in national matter; if that happens, it could be the beginning of a new round of Somalia’s disintegration.

Fourth, the document ostensibly mirror’s the [CSIS and Association of the United States Army \(AUSA\) Task Framework, May 2002 project outline](#), and thus making the whole effort seem like a static cut-and-paste proposal submitted by a Non-Governmental Organization (NGO) for funding for Post-conflict reconstruction of Somalia. Although the Compact meets and invoked the Busan nomenclature, it does not adequately address real Somali issues nor did it conduct a comprehensive public process to get buy in by Somalia citizens.

Fifth, Public process plays a unique role in drafting credible planning documents. A planning document is as good as its public process. The public process for this document, in particular for the Somalia portion, is either very weak or even non-existent. Outside narrowly handpicked individuals and NGO experts, there are no credible constituents for this document. While the Compact satisfies the Bussan principles in a top-down mechanism, it equally undermines the sovereignty of the Somalis and deprives them of a chance to regroup from bottom-up. This is not, therefore, a document that reflect s the goals and aspirations of post-civil war Somalia. It is rather a “war on terror” document that is aiming to neutralize Somalia so as not to become a terrorist bastion.

Sixth, the document is a joint effort (partnership) between Villa Somalia and foreign entities. The concept of partnership in planning should be unpacked; In Somali, it is “kula lihi” or we own it together. In planning jargons, partnership also entails a binding contract that Somalia would be obliged in the future to not do its business without first securing the consent of its partners, in this case the EU.

The document starts with the following unrealistic vision: “*A new beginning for a sovereign, secure, democratic, united and federal Somalia at peace with itself and the world, and for the benefit of its people.*” This is a vision that could be applied to any

country, even to some developed countries. A vision that reflects the need of Somalia would have emphasized Reconciliation.

The President of Somalia has signed the Compact with a carnival like festivity. Unfortunately, the President of Somalia, Hassan Sheikh Mohamoud, may have effectively agreed on September 15, 2013 to partially cede Somalia's sovereignty to its foreign partners. This is good for the Busan based cottage industry and development paradigm experimentation, but a huge loss for the once-beautiful and hopeful Horn of African nation of Somalia.

Strengths

First, the Compact's strength lies in that it is drafted by UN and NGO development experts who are familiar to using the right language for proposals to wind funding. It is also consistent with the intent of the Busan conference. Moreover, it follows the industry's model for sequencing of priorities for post conflict state building (See Faisal Roble's [London Conference](#)).

Second, the pledge of 1.2 Billion Euro to move Somalia forward is not only an optimistic goal, but something that could also help Somalia deal with its fundamental shortage of capital to rebuild.

Alternative Way on the Restitution of Somalia

The restitution of the Somali state hinges not on the wishes of the West but on the desires of the Somali people. Nor does the recovery of Somalia depend on monies with unproven intentions or monies earmarked for "war on terror" pumped into a corrupt central government that is virtually locked inside Mogadishu.

To the contrary, the recovery of Somalia should come from different document that seeks to first and foremost regain the legitimacy the Somali government had. So far, Mogadishu is not on track to regaining its legitimacy.

Any effort to reconstruct Somalia should take the following into the center of debate:

- (1) Implement the provisional Federal Constitution of Somalia with the full cooperation of the federal entities such as Puntland and Jubbaland;
- (2) Establish a system of good governance where Mogadishu shares power with the regions in accordance with the Provisional Federal Constitution's mandate, Article 59;

- (3) Conduct a nationwide reconciliation program that is free from the manipulative hand of Mogadishu. The delegates to such a comprehensive reconciliation conference must be selected by the federal entities in consultation with Mogadishu. It is only then that the reconstruction and restitution of Somalia can be called a Somali-led process, something President Hassan's "Compact" intentionally railroaded
- (4) Rebuild Somalia not from Mogadishu but from the peaceful regions of the country. Both Puntland and Somaliland has shown for over 15 years that local governance is beautiful (as in "*Small is Beautiful: A Study of Economics As If People Mattered*, Schumacher) and Small is possible at the same time. There is no rational to ask them to copy Mogaidhsu's technology for reconstruction, which is none other than a model for permanent de-construction of Somalia.

Unless these changes are instituted as a pre-requisite for releasing the pledged monies, the prospect for the resumption of normal relationship between Mogadishu and Garowe is not achievable. It is also very likely that the EU pledged monies, if not regulated well, can contribute to the erosion of the Addis Ababa agreement signed between Mogadishu and Kismayo.

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