

Somalia: The Case for a Confederal System

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Abstract

Every centralized government Somalia has tried has eventually broken against the same wall: a society organized not as a nation waiting to be ruled from the center, but as a set of clans that behave, historically and in practice, like confederations bound by treaty rather than by blood. This paper traces that claim through the colonial-era diplomatic record, including the 1954 Anglo-Ethiopian Agreement over the Haud, and through the record of Somalia's transitional and federal governance since 2004. Centralized rule failed once already, under Siad Barre; the federal settlement built after the 2004 Transitional Federal Charter and the 2012 Provisional Constitution is now under comparable strain, as constitutional amendments out of Mogadishu collide with the autonomy Puntland, Jubaland, and Somaliland have each built for themselves since 1991. Reading Article 54 of the Provisional Constitution against two working confederal precedents, Switzerland and the United Arab Emirates, and two cautionary failures, the Ethiopia-Eritrea federation and the Senegambia Confederation, the paper sets out what a confederal arrangement for Somalia would need to look like to avoid both failure

modes, and answers the strongest objections the centralist camp can raise.

Keywords: Somalia; clan governance; federalism; confederation; Puntland; Somaliland; Horn of Africa

Introduction

Sixty-six years of independence have given Somalia a nine-year civilian republic, 21 years of military dictatorship, a state collapse, more than a decade without any central government, and, since 2000, one transitional or federal arrangement after another. None of these models was a Somali invention: the parliamentary system at independence came from Rome and London, Siad Barre's one-party centralism came from Moscow and Beijing by way of Somali nationalism, and the federal template adopted after 2004 came largely from international mediators. Each has failed to hold. This paper argues that the recurring failure has a structural cause: none of these models was built on how Somali society actually organizes itself. Somalia is neither a nation-state waiting for a strong center nor a set of ethnic bloodlines waiting to be divided into federal boxes. It is a layered system of voluntary, contractual associations — clans bound to each other by negotiated treaty, not by blood alone — and every governance model that

has ignored that fact has come apart. Somalia is not unusual in facing this mismatch. Watts (2000), surveying federalism across the continent, observed that federal and confederal arrangements have recurred throughout African state-building precisely because colonial powers drew so many African states across pre-existing patterns of social organization that a purely unitary center struggles to accommodate. What follows traces this argument through Somalia's clan anthropology, its colonial partition, the post-independence cycle of centralization and collapse, and the federal settlement in place since 2004, before setting out what a confederal alternative would look like and testing it against the strongest objections the centralist camp can raise.

Clans as Confederal Associations, Not Bloodlines

Lewis's (1961) foundational account of Somali social organization described Northern Somali society as a segmentary lineage system in which political affiliation runs through clan-families, clans, sub-clans, primary lineages, and dia-paying groups of progressively smaller scale. Popular and policy discourse tends to flatten the major clan-families — Darod, Dir, Digil and Mirifle (Raxanweyn), Hawiye, and Isaaq — into fixed, biological units: bloodlines a Somali is born into and cannot leave. That reading does not survive contact with Lewis's own analysis or the scholarship that followed it. Höhne (2024) points out that clan, even in Lewis's early work, was only

one strand in a denser web of kinship, uterine ties, and affinal relationships, and that what defines the segmentary system is its relativity and flexibility rather than any fixity. The dia-paying group, the operative political and legal unit below the level of clan, is itself a contractual body: it forms and re-forms through negotiated agreements, heer, that specify mutual obligations of compensation, defense, and support (Lewis, 1961; Mohamed, 2007). That contractual quality is the basis for calling Somali clans confederations rather than bloodlines. A confederation, in the ordinary political-science sense, is a voluntary union of otherwise independent units that pool a limited set of functions — chiefly security, compensation, and dispute resolution — while keeping their own decision-making power. Somali clans, sub-clans, and dia-paying groups behave exactly this way: membership is framed genealogically but negotiated politically, alliances shift with circumstance, and the point of the union is protection and redress rather than the enforcement of a fixed communal identity. Somali society historically lacked any indigenous centralized government at all; the individualism and negotiated reciprocity of the segmentary system did the work order usually requires a state to do (Lewis, 1961). A governance framework that treats Somali clans as fixed ethnic bloodlines gets the underlying political culture wrong. One that treats clans, and their federal-state expressions, as voluntary, treaty-based confederations — free to associate,

renegotiate, and, in the last resort, withdraw — is much closer to how this society has organized itself for centuries.

Colonial Fragmentation and the Haud Betrayal

Before the Scramble for Africa reached the Horn in the late nineteenth century, the Somali-inhabited territories were populated overwhelmingly by nomadic pastoral clans, with a smaller population of farmers along the Jubba and Shabelle rivers. Colonial partition split this population across five separate administrations — British Somaliland, Italian Somalia, French Somaliland, Ethiopia's Ogaden, and Kenya's Northern Frontier District — introducing formal statehood into what had been a stateless political order and causing lasting difficulty for pastoral nomads accustomed to seasonal migration across what became international borders (Höhne, 2024). The clearest single episode of this fragmentation is the disposition of the Haud and the Reserved Area. An 1897 Anglo-Ethiopian treaty had Britain recognize Ethiopian sovereignty over these grazing territories while securing, through letters annexed to the treaty, a right for Somali pastoralists of the British Somaliland Protectorate to cross the frontier for grazing (UK House of Commons, 1955). On November 29, 1954, Britain and Ethiopia signed the Anglo-Ethiopian Agreement: Britain withdrew its military administration from the Haud and formally recognized full and exclusive Ethiopian sovereignty over roughly 25,000

square miles of territory used predominantly by Somali pastoralists, characterizing the change as strengthening Somali grazing rights "in perpetuity," though the practical value of that guarantee was disputed from the outset by the Somalis it was meant to protect (UK House of Commons, 1955). The handover took effect on February 28, 1955, announced to a Somali public that had not been consulted and did not accept its legal basis; a delegation sold several thousand head of livestock to fund a trip to London and then to the United Nations to protest, only to learn that British Somaliland, being neither a UN member nor a trusteeship territory, had no standing to petition for redress (Hiiraan Online, 2021). The episode has become the paradigmatic case, in Somali political memory, of great-power indifference to Somali claims. It colored Somali expectations of outside powers through independence, the Ogaden War of 1977–78, and into today's arguments over federalism and confederation, and illustrates a pattern this paper traces further: Somali political aspirations have repeatedly been subordinated to the interests of larger neighbors and outside patrons, with centralization at home offered, at various points, as the domestic price of that external subordination. That pattern was not confined to territory; it extended to questions of Somali nationhood itself. Ethiopia's own stake in the Ogaden gave Emperor Haile Selassie a direct interest in denying that Somali nationalist claims were legitimate at all. In an address on August 25, 1956, he declared that the Somali people were, by

race, color, blood, and custom, members of the Ethiopian family, urged Ogaden residents to accept cultural assimilation, and dismissed the prospect of Ogaden Somalis joining a future independent Somali state (Wikipedia, "1963–1965 Ogaden Rebellion," n.d.). That amounted to a rejection, from Somalia's largest and most powerful neighbor, of the premise that Somalis formed a coherent political nation entitled to self-determination — a rejection that should be read as the position of an interested party rather than a neutral judgment, but one that nonetheless shaped how the young Somali state's neighbors approached its legitimacy for decades afterward.

Centralization, State Collapse, and the Civil War

That history of external doubt about Somali nationhood is not incidental to what came next. Proving Ethiopia and the colonial powers wrong became bound up, for the post-independence political class, with building a strong, centralized government able to speak in one voice — an impulse that helps explain why Somalia's civilian and later military governments reached so readily for centralization even though it fit the society they governed so badly. At independence and unification in 1960, Western commentary widely described the new Somali Republic as a rare African example of functioning parliamentary democracy, but the civilian governments of the 1960s could not manage clan and extended-family rivalries within a centralized multi-party system, and the political class

became associated with corruption and clan patronage (Encyclopaedia Britannica, "Mohamed Siad Barre," n.d.). After the assassination of President Abdirashid Ali Shermarke, Major General Mohamed Siad Barre seized power in a bloodless coup on October 21, 1969. He dissolved parliament, suspended the constitution, and adopted a program of scientific socialism that officially outlawed clan loyalty and demanded loyalty to the central state instead, even as the regime kept relying informally on clan elders to keep order in rural areas (Encyclopaedia Britannica, "Mohamed Siad Barre," n.d.). Barre's regime was the most thoroughgoing attempt in Somali history to replace confederal, clan-mediated governance with a centralized, unitary state enforced by official ideology. But the anti-clan campaign did not eliminate clan as a basis of political organization — it pushed it underground, and in the regime's later years inverted it, as Barre increasingly favored his own Marehan sub-clan in the security services and state patronage. That turn toward clan-based favoritism inside an officially anti-clan state, together with the catastrophic defeat in the 1977–78 Ogaden War, wore down the regime's legitimacy through the 1980s and fed the armed clan-based opposition movements that overthrew Barre in January 1991 (BlackPast, 2021). The collapse of the central state in 1991 did not restore anything resembling a pre-colonial confederal order; what followed was a stateless period of factional warfare. But the political structures that did prove durable —

Somaliland's self-declared independence and Puntland's 1998 formation as an autonomous state built around an alliance of Darod/Harti clans and run from Garowe — were themselves confederal in character: negotiated, clan-anchored settlements claiming authority over defined territory without waiting for a restored center (Höhne, 2026). This pattern is the central finding of the most influential political-science literature on the Somali state itself. Menkhaus's (2007) account of what he termed governance without government showed that communities facing the absence of an effective central authority build their own local, hybrid, often informal arrangements that supply real security and rule of law, and that these arrangements have consistently outperformed internationally sponsored efforts to revive a strong center. Menkhaus (2014) later extended this into an argument that Somalia should be understood as a functional failed state, with municipalities and customary authorities providing the most consistent record of legitimate local government the country has produced since 1991. Walls's (2014) study of Somaliland's political transition reaches a parallel conclusion from the ground up: Somaliland's relative stability rests on an accommodation between its clan-based social structure and representative institutions that was negotiated locally, with only minimal external intervention. Read together, Menkhaus and Walls supply the theoretical scaffolding for this paper's historical argument: Somali governance succeeds when built locally and confederally, and efforts to

revive a strong Mogadishu-centered state have, on the empirical record, a poor track record next to the arrangements clans and regions have built for themselves.

De Facto Federalism and Centralist Resistance

Formal federalism entered Somali constitutional practice with the Transitional Federal Charter, adopted in February 2004 at the Nairobi reconciliation conference, establishing a decentralized system based on federalism and defining the Somali Republic as the Transitional Federal Government together with state governments formed by two or more regions federating according to their free will (Transitional Federal Government of Somalia, 2004). That model was deepened by the Provisional Constitution an 825-member constituent assembly adopted in August 2012, establishing the Federal Republic of Somalia and its Federal Member States (Federal Republic of Somalia, 2012). This architecture was less a fresh design than a formal acknowledgment of arrangements clan-based authorities had already built for themselves after 1991: Somaliland's separate administration, Puntland's 1998 autonomy, and the subsequent formation of Jubaland, Southwest State, Galmudug, and Hirshabelle. Article 54 of the 2012 Constitution reserves foreign affairs, national defense, citizenship, and monetary policy to the Federal Government, while leaving every other allocation of power to be negotiated and agreed rather than

fixed in advance; Article 53 requires federal consultation with member states on matters significantly affecting their interests (Federal Republic of Somalia, 2012). That "negotiated and agreed" clause is itself a confederal opening built into a nominally federal constitution, which is why the same text supports Mogadishu's reading that consolidation is coming and the Federal Member States' reading that it protects an open-ended autonomy. Even so, Somalia's federal project has run into sustained resistance and considerable scholarly criticism. Dahir and Sheikh Ali (2021) point to constitutional ambiguity, unresolved disputes over how Federal Member States are formed, an unresolved status for Mogadishu as capital, and federalism perceived in places as externally imposed rather than organically Somali. Zoppi (2018) frames the underlying tension as a clash between an imported, European-derived conception of the state and long-standing Somali notions of communitarian, clan-mediated organization. Barre (2024) identifies continuing weaknesses in practice — an unclear definition of the federalism actually in operation, weak dispute-resolution mechanisms, limited federal capacity — compounded by a still-unresolved, clan-weighted "4.5" power-sharing formula conceived in 1997 and formalized at the 2000 Arta conference (Rift Valley Institute, n.d.-a).

Since roughly 2020 these difficulties have been compounded by a resurgence of centralist ambition out of Mogadishu. Constitutional

amendments extending federal term limits, moves to curtail Federal Member State security forces, and the 2025–26 crisis around Baidoa and the ousted Southwest State leadership have been read by Puntland and other member states as an attempt to reverse the federal settlement — the same trajectory, critics argue, that produced the 1969 coup and everything that followed it. Somalia's foreign policy is already showing this strain: in January 2026, Puntland and Jubaland publicly rejected Mogadishu's unilateral break with the United Arab Emirates, with Puntland maintaining its own DP World port arrangement in Bosaso regardless of the federal government's position (Reuters, 2026). That pressure, set against sixty years of centralization's repeated failure, is what has revived interest in a confederal alternative.

The Case for a Confederal Model

What would a confederal arrangement actually involve, and why does the historical record recommend it over the alternatives? The argument here builds on a policy position first set out in Warsame et al. (2019), a WardheerNews paper calling for movement toward confederation, later developed into a fuller analysis distinguishing reconstructed federalism, confederation, and separation as sequential options (Warsame, 2026). The historical record traced above supports a specific diagnosis: Somalia's episodes of governmental failure have coincided with attempts to govern through a central authority that cannot be renegotiated by

its constituent clan-based communities, while its periods of relative order have coincided with confederal, treaty-based arrangements among self-governing units.

Conceptual grounding and institutional design

The term confederation is not used loosely here. Elazar (1987) distinguishes federalism as a broad generic category covering a variety of specific institutional forms — federations, confederations, federacies, and others — differentiated chiefly by where constituent sovereignty originates and how readily the arrangement can be renegotiated or exited. A federation begins from a single sovereign people and divides power downward; a confederation begins from sovereign or near-sovereign constituent units and delegates power upward, retaining a residual right of renegotiation federations typically do not extend to sub-units. That distinction is what this paper has been building toward: Somalia's Federal Member States did not receive their autonomy from a prior sovereign center; in most cases they built it before Mogadishu existed to grant it, and Article 54's "negotiated and agreed" language is a confederal residue sitting inside an otherwise federal text. A confederal model for Somalia would formalize that residue rather than treat it as a drafting ambiguity to be resolved in the center's favor, differing from the current settlement in three respects. Sovereignty would be understood as originating in, and staying with,

the Federal Member States and the clan confederations that make them up, with the central government exercising only functions those units choose to delegate — external defense, foreign representation, monetary policy, and a small set of coordinating functions. The union would be explicitly negotiated and revisable, formalizing what is already true in practice. And security arrangements would follow the confederal logic already visible in Puntland's own forces and Somaliland's separate defense structures, with a central defense capability assembled from member-state contributions.

Comparative precedents

Switzerland's confederation began as a defense and arbitration treaty among three cantons in 1291, grew by treaty accession, and survived the 1847 Sonderbund War without dissolving; the 1848 constitution that followed confined Bern to a narrow, mostly coordinating role and left the cantons in charge of everything else, a balance that has held with only incremental change since (Switzerland Tourism, n.d.). The Swiss case shows that a treaty-based union among previously autonomous, culturally distinct units can mature into one of the world's most stable states without requiring the cantons to give up the core of their self-government. The United Arab Emirates, closer to Somalia both geographically and culturally, formed in 1971 out of negotiations among seven Gulf sheikhdoms after an earlier nine-member attempt collapsed;

the surviving seven agreed on a Supreme Council of Rulers in which each emirate holds one vote regardless of size, while each retains authority over matters the constitution does not explicitly assign to the union, including substantial control over its own oil revenue (Gulf News, n.d.; Forum of Federations, n.d.-a). Watts's (2008) comparative survey classifies the UAE among a small group of federal-confederal hybrids, alongside cases such as Bosnia and Herzegovina, precisely because its constituent emirates retain a degree of residual sovereignty closer to what confederal theory predicts than what most federations allow their sub-units. A Somali equivalent — a Council of Federal Member State principals holding real authority over delegated functions, with Mogadishu as one seat among several — has a working, regional precedent.

What breaks a confederation

Two failures are worth taking seriously, because they point to specific design mistakes rather than an inherent flaw in confederal government. Under UN General Assembly Resolution 390 A (V) of December 2, 1950, Eritrea became an autonomous unit federated with Ethiopia in 1952; over the following decade its federal autonomy was progressively eroded by the center until Ethiopia annexed Eritrea outright in 1962, an act that radicalized rather than resolved the underlying demand for self-government into a three-decade armed independence struggle (UN General Assembly, 1950). A second failure runs the opposite way. Senegal and The Gambia

entered the Senegambia Confederation in February 1982, each formally keeping its own sovereignty while pledging to merge their armed forces and align diplomacy; from the start, though, Senegal held the confederal presidency outright and roughly two out of three seats in the confederal legislature, leaving The Gambia structurally unable to outvote it. Growing Gambian alarm led Senegal to dissolve the confederation in 1989 (Wikipedia, n.d.-b). Eritrea shows what happens when the center simply erodes the autonomy it promised; Senegambia shows what happens when confederal institutions are built to let the largest partner dominate the others even while formal independence is preserved on paper. Both point to the same design requirement for Somalia: whatever confederal institutions Mogadishu and the Federal Member States build, Mogadishu cannot hold a controlling vote inside them. A further, harder-edged objection needs no Somali example. The Articles of Confederation governed the United States from 1781 to 1789 and left Congress dependent on the states for almost everything: no independent taxing power, no uniform trade authority, no executive or courts of its own. Its most important actions needed 9 of the 13 states to agree, and amendments needed all 13, a bar the states never once met. Congress could not reliably pay its debts, maintain a dependable military, or stop states from working against each other's trade interests, and within eight years the country replaced the Articles with a federal constitution that gave the center real,

independent powers (Wikipedia, n.d.-c; ScienceABC, n.d.).

The strongest centralist case, and why it does not settle the question

The centralist camp has a real case that deserves to be named rather than dismissed. Elmi (2015), surveying Somalia's governance debate, concludes that a decentralized unitary system, not federation, is the most suitable model, citing Ismail's seven practical obstacles to federalism, Hersi's argument that the conditions federation requires are absent from the Somali case, and Arman's warning that a federalist model risks institutionalizing the Balkanization of Somalia into clan fiefdoms with no settled boundaries (Elmi, 2015). Mohamed (2012) contrasts Somalia's experience unfavorably with the American federal system, where allegiance to the union still overrides state or local loyalty, arguing that Somalia's federalism has instead fragmented the country and left its neighbors, wary of a strong unified state on their border, with every incentive to keep promoting fragmentation. Put together, the centralist case rests on four claims: that clan-based decentralization risks Balkanizing Somalia; that a confederal center risks ending up like the Congress under the Articles, unable to tax, defend, or speak with one voice abroad; that Somalia's neighbors already have every incentive to encourage fragmentation; and that a country that cannot currently fund a single national army against al-Shabaab and Islamic State-Somalia should not multiply the actors who can veto collective security decisions.

Each has an answer that follows from evidence already on the table. The Balkanization argument gets the direction of causation backward: it has been centralized rule, from Barre's anti-clan campaign to today's amendments imposed with no real Federal Member State consent, that has driven Somalia's fragmentation at every juncture since 1969, not confederal accommodation — and a confederation built with the one-member-one-vote safeguard set out above is designed specifically to avoid the outcome Arman warns against. The weak-center objection mistakes a specific design failure for a verdict on confederation as such: Switzerland and the UAE give their central institutions real, if bounded, authority, precisely the kind Article 54 already assigns to Mogadishu, so a Somali confederation extending that list starts from the design that worked, not the one that failed in Philadelphia.

The international-coordination worry is already visible as a problem inside the current federal system — the January 2026 UAE episode shows Somalia's foreign policy is already fragmented in practice, and a confederation that assigns foreign representation to the center as an enumerated function would formalize a coordination process the country needs regardless of what the constitution is called. And the security-capacity worry, the strongest of the four, is answered by the current record itself: Puntland's own campaign against Islamic State-Somalia was fought with no operational coordination from Mogadishu, so a weak, uncoordinated security

response is not a risk confederation would introduce — it is the status quo.

What the model solves

Built this way, a confederal arrangement solves two problems the current federal settlement

has not. It gives Somaliland a way to associate with the rest of Somalia without abandoning the effective self-government it has exercised since 1991, more likely to keep Somaliland inside a Somali union than a renewed push for centralization, which Hargeisa has consistently rejected. And it removes the incentive for Federal Member States such as Puntland to treat every constitutional amendment out of Mogadishu as an existential threat, since the confederal settlement would put the burden of renegotiation, not unilateral amendment, on any change to the division of powers, and would give no single member, including Mogadishu, the votes to force that change alone. None of this is risk-free. Senegambia shows the risk is real even between historically close neighbors. But the centralist alternative is not risk-free either: it is the model Somalia has already tried, in its harder Barre-era form and its softer post-2012 form, and both produced the outcome the centralist case warns confederation might produce — a center that could not hold the periphery, resistance it could not suppress, and cycles of renegotiation that never fully settled. The question is not whether a looser union carries risk. It is whether that risk is smaller, and more manageable by design, than the risk Somalia has already lived

through twice under the alternative the centralist case defends.

Conclusion

Somalia's cycle of centralization and collapse reflects a persistent mismatch between imported models of the unitary or federal state and the confederal, contractual logic that has organized Somali political life since well before colonial partition. Somali clans, on the evidence of their own foundational anthropology, are associations of mutual protection bound by negotiated treaty rather than fixed bloodlines, and the periods when Somali governance has actually worked — the dia-paying contracts of the pastoral order, the self-organized reconstruction of Puntland and Somaliland after 1991 — are the periods that most closely followed that confederal logic. Switzerland and the UAE show that treaty-based unions among previously autonomous units can hold for centuries or endure for decades without collapsing the autonomy that brought their members to the table; Eritrea, Senegambia, and the American Articles of Confederation show, from three directions, how such unions fail when not protected by design. A formal confederal settlement for Somalia, built on the voluntary and revisable association of Federal Member States, with real delegated powers and institutional guarantees against domination by any single member, offers a governance model closer to Somalia's own political tradition, and a more credible basis for holding the country together, than either a return to centralism or a

continuation of the present, contested federal arrangement.

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