

Two Decades of Democracy in Somaliland: the Role of Civil Society in the Electoral Processes

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ABSTRACT

Civil society organizations in Somaliland have mushroomed since 1991 and have made an important contribution to the relief and rehabilitation efforts throughout the country, particularly in the provision of social services and the empowerment of disadvantaged groups in the society. Many of these civil society organizations have contributed significantly to improving the lives of a large number of people, particularly women, children and other vulnerable groups by supporting a range of essential services that the state has failed to provide. Presently, many Somaliland civil society organizations are engaged in democratization and good governance issues. However, it is rare to witness a civic organization that is involved in political activism, or lobbying for legislative reform. This article examines the notion of the civil society in the Somaliland context and their roles in the democratization processes. Moreover, the article specifically discusses major involvements and challenges of the civil society in promoting free and fair electoral processes.

INTRODUCTION

The idea of civil society is central to any discussion of democratization since it raises central issues about the role of social forces in defining, controlling and legitimating state power.¹ In development debates, it is argued that the growth of civil society, in its modern form can play a crucial political role not merely by undermining authoritarian government and contributing to the establishment and maintenance of democratic polity, but also by improving the quality of governance within that polity.² According to Diamond (1994) civil society is thought to play different roles at different stages of the democratization processes. Most political analysts distinguish between democratic transition and democratic consolidation. In democratic transitions, civil society is thought to play a major role in mobilizing the necessary pressure for political change.³

Civil society is also considered to play a key role in checking abuses of state power, preventing the resumption of excessive power by authoritarian governments and encouraging wider citizen participation and public scrutiny of the state.⁴ This paper seeks to discuss the role of the civil society in promoting democracy in Somaliland by supporting fair and free electoral processes by analyzing existing literature on the theme and in-depth interviews with some key civil society members whose work engages or involves mainly issues related to democracy. The article is divided into three parts. The first is conceptualizing the concept of civil society. The second part

¹ Burnell, Peter J & Calver, Peter (2014) Civil society in democratization. London: Frank Cass and Company Limited.

² Ibid., 1.

³ Diamond, Larry (1994). Rethinking civil society: toward democratic consolidation, *Journal of Democracy*, Vol.5. No.3 (1994), pp.4–17.

⁴ Mercer, Claire (2002). NGOs, Civil Society and Democratization: a critical review of the literature, *Progress in Development Studies*, Vol 2, Issue 1, (2002) pp. 5–22.

narrates the history of the civil society within Somaliland peace and state building endeavors. The final part demonstrates the roles played by different civil society actors in the electoral processes in Somaliland.

CONCEPTUALIZING THE TERM: CIVIL SOCIETY

Despite the fact that the term civil society has existed since early times, the term as an intellectual construct gained clarity with the introduction of modernity in the western world during the 17th century. Many events like the growth of the institutions of private property, spread of urbanization, replacement of the despotic state by the liberal state, etc., contributed immensely to the definition of the term ‘civil society’. However, it is the rise of capitalism that led to a clearer distinction between political and non-political and thus prepared the ground for the emergence of civil society as a separate and independent domain.⁵

Cohen and Arato (1992) define the term civil society as a ‘space’ independent from the state and the market, while Van Til (1988, 2000) equated it with voluntary sector and argued that non-governmental organizations do not adequately represent the reality of civil society. Thus, suggests that it should be seen as an ‘operational space’ between the public and the private. Therefore, within the context of this article, civil society would include different types of organizations such as non-governmental organizations, community groups, women’s organizations, professional associations, self-help groups, trade unions and advocacy groups. According to Diamond (1994) civil society is thought to play different roles at different stages of the democratization processes. Most political analysts distinguish between democratic transition and democratic consolidation. In democratic transitions, civil society is thought to play a major role in mobilizing pressure for political change. Organized social groups such as students, women’s groups, farmers’ organizations, NGOs, trade unions, religious groups, professional organizations, the media, think tanks and human rights organizations are ‘a crucial source of democratic change’.⁶

HISTORICAL SETTING AND THE RISE OF SOMALILAND CIVIL SOCIETY

Within the Somaliland context, the term “*civil society*” is more or less associated with different groups, including the ‘traditional’ institutions such as elders’ committees, welfare organizations, community-based organizations, professional associations, Islamic charities, milk-associations and transport cooperatives. There are few organizations formed around issues, such as the rights of women, children, the disabled and minorities.⁷

The rise of the civil society in Somaliland was instigated in 1981 during the formation of the Somali National Movement.⁸ At that time, traditional elders were considered part of the civil society and

⁵ Rajesh, Tandon & Mohanty, Ranjita (2000). *Civil Society and Governance: A research Study in India, Part of a Global Comparative Research Study on Civil Society and Governance*. UK: University of Sussex.

⁶ Ibid., 3.

⁷ Bradbury, Mark (1997). *Somaliland Country Report*. London: Catholic Institute for International Relations.

⁸ Nasir M. Ali (2013). Making the State Work: the Role of the Civil Society Actors in Somaliland, *Asian Journal of Humanities and Social Studies*, Volume 01– Issue 05 (December 2013) pp. 392 –395.

they launched efforts aiming at mobilizing support for the movement both inside and outside of Somaliland. It was during the civil war period when Somaliland people turned back to their elders as a source of knowledge and experience. Elders were sought to restore stability after experiencing the tragic failure of the state ‘*modern governance system*’ and the breakdown into warlords, turmoil and uncertainty.⁹ The Academy for Peace and Development (2002)¹⁰ included women Organizations and Unions as part of the civil society. Following the Somali civil war, the economic activities of women have expanded, increasing their hard work both domestically and in the market. They have shown a high degree of patience and self-sacrifice which allowed them to become “principal economic actors”.

Women’s organizations have made an important contribution from 1991 onwards to the relief and rehabilitation efforts throughout Somaliland, particularly in the provision of social services and the empowerment of disadvantaged groups in society especially women. Many of these organizations have contributed significantly to improving the lives of a large number of women and other vulnerable groups, by supporting a range of essential services like basic education, health, economic empowerment, civic rights, and political participation.

Another realm which falls under the work of the women’s organization is peace-building and conflict prevention. NAGAAD Women Network, which is one of the leading women’s organizations in Somaliland was launched during the third National Peace Conference in Hargeisa in 1996 to deliberate on ways to bring to an end the civil war that had broken out in Somaliland in 1994.

In his paper, Mohamed Sheikh Abdillahi argued that:

Following the secession, traditional clan-based institutions of elders, combined with fledgling governmental and non-governmental organizations, began to take responsibility for governance, security and reconstruction at community and national level. As well as implementing projects, they have been advocates of assistance for the different regions and active in peace and reconciliation efforts, providing logistical, secretarial and moral support for peace conferences. Women’s organizations, in particular promoted peace and reconciliation efforts in 1992 and 1993.¹¹

Discussions around different types of civil society in Somaliland will certainly come across the term ‘NGO’ or Non-Governmental organization. Indigenous Somali NGOs appeared first in the early 1980s, in the wake of the international aid agencies that rushed in to help with the huge influx of Ethiopian refugees into Somalia as a result of the 1977–78 Ogaden War. As the international agencies began to withdraw, local NGOs increased rapidly in number. As the 1980s progressed, the majority was still based in Mogadishu.¹² However, the emergence of the NGOs in Somaliland began during the 1990s following the collapse of the Barre regime; barely, a

⁹ Ibid., 7.

¹⁰ Academy for Peace and Development (2002). *The impact of war on family*. Hargeisa: APD and Interpeace.

¹¹ Abdilahi, Mohamed (1997). *Somaliland NGOs: Challenges and Opportunities*. London: Catholic Institute for International Relations.

¹² Ibid., 11.

handful of “self-help” projects were allowed to function as ad hoc initiatives since the military regime has discouraged the formation of independent organizations.¹³

The years after 1991 marked an increase in the number of the civil society organizations with approximately 600 local NGOs in 2009.¹⁴ These organizations were getting funds from both the International NGOs (INGOs) and United Nations Agencies in providing relief and humanitarian aid to various communities across Somaliland. Over the years, nearly 1,800 local and 104 international NGOs registered with the Ministry of National Planning and Development. In addition, there are 21 UN agencies currently working in the country.¹⁵

SOMALILAND ELECTORAL PROCESSES AND CIVIL SOCIETY INTERVENTIONS

In modern democracies, elections are considered to be an essential component in advancing democratization. However, the challenge of establishing elections in a multi-party democracy is particularly acute in a traditional nomadic society based on a highly decentralized kinship structure made up of various clans. Nevertheless, Somaliland people believe that their elections are an affirmation of a democratization process that was started with a constitutional referendum in 2001 and followed by two local council elections in 2002 and 2012, three Presidential elections in 2003, 2010, and 2017, and finally one Parliamentary election in 2005.

In all the elections that were conducted in Somaliland, there was an entity that was charged with overseeing the overall process of the election; the National Electoral Commission (NEC). The Commission is an independent body created to administer and organize elections and was set up under the Presidential and Local Council Elections Law (Law no: 20/2001). It consists of seven members.¹⁶

Another main stakeholder in the electoral process is the civil society with their critical and diverse roles. Somaliland civil society has always worked closely and in partnership with the NEC, a few non-government organizations (NGOs), and intellectually-oriented organizations (research centers) which carry out studies and research on various issues of public concern regarding democracy. The civil society also provides civic dialogue forums and spaces as a way to support NEC in implementing election related activities, such as voter education, training and deployment of conflict resolution agents, local monitors and observers.

ELECTION-RELATED ADVOCACY

Since, the existing electoral legal frameworks are not in favor of promoting women’s and minorities group participation in the decision-making process, there are NGOs that advocate specifically for certain groups or issues, such as those that work to enhance women’s roles in the

¹³ Bradbury, Mark (2008). *African Issues: Becoming Somaliland*. London: Progressio and James Currey.

¹⁴ The World Bank (2016). *Somaliland’s Private Sector at a Crossroads: Political Economy and Policy Choices for Prosperity and Job Creation*. Washington: The World Bank.

¹⁵ *Ibid.*, 14.

¹⁶ Academy for Peace and Development (2006). *A Vote for Peace: How Somaliland Successfully hosted its first Parliamentary Elections in 35 Years*. Hargeisa: APD and Interpeace.

electoral process. Their involvement has been seen as a step in the right direction, but they are struggling to translate their demands into concrete political action. There are active organizations such as the Academy for Peace and Development (APD), Consortium of Somaliland Non-Governmental Organizations (COSONGO), and Somaliland Non-State Actors Forum (SONSAF) which have played an important role in advancing public dialogue about the national democratization process. In addition to that, NAGAAD Network, which is a network for Somaliland women's organizations made several attempts to pass legislation on affirmative action for women and marginalized groups through the Parliament in July 2007.¹⁷

During the 2010 and 2012 presidential and local elections respectively, the representation of women and marginalized groups became a major concern for the local organizations who advocate for the right of the two. They campaigned hard to include provisions in the electoral law that would improve the chances of women and marginalized groups to gain greater representation in the 2012 local councils. To push further, women's groups led by NGAAD Network pressured the House of Representatives to amend the electoral law to introduce a quota for women and marginalized groups to ensure their fair representation in the new House of Representatives. However, the *Guurti* members made it clear that they are against the quota based on article 22 in the constitution, which state that: every citizen who fulfills the requirements of the law shall have the right to be elected (to an office) and to vote.¹⁸

SUPPORTING THE VOTER REGISTRATION

Somaliland's inefficient electoral process is one of the major obstacles to democratization. Accurate, transparent, effective, trusted, and accepted voter registration plays a critical role in delivering free, credible, and peaceful elections. However, voter registration is a highly complex process composed of financial, technical, and political commitments.¹⁹ Due to the lack of resources and technical knowledge, the voter registration process was not deployed in the 2002, 2003, and 2005 elections. The absence of this important instrument had a negative impact on the credibility and integrity of these elections and led to a highly charged and tensed political environment.

October 11, 2007 was a landmark day as Somaliland's political parties finally agreed on a voter registration schedule as well as new dates for the 2010 and 2012 local and presidential elections respectively. However, NEC faced challenges in developing a realistic system for the registration of eligible voters or an equivalent process. These challenges were mainly the insufficient human resources, time and funding to implement voter registration before the elections. Moreover, there is no reliable census and national identification database and most of the people are nomads.

To overcome that, NEC established a local NGO consortium that consisted of seven members from the major networks and institutions that worked with NEC as an advisory board. The board was mandated to select the appropriate local organizations to conduct voter education during the

¹⁷ NAGAAD, 2008

¹⁸ Government of Somaliland (2016). *Somaliland Constitution*. Hargeisa: Government of Somaliland.

¹⁹ Social Research and Development Institute (2011). *Reflections and Lessons of Somaliland's two Decades of sustained peace, State building and Democratization*. Nairobi:Henierich Poll Foundation (HBF).

display period of voter registration cards and in monitoring the performance of these organizations. The group was also helpful in selecting, training and deploying 600 individuals from the civil societies to mediate in electoral disputes outside the polling stations during the voter registration display period and the polling day. Furthermore, member organizations of this consortium trained and fielded about 800 local election observers in the 2010 presidential elections.

CIVIC EDUCATION TRAININGS

Lack of civic education programmes prior to the elections and the high illiteracy rate of Somaliland people led to voting irregularities. The public and party officials had difficulty adhering to the standard ‘democratic rules’ and there was considerable double-voting and ballot stuffing. Moreover, many citizens did not have a broad understanding of their political and civic rights, the electoral process and the concept of free and fair elections.²⁰ Another element in the electoral process is a continuous civic education programme. This is because well-informed citizens are an essential part of any democratic system. One of the main problems a new democratic society faces is ensuring that all citizens are well-informed and truly understand the democratic system. Progress has been made through successive elections since 2002 to educate Somaliland citizens on their role in the democratic process and the civil society has played a major role in the civic education campaign. They deployed various creative means to reach the rural areas and nomadic people.

Some of the local organizations such as the Academy for Peace and Development (APD) were showing documentaries and educational audio-visual materials, while the Horn of Africa Voluntary Youth Committee (HAVAYOCO) conducted circus shows to educate the people living in rural areas on civic education issues. NAGAAD Network and Somaliland National Youth Umbrella (SONYO) also made tremendous amount of effort to educate the most illiterate segment of the society, which are the women and the marginalized groups, on their civic rights and duties.

REDUCING CONFLICT DYNAMICS AND MEDIATION ROLE

Civic organizations, people from the business community and religious groups spearheaded a number of mediation efforts during the electoral crisis to resolve some of the political disagreements. For example, in August 2007, a mediation committee consisting of APD members, two famous poets, three prominent religious figures and four well-respected intellectuals stepped into mediate disagreements among the three political parties, the Guurti and the government over the formation of a new NEC and were able to resolve the issue.²¹ Furthermore, during the 2010 presidential election, the Social Research and Development Institute (SORADI) was sub-contracted to provide training to 600 respected community leaders to intervene in any conflicts that could occur inside or outside polling stations on the Election Day.²²

²⁰ Interview with Haroon Ahmed Yusuf in Hargeisa on 30 September 2016.

²¹ *Ibid.*, 19.

²² *Ibid.*, 19.

MONITORING

The Electoral Monitoring Committee (EMC) is an independent body of locally-respected people, mostly from the civil society, business community, and traditional elders, which was established for breaches of electoral codes and laws and making known of complaints publicly where necessary. Their remit gave them no statutory power beyond making their findings public, and they were required to refer uncertified concerns to the NEC who have the power to discipline those in breach of the regulations.

FACING CHALLENGES

Despite the involvement of certain civic organizations in the electoral process in different capacities, they lack the power base to put pressure on the government, and political parties adhere to the terms of the agreement or face the pressure from the government and other groups. One explanation for that is that civic organizations are outward looking, but not inward looking, meaning that they are more accountable and connected to their donors than the locals they claim to represent. Their lack of effective internal democratic governance and transparency puts them in a moral dilemma to ask the government and the political parties to be democratic and transparent.²³

There are also arguments that the civil society organizations are only limited to voter and civic educations and they explained that the government and NEC are encouraging the participation of the civil society in other activities instead of advocacy and capacity building. Civil societies are also fragmented in terms of issues regarding fair and free elections due to clan affiliations.

Not only those challenges, but also there are other challenges include lack of sustainable funding, limited local fundraising, insufficient human and financial resources to deal with issues regarding the good governance and democracy due to the burden of donor-driven agendas.

CONCLUSION

Elections provide an important opportunity to advance democratization and encourage political liberalization in the world; hence, the political transition of Somaliland demanded a shift from a clan-based power sharing system to a constitutional government based on western style multi-party democracy. The country has so far held three rounds of elections: local council, presidential and legislative elections.

A multi-party electoral system introduces the perception of “winners” and “losers” in contrast with the more inclusive system of clan representation. There were the risks of post-election disputes escalating into violent conflict due to the weakness of the other institutions like the judiciary that typically manage political conflict in democratic societies.

The role of civil society in elections often takes the form of support for the institutional processes of a democratic election as well as the more substantive development of a democratic electorate.

²³ Ibid., 19.

Civil society does, however, have a role to play in capacity building and advocacy, supporting NEC in promoting a peaceful electoral environment through the process of voter registration, awareness and civic education campaigns. As a point of conclusion, civil society in Somaliland continues to suffer from the burden of the donor driven-agenda, and they are unable to shift from project implementation to being active politically in lobbying for legislative reforms that will translate the public demands into concrete change towards a more democratic Somaliland nation.