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Expanding public participation in political processes in Somalia

Contents

Glossary of acronyms, words and phrases

ARS	Alliance for the Re-liberation of Somalia
ASWJ	Ahlu Sunna Waljama'a
CoE	Committee of Experts
CSO	civil society organization
FGD	focus group discussion
FGS	Federal Government of Somalia (2012–present)
FMS	Federal Member State(s)
IFCC	Independent Federal Constitution Commission
Isimo	*(Somali)* traditional leaders
Islaan	*(Somali)* clan leader
KII	key informant interviews
NCC	National Consultative Council
NLF	National Leaders Forum
NSC	National Salvation Council
PDRC	Puntland Development and Research Centre
SNM	Somali National Movement
SNPC	Somalia National Peace Conference
SSDF	Somali Salvation Democratic Front
TFG	Transitional Federal Government (2004–2012)
TNG	Transitional National Government (2000–2004)
UNOSOM	United Nations Operation in Somalia (I and II)
USC	United Somali Congress

Summary

In recent history, political processes in Somalia have been dominated by a narrow set of political and business elites, armed actors and external players. Following the collapse of the government in 1991, there were a series of conferences in the 1990s that engaged primarily with political elites and armed actors. All of these conferences failed. The Somalia National Peace Conference (SNPC) in Djibouti in 2000, which included civil society actors, intellectuals, clan leaders and other representatives of Somali society, and excluded representatives of armed factions, appeared to be an exception of this trend. Arguably, this allowed the Djibouti conference to establish the first transitional government after civil war and agree core tenets of the Somali political dispensation that have lasted to this day; for example, the 4.5 system.

Since then, political processes have reverted to a similar format. They are dominated by a small group of powerful elites and externally driven. This is mostly the case for the various processes leading to the end of the transition in 2012, despite some efforts to bring in a wider group of actors, as well as the processes established to agree election models from 2012–2022. The most recent of these—the National Consultative Council (NCC)—is termed 'the seven men', highlighting the abiding perception that such political processes remain dominated by a narrow circle (of men). The process of forming the Federal Member States (FMS) often followed a similar pattern, although the consultative process that marked the formation of Puntland state is somewhat of an outlier, and arguably undergirds the greater stability of the state.

Based on a range of interviews and focus group discussions, this reports identifies a number of persistent factors that have inhibited the ability of the wider Somali public to meaningfully engage in such political processes. These factors include (but are not limited to): top—down approaches to peace processes led by external actors; insecurity inhibiting public confidence in engaging in political processes; the exclusionary aspects of the 4.5 system; a closed political space dominated by a wealthy political class; the lack of a multi-party system and universal suffrage; a lack of civil society capacity and low levels of civic education; and a distrust on the side of the public vis-à-vis government and state-building processes.

There are also areas where there appear to be increasing avenues for citizens to engage political leaders and influence political decision-making. These include: the growing use of social media as an open forum for discussion of contentious political topics; several examples of public outcry and demonstration leading to a clear policy change on the part of the government; moments of interaction between citizens and political leaders around elections; the use of public consultation by political leaders as leverage in political negotiations; and the organic process of clan consultation that occurs around political processes.

Based on an analysis of these barriers and opportunities, this report makes the following recommendations:

■ Create opportunities for citizens to directly shape and inform NCC discussions and the constitutional review process; for example, through using policy labs with universities and youth groups to develop options

for NCC principals to consider, or holding a parallel conference format to the NCC that brings together a wide range of governmental and non-governmental actors in discussion with NCC principals.

- Create or strengthen forums that encourage and facilitate dialogue between government representatives and citizens on priority policy areas, in relation to implementation of political agreements using both in-person and increasingly popular online formats.

- Expand civic education efforts to inform the public on political processes, including the content of the discussions and agreements to enable them to engage in the process.

- Strengthen media capacities for objective (fair, balanced, reliable, accurate) reporting and enhance public access to information around political processes through actions such as televising NCC discussions.

- Continue building the capacity of civil society actors to better act as influencers in political processes, including through the development of alternative business models that allow them to become better representatives of grassroots constituencies.

- Regardless of election model chosen in 2026, support opportunities for candidates to engage the public in the electoral process in order to gradually strengthen accountability between citizens and political leaders.

- Work with women and youth to give them the skills and confidence needed to actively engage in political processes, including running for elected office.

- Make clear and measurable progress in shifting from the 4.5 formula to a multi-party system, based on universal suffrage to create a direct channel for citizens to hold their leaders to account.

- Ensure that external actors do not enable narrow political processes. Instead, they should consistently message and incentivize the importance of participation in political processes. They should also be careful to avoid funding participatory processes when doing so can reduce a sense of local ownership. Conversely, support participatory processes that foster greater local ownership.

Introduction

Since the 1991 collapse of the Somali state, a series of political processes—dialogues and negotiations to agree contentious issues—have become key fora for decision-making in Somalia. Over time, these processes have established some limited basis for consensus on key areas, such as power-sharing, federal arrangements, constitutional reform and election design. At the same time, such fora have been regularly criticized for being exclusive of a wider range of Somali stakeholders. This not only suppresses the right of citizens to participate in decisions that affect them but it often means that political agreements serve the interests of a narrow set of stakeholders and lack legitimacy from the wider citizenry. This state of affairs has persisted despite extensive Somali and external efforts to address the exclusivity of political processes. Most recently, in the run up to 2022 indirect elections process, the National Consultative Council (NCC) was regularly termed 'the seven men', highlighting the perception that the forum is exclusive of the wider citizenry.

Given the persistence of these narrow political processes, this study explores the prospects and challenges for public participation in politics in Somalia. It aims to identify how Somali authorities, civil society, international actors and other stakeholders can contribute to increasing the participation of ordinary Somalis in the political processes in their country. To that end, politicians, a range of non-governmental actors and the wider citizenry were interviewed for this report. The report also analyses and assesses historical processes (such as the National Leaders Forum, NLF), along with the challenges citizens encountered when they sought to participate in policymaking, in order to explore avenues to increase citizen participation in political processes. Finally, despite a post-independence history of elites dominating the formulation of Somali governance structures and the selection political representatives, there are some success stories. The study seeks to learn from these. This includes, for example, the process used to establish the Puntland autonomous administration in 1998 and hold subsequent presidential elections, which has resulted in relative political stability in the region.[1]

This report first looks at the history of public participation in Somali political processes, focusing on the post-1991 period. It then moves on to examine factors that have inhibited public participation, before exploring how and when politicians do engage with a wider set of stakeholders. The report concludes with recommendations for a range of actors on pathways to increasing public participation in political processes.

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1. Unlike Somaliland, Puntland never declared its independence from Somalia and is a Federal Member State (FMS) of the Republic of Somalia.

Methodology

This study utilizes key informant interviews (KII) and focus group discussions (FGDs) methods for data collection, complemented by desk research. To understand the different views on public political participation in political processes across the Federal Member States (FMS), five key informants were interviewed in each FMS. A total of 29 key informants were interviewed, drawn from politicians at the federal and state levels, civil society organizations, and the general public. Between 1 December 2022 and 6 March 2023, interviews were conducted in Nairobi, Mogadishu, Garowe (Puntland), Kismayo (Jubbaland), Baidoa (South West), Dhusamareb (Galmudug), and Jowhar and Beledweyne (Hirshabelle). In addition, 12 focus group discussions (FGDs) were conducted (2 in Mogadishu and 2 in each of the FMS). A total of 110 people participated in the FGDs, including members of civil society such as women, youth, journalists, business people and religious sheikhs. A case study approach is also used, with one of these documenting the process used to establish the Puntland administration in 1998, and how different segments of society participated in the process (see Annex 1).

Limitations

There were several challenges encountered during the data collection phase of the study. First, there were political tensions in Baidoa, where the extension of the South West state presidential mandate was contested during the data collection period. This limited whom the researchers could meet and may have affected how KIIs or FGD participants expressed their views. Second, security in Beledweyne was fragile during the data collection period in December 2022. The city had experienced several large explosions on 3 October 2022 and security remained tight. This affected the movement of the researchers and whom they were able to meet. Third, some of the study participants with whom the researchers met had only a limited understanding of public political participation, with many expressing the view that it is an abstract concept, which has never been a priority in Somalia. Finally, the study reflects the findings from the literature review and the views of the 139 people who were either interviewed or participated in the FGDs. As a result, the findings presented in this report should be seen as indicative but not representative of perspectives in Somali society. As such, these findings cannot be generalized to represent a cross-section of citizen views across the country.

A history of public participation in political processes since 1991

Since 1991, and the collapse of the state, there have been a series of political processes to resolve conflict in Somalia. These have been led and dominated by members of the privileged elite with few, if any, opportunities for ordinary Somalis or their selected representatives to have a seat at decision-making tables. For example, between 1991 and 2000, armed warlords or their representatives were the primary attendees at the reconciliation conferences that were convened. During the reconciliation conferences held in Kenya between 2002–2004 that resulted in the formation of the Transitional Federal Government (TFG), representation was slightly expanded to include clan leaders, in addition to warlords. Civil society actors and others who represent the interests of ordinary Somalis have consistently not been included. In addition, after a long drafting process, the current provisional federal constitution was approved by the 825-member National Constituent Assembly in August 2012. The drafting and endorsement of the constitution was led by the Independent Federal Constitution Commission (IFCC), the Committee of Experts (CoE) and the six signatories to the 2011 transition roadmap.[2] While there was a public consultation process, it was only for a short period of time and had limited reach. Finally, in 2012, members of parliament were selected by 135 clan elders. This approach continued in 2016 and 2021–2022, with clan elders and other delegates selecting members of parliament.

Somali peace and reconciliation processes: 1991–2009

Reconciliation conferences (1991–1999): In January 1991, the centralized Mogadishu-based government of Somalia, led by Mohamed Siad Barre, was toppled by the United Somali Congress (USC). In other parts of the country, other clan-linked factions also took control. For example, the Somali National Movement (SNM) took control in the north-west region, which would later become the self-declared independent Republic of Somaliland. The Somali Salvation Democratic Front (SSDF) took control of the north-east region, which would later become Puntland.

Alongside a protracted civil war, the collapse of the Somali state also triggered a long string of peace conferences focused almost entirely on armed faction leaders the search for opportunities to reduce violence. Shortly after Barre's removal, and without consulting the various armed factions that had toppled the regime, the Manifesto Group appointed Ali Mahdi Muhammed as

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2. The six road map signatories are President Sheikh Sharif Sheikh Ahmed, Speaker Sharif Hassan Sheikh Aden, Prime Minister Abdiweli Mohamed Ali of the TFG, President Abdirahman Mohamed Farole of Puntland state, President Ahmed Alin of Galmudug state and Abdulkadir Moallim Nur of Ahlu Sunna Waljama'za (ASWJ).

interim president.[3] This decision upset Mohamed Farah Aidid, who led the military wing of the USC, as well as other factions, including the SNM, which subsequently declared the independent Republic of Somaliland in the north-west region. In June and July 1991, two conferences in Djibouti, attended by the leaders of several armed factions, confirmed Ali Mahdi Muhammed as interim president. Mohamed Farah Aidid, however, rejected the outcome of the Djibouti conferences, leading to continued and escalating fighting and violence. The limited opportunities for wider stakeholders to engage in these processes, and the inherent trade-offs when including or excluding warlords in these processes, would continue to shape the governance and stability of the country over the next three decades.

As the civil war and clan in-fighting continued (leading to displacements and a deteriorating humanitarian situation), UN peacekeeping troops were deployed to Somalia: UNOSOM I (1992–1993) and UNOSOM II (1993–1995). At the same time, attempts to mediate between the different factions continued and several more reconciliation conferences were held, all outside of Somalia, mainly in neighbouring countries, with external actors (including but not limited to Egypt and Ethiopia) increasingly setting the agenda for both reconciliation and state-building in Somalia.[4] The purpose of these conferences was to discuss and agree on the formation of an interim administration and a national reconciliation process. The primary participants were clan warlords and armed groups, which controlled large parts of the country at this time, as well as politically active members of the Somali diaspora.

The irony of these external conferences focusing on clan warlords is that despite the international interest and investment, almost all these international conferences failed to produce a stable transitional administration or peace in Somalia. In large part this was due to the externally driven nature of these processes and continued focus on armed factions. For example, Egypt and Ethiopia were supporting opposing Somalia factions who represented their opposing geopolitical views.[5] In parallel, between November 1996 and December 1997, they also supported competing conferences in Ethiopia and Egypt. Between November 1996 to January 1997, a conference in Sodere, Ethiopia created the 41-member National Salvation Council (NSC) that was mandated to form a transitional government.[6] This is where the 4.5 clan power-sharing formula was first introduced.[7] Mohamed Farah Aidid, leader of the USC Aidid faction, boycotted the outcome of the conference. Instead the rival Cairo conference, led by Ali Mahdi Muhammed and Mohamed Farah Aidid, was held in late 1997. It brought together a 26-member NSC, which agreed to 13-person presidential council, a transitional government, a national assembly and an independent legal system.[8] The selection of a president was to be done at a proposed national reconciliation conference, which was never held due to disputes over the location of the conference.

3. The Manifesto Group consisted of 114 intellectuals including the 1960–1969 civilian government leaders and other intellectuals including religious leaders, professionals and members of the business community. They issued a manifesto on 15 May 1990 asking Siad Barre to step down. They later appointed Ali Mahdi Muhammed, a member of the group, as interim president. See: 'Somalia: Countdown to calamity', Refworld, 25 August 2011. Accessed 3 July 2023, https://www.refworld.org/docid/4e575f1f2.html.

4. Interview with political activist, Mogadishu, 1 January 2023.

5. AA Elmi and A Barise, 'The Somali Conflict: Root causes, obstacles, and peace-building strategies', African Security Review 15/1 (2006): 40.

6. See: 'The Sodere spirit', Africa Confidential 38/2 (January 1997). Accessed 3 July 2023, https://www.africa-confidential.com/article-preview/id/5880/The_Sodere_spirit.

7. The 4.5 formula divides the Somalis population into five groups along clan lines, where four of the five groups are attributed a full share of seats (Darod, Dir, Hawiye and Digil-Mirifle/Rahanweyn) and the fifth group receives a half share for group of clans.

8. 'Horn of Africa Monthly Review Dec 1997', UNDP Emergencies Unit for Ethiopia, 31 December 1997. Accessed 3 July 2023, https://reliefweb.int/report/somalia/horn-africa-monthly-review-dec-1997.

Djibouti 2000 peace conference: According to one civil society actor who was interviewed as part of this study, the main state-building process that prioritized the participation of Somali civil society, intellectuals and other parts of Somali society is the Arta conference in Djibouti.[9] In 2000, the president of Djibouti took the initiative to reconcile Somalis and hosted the Somalia National Peace Conference (SNPC). This culminated in the Arta Declaration and formation of the Transitional National Government (TNG). Unlike earlier conferences, the Djibouti conference had broader representation from Somali society, including intellectuals, women, unarmed clan leaders, religious leaders and business people. Notably, it did not include armed actors. In part, this appears to be the new role of Djibouti in the peace-building and state-building process for Somalia. Djibouti recognized the limitation of previous efforts focused on warlords, and sought to create a different format for the conference. The SNPC is also the first time in decades that women were included in Somali political processes. Their participation resulted in women being allocated 25 seats in the new parliament, with women having representation in the Somali parliament ever since.[10] At this time, youth participation in the political process was also limited.

One civil society actor argues that the Djibouti conference was successful in producing the first TNG since the state collapse because it expanded public and civil society participation.[11] The new government was based on a transitional charter. It was led by President Adbikasim Salad Hassan, along with a parliament, based on the newly agreed 4.5 clan power-sharing formula. The TNG was able to secure a measure of international recognition, and for the first time since 1991, Somalia was able to occupy its seat at the UN and regional bodies.

The warlords, along with some neighbouring countries that supported them, boycotted the conference, and its outcome and the TNG eventually failed. Ethiopia also criticized the Djibouti-led peace process for its inclusion of (and some would argue dominance by) religious groups, such as al-Islah, and depicted Djibouti as opposing the earlier Ethiopia-led peace processes.[12] Nonetheless, the Arta process has come to be considered an important stepping stone in re-establishing the fundamentals of political authority in Somalia. It is also notable that it was the first political process to feature participation from a wider group of stakeholders.

Kenya Peace Process (2002–2004): With the convening of the Somali Reconciliation Conference in 2002, a new peace process was initiated in Eldoret, Kenya. Designed and led by Ethiopia and Kenya, representing the Intergovernmental Authority on Development (IGAD), the conference sought to establish a new Somali government. The participation of civil society was, however, once again limited. This served to empower the clan warlords who restricted the number of representatives from the civil society. The eventual outcome of the conference (including the selection of a president, prime minister and speaker for parliament) was also heavily contested and fraught with difficulties between various factions. In late 2004, after almost two years of stalemate, a transitional federal charter, transitional federal parliament, transitional federal government and a president, Abdullahi Yusuf Ahmed, were finally agreed.

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9.   Interview with female civil society actor, Mogadishu, 7 January 2023.

10. Interview with female civil society actor, Mogadishu, 7 January 2023.

11. Interview with CSO actor, Mogadishu, 12 December 2022.

12. S. J. Hansen, Wasuge, M., A. Abdullahi & A. Adan, 'The Role of Religious Actors in Contemporary Somali Politics: Key Dynamics and Opportunities for Engagement', *Rift Valley Institute & Somali Public Agenda* , 2022, 14.

Negotiations around constitutional reform and elections: 2009 to present

Ending the transition and agreeing the provisional federal constitution (2009–2012): From 2009 onwards, the political process began to shift towards establishing a permanent government in Mogadishu and agreeing a provisional constitution. A new Transitional Federal Government (TFG) was established in Djibouti in 2009, following an agreement between the Alliance for the Re-Liberation of Somalia (ARS) and the TFG. As part of the agreement, the ARS selected 275 new members (equal number of the parliament) of the Transitional Federal Parliament, based on 4.5 formula, and was notable for likely leading to the growing role of religious sheikhs in Somali politics. There was, however, a broader problem. The political process in Djibouti in 2008–2009 only included politicians representing the TFG and ARS. While the outcome was generally accepted, the public did not have a role in the process. As expected, the 550 members of parliament elected Sharif Sheikh Ahmed as the new president of Somalia.

The primary mandate of the new government was to end the transition that began in 2000 and make substantive progress on drafting and approving a new constitution. The Independent Federal Constitution Commission (IFCC), established by a presidential decree and parliamentary approval in 2006, was responsible for drafting the new federal constitution for Somalia. In January 2010, President Sharif Sheikh Ahmed increased the IFCC from 15 to 30 members, and by July 2010, the IFCC had released the first draft of the new constitution for public consultations. In 2011, a Committee of Experts (CoE) was also formed to give expert advice and support to the IFCC. The UN provided technical and financial support to the IFCC, including meetings to engage with Somalis across the country and members of the diaspora, conducting media debates and supporting learning trips to other post-conflict countries.[13] In early 2012, much of the consultation during this period involved members of the IFCC and the CoE travelling to cities in Europe and the US, with support from the UN, to engage the Somali diaspora. This enabled many Somali diaspora members to attend and engage in discussions on the draft constitution as part of the Somalia Constitution Consultative Conference, which was ultimately a limited forum in terms of broader participation. At this conference, members of the IFCC and the CoE presented the chapters of the constitution followed by questions and comments.[14]

Despite these efforts to increase participation, in 2011 the Somali 'End of Transition Road Map' was agreed among a narrow set of signatories, including the TFG, the Sufi militia Ahlu Sunna Waljama'a (ASWJ), the nascent Galmudug state, Puntland state and representatives of international actors. This was intended to accelerate a number of core tasks to establish a permanent government in Somalia, including the finalization of the constitution. Following on from this, the Garowe I (21–23 December 2011) and Garowe II (15–17 February 2012) constitutional conferences to finalize the Somali constitution were attended by representatives of Somali political stakeholders and the international community. Although there was a civil society presence, both conferences and their outcomes were dominated by the signatories to the 2011 transition road map and external actors.[15] This would continue to the be the case as the constitution was finalized.

13. Heritage Institute for Policy Studies, 'Selection of the Next Somalia Parliament: The Citizen's View', Mogadishu: Heritage Institute for Policy Studies, December 2015.

14. See this video-recorded consultative conference held in Minnesota: Madasha USA, 'Somali Constitution Consultative Conference', April 2012. Accessed 3 July 2023, https://www.youtube.com/watch?v=XOg54CyHdBw

15. See the Garowe I agreement: Somali National Consultative Constitutional Conference, 21–23 December 2011, Garowe, Puntland, Somalia. Accessed 3 July 2023, https://www.peaceagreements.org/viewmasterdocument/1681.

By the end of the Garowe II conference, significant progress had been made on agreeing substantive constitutional issues, including the convening of a 1,000-member National Constituent Assembly, representing a cross-section of Somali society, to review and adopt the provisional constitution, creating a potential new avenue for participation in the political process.[16] Following the Garowe I and Garowe II conferences, the signatories to the transition road map met in Galkayo on 26 March 2012. At this meeting, it was decided to reduce the membership of the National Constituent Assembly from 1,000 to 835, with selection based on the 4.5 formula. The Galkayo meeting also introduced an innovation to formally incorporate another group of actors into the political dispensation: 135 clan elders, 30 each from the four main clans and 15 from the coalition of minority clans, who were mandated to select the members of the National Constituent Assembly, as well as the 275 members of the House of the People.[17] Despite these nominal efforts to foster a more participatory approach, the finalization of the constitution-making process continued to be perceived as elite driven, with traditional elders being seen as heavily influenced by political leaders during the selection process.[18]

Political processes around indirect elections: National Leaders Forum and the National Consultative Council (2012–2022): Since 2012, political processes have revolved around the need to agree election models. The focus of these processes has been on the Federal Government of Somalia (FGS) and the Federal Member States (FMS). While the federal parliament leadership played a key role in the 2012 and 2016 processes, the role of parliament has diminished since 2017.

In 2015, the National Leaders Forum (NLF) was established as an extra-constitutional dialogue platform through which Somali leaders sought agreement on an election model for the 2016 elections. The NLF was composed of the federal president, prime minister, deputy prime minister, speaker of parliament and FMS presidents.[19] Chaired by Hassan Sheikh Mohamud, the then federal president (who was subsequently re-elected in May 2022), NLF meetings were held in Mogadishu and Baidoa between April and December 2016. The platform addressed several issues related to the running of the 2016 elections, including establishing three electoral bodies with the mandate to oversee and implement the indirect electoral process, the (s)election model for the Upper House (new to Somalia) and the House of the People, the 30 per cent quota for women in parliament and registration fees of candidates contesting for the parliamentary seats. The NLF was also structured in a manner that allowed for some mechanisms for greater consultation. It included, for example, ministerial and technical-level committees and a parallel National Consultative Forum (NCF) format that enabled opportunities for greater consultation and broader participation, beyond the NLF principals. Although these had limited impact, they are nonetheless relevant mechanisms that could be used going forward to expand

16. Garowe II agreement: Second Somali National Consultative Constitutional Conference, 15–17 February 2012, Garowe, Puntland, Somalia.. Accessed 3 July 2023, https://www.peaceagreements.org/viewmasterdocument/1680.

17. 'Consultative Meeting of the Somali Signatories of the Process for Ending the Transition Communiqué', Galka'yo, 26 March 2012. Accessed 3 July 2023, https://unpos.unmissions.org/sites/default/files/120326%20Galkayo%20Communique_0.pdf.

18. Heritage Institute for Policy Studies, 'Selection of the Next Somalia Parliament'.

19. Federal President Hassan Sheikh Mohamud, Speaker of Parliament Mohammed Sheikh Osman Aden (also known as Jawari), Prime Minister Omar Abdirashid Ali Sharmarke, Deputy Prime Minister Mohamed Omar Arte, and four state presidents: Ahmed Mohamed Islaan (Jubbaland), Sharif Hassan Sheikh Adan (South West), Abdiweli Mohamed Ali-Gaas (Puntland) and Abdikarim Hussein Guled (Galmudug).

participation in political processes. The NLF was disbanded in 2017, following the election and swearing-in of the speaker to the House of the People.[20]

Under President Mohamed Abdullahi Mohamed (also known as Farmaajo, and who held office from February 2017 to May 2022), a similar process eventually emerged between 2020 and 2022. This is known as the National Consultative Council (NCC). Comprised of executive leaders from the federal government, the FMS and the Benadir region, the NCC again became the primary forum through which design of the upcoming election model was decided. The reason for not including the speakers of the two chambers of the federal parliament in the NCC is unclear but this could be related to efforts to further separate executive and legislative powers. NCC members had a series of exclusive meetings in Dhusamareb and Mogadishu from 2020 to 2022. Although they consulted with a limited number of stakeholders on an ad hoc basis, this group was primarily driven by its key principals. Even key advisors were often excluded from final decisions, leading to the forum being nicknamed 'the seven men', precisely because of its exclusive nature. This process gradually led to agreement on an indirect electoral model on 17 September 2020 in Mogadishu, with the NCC steering subsequent implementation of the agreement they had reached.

The NCC has since been revitalized under the second presidency of Hassan Sheikh Mohamud. It continues to function as a de facto high-level platform for executive leaders at the FGS and FMS levels, making it an extremely influential political decision-making body in Somalia, despite the fact that it has no formal role explicitly outlined in the Somali constitution. Since President Hassan Sheikh Mohamud came to power on 23 May 2022, the NCC (without the participation of Puntland) has met and agreed on key contentious political issues, including the judiciary model, power allocation, fiscal federalism, the national security architecture and elections. This process has been subject to the same criticisms as the previous NCC, with little consultation with actors outside senior political leadership, in advance of NCC discussions.

Federal Member State formation: 1998 to present

In addition to national elections and constitution-making processes, public participation in the formation of the FMS has also been fairly limited. Puntland, and to some extent Galmudug, are the exceptions. These processes are explained in chronological order, from oldest to newest FMS.

Puntland: Established in 1998 through a community-led conference, Puntland is the oldest FMS. The process of state formation provides a valuable case study for public participation (see Annex 1). Participants in the conference included traditional elders, political elites, civil society representatives and business people. In 1998, Abdullahi Yusuf Ahmed was selected as the first FMS president of Puntland, after the community-led conference adopted a three-year charter.[21] In 2005, the state parliament was established when clan elders selected 66 state MPs and the parliament then eledted Mohamud Muse Hersi (also known as Adde Muse) as president.[22] In 2009, Abdirahman Mohamud Farole became the third state president, succeeding President Adde Muse. Since then, Puntland has managed to conduct parliamentary

20. Saferworld, Puntland Non-State Actors' Association (PUNSAA) and Somalia South-Central Non-State Actors (SOSCENSA), 'Somalia's 2016 Electoral Process: Preliminary report of the Domestic Election Observer Mission', 2017. https://www.saferworld.org.uk/ resources/publications/1111-somalias-2016-electoral-process- preliminaryreport-of-the-domestic-election-observer-mission

21. Abdullahi Yusuf Ahmed would go on to be selected as the president of the TFG that was the outcome of the 2002–2004 Kenya peace process.

22. AF Ali et al., 'Peace in Puntland: Mapping the Progress Democratization, Decentralization, and Security and Rule of Law', Garowe: Puntland Development Research Center and Interpeace, 2015.

selections and presidential elections every five years, after President Farole changed the state constitutional term from four years to five years.

Jubbaland: The process for establishing Jubbaland was significantly more narrow than Puntland, led by elites and driven by significant involvement on the part of regional actors. In late 2012, Ahmed Mohamed Islam (also known as Madobe), the leader of the Ras Kamboni militia that fought alongside Kenyan forces to drive al-Shabaab out of Kismayo, declared himself president of Jubbaland. At the same time, rival faction leaders in Jubbaland, notably Barre Hiiraale, also declared themselves as president. The FGS opposed Ahmed Madobe as president of Jubbaland on the grounds that they were not part of the process that made him President and did not want to endorse a self-declared president. Driven in part by a range of external actors including neighboring countries, in mid-2013, Ethiopia organized formal talks in Addis Ababa, resulting in the FGS endorsing a two-year interim administration led by Ahmed Madobe. Since Ahmed Madobe took up the presidency, there have been no notable political processes at the Jubbaland level in which citizens have been able to participate.

South West: Although clan elders did participate in the process of state formation, including the conferences, ultimately the process for establishing South West state was also elite driven. Formed in 2014, there were differing views on what regions should be included in the state: one group felt it should encompass six regions (Bay, Bakool, Lower Shabelle, Gedo, Middle Juba and Lower Juba), while the other felt it should only include three regions (Bay, Bakool and Lower Shabelle). In December 2013, prior to the formal establishment of the state, the two opposing sides held separate conferences in Baidoa, with each conference electing a president in early 2014. Following the agreement in Addis Ababa between the FGS and President Mabode of Jubbaland state, the FGS endorsed three-region formulation for South West state.

Galmudug: Established in 2015, Galmudug is made up of the entire Galgaduud region, as well as half of the Mudug region. The process in Galmudug was different from that in both Jubbaland and South West states, as it started with a reconciliation conference in Dhusamareb that brought together key stakeholders, including representatives of the 11 clans, and was later concluded in Adado. Ahlu Sunna Waljama'a (ASWJ) also played a key role in the negotiations to form the state. Following the completion of the reconciliation conference, a power-sharing formula for allocating seats for state MPs among the clans was agreed upon. The clan elders selected the 89 state legislators, who in turn, elected Abdikarim Hussein Guled[23] as the new Galmudug state president and Ali Ga'al Asir as the speaker of the Galmudug parliament.[24] In terms of public participation, the process in Galmudug could be seen as the second best after Puntland. The clan elders were key participants in the reconciliation conference and were instrumental in selecting the state MPs.

Hirshabelle: The process used in Hirshabelle is similar to that used in Galmudug. There are two main differences, however. First, the FGS was under time pressure to have the state established. As part of the 2016 indirect election process, the Hirshabelle state parliament, which did not exist at the time, was supposed to elect the eight Hirshabelle representatives for the (federal) Upper House. Second, key stakeholders in the Hiran region wanted either a separate administration for the region or to split the region in two before agreeing the power-sharing arrangements with the clans from the Middle Shabelle region. These two factors derailed FGS efforts to reconcile

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23. Gueld was the former federal minister of security.

24. M Wasuge, FI Yusuf and A Abdullahi, 'Galmudug Reconciliation: Processes, Challenges, and Opportunities Ahead', Mogadishu: Somali Public Agenda and Interpeace, 17.

the clans before the state legislators were selected. In response, the FGS hastened events by gathering a limited selection of clan elders to push the Upper House selection process through. In turn, this group of clan elders then selected the state legislators, which paved the way for them to elect the speaker of the state parliament and the state president. The FGS decision to move forward with setting up state government structures—before there was genuine social reconciliation—severely limited participation in the state formation process and crippled the functioning of the state from the outset.

As these various FMS formation processes demonstrate, there is a pattern of limited public consultation and few opportunities for public participation in key political processes in Somalia. For the most part, these processes have been largely elite driven and (consequently) ineffective in reconciling the various stakeholders in Somali society. The few times when ordinary Somalis have been able to participate in and contribute to political processes—such as the 2000 peace conference in Djibouti or the process through which Puntland was established—indicate that not only do ordinary Somalis want to have input and participate, but when they do so, the results of their efforts enjoy widespread support among the general population. In contrast, the political and peace agreements that have been negotiated and agreed by the elites are far more fragile and often do not last. Perhaps not surprisingly, the 2000 Djibouti peace conference led to the establishment of the first TNG. Although it was short lived, this is not an insignificant achievement. On the contrary, this paved the way for subsequent state-building developments. Moreover, in the two FMS—Puntland and Galmudug—that have included public consultations and participation in their formulation have come to be the most stable states in the country. This offers concrete evidence the public consultation and participation are key to ongoing state-building processes in Somalia.

Factors inhibiting public participation

There is clear evidence that the results of processes which purposefully sought public input and participation have proven to be more durable and stable than those that were based solely on input from and the priorities of Somali elites. By way of exploring what factors limit public participation in Somali political processes, study participants were asked to explain why they think the majority of the public does not participate in political processes. They were also asked to identify factors that they think limit public participation. Examples of the factors affecting public participation include but are not limited to: 1) top—down externally driven political processes for state-building and peace and reconciliation; 2) (in)security; 3) the 4.5 clan power-sharing formula; 4) the absence of universal suffrage in democratic processes; 5) closed political space that favours the wealthy and political elites; 6) the absence of a multi-party political system; 7) weak civil society and low levels of civic education; and 8) public distrust. All of these factors are reinforced by the current closed elite-dominated political space and have led to limited success in terms of public demand for participation.

Top—down externally driven political processes: Many political processes in Somalia have been externally driven by international actors largely engaging political elites. This is most clearly illustrated in the fact that successive transitional governments are the result of conferences convened outside the country—Djibouti (2000), Kenya (2004) and Djibouti again (2009). Only the 2000 conference in Djibouti explicitly included broad representation from Somali civil society and excluded the clan warlords and armed factions. In addition, the interests of international actors, which are not always aligned to those of ordinary Somalis, have influenced both who has been invited to such events and the outcomes of these events. Finally, the oral and consultative nature of the traditional governance system in Somalia, which can take considerable time to reach widespread agreement, is at odds with the imposition of timelines (often at the insistence of external actors) for concluding peace, reconciliation and state-building processes. This serves to undermine both the beneficial aspects of traditional governance system in Somalia and the opportunities this system creates for consultation.

(In)security: A key challenge identified during numerous key informant interviews (KIIs) and focus group discussions (FGDs) is insecurity. The government has been fighting against al-Shabaab for the past 15 years and does not have control of towns and districts in parts of the country, particularly in the central and southern regions.[25] Citizens also have fears about actively participating in political processes as they may become targets for al-Shabaab, which regularly attack government officials and their collaborators. Some of those interviewed for this study state that one could be called by al-Shabaab soon after giving an interview about political matters to a media station and asked why they had talked about this subject or why they expressed their

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25. Interview with female civil society actor, Mogadishu, 7 January 2023.

views.[26] Al-Shabaab also directly tell people that participation in politics and working for government institutions makes people irreligious, and they could be punished. If a person joins the government, even at the district level, they cannot go back to their normal business or their neighbourhood because they become a target for al-Shabaab and need to look for a safe place to live.[27]

This has created an atmosphere of fear and intimidation, whereby people feel they have to hide their interest in politics.[28] Many citizens have not participated in the constitutional review and other key political processes due to al-Shabaab warnings about engaging in such matters.[29] In the south and central regions, insecurity is both more severe and more evident, and citizens who participated in the 2016 indirect electoral process did so under the threat of death from al-Shabaab.[30] For instance, some clan elders and clan delegates who participated in these elections were targeted and killed by al-Shabaab. Some of them were called into al-Shabaab-controlled areas and asked to repent for their mistake of participating in government-organized elections. When Somali citizens have participated in elections, they use tactics such as face masks or hats to hide their identities, as was the case in the 2016 indirect elections. More recently, face masks were also widely used by the clan delegates who participated in the 2021–2022 indirect elections.

The continuing insecurity and targeting of politically active people by al-Shabaab disincentivizes broad public participation in political processes. Fear of being targeted by al-Shabaab is a key reason why so many competent, well-educated and qualified people do not engage in politics or refuse to join the government.[31] Furthermore, local residents are too frightened to express their concerns in the media, fearing for their security. Many interviewees also indicate that becoming a politician requires resources such as guns and bodyguards, or at least a foreign passport.

Members of the diaspora are often seen as taking advantage of the security dilemma that Somali residents face, as they can travel internationally more easily, have connections abroad and their immediate family members often live outside of the country. This allows diaspora members to participate more actively in the Somali political sphere. Moreover, diaspora members frequently have access to financial resources and politically advantageous connections that ordinary Somalis resident in the country do not, and can leave the country when their time is finished or if there is a political or security crisis that affects their security or well-being.[32] While diaspora engagement can be an entry point for greater participation in politics, it can likewise limit the voice of Somali citizens who are long-term residents of the country.

The 4.5 system: Representation and membership in key institutions across the legislative, executive and judicial branches are based on the 4.5 clan power-sharing formula, which was formally adopted at the Arta peace conference in 2000 as a temporary mechanism for sharing parliamentary and executive powers among the Somali clans. More than two decades later, the 4.5 formula has continued to be a critical consideration when determining political representation in Somalia, as well as how the general public participates in political processes and elections in Somalia.

26. Youth FGD participant, Kismayo, 17 December 2022.

27. Interview with CSO member, Baidoa, 15 December 2022.

28. Interview with female youth FGD participant, Mogadishu, 16 January 2023.

29. Interview with CSO member, Garowe, 5 November 2022.

30. CSO FGD participant, Garowe, 3 December 2022.

31. Interview with CSO member, Beledweyne, 8 December 2022.

32. Youth FGD participant, Beledweyne 8 December 2022.

Since 2012, the formula has been strictly applied to representation in the House of the People of the Somali federal parliament, as well as at the federal cabinet level. When the first non-transitional federal government was formed in Mogadishu in 2012, clan elders played a key role in selecting members of the House of the People. Clan elders have continued to play a role in determining election outcomes since then; notably, in 2016 and 2021–2022. In principle, use of the 4.5 formula has provided a mechanism for elders to influence the political landscape. At the same time, however, prioritizing the role of elders has added to the exclusion of other segments of society, such as women and youth. Furthermore, many Somalis see clan elders as heavily influenced by politicians, feeling that elders are not neutral and the decisions they make reflect the priorities and wishes of politicians, particularly incumbent leaders. Youth who participated in FGDs believe that women and youth would only have limited chances if the current clan-based selection system continues.[33] Many of those interviewed express the view that because of the 4.5 system, women and young educated people (of both genders) are being inhibited from playing a role in politics.[34] There are ongoing discussions about whether to keep or move away from indirect elections using the 4.5 system in the 2026 federal elections, which will be key in determining if wider public participation will happen in the planned elections and other future political processes.

Lack of universal suffrage: A closed indirect electoral system has been used in Somalia since the establishment of the first Transitional National Government (TNG) in 2000. As one youth participant in the study notes: 'People have no chance to elect their representatives. Therefore, their participation is limited.'[35] Another explains, 'The political system is closed except for very few people, so key segments of the public feel that there is no space for them to participate.'[36] While the indirect system, using the 4.5 formula, was supposed to be temporary and elections were expected to move towards an open system based on universal suffrage, political leaders have been reluctant to open up the political space and have direct elections. Not surprisingly, politicians are seen as part of the problem, as they are perceived as wanting to maintain the current status quo.[37] A youth association member in Garowe echoes the same sentiment:

I don't think they [politicians] listen to the public because there is nothing that necessitates them to listen to the public views. If the public would have elected them, they would have listened. But now politicians use their money, stolen from the government, to finance their seats.[38]

Closed political space that favours the wealthy and political elites: Reflecting the 4.5 formula and the lack of universal suffrage, the Somali political space is best characterized as one that is closed, with decisions about representation and participation often made by a small cadre of political, economic and cultural elites. The legal system (law enforcement, security forces and the judiciary) is also weak and often employed to suppress opposition politicians and, on occasion, the public. There have been incidents of politicians being prevented from leaving airports or the roads being closed to block politicians and the general public from participating in peaceful gatherings and demonstrations to express their political opinions. During the 2021–2022 indirect elections, there were instances of parliamentary candidates being

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33. Youth FGD participant, Garowe, 24 December 2022.

34. Youth FGD participant, Kismayo, 17 December 2022.

35. Interview with youth, 16 December 2022, Kismayo.

36. Interview with member of Jubbaland women's association, Kismayo, 16 December 2022.

37. Interview with civil society member, Dhusamareb, 25 December 2022.

38. Interview with chair of a youth association in Puntland, Garowe, 3 December 2022.

prevented from competing for their own clan seats. As a result, political power has remained in the hands of a few incumbent elite politicians.[39]

Another reason the political space remains closed is the cost of participation, which benefits wealthy individuals and those who are able to tap into sufficient financial resources. For example, the registration fee for candidates to compete for a seat in the 2021–2022 indirect election to the Upper House was USD 20,000—in a country with a per capita income of approximately USD 450. As a result, opportunities to run for national office and engage in political processes is closed to all but wealthy individuals.[40] Many of those interviewed for this study feel that the system is enriching those who have access to government contracts or those who misappropriate public funds after joining the government.

Absence of a functioning multi-party political system: The absence of political parties also reduces opportunities for citizens to engage in political processes, and contributes to the weak accountability of politicians to their constituents.[41] The lack of political parties means that there is no formal vehicle for Somalis outside government to mobilize and engage with political processes, showcase their leadership skills and secure the coaching, mentoring and financial support needed to launch and run effective campaigns.[42] Although the National Independent Electoral Commission (NIEC) has provisionally registered more than 100 political parties, these parties did not field candidates or otherwise participate in the last two elections.

Weak civil society and low levels of civic education: The capacity of civil society organizations (CSOs) to effectively engage in politically related activities is limited. While Somalia has a vibrant civil society sector, many CSOs work in the humanitarian and development sectors and are non-partisan. Those CSOs that actively engage in political processes with both policymakers and citizens are few in number. Among those that do engage in political process, a large number are not inclusive, with the founders and leaders of many politically active CSOs prioritizing making money or using the platform as a vehicle to join politics.[43] However, there are exceptions particularly among peacebuilding, women's rights and human rights, and media CSOs.

Some participants also question the independence and neutrality of CSOs, with one CSO staff person in Kismayo criticizing CSO leaders for siding with FMS leadership.[44] While the critique of and concerns about CSO neutrality is warranted, this perspective also reflects an unrealistic expectation among many Somalis that the civil society sector should be homogenous, which could be addressed through civic education. This is demonstrated by a worrisome comment from a woman CSO member:

What often happens is that a few people organize themselves under the broader term 'CSO' but if a real and effective CSO is needed, they should all be brought together and re-organized. For instance, religious leaders are part of the CSOs but they contradict themselves and are in disagreement. They also are against other CSO segments, like women. They should be reconciled and directed to other issues that require attention rather than fighting among themselves.[45]

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39. Interview with trade union member, Mogadishu, 3 January 2023.

40. Interview with Jubbaland civil society member, Kismayo, 15 December 2022.

41. Interview with deputy minister in Puntland, Garowe, 1 December 2022.

42. Youth FGD participant, Garowe, 24 December 2022.

43. Interview with CSO member, Garowe, 5 November 2022.

44. Interview with Jubbaland civil society member, Kismayo, 15 December 2022.

45. Interview with a female civil society actor, 7 January 2023, Mogadishu.

Another limiting factor to public participation is low civic education, particularly with regard to people's right to (s)elect their own leaders.[46] While many Somalis think and believe that politicians are working to improve the system, they often do not understand their own role in overseeing politicians and holding them accountable.[47] As one FGD participant says, 'There is a very low level of public awareness. People's awareness is extremely low. I was present at the Puntland pilot local elections and people didn't even know the importance of voting cards.'[48]

The long period of chaos and lawlessness in Somalia has left a significant portion of society unaware of their basic rights and responsibilities as citizens. As a result, many Somalis not do not value, see the importance of or even understand their rights and responsibilities to participate in state-building processes.[49] In addition, there is little indication that the government is educating the public to help them understand their political rights and responsibilities.[50]

Public distrust: There is a significant trust gap between politicians and citizens, which allows those politicians in power and Somali elites to shape political processes to their own benefit. The continued use of the 4.5 system contributes to this trust deficit between politicians and elites, and the broader public, enabling the former to govern in their own interest rather than the public interest.[51] Corruption is perceived as pervasive, as many who joined the government quickly became wealthy. There is also a perception among some Somalis that participating in political processes or joining the government could lead them to corrupt practices and the use of non-*Halal* money, so they do not engage in political processes to protect their decency.[52] This reflects the influence some religious sheikhs (not al-Shabaab) have over citizen perceptions of the government, with one FGD participant in Garowe stating that a sheik once said in a mosque that it is forbidden (*Haram*) to participate in political processes.[53] In combination, this adds up to a lack of demand for political accountability.

Contributing to this lack of demand is the key role that clan identity plays in Somali culture, politics and economics. Individuals primarily identify with their clan, which can outweigh both the idea of citizenship and a wider shared Somali identity. This leaves most Somalis enclosed in their clan/sub-clan enclaves, speaking their clan/sub-clan language.[54] There is a perception that if the clan-based selection system is replaced by universal suffrage, clans could lose what political leverage and social legitimacy they currently have.[55] Given that the majority of Somalis struggle to meet their own daily needs and those of their families, participation in political processes and elections is often not one of their top priorities.[56] As one CSO member notes, 'We are poor people who struggle with our daily income, so we can't afford to run for office or participate in electoral processes.'[57] Poverty, then, also impacts demand for and interest in both political participation and accountability.

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46. CSO FGD participant, Garowe, 3 December 2022.

47. Interview with CSO member, Garowe, 5 November 2022.

48. Interview with CSO member, Garowe, 5 November 2022.

49. Interview with member of Jubbaland women's association, Kismayo, 16 December 2022.

50. Interview with civil society member, Dhusamareb, 25 December 2022.

51. Interview with member of civil society network, Mogadishu, December 2022.

52. Male youth FGD participant, Mogadishu, 16 January 2023.

53. CSO FGD participant, Garowe, 3 December 2022.

54. Interview with CSO member, Garowe, 5 November 2022.

55. CSO FGD participant, Garowe, 3 December 2022.

56. Female youth FGD participant, Mogadishu, 16 January 2023.

57. Interview with female CSO member, Beledweyne, 9 December 2022.

Avenues for greater public participation

This section outlines several avenues that offer greater opportunities for interactions between citizens and political leaders. These include examples of politicians more deliberately engaging the public and seeking their viewpoints, and even being influenced by citizen perspectives or public outcry. These are examples that can be built upon to expand public participation in political processes in Somalia.

Social media: Reaching citizens and soliciting input from them through social media is relatively new to Somali politics.[58] Nonetheless, there is clearly increased willingness by the government and political leaders to engage the public through social media. This is not, however, without pitfalls. While the increased use of social media in Somalia has allowed Somalis to more freely share their opinions on politics and other events in the country, this has also left them open to online abuse.[59] For example, former President Mohamed Abdullahi Farmaajo's citizen engagement approach relied heavily on the use of social media. His social media supporters were called '*Cayayaanka Baraha Bulshada*' (CBB), which roughly translates as 'social media insects'. It is alleged that Villa Somalia mobilized and backed social media trolls to harass opposition politicians who expressed their opinion and criticized the sitting government through social and/or traditional media.

Farmaajo is a populist politician who prioritized public engagement and created many opportunities for youth to work in government institutions, while ignoring elite politicians, which made him the preferred politician for many people. The attention given by the current administration of President Hassan Sheikh Mohamud to public opinions and views is also evident. Many believe this is due to lessons learned during the previous administration on using social media to foster increased public engagement. For example, in early May 2023, the government convened '*Kulan Dadweyne*' (a public meeting), when the president answered questions posed by in-person and online participants for approximately two hours.[60]

The increased use of social media provides the government with a means to hear the perspectives and views of the public, often filtered through influencers. In addition, citizens are starting to use social media to hold the government and their MPs accountable, as well as air their concerns and views on relevant policy matters. The reaction of government and politicians to this is illustrated by an FGD participant in Baidoa, who explains, 'The politicians use social media and they follow what is going on. For instance, you see a politician donating blood after he is criticized or visiting someone

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58. Interview with a political activist, Mogadishu, 1 January 2023.

59. There is a gendered dimensions to this and women with an online presence face more online abuse than men.

60. Watch the full public meeting here https://youtu.be/xpZ23H4LOk8

who is injured. Through the pressure of social media, politicians listen and value the public views.'[61]

Protests and public outcry: At times, opposition to government decisions results in street demonstrations. There are several occasions when the government reversed a decision or issued an apology after public expressions of fury. In Mogadishu, for instance, the former government closed the Dabka junction, significantly affecting the movement of people and vehicles. Within a few hours of public protests against the closure, the government reversed this decision. There are also several occasions when *tuktuk* or *bajaj* (motorcycle taxis) drivers in Mogadishu have protested police killings of a driver. In many cases, government soldiers shoot guns to open the road for their vehicles in the busy junctions in Mogadishu. They at times deliberately shot bajaaj drivers in the streets that block their vehicles. In several instances, the Benadir governor spoke to the demonstrators and the perpetrators were quickly arrested. Another example is when government officials spoke out about the extradition of Colonel Abdikarim Sheikh Muse known as Qalbi-dhagax to Ethiopia in late August 2017 in response to public fury.[62]

Finally, it is not only the federal or state governments that feel they need to respond to negative public reactions. Individual politicians also feel compelled to do so. Recently, the first deputy speaker of the House of the People made a comment on the sexual offenses bill that was recorded and went viral as it was interpreted that she was advocating for non-Islamic practices. The public reaction was negative, which led the deputy speaker to respond via video, while sitting with religious sheikhs, to explain that she was not promoting anything of an anti-Islamic nature.[63]

Campaigning around elections: Unsurprisingly, many of those interviewed for this study or who participated in FGDs agree that during election periods politicians solicit community and clan support for their candidacy, and actively meet with and listen to their views. Although there have been no elections based on universal suffrage in Somalia for decades, politicians nonetheless actively engage with relevant clan members during parliamentary and presidential campaigns. When a prominent political figure is contending for a parliamentary seat, support for the politician among wider clan membership can influence the votes of delegates and clan elders. This can be the case even when an FMS president does not support the candidacy. During presidential elections, the views of constituents can also influence how an MP votes. There are instances when MPs have posted on social media that they will vote for the presidential candidate their constituents prefer. This is not formalized, however, so the decision to listen to and follow the wishes of the public is not binding on MPs. As a member of a trade union says, 'The MPs can be affected by the public's choice on election day but that isn't the formal way in which we can say that their opinions and voice are being heard and considered. We can say it exists when there is a formal two-way communication between the public and the politicians.'[64]

Soliciting public support during political deadlocks: There are situations in which politicians want the public to support their decisions, so they proactively engage the public to solicit their support. Unsurprisingly, Somali politicians listen to public views when they are under pressure and want or need public support for a policy they support or position they have taken. For instance, in Puntland, when the federal government and the state president

61. CSO FGD participant, Baidoa, 16 December 2022.

62. Youth FGD participant, Dhusamareb, 26 November 2022.

63. Interview with South West MP, Baidoa, 15 December 2022.

64. Interview with trade union member, Mogadishu, 3 January 2023.

disagreed, the Puntland president mobilized people to act against the federal government.[65]

Politicians aligning with specific clan leaders and elite groups: Several study participants believe that politicians feel they do not need public input into their decisions. Instead of listening to the public, these study participants indicate that politicians tend to engage with clan elders and other political groups with influential roles in political decision-making. This more informal process of clan consultation is also a significant opportunity to build upon for consultation that goes beyond political principals, in line with traditional Somali modes of peacebuilding.

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65. Interview with female CSO member, Garowe, 4 December 2022.

Conclusion and recommendations

A number of factors positively and negatively influence the ability of Somali citizens to participate in political processes. Of all the actors with a vested interest in the outcome of political processes in Somalia, it is ordinary Somalis who most often find themselves on the outside looking in. There is clear frustration among the Somalis interviewed for this study about their continued exclusion from the political space. Shifting to a more open system that is based on universal suffrage and organized around political parties is the next logical step in Somali political development. To reach this point, however, there is considerable work that needs to be done to create an enabling environment that can support the active participation of all Somalis in political processes to foster outcomes serving the interests of the wider citizenry.

Create opportunities for citizens to directly shape and inform National Consultative Council (NCC) discussions and the constitutional review process. This involves a deliberate effort to design the NCC in a way that differs from many previous processes. This could entail developing policy options for the NCC together with citizens. This could include technical advisors to the NCC conducting policy labs on contentious issues in advance of presenting options to NCC principals, carried out in collaboration with universities, youth groups or other civil society entities. It could also include holding some NCCs as wider conferences, where a much larger set of stakeholders—citizens, elders, civil society leaders and private sector representatives—is convened together with political principals to increase the breadth of discussion. It is essential that public participation is promoted in advance of any key decisions being made. Currently, the broad consensus in Somalia appears to be that the NCC will make high-level political agreements and this will then inform the constitutional review process. This makes it all the more critical that the public are consulted at the NCC stage. The formal constitutional review process should, however, also require further opportunities for public engagement so that citizen voices are not ignored in this stage of the process.

Create or strengthen forums that encourage and facilitate dialogue between government representatives and citizens on priority policy areas, especially in relation to the implementation of political agreements. Regular and open dialogue between a government and its citizens contributes to improving the transparency and accountability of elected (and appointed) officials. Regular forums that invite politicians and the general public to come together provide opportunities for citizens to meet and exchange ideas with their representatives, provide feedback, ask questions and make recommendations. This is especially critical during policy implementation, which often requires careful consultation and adaptation even after high-level political agreement. Civil society actors could play a role in establishing or facilitating these dialogues.[66] They could also be hosted by government officials, which would demonstrate their commitment to ongoing public

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66. Interview with civil society member, Dhusamareb, 25 December 2022.

consultation and social accountability.[67] To enhance the reach of such forums, they should be video recorded and made available to the general public via social media, radios and TVs. Connecting with citizens through social media formats such as Twitter, where informal discussions are already ongoing, is particularly valuable.

Expand civic education efforts to inform the public on contentious issues. For the public to effectively engage in political processes, they need to understand their own rights and responsibilities, and the impact and implication of such processes on their lives. Many Somalis have only limited experience with formal statehood. As such, they may not necessarily understand the significance and consequences of political processes. Such civic education should be a continuous process that informs citizens of contentious areas being discussed in political processes, and the content and reasoning behind agreements. Civic education can be undertaken by civil society organizations (CSOs), the government and other relevant stakeholders. Clan and religious leaders can also play an important role, as they often live in the communities themselves. They can (but are not always) be seen as more trustworthy and sympathetic to ordinary Somali concerns than government officials, business people or other members of the elite. Finally, civic education should be incorporated into the education curricula in schools.

Strengthen media capacities for objective reporting and enhance public access to information around political processes. The media have key role in functional democracies, as they are often the source of information citizens need to make informed decisions. Through investigative reporting, for example, the media can report on questionable government decisions.[68] The media can also play a major role in educating the public on political processes. Ensuring journalists have the skills they need to investigate sensitive topics and convey an appropriate message to the public will bolster their credibility with the public. This can include televising NCC and related discussions. In addition to enhancing media capacities to investigate and report, the government should also make more information about government policies, spending and other key processes available to the general public, especially in relation to the implementation of political agreements. Ensuring that the public has easy access to budgets, at both FGS and FMS levels, as well as pending legislation and other policies, will both enhance government accountability and give citizens a greater sense of ownership of decisions that affect their lives.

Continue building the capacity of civil society actors to act as better influencers in political processes. Civil society actors have a key role to play in pressuring the government and defending the rights of Somali citizens as guaranteed in the constitution and other international agreements to which the country is a signatory. Those CSOs that see themselves as government watchdogs, champions of democratization and defenders of inclusive politics in Somalia should be supported and encouraged to engage and influence political processes. Providing funding and capacity building to such CSOs will contribute to their being able to fulfil their role. Insofar as possible, CSOs should be supported both to focus on connecting with grassroots constituencies and to develop business models that do not make them entirely reliant on external funding. In addition to CSOs that focus on specific issues or constituencies, relevant civil society umbrella groups such as the Somali Non-State Actors (SONSA) and state-level civil society networks also exist. Some participants

67. CSO FGD participant, Baidoa, 16 December 2022.

68. Among other things, media in Somalia is constrained by two key structural factors: 1) Somalia is one of these most dangerous operating environments in the world for journalists (therefore ensuring safety is essential); 2) the vast majority if journalists do not receive salaries or benefits, which means brown envelop journlism is highly prevalent. In general, there is very little public interest media content and very little capacity to produce it. This obviously impinges on media capacities to play their role.

propose the need for an umbrella group for all civil society organizations, with elections to choose group leadership.[69] Encouraging and supporting civil society actors to adopt and apply democratic practices when selecting their own leadership could improve their legitimacy in the eyes of the public, as a civil society actor in Garowe emphasizes.[70] At the same time, expecting and encouraging all civil society actors to consistently speak with one voice, or silencing those who are not aligned with the accepted message, would be detrimental to Somali political development. This could set a precedent that legitimates reducing civic space, marginalizes the diversity of Somali interests and needs, and stifles open debate in the future.

Regardless of election model chosen in 2026, support opportunities for candidates to engage the public in the electoral process. Building on the growing realities that politicians do engage citizens at election moments (even when indirect), supporting town-hall style and online meetings in which politicians set out their priorities and gather feedback from citizens can gradually strengthen accountability. This can create expectations among citizens on the ambitions of political leaders around contentious political issues and processes, and generate citizen demands for more transparent and effective action around them.

Work with women and youth to give them the skills and confidence necessary to actively engage in political processes, including running for elected office. A common refrain heard throughout the consultations for this study is that women and youth are often purposefully excluded from political processes, with priority given to older and wealthy men. Women make up approximately half of Somali population. Similar to other countries in Africa, the majority of the Somali population—almost 80 per cent—is under the age of thirty-five years old. The continued exclusion of these two keys groups from political leadership positions has left a large segment of Somali society feeling unrepresented. More fully engaging women and youth in political processes would help to balance the considerable influence that men (particularly older men) have in Somali politics. The immediate needs of women and youth include: training women on negotiations with clans on seat allocation, if the elections are based on clans; coordinating women and youth efforts to engage in political processes; and supporting campaign-related capacity building.

Make clear and measurable progress in shifting from the 4.5 formula to a multi-party system, based on universal suffrage. Ultimately, direct elections are essential for giving a greater say to citizens in political decision-making. From Garowe to Kismayo to Beledweyne, the need to change how Somalis select their leaders is a perspective shared by many participants of the study. As one FGD participant in Garowe asserts:

The public can participate in the political process when a multi-party system is established. However, we need a gradual democratization process. We cannot go from indirect election process to 100 per cent democracy. Public participation can be achieved through a multi-party system that is gradually developed.[71]

In Kismayo, a politician argues that the only way to increase participation and government accountability is to form political parties and allow people to directly elect their representatives: 'If we want to increase public participation in politics, we should have an open political system free from clannism and favouritism.'[72] Finally, a youth in Beledweyne voices a similar view: 'I think

69. Interview with female civil society actor, Mogadishu, 7 January 2023.

70. Interview with CSO member, Garowe, 5 November 2022.

71. CSO FGD participant, Garowe, 3 December 2022.

72. Interview with Jubbaland politician, Kismayo, 15 December 2022.

social accountability can be increased by forming political parties and allowing people to elect their representatives. That will facilitate the accountability and participation of CSOs and the wider public in politics.'[73]

External actors should be careful not to enable narrow political processes. External actors need to be wary that their support for political processes does not (wittingly or unwittingly) contribute to creating barriers that inhibit public participation. This means engaging beyond political elites to consistently message about and incentivize the need for wider public engagement, rather than simply seeking agreement by a particular deadline. External actors also need to be aware of when funding a political process can undermine local ownership.

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73. Youth FGD participant, Beledweyne, 8 December 2022.

Annex 1. Case study: Puntland state formation

In 1991, the Siad Barre government was overthrown by various clan militia groups, with the help of Ethiopia, causing the disintegration of the country along clan lines. Many members of the Darod clan, who had skills and knowledge needed to run government institutions—including civil servants, technocrats and state army commanders—migrated to north-east Somalia. This exodus of skilled individuals, coupled with the fact that the civil war did not affect the north-east region or state institutions, made it easier to establish an administration in the region.[74] As fighting continued in the Mudug region, however, the political and traditional leadership of the Darod clan decided to re-establish the Somali Salvation Democratic Front (SSDF), a militia that took part in the ousting of the Barre regime, as the primary defence and political organization in the region.[75]

Puntland state was formed through a long series of conferences that include a wide range of stakeholders beyond political elites. The long-term process of establishing Puntland state has origins in discussions during a conference in Garowe in June 1991, which was convened to discuss forming a regional administration in the north-east region. This was followed by the Peace and Life Conference in December 1993, which mobilized an alliance of Harti clans and was further reinforced by the outcome of the second National Reconciliation Conference in Addis Ababa in 1993.[76] A series of meetings were held in following years, including the SSDF meeting in Sodere, Ethiopia in 1997, eventually culminating in the *Shirweynaha Dastuurka Waqooyi Bari* (the Constitutional Community Conference) in Garowe in 1998.[77]

An important innovation promoting participation in the 1998 political process is that the conference included delegates from the various regions in the north-east, with each district submitting a list of delegates who should represent them at the conference. This list was validated by the traditional elders, who are known as '*Isimo*'. The allocation of delegates was done per region based on population of Darod sub-clans inhabited in the regions, agreed as follows: Bari (97), Nugaal (56), north Mudug (56), Sool region and Buhoodle district (96), Sanaag (56), western Galgaduud (42) and diaspora (30) from the relevant regions. Unfortunately, the Galgaduud region did not send delegates because the Marehan clan in Galgadud region had concerns on the ongoing conflicts in Jubaland supported by the Somali Salvation Democratic Front (SSDF). The delegates were selected by their communities according to their own agreed procedures, and each of them were to have voting rights at the conference.

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74. War-Torn Societies Project, *Rebuilding Somalia: Issues and Possibilities for Puntland*, London: Haan, 2001. This case study relies heavily on this analysis because the most comprehensive documentation of Puntland state formation processes.

75. War-Torn Societies Project, *Rebuilding Somalia*.

76. War-Torn Societies Project, *Rebuilding Somalia*.

77. PDRC, 'Puntland's Political Transformation: Taking the First Steps toward Democratic Elections', Garowe: Puntland Development and Research Center, 2014.

A total of 512 delegates, including experts, advisors, lawyers and the *Isimo,* participated in the conference.[78]

Abdullahi Yusuf Ahmed was elected as the first president of Puntland and Mohamed Abdi Hashi as vice president by the 66-member House of Representatives, whose seats were regionally divided and distributed to the lineages of the Darod sub-clans: North Mudug (10 seats), Nugaal (9 seats), Bari (21 seats), Sool (15 seats) and Sanaag (11 seats).[79] After considerable debate, it was agreed that the allocation would include five women, to be nominated by each region.[80] There was no accommodation for minority groups. An overwhelming majority of the 512 conference delegates approved the proposed distribution of parliamentary seats, along with the speaker of the parliament.

A three-year provisional charter was also adopted to transition from a clan-based system to democratic elections. The first state administration failed to complete crucial tasks that were outlined in the charter, such as drafting a new constitution, conducting a census, holding a referendum and preparing institutional frameworks for the establishment of the Puntland Electoral Commission and political parties.[81] Other developments in the country distracted the president and the new government in achieving its mandated tasks. The President continued to lead the state until he was elected as the President of the Transitional Federal Government established in Kenya in 2004.

The process of forming Puntland state is more locally owned than other Federal Member State (FMS) formation processes. The SSDF had resolved to cover the costs of the conference primarily through local resources. The slogan '*Iskaa Wax-u-qabso*' (relying on ourselves) was heard frequently from politicians, elders, and the general public, particularly after it became clear that international funding would not be forthcoming.[82] Additional contributions from the diaspora as well as private donations, covered the remaining conference costs. The international community, which initially pledged to fund the conference, did not contribute after the Sool and Sanaag regions were included in the conference, as these two regions had been claimed by the Somaliland administration.[83]

The process of state formation in Puntland was not without its challenges, however. In 2001, there were tensions and protests as the executive branch of government and the parliament sought to extend their mandates. The former wanted to extend by one year to finish the tasks in the provisional charter, while the latter wanted to extend its mandate by three years. This lead to tensions and protests. As a result, the provisional charter expired in 2001 without a replacement, leading to a political crisis and clashes between militia led by General Abdullahi Yusuf Ahmed and General Mohamud Muse Hirse (also known as Adde) in Bosaso and Qardho districts. This crisis lasted for two years and resulted in the death and displacement of state residents, and paralyzed the economy.[84]

This conflict was resolved by a wide range of stakeholders. Puntland traditional elders, *Isimo*, and the business community, aided by the diaspora community, initiated mediation efforts between the conflicting groups in 2002. By May

78. War-Torn Societies Project, *Rebuilding Somalia.*

79. A Adam, 'Legitimizing Puntland: Exploring Puntland's hybrid political order', MA thesis, Norwegian University of Life Sciences, 2018.

80. War-Torn Societies Project, *Rebuilding Somalia.*

81. PDRC, 'Puntland's Political Transformation'.

82. War-Torn Societies Project, *Rebuilding Somalia.*

83. War-Torn Societies Project, *Rebuilding Somalia.*

84. PDRC, 'Puntland's Political Transformation'.

2003, an agreement was signed, which merged the militias of the two warring sides and formed the first Puntland Darwish forces, which are military units that operate under the auspices of the state and are under the command of the state president.[85] In May 2005, Mohamoud Muse Hersi (Adde) was elected president of Puntland state after the incumbent, Abdullahi Yousuf Ahmed, became president of the Transitional Federal Government (TFG) of Somalia. Adde established a Constitutional Review Committee (CRC),[86] comprised of MPs, cabinet ministers and independent lawyers. Since Adde's time in office, successive Puntland presidents have attempted to transition the state from indirect elections to full democratic elections but their efforts have not been entirely successful. Nonetheless, the recent municipal elections in 2021 and 2023, based on universal suffrage, do show progress.

Abdirahman Mohamud Farole succeeded President Adde Muse in 2009, revising and completing the Puntland provisional constitution in the same year.[87] While this was an important step towards the introduction of a multi-party political system in Puntland, when the constitution was changed, Farole extended the presidential term from the initial four years to five years, which caused controversies (Abdullahi, 2021). Although the Farole administration was technically prepared and capable, the president did not get enough buy-in from the Puntland political elite for the changes to the system he wanted to implement. While Farole states that he wanted to introduce a multi-party system, his critics argue that extending his term was problematic and unjustifiable, asserting that if he could not organize elections in his initial four-year term limit, there was no way he could organize elections during the additional year of his term.[88] During his last year in office, however, President Farole passed several laws that are important for the democratization of Puntland, including the amended and ratified constitution (passed in April 2012), the Political Association Law (approved in June 2012) and the Local Council Election Law (passed in September 2012).[89]

Building on the progress made by the previous administration, the current Puntland incumbent, Said Abdullahi Deni, elected on 8 January 2019, led the state during its first ever democratic local government elections, with three pilot districts passing the litmus test. The Transitional Puntland Electoral Commission (TPEC) was established by Said Deni in good time, and this early commitment gave the commission a conducive and flexible working schedule and timelines. Elections were held in three districts—Ufeyn, Qardho and Eyl—in October 2021, marking a significant milestone in the democratic transition of Puntland, underpinned by full public political participation. On 25 May 2023, Puntland conducted historic one-person-one-vote elections in the remaining districts of the state. Although there were protests by different political associations about the process, with accusations that the incumbent was gerrymandering the elections, the success of these elections put Puntland on a new path, whereby the public wields the ultimate decision to elect their representative—a right that citizens of the state have desired but were denied for many years.

Establishing Puntland state was complex process that involved a series of conferences and compromises, as well as bloodshed and political picketing. Two primary factors benefited Puntland during this process: 1) the violence that ensued following the collapse of the Barre regime collapse did not affect the region, leaving much state infrastructure untouched; and 2) the return of

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85. PDRC, 'Puntland's Political Transformation'.

86. A Abdullahi, 'Puntland Democratization: Process, Challenges and Ways Forward', Mogadishu: Somali Public Agenda, 2021.

87. Abdullahi, 'Puntland Democratization'.

88. Abdullahi, 'Puntland Democratization'.

89. Abdullahi, 'Puntland Democratization'.

people with experience in public administration and political movements to the region.

The communities in the north-east regions are descendants of one clan family, the Harti/Darod. Their relative neglect by successive Somali governments helped to sustain the traditional structures of governance and the *Isimo* continue to command respect and authority.[90] The *Isimo* were crucial to the successful establishment of the Puntland state, as they provided leadership in the face of the divisions within the SSDF, sustained public confidence in the initiative and used their authority to chair and mediate the Garowe conference.[91] In addition, the *Islaan* (clan elder) of the Isse Mohamoud sub-clan in the Nugaal region, who hosted the conferences in Garowe in 1991 and 1998, had substantial authority and made it clear that the conferences took place under his protection. The determination of *Islaan* Mohamed to overcome successive challenges and obstacles in the processes is one of the factors for their ultimate success.

The involvement of institutions such as Puntland Development and Research Center (PDRC), War-Torn Societies Project (now Interpeace) and other technical experts, including constitutional lawyers, who helped write the Puntland provisional charter, also contributed to the smooth operationalization of the 1998 conference.[92] The measures put in place by the SSDF to allocate a specific percentage of the tax collected from Bosaso port to fund the conference was successful and gave the conference local legitimacy. Finally, the resilience and commitment shown by the participants, the organizers and the general public to ensure its success is another primary indicator as to why the conference bore the desired results. These are the key lessons that can be learned from the political process that established Puntland state, which could serve as a hallmark for other states or the federal government when it comes to future public political participation and state-building efforts.

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90. HA Mohamed and AAM Nur, 'The Puntland Experience: A Bottom-up Approach to Peace and State Building', Garowe: Interpeace and PDRC, 2008.

91. PDRC, 'Puntland's Political Transformation'.

92. PDRC, 'Puntland's Political Transformation'.

Credits

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