

SAA CID



NED-Funded District Education on Democracy, Rule of Law, Conflict Resolution and Conflict Management, Good Governance and Federalism

Bermuda Enclave

1-6 February 2009

Summary

Thirty persons from Bermuda Enclave today began a 5-day-long training on learning conflict resolution and conflict management, good governance, the rule of law, federalism, and democratic principals.

Facilitator briefed the participants about the purposes of the workshop as well as the subjects would be tackled which help Somalis solve their problems if implemented properly.

After the collapse of Somalia's central authority nearly 20 years, Somalia has never had a functional government despite the convention of nearly 20 national reconciliation conferences. The last Somali Parliamentary conference held in Djibouti from 20th to 30 January have produced the merger of the Alliance of the Re-liberation of Somalia (ARS) and the Transitional Federal Government bringing the number of members of Parliament from 275 to over 500. Then, the new Parliament elected Sheikh Sharif Sheikh Ahmed who was the chairman of (ARS) as Somali President. Now, the new President started consultation with various segment of Somali society for the appointment of the new Prime Minister. He left Mogadishu today (Tuesday, February 10, 2009) after spending three days in the capital having consultations with community leaders, religious people, civil society organizations (CSOs) and opposition Islamist groups.

The Bermuda enclave is located in the centre of Mogadishu. The enclave is formed from parts of 4 districts:

- Hodan
- Hawl-wadag
- Waberi
- Hamar-jajab

The enclave came to prominence when the last Somali government fell in January 1991. In fact, the final rebellion in the city that overthrew that government is said to have begun in Bermuda. The enclave received its name from the Bermuda Triangle – “whatever goes in never comes out”.

The enclave is an extremely poor area of the city, with many minorities moving to the area to find places where they can subsist. With so many different clan elements and entities, there has been a lot of conflict and dispute over the years, and many freelance militias have preyed on the area. During the worst of the civil war (1991-6) the area was part of the “green line”, and many people perished. The area was mostly largely isolated from the rest of the city in those years, and the conditions for health, food and water were extremely poor.

That recent historical legacy has had an indelible impact on the enclave, and the economic and political reintegration of the enclave into the rest of the city remains very poor.

Day one

Sunday, 1 February 2009

Topic: Good Governance

The group first recited some verses of the Holy Koran. Then the participants were then asked how they perceived “Good Governance” in the Somali context. Participants were divided into 5 groups, and they came up with the following points:

Group 1

- Good governance is the legacy left behind by our late President Mohamed Siad Barre.
- Good governance is the system that could provide law and order and discipline
- Good governance is that one that satisfy the majority
- Good governance is to follow the Islamic tenets
- Good governance is people’s-driven system

Group 2

- Good governance is good performance of government business
- Good governance is cohesive force that brings together people of the different background
- Islamic is the sources of good governance

- Good governance is a system that attracts people's wishes
- Good governance knows no nepotism

Group 3

- Loyal government
- United administration
- Good governance should be based on consultation
- It should work through the Islamic teachings
- Good governance leads people to unity

Group 4

- Good governance is the best way to govern a society that lives in one country
- It's a system that lead people to justice and equality
- Good governance is a system that against exploitation and apartheid
- It leads intermingling among the society
- According to our believes good governance's base is the implementation of Islamic Sharia

Group 5

- Good governance is a system that leads its people to unity
- It leads to development
- Law and order
- Justice and equality
- It should enjoy the blessings of its people and the implementation of Islamic Sharia

After the exercise, facilitators talked about the characteristics of Good Governance and its definition.

After the exercise, facilitators gave the participants an outline of Good Governance practices taking into account the United Nations list of characteristics of good governance.

- Participation
- Transparency

- Responsiveness
- Consensus orientation
- Equity
- Effectiveness
- Accountability
- Strategic vision

The desired results achieved in the right way.

Good governance is the process that will produce decisions that will achieve both the desired results and achieving them in the right way.

As previous workshops, facilitator enlisted the 8 points in the millennium Development Goals (MDGs) adopted at the Millennium summit in New York in September 2000.

- Eradicate extreme poverty
- Achieve universal primary education
- Promote Gender equality and empower women
- Reduce child mortality
- Improve maternal health
- Comb at HIV/AIDS and other ailments
- Ensure environmental sustainability
- Develop global partnership for development

Session ended

Day 2

Monday, 2 February 2009

Topic: Federalism

The group first recited some verses of the Holy Koran, and did a recap of the previous day's session. Participants were then asked how they perceived "Federalism" in the Somali context. Participants were divided into 5 groups, and they came up with the following points:

Group 1

- Federalism is regionalism
- Each region has the opportunity to govern itself
- A government system that each person participate in running of government business
- Some of world government use the system of federalism
- Federalism is a system that could led to justice

Group 2

- Federalism is a regional freedom which have a central government
- It's people wish
- It's a system that was copied from the western institutions
- It isn't good for Somalia
- It divides the society

Group 3

- Federalism is a system that allows independent state or regionalism
- Other country use federalism as a system of governance
- It's a government structure that each state has its own administration
- Federal states have central government
- It's a democratic system

Group 4

- Federalism is one of the political structures that use some of world communities
- Federal system has a central power that brings together the federated units
- Federalism allows multi-party system
- It accepts market-oriented free trade

Group 5

- Federalism is regionalism
- Each state has its own administration and some power delegated to the central government
- Sharing resources on equal footings
- The people should provide its support through referendum
- Federal allows state independence

As with previous workshops, the facilitator talked about the different modalities of decentralized system of government namely: the unitary state, federation, confederation and Consociational.

Here is the definition of federation:

“A federation is an association of states which agree to form a union under a federal government, while retaining full control over their own internal affairs. There are several different ways in which sovereignty can be divided between the centre and the regions or provinces, but the most usual is for the federating units to agree to a triple list of powers, e.g. those to be exercised exclusively by the centre; those to be exercised exclusively by the regions or province; and a concurrent list of powers that can be exercised by both the centre and the regions. In this latter case, mechanisms have to be established for resolving conflicts of interest that may arise over the appropriate level for particular decisions.

Session ended

Day 3

Tuesday, 3 February 2009

Topic: Democracy

The group first recited some verses of the Holy Koran, and did a recap of the previous day's session. Participants were then asked how they perceived "Democracy" in the Somali context. Participants were divided into 5 groups, and they came up with the following points:

Group 1

- Democracy is norm set forth by people living in one place/ country
- Democracy is a western ideology
- A society free for its fate
- It has norms/charter

Group 2

- It's a system used by almost the entire world
- Democracy permits to the people to conduct an open live
- It's against the Islamic teachings
- It's a system used by countries that believe they are the developed among the communities in the world.

Group 3

- Democracy is power sharing
- Free voting
- It has limits
- Democracy isn't divisible
- It for people existence

Group 4

- Democracy is different ideas put together
- No apartheid or segregation
- No oppression
- Free trade

- Whites and black have equal rights

Group 5

- Democracy is a peoples-driven concept
- Freedom
- It's for the Infidels
- It's for western countries
- Democracy is a system that's against "our Sacred Islamic religion"

Then, facilitator explained the meaning of democracy saying it derived from the Greek word of DEMOS and KRATOS which means people and power.

He further explained that democratic principals consist of direct democracy, representative democracy, constitutional and liberal democracy and economic and social democracy.

The term of democracy indicates a form of government where all the state's decisions are exercised directly or indirectly by a majority of its citizenry through a far elective process. When these factors are met a government can be classified as such. This can apply to a multitude of government systems as these concepts transcend and often occur concomitantly with other types.

Democracy is a form of government in which people hold the power, either by voting for measures directly or by voting for representatives who vote for them.

The session ended.

Day 4

Wednesday, 4 February 2009

Topic: Conflict Resolution

The group first recited some verses of the Holy Koran, and did a recap of the previous day's session. Participants were then asked how they perceived "Conflict resolution" in the Somali context. Participants were divided into 5 groups, and they came up with the following points:

Group 1

- Conflict is different thoughts that people look from different angles
- Conflict is something that leads people to confrontation
- It may lead to armed bloody conflict
- Conflict prevails in a society where there's no law and order
- Conflict is something that falls apart within the society

It is societal destruction

Group 2

- Conflict is confrontation between the society
- Misunderstanding
- It may be ignited between couples, clans, neighbors, etc
- It causes society's destruction and economic backwardness
- Demagoguism and no concession
- Conflict resulted in the division of the people
- Displacement

Group 3

- Conflict happens between people living in one country
- Misunderstanding among the society
- Doubtfulness and skepticism
- Non-receptiveness
- No-Respect

Group 4

- Different ideas
- Misconception
- Lack of sharing resources
- Exploitation

- Poverty
- Mistrust
- Lack of pragmatic leadership

Group 5

- Misunderstanding
- No governance
- No law and order
- Exploitation
- No governance

The facilitator gave an outline on conflict resolution and conflict transformation and the process of mediation efforts bearing in mind the current political situation in Somalia and the wave of violence in the capital in particular. Then, facilitator explained to the participants the definitions of conflict, mediation and the importance of community mediation centers for the society as well as the process of negotiations.

Defining the topic, facilitator said: “Conflict involves struggle between two or more people over values, or competition for status, power or scarce resources. While, mediation is a process by which disputant explore mutually satisfactory solutions to differences or make some common agreement or plan through the facilitation of a third party. Meanwhile, negotiations is a problem-solving process in which two or more people voluntarily discuss third differences and attempt to reach a joint decision on their common concerns.

The session ended.

Day 5

Thursday, 5 February 2009

Topic: The Rule of Law

The group first recited some verses of the Holy Koran, and did a recap of the previous day’s session. Participants were then asked how they perceived “The Rule of Law” in the Somali context. Participants were divided into 5 groups, and they came up with the following points:

Group 1

- The rule of law should come from good governance
- Laws are equal for all
- Judges should be clean from corruption and Allah-fearing person
- Citizens should abide by all laws of the country
- All people should respect the laws

Group 2

- Justice-driven administration
- Law and order are the vanguards of peace and tranquility
- The Islamic laws (Sharia) is the most appropriate laws for the planet earth
- Judges that win the people confidence
- Mentally-fit and mature people are liable for all laws

Group 3

- Broad-based administration
- Full peace
- Justice
- Equality
- Group 4
- Where there's no government there's the law of the jungle
- Law-enforcement agencies that could implement the laws properly
- A stable society
- Allah-fearing

Group 5

- Independent judiciary
- Justice
- Law-abiding society

- Law enforcement agencies
- Justice-driven judges
- All people should be equal in front of the laws

After the exercise, the facilitator said that the Justice Department or the Ministry of Justice leads in all judicial matters within a given administration.

The facilitator told his audience about the fountain of all laws flows from the national constitution which is now the transitional Federal Charter, whose drafters advised all clauses not contained herein could be referred to the 1960 constitution that Somalia.

The Ministry of Justice, which supervises the running of judiciary, puts the judicial responsibility on the shoulders of the Supreme Court. There are also other courts the e.g. appeal court, regional courts, and district courts. There also Sharia courts that deal with marriage, inheritances, civil cases etc. All these courts have regional and districts seats. Every court has its judges. The State Attorney General is the defender of the state.

The tug-of-war existed between the Islamists and the Secularists seems to be closed to the effect that the merger between ARS and TFG narrowed the gap existed before; but it remains to be seen how the course of event would turn the Somali conflict.

The session ended.

Participants Evaluation of the Workshop

Evaluating the overall performance of the workshop, the participants from Bermuda enclave gave their views by scoring a scale 1 to 5:

None of the 30 participants have marked grades 1 or 2

Only 2 participants out of 30 has marked grade 3

A total of 3 participants out of 30 marked grade 4

A total of 25 participants out of 30 marked grade 5