

# SAACID



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

**Hawl-wadag District**

**13 – 18 October 2008**

Thirty-five people from Hawl-wadag District in Mogadishu began a five-day-long workshop to learn more about the concept of federalism, conflict resolution and management, the rule of law, good governance, and democratic principles.

The workshop is funded by the National Endowment for Democracy (NED) of USA and implemented by SAACID.

Facilitators gave an overview of the 5 subject areas that will be dealt with during the workshop period.

The participants worked out a set of norms to be followed during the workshop period.

- Not to smoking
- Put off/silence cell phones
- Not to go out without permission
- To raise hand to make contribution
- Respect each other
- Avoid repetition
- Toying on the topic

## **Background**

Hawl-wadag Vice Chairman, Mr. Ahmed, said the District's name means **sharing work** for development in every aspect of life, and jointly faces all issues concerning the district, which goes through extensive consultation among the inhabitants' of the 4 sub-districts: namely Sayid Mohamed, Ahmed Gurey, Hawa Tako and Saqaawadiin. All these names belong to Somalia's well-known freedom fighters during the colonial time.

Also, the district has the graveyard of Abdulkadir Sheikh Saqaawadiin, the leader of Somali Youth League, the ruling party that Somalia led to independence in 1 July 1960 from nearly a century of Italian colonial rule. To honour the martyr, his name was also given to a school run by SAACID.

Meanwhile, the district houses numerous Internally-Displaced Person (IDP) camps as some parts of the district population fled from the armed Islamist insurgents. Now, Hawa Tako sub-district is controlled by the Islamists after fierce fighting between the government and the insurgents. The district has no medical facility, such as a, Mother and Child Health (MCH) centre. Most of the people in the District run small businesses at Bakara Market, one of the strongholds of Islamist groups. Poor people in the neighbourhood benefit from the SAACID run food kitchens.

## **Day 1**

**Monday 13 October 2008**

**Theme: Conflict Resolution**

Participants divided themselves into groups, discussing what conflict is and how it is resolved? The groups came up with the following responses:

### **Group 1**

- Conflict is a misunderstanding between 2 or more people
- It may arise from politics to family feud to siblings rivalry
- It affects livelihood

### **Group 2**

- Conflict may spark off between family, 2 tribes
- Controversy over issues ranging from politics to football game
- Angry and anxiety may lead to conflict

### **Group 3**

- Conflict is an action that could happen between 2 persons, 2 districts or groups
- Difference of opinion
- Conflict may led to anguish

### **Group 4**

- Conflict is a head-on collusion between two or more parties
- Conflict is an argument between two people or two tribes and etc
- Conflict is lack of divergent views
- Conflict is misunderstanding

### **Group 5**

- Conflict is misunderstanding between 2 or more people
- Two groups, 2 tribes and 2 nations
- Conflict is caused by greediness , dawn-looking attitude and hegemony

After this exercise, the participants also addressed how to resolve conflict in Somali context and coming up with the following responses:

- **Group 1**
- The neutral sides should stand to stop the conflict and bring the warring parties into conference table
- The warring parties should have a referral traditional team or government administration that could intervene to put to an end the conflict
- Two get a win-win results
- To establish an stable atmosphere conducive for comprehensive talks
- Both sides should exhibit signs of readiness to end the conflict
- Both sides should came at the conference table with good faith
- The mediation team should be just, loyal and trustworthy
- Early stage of negotiations should be secretive
- The solution should be satisfactory for all parties

## **Group 2**

- A justice-driven judge should be in place
- Concession should be the answer
- The Holy Koran should be the basis of the conflict resolution
- Impartiality should be the result
- Respect and discipline

## **Group 3**

- Mediating team should provide good ground for peace talks
- To avoid signs that may ignite further misunderstanding

## **Group 4**

- Mediating team should thoroughly make analysis on the root-cause of the conflict
- It is ought to find out people capable to come up with a genuine solution
- Warring parties should come on the conference table
- Disengage the armed wings of both sides

## **Group 5**

- Mediation
- Traditional approach and wise-men involvement
- The rule of law as well as customary law
- Forgiveness from the parties
- Local conflict resolution mechanism should be employed if any
- If the conflict is of political dimension compromise is the answer

During the 2 exercises, group presenters responded to questions from other participants.

The facilitator told participants about the definition of what conflict is and the benefits of mediation?

“Conflict involves struggle between 2 or more people over values, or competition for status, power or scarce resources”.

Meanwhile, mediation is a way of helping people to resolve conflicts by reaching mutually acceptable agreements. Often, juvenile, civil and family courts refer cases to the Community Mediation Centre (CMC) to enable people to resolve disputes without having their cases go further in the legal system.

He said conflict couldn't jump up suddenly. It builds up during times and then it explodes to an extent where those involved could not stop and may led to bloody armed confrontation.

Considering the Somali conflict, some observers believe its root cause could be started right back from the colonial days, after the independence while others contend that it came to surface during the rule of toppled military regime which resulted the present cycle of bloody violence that engulfed the country for the last 18 plus years.

The immigration of up-country people to urban centres in the early sixties, the Somali-Ethiopian war during Emperor Haile Sellasie rule in 1964, the vote-rigging in 1964 elections, the Arab-Israeli war in 1967, the 6-day war and the subsequent closure of Suez Canal, which adversely affected the exportation of Somali bananas to European markets ,the growing rate of unemployment, the poor education system, the military junta take over in 1969, the introduction of scientific socialism as a political system in 1972, the 1973 Arab-Israeli war, which hiked the price of oil, maladministration of government, narcotic drug trade and Qat consumption, the diminishing rainfall pattern, the harsh ecological system and environmental degradation, the skyrocketing prices of essential commodities, house rent, fuel and food prices, embezzlement of public funds, the surge of the rate of hyper inflation, the corruption, were among the basic elements that sparked off the present conflict.

Soon after toppling the military regime, the Somali warlords failed to address the ills that plunged the country into never-ending bloody civil war, thus bringing on the battlefield another Islamist group that made the precarious situation worse than before.

When mediation is successful, every body wins.

- People resolved conflicts for themselves rather than having a judge tell them what to do
- Youth learned communication skills that can help them prevent other conflicts
- Discussions and resolutions remained confidential, helping to preserve personal and personal relationship.
- People involved in disputes and the courts saved time and money

Mediation also is used by individuals and businesses to solve all kinds of problems, such as consumer complaints, divorce settlements, custody matters and workforce issues. Mediation takes less time and money than litigation and lets the parties maintain control of decisions.

The session ended as planned.

## **Day 2**

**Tuesday, 14 October 2008**

**Theme: Democracy**

### Group 1

- Democracy means that each person should do what he/she desires
- No interference in personal freedom
- Equal rights for all
- Full rights for free expression
- Same rights for women and men in terms of resources etc.

### Group 2

- Democracy means equality for all
- No clanism
- Unity and well-established system which all are satisfied
- United government
- It's for Western countries

### Group 3

- Democracy is equality
- It's justice
- It's an international regulations
- No corruption no tribalism
- It is equality for both men and women
- Democracy is system worked out by rule-driven countries

#### Group 4

- Democracy is a system without religion
- Democracy is a system employed by majority of nations in the world
- Democracy is freedom
- Democracy is a world-wide system

#### Group 5

- Democracy is freedom
- It is a system whose decision taken by its own people
- It is independence
- It is regionalism
- People with different ideas but have a common goal
- It is unity

As in previous workshops, the facilitator talked about the origins of democracy, who and where the term democracy was coined, its subsequent spread in the world's political landscape, and how it positively affects the people's livelihood if implemented properly.

The facilitator gave participants an outline of a paper presented on 19 December 2002 by Maulana Wahiduddin Khan, President of Islamic Centre in Pakistan. The author argues that "Islam is a religion of peace and co-existence, wherein there is ample scope for freedom of expression. You express your views even if you differ. The decision is arrived at through consensus in all important matters. Islam's superiority over other religions lies in the fact that it gives utmost importance to the opinion of the people. This fact is clearly illustrated in the Quran and the Hadiths. The Quranic verse "Am Ruhum" (Chapter 42-Asura; verse 38) - whose affairs are a matter of consultation is an ample proof.

In order to understand the concept of democracy in Islam, one should have the knowledge of the Quran, the Hadiths and the Sunnah. Prophet Mohamed himself set a tradition by not appointing his successor during his life time and left it to the people to decide their leader. The first 4 Caliphs – Abu Bakr, Umar, Usman and Ali, known as Khilafat-e-Rashida (the Enlightened Caliphs), were the choice of the people. The Ummyyat King Umar-bin Abdulaziz also qualifies to be enlisted among the enlightened Caliphs because he refused publicly to accept the Kingship on the basis of his nomination by his father. He accepted the kingship only when the people elected him.

Islam is not against 'change' but it is certainly against 'coercion'. The established governments should not be replaced by resorting to erroneous methods but by going to the people and making themselves realizes the shortcomings of the prevalent system. The so-called Jihadists, working at the behest of Pakistan, instead of launching deadly attacks on institutions of democracy like the Indian Parliament, should go to the people and ask them to vote against the present systems if they were not satisfied with it. But the irony is that they neither themselves cast their votes nor allow others to participate in the electoral process. Instead they issue threats against people participating in elections. They even resort to killing and humiliating innocent people. They should realize that by resorting to such mean tactics they are toeing the agenda of Pakistan who is out to demolish every possible institution in our country to hamper our progress. Such heinous crimes are acts of cowardice in the eyes of Islam.

The author says that the concept of Islam is best understood that Islam is practiced at two levels – the infrandi-individual level and the Isalamayee-collective level. At the individual level, a person is free to adopt the manner of worship he likes, etc; but at the collective level, it is the voice of the people, which is to be given preference. In the social context, it is the Isalamayee Islam, which is to be practiced, and democracy is a social concept.

Participants welcomed the program urging the organizers to extend its timeframe. Unlike our previous perception, now we came to conclusion that we learned more about democracy and conflict resolution methods.

The session ended.

### **Day 3**

**Wednesday, 15 October 2008**

#### **Topic: The rule of law**

Asked the participants when a citizen could be described as law-abiding person?

##### Group 1

- Where there is stability rule it can be implemented
- Islam is the rule of law
- Organized society can follow the rule of law
- A broad-based government could have the rule of law
- A justice-driven leader

##### Group 2

- A united administration
- Religious and Allah-Fearing leaders
- Civic-minded and advanced society
- Stability and peace

### Group 3

- The prevalence of justice and equality within society
- Discipline and respect
- Good governance
- Unity

### Group 4

- When formed a united and broad-based government
- United society
- Peace and stability
- When feel the need for rules and regulations

### Group 5

- When there's no tribalism and sub-clannish
- Educated society
- Genuine administration
- Loyal government
- Security
- United people

## **Thursday, 16 October 2008**

### **Topic: Good Governance**

After the usual morning ritual prayers, participants split into groups to know about how they conceive the subject on good governance.

### Group 1

- When people are satisfied with their leaders performance
- Respect of law and order
- Security and discipline
- It's for people, family or institutions
- Constitutionality

### Group 2

- Good governance begins from family to nation with a united people
- Performing family life with frank and good governance
- Good governance is necessary for the whole aspect of life
- It's the foundation and pillars for the government

### Group 3

- Security and the rule of law
- Good education, promising future, independence, and unity
- Nationhood

- The right to know what's going around the world
- Freedom of movement
- A hope for the emerging generation in terms of education, open mind and good rearing
- Enjoying full security

#### Group 3

- Good governance brings together with people from different background
- It ties together government and people
- Good governance should be based on religion and democracy
- No more tribalism and dictatorship
- Rule of law

#### Group 4

- Understanding
- It started from the grassroots level - from family to nation
- Opposition accommodated
- Islam is good governance
- Justice and equality
- No undue argument

Then, facilitators briefed them on Good Governance practices taking as an example to Hawlwadag local/district government structure and the best way to introduce good governance in its present structure.

1. Participation
2. Transparency
3. Responsiveness
4. Consensus orientation
5. Equity
6. Effectiveness
7. Accountability
8. Strategic vision

#### **Goggled from the website, the following description have been given to the characteristics of good governance**

Good governance has 8 major characteristics. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.



### Characteristics of good governance

#### Participation

Participation by both men and women is a key cornerstone of good governance. Participation could be either direct or through legitimate intermediate institutions or representatives. It is important to point out that representative democracy does not necessarily mean that the concerns of the most vulnerable in society would be taken into consideration in decision making. Participation needs to be informed and organized. This means freedom of association and expression on the one hand and an organized civil society on the other hand.

#### Rule of law

Good governance requires fair legal frameworks that are enforced impartially. It also requires full protection of human rights, particularly those of minorities. Impartial enforcement of laws requires an independent judiciary and an impartial and incorruptible police force.

#### Transparency

Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and media.

#### Responsiveness

Good governance requires that institutions and processes try to serve all stakeholders within a reasonable timeframe.

#### Consensus oriented

There are several actors and as many view points in a given society. Good governance requires mediation of the different interests in society to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved. It also

requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of a given society or community.

### **Equity and inclusiveness**

A society's well being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream of society. This requires all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well being.

### **Effectiveness and efficiency**

Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of the environment.

### **Accountability**

Accountability is a key requirement of good governance. Not only governmental institutions but also the private sector and civil society organizations must be accountable to the public and to their institutional stakeholders. Who is accountable to who varies depending on whether decisions or actions taken are internal or external to an organization or institution. In general an organization or an institution is accountable to those who will be affected by its decisions or actions. Accountability cannot be enforced without transparency and the rule of law.

### **Conclusion**

From the above discussion it should be clear that good governance is an ideal which is difficult to achieve in its totality. Very few countries and societies have come close to achieving good governance in its totality. However, to ensure sustainable human development, actions must be taken to work towards this ideal with the aim of making it a reality.

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.

1. Eradicate extreme poverty
2. Achieve universal primary education
3. Promote Gender equality and empower women
4. Reduce child mortality
5. Improve maternal health
6. Comb at HIV/AIDS and other ailments
7. Ensure environmental sustainability
8. Develop global partnership for development

One participant said: “First of all let me thank to Allah and SAACID and the donor for this opportunity. We want that the time should be extended from 5 days to more. It has been so useful and interesting, and we are learning so much”.

## **Day 5**

**Saturday, 18 October 2008**

**Theme: Federalism**

After morning chores, facilitators asked the participants if they had heard the word “federal” before. Three respondents said they heard of the word, while the rest said they had heard it for the first time following the formation of the present transitional federal institutions.

Then, participants divided into groups coming up with the following:

### **Group 1**

- Regionalism
- Power sharing
- United society but different administration
- A broad-based administration that bring together all societal segments

### **Group 2**

- United regional autonomous administrations that a central government that controls the whole country
- A democratic administration which have a central authority
- A government based on cooperation which link a constitution that’s respected throughout the country
- Federal government has a federal parliament, a central government which implement all development program and projects
- The federated units come directly under the federal government
- The federal system balances the country’s productive sector
- The federal system if implemented properly leads the country towards development

### Group 3

- Federal is a transitional government
- Federal is a system chosen by the people
- Federal is a power-sharing mechanism on an interim basis

### Group 4

- Federal is a different provincial administration but decided to have a single leadership
- A people who live together and have a single united administration
- Federal is the amalgamate of different states but have single leadership

### Group 5

- Federal is united regions
- Each clan should live in its own region
- It separates people
- Federal is transitional for Somalia
- It's an idea from the warlords
- It has a federal president, parliament, a prime minister and defence

Like the previous workshops, facilitators defined federation as the following:

“Federation is an association of states which agree to form union under a federal government, while retaining full control over their 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 exercised exclusively by the regions or provinces; 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 interests that may arise over the appropriate level for particular decisions”.

The session ended as planned.