

SAA CID



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

Wardhigley District

25-29 October 2008

Thirty people from Wardhigley District began a 5-day-long workshop to learn topics on conflict resolution and conflict management, the rule of law, federalism, democracy and good governance.

The name Wardhigley means the *lake of blood*, because the residents often had armed bloody clashes using poison-coated arrows, spears, daggers and lethal traditional weapons when the people fought over grazing areas, water, women and land dispute ownership at the beginning of last century.

Wardhigley consists of 5 sub-districts, namely:

- General Dawood
- Hanti-wadag
- Hamar Bila
- Barwaaqo
- Horseed

The last two areas have fallen in the hands of armed insurgents fighting with the government forces. There is a big market in the General Dawood sub-district, which is the only market that provides revenue for the local government. There are 4 schools in the district; but all require rehabilitation. The Mother and Child Centres (MCH) in the district are non-functional. A considerable number of Wardhigley inhabitants are now living in the outskirts of Mogadishu as displaced persons (IDPs). People have become destitute because of the war. Those who have remained in the neighbourhood are living in abject poverty – depending solely on small businesses.

Day 1

Topic: **Conflict Resolution**

Saturday, 25 October 2008

Participants opened the workshop with morning prayers, and setting the following code of conduct during the workshop period:

- No smoking
- Put off/silence cell phones
- Respect one another
- Punctual
- Be topical
- No murmuring among the participants
- No repetition on issue raised before

Before addressing the topic, participants were 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

- To institute an independent mediation commission
- Warring parties should sign a letter of consent to heed for the commission's verdict
- It ought to be found from knowledgeable sources
- To convene more meetings for successfully completion on mediation process

Group 2

- The best way to solve a conflict is through Islam
- Equality and justice
- Unity and healthy mind
- Confidence and trust among the warring sides
- Judges free from fear and favouritism should be in place
- The mediation part should look for all avenues that may result for peace
- Public awareness raising
- Warring parties should show willingness for ending hostilities

Group 3

- Warring parties should have confidence in Allah, the All-Mighty
- Concession is the answer
- The parties should try to convince their point of argument to one another
- Justice
- Shuttle is the basics for conflict resolution
- To find an atmosphere conducive for talks

Group 4

- To bring together warring sides
- To listen to each point
- To mediate through justice
- Mediators should enjoy the confidence of warring sides
- To satisfy the complaint side
- To find out the root cause of the conflict
- The decision reached by the mediators should satisfy the warring parties

Group 5

- True understanding
- Justice for all sides
- Islam teachings
- Consensus
- Allah-fearing attitude

Then the group answered the question, what is conflict?

Group 1

- Misunderstanding
- No consultation
- Inconsiderate
- Hegemony
- Injustice

Group 2

- Misunderstanding
- Continuous fighting
- IDPs and refugees
- No peaceful intervention isn't insight

Group 3

- Conflict is between 2 or more people who cannot reach peace
- Conflict leads to IDPs and destruction
- Conflict could be politically motivated e.g. the present Somali conflict
- Conflict may erupt between family and neighbours as well
- Conflict may spark off from tribalism
- Conflict may arise from dawn-looking attitude and superiority complex

Group 4

- Misunderstanding
- Differing views
- Mistrust
- Disruption of communication

Group 5

- Injustice
- Nepotism
- Mistrust
- Disrespect
- No consultation

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 the facilitator explained to the participants the definitions of conflict, mediation and the importance of community mediation centres for the society; as well as the process of negotiations.

Defining the topic, the facilitator said: “Conflict involves a struggle between 2 or more people over values, or competition for status, power or scarce resources. While, mediation is a process by which disputants explore mutually satisfactory solutions to differences or make some common agreement or plan through the facilitation of a third party. Meanwhile, negotiations are a problem-solving process in which 2 or more people voluntarily discuss their differences and attempt to reach a joint decision on their common concerns”.

The benefits of mediation ways of helping people resolve conflicts by reaching mutually acceptable agreements. Often, juvenile, civil and family courts refer cases to the Community Mediation Centres (CMC), so as to enable people to resolve disputes without having their cases go further in the legal system.

On present Somali conflict, participants contended that it was a politically-motivated conflict with all the protagonists involved fighting for power and money, like many African countries. Both warlords and Islamists conspired with international actors to give a hard time to ordinary Somalis, who in their entirety desire to conduct a peaceful life to maintain their families through their toil.

When mediation is successful, everybody wins.

Participants received copies of conflict resolution handouts.

The session ended as planned.

Day 2

Sunday, 26 October 2008

Topic: **Democracy**

After morning prayers, the facilitator asked the participants how they perceived democracy. They divided into groups and came up with the following:

Group 1

- Democracy is to get a government based on justice and unity
- Democracy not to suppress people’s ideas
- The right to vote
- The right to be elected to public office
- Democracy is people’s power
- To refrain from clanism

Group 2

- Democracy is for the people
- Democracy is equality for all
- No clanism
- Free and fair vote

- People's decision

Group 3

- The sources of democracy is Islam
- People should be empowered with democracy
- Each person should have the right to elect whom he /she wants
- Each person should enjoy his freedom
- Every person should live peaceful environment and reside where he/she wants in his/her country

Group 4

- Islam is democracy
- It's freedom
- To preserve and maintain the freedom of all beings
- Every one should have the right to express his/her opinion
- It's ought to respect personal freedom

Voting is an important part of the democratic process.

Democracy is a form of government in which the supreme power is held completely by the people under a free electoral system. It is derived from the Greek word of demos "people" and (*kratos*), "rule, strength".

In political theory, *democracy* describes a small number of related forms of government and also a political philosophy. Even though there is no universally accepted definition of 'democracy' there are 2 principles that any definition of democracy includes. The first principle is that all members of the society have equal access to power and the second that all members enjoy universally recognized freedoms and liberties.

There are several varieties of democracy some of which provide better representation and more freedoms for their citizens than others. However, if any democracy is not carefully legislated to avoid an uneven distribution of political power with balances such as the separation of powers, then a branch of the system of rule is able to accumulate power in a way that is harmful to democracy itself. The "majority rule" is often described as a characteristic feature of democracy, but without responsible government it is possible for the rights of a minority to be abused by the "tyranny of the majority". An essential process in representative democracies are competitive elections, that are fair both substantively and procedurally. Furthermore, freedom of political expression, freedom of speech and freedom of the press are essential so that citizens are informed and able to vote in their personal interests.

Popular sovereignty is common but not a universal motivating philosophy for establishing a democracy. In some countries, democracy is based on the philosophical principle of equal rights. Many people use the term "democracy" as shorthand for liberal democracy, which may include additional elements such as political pluralism, equality before the law, the right to petition elected officials for redress of grievances, due process, civil liberties, human rights,

and elements of civil society outside the government. In the United States, separation of powers is often cited as a supporting attribute, but in other countries, such as the United Kingdom, the dominant philosophy is parliamentary sovereignty (though in practice judicial independence is generally maintained). In other cases, "democracy" is used to mean direct democracy. Though the term "democracy" is typically used in the context of a political state, the principles are also applicable to private organizations and other groups.

Democracy has its origins in ancient Greece. However other cultures have significantly contributed to the evolution of democracy such as the American Indians (Weatherford 1990) Ancient Rome, Europe, and North and South America.

Democracy has been called the "last form of government" and has spread considerably across the globe. Suffrage has been expanded in many jurisdictions over time from relatively narrow groups (such as wealthy men of a particular ethnic group), but still remains a controversial issue with regard to disputed territories, areas with significant immigration, and countries that exclude certain demographic groups. Forms of democracy include representative democracy, liberal or constitutional democracy, and economic and social democracy and direct democracy.

Day 3

Monday, 27 October 2008

Topic: **The Rule of Law**

After morning prayers, the participants asked what they know about the rule of law. Dividing into groups, they came up with the following responses:

Group 1

- The rule of Islamic rule which the Quran
- It should be implemented to the letter
- Law should be above all
- Civic minded people are law abiding
- What people decided is Law

Group 2

- The respect of hierarchical order of authority is itself the rule of law
- Law abiding citizens are knowledgeable of all laws
- The implementation of all laws is the bases for tranquillity
- Public awareness raising on laws is important for the society

- The rule of law minimizes conflicts

Group 3

- Laws are the balance between wrongs and rights
- Discipline and order
- Family's existence depend on the laws
- Two quarrelling people must refer their argument to the law enforcement agencies
- Laws are the element that guides the society
- Laws are the guardians of the country and its boundaries
- Laws protects the weaker segment in the society

Group 4

- Nationalism
- Islamic teachings and other tenets of Islam are the bases for law abiding society
- Superiors should respect subordinates in the face of the law

Group 5

- Security
- Discipline and order
- Law-enforcement agencies
- The constitution/charter

After completing presentations, participants asked questions on their findings.

As in previous workshops, the facilitator said the rule of law implied the existence of law and other judicial systems within societies, and were enshrined in the texts of the law itself.

In the Somali case, the Transitional Federal Charter is the source of all laws. All people living within the Somali territory are all subjected to the laws in the country.

All law-enforcement agencies, e.g. the police force various department, the office of the attorney general, the different levels of courts, prison wardens, and good citizenries are implementers of law and order.

The President is the Guardian of the constitution.

Day 4

Tuesday, 28 October 2008

Topic: **Federalism**

After morning prayers, the participants asked what they know about federalism. Dividing into groups, they came up with the following responses:

Group 1

- Regionalism
- Independent regions for their local affairs
- United people that established administration
- Federal is for people's interest
- The federated units have one common goal but different interest

Group 2

- Federation is a system that brings together people from different background
- Its based on consultative approach
- People from different ethnic group but have a federal government
- United administration for developing their people and country
- It has a centre of power that administer the rest of the country

Group 3

- Regionalism
- People of same purpose but with different approach
- People who have no common religion
- A united people
- Federation is a system to be decided by the interested people

Group 4

- Provinces come together
- Mixture of people from different background
- Its people's interest
- It unites the country

Group 5

- Regional autonomy
- Federal is united people from different economic, social and religious background
- Federalism is power-sharing
- Regions united in the field of economy and military

As in previous workshops, the facilitator told the participants about the meaning of federalism and other models of government structure, such as a decentralized unitary state, confederation and consociational systems.

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".

Some participants pointed out that the Transitional Federal Institutions seem to have failed in drafting of the Federal Constitution, which was an important component for its mandate. For almost 4 years, they have failed to come up with something tangible aimed at drafting the federal constitution. Against this backdrop, it's impossible for them to complete the challenge in less than a year, one participant argued. He was apparently referring to the recently-concluded IGAD summit meeting in Nairobi, in which the TFG has been given an ultimatum to draft the federal constitution within less than one year.

Day 5

Wednesday, 29 October 2008

Topic: Good Governance

After morning prayers, the participants asked what they know about good governance. Dividing into groups, they came up with the following responses:

Group 1

- Good governance could be retrieved from the Holy Koran
- An international norm
- Justice and unity
- Intellectuals and wise people are the vehicle for good governance
- Good governance is disciplined and law-abiding society

Group 2

- Good governance started from Mum and teachers
- Justice and confident equality
- Islamic Sharia
- Good governance is unity and consideration
- Respect prevails everywhere

Group 3

- Good governance started from family governance
- Leaders should be justice-minded
- Proponent for development
- Knowledgeable
- Refrain from tribalism and sectarianism
- Allah-fearing attitude

Group 4

- Good governance is justice for all
- Leaders should go around at night to know peoples livelihood
- Incoming generating projects
- Education for all and free medical service
- Maintain security and prevent malevolency

Group 5

- Good governance starts from married couple
- Leaders should know peoples basic needs
- Loyalty
- No clanism
- Allah-fearing attitude

Then, facilitator briefed participants about the United Nations list of characteristics of good governance.

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

Having in mind the above mentioned characteristics of good government, facilitator reminded participants and Wardhigley leadership to implement them to the letter and spirit if they want to develop their district.

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.

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

Participant evaluation

Evaluating the workshop overall performances, they described it as superb. One participant said SAACID not only gives to Mogadishu districts capacity building programs, but it also provides some nutrient for the stomach.

Participants from the district of Wardhigley - NED workshop expressed their opinion on the training situation such as administrative /logistics, training programme contents, on the training programme materials and design, on the trainers and participants perceived impact of the overall training workshop by putting one cross on the most relevant box after each statement:

None of the 30 participants have marked grades 1 and 2.

A total of 2 participants out of 30 marked a grade of 3

A total of 11 participants out of 30 marked a grade of 4

A total of 17 participants out of 30 marked a grade of 5