

IS THE ROLE OF CIVIL SOCIETY DECLINING IN SOMALILAND?

DISCUSSION PAPER



ISIR OBJECTIVES

Institute for Strategic Initiatives and Research (**ISIR**) is an independent not-for-profit thinktank dedicated to contribute building of democratic, pluralistic societies and effective public institutions in the Somali Horn of Africa region through research and Policy analysis.

What is inside?

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1.0. Introduction

The idea of civil society movements in the Somali territories and in particularly Somaliland goes back to colonial time when clubs for public orientation, education and even independence movements were formed to resist the colonial administrations. However, it was formalized after the independence and particularly during the nine years of Somalia civilian administrations between 1960-69. Civil society at the time had existed in the form of professional associations¹. Nevertheless, it was short-lived as the military junta took over Somalia in 1969 and imposed a total deprivation of civil liberty movements.

The situation remained unchanged during the two decades of the military rule until Siyad Barre was ousted in 1991. The first civil society groups started to re-emerge and gradually became the only reliable institutions after the collapse of the central government, and later flourished. At that time, the situation was chaotic and large numbers of returnees had been coming back from refugee camps with empty hands to empty destinations. The newly formed civil society organizations mainly NGOs were engaged in relief and recovery efforts to respond to the needs of returning civilians as well as public mobilizations through volunteerism.

Later, when the aid agencies in Somaliland increased, quite significant number of local non-governmental organizations were formed. The

momentum extended to bring forces together and build consortiums of youth, women, people with disability and minority groups among others. After 2002, the civil society extended their role from aid services to advocates for democratization, good governance, rule of law including access to justice, and have participated in the national policy dialogue processes. For instance, civil society made progress in their advocacy efforts for youth and women inclusion in government leadership.

Comparing to many countries including neighboring states, Somaliland was praised in the past for introducing relatively growing democratic attributes including active participation of vibrant civil society groups and freedom of expression, but more recently, there are skeptical questions related to the new direction of the civil society and its movements.

This discussion paper examines the current civil society prominence and their declining objective role in Somaliland and will pose the question as to why civil society have not progressed to the level they should have been, with some arguing the trend is going downward thus the missing voice of the third sector created space for the return of clan narratives to the benefit of partisan politics hence widening internal division among citizens. This comes at critical time where civil society's role is imperative to the democratization of Somaliland.

2.0. Why Civil Society?

Over the past centuries, civil society existed in different platforms, but its specifications and differentiation from state or sovereign authority had parallelly evolved as the development of the concept of the statehood². For instance, during the European enlightenment period³, people started to configure themselves along ideological lines influencing the

social capital settings to a more of bridging social capital. In the next generations and with the arrival of the technological and economic developments, the class struggle over the inequality has led to the political transformations and innovations of approaches to address issues and to balance competing social groups.

¹ This include labour, trade unions, and clubs for teachers, doctors, bankers and even dockers

² A conceptual History of Civil Society: From Greek Beginnings to the End of Marx, Boris Dewiel

³ Is also called the 'Age of Enlightenment', of a late 17th- and 18th-century, which emphasized the reasoning, individualism, and skepticism. The view challenged the traditional religious views in Europe at that time.

The theoretical arguments over the foundations and roles of civil society between the liberal democracies and the Marxism views as well as the internal competitions within each theory was not exceptional in explaining the current definitions and roles of civil society. The western liberalism emphasized the role of civil society in light of political and civil rights, but the Marxists concentrated the role of civil society in view of economic and social issues, and each group had its arguments in promoting specific ideological interests⁴.

The first United Nations’ sponsored universal declaration of human rights (moral obligations) had similarly addressed the freedom of association and efforts to deliver in both fronts; civil liberties and equality to the economic means⁵. However, the concept of strengthening civil liberty as the key to all other rights including economic and social fronts dominated the global forums since the past three decades.

There are different views with respect to defining and describing what civil society are⁶, and what makes them different from a sovereign state and private sector (business).

United Nations	World Bank	African Development Bank	European Union
With respect to UN, civil society is the “third sector” of society, along with government and business. It comprises civil society organizations and non-governmental organizations. ⁷	The WB has adopted the definition “wide array of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations.”	The ADB states: “Civil society encompasses a constellation of human and associational activities operating in the public sphere outside the market and the state. It is a voluntary expression of the interests and aspirations of citizens organized and united by common interests, goals, values or traditions, and mobilized into collective action either as beneficiaries or stakeholders of the development process.”	The EU considers CSOs to include: “all non-State, not-for-profit structures, non-partisan and non-violent, through which people organize to pursue shared objectives and ideals, whether political, cultural, social or economic ... they include membership based, cause-based and service-oriented CSOs.”

These four definitions have same notion but expressed in different terms. They share independence from state affiliations and freedom from business interests as they are brought together by a common objective.

According to world economic forum⁸, over the last two decades, civil society has evolved significantly. Viewed at a global level, civil society is flourishing. Technology, geopolitics and the markets have created opportunities and pressures, spurring the creation of millions of civil society organizations around the world, giving rise to exciting models for

citizen expression both online and offline, and generating increasing involvement in global governance processes.

The relationship between the state, business sector and the civil society was very narrow, but today, the role of civil society is clearer than it had been many years before. They serve to counterweight state authorities and present issue at concern on the table or represent certain disadvantaged or interest groups on the issues at stake. In many cases, this has helped to make policies and decisions more inclusive.

⁴ A conceptual History of Civil Society: From Greek Beginnings to the End of Marx, Boris DeWiel, and A Companion to the Philology of Law and Legal Theory, 2010

⁵ The Universal Declaration of Human Rights (UDHR), 10 December 1948 (General Assembly resolution 217 A)

⁶ The Future Role of Civil Society, 2013

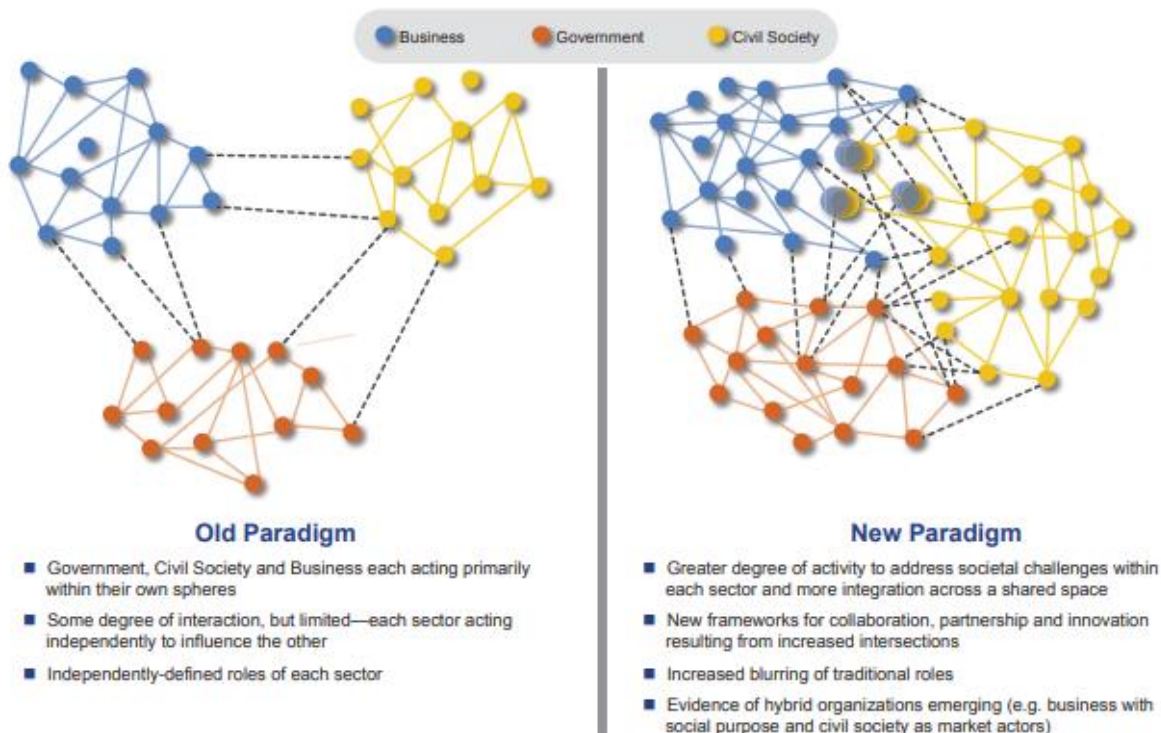
⁷ UN/Home/Civil Society

⁸ The Future Role of Civil Society, 2013

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Source: World Economic Forum/ KPMG



The fall of the communist pact marked the enhancement of liberal democratization and institutional readjustments in the third world, and the 1990s witnessed widespread of civil society movements. In between 1990-2006, the number of CSOs were reported to have increased from 6,000 to more than 50,000, all over the world⁹. However, their working environments were varied and could be graded from fully open space to hostile environment were the work of the civil society was almost impossible. In Somaliland alone, approximately 1209 NGOs are registered¹⁰.

In Somalia, “The military regime [in the 70s and 80s] was suspicious of community-driven activities and the national security services sought to suppress such activities”¹¹. Needless to say, the criminalization of independent civil society did not only deprive the freedom of thought and expression, but it also restricted any opportunity to engage dialogue by any talented citizens and offer peaceful solutions to address the deteriorating situation in the last decade of Siyad Barre’s regime. In 1982, a

⁹ The Future Role of Civil Society, 2013

¹⁰ ICNL, February 2015

¹¹ ICNL 2013 Report on Research Assessment of the legal framework for civil society in Somaliland and Puntland

group of young and educated volunteers, UFFO¹² tried to address the needs in the public services including Hargeisa only public hospital, but the government assumed it contempt against the state and responded with extreme reaction, a move which unfolded public anger and revolts. During Barre's regime, pro-government labour unions and collectivization groups of the production sectors were forcefully introduced, but the measures ended up with state domination reinforced by oppression and finally led to economic failure¹³.

Following the downfall of Barre regime and the declaration of Somaliland independence, the spirit of civil society started to revive. The Somali Relief and Rehabilitation Association (SORRA)¹⁴ was the first formal civil society to emerge in a critical era, 1991. The association was powered by civil society veterans (former UFFO members) who were instrumental in post conflict relief delivery, rehabilitation of public facilities and most importantly introducing the culture of volunteerism in the aftermath of war.

Feysal Osman from Saferworld says: "civil society organizations stepped in to fill the governance vacuum and provide vital services. They have played a number of important roles – from supporting peacebuilding and conflict prevention to promoting democratization and providing humanitarian aid"¹⁵. Worth to note is that development of a new civil society group had been paralleled by the disappearance of others.

Ordinary people have different impressions with respect to the purpose and role of civil society, for some people, they are important ingredients and catalyst in building responsive governance and advocates for equally accessed power and opportunities, but others perceived it as an alien concept and sponsored by foreign donors to use them as a channel for outsourcing foreign agendas.

Apart from the registered civil society, the community-based committees in addressing peace building, disarmament and rehabilitation of the basic services in the rural and urban centers were

effective in a clan-configured society and were mainly headed by elders and reputable figures.

The stages of the local civil society evolution from 1991 may be measured by their developmental status over the past 28 years. It is worth to mention that the investment by the international partners had been significant in these developments. For instance, European Union (EU) specifically and for long time sponsored the Non-State Actors (NSA) capacity building programs. It had offered material inputs, exposed them to international forums and seconded them experts.

The current status of the civil society can be inferred from reviewing their developmental stages which can be summed up:

1. **Re-emergence stage:** this was the initial period of both state and non-state authorities. The country has been in turmoil under the influence of the war tone context. Most of the civil society organizations had no registration and had no proper governance and plans. However, they were important partners in delivering humanitarian response programs by the time aid agencies.
2. **Reshaping stage:** it refers the period between 1997-2004. In this stage, a number of organizations have made significant progresses in institutional building and from individual organizational development towards networking and consortium building on the bases of social groups. It was when the networks for women, youth, people with disability, and environment were established.
3. **Regularizing stage:** starting from the Joint Needs Assessments in 2005 by the United Nations in Somalia which later led to the Reconstruction and Development Program (RDP), a degree of financial and technical investments was dedicated into the public institutional reform. The reform¹⁶ mainly

¹² UFFO was a youth social group.

¹³ Scarcity of land in Somalia, BICC, 2009

¹⁴ Established by UFFO members

¹⁵ Saferworld, June 2018

¹⁶ Under the leadership of late Hon. Ali Ibrahim Mohamed (Ali Sanyare), the Minister of Planning in Somaliland 2006-

targeted the Ministries of National Planning and Finance's fiscal reform as well as Civil Service Commission. At the same time, reform management units/taskforces powered by development experts were injected into these authorities, and as a result, the first Somaliland NGO bill was initiated and later approved in 2010. This has been a legal turning point in relation to the governance of the civil society groups.

In this stage, the civil society have taken different specialization paths depending on the motive of establishment or other motivations including resource opportunities. The main roles are:

- ✓ **Advocacy:** the networks and particularly youth, women and people with disability consortiums tried to influence the national policies and pressured for change on the issues effective of their lives
- ✓ **Watchdog:** human rights-oriented organizations had long time tendency to monitor the behavior of state authorities including law enforcement and

judiciary sector and to measure against the given legislations. Others focus on the governance responsiveness by measuring the degree of service provision to the citizens against plans and budgets. The idea is to hold government to account and to promote transparency

- ✓ **Service:** some organizations concentrate on providing educational, health or livelihood support as well as emergency response activities in the remote areas

In addition to the direct contribution of the civil society, they have significantly improved the professionalism of the large swaths of young people in the form of employment, internships and volunteering and who have finally become development workers. Interest based affiliations within the civil society have been always an issue, but at least, it had been limited within the civil society groups, and the involvement of external forces was almost lacking, but that trend has been changing since 2011.

3.0. Issues

Despite the progress made by the civil society, there has been increasingly challenging issues observed over the past eight years. Among the key critiques include civil society values being compromised rather than acting as a tool for accountability.

- **Shrinking traditional civil liberty space:** The public attention has recently attracted the Somali Horn of Africa region wide focus discussions led by number of East Africa base-thinktanks. One key highlight from these discussions is the lack of civil society independence, and Somaliland is no different. This is restricting and is negatively affecting civil society's ability to inform the public on matters of general interest, as well as inconsistencies in treatment of certain

individuals and groups seeking to express or report issues. These disproportionately affected the freedom of expression¹⁷. Moreover, civil society fell short of holding the government accountable (Watch dog role) when basic civil liberties are violated.

- **Partisan/partiality issue:** one of the merits civil society enjoyed was to keep stick to their institutional standards of conduct and ethical values, and as result of that, they have confronted certain political behaviors of policy makers to the good of the population (regardless of being ruling or opposition). Recently, the neutrality and objectivity of the key civil society groups were questioned by one of the opposition

2010, and formerly United Nation's International Labor Organization (ILO) East Africa Regional Director

¹⁷ Somaliland Human Rights Annual Report 2018

political parties right before the 2017 presidential elections¹⁸, in fear that they were pushing the political agenda of the ruling party. Regardless of the accuracy of the allegations, any loss of confidence can be a harsh blow to the trust enjoyed by the civil society.

- **Internal democracy:** contesting over leadership of the civil society itself is a part of the democratization, but what seems to be competition along clan affiliations had been increasingly engaged in the period of civil society elections. This had weakened the spirit of their team work and to some extent

compromised the given organizational objectives and rules. The situation has further deteriorated more recently after the clan line competition of some civil society groups has been accompanied by building political affiliations in favor of one against the other group.

- **Credibility gap:** the frequency of disputes had been always coupled by lack of term limit in certain civil society leadership, and which consequently reflected perception of NGOs as one's or group's own businesses.

4.0. Opportunities

Having mentioned some of the issues facing the civil society, there are still opportunities to mitigate the dilemma and even innovate the idea of civil society so that it can be objective and sustained.

- **Integrity:** civil society are not sovereign authoritative powers like a state and not business driven by profit like a corporate, rather it is trust based mechanisms and that is the biggest capital any civil society has. As such, sticking to the purpose, and total and noncompromising adherence to the ethical guidelines can give bigger audients and legitimacy to represent. For the civil society to survive, they may promote the ideal values and enrich them with competent personnel to boost their credibility.
- **Transformative civil society:** Somaliland civil society should double check themselves against the goals they aim to achieve and the possibility of meeting their visions, but also, they should critically evaluate the effectiveness of their approach. The “public acceptance” and “attitude change” are not static. Friction is always associated during attempts to reform social construct, but the success depends on the

methods used and the professional integrity exercised.

- **Favorable environment:** the civil society space is constitutionally protected right. Although concentration of what had already been achieved may be subjected to corrective measures and sound reforms, but that doesn't necessarily mean rethinking is not an option.
- **Influencing policies:** another area which is getting quite positive notice from the public is the number of thinktank groups that has been formed in the last few years, however their contribution is yet to be felt at policy and decision-making forums.
- **Inclusive participation:** ISIR policy brief, February 2019 on Somaliland-Somalia talks called for the Civil society organizations to engage in track two as part of the diplomatic negotiations. On 3rd-4th March 2019 (SOSENCA) from Somalia and (SONSAF) from Somaliland gathered in Nairobi as part of this initiative. ISIR regards this as an

¹⁸ Correspondence to the National Electoral Commission, Ref. code: REF/XIS/WAD/XDH/2490/2017, dated 11 September 2017

encouraging step in the sense that the non-political entities are engaged as real stakeholders in the discussions on the biggest single national issue at stake in Somaliland. However, the civil

society should be transparent to make sure that all organized different opinion holders in Somaliland are represented, without considering any political orientation.

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