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DEVELOPMENT &
RESEARCH CENTER



TALO-WADAAG
Citizen Engagement in Governance

**AN ASSESSEMENT OF
MINORITY COMMUNITIES'
LEVEL OF PARTICIPATION IN
PUNTLAND POLITICS AND
ADMINSITRATION.**

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Executive Summary

Historically, Somalia has been considered a nation-state, where, unlike other countries, divisions based on ethnicity or religion which are sought to be an obstacle to the development of many developing countries are not present. Despite the apparent reality that traditionally Governance in Somalia revolved around clan structures, where major clans struggle to dominate the political scene than smaller clans, the collapse of the Somali government in 1991 sparked a lot of discussions about how power sharing and representation of clans in the government contributed the breakdown of the state and the protracted conflict that followed. The issue of Minority clans' representation emerged at the Arta conference in 1999, when, for the first time, they were included in the formal governance structures through the 4.5 power-sharing formula. Despite introducing the 4.5 formula, minority representation in public positions beyond the national legislative remains inadequate to date. Clan politics, historical factors, poverty, and discrimination hinder minority participation in politics. However, with the introduction of a federal system in 2004, there has been growing concern that the system could produce clan-based regional states, deepen division, and further marginalize the minorities at the subnational and local levels.

Against the above backdrop, this study seeks to explore the factors that influence the political representation of minorities in Puntland and to find ways to increase their representation in public affairs. The following are some of the key findings and recommendations of the study.

Key Findings

- In the Somali context, minority segregation is present in various aspects of society, but not as extreme as the caste-based discrimination in some parts of the world.
- Minority clans in Somalia face collective treatment of segregation and marginalization.
- When it comes to the question of who minorities are, the majority of those interviewed refused to be identified as minorities because they don't think that they are numerically inferior, they described their situation as a "marginalized clan".
- Participants are aware of the existence of laws that guarantee the political participation of all citizens but most of them could not identify specific laws designed to protect the rights of the minorities. They all agree that these laws are not enforced by the government.
- Minority representation is very limited in all public positions and branches of the government including the legislation, the cabinet, directors of departments and the law enforcement agencies as well as in the local government.
- Minority clans lack political representation due to several obstacles that hinder their participation including but not limited to historical factors, lack of recognition, inadequate representation in the government, poverty, and clannism. In addition, the lack of unity between different minority groups stymied the efforts to realize their political rights.
- Lack of representation has a profound impact on minority clans' provision of basic social services, and employment opportunities and made it difficult for them to access government offices.
- Minorities lost their representation in the local government elections due to changes in the electoral system, absence from political associations and TPEC, limited public awareness, political discrimination, and lack of mobilization within minority clans.

- Unless special affirmative action measures such as a quota system is designed to increase their participation, it will be difficult for them to achieve desirable representation in the government.

Key Recommendations

This study revealed the need to have increased minority participation in politics and administration of Puntland. In this regard, this report makes the following recommendation for the government, political parties, civil society organizations and minority clans.

To the government

- Introduce legal framework and policies that protect the rights of minority clans to ensure their participation in the government. This includes reviewing and amending the constitution to accommodate minority clans in the legislative bodies.
- Appoint minority clans in public positions such as the cabinet and implementing agencies to enhance their role in public affairs.
- Include minority groups in law enforcement agencies such as the police and the judiciary to increase their trust in these agencies and to reduce crimes against them.
- Implement the existing laws protecting and promoting minority rights in participating in the affairs of the state.
- Implement affirmative action measures to rectify the long-term disadvantage that minorities have been facing for centuries.
- Develop a curriculum that promotes the equality of all citizens and discourages all forms of discrimination in schools and public places.
- Implement affirmative action to promote participation of minority groups in politics and leadership.

To Political parties

- Prioritize minority clans in the candidate lists to ensure their full participation in the election by assigning the top positions in the candidate lists and making sure that party recruiters have a favorable view towards minority clans.
- Include minority clans in the party officials including regional committees, to increase their presence in the political sphere.
- Engage with minority clans to solicit their votes and give them equal weight as powerful clans.

To PEC

- Ensure the inclusivity of party candidate lists to prevent minorities from political exclusion.
- Recruit and assign positions for minorities in the election administration and ensure they are represented in the election body.
- Reach out to minority settlements for civic and voter education campaigns to increase their awareness of the election process.

To civil society organizations

- Conduct public awareness campaigns to advocate political participation for minority clans through mass media and film screening forums.
- Facilitate forums between stakeholders to discuss the issue of minority participation in public affairs.
- Establish capacity-building programs to increase the education and knowledge of minority communities.
- Solicit the introduction of minority-reserved seats in the public policy discussion forums.

1 Introduction

The participation of minority groups in the government is essential in advancing the democracy and stability of a country. Participation does not only enhance the legitimacy of the system, but it also fosters societal integration, cohesiveness, and a sense of belonging¹. In divided communities, it serves as a conflict resolution mechanism by lowering tensions between multiethnic societies. Despite this, minority groups still face difficulties participating in many governments worldwide; they are not granted the right to political participation as full citizens.

In Somalia, most people consider a homogenous society, sharing every attribute a nation-state may have including common ethnicity, language, and religion. Clan systems continue to prevent some people from exercising their right to political participation, employment, access to justice, and their rights to education and livelihood². The discrimination against minority groups stems from historical and cultural situations that are even unknown to the segregated communities.

During the colonial period, scholars did not focus much on the distinction between majority and minority groups in Somalia, and their studies mainly concentrated on the history and culture of majority clans³. Because their difference was only assumed to be based on material rather than ethnicity⁴.

During the period leading to independence, the rise of nationalism and the struggle for independence decreased the allegiance to clans, as elites mainly in urban areas rejected clannism. However, the exclusion of minority

clans persisted after independence and the large clans eventually took control of the state. This continued until the military regime captured power in 1969, when the government tried to enhance the status of minority groups and outlawed any reference to and discussion of clan issues in public. In the 1970s, A symbolic public burial was held to demonstrate the end of clannism. Nonetheless, the regime was accused to have been practicing client-ism and nepotism⁵.

During the civil war, minority clans faced extreme violence, and persecution from militia groups, their properties were confiscated, and they were subjected to mass atrocities including torture and rape. As a result, thousands of them were displaced to neighboring clans. The predicament of minorities was made worse by their vulnerability of lacking militias to protect them and losing the support of the client clans, whom they depended on for protection prior to independence.

In addition to the discrimination and oppression faced by minority groups during the civil war, they also lost the political representation and status they had in the military regime and were unable to effectively engage in the Somali reconciliation processes as the only represented ones were the armed groups. However, during the Arta conference which the current 4.5 power-sharing formula was introduced, minority groups⁶ were granted half of what one majority clan can get. This was viewed as a “small first step towards finding a way of dealing with minority groups in Somalia” but instead of addressing minority challenges, the 4.5 power-sharing structure perpetuates existing structures of exclusion⁷.

¹ William Romans, Iryna Ulasiuk (2020) Introduction. in William Romans, Iryna Ulasiuk & Anton Petenko Thomsen (eds) *Effective participation of national minorities & conflict prevention*

² Martin Hill, 2010, *No redress: the forgotten minorities in Somalia*.

³ Hoehne (2015), *Continuity or change regarding minorities in Somalia*, *ethnic and racial studies*, V 38, No 5, 792-807

⁴ Christian Wabersik, 2004, *Differences that matter; the struggle of the marginalized in Somalia*, *Africa journal of the Institute of African Studies*.

⁵ Hoehne (2015), *Continuities or Change regarding minorities in Somalia*, *ethnic and racial studies*, V 38, No 5, 792-807.

⁶ Martin Hill (2010) “No Redress” the forgotten minorities in Somalia, MRG report.

⁷ Markus Hoehne (2015) *Continuity or change*

In Puntland state, Minority groups have not endured the systematic discrimination and oppression witnessed in the south; but they have suffered persistent discrimination of their right to political participation.⁸ In 1998, when Puntland was established, Minority groups were not allocated any seats, nor they were represented in the cabinet. However, they were unjustly given few seats in the local councils of some major districts. Unfortunately, as Puntland is transiting to democracy, there are reports that minorities have lost their representation in local government, raising concerns that minority clans might again be on the losing side.

Against this backdrop, this study explores the political participation of minority groups in Puntland, the factors that hindered their participation, and the strategies that can be used to empower them to realize their full participation in public affairs.

1.1 Methodology

The study employed Focus Group Discussions (FGDs) and Key informant interviews (KKI) for data collection methods. In addition, a comprehensive desk review was conducted. To assess the political participation of minority clans and to seek in-depth information about their perceptions on the factors hindering

their effective participation, 30 key informants were interviewed in five districts of Puntland where minorities have large populations and settlements. Interviews were conducted in Galkayo, Galdogob, Garowe, Qardho, and Bosaso. In addition, 10 FGDs were conducted. A total of 75 people participated in the FGDs. The total participants of the study were 105 individuals from community members, elders, women, youth, local council members, government officials, political parties, and minority rights groups. During the data collection, semi-structured questions were designed to gather the information.

⁸Ibid, 2015

Geographic distribution of respondents

District	Number of Respondents	Percentage %
Bosaso	25	24
Qardho	15	14
Garowe	25	24
Galkacyo	25	24
Galdogob (xero jaale & bursalax)	15	14
Total	105	

1.2 Who are the minority groups in Somalia?

Somali people are largely perceived as a homogenous society with a shared language, religion, ethnicity, and culture. It is very uncommon to discuss minority groups in a country whose people have similar characteristics. However, early scholars who studied Somali society spotted a distinction between majority and minority clans.⁹ Identifying who is minority in Somalia context is quite challenging both in definition and practice. Conceptually, although there is no universally accepted definition of minority people, one of the most widely used definitions is coined by Francesco Capotorti ***“a group of people who are numerically inferior to the rest of the population of a state, in non-dominant position, whose members being nationals of the state possess ethnic religious or linguistic characteristics, differing from those of the rest of population”***.¹⁰ This definition does not reflect the description of minority clans in Somalia, they are not numerically inferior to other clans because there is no census to determine the number of each clan. Similarly, they do not possess characteristics that differ

from the majority clans. Alternatively, Palermo argues the important element in the definition is territoriality, citing Tonnatti analysis who pointed out that “Minorities as such do not exist rather there exist large and small, numerous or otherwise a social group...a social group may be seen as transformed into minority when based on shared and single feature of reference, it establishes a relationship with another group by virtue of largely quantitative criterion comes to constitute the majority”.¹¹ This is the reality in most Somali inhabited territories, where each clan is a minority when it is living with a numerical clan even though that clan can be larger than the majority clan in other places or regions.¹²

In practice, there is another complexity in defining minorities in quantitative terms. In Somalia for instance, there are smaller clans who are not included in the minority camp because of their size, these clans enjoy higher status, despite being part of the 0.5 groups. The real description of

⁹ Luling (1984), “The other Somali” Minority groups in traditional Somali societies, in Thomas Labahn (eds) Proceedings of the second international conference of Somali studies, Humburg

¹⁰ Francesco Capotorti (1979) a study on the rights of persons belonging to ethnic, religious and linguistic minorities. <https://digitallibrary.un.org/record/10387?ln=en>

¹¹ Francesco Palermo (2011) territorial solutions for managing diversity and their changing role. in Council of Europe (2011) the participation of minorities in public life. No 45.

¹² Interview with FGD participant in Galkacyo

minority clans in Somalia can be termed as “othering” or marginalization stemming from deep social rejection in which a person or group of people are denied opportunities to interact with others in the society.¹³ Minority clans were othered until they felt that they were not part of the community.

Aside from the limitation of minority definition, there are certain groups that by default are recognized as minority clans wherever they reside. These groups are Madhiban, Tumaal and Yibir in the North and Jareer, Bajuni and Reer Xamar in the South. In this case, the distinction between majority and minority clans is cultural rather than racial. Clans such as Tumaal and Madhiban are discriminated against based on their occupational status, not their origin

or visible differences. They are shoemakers, tanners, well diggers, blacksmiths, and carpenters. In this study, the minority groups are referred to the three clans of Madhibaan, Tumaal and Yibir who are among the traditional residents of Puntland. Jareer and other minority clans displaced from the South reside mainly in IDP camps and their endeavors for political participation have started recently during the local elections of Puntland.

1.3 Legal and Policy frameworks

The rights of minority groups to participate in the public affairs of their country are governed by laws and frameworks nationally and internationally. At the national level, the most important document is the constitution of the federal government of Somalia which outlines the rights of every citizen to involve in the affairs of the state. The constitution delineates these rights in Article 11 of the constitution that “all citizens regardless of sex, religion, social or economic status, political opinion, clan disability, occupation, birth or dialect shall have equal rights and duties before the law”. It further prohibits the state from discriminating any person based on the above characteristics. The constitution calls for the government to take

measures necessary to achieve full equality for individuals and groups who are previously disadvantaged and affirms that such measures shall not be deemed discriminatory.¹⁴

The constitution further outlines the right to political participation by all citizens. Article (22) of the federal constitution guarantees that “every citizen has the right to participate in public affairs. These rights include the right to form political parties, to participate in the activities of political parties, the right to elect and be elected”.¹⁵ Article (27) commits that those who have suffered discrimination such as women, the aged, the disabled, and minority to get support to realize their socioeconomic rights.¹⁶ Article 31(3) guarantees the state protection and promotion of the

¹³ Ohiro Oni-Eseleh (2021) othering and marginalization of minorities: a synopsis of identity and social rejection.

https://www.academia.edu/50285837/Othering_and_marginalization_of_minorities_A_Synopsis_of_Identity_and_Social_Rejection

¹⁴ Article 11 of the constitution of the federal republic of Somalia

¹⁵ Article 22 of the constitution of the federal republic of Somalia

¹⁶ Article 27 of the constitution of the federal republic

cultural practices and local dialects of minority groups. Article (31) outlines the right to representation and guarantees the system of public representation to be open and gives opportunity to participation lastly requires the system to be able to prevent any crisis that may arise because of contest and election results.¹⁷

In Puntland, the regime governing minority rights is the constitution of the state. When Puntland was constituted in 1998, the first charter recognized the existence of minority clans in Puntland. Article 1(10) of the 1998 charter stipulates that Puntland protects and respects the rights of minority clans. However the constitution has not identified those minority clans.¹⁸ The charter further expounds that all citizens of Puntland, irrespective of gender, religion, language, and birth are equal in rights and responsibilities before the law. The first charter expands these rights to all Somali citizens. However, the later constitution of 2012 while re-guaranteeing the rights of minority groups¹⁹ curtailed these rights to only Puntland citizens who are born in Puntland or born to Puntland parents and those who obtained citizenship in a legal way. In the same

article, the constitution assures the equality of the Puntland people and prohibits anyone from being discriminated against for their race, religion, birth, gender, property, opinion, political affiliation, language, or ethnicity.

The legal framework indicates the rights of minorities' participation in politics. But what is missing is how to enforce these laws to ensure effective political participation for minority clans in the executive, legislative, and judicial branches of the government. It is thus critical to introduce policies that advocate minority participation in politics and administration. At this moment, such policies and laws are absent. Laws should also describe the minority groups and give a clear definition of who can be regarded as a minority in Puntland.

1.2.1 International and regional frameworks

The Universal Declaration of human rights which is the foundation of international human rights laws states that “everyone has the right to take part in the government of his country²⁰ directly or through freely chosen representation”. Similarly, the international covenant on Civil and political rights (ICCPR) guarantees in Article 25 “every citizen shall have the right and opportunity without any discrimination and without any reasonable restrictions inter alia to take part in the conduct of public affairs directly or through freely chosen representatives, to vote and to be elected at genuine periodic elections and to have access on general terms of equality²¹ to public services in his country”. Furthermore, The declaration on the rights of persons belonging to national or ethnic, religious, and linguistic minorities adopted in 1992 by the general assembly states in

¹⁷ Article 31 of Somali constitution.

¹⁸ Article 1 of 1998 Charter

¹⁹ Article 12(3) of Puntland constitution.

²⁰ UDHR

²¹ Article 25 of international covenant on civil and political rights (ICCPR)

article (2) "Persons belonging to national minorities have the right to participate effectively in decisions at national and where appropriate at regional level concerning the minorities which they belong or the regions in which they live in a manner not incompatible with national legislation".²² Equally important, other bodies of laws such as International Covenant for combating ethnic and racial discrimination (ICCERD) require equal access to public services for minority groups and prohibit any form of discrimination based on ethnicity against a group of people.²³

1.4 Electoral systems and minority participation

Regionally, the African Charter of human and People's rights known as Banjul Charter lays out the rights of minorities. Although it has not mentioned the word "minority" in the charter, several articles have implications on minority rights including article (2) of non-discrimination, equality provision of article (3) which further guarantees the equal rights of all peoples, and prohibition of the domination of people by another".

1.4.1 Electoral systems

Electoral systems are processes intended to choose decision-makers when societies become too large that all people cannot be involved in the decision-making process. They determine how the votes will be converted into seats,²⁴ the selection of candidates, and the magnitude of the electorates. The kind of representation the political system provides is influenced by the rules and institutions that convert preferences into election seats.²⁵ The design of an electoral system of a country is not dictated by international standards rather it depends on

the political culture and social characteristics of that population and the context they are living.²⁶

In this regard, the right to political participation should be implemented by the electoral system to ensure equitable representation of minority groups. Elections can sometimes produce uneven distribution of powers and marginalization of minorities if they are not managed well. Thus, to protect the right to participation of minorities in the political system, the electoral system should be carefully crafted in a way that observes majority sensitivity and minority inclusion.

Electoral systems can be divided into three models: the plurality-majoritarian model, the list proportional representation (List PR), and the mixed model. Each electoral system has advantages and disadvantages for minority participation in the government.

The Plurality-majoritarian system is an electoral system whereby the candidate who receives the highest votes gets elected. This system can either be first-past-the-post (FPTP), the majority runoff or an alternative vote. In a Plurality vote, the candidate who comes top in the competition is declared the seat winner. The majority run offs require 50 percent plus votes in order a candidate to secure a seat. If no candidate receives majority of the votes, then a second runoff should be conducted whereby the top two candidates compete again. In the alternative vote, voters rank candidates in

²²Article 2 of the declaration on the rights of person belonging to national, ethnic and religious minorities.

²³Several articles in the African charter of human and people's rights deals with minority rights

²⁴Reynold (2006), electoral systems and the protection of minorities, MGI report

²⁵David Canon, electoral systems, and the representation of minority interests in the legislative

²⁶Arend Lijphart (2008), Thinking About Democracy: Power Sharing and Majority Rule in Theory and Practice. Routledge

order of preference. The candidate who gets more than 50 percent is the winner, if no candidate achieves that threshold, the candidate with the least preferences is eliminated from the competition and his vote is equally distributed to the other candidates until a candidate reaches 50 percent of the votes to get elected. The plurality-majoritarian system is used by more than 46 percent of the countries in the world (Reynolds, 2006).

The effectiveness of FPTP in countries with national minorities is investigated by many scholars. The results indicate that in countries that have homogenous populations or at least where the polarity in the society is minimal, this model is suitable. Likewise in countries that are in post-conflict situation such as the context of Somalia, the FPTP would not result in an inclusive process and outcome. However, in specific contexts, mainly where minority groups are concentrated in specific places, the FPTP system can be effective in ensuring their representation in the legislative.

The List proportional electoral system

The list PR is the world's second most widely used electoral system. This model emphasizes the inclusivity of the election. Voters elect political parties rather than candidates. Each political party submits a list of candidates relative to the size of the constituency. The district structure can be a single constituency or multiple districts. The number of seats that a party gets from the constituency corresponds to the number it gets from the total vote, then votes are translated into seats using the election formula. The lists that political parties submit can be either closed list where the candidates are elected according to their position in the list, which means the candidates at the forefront have the biggest chance to be elected, and open lists where political parties attach candidate names to the list, in this instance, voters have the right to elect

both the party and a candidate.

List proportional representation is not only better than the majoritarian system but is superior when it comes to the participation of minorities because it treats all groups equally.²⁷ However as discussed in the previous sections, the adoption of the electoral system depends on the political culture of the society. In Somalia, the most feasible electoral system remains the closed list PR, which the country used for its elections in 1954 and 1969.²⁸ Although the federal parliament passed unanimously that first past the post model to be the country's electoral system in February 2020, implementing the system proved difficult due to weak state institutions, clan and sub-clan division, and tensions between the central government and federal member states.²⁹

Mixed electoral systems

In countries such as Germany, a mixed electoral system is used to ensure the representation of minorities in the government. In such cases, half of the members of the chamber is elected through a majoritarian system while the remaining half is elected through proportional representation. The mixed model system rectifies the demerits of a pure List proportional system or FPTP system.

1.4.2 Puntland's electoral system

for decades, Puntland state had been employing the clan-based elections model where traditional elders have the big role in selecting the parliament as well as the local council. However, all these years, the de facto constitutional electoral system was based on a democratic multiparty system.

²⁷ *ibid*

²⁸ Afyare Elmi 2020, the politics of electoral systems in Somalia: an assessment. Bidhaan V 21

²⁹ Doreen Muyonga, 2022, the first-past-the-post electoral system is elusive in Somalia, The African review,

Following the constitution, Puntland state adopts a multiparty system. The constitution further outlines the political associations that emerge from the first local council election and fill the requirement set by the electoral body shall become permanent political parties and shall compete for the next state elections. Although the constitution provides how elections should take place in Puntland, in practice, the ideal was not achieved for more than two decades. The clan-based system has been the order of the day, where clan elders select members of the parliament as well as the local councils in a formula agreed by the clans.

Article 16 of the Local Government election act delineates that the electoral system of Puntland state shall be list proportional representation (List PR) whereby seats a political association gets from the local council shall closely match how many votes each association receives. In addition, the designers of the electoral system opted for the closed list system to be the way of voting in which a candidate's position in the list determines his rate of success.

Puntland adopted the closed list system in the early elections of three districts in October 2021, the system has proved to give representation to women groups who obtained nearly 26% of the total seats, and slightly fall the threshold set by the guidelines of TPEC³⁰. However, the closed list system was changed in 2022 local election due to the requirement made by local associations to participate the remaining districts, despite resistance from women rights groups.

2.Findings of the Study

This section presents the significant findings of this study. After brief overview of the participant's demographic characteristics, it explains barriers to the political participation of minorities at state and national levels. In

addition, it proposes the strategies offered by the participants to enhance their participation in politics.

2.1 Demographic Characteristics of Respondents

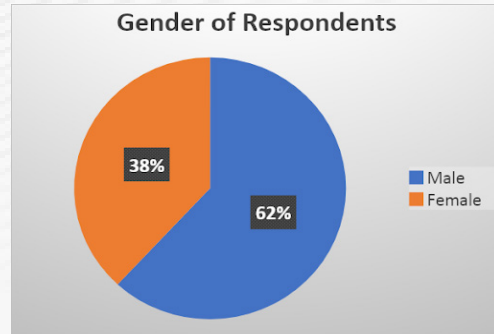


Figure 1 Gender of Respondents

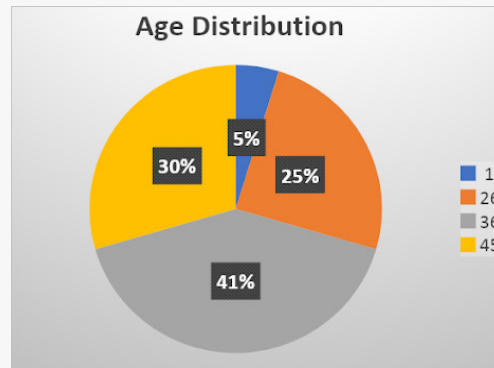


Figure 2 Age distribution of Respondents

As shown in figure 1, majority of the respondents 62 percent were male while 38 percent were female. This reflects the fact that Somali politics is dominated by male. The involvement of Women in Politics is very low. The situation is even worse in minority communities where males found themselves in a position of exclusion.

According to the age distribution, the age group between 36-45 years was the most significant number of the study participants with 41 percent, followed by the 45 years and above with 29 percent, meanwhile, 25 percent of the respondents were the age between 26-35 while only 5 percent were younger than 25 years.

³⁰Doreen Muyonga,2022, the first-past-the-post electoral system is elusive in Somalia, The African review, Gender assessment in Puntland local elections, 2021, FBA & PDRC

2.2 The Political Participation of Minorities at the state level.

Political participation is “an activity that has the intent of influencing government action either directly by effecting the making or implementation of public policy or indirectly influencing the people who make those policies”³¹. Scholars made a distinction between participation and representation, whereas participation refers to the symbolic presence of minorities in decision-making bodies, representation on the other hand goes beyond

that to ensure that the presence is translated into influence. Another difference is that, in representation, there is a link of accountability between minority representatives and the represented. Thus, effective representation encompasses the presence of minorities in the elected legislative bodies, specialized agencies, consultative bodies, participation in the judiciary, and public services as well as the provision of territorial and non-territorial autonomy.³²

Level of Minority representation in Puntland politics and administration

	Categories	Total	Minority representation	Percent
1	Parliament	66	0 ^{*33}	0
2	Ministers	56	1	2
3	Director Generals	49	0	0
4	Directors (ministerial departments)	249	2	0.8

Table 1.1

Table 1 presents that the level of representation of minority groups in public affairs is very low. Minorities are underrepresented in the legislative, executive, as well as at the departmental level. Puntland parliament consists of 66 members but there is no permanent member representing occupational minorities. In the executive, where there are 56 ministers, deputies, and state ministers, there is only one deputy minister, the deputy minister position was assigned in 2006, after a long struggle by the community. The level that minorities have mostly been missing is the middle-level officers, of the 49 general directors, none is among them, likewise, at the departmental level, where there are 249 directors, they have two directors. The findings

depict that minorities are completely excluded from the decision-making processes.

To examine the minority representation, the right to vote and to stand for elections is an important indicator to consider.³⁴ According to article 44 of the Puntland constitution “every citizen who fulfills the requirements of the election has the right to elect and be elected”. Article 41 particularly re-emphasizes the right to vote and stand for election³⁵. The study asked the participants whether they believed those rights were guaranteed, almost all of them agreed that their right to vote was guaranteed during the last democratic local elections. However, many of

³¹Annelies Versticel (2010), Understanding Minority Participation and Representation and the Issue of Citizenship, in Marc Weller and Catherine Nobbs ed “Political participation of Minorities” OUP press.

³²See Marc Weller & Katherine Nobbs (2010), Political participation of minorities: a commentary of international standards and practice, OUP.

³³Majority of the minorities interviewed disavowed that they have any member in the parliament contrary to the perception of majority clans that currently there is a member in the house.

³⁴Francesco Palermo & Jans Woelk, 2003, No representation without recognition: the right to political participation of national minorities, Journal of European integration

³⁵Article 41 & 44 of Puntland constitution

them indicated they were not given the chance to stand for elections, claiming that political associations deliberately excluded them from the competition. Another important factor that influences their right to participate is the right to associations, the study inquired the existence of such right in Puntland since political organizations play an important role in mobilizing the community. The majority of them have the view that they can establish their own associations. But from the legal point of view, the constitution of Puntland bans social and political associations that have military or clan image according to articles 15 and 46 respectively.³⁶ Asked if the respondents are aware of any policies and laws introduced to ensure the effective participation of minorities, interviewees acknowledged the existence of laws that guarantee equal rights for all citizens but particularly failed to point out these specific provisions.

If minority representation is inadequate, the study further inquired about whether they are involved in the development of policies and programs that affect them. The majority of them said they are neither involved nor informed any program relevant to them. As one respondent said, "I am a member of the district committee, but I have no influence, when aid arrives I am not even informed, and sometimes I learn from ordinary people, and when I go to the district administration, they tell me, take these small thing".³⁷ This can be attributed to the fact that the overall involvement of citizens in decision-making is low. Additionally, minorities are mainly poor people who cannot afford to spare time to attend public meetings because they struggle in getting their daily lives. Minority groups affirmed that even their traditional elders and those

representing them in the administration are no different from the ordinary members in terms of involvement in decision-making processes.³⁸

Another important area critical for minority representation is the criminal justice system, consisting of the police and the courts. Inclusive law enforcement is essential for democratic society given the fact they are often at the frontline managing and resolving conflicts. Minorities claimed that they do not have officers or commissioners in the police sector and the police agencies are dominated by the majority clans³⁹. The underrepresentation of minorities can sometimes lead police officers to become biased toward minorities and even refuse to investigate complaints by the minorities.⁴⁰ This may in turn lead minorities to distrust the police and avoid interacting with them. Respondents pointed out that their members always face detention for crimes they have not committed even when they go to the police for complaints, they became the victims.⁴¹ as noted by one respondent.

"Few days ago, my son was beaten by two young boys because he was driving a beautiful car, can you imagine he was beaten how on earth can a minority guy have a car, I contacted the police, but they told us to go the clan of the boys and negotiate with them. Now our case is standing, and we don't have justice."

Similarly, minorities lack representation in the judiciary, there are no judges in the formal courts. The study revealed that minorities lack trust in the justice system because they believe that these institutions (the police and courts)

³⁶Articles 15 & 46 of Puntland constitutions cover the right to associations and political parts respectively.

³⁷Interview, member of village committee.

³⁸Female FGD interview in Qardho

³⁹MGR report (2015), Looma ooyaan, no one cries for them: the situation facing Somalia's minority women.

⁴⁰Martin Hill (2010) No redress: Somalia's forgotten minorities. MRI report

⁴¹Interview, former local councilor in Mudug

institutions (the police and courts) are designed to deal with only minorities and IDPs as one elder participant stated “If you go to the court, there are only minority groups, I think majorities disregard these institutions because they cannot arrest someone from armed clans but for us they can arrest us, look at the prison, you will surprise”.⁴² In addition, they have little access to justice and courts neglect to provide them their right to legal representation. In a similar vein, Minorities are marginalized in informal traditional customary law, a very important sector which many people seek recourse. Somalis mainly prefer to resolve their disputes through traditional customs without going to the courts. Unfortunately, minorities are not applied to the customary law the same way the majorities deal with in crimes or compensation payments. As one youth participant explains.

“My cousin died in a car accident some time ago. As a custom, when a member of your clan commits a crime against another clan, the clan elders reach out to the relatives of the deceased to agree the compensation⁴³ payments or what shall follow afterward, but for us we were not contacted by anyone until we traveled to them. However, it became difficult for them to receive us, they were reluctant to sit with us, later, we decided to come back without getting anyone negotiating with us”.⁴⁴

Minorities attributed the failure of the criminal justice system to protect them as part of the structural discrimination they face and their lack of representation. Thus, to ensure minority participation in public life, it is imperative to get a representative and accountable law enforcement that can guarantee equal rights to all citizens.

2.3 Political participation of minorities at the local level.

Although there is no official estimation of the number of minority members in the previous local councils, minorities interviewed claimed to have members in at least 17 districts, including the 9 administrative capitals of Puntland regions. This figure can be higher, due to the prevalence of minority clans in every region of Puntland.⁴⁵ The situation changed, however, during the democratic local elections, where they lost most of the districts, getting seats from only three out of the 33 districts that the election took place. The three districts are Qardho, Hafun and Saaxo - a newly created district in Mudug region. Despite the respondents pointing out that minorities were well prepared ahead of the elections to get representatives from the local elections due to their higher expectations from the democratic elections, the results produced different outcomes. This has evidenced that unless special consideration is given to the rights of minorities, democratic elections cannot produce an inclusive, equitable, and representative government.

2.3.1 Barriers for Minority participation in local elections

Generally, several factors influence the effective participation of minorities in elections, this includes, ethnic mobilization, institutional factors such as election rules, socioeconomic status such as education and wealth, the social capital. This study found that the main barriers that hinder minorities from securing seats in the local elections were the change to the electoral system, inadequate voter

⁴² Interview with elder in Qardho

⁴³ MRG report (2015), Looma ooyaan, no one cries for them: the situation facing Somalia's minority women. <https://minorityrights.org/publications/looma-ooyaan-no-one-cries-for-them-the-situation-facing-somali-as-minority-women-january-2015/>

⁴⁴ Interview with youth activist in Galkacyo.

⁴⁵ Interview with local council member in Qardho, similar claims was made by other participants in Bosaso.

education and information, clan politics, absence from the election administration and the nature of the clan minorities.

2.3.2 Changes to the electoral system

The survey results revealed that the changes made to the closed list system caused the failure of minorities to win seats during the local elections. As discussed in the previous section, the electoral system of a country influences the number of candidates elected and how they are elected. Three main factors particularly influence the recruitment of candidates namely the district magnitude, the ballot structure and the electoral formula⁴⁶. For that reason, to protect the rights of minorities, it is imperative to give consideration to the design of the electoral system. In Puntland state, the closed list PR system was adopted during the early local elections of 2021. This system allows political associations to submit a list of candidates to the election commission, the voters however, would vote for political parties rather than individual candidates. The candidates then succeed according to the given positions in the list.

In 2021, the closed proportional list was applauded for its effectiveness accommodate marginalized groups, including women, youth, and minority groups. For instance, In Qardho district, a candidate from IDPs joined the local council for the first time. Additionally, the representation of clan minorities increased. In the meantime, the closed list system brought another impediment that has become detrimental to the Political associations' capacity to garner supporters from clans. Particularly, the political associations complained that the system caused shifting loyalties from majority clans. Due to the strong clan identity among Somali people, the clans that do not find

their members from the front list of political associations tend to shift their support to another association that would give them better chances to get more seats. Furthermore, the closed list system was also criticized for producing members who are not attached to any specific electoral district. This last factor had latent implications on Political associations because once a candidate assures his position in the front list, he is unlikely to pay much effort to struggle for the seat.

While responding to these developments, in November 2022, seven political associations released thirteen conditions to be fulfilled before the local elections. Among the conditions was to change the closed list system into an open list PR. The government in turn flaunted to implement that condition due to the requirement of an amendment to the local election act, although in principle, it accepted the suggestion. Later, the Political associations and TPEC agreed on "a new interpretation of the closed list system". That in turn led TPEC to release the guidelines for the interpretation of the closed list system in March 2022.⁴⁷

Interestingly, the new guidelines explicitly altered the local government election law in several ways. It allows the political associations to create polling zones and combine two or more polling zones. Second, it provides the PAs to assign each polling zone to one or several candidates while the candidates shall win according to their rank in the list of the assigned zones. However, this is contrary to Article 17(2) of the local elections act, which stipulates that the candidates shall win according to the rank in the general list⁴⁸. As a result, minorities claimed that Political associations exploited the guidelines to place them in unwinnable positions.

⁴⁶ Beza Dessalegn 2013, the rights of minorities to political participation under the Ethiopian electoral system, Mizan Law review, V 7, N 1, <https://www.ajol.info/index.php/mlr/article/view/100543>

⁴⁷ The Guideline for interpretation of the electoral system available.

⁴⁸ Puntland local elections act

⁴⁶ Beza Dessalegn 2013, the rights of minorities to political participation under the Ethiopian electoral system, Mizan Law review, V 7, N 1, <https://www.ajol.info/index.php/mlr/article/view/100543>

According to the study respondents, the change in closed list system had a profound impact on their electability. As a rule of thumb, the large and scattered minorities, proportional representation is more conducive to giving seats than single-member districts.⁴⁹ The study further noted that in all the six districts of the study, there was no single minority candidate who was ranked first in the list to win a seat, making them trounced in every district.

2.3.3 Inadequate voter education and information

Regarding voter education and information, a large majority of respondents believe that lack of information was the main cause of minority group's exclusion from the local elections. The relationship between democracy and information is very high, as many scholars contend "democracy without information is an incomplete system that by its very design tends to produce exclusion rather than participation"⁵⁰ Citizens must have information concerning all stages of the electoral process in broad range of issue for free, fair, and credible election to take place, otherwise, it is impossible for citizens to meaningfully exercise their right to vote.⁵¹

More importantly, access to information is paramount for marginalized citizens who have already been excluded from the mainstream political system. The lack of information of minority communities in the electoral system and procedures led them to fail to mobilize their communities like other clans did one respondent said "we did not have any information about

the elections, during the registration process, hundreds of our people did not register. Had we got the information earlier, the situation would be different"⁵². The voter illiteracy among minorities added another layer to the access of information challenge of minority voters due to their low level of education and marginalization. Research indicated that voter illiteracy was widespread during the local elections of Puntland and while some civil society organizations made efforts to provide civic education, their programs were limited to urban and semi-urban areas.⁵³ In terms of civic and voter education, the Majority of the participants pointed out that the settlements of ethnic minorities did not get public awareness programs for the past local elections.

According to the participants, lack of information impacted their knowledge of candidate lists, as we have already mentioned, political associations assigned candidates to polling zones, and some of them listed five candidates for one seat. As political associations assigned minorities to unwinnable positions, the candidates were told a different story, according to one minority candidate:

"When the list of the candidates was released, we complained to the political associations, but they told us that it has no problem, that each candidate shall be assessed according to his supporters, I collected more than 400 people, a threshold that I could have won a seat, unfortunately, my votes was transferred to someone else who have less than one hundred supporters, that is not justice."⁵⁴

⁴⁹Robert G Moser, 2008, Electoral systems and the representation of Ethnic minorities; evidence from Russia.

⁵⁰Krishna 2006, Poverty and Democratic Participation Reconsidered: Evidence from the Local Level in India.

⁵¹Guidelines on access to information and elections in Africa, ACHPR, 2017 https://www.africanplatform.org/fileadmin/user_upload/Guidelines_on_Access_to_Information_and_Elections_in_Africa.pdf

⁵²Interview with participant at Xero jaale, Galdogob.

⁵³PDRC & RVI, 2022, Managing Voter illiteracy in Puntland local elections.

⁵⁴Interview with local council candidate,

Similar responses were made by other candidates competing for the local election. A possible explanation could be due to the limited time between the release of the lists and the election day, the candidates did not seek further information and opted not to drop the race but criticized the political association to intentionally mislead them.

2.3.4 Absence from the election administration and political associations

Election administration is essential for post-conflict societies because it requires different models tailored to the context in the ground.⁵⁵ Election bodies distribute polling centers, conduct public awareness campaign and is responsible for conducting inclusive elections. Most respondents clearly noted that their absence in the election administration was the leading cause to failure. Respondents further stated that the polling staff were mainly from majority clans while their members were denied working in the election centers. Election administrators come to their settlements without communicating with them about how the election would take place.

Similarly, the study results revealed that the absence of minorities from the political associations was another factor. There are fewer minority members in political parties compared to the clans, and in some parties, there is no single representative from ethnic minorities. However, the political parties are nascent and lack a widespread presence in all districts of Puntland.⁵⁶ The absence from TPEC and political associations caused minorities to lose their political representation in the newly elected local councils as one respondent explained “when you don’t have any person to recruit your candidates because you are absent from parties or you have no member in the election body, your chance is very low”.⁵⁷ Another respondent lamented “it was

pre-determined to throw minorities out of the system”.⁵⁸ Conversely, in the areas where minorities have representatives in political associations, they gained more seats, a good example is Qardho district, where they claimed their presence in some political associations was the major reason for minorities winning two seats.

Although the limited representation of minorities in electoral institutions can be a big factor, party officials claimed that their approach towards minorities was an evenhanded one. However, as Dancygier (2014) argued group discrimination is an integral and unavoidable part of the selection process because “elites often place minority candidates near the bottom of party list-making their election victory illusive”.⁵⁹ Similarly, Norris & Lovenduski (1995) explained the question “who selects and how” by stating that there are three levels of factors that influence political recruitment; systematic factors such as the legal system, party context factors such as ideology and organization, and lastly factors specific for individual candidates such as candidate resources, motivation, and attitudes⁶⁰. The last factor relates to the electability of candidates which is a major consideration in the choice of candidates because Political parties do not want to take electoral risks. As a result, political associations wanted seats and selected candidates who they

⁵⁵ Benjamin Reilly (2017) Key issues for post-conflict elections, *The Rusi Journal*, 162:5

⁵⁶ PDRC, 2021, Puntland local council elections and the role of Political associations.

⁵⁷ Interview with minority activist

⁵⁸ Interview with elder in Qardho

⁵⁹ Dancygier, 2014, electoral role or electoral leverage: explaining Muslim representation in England, pp 66, 229-262

⁶⁰ Pippa Norris & Joni Lovenduski, 1995, *Political recruitment: Gender, Race & class in the British parliament*, Cambridge.

thought could win⁶¹. Lastly, the survey found that other factors such as candidate attributes cannot explain why political associations did not place minorities at the forefront of the candidate list.

2.3.5 Clan-based politics.

During the registration process, it was found out that there was competition among the clans, and each clan mobilized its members to register in large numbers to get more seats from the local council. In the first instance, it was seen as a positive development that could stimulate increased voter registration.⁶² However, the situation turned into “census elections”⁶³ where clannism became the sole guiding principle among the party selectors and voters. The study found out that clan competition became a strategy engendering the powerful clans to gain more seats while minorities and small clans suffered. In agreement with this argument, most of the respondents held that the democratization process turned into clannism, rewarding powerful clans⁶⁴. The mobilization of clans started in Bosaso in the early days of the registration process, when clans started to transport their clansman from far rural areas to register in large cities. However, the consequences were not visible until TPEC announced the guidelines for changing the closed list system into an open list system.

Besides other factors, the main aim behind the open system was to placate the majority clans who wanted more seats as was evidenced in the suggestion made by the political associations in November 2021, attributing their suggestion to the pressure coming from clans who started to shift loyalties during the early elections when they realized that political associations shall

not allocate them many seats at the top of the closed list. The competition between clans pressured political associations to give majority clans top positions in the list while sidelining marginalized groups. One of the outcomes of the clan competition was the transportation of people from the hinterlands to register in major towns. The minority clans on the other hand were not able to financially do so, and even the few who have tried were harassed by the security forces as one youth local council candidate narrated.

“as you know our people are scattered in Galkacyo when clans started to mobilize their people, I tried to move my people in one village to a nearby camp where our clan is concentrated, however, one day, I was called by a government official through phone call who informed me to stop the transportation, I told him that it is my right and I am a candidate because other people are also doing the same. Instantly, as I put my phone, I was called from the police station, the officer asked my name and told me If I didn't stop, he would kill me without questioning me further”⁶⁵.

The study participants noted that transportation of the people was prevalent during the local elections particularly in major towns, despite the government's order to stop such acts. Moreover, clans used mobilization as a bargaining chip to leverage their quest to get more seats from political associations. Conversely, while some minorities reported mobilizing their communities, they have not used it to get more seats as one Top political association official explains, “As political associations, we wanted

⁶¹Interview with top political party official

⁶²PDRC (2023), initial Phase of Puntland's registration process, Analytical brief. Rift Valley institute

⁶³Donald Horowitz, 2000, *Ethnic groups in Conflict*, University of California Press.

⁶⁴All participants interviewed have this feeling.

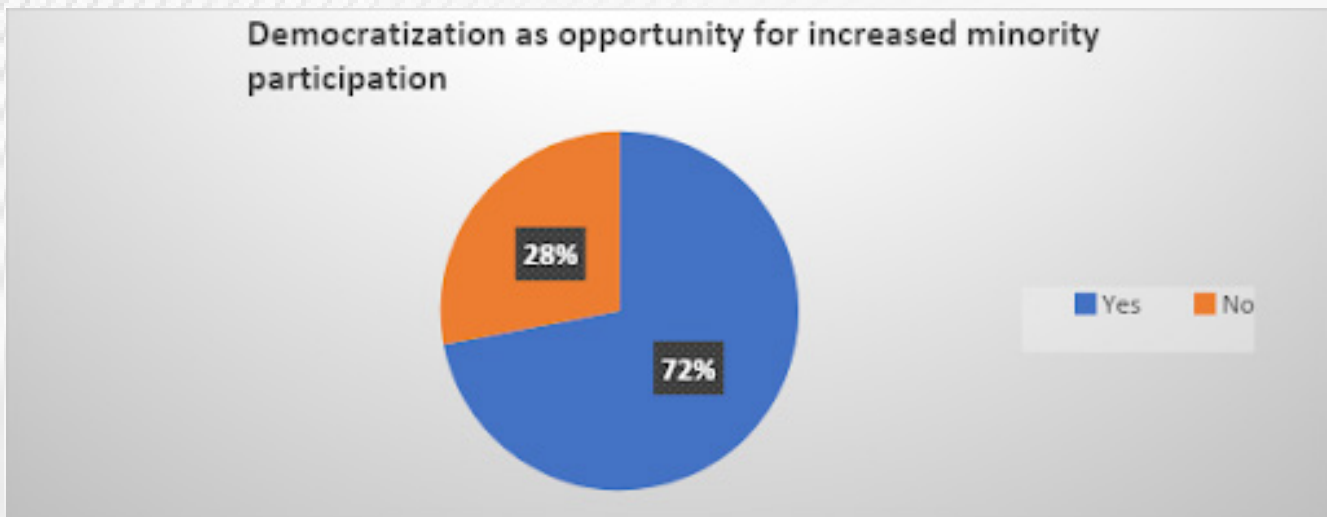
⁶⁵Interview with local council candidate

people, however, minorities did not come to us, while other clans were even exaggerating their number of voters, so it is their fault because you know that some political associations submitted partial lists".⁶⁶ He claimed that minorities overemphasize on few political associations instead of competing from all associations.

whole process or not, one thing that is clear is that political associations emphasized the majority clans and have not added their agenda to minority inclusion, based on the notion that the majority leads the minority, viewing the reservation of seats to specific clans as undemocratic.⁶⁷

Whether the mobilization of clans hijacked the

2.4 Democratization as an opportunity for minority political participation



As revealed in the above chart, respondents were asked if minorities think that the democratization process is an opportunity to increase their level of participation, 72% answered they perceived positively while 28% disapproved. However, all respondents believe that the process is going now is worse than the clan-based model and would prefer to return to the old model if no change is made. This is because the electoral system adopted in the local elections changed the power relations among clans in the distribution of seats.

2.5 Factors affecting minority participation in public affairs.

The study found that several factors influence the political participation of minorities. These

factors acted as a barrier to the realization of minority desire to gain their right to be included in public life.

2.5.1 Historical and institutional factors

The study revealed that historical and institutional factors are the main barriers to their participation in politics and administration. The discrimination of ethnic minorities originated from historical and cultural situations derived from attitudes and customary law. Somalis mainly belong to four patrilineal clan families namely Dir, Darod, Hawiye and Digil & Mirifle clans. Since the clan identity is powerful among the Somali population, minority groups are excluded from political participation for being

⁶⁶Interview with member of political party

⁶⁷Interview with top political party official in Garowe.

outside of these clans. In addition, the institutions created by the clans became exclusionary by design and maintained the interest of the majority clan. In 1998 during the formation of Puntland state, The Darod clan families mainly Harti subclan attended the community conference in Garowe. Although, minority traditional elders were present at the conference, the decision-making process was not included.⁶⁸ Consequently, they lost representation at the state level. Respondents indicated that representatives from minorities were invited, but they were enmeshed in factional wrangles between Somali salvation democratic front (SSDF) wings.⁶⁹ This is due to the minority clans being scattered in large areas of Puntland, each having alliances with the neighboring majority group, which means that they did not come to the conference with a unified voice but rather attached to their clients.

In 1998, Abdullahi Yusuf was elected the president of Puntland by clan delegates. A few months later, traditional elders selected the people's assembly consisting of 69 members, 66 of them were distributed to five regions and the Buhotle district while three honorary members were given to the three factional leaders that established the state. The distribution of the seats was not meant to endure for a long time. According to the first charter, Puntland would transit to democracy after three years. Unfortunately, that goal was never achieved, and the clan formula became fixed and entrenched into the system leaving minorities unrepresented in the Puntland parliament.

2.5.2 Lack of recognition:

The basic line for the participation of minorities is the recognition and mutual respect of groups

and guaranteeing the individual right to equal treatment⁷⁰. Minorities in Somalia are not only excluded from politics but their existence is denied. This observation was made by early scholars who studied minority groups in Somalia. According to Kirk, minority groups in northern Somalia were not recognized as Somalis by majority clans⁷¹. Similarly, participants of this study noted that majority clans are denying minorities their Somali identity as one participant observed "Our brothers need to understand that we are Somali and Muslim people like them, because now it looks, they don't"⁷² narrating the segregation and discrimination they face in the community.

Nonetheless, the lack of recognition can be discerned from a legal point of view such that the constitution vaguely mentions the protection of minorities without defining them or providing specific rights to them. In other countries, the constitution explicitly addresses minority rights within the legal framework, assigning them their mode of representation, which spans from guaranteed elective positions to aligning their interests to the national interest. Unless their rights are recognized as legitimate, they cannot gain any meaningful representation.

2.5.3 Clannism

The results of the study indicate that the majority of the respondents believe that clannism is one of the factors that excluded them from political participation because, during the formation of Puntland, it was considered the level of armament and strength that each clan had. The clan factor always

⁶⁸Martin Hill (2010) No redress: Somalia's forgotten minorities. MRI report

⁶⁹Interview with an elder in Galkacyo

⁷⁰Francesco Palermo & Jans Woelk, 2003, No representation without recognition: the right to political participation of national minorities, *Journal of European integration*.

⁷¹Cited in Markus Hoehne (2015) continuity or change regarding minorities in Somalia, ethnic and racial studies, V 38, No 5, 792-807

⁷²Local teacher interviewed in Galkacyo.

plays a central role in Politics, since Somalis are normally described as “clan society”⁷³ because of the important place that clan identity has in the society. Clans often engage in conflict over limited resources using clan militias who play a significant role in political life across the system. Clan identity is used to as a political resource by strong clans to gain control over local communities.⁷⁴ The competition is a zero-sum game where strong actors are fearing to lose their position if they do not maintain their status through power.

2.5.4 Socioeconomic status

Socioeconomic status is highly correlated with political participation because “higher status individuals are more likely to participate since they have the skills to master political subject matter which facilitate involvement in politics”⁷⁵. Thus, wealth is an important facilitating factor for candidates seeking political seats. Most of the respondents in this study believe that socioeconomic factors such as lack of wealth and education are big factors hindering their right to political participation. Minorities in Puntland are poor and have no economic power to seek for political positions as one respondent indicated “Politics is expensive,⁷⁶ when I want to get into politics, I need to invite a large number of people, which I cannot afford, the Hotel alone is expensive”. Another respondent stated that minorities have no big companies or big businesses to depend on thanks to the marginalization. Generally, the poverty level of minorities in Somalia is higher than the majority clans because they work on manual professions such as smiths, carpenters, and shoemakers. However, in recent times, the dominant clans displaced them from their

traditional occupations exposing them to a new level of vulnerability.

Furthermore, the study revealed that although candidate resources is highly correlated with the winning chance of competitors, the financial capabilities of candidates were not a big factor in the local elections. Since voters were choosing between political associations, not individual candidates. Some candidates interviewed stated that their political associations bear the financial burden, and candidates paid a small portion of the election expenses. The only exception where minorities seem to have faced economic challenges was their inability to transport nomadic people to the registration sites.

Education is another component of the SES that increases the political knowledge and skills of the people. Minorities lack the necessary education required to join politics; they do not get quality education for their children. According to Vosomwo (2006), only 20 percent of minority families interviewed in Somaliland send their children to school. The high dropout is caused by two factors such as the discrimination that minority children face at schools, according to one respondent in Qardho, the community tried to sponsor dozens of their children in Yaka village in order to increase their school recruitment. However, they found that students were dropping out every day until very few remained in the class, when they closely studied the phenomenon, discrimination became the main factor. To address the issue, they constructed schools for minorities which later flourished, and the dropout diminished.⁷⁷

⁷³De Waal (2007), state and power in stateless society available at <https://items.ssrc.org/crisis-in-the-horn-of-africa/class-and-power-in-a-stateless-somalia/>

⁷⁴Christian Wabersick, 2004, differences that matter: the struggle of the marginalized,

⁷⁵Wandy K, Tam Cho, Chames Gimpel & Tony Wu, (2006), Clarifying the role of SES in political participation. Policy threats and Arab American mobilization, the Journal of Politics.

⁷⁶ interview

⁷⁷ Interview with local councillor in Qardho district

However, in the past, there have been improvements in the level of education of minorities in Puntland due to several initiatives by the community, as well as special measures designed by the government during the presidency of Abdiweli Gaas from 2014-2019 to improve their knowledge. Yet, their participation in public affairs has not changed, due to the historical discrimination that was subjected to this community as one respondent explained “Even if PhD holder tries to get job, he will never get”⁷⁸, this trend caused minority children to migrate to outside the country.

2.5.5 Discriminatory attitudes

Minorities in Somalia face persistent discrimination and stigmatization by the majority clans. Whether these discriminatory attitudes influence the political participation of minorities. Slightly more than half of the respondents believe that it has a psychological impact on them, discouraging young aspirants to pursue political goals one respondent said “Yes, when I repeat you are you bad, you don’t deserve, this every day, you will believe that you are less important than other”⁷⁹. Apart from this, the study found out that discrimination is not common nowadays, particularly among mature people and majority clans do not subject minorities based on their identity.

The only discriminatory practice that is still widespread in the society is prohibition of intermarriage between clan minorities and majorities such practices, however, have a latent but profound impact on their participation in public affairs. It has been noted that “intermarriage restrictions have excluded minorities from some forms of clan support and advancement of marriage ties” (Hill, 2010), respondents have concurred with this notion:

“Even if other people have no representatives in the government, they can still have the advantage of having relatives from the maternal side or in-laws or from your grandmother’s side, who will give them jobs or access to the office. But for me, I don’t have, I am surrounded by discriminated people.”⁸⁰

Moreover, the discrimination of minorities from the political system can sometimes be unintentional where the officers in charge of the service are unaware of their acts. However, it is deeply rooted in all levels of government. Hence it does not only impact the community socially, but the political side is also very important.

2.5.6 Community mobilization

Studies have shown that Political mobilization increases the level of political participation of minority groups. It empowers citizens to gain political knowledge and skills to participate in politics. Even when the political context is not favorable, successful co-ethnic mobilization gives minorities the chance to bypass existing elites.⁸¹ When the respondents were asked about the factors that influence their participation in politics, more than half of the respondents believed that lack of community mobilization is a big factor hindering their involvement because minority groups have few social organizations that advocate their rights. Lack of mobilization is caused by the nature of the community. First, they are scattered in large parts of Puntland, and second, minorities consist of dozens of clans that are different, and each clan is seeking to get its own representation. This argument was strengthened by the political associations who succinctly hold that minority disorganization caused them to lose their seats in local elections.⁸²

⁷⁸ Interview with an elder at Horogle village in Galkacyo

⁷⁹ Interview with local teacher in Galkacyo

⁸⁰ Interview with an elder at Xero-jaale village, Galdogob district.

⁸¹ Dancygier (2014), electoral role or electoral leverage; exploring Muslim representation In England.

⁸² Interview with senior member of a political association

2.6 The Impact of Lack of Representation on Minorities

Representation of minorities in the government enhances their involvement in the decision-making process and contribution to the policy outcomes that affect them. Whereas lack of representation deepens their social isolation. Respondents believe that representation in the legislative branch is key to everything. The absence of people representing them had a profound impact on their lives, impacting in several ways such as access to the government, access to public services, and generation of employment opportunities.

Access to the government: Minority Respondents stated since they lack representation, they cannot access the government which causes them to lose their share in the country's resources. Access to the government is very difficult for minorities as one respondent pointed "Our traditional elders cannot meet with the president or ministers whereas other elders like him have easy access, it might take him weeks to get an appointment because we don't have a representative". This scenario is reported by almost all minority respondents who consider the government alienated from them and unless their right to representation is enhanced, it will not be responsive to them.

Access to public services: The state distributes resources to the community, therefore, access to government means access to resources. In situations where there are non-democratic regimes, they mainly depend on patron-client relations to gain legitimacy from the people, changing resources with citizen's support. The provision of social services in Puntland is made by NGOs since the government's capacity is low. However, the government has the coordination role in allocating these services to the districts based on their needs. The government allocation is influenced by different actors including the representatives and officials who advocate for their constituencies. The study found out that

access to social services such as schools and health centers is poor in minority settlements. There are very few centers that offer basic services which were built by the community. The respondents ascribed the poor services to their lack of representation.

Employment opportunities: Minorities have traditionally worked on manual jobs that are shunned by majority groups, they rarely work in professional sectors such as government offices, NGOs, or Big Businesses. The absence from these sectors is due to their low-level education, but even the few that attend schools do not get white-collar jobs like their counterparts, because of lack of representation in these sectors. Respondents pointed out that with the competitive market and the scarcity of jobs, it is getting harder for them to find jobs as one participant uttered: "My child completed university education, but he is in the home jobless, whereas his friend who dropped out of the school has a decent job because he has relatives in the government". The government is the biggest employer, however In Puntland, it is very difficult to get someone employed from the governmental office without connections for that reason, their educated children got difficult to be recruited in volunteer positions. The issue of unemployment was one of the most pressing issues that all minorities interviewed were concerned about, since the traditional jobs that minorities relied on in their daily lives are now disappearing. The study found that very few minorities are employed in the government departments and in some cases, top bureaucrats failed to mention one staff at their offices.⁸⁴

⁸³ Interview with minority official in Garowe

⁸⁴ Observation made by the study, there is no single minority staff at some government ministeries.

3. Conclusion and Recommendation.

Effective political participation of minorities requires specific arrangements to facilitate their inclusion in public affairs ranging from quotas to mechanisms intended to further their participation or even compensate for systematic discriminations in the past. According to the respondents interviewed, several strategies can be effective in enhancing the participation of minorities in public life including.

Guaranteed reserve seats: when minority groups cannot naturally make it through the formal channels to get representation, it is important to design institutions that allow them to do so, this includes reserving seats for minorities. Currently, minorities lack representation in Puntland Parliament's 66 members that clans select. Respondents suggested that a reserved seat for minorities could promote their right to political participation in Puntland. In recent times, such an attempt was made to enhance Women's political participation although little was achieved to implement the quota system. The implementation and effectiveness of this strategy depend on the agreement of the stakeholders.

Education: the study participants indicated that the educational level of minorities is very low, so to increase minority participation, there is a need to provide free education to promote their knowledge and skills. Since minority children face discrimination at schools, it is recommended at least, that building schools in which majority are the marginalized can increase their recruitment. Similarly, there is a need to invest and adopt a curriculum that emphasizes mutual acceptance and respect for all citizens.

Appointment for political positions: minority representation is not limited to elective bodies; they are excluded from the executive and administrative departments; it is recommended the government to give minorities their share in

the executive as well as the middle officers that implement policies and programs.

Enforcement of laws and policies that promote equal participation of all citizens in public life. The participants confirmed that the problem is not a lack of proper mechanisms, there are plenty of them, but their enforcement needs to be committed by the government. The study recommends institutions that are assigned to organize elections such as PEC to oversee the requirement that election-related laws provide to ensure inclusive government bodies.

Integration into the society: minority groups have been socially, economically, and politically segregated from all spheres of life. There is a need to accelerate efforts to integrate them into society, this includes banning the discriminatory practices related to marriage and social stereotypes.

Advocacy for minorities; Minorities stated that the advocacy needed to ensure their representation is missing. Unlike women who got the opportunity to have many voices behind them, Minorities were left unaccounted. There is a need for civil society organizations to create programs to advance minority interests and to initiate policies for the benefit of marginalized groups. The international community can also play an important role in advocating for minority groups by conditioning the support they provide to the government, to make it minority-sensitive programs.

Outreach programs: to reverse the historical and longtime discrimination against minorities, there is a need to conduct civic education and outreach programs to educate them about their rights and responsibilities as citizens of Puntland and encourage them to seek those rights. This can be done by the civil society organizations.

⁸⁴Observation made by the study, there is no single minority staff at some government ministries.

The study recommends political associations to give utmost prioritization for minorities and assign them winnable positions. The local elections have shown that minorities could not gain seats unless political parties support them.

Community mobilization: evidence has shown well-organized groups can do better in realizing their right to participate than fragmented groups, there is a need minority groups to establish political associations that encourage their members to be actively involved in politics. Additionally, if possible, the government may abrogate the provisions banning clans-based

political associations, to give the chance to form their own political party.

Provision of autonomy: it is perceived that both territorial and non-territorial autonomy are important for increasing minority political participation. There is a need to give them autonomy to influence those representing them. On the other hand, there are few settlements where minorities concentrate, such villages need to be upgraded to the status of districts, to ensure their territorial autonomy.

Conclusion

The quest for minorities to get representatives in the government is like “Knocking a closed door” as one elder stated. They are not represented in majority of elected bodies as well as administrative apparatus. The political discrimination that minority clans face is rooted in historical, social marginalization that existed for centuries. The only time, the status of minorities was enhanced was the reign of the military regime of Siyad Barre between 1969-1990, however, after the collapse of the state in 1991 and the post-civil war state building processes, minority groups’ involvement in reconciliation conferences and the wider decision-making processes was too low. The lack of representation of minority clans affected the provision of social services, employment opportunity and their access to government offices.

Since clan-system of government deprived their social and political

rights, Minority groups have had higher expectations, that the democratic election shall be avail them better chance than the former system. However, they were further marginalized, securing few seats, performance very much lower than the clan system. Democratic elections do not inherently marginalize minorities rather the way it was designed and adopted impact the outcome of the election. In this case, political associations exploited the guidelines translating the closed list system to give majority clans the top in the list of candidates.

This study further outlines the difficult for minorities to effectively participate unless special measures designed to enhance their status is introduced, including reserved Quota as well as intentional measures to recruit them into the civil service.

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