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## Excluding women: the clanization of Somali political institutions

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Hawa Jibril, a poetess and a long-time activist for Somali women's rights, identified male elders as a barrier to women's inclusion in the politics and governance of their society. In her 1962 poem, 'the old men who hold us back' Hawa recited "don't you see these old men; who hold us back, let them not prevail over us" (Jibril 2008:151). Sixty years later, Somali women still face elders attempting to hold them back. This CMI Brief examines the effects of the political institutionalization of clan and its effects on women's aspirations to participate in politics and outlines how Somali women have responded to these obstacles.

### Bypassed by clan elders

Somali society is a patriarchal clan-based society, where lineage is traced through the father. Women are considered transient members who belong to neither their father's clan nor that of their husband. These multiple clan connections are an asset in building networks and community connections but has simultaneously made it difficult for them to participate in the clan-based politics of Somalia (Dini 2010:199-120).

Throughout history, clan elders have played various roles in Somali politics and governance. Albeit influential, their role was never formalized until a reconciliation conference in 1999 changed the political game. The Arta reconciliation conference hosted by Djibouti was the first to prominently involve civil society groups, including women's groups. At the same conference, and for the first time, the clan elders were brought into the political process with the introduction of the 4.5 power-sharing clan agreement. Halima Ismail, the Chair of the National Independent Electoral Commission (NIEC) described the 4.5 system as 'primitive' and 'not a viable option' (Houjale 2020). This agreement stipulated that the four major clans – Darood, Digil and Mirifle, Dir, and Hawiye obtaining equal number of seats, while smaller clans would get half of that. Since political power would be shared along clan lines, women's groups sought to formalize their involvement in politics by pushing for a 6th clan, which did not succeed. They also pushed for and obtained a gender quota of 12% (Jama 2010).

### Federalism and the gender quota: a silver lining for Somali women?

Attempts to incorporate and secure a space for women in politics have been painstakingly slow. But as the country worked its way into a federal system in 2012, things started to change. Although the newly signed provisional federal constitution was largely written in a gender neutral language, it did include an article stating that "women must be included in all national institutions, in an effective way, in particular all elected and appointed positions across the three branches of government and in national independent commissions" (Federal Constitution). Finally, Somali women could vie for the country's highest office. But the powerful role given to the clan elders continued to throw a spanner in the works for women with political ambitions.

During the 2012 federal elections, the electoral process was largely in the hands of the Transitional Federal Government and the United Nations, who entrusted 135 clan elders with selecting and appointing members to the federal parliament. The elders were told to ensure the inclusion of women in the parliament, but how this was to happen was not specified and with no enforcement mechanism in place, many of the elders refused to appoint women. Nonetheless, women obtained 14% of the seats. While the smaller clans allocated a share of seats to women, the larger clans were less likely to appoint women.

Having considerably less access to clan elders means, women were at a disadvantage. In some cases, the clan elders simply refused to meet with women. In other cases, the elders were in remote areas or in conflict zones and it was hard for women candidates to get to them. Added to that, women candidates had less access to funding, and this was particularly to their disadvantage since blatant seat buying became evident. Meanwhile male candidates were being funded by businesses and clan members.

### Institutionalization of the electoral process and gender quota

By the time of the 2016 election, the negative consequences of giving the clan elders sole responsibility for selecting and appointing members of the parliament were made abundantly clear. Women's civil society groups and the international community pushed to have the problems from the 2012 elections addressed. Prominent among this was securing women's gender quota and reducing the presence and influence of the clan elders within elections. Civil society and women's groups pressed and were successful in designating every three seats allocated to a sub-clan, one must be for women.

The National Leaders Forum (NLF)<sup>1</sup> reiterated the minimum of 30% seats at all levels of government to women and created a new model for the electoral college to address the malfunctions of the existing system. But clan leaders' authority was reinforced rather than challenged. The electoral college would 14,025 delegates who would vote for members of parliament. But these members were all appointed by clan leaders so the change was cosmetic rather than substantial. Each parliamentary candidate would be elected by 51 delegates, which were to include 16 women and 10 youth. These delegates could be any adult and were often negotiated between the candidates and the clan elders. In some cases, clan elders allowed their favored, usually male, candidate, to decide who would be the delegates, thus increasing their electoral success.

However, women came prepared to claim their quota during the 2016 federal election. Several factors helped them increase their share of seats to 24%. Organizations like the Somali Gender Equity Movement (SGEM) and Talo-Wadaag formed to lobby and raise awareness of the importance of claiming the minimum 30% that women had been promised. SGEM was created in Minneapolis and founded by mostly diaspora women in North America and Europe for the sole purpose of increasing women's political seats in the 2016 elections. Highlighting the need that women had to network and support each other, within a few months, SGEM had about 9000 members globally. It engaged in awareness raising of the importance of the gender quota. It also organized training workshop for female candidates on the gender quota and their rights. SGEM also worked across Somalia. They teamed up with Talo-Wadaag, formed in Garowe, which also sought to increase women's representation in Puntland. National, regional and local women's organizations such as the Somali National Women's Organization (SNWO), Somali Women's Development Centre (SWDC), Somali Women's Leadership Initiative (SWLI), We are Women Activists (WAWA) among many others, held meetings, demonstrations and lobbied for the implementation of the quota for women. Additionally, the international community pushed for the inclusion of women in politics, providing training and some financial support for women (Parke et al. 2017).

### Facing political backlash

The clan elders in collusion with male politicians did their best to circumvent the gender quota. Many refused to appoint women. Although female candidates paid half the registration fee of male candidates, they found it difficult to raise the funds required to be elected. Bribery turned out to be a massive challenge in the new system. Unlike in the 2012 election, where bribes only were paid to clan elders, now there was many delegates in the electoral college expecting bribes. The amounts

<sup>1</sup> NLF is composed of the president, the prime minister, the speaker of the house at the national level, and the regional presidents

for one vote varied from \$1,000 - \$20,000 depending on the seat and who was running. Women found it difficult to raise funds, because clans and businesses preferred to invest in men. This forced women to turn to other strategies (Mohamed and Samatar 2019).

Some of the women reached out to the elders to convince them of the merits of electing women. Others tried to have the gender quota enforced but with limited success. Candidates who wished to file complaints on electoral mismanagement, had to pay an additional \$1000 to the Electoral Dispute Resolution Mechanism. Many reached out to the international community including the United Nations and the European Union, but did not get much help. Several female candidates were intimidated to drop out and others were prevented from taking a vote. A few were even kidnapped or arrested, effectively preventing them from participating in the elections. In some areas, male candidates, with support from clan elders, ran for women's seats, paying off young women to run against them and lose. Other male candidates would pay women to run for and win the seat, with the understanding that they would step aside later for the man. A few women, like Hamza Sheikh Hassan successfully ran and won a parliamentary seat against three men (UNSOM 2016).

An additional barrier facing female candidates was that the formation of new regional states between 2012 and 2016 entailed a distribution of some clans across different regional states. For example, if a sub-clan is in one region, for every three seats, one was to go to women. But once the sub-clan lives in two different regional states, the seats are divided, and the seat allocated to women may be lost (Joint Statement 2016). From the 2012 elections, the clan elders learnt that delaying elections would reduce the chances of appointing women, because the international community would be anxious to complete the election, even if women lost out and the gender quota was not met.

To avoid many of these problems, women activists and civil society groups pushed to have women's elections separate and before the men and further that only female delegates should elect women. This, they argued, would have guaranteed the minimum 30% quota. This suggestion was not followed up on, but women still managed to obtain 24% of the seats. It is noteworthy that two women – Fadumo Dayib and Anab Dahir – also announced that they would run for president, although they withdrew before the election. A female MP, Khadija Mohamed Diriye, also competed for the second deputy speaker of the federal parliament albeit unsuccessfully.

### The demise of the gender quota?

In February 2020, the Somali President signed the Federal Electoral Law. This law would allow Somalia to hold one-person, one-vote elections and to adopt a multiparty system. The president also announced that the election would take place as scheduled, despite no voter registration (Hassan 2020). Since the 2016 elections, clan leaders and religious actors have lobbied actively to remove the gender quota and they initially achieved their goal. The quota was left out of the passed Electoral Law, instead it was assigned for further review by a parliamentary committee. On July 1, 2020, the lower house of the Federal Parliament, passed the minimum 30% gender quota. This amendment is now awaiting passage from the upper house and the signature of the president before it can be included in the Electoral Law.



The Somali Gender Equity Movement was founded mostly by diaspora women and has lobbied extensively for the gender quota in Somalia. Photo: Somali Gender Equity Movement

It is still unclear what shape the 2020 election will take and how women will participate. Out of the 90 registered political parties, only the National Democratic Party is headed by a woman, former deputy prime minister Fowzia Yusuf Haji Aden (NIEC 2020). A few have women in the top leadership, but the vast majority have no women in the leadership.

But if Somaliland is any indication, women's political participation will likely decline in a multi-party system without the gender quota. In Somaliland, women have been campaigning for a gender quota for decades. In 2019, the Somaliland Cabinet approved a 20% gender quota, but it was rejected by the Guurti, the upper house of the parliament, a house whose members are exclusively clan elders (Duale 2018; Egge 2019).

The backlash against women was also evident in the 2018 parliamentary elections in Puntland: Out of 16 female candidates, only one woman was selected, leaving gender representation at 1.5%, similar to Somaliland where only one out of 82 MPs of the lower house is a woman (PDRC 2019). The upper house of Somaliland has no women. In the 2020 regional election for Galmudug state, six women were elected out of 89 representatives (6.7%). South West State has the highest number of women with 17% (16 out of 95 MPs) in the recently elected Parliament, even though their constitution stipulates 20% (Hiiraan Online 2020). Hirshabelle parliament is due to hold elections in 2020. However, there are currently only six women among the 99 MPs, and 18 additional seats reserved for women were never filled because the top leadership - the President, VP and Speaker of the House - could not agree on who would select these women for the regional parliament.

But women have also made gains. In 2020, the second Deputy Speaker in Galmudug regional state, Fadumo Abdi Ali defeated a male candidate. So did Anab Abdullahi Isse when she was elected Hirshabelle's second Deputy Speaker in 2016 (Somaliland 2020). At the local level, Diinsoor in South West state, set a precedent when it elected ten women out of the 21 members (UNSOM 2020). And Hawo Mohamed Farah defeated four men and two women for the Badhan city local council, while Amina Abdirahman was elected as deputy mayor of Buran, both in Puntland (Radio Ergo 2019).

## Recommendations

- To ensure that the gender quota is fully implemented, it must be institutionalized within the legal instruments and included in the Electoral Law and the Provisional Federal Constitution. The recently adopted Somali Women's Charter, which calls for 50% of seats, across all levels of government, should be considered (UNDP 2019).
- As Somalia moves towards a multi-party system, inclusion of a gender quota should be a requirement for all political parties. To ensure compliance, women should be included in electoral commissions with a clear mandate to reject male candidates for women's seats.
- Women running for office are hindered by cultural stigma saying that politics is a domain for men. This has wrongfully fed the belief that women pushing for political representation is a new phenomenon, promoted by westernized diaspora women and the international community. Awareness raising activities and their historical contributions will reduce the barriers that women face when running for office.
- Some elders support women's political participation. They should be recruited to speak out on the importance of having women take part in the governance of their society.
- The financial hardships that female candidates face must also be addressed. Women candidates are divided by clans and regions, preventing their ability to create networks of support. Without these networks, which can provide political and financial support, women will continue to have difficulties in getting elected.

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