



Unrecognized Vote: Somaliland's Democratic Journey

By Saeed Shukri



Somaliland reinstated its independence in 1991 following the collapse of the military regime that had ruled Somalia for two decades. The Somali National Movement which took over the northern regions facilitated a broad-based conference in Burco attended by traditional leaders of all six regions of Somaliland who unanimously agreed to the dissolution of the union with Somalia and proclaimed independence on 18 May 1991.

The conference also established Somaliland's first government, based on the SNM's organisational structure, with its Chairman, Abdirahman Ahmed Ali, becoming Somaliland's first executive president and the SNM Central Committee functioning as the country's first parliament. It had a two-year mandate, and was tasked with accommodating non-Isaaq clans into the government, developing a constitution and preparing Somaliland for elections.

The new country continued to suffer violence and weak institutions, with elders stepping in to prevent degeneration into protracted civil war. In 1992, the first of two major clan conferences, held in Sheekh, created the national *Guurti*, or council of elders, bringing together elders from all the clans responsible for controlling clan militia and preventing conflict, as well as defending the country.

The 1993 Borama Conference

The second major clan conference assembled in Borama, a city in the West of Somaliland, for nearly five months in 1993. It eventually produced a National Charter which established government structures and the separation of powers for a transitional two-year period, pending the adoption of a new constitution. The charter included the creation of a bicameral parliament, with the *Guurti* formally institutionalised as the upper house, and the lower house made up of elected representatives. A clan-based electoral college elected Mohamed Haji Ibrahim Egal president for two years as well as members of the *guurti* and the lower house.

The political system established in 1993 became known as *Shirbeelad*, meaning “clan” or “community,” integrating indigenous forms of institutional arrangements with modern institutions of government. It was only meant to be in place for three years but lasted a decade.

Following the transition of power from the SNM leader Abdirahman to Egal, the new administration now had two years to prepare an interim constitution for approval by parliament and the upper house. The process proved to be time-consuming, necessitating extensions of the charter’s deadline.

Ultimately, two drafts were produced. In 1994, the government hired a Sudanese lawyer to write the constitution while the House of Representatives appointed an ad-hoc committee advised by lawyers, traditional leaders, religious figures and politicians which, suspecting the government’s draft would give excessive power to the executive branch, drafted an alternate version. Following deliberations to reconcile the two documents, a unified draft was adopted as the interim constitution in 1996, with a three-year implementation period leading up to a referendum. A final, revised constitution was approved by both houses on 30 April 2000 and overwhelmingly endorsed by 97 per cent of voters in a public referendum held on 31 May 2001.

The local government and parliamentary electoral system

The constitutional referendum paved the way for popular elections. The first set of municipal and national elections held between 2002 and 2005 were conducted by a [novice electoral commission](#) with almost no international technical and financial support and without many of the accoutrements of modern elections such as censuses, comprehensive voter registers and voter education. Though not without problems, disagreements and accusations of malpractice, the elections were considered largely credible, free and fair, and their outcomes were widely accepted.

The constitution defined a new political system for Somaliland — a democratic, multi-party system, in which the head of state and members of parliament and district councils would be elected directly by the public by secret ballot, instead of through electoral colleges of elders.

Within two years, a body of laws was passed to facilitate formation of political parties, define citizenship, delineate the structure of local government, and lay down electoral procedures. The laws [provided](#) for a seven-member Registration Committee which administered the registration process for political parties as well as the process of qualifying three to become national parties as stipulated by the constitution. The constitutional limitation to the number of national parties was meant to prevent the political system from [fracturing along clan or regional lines](#).

The first local government elections were held in December 2002. Voter registration was only carried out in urban areas, with around 330,000 people being registered. However, on polling day people were allowed to vote irrespective of whether they had a registration card or not (and were then marked with indelible ink).

Six registered political formations qualified to compete in the polls, with the top three in terms of

number of seats won recognised as national parties which could field candidates in national elections, including for the position of president. The successful parties were Egal's UDUB, Kulmiye and UCID. European Union observers [declared the elections](#) — during which 440,000 votes were cast — to be “of as high a quality as is realistic within the prevailing environment”.

The presidential polls

In 2003, with the presidential elections fast approaching, President Dahir Riyale Kahin, who had succeeded Egal after the latter's death in May 2002, met with the three national parties and agreed on the composition of the seven-member National Election Commission. The president and the *Guurti* would each nominate two commissioners while the political parties would pick one each.

The elections were held on 14 April 2003, pitting President Riyale of UDUB, Ahmed Mohamed Silanyo of Kulmiye and Feisal Ali Hussein of UCID. The result was a wafer-thin victory for the incumbent, who won by just 80 votes out of the 500,000 cast. The Kulmiye Party immediately asked for a recount at some of the polling stations but this did not change the original tally. The result was eventually challenged in the Supreme Court which endorsed Kahin's victory. Silanyo conceded and Kahin was sworn in on 16 May.

Many who were uncertain and wary of a disputed election and its consequences, expressed gratitude to the Kulmiye leader, Silanyo, for his incredible decision. A seasoned politician, Silanyo had weighed the situation and seen the turmoil that lay ahead. He sacrificed his own political and party ambitions in order to save the fragile democracy. Given that he had served the longest in the SNM leadership and was from the dominant Isaaq clan, Silanyo's concession removed the latent suspicion that the powerful Isaaq would establish hegemony over the other clans.

2005 legislative elections

On 29 September 2005, Somaliland held its first, and so far only, multiparty contest for the 82 parliamentary seats. The 82 members of the house were elected on the basis of proportional representation. UDUB won with 33 seats, Kulmiye garnered 28 and UCID captured 21.

Smarting from their 2003 presidential loss. Kulmiye and UCID blocked or rejected any motion from the executive branch. It was the beginning of political tensions in Somaliland, which crippled the cohesive nature of Somaliland democracy. The parliament elected in 2005 is still glued to their seats because the opposition political majority in the house has continued to filibuster and shoot down any progressive motion pertaining to elections.

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It was only after the 2005 elections that political stakeholders agreed to establish the first voter registry. A law was enacted in 2007 to govern the process and, following some amendments, voter registration proceeded in 2008. It was, however, briefly suspended following suicide bombings in Hargeisa on 29 October 2008, and was also marred by widespread fraud and mismanagement. Nearly 1.3 million names were collected throughout the country, each of which was meant to be validated through a biometric fingerprint system. [According to Michael Walls](#) — Co-Coordinator of the international election observation mission for the Somaliland presidential election in 2009 and lecturer at University College London — registration centres permitted more than half of those registering to do so without taking a readable fingerprint and “large numbers were permitted to hold photos in front of the camera rather than presenting themselves for the purpose”.

The 26 June 2010 presidential election

With the term of President Kahin expiring in May 2008, the voter registration exercise was meant to facilitate municipal and presidential elections. However, the polls were repeatedly delayed because of infighting within the higher political circles, specifically between the parliament, opposition leaders and the president, necessitating two extensions of his term. As provided for in the constitution, the *Guurti* approved the president's request for an extension of his term and that of parliament to March 2009 due to the instability in the eastern regions. The second extension occurred at the request of the NEC which needed another year to prepare for the polls due to the prevailing political situation, economic problems and technical issues.

The elections were finally held two years late — on 26 June 2010 — and were again contested by Kulmiye, UDUB and UCID. Nearly 540,000 voters cast their ballots across the country on election day, electing Kulmiye leader Silanyo, with 50 per cent the vote. It was now Kahin's turn to gracefully concede and Silanyo was sworn in on July 26 in a ceremony attended by delegations from across East Africa, including officials from Kenya, Djibouti and Ethiopia.

Local government elections in 2012

On 28 November 2012, Somaliland held its second round of local council elections, the results of which, like the first a decade earlier, would determine the three national political parties that could contest national elections for the next decade. Though largely free and relatively peaceful, the elections were marred by multiple voting exacerbated by the lack of a voter register - the previous one having been [nullified by parliament](#) after it [defied attempts to clean up](#) the voter roll — and the ease with which supposedly indelible ink was removed.

With two of the three national parties in trouble — many of UCID's supporters and MPs had transferred their allegiance to Wadani, a new political organisation, while UDUB, the party of the two previous presidents, was widely thought to be dissolving — there was space for new political formations. Five new formations contested the 2012 elections alongside Kulmiye and UCID. Despite some dispute and violence in the immediate aftermath, the results were accepted and Kulmiye, UCID and Wadani emerged as the national political parties.

Presidential elections — 2017

On 13 November 2017, Somaliland conducted its third presidential election, its sixth popular national voting exercise in 15 years. The election — which had originally been scheduled for June 2015 but [was delayed](#), initially at the request of the NEC and then due to the drought ravaging the country in January 2017 — saw three candidates competing to replace the incumbent Silanyo, who had decided to step down: Wadani's Abdirahman Mohamed Abdullahi Irro, UCID's Faisal Ali Warabe, and Kulmiye's Muse Bihi Abdi. The polls, which were preceded by the rollout of a new biometric voter registration system, experienced considerable delay caused by technical and political challenges, and drought. Compared to over a million in 2010, 873,000 voters were registered, although only just over 700,000 actually collected the voter cards that would allow them to vote.

Once again, peaceful voting was followed by delays in the tabulation and collation of results, and allegations of malpractice. Violence led to some fatalities and the results were disputed, especially by Wadani which demanded a recount but eventually relented. On 21 November, Abdi was declared the winner with 55 per cent of the vote and became the country's fifth president, cementing a tradition of peaceful handovers of power that is relatively rare in the region.

On November 7th 2020, as the country prepared for the long-delayed parliamentary and municipal

elections that are now to be held at the end of May 2021, the National Electoral Commission (NEC) released the timetable for the voter registration exercise that was scheduled to start on November 29th 2020 and end on January 13th 2021. The voter registration exercise targeted those who had missed the 2016 voter registration exercise as well as those who had attained the voting age. The exercise would also be used to clean up the 2016 register. The NEC also gave voters who needed to change voting locations the opportunity to do so and to also replace lost voter cards.

Successes and challenges in the democratisation process

The Somaliland constitution contains fundamental principles strengthening citizens' rights and freedoms, and emphasises the transition from clan-based politics to a multi-party democracy. However, political parties have not transformed themselves in terms of structure, vision and strategy. Rather than becoming vehicles for transmitting the noble constitutional principles of a multi-party system, in practice they derailed it and became clan-oriented in order to secure more votes. For example, they deferred to clan leaders in the selection of candidates, favouring those from the larger, vote-rich clans, ignoring the smaller ones, and generating conflicts and divisions between them.

The heteromorphic nature of Somali politics and democracy

Somali society is considered ethnically homogenous, monolingual and singularly Islamic. However, it is characterised by an entrenched paternal clan system. These clans are communities of relationships that share common ancestral origins and are interrelated. Clan relations extend over clan territories marked by fluid borders. Upon birth, a Somali is given one name — their first name. The second name is their father's, the third their paternal grandfather's and so on and so forth until you arrive at the sub-clan name. Knowing one's genealogy several generations back is of paramount importance in Somali culture; it is a primary identifier for the individual and the clan. This genealogical identity has been used successfully in Somaliland to curb crime, insecurity and terrorism. It is the most successful approach to community policing.

The clan therefore is at the core of politics in Somali culture. Clan groups became the basis of the political parties for the parliamentary election in 1964, which meant that from the outset Somalia political parties had a strong clan consciousness. The political system adopted in the 1960s was a clan-based parliamentary democratic system that inevitably led to the politicisation of the clan and the death of ideological politics and democracy.

Clanism, nepotism and patronage

This is the omnipresent danger to all Somali political and democratic initiatives. In such a clan-based political system, the government must have robust and powerful institutions. The governance culture must also emphasise meritocracy over clanism, nepotism and patronage. Governance must be inclusive economically, socially and in terms of development and must be seen to be meritocratic in the filling of public office. The tenets of democracy are optimistic; they envisage a rational human society. But humans are often irrational and their decisions, beliefs and bias is born out of their own selfish interests and desires.

Democracy calls for one man, one vote, and victory to the majority. This is ideal in a democracy that practices ideological politics. But where ideology is replaced by clanism, the majority will always be the most populous clan or the most populous clan alliance. This denies a country visionary leadership because political contests are not based on ideologies, development agenda or unity.

Further, elections in Somaliland have been characterised by unnecessary postponements when

politicians are uncomfortable either with the electoral laws or with the appointment of NEC members. For example, the 2008 presidential elections were postponed for two years due to the opposition severely pressuring the incumbent president on controversial issues related to the choice of NEC members.

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More recently, between 2017 and 2019, opposition parties UCID and Wadani were at loggerheads with the president over the nomination of the National Electoral Commission. The opposition was challenging the president's prerogative to increase the number of the NEC commissioners from seven to nine. That dispute led to the postponement of the elections to 2021.

The political parties have truly shackled many opportunities to develop true democracy in Somaliland. The parliamentarians elected in 2005 are still in office 16 years later due to the cycle of postponements driven by political parties. There is a light at the end of the tunnel, however, as new political parties are rising unburdened by the tedious process of using local government elections to select the parties to compete in national elections. The four-year delay in holding the local government elections now means they will be held on the same day as the parliamentary polls.

Due to this, on April 4th 2021 the Somaliland parliament drew up new criteria for identifying national political parties which will now be selected through a separate electoral process in all the six regions. The political organisations that obtain the highest cumulative votes from all six regions will qualify for the three spots, allowing them to run for national elections in future. This elective process for new political parties will most likely be carried out before the expiration of the 10-year period for the current three political parties in November 2022.

Significance of the May 2021 elections

With 1.3 million registered voters (approximately 30 per cent of the population of Somaliland) expected to cast their votes — with 246 candidates gunning for 82 parliamentary seats and 966 vying for 249 district municipality seats in the six regions — these elections will be the most competitive yet. The outgoing parliamentarians were elected in 2005 and sat for 16 years, a decade longer than their mandated term limit. Similarly, the outgoing local government council was elected in 2012. The citizens of Somaliland are determined to bulldoze these unethical politicians. As stated earlier, the dysfunctional political parties are responsible for the postponements, while incumbent presidents have often played the game to gain more time on the throne.

The government will provide at least 80 per cent of the NEC's budget, with international partners covering the rest. According to the NEC, it will be using biometric voter registration and a sophisticated voting system which university students have trained operate at the polling stations to ensure smooth operations with minimum technical errors and disruptions.

May 31 is of historic significance for Somaliland as it marks the 30th anniversary of Somaliland's independence and the 20th anniversary of Somaliland's multiparty democracy. It was on May 31st 2001 that Somaliland voters approved the constitution through a referendum. Somaliland youth born after 1991 have never had a chance to elect their parliamentary representatives.

Which way forward?

If Somaliland's democratic transition is to last there must be strict regulation of the behaviour of political parties. Moreover, the structure, composition, competence and size of the National Election Commission must be re-evaluated and the best way to do this is to make its membership independent of political parties. The inclusion of political interests in an institution that is supposed to be a neutral adjudicator only destabilises and weakens the NEC with serious repercussions as the constant bickering brought on by political entities diminishes the trust that the electorate has in the organ. Elections are an emotive exercise in Somaliland especially since political compromise and consensus in Somaliland politics is almost absent. Further, the habitual postponing of the elections by the NEC, allowing elected officials to continue to hold seats beyond the end of their terms without the mandate of the electorate is a direct result of the inclusion of political stakeholders within the NEC.

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The elders' house is aged and incompetent; many of the key members have either died or are crippled. The *Guurti* is a powerful legal institution but it has not been re-elected since 1993; dead elders are replaced by their next-of-kin regardless of merit. The president must urgently form an ad-hoc commission to study the criteria required to elect the members of the upper house and laws to eradicate the postponement of elections and the extension of political mandates must be put in place.

And finally, mechanisms to engage citizens' aspirations, to build trust and confidence in the democratisation process, seminars, lectures, debates and discussions may play a vital role, while the involvement of external experts/institutions will be necessary in providing training in democratisation, specifically for the upcoming parliament and the emerging political parties.

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