

# Somaliland: Curbing Corruption and the Quest for Effective Governance

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**ABSTRACT** – *This study examines the current corruption practices in Somaliland and how a once the promising democracy and economy of Somaliland has been betrayed by an elected regime and its future compromised by purging the most publicly-trusted figures from his cabinet members who were believed to be the chief architects of the regime’s economic recovery initiatives post–2010 election. The study finds out the ferocious policies which is not based meritocracy rather on ‘who you loyal to’ by appointing anyone who cannot pose any challenge against a legitimate minister with illegitimate executive power, the ‘Umaru Dikko’ of Somaliland who keep the will of the nation on a narrow edge. The study questions why Silanyo has spent eight years as an opposition figure against a regime less corruption and nepotism than his system, while recycling the most criticized policies of his predecessor. The conclusion outlines the need for having state persons to preserve the scarce resources of this poor tiny unrecognized nation in the Horn African region. And it raises the concerns from the state leaders and questions why the knowledge gaps that existed within some government officials include: lack of professional integrity and experience have not been purged from the government positions and replace them better state persons those at least could understand the needs of their fellow citizens.*

**Key words** – corruption, nepotism, transparency, accountability, regime, governance, crisis

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## 1. INTRODUCTION

It is important to define by what exactly corruption means. Corruption is widely described as an improper practice from a public official against a public property for individual purposes (Collin, 2004; Dix et al., 2012). In an apparent form of definition, Transparency International (2007) describes corruption as ‘the abuse of entrusted power for private gain’. This means both financial or material gain and non-material as well, such as the furtherance of political or professional ambitions. In the judicial sector, corruption might have any form includes inappropriate influence on the impartiality of the judicial process by any actor within the court system.

At the present time, in an apparent recognition of this man-orchestrated endemic disease, corruption has not only limited to bribery, abuse of power, state resources exploitation, but also nepotism, and fraud, among others are regarded as the major actors in the developing and underdeveloped world nations. Therefore, demonstrating two crucial forms of corruption is important: political and administrative (Michael, 2005; Laura, 2009). The former refers to acts of corruption perpetrated by high-ranking politicians and decision-makers in regards to manipulation of power and misuse of public belongings, as the latter concerns offences committed by both mid and lower level public officials who are responsible for administrative procedures and services provided to the public.

In most fragile situations if not all, states face an apparent dilemma. In this condition, acting to prevent corruption can strengthen their legitimacy and stability, but allowing practices of corruption often seems to do so as well, at least in the short run. In countries emerging from conflict, for example, governments face a stark choice between increasing legitimacy by bringing those committed crimes against their citizens to justice including corruption on the one hand, and increasing stability by integrating past combatants, including leaders involved in corruption, into the new political order, on the other (Dix et al., 2012).

In Somaliland, presence of weaknesses in governance has a direct link with the absence of the public institutions’ accountability and transparency. Following Silanyo’s massive electoral victory of 2010, the regime has opted to establish an Anti-Corruption Agency to watch the officials practices against the public properties, an initiative regarded by many not only as a government measure to increase public accountability and transparency but also strengthen the fight against an endemic disease, the corruption (Nasir, 2014). Nevertheless, this commission has remained nominal since its establishment. Since its founding, numerous vicious corruption acts were identified in the public faces, but unfortunately the commission has failed to charge or bring those involved into the limelight of justice. For instance, the collapse of the Hargeisa Airport runway reconstruction project, the Genel Energy issue, an

international oil-drilling company based in London, irrational recruitment practices in the public sector and nepotism as a major driver, among others are the outcome of dysfunctional commission established to protect and preserve the public properties and hold the officials accountable (Ibid, 2013).

It seems obvious that political corruption often receives the greatest attention due to its visible impact on political decision-making and good governance, but the pervasive and devastating impact of administrative corruption on the everyday lives of the ordinary citizens receives far less attention and publicity (Johnston et al., 2006). Yet for the vast majority of the Somaliland population are aware of what's going on the ground and even the active figures those engage the irrational activities. This kind of manifestation is eroding the citizens' trust in government, justice and the rule of law (Dix et al., 2012). In fact, the economic costs of corruption fall disproportionately on the poor, for instance, administrative barriers and bribes demanded by public officials represent a greater setback to the national development<sup>1</sup>. In essence, corruption undermines the delivery of public services such as health care and education on which the poor depend, among other public benefits.

In the current state of affairs, human rights abuses and the emergence of a kleptocratic system in the form of nepotism and favoritism which overt in the country, indeed have negative implications for the Silanyo leadership and should be labeled as a negative hallmark to his political legacy. With the existence of these vicious circles within the state system with ugly practices, the unfortunate point to mention is that the Anti-Corruption Commission in Somaliland has never identified any public figure that abused his position or departmental facilities and used for his/her personal benefits, while on the other hand millions of dollars were utilized improper ways<sup>2</sup>.

Apparently, the main challenge for the regime's democratization test was to conduct a free and fair election. In the 2012 local council election, Silanyo regime has failed to hold free and fair elections accompanied by transparent party financing which can be a mechanism of public accountability. This election mired by fraud has led some parts in the state and even in the capital, Hargeisa; to witness riots and unrest between the supporters of the parties those rejected the election results and the police forces. As a result of this clash, a number of civilian people were killed by the police while others wounded without apprehending those committed such crimes against their citizens<sup>3</sup>.

Indeed, some might argue that an inadequate framework for government accountability can also facilitate corruption. While the lack of transparency, inadequate oversight, weak enforcement, and ineffective electoral systems reduce the likelihood of exposure and censure for wrongdoing and push the cost-benefit calculus in favor of corruption. For surely, Somaliland leaders today has failed to acknowledge that the growing of the political and economic corruption may be a trigger element for the citizens' disappointment and may necessitate public anger and demonstration<sup>4</sup>. In fact, the state's response to this ugly practice is insufficient, and lack elements of addressing this grand corruption. Indeed, there is no doubt that the corruption has a significant negative impact and weakened on socioeconomic growth of Somaliland.

The purpose of this study, then, aims to bring to the public attention some trends of the corruption acts taking place in Somaliland under the leadership of the Silanyo who survived within the Somalia's successive regimes and the Somaliland as well. The study discovers the gaps and weaknesses that existed within the government officials including but not limited to: lack of professional integrity, lack of knowledge to their positions and their limits, state resources manipulation, the abuse of power, among others. The latter is regarded the evil, if not the source of the evil. The study aims to suggest urgent interventions that need intentionally to be included all sectors of the society. The study seeks ways forward strategies that aim to curb the underlying corruption trends and patterns that fabricated by the current regime who installed vicious clusters within the state system that need to be apprehended.

## 2. METHODOLOGY

Research on corruption within the Somaliland state institutions was exclusively carried out through both primary and secondary sources. In secondary, in-depth desk review were conducted and therefore relies on concrete and evidence based facts. In the primary sources, individual interviews and discussions with dignitaries, academicians,

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<sup>1</sup> In Somaliland, public institutions to provide you effective and efficient service, you have to know someone within that institution or any other affiliated public institution. If not, you have to bring a renowned figure from the public, such as akils (traditional chiefs), sheikhs or any other public figure

<sup>2</sup> The public are crying due to the irrational practices taking place at national, regional, and local levels

<sup>3</sup> In November 28, 2012 local election, a number of clashes between the police and the supporters of the political parties those rejected the election results have erupted several localities, such as Hargeisa. In Hargeisa, the police clashed with the supporters of the Xaqsoor political association in Ahmed Dhagah District, while in Zeila; in the western coast of the country have witnessed similar clashes between the police and the local people

<sup>4</sup> The Somaliland officials at national, regional and local levels have never realized the existence of any form of corruption acts and its negative impact on the state's survival if not addressed properly and urgently. They will tell you that *'there is nothing wrong with Somaliland'*

and journalists were carried out. The researcher made every effort to use only reliable sources of information. Furthermore, the focus of this study was primarily on key areas affected by the current ongoing corruption acts taking place across Somaliland, include: nepotism and demerit-based recruitment, public projects' monopolies, and power abuse from key government figures.

### **3. CORRUPTION: A GLIMPSE FROM EGAL TO RAYALE**

Since its separation from the rest of Somalia in 1991, several measures have been undertaken to restore revenue administration in post-conflict settings in Somaliland. The first priority was to establish the basic infrastructure for a functioning revenue administration, including renovating physically sound buildings, equipments and vehicles. An initial focus of the domestic authorities in the country has been strengthening the customs administration, reflecting the need to increase actual revenue collections as rapidly as possible (Nasir, 2014). As one dimension of the state capacity, efforts to generate tax revenue from the public have been undertaken in most parts of Somaliland to run state affairs. These revenues types include: taxes on services, a tax on exports and imports and many others.

In 1990s, while the state leaders at that time were engaged in building both state capacity and authority, on the other hand, the corruption acts committed by the officials at that time was less than the followed decades due to various factors, include: a) the late President Mohamed Haji Ibrahim Egal<sup>5</sup> – the founding father of the contemporary Somaliland – were regarded by many as a state person and has never accumulated wealth and other public properties for his own private use or families interests<sup>6</sup>. This kind of practice influenced his successive cabinet members, b) the scarcity of the state revenue sources at that time should be regarded as one dimension of the absence of corruption acts. The most economic sources of the state was recovering from decades of severe civil wars, and c) the most important point to note is that president Egal has fully controlling his cabinet members and even aware the practices of the officials at local and regional levels. Indeed, though Egal regime was not immune from corruption related acts, experience shows that unprofessional civil service can facilitate corruption and the corruption flourishes in conditions of poverty and weak public institutions. Apart from these weaknesses in the public sector, President Egal has managed to control the corruption acts during the transition period.

In this situation, while the abuse of power is widely regarded as a corruption act, Egal's cabinet<sup>7</sup> members have never exercised an executive power beyond their constitutional capacity contrary to the current practices of the Silanyo's cabinet. During the Rayale<sup>8</sup> tenure, though the regime was not immune from corruption acts and there were widespread allegations against his government in connection with grand corruption and bad governance. On the other hand, Rayale has never installed his close and extended families to the decision-making circles. In many regards, and to be honest to the point, the most appreciated characteristics of the late President Mohamed Haji Ibrahim Egal and even his successor, Dahir Rayale Kahin is that the two leaders have distanced their governments from any family influence<sup>9</sup>.

It is not a surprise to shed light on the Silanyo's practices. Silanyo has appointed key government positions to his clan members as ministers and trusted advisers which threw the will of the public to a deep hollow of grounded well<sup>10</sup>. The unfortunate event that happened during the Silanyo's tenure is the mismanagement of the first ever multimillion foreign-invested projects. The Silanyo regime has awarded the multimillion projects to his clan members to benefit it<sup>11</sup>. These projects include: the reconstruction of the Hargeisa Airport which has finally collapsed due to massive allegations of grand corruption acts. In this context, officials in Silanyo regime have profited from their office through such corruption acts as bribes, extortion, and asset stripping. The data confirms that corruption in Silanyo's regime nearly three and half years of his rule is more prevalent in regards to his predecessors with highly distorted policies.

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<sup>5</sup> Son of a businessman, the first Prime Minister of the State of Somaliland when it gained its independence on June 26, 1960; the ousted and last civil-elected Prime Minister of Somalia in 1969, and the second President of Somaliland from 1993–2002

<sup>6</sup> Following the death of president Egal in 2002; Egal's family has neither inherited deposited cash nor any other property earned from the state resources. President Egal died at the age of 74 without having any single house and any other form of property across the state

<sup>7</sup> Article 94 (4) of the Somaliland constitution clearly states the role, duties and responsibilities of the Council of Ministers

<sup>8</sup> The Vice-President of the late President Mohamed Ibrahim Egal, who served later as his successor from May, 2002 to July, 2010

<sup>9</sup> Observed from the practices of the two presidents of Somaliland, Mohamed Haji Ibrahim Egal (1993–2002) and Dahir Rayale Kahin (2002–2010)

<sup>10</sup> Observed from Silanyo's practices in regards to the nomination of the high government positions, project awards, hiring or firing, to name a few

<sup>11</sup> Silanyo has introduced a new version of policies by installing his close and extended families, and friends within the state system and empowered them to manipulate the state power and exploit the already scarce resources

Fundamentally, some think that democratically elected leaders should show all forms and types of transparency to their fellow citizens. In Somaliland, although initially enthusiastic about electing Silanyo as a president in 2010 national election, the euphoria quickly changed to disenchantment as many citizens in Somaliland felt that Mr. Silanyo increasingly marginalized the educated elites and intellectuals in government and other organs of the state to serve the nation. For instance, purging the most publicly-trusted figures from his cabinet who were believed to be the chief architects of the regime's economic recovery initiatives post-2010 election remains one of the most challenging decision to Silanyo's pledges during the election campaign. These figures include: Mohamed Hashi Elmi (Eng), one of the five individuals who founded the Somali National Movement (SNM) in London on April 6, 1981; a civil engineer, intellectual, nationalist, technocrat and dogmatic figure served as a Mayor of Hargeisa, the capital, Minister of Trade and Industry and Minister of Finance respectively.

Nevertheless, in the contemporary Somaliland politics, the clan interest and nepotism remains the major if not the sole challenge against the concept of state in the twenty-first century. Therefore, favoritism, nepotism, impartially, state resources exploitation, power abuse are regarded the most serious factors in the Somaliland's politics, while clan-based politics in Somaliland though was its solution for the past, it will remain a factor of its conflict in the future.

#### **4. GROWING POCKETS OF CORRUPTION: A TALE OF TWO CRISES**

Generally, corruption is regarded as the major if not the sole challenge for development and a scourge that threatens the hopes of the public. Corruption remains an issue on the fringe of national development as the Government officials avoided to renounce the issue and show respect and transparency to their fellow citizens (Michael, 2005; Raymond & Edward, 2008; Robert, 2009). Unfortunately, the officials consider the matter an intervention or defaming their internal practices which in fact remain an obstacle to development (Kimberly, 1997; Johnston et al., 2006). With the existence of this kind of thinking within the inner circle of those who run-in the state in Somaliland, the role of the academics and other intellectuals in criticizing this endemic disease, the corruption, has remained missing or has never said a mumbling word. Due to this, this study marks a turning point in discussing this man-made catastrophic phenomenon and places the corruption issue center stage as the prime challenger not only for the Somaliland socioeconomic development and the wellbeing of its citizens, but also it puts burden on the economy and social services provisions of elsewhere.

##### **4.1 Power Abuse as a Source of Political Crisis**

In the region we are living today, it would be fair to say that Somaliland is in the midst of a multi-dimensional crisis. Of all the crises is undergoing – political, economic and social. The crisis that is affecting the state is by far the most threatening for the future, because it is likely to undermine the foundations of an authority inherited from the founders of this nation. In an apparent form of explanation, the state as it exists in Somaliland today is a legacy and continuation of the Somalia military government. To elaborate the point further, the Somali government was above all a military form of government imposed by force of arms, or through intimidation based on the threat of force. Regrettably, almost everywhere, the language of government in Somaliland has remained the language of the Somali military government. Hence, the consequences of the act became establishment of strong security agencies that increasingly violate human rights, suspend basic democratic freedoms, and accelerate the exploitation of national properties and the already scarce resources of the state<sup>12</sup>. In this regard, during the past three and half years, there are grave violations of human rights such as the arbitrarily detention, abduction, among other unlawful acts perpetrated by an elected regime.

For the most part, the political crisis in Somaliland could be blamed partially a poorly implemented written Constitution which doesn't probably goes hand in hand with the practices on the ground aggravated by the successive leading figures of the state organs those lacked the skills with charisma in leading and managing their posts and responsibilities except few. This failure has messed the already deteriorating situation<sup>13</sup>. Therefore, the outcome dynamically led the state to remain in limbo that could subvert this entity which failed to acquire recognition from the international community over 20 years into unprecedented chaos and hectic situation as the southern part of Somalia has experienced over two decades-long history.

Regardless of that crude critique, the major factor which derails the state's quest for international recognition is the structure of the state itself which serves the interests of few individuals. In many regards, the lack of awareness

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<sup>12</sup> Such as the arbitrarily detention of the media, abduction of the politicians without a prior warrant from the concerned legal bodies as well as ordinary citizens who aggressively face serious challenges against both the government officials and the security forces

<sup>13</sup> There is no professional legal commission who interprets the Constitution. There are a number of articles those create conflict and confrontation among the opposing political figures. This kind of misinterpretation confuses the public at large

from the citizens' at the grassroots level as well as misinterpretation of the Constitution from the state figures, lack of independent judiciary in practice have also contributed their part the worsening of the state of affairs across the country.

In this regard, as a vanguard for the current political crisis, the executive branch should think twice and bring to an end its regular interventions to the other organs of the state. For instance, without respecting the independence, rights, duties and responsibilities of the legislative branch of the state, the executive have had multiple interventions to the internal affairs of the House of Representatives. Apart from this critique against the executive branch, this House whose terms have ended years back, without further discussions extended its tenure several times. This extension however, hampered the House's confidence to the public<sup>14</sup>.

The most important point which deserves mention is the Constitution which seems 'liberal democratic constitution', but serves the interest of few individuals those are on power. With the existence of this element in the state, Somaliland would never win recognition without adjusting its internal weaknesses. To overcome these weaknesses, political commitment, committed leadership, reform on the state institutions to seem inclusive, effective and genuine, among others are crucial. Except these, it will remain in continues political confrontations from the ruling cliques on one hand and their respective opponents on the other. In this respect, there is a need to engage far-sighted figures equipped with knowledge and profession; hence, these could lead the state as well as the citizens of this entity to a better situation and a brighter future than they are remaining today.

In fact, there is no exaggeration to say that Silanyo's reluctance to fire three ministers who were regarded the center stage of the country's recent political and economic exploitations, is a clear indication how Mr. Silanyo has failed to serve the nation effectively and impartially. The Genel Energy, an international oil-drilling company which falls under the influence of the Minister of Mines and Energy who irrationally awards the subprojects to his clan members which eventually precipitated withdrawal of the company from the country with a reasonable factors<sup>15</sup>. The Minister of Civil Aviation who also was responsible for the reconstruction of the Hargeisa Airport runway with over 4.6 million dollars. This project has finally collapsed due to the award of the bid to a newly established family-owned construction company without prior experience to the airport constructions<sup>16</sup>. This is another fiasco that sheds light on the Silanyo regime nepotism practices<sup>17</sup>.

Not different from those two influential ministers, the Minister of Presidency<sup>18</sup> is above all. This Minister from a business background without prior experience in running state affairs came into being in 2010 when Silanyo appointed him to a controversial position as a 'Chief of Cabinet' in the Presidency Palace and later promoted to Minister level. In this regard, one may describe this portfolio Minister as the 'Umaru Dikko' of Somaliland, a Nigerian politician who was a family member and trusted advisor of the Nigerian president Shehu Shagari late 1970s to early 1980s. Mr. Dikko held and kept the Nigeria country in a firm grip on running state affairs.

Under this Ministry, the Somaliland Roads Authority (SRA), an autonomous state-owned agency was brought under his supervision. This agency which receives donor assistance especially from the European Union was nominated a less influential figure to run day-to-day activities of the agency. The logic behind all these nominations was to shift the overall activities of the agency to the home region of the president to pave new roads and rehabilitate

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<sup>14</sup>Article 46 (3) of the Somaliland constitution clearly states that the House of Representatives shall establish its committees as it seems necessary. In December 2013, the Speaker of the House of Representatives as part of his responsibilities reorganized the subcommittees of the House. This reorganization led the executive branch of the government getting support from some House members including the two Deputy Speakers to intervene the situation. This kind of intervention has created rifts and political confrontation between the House majority and the executive branch

<sup>15</sup> During the survey, several clashes over subprojects have erupted among the community in the exploration fields. For instance, 28 Toyota land cruisers contracted to provide services to the company, except 6 vehicles, the rest belongs to the clan of the Minister

<sup>16</sup> There is a public anger against the current regime practices in regards to his injustice awards of development projects, and how the national development projects were managed

<sup>17</sup> In 2011; Mr. Silanyo has attempted to lease re-operationalization of the state's only asset, a 68 million Berbera Cement Factory established by the Somalia's military government in 1970s, to a businessman from his clan. This has created a deep wedge of suspicion between the Silanyo regime and the community in the Sahil region and finally led the regime to think twice

<sup>18</sup> The Ministry of Presidency is responsible for running and arranging day-to-day activities of the Presidency. Interestingly, the role of this Ministry has changed during the past three and half years of the Silanyo leadership. The Minister of the Presidency acts as the second person of the country after the president and legally undermined the role of the vice-president. Strange enough, Mr. Silanyo is the first president in Somaliland who nominated a person from his clan to this Ministry, while his predecessors acted differently. Embarrassingly, this Minister has addressed a speech to the House of the Representatives in mid 2013 regarding his Ministry. Instead, the Minister addressed a long speech covered the overall situation of the country which was beyond the capacity of his Ministry. This is a clear indication how this Minister is engaging other activities including the decision-making circles which remains in the hand of the ruling family

the old ones<sup>19</sup>. This time around, in apparent recognition of the previous criticisms in regards to corruption in the form of power abuse and economic exploitation, the public at large identified first among the 'most prominent figures' in the public faces those engage grand forms of corruption.

Pragmatically, though these three ministers are considered to be the most powerful and influential figures within the Silanyo led-government, on the other hand this doesn't mean that they are the only government officials those abuse their power. There are many, both from the Council of Ministers and the directors of the state agencies<sup>20</sup> though they are less influential than those three ministers<sup>21</sup>. For instance, the Minister of Finance, who served as an Imam in one of the Hargeisa Mosques and believed to be a member of an Islamic organization named as 'Harakat Al-Islah Al-Islamiyah'<sup>22</sup>, an ally and the Somali version of the Egypt's Muslim Brotherhood, has shown his sympathy to politics when first joined the Somaliland House of Representatives in the 2005 Parliamentary election from KULMIYE<sup>23</sup>, and later served as the first Deputy Chairperson of the House. The absence of a prior experience in running state finance affairs has never influenced Silanyo's decision to appoint him in March, 2012 as the Minister of Finance replacing Mohamed Hashi Elmi (Eng), a civil engineer, nationalist and a well-known technocrat.

Since his appointment as a Minister of Finance in a fragile situation in terms of economy and politics, there are controversies in regards to his management to the state resources. In this respect, though this Minister has an extensive knowledge to Islamic dogma which clearly promotes equality and justice for all for one hand, outlaws and prohibits improper utilization of both public and private belongings for the other, one may argue that this knowledge has never shaped his practices in serving the citizens equally and impartially<sup>24</sup>. For example, in mid-2013, 38 people with different backgrounds were employed at the Ministry without prior screening at the concerned government bodies that responsible for government employment, such as the Civil Service Commission. This newly employed people are known as 'Boko Haram' within the Ministry. Though this legal fault was committed by the Minister, on the other hand the concerned bodies such as the Anti-Corruption Commission or the Civil Service Commission have never condemned or said a mumbling word.

#### 4.2 Exploiting State Resources in the fate of a Shrinking Economy

Politics and economy are two indispensable factors in the current world political system. It appears that each of these two factors is complementing one another (Nasir, 2011). In this respect, let me connect the current economic problems in Somaliland with the political crisis that we have discussed in the previous section. The challenges confronting the Somaliland economy generally worthy for discussion as the country's growth prospects have deteriorated sharply due to the contribution of multi-faceted factors. To be frank with the reader, Somaliland economy has fallen victim to pressures from the government agents associated with the absolute liberalization of the country's economy without having the regulating agencies of the state economy<sup>25</sup>. Moreover, Somaliland which one may describe it as a 'banana republic'<sup>26</sup>, the currency and foreign exchange markets has remained in the hands of few

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<sup>19</sup> One of the most embarrassing issues is the nation's National Bids Commission which was nominated to a figure from the president's clan. This and many others are a clear indication and a sign of the emergence of a kleptocratic system in Somaliland

<sup>20</sup> There are grave concerns and massive allegations that connect the officials of the State-owned Television, among others into corruption related acts. For the past three and half years of the Silanyo's leadership, the National Television was and remains the epicenter of the state officials confrontations, many of them were dismissed due to their dare to dismantle the vicious networks those hijacked the national resources

<sup>21</sup> The directors and managers of the state agencies are not immune from the grand corruption acts taking place within the state institutions, for instance, high revenue generating state agencies are believed to be the epicenter of the corruption practices, while other non-revenue generating agencies exploit the state resources in various forms including but not limited to budgets, donations, among others

<sup>22</sup> This movement is the Somalia's version of the Muslim Brotherhood who stick on a greater unity among the Muslims and Somalis in particular and their ultimate objective is to establish an Islamic State across the Somali inhabited region in the Horn of Africa

<sup>23</sup> The largest political party in Somaliland, former opposition before winning the presidential election conducted in the country on June 26, 2010

<sup>24</sup> There is public crying about the Minister's practices in regarding the recruitment of the Ministry's employees. For instance, in mid-2013, the Minister has employed 38 people graduated from different colleges and universities. Ridiculously, the most if not the all are from his home region Gabiley, while the rest are from his clan Saad Musa, a subclan in a Habar Awal major clan. This illegal recruitment was part of his campaign and bid to take the Chairmanship of the KULMIYE party, the State's ruling political party

<sup>25</sup> There is no well-functioning National Bank that regulates the exchange rates exacerbated by the liberalization of the country's economy without prior draft of the regulating policies. This liberalization put on burden the weak poor section of the society

<sup>26</sup> The banana republic is a term mostly used by the political scientists in explaining the countries that are economically unstable and largely depend on the export of a single item or has limited resources for production. Somaliland's chief export is the livestock which accommodates over 65% of the country's GDP

and brought pressure both on the state and private economies as well. One may describe this kind of policy engagement as an immature that made the weak section of the society disproportionately poor<sup>27</sup>.

This doesn't mean that I am against the liberalization of the state's economy. To be honest, I have never been or expecting to be an economic left wing in the fate of a command ideology. To come close to the point, institutionalization of a mixed economic bloc in the form of a fair and free market is necessary. While the role of the state in regulating the market flow and influencing the role of the non-state actors' involvement in the state economy should remain effective and efficient.

Unfortunately, decisive and well-coordinated policy action has been absent that could help to stabilize the situation of the country's recent economic shrinking. In most recent days, the Ministry of Finance without intention and critical calculations has announced a sharp increase of the national budget from 125 million USD in 2013 to 214 million in 2014. To secure this unrealistic budgetary projection, the Ministry increased the import tax by ignoring the Inland Revenue which remains the largest potential revenue of the state. In this regard, while the country is facing a tough road ahead, a set of coherent, coordinated and well-targeted policies across the country can collectively reduce these difficulties<sup>28</sup>.

Without doubt, the lack of healthy economic growth with development policies in Somaliland has taken a heavy toll in citizens' misery. The initial misunderstanding which prevailed between the state and the society in Somaliland is evident in the public authority and is viewed in the contemporary Somaliland society. This society is riddled with corruption from top to bottom which aggressively affected the popular perception of the state and its relationships with society. As a result of this, corruption has caused so much damage that the popular perception in some Somaliland figures is that what belongs to the state or public authority belongs to no one by ignoring that public goods belong to the public<sup>29</sup>. Therefore, one can help oneself as much as one's position permits, providing that others can profit as well. It is not our intention here to blame the state leaders for all that is bad in Somaliland, but merely to state all the implications of a phenomenon which is devastating Somaliland society. The crisis of confidence between the society and the state leaders has intensified dramatically as a result of the failure of the leaders to enhance the economic capability of the state and the social living standard as well as democratic initiatives taking place throughout the state<sup>30</sup>.

Nearly three and half years after the mass electoral victory that Mr. Silanyo came to the office, the key cleavages of Somaliland's domestic political conflict and economic problems are not only unresolved, but still remain unresolvable. The practices that ended the Rayale rule and led him to lose the power against his rival are still practicing by the incumbent regime. It is not a surprise to raise some questions that could seem as critical if not aggressive: why Silanyo has spent eight years as an opposition figure against a regime less corruption and nepotism than his system, while recycling the most publically criticized policies of his predecessor, such as the Berbera Port question, the press freedom and expression, restrictions on peaceful demonstrations, injustice within the state judicial sector in regards to courts' practices in proceeding the cases, insecurities<sup>31</sup>, among others.

In the years of 2000s we have witnessed growing criticism from the opposition figures against the conduct of the Rayale's government in running the state affairs. This criticism was multidimensional (social, economic and political) and is grounded mostly in the facts concerning the management of the state financial resources in particular the Berbera Port, the Animal Guarantee in Berbera, and the state-owned Fuel Reservoirs (cylindrical fuel storage tanks with fixed roof and internal floating roof with capacities to accommodate over hundreds of thousands of liters) at Berbera controlled by Total, to new a few. Among those who criticize the Rayale leadership were representatives of the opposition political parties, especially the current president who publically and critically denounced the Rayale's policies in particular the Berbera Port financial management system and pledged better and well-coordinated

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<sup>27</sup> Article 11 (2) of the Somaliland constitution clearly defines the economic system of the state and how the state is responsible for care taking its citizens in particular the weak section of the society which cannot resist the vicious circles in particular those have

<sup>28</sup> Though the revenue has increased over the years, there are weaknesses and gaps that hamper in raising revenues, include: weakness in the tax administration system, the need for a tax law, tax administration reform and development-oriented system of taxation plus lack of an effective public financial management system

<sup>29</sup> Most of the Somaliland officials if not all regard the public properties as to no one belonging, this could be observed from their practices

<sup>30</sup> There are crying voices from the public which emphasize that public institutions' transparency and the accountability to the officials is declining due to the widespread corruption and mismanagement of the already scarce state resources using for their own ends and benefits

<sup>31</sup> There are emerging vicious circles which create insecurities across the state. This makes the citizens to think and express their grave fears and anxieties, for instance, there are organized crime groups and gangsters across Hargeisa in a district wise who fight each other, and these groups have different names such as Arsenal, Ciyaala Ciir, among other names. Others snap the mobiles and other precious items from the aged people and women both in the day and night times

substitute ones<sup>32</sup>. In many instances, politicians are not objective in their pledges because they cannot avoid fabricating pledges that difficult to implement rather prefer to climb the power. In many regards, the most surprising and the unfortunate factor observed in Somaliland is that those who lead the nation have little knowledge on how to realize with the pledges they committed during their campaign.

Indeed, the effectiveness of government policy responses both at individual and at national levels in addressing the economic crisis of the state will play a crucial role for creating favorable conditions and restore the positive impact of the country's shrinking economy. In addition, the present economic crisis of the state may be a source of both threats and opportunities for government's policies, for instance, the government's increasing the taxes for the importing commodities as well as other related responses are inversely proportionally deteriorate the situation<sup>33</sup>. Nevertheless, the government responses both on economy and political crises remains a major challenge that undermines the efforts of Somaliland to create better living conditions to its citizens.

In this situation, ending the corruption in Somaliland is a worthy and ultimate objective, but corruption doesn't necessarily end when the Silanyo regime leaves. Indeed, they are particularly likely to end if Silanyo withdrawn entirely his nepotism<sup>34</sup> policies and enjoys no flexibility to operationally support the mission, the mandate and the objectives of the Anti-Corruption Commission which was remained dysfunctional since its inception in 2010. These are factors that should weigh heavily on administration plans for re-engagement in addressing the concerns emerged from Silanyo's three and half years of leadership.

## 5. THE UNWISE DECISION

The engagement of the civil servants in politics is another factor that embarrassingly destroying the image of an entity that adopted liberal democracy. Interestingly, the mayors as well as the officials of the civil service commission and other related civil agents are not designated to engage into political affairs rather serving the public wellbeing impartially. The behavior of the above-mentioned figures are mostly emanate from the absence of knowledge of these figures to their duties. Hence, it is valid to argue that if those figures are aware their duties, they couldn't dare to accuse anybody in the society rather voiding themselves to engage in politics<sup>35</sup>.

Fundamentally, Somaliland's major crises in politics are in essence from the lack of figures with charisma in the state organs, these figures failed to pragmatically understand their duties rather satisfying those who appointed them. This act and others would lead Somaliland into an enigmatic situation that difficult to solve it. In this regard, it needed to wisely calculate the consequences and evaluate the figures that deserve to be appointed into any position without taking into account any other criteria<sup>36</sup>. In this respect, some might argue that the failure of the state leaders to recommend people with charisma rather appointing unqualified figures to the higher positions is the main challenge which crippled the state's fragile economy and derailed the state from the decent path of prosperity and development. The strongest answer to this problem is meritocracy in hiring, promoting, and even firing civil servants. Nevertheless, the Somaliland successive governments have failed to confirm that meritocracy has a strong association with corruption control.

With the existence of this weak performance recorded in the public service sector. The Silanyo's decision to dissolve the state civil servants across the country following to his election in 2010 was unwise and unfortunate move hampered the already weak and inefficient public service providing sector. To be honest, dismissing the long-serving general directors of the state ministries and other state agencies in a single day and replacing them with a *'tabula*

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<sup>32</sup> When the incumbent president was an opposition figure he was publicly denouncing the practices of his predecessor in regards to managing the financial resources of the state. As soon as he resumed the office, he recycled the policies of his predecessor without checking his pledges during the election campaign

<sup>33</sup> The Ministry of Finance without prior study the impact of increasing the taxes on imports and others has decided to increase. This increment put burden on the citizens those who already wrestling in managing their fragile living conditions

<sup>34</sup> One of the most distressing decisions from the Silanyo regime is to lease government-owned properties such as buildings and lands to his clan members. There are different cases which came in the public faces at different times include: the Berbera Cement Factory, Net-Fish Building in Berbera, Ghandi Library Building in Hargeisa, Hargeisa Arwo building near to the National Theatre, the Khayriya Building in the center of the Hargeisa City, plus unknown cases which are expected to be many. The nepotism acts are not taking place only in Hargeisa and Berbera, but there are public crying voices in the other parts of the country

<sup>35</sup> In Somaliland, the mayors and the civil servants mostly engage politics and they lost the trust and confidence of the public. They mostly do these due to various reasons behind include: they want to build their trust to those who appointed among others

<sup>36</sup> The successive governments of Somaliland has failed to institutionalize meritocracy based-policy that aimed to appoint the professionals and skillful persons to the high and significant positions of the government offices, and abandoning the long-practiced handpicked figures

*rasa'* figures remains the most political miscalculations committed in the contemporary history of Somaliland<sup>37</sup>. This time around, the other unwise political decision was also dismantle of the state security agents. As soon as Mr. Silanyo resumed the office, the regime dismissed the Police Chief, a veteran expert police officer, the Chief of the state's intelligence agency, among others.

This move should be regarded as a deliberate politically motivated action aimed to revenge those who worked with Rayale's regime and his party. However, this move violated the citizens' right to have freedom of thought and expression which enshrined in the state's constitution<sup>38</sup> as well as in the Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948<sup>39</sup>.

## 6. THE UNFORTUNATE HOUSE

Fundamentally, though legislators can play a central role and can use their legislative representative powers to curb corruption and advance the more traditional objective of strengthening their country's accountability framework. The role of the legislators on the other hand is to check and balance the activities of the executive branch (Johnston et al., 2006). On the other hand, strengthening the law enforcement machineries include: judiciary institutions are also essential to curb corruption because law enforcement officials are often under the sway of powerful interest groups, which means that they are unable to enforce the existing laws. Thus, through capacity building and oversight, an independent judiciary with the support of the legislative branches can ensure that the executive does not abuse its power and that it is punished if and when it does.

It is important to note that the parliamentarians have been entrusted with the enormous responsibility of amplifying the voices of citizens in the halls of government and ensure that governments are making decisions that best serve the interests of their people. Of course, though the core roles of parliament are a legislative role, on the other hand, the parliamentarians should play a vital role in empowering citizens to call to task governments that don't do enough to stop corruption (Ibid). In this respect, the parliament is an important institution which cuts across both vertical and horizontal accountability. In most democratic countries, the parliament has the constitutional mandate to both oversee government and to hold government to account and play a key role in promoting horizontal accountability through such mechanisms as constituency outreach, public hearings, and parliamentary commissions.

Fundamentally, some might argue that poverty weakens the mechanisms for securing government accountability as it keeps people focused on survival and limits their time and energy to hold leaders to account. Thus, mechanisms of accountability operate to greater or lesser effect across different branches and units of government. Such mechanisms of horizontal accountability include anti-corruption legislation, ethics codes, internal reporting and whistle-blowing, audit requirements, investigative bodies, prosecutors, the judiciary, law enforcement, and legislative oversight. On the other hand, mechanisms of accountability can also operate between government and the public. Such mechanisms of vertical accountability include free and fair elections, competitive political party funding, freedom of information, a free and independent media, and freedom of assembly and speech (Paolo, 1997; Mariusz & Stephen, 2001; Johnston et al., 2006; Raymond & Edward, 2008). Therefore, political or vertical accountability should ensure that the power of public officials is circumscribed by a series of checks and balances, for example, asset declarations and conflict-of-interest rules, implemented by parties outside the government. In this respect, both the horizontal and vertical accountability mechanisms are at a critical position in the current Silanyo–Saylici regime.

In Somaliland, though it claims that it is a democratic state, separation and independence of the three branches of power that could create '*horizontal and vertical accountability*' has remained even less significance or missing in particular post–2010 election. It is understandable that the legislative and the executive branches of the state have intermingled due to various reasons. This kind of exercise has hampered in running state affairs accordingly. In most recent years in particular the past three and half years of the Silanyo's leadership, we have witnessed growing acts of corruption engaged by different actors from the public to the private. Among those who engage this vicious act of corruption are individuals from the Lower House of the Parliament. At least there are three types of representatives in the Somaliland Lower House. First, representatives those neither engage executive's orchestrated acts of corruption nor show sympathy to the other political parties or have affinity with one of the three political parties. Second, those who support the regime blindly or unthinkingly and not gain such grand substitute benefits except limit amount of award for appreciation in the form of incentives. The third type to note which is the ugliest are in fact not actual

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<sup>37</sup> Some of the appointed officers have never worked in public institutions while others came from business background or Diaspora

<sup>38</sup> Article 10 (2), 20, 32 in the Somaliland constitution advocate the basic rights of the citizens same as indicated in the Universal Declaration of Human Rights

<sup>39</sup> Article 18 and 19 of the Universal Declaration of Human Rights clearly demonstrate the rights of the individuals

representatives both by nature and practice due to their engagement grand corruption acts in the form of projects. For instance, some legislators from the ruling party engage projects from printing the ballot papers or expressed interest to be awarded for printing the state's expected e-passports, printing the government calendars', government advertisement stickers, rehabilitating the fences of the government-owned buildings, to name few<sup>40</sup>.

Indeed, what is happening in Somaliland is an important factor that needs to be analyzed and discussed by the state intellectuals, because it needs to raise the question why the people of this unrecognized nation in the Horn African region are silent about the vicious corruption acts taking place. Especially the academics and other intellectuals those are believed to some extent show sense of neutrality in discussing the most pressing issues in the society for one hand. While on the other hand, the Representatives though not all, who were elected to represent their constituencies and amplify the voices of the citizens are in mess and taking part this endemic disease, the corruption. To be honest, this has put the legislators' trust to the public plus its role for checking the practices of the executive in dilemma, while this kind of engagement is contrary to the neutrality of the legislative body of the state which is one of the most crucial state institutions in the democratic societies.

## **7. THE QUEST FOR EFFECTIVE GOVERNANCE AND THE WAY AHEAD**

In Somaliland, many efforts to fight corruption have centered on the public sector and judicial reform but have never been fruitful. Indeed, where the rule of law and accountability framework is weak, the poor cannot depend on the judicial system to uphold their rights or the contracts into which they have entered or approached to any public service providing institution (Transparency International, 2007). According to a baseline study conducted by the Faculty of Law of the University of Hargeisa and funded by the DfID in 2012, the poor section of the society mostly faces the adversary impact from the justice providing institutions as well as other public offices. This study reveals that the poor are unlikely to prevail against the elite where money and power influence judicial decisions<sup>41</sup>.

As far as the issue of justice is concerned, the justice is regarded as the most crucial pillar for the human and state survival in current world nations. In Somaliland, it is not a surprise to note that the injustice have been the center stage for the nation's both private and public debates in most recent years. During the election campaign, the contesting political parties have raised their concern over the issue and separately sounded their plan to improve the sector if elected. For instance, the incumbent president has mentioned the issue publicly several times for one hand and his future plan to improve the sector for the other<sup>42</sup>. Despite the Silanyo campaign, cosmetic and cathartic expressions to intervene the deteriorating situation of the judicial sector of the state if were elected. For the past three and half years of the Silanyo's leadership, the justice sector of the state has went from bad to worst while on the other hand his regime put on the grave the independence status of the judiciary<sup>43</sup> organ of the state which remains one of the most crucial organs in the democratic society if not the most. In this situation, justice provision to the public endorses the citizens' trust the state governance and institutions thus ensure political legitimacy.

In fighting corruption, non-state actors can engage the mission, for instance, through advocacy, awareness raising and monitoring of government activities, civil society organizations have an important role to play in curbing corruption (Johnston et al., 2006; Dix et al., 2012). Therefore, CSOs, by working in concert with public officials, can encourage the mobilization of resources and protect their members from reprisals. Their effectiveness is therefore, contingent on a permissive legal environment and the receptivity of public officials.

Against all odds, corruption can be curbed via public and private sector reforms. The former reforms include creating a meritocratic civil service, encouraging sound public financial management system and revenue collection, restructuring public service delivery, and decentralization on one hand. While on the other, the private sector reforms should take the form of liberalization and simplification of rules, as well as privatization and restructuring of monopolies which would also significantly reduce the opportunities for corruption (Mariusz & Stephen, 2001).

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<sup>40</sup> Since 2010, some legislators from the House of the Representatives which have family ties with the president engage grand corruption acts in the form of taking projects to print ballot papers, government advertisements including calendars', rehabilitating fences of the government-owned buildings, among others

<sup>41</sup> Under the theme: '*Strengthening the Quality and Scope of Justice Provision and Policing in Somaliland*', the Faculty of Law of the University of Hargeisa, Somaliland, with the funding and support from the DfID and UNDP Governance and Rule of Law Programme (GROLS) respectively, has conducted this Baseline Study. As a researcher, I was one of the leading researchers those conducted this comprehensive baseline study aimed to understand the weaknesses and gaps that existed within the state justice providing institutions, including the courts and the police

<sup>42</sup> Silanyo repeatedly promised to the public while he was an opposition figure, if were elected he will first intervene the already deteriorating situation of the state justice system. Unfortunately, he never materialized his pledges rather the justice system of the state was better than as it remains today

<sup>43</sup> Article 97 (2) of the Somaliland constitution states that the Judiciary branch shall be independent of the other branches of the state

Nevertheless, though Somaliland has faced challenges in the reconstruction of the public institutions in the post-conflict situation (Jhazbhay, 2010). The Government should take several measures to improve existing procedures and systems to make state institutions reliable, efficient and transparent in providing services to the public. To realize these, the government should launch reforms on the administrative sector of the state institutions guided by the underlying philosophy of quality, with particular emphasis on administrative improvements, enhancement of information technology, improvement of information, and service delivery, to name few (Nasir, 2014). On the other hand, engaging of the state technocrats and intellectuals is another option, in the present Somaliland Government, absence of efficient and effective technocrats remain the major if not the sole challenge. In this respect, one may consider the Minister of National Planning and Development, a PhD graduate in Economics from the America's Pennsylvania State University, the only known technocrat, intellectual and nationalist in the public faces remained within the Silanyo regime after Mohamed Hashi Elmi who lost his trust with the regime couple of years back due to reasonable factors. Though this Minister is a visionary figure by nature and professional in practice, his ideas and vision in regards to development was caught and remains in-between hope and desperate.

## 8. CONCLUSION AND RECOMMENDATIONS

Since its establishment as the Republic of Somaliland on May 18, 1991; it was not without challenges: the corruption remains one of the major challenges that has been on a rapid increase with a negative impact on the overall community development, and democratization of the state. This challenge is coming not only from the public officials but also from the Government Specialized Agency for Curbing Corruption, the Anti-Corruption Commission. This Commission, which is the only governmental institution mandated to preserve the public assets and control the activities both the public institutions and officials. It appears that it has failed to exercise and materialize its authority to oversight the officials which reflects its mandate. In this regard, there is in an urgent need for further legal and institutional reforms and restructuring.

To this end, while fighting corruption requires tackling these underlying causes, especially where corruption is widespread, fighting corruption through investigations and enforcement on a case-by-case basis is not enough. To overcome, strengthen political accountability, increase civil society participation, and improve incentives for good performance are necessary. These reforms should target the relationships among core state institutions, the interactions between the state and firms, the relationship between the state and civil society, the political system, and public administration.

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