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## Abdi Ismail Samatar and Ahmed I. Samatar

...the actual and present condition of Africa [Somalia] is one of deep trouble, sometimes a deeper trouble than the worst imposed during the colonial years.

Basil Davidson, *The Blackman's Burden*, Time Books, 1992, p. 9.

Tell him that we do not wish for greediness  
 We do not wish that his ears should be hard of hearing  
 We do not wish that he should act arbitrarily...

R. S. Rattray, *Ashanti Law and Constitution*,  
 Oxford University Press, 1929, p. 82.

### I. Introduction

Let's begin with one fundamental assertion: We both feel deeply for Somalia and its people—our people. In the heat of this moment, some might dismiss such a sentiment as rather anachronistic. But even if there is some grain of truth to that judgment, we hold firmly that the instinct is a viable and deliberate mistiming commensurate with the imperatives of the *long durée*. Our loyalty, therefore, is to **no** individual or political group. On the contrary, we define ourselves as *civic scholars* whose sole interest is to make whatever small contribution our modest talents will allow to the revival of Somali national identity, dignity, and purpose. This brief essay's central concern, then, is the direction of the country in the wake of the recent announcements of a new leadership and political institutions. We offer these thoughts, though somewhat melancholic in word and tone, with the hope that our compatriots will use the new tidings as a potentially valuable development (albeit not a *tabula rasa* as one would have wished for); that is, a fleeting opportunity to be used to move out of the current morass and positively forge ahead towards an authentic renewal.

The essay is based on two temporalities: the bulk was written in the immediate wake of the announcement of the new dispensation from

Nairobi last autumn; part two, starting with the update, was authored in early August 2005.

Somalia has been the only independent country without a national government in modern times.<sup>1</sup> Haunting images of warlords condemning multitudes of hapless people to artificial famine moved the United States and the United Nations to intervene in 1992. Although the huge military intervention was successful in saving hundreds of thousands of Somalis from starvation, that effort failed to help the country reconstitute a national government. The chaos that ensued led to the departure of the international force. Subsequently, Somalia dropped off the watch of the world, despite worsening human conditions throughout the country. It is only after September 11 that it has regained some attention, particularly from the United States—a concern that pivots on preventing possible terrorists from finding a safe haven in the area. The United States closely monitors the country despite the fact that the original suspicion that Al-Qaida members were in the country had not materialized.

For almost a decade, the only international commitment to help the Somali people has been limited to meager humanitarian aid. It is only in the last two years that the world community, led by the European Union (EU), tried to aid Somalia's so-called peace and reconciliation process. Earlier, nearly a dozen attempts at peace had failed to produce a national government. The Intergovernmental Authority on Development (IGAD), a regional organization whose members consist of Djibouti, Somalia, Eritrea, Ethiopia, Sudan, Kenya, and Uganda, spearheaded the latest peace conference, which lasted for two years (starting October 2002). Unfortunately, incompetence, malfeasance, and the conflicting self-interest of some IGAD countries as well as officials of the Conference itself practically ensured that warlords (the main culprits responsible for the suffering of the Somali people) and corrupt politicians and their mainly illiterate clients dominated the process and appointed members of the Transitional Parliament and cabinet ministers. Simultaneously, civic groups, individuals, and professionals who did not partake in the destruction of the country and who invested heavily in peacemaking and reconstruction have been systematically excluded. Certain members of the IGAD, particularly Ethiopia and others who supported the process, have acted as unabashed partisans rather than honest facilitators and mediators.<sup>2</sup> Regrettably, they used their authority to undermine the integrity of the process. On their part, the civic groups and professionals also failed to organize and mount a

challenge to the modalities of the peace conference and the fate of their country.

## **II. IGAD: A Failure and the Need for a Somali Social Contract**

The outcome of the IGAD approach to Somali peace has been to *empower the warlords and enfeeble the rest*. Consequently, warlords maneuvered the selection of members of the new Parliament, including appointing many from among their retinues. Most MPs, however, were not necessarily beholden or accountable to anyone and were ready to offer their votes to the highest bidder.<sup>3</sup> Only a few of the MPs have respected their solemn oath to uphold the Draft Charter. As one keen Swedish diplomatic observer of the peace process noted a few months earlier, “Somalia will have a government of warlords and a parliament most of whose members are illiterate.” That prognosis has begun to unfold.

On October 10, 2004, the Transitional Parliament selected Colonel Abdillahi Yusuf as President from a roster of candidates. Col. Yusuf’s ascendance might not bode well for the future of the transition, given his record as a leader of the Northeast region (Puntland) and as a client of Ethiopia since the late 1970s. Although Mr. Yusuf had earned a great deal of credit for courageously standing up to Siyaad Barre’s dictatorship, he has a long and disturbing history in Somalia and in his home region, where he acted as a ruler. For instance, he is known to have made a mockery of political ethics, betrayed an appetite for cruel arbitrariness, and ran a maladroit administration. After the collapse of the Siyaad Barre regime, the Northeast region of Somalia made impressive progress to restore peace and take tentative measures to create a democratic regional order. These advances were reversed when Col. Yusuf came to power on July 23, 1998. The Council of Elders who appointed him removed him from office due to both a poor performance by his administration and the expiration of his tenure. He declined to accept the verdict and reclaimed power through force.<sup>4</sup> Further, there are many allegations that he has intimidated opponents to such an extent that some fled the region, such as the former Chief Justice of the region of Puntland. Others are reported to have been eliminated.<sup>5</sup> Col. Yusuf’s close alliance with Ethiopia was revealed by the surfacing of a video in 2002 that showed him admitting to receiving support from Ethiopia in his attempt to retake power and consolidate his personal rule. He has also publicly articulated sectarian and clanistic ideas (e.g., a videotape captures Mr. Yusuf claiming that the town of Kismayo belongs to the

*Harti* kin group alone) that will not endear him to Somalis from other kin groups. In short, his record does not inspire confidence and, in fact, makes Somalia's new transition worrisome.

### III. What Now? Public Atonement and More

In spite of this dismaying background, there is a real opportunity to change course and begin a new chapter. Somalis and many in the international community are eager to witness the end of Somalia's nightmare. But this yearning should not be an excuse to avoid taking stock of the illegitimacy of the Conference, the abysmal quality of most of the MPs and cabinet members, and the profile of the transitional leadership. The proceedings in Nairobi were neither about genuine power-sharing nor designed as a peace process. There is overwhelming evidence that it was ineptly organized and managed,<sup>6</sup> and that the selections of delegates and, ultimately, members of the new Parliament and Cabinet were, at best, highly irregular. The daunting question, then, is this: *Can such an inflated number of Parliamentarians (275) and Cabinet (over 90), and a President whose public record is blemished by clanist and harsh personal rule, effectively shepherd reconciliation, lawful authority, and national revival?*

We pointed out, when the original version of this essay was written in October 2004, that most Somalis were willing to conditionally support a peace-making and reconstruction period under the Transitional Federal Government (TFG), despite the sinister machinations that produced the dispensation. We proffered a minimum of six major conditions under which public support might jumpstart a new and worthy social contract:

- Public atonement—that is, a clear admission of past grave misdeeds of the leaders, starting with the Transitional President and members of Parliament (*Toobad keen* and *Cafis*). Such a posture must include a request for forgiveness;<sup>7</sup>
- A legally binding undertaking that the regime will manage the transitional process peacefully, democratically, transparently, and in observation of the law and protection of human rights;
- Articulate a vision for the country that explains the great challenges of the present and then sets the direction and main particularities of the new time;

- Create a lean (no more than a dozen) cabinet and ambassadorial appointments of men and women who are highly qualified and competent;
- Ensure that the National Commissions (i.e., reconciliation, constitution, civil service, etc.) be formed transparently and professionally, and are led by a nonpartisan group;
- Formally and urgently make a request to the African Union (AU) for the immediate creation of a high-powered commission (South Africa, Nigeria, and Algeria) with a significant nonpartisan Somali membership to guide the peaceful reconciliation between the North-west region (Somaliland) and the Transitional Federal Government.

The above might not be enough, but nothing short of these acts and promises will inspire wide public trust for the transition. To make certain that this new social contract is honored, the inception of a *national watchdog group* with international representation from the EU, U.S.A., AU, and U.N. that will monitor deviations from these principles is *absolutely necessary*. A clear signal of the character of the TFG, and particularly the thinking and vision of the Prime Minister, Ali Mohamed Geedi, is how and what type of senior administrators are selected.<sup>8</sup> One of the essential characteristics of the Siyaad regime was a nefarious nepotism in the appointment of people to key positions in the government. Recent regional administrations and the defunct TNG had adopted that practice: many of the top people around the leaders of these operations are/were unqualified and clanistic hucksters or mere cronies. This has created a political culture in which primarily kin and sycophants are trusted and rewarded. Such privatization of civic space has deflated the people's credence in public affairs and enervated collective ownership of the commons. The first acid test of the new transitional federal leadership is whether they will bring on board a cadre of professionally skilled Somalis, who are neither related nor beholden to them, as top managers in the new administrative apparatuses of the state.

*Would this transitional period begin to heal the deep wounds of the civil war and overcome the dictatorial legacy of the old regime and the nightmare of warlord tyranny, given the dearth of skilled and committed people in the Parliament and government leadership?* The old pattern of failure can be circumvented only if at least five factors are tightly interwoven:

- First, the new leaders commit themselves to the aforementioned principles of the new social contract.
- Second, given the transitional regime's desperate need for material support, the international community, particularly the EU, which has been the main supporter of the Conference in Nairobi, must play a decisive role to ensure that the militias are *fully disarmed* and a professional and effective police force is established. In addition, the expected bankers of the transition must also *demand* that civic groups and professionals play a strategic role in re-establishing major public institutions. These two acts would trigger confidence in the transition.
- Third, such bold interventions would convince a fragmented and disoriented public that the world community is seriously committed to sustained peace and reconstruction. Without such a concrete and resilient cue from the international community, a vulnerable public would have little reason to expose itself to the risk of confronting leaders who have a poor civic record.
- Fourth, skilled Somalis inside the country and in the diaspora must rise to the challenge of the transition if they get an opportunity to use their talents to rebuild the country. These groups are likely to enthusiastically respond to the call if the international community strategically involves them in rebuilding public institutions.
- Finally, Somalis of goodwill will rally behind the transition if the promised aid to the country is used to support local entrepreneurs and NGOs, and to nurture local ownership of the transition. On the contrary, Somalis will not actively endorse the new dispensation if foreign consultants and international NGOs dominate the reconstruction. Many have learned sharply negative lessons in these years of political wilderness characterized by demeaning manipulations by external hands.

It is not an exaggeration to suggest that the Somali people, particularly the civic and professional elements, have been hostages in their own home. Since the withdrawal of the U.S. and U.N. troops from the country in 1995, the world community has told Somalis that assistance will flow in only after they have freed themselves. The irony is that the international community, in taking this stance, guaranteed the paramourty of the warlords. It would seem that the IGAD strategy, supported by the international community, prioritized brokering a deal

between the merchants of violence and clanism. The outcome of the selection process indicates that, at best, only partial power-sharing has been achieved. Consequently, peace can only be sustainable and reconciliation feasible *if and only if* a significant proportion of the population is convinced that the transition will progressively lead to a complete restoration of *citizens' rights*. It is unlikely that the emergent leaders would, on their own initiative, put into place and monitor a process of democratization that would steadily empower the country's citizens. Such a possibility is clouded by the wrongful and undemocratic methods employed to select members of key organs of the anticipated state. The only recipe that has the prospect of transforming tyranny and chaos into an evolving democracy in Somalia is if the leaders of the regime solemnly accept the principles of the social contract and if that is resolutely backed by the international community.

The new dispensation has two major assets that could be productive if intelligently utilized. First, most of the public has learned to fend for itself, albeit at a low level of subsistence, without state support during the last two decades. Such existential self-reliance could mean that a talented and committed state leadership could chart a new public-private partnership, instead of the state dominating the reconstruction process. This strategy will have the advantage of tapping into entrepreneurial and survival skills Somalis have honed over the last twenty years, as well as attract professionals whose major concern is to effectively rebuild their country. To assemble this project will require a mature and ambitious leadership—one that is not afraid to single out talent and the nation's best and brightest to serve. Second, the Somali people seem eager to leave behind the horror of the last twenty years. They would support the new order if it can deliver peace and justice. The glaring conundrum is whether the current crop of MPs and government leaders are credible and astute enough to capitalize on this occasion and commence the journey of rebirth.

#### **IV. A Recapitulation**

Confidence building is vital and the principles sketched above are critical to generate trust. A public admission by the new leaders of their past serious wrongs and an appeal for forgiveness *alone* can provide a minimum *basis for initiating* the people's faith in the transition. The second major initiative that would boost public confidence is for the Transitional President to courageously acknowledge that he does not



have the credibility to deal with the Northwest (Somaliland) due to his past violent intervention in the Sool and Sanaag regions, and his clanist rantings. Consequently, a high-powered African Commission (outside IGAD) should be set up to mediate this potentially catastrophic difficulty. Third, the new regime should commit itself to a legally binding contract that will ensure transparency, freedom of expression, real democratization, and the peaceful resolution of conflicts. Fourth, the international community's attentive and effective engagement with reconstruction is indispensable.

A recent survey (October 2004) of African citizens unequivocally illustrated that the regimes in the continent have been a heartbreaking disappointment.<sup>9</sup> Similarly, the partisan role of IGAD and its baneful mismanagement of the Somali conference exposes again the bankruptcy of national and regional elites. IGAD's legacy will be a dark one—too fraudulent and inept to have a meaningful role in regional affairs. Simultaneously, the leaders of the new Somali dispensation must realize that the era when dictatorial and deceitful leaders could intimidate or hoodwink the public is over. The nation's as well as the leaders' only salvation is for the latter to *repent*, reject being vassals of another state, and lead ethically and ably.<sup>10</sup> The alternative is the perpetuation (for all of us) of the curse of *political squalor*, mutual predation, international contempt, and abuse.

## V. Update

Eight months have elapsed since we authored this brief essay and sufficient evidence has accumulated to warrant a *provisional* assessment of events since last October. We think all the six conditions—which could have provided a basis for a new social contract and, subsequently, inject kinetic energy that boosts public optimism about the transition and the TFG leaders—are yet to gain the attention of the leadership. The two exceptions here *might* be the Speaker of the Parliament, Shariff Hassan Sh. Aden, and a significant number of MPs, who insist on the importance of peaceful reconciliation and who have pushed for Mogadishu's demilitarization and the deployment of an African force (excluding Ethiopia). In contrast, the President and his allies remain adamant about several key issues:

- He insists on the inclusion of Ethiopian troops in the AU security force. This posture flies in the face of the strong feelings of the majority of Somalis. The reasons behind such a disapproval include



the known fact that Ethiopia is President Yusuf's external patron and, for some even more bitter to swallow, the history of Ethiopia's treatment of Somali people in what used to be called the Ogaden region of Ethiopia.

- He and his Prime Minister have created a cabinet that is bewilderingly expansive and bereft of proven records of competence.
- He has acted unconstitutionally by trying to usurp the duties of the Speaker of the Parliament.
- He considers members of the Cabinet to be "false" ministers—in his own language, *Wasiiro beenbeena*—without realizing that he is their leader.
- His public and private utterances have been contradictory and laced with bellicose verbiage and clanistic intimations.
- He has declared his intention to use his militias to invade Mogadishu and forcefully disarm his competitors.
- Neither President Yusuf nor Prime Minister Geedi have addressed the Somali public or offer an inclusive roadmap to peace and the vital role the citizenry can play in reconciliation and reconstruction.
- The President's senior staff and companions are mostly either kin-folk or toadies; he has not seen fit to tap Somali talent from within the country or the vast diaspora.

It appears, then, that the President has yet to appreciate the full meaning of reconciliation, peace, and accountability. On the contrary, many of his words and deeds reiterate his *modus operandi* in earlier years and, therefore, indicate that he might not be willing or, worse, capable of **graduating** from the status of being the warlord of a region to the legitimate president of the whole nation. Warlordism connotes unvarnished egotism, cruelty and suffering—in short, despotism; the latter's matrix includes temperance, moderation, reason, and legality in the carrying out of public duties. Situationally, then, this Somali moment seems to be ripe for a leadership that can display gestures and actions that are a convincing prefiguration of the ascent, at last, of conscientious national spirit, programmatic purposefulness, and correlative skills. In his last work of profound meditation on the question of governance in Africa, Claude Ake had taught that an effective management of the state, let alone its more daunting creation from the ashes of civil strife, requires a particular approach:

To tame and democratize it, the state has to be seen as something that belongs to all and not to some, something which deserves support for the service it renders, not as a fearsome exploiter or an exploitable resource.<sup>11</sup>

This alarming record is aggravated by *three other* actors who have *failed* to meet their obligations. First, Mogadishu-based warlords, who are members of the Transitional Federal Government, have made only timid attempts to evacuate some of their militias from the capital as a result of both pressures brought to bear by the peace movement and their own calculations to eliminate what they construe to be the President's excuse for wanting to relocate the seat of the Government to Baidoa and Jowhar—two locations where he feels more confident about the acquiescence of the warlords who control them. Although the encampment of some of the militias in known places outside of Mogadishu is a step in the right direction towards minimizing an explosive encounter, it is insufficient to assuage what might be legitimate anxieties of the President as well as secure the city for the FTG. More sinisterly, it may very well be the cunning hope of the Mogadishu warlords that such a tactic will undermine the President's claim that he needs regional troops to pacify the capital. Second, the African Union lacks the financial wherewithal to mobilize the peacekeeping force it promised to deploy in Mogadishu in order to protect the Government. Third, the international community, particularly the European Union that sustained the Somali Conference in Kenya, has been ineffectual to expedite material support for the AU force. The combination of these internal and external factors has reduced the probability that peace will be restored to this land. Depressingly, as of this writing, there seems to be no forthcoming attempt from the AU or the larger international community to identify the danger and act promptly to break the logjam.

In contrast to the aforementioned deficits, the Speaker of the Parliament has moved to Mogadishu, as designated by the Charter, and linked up with the civic and the peace movements in the city. The two have jointly striven to push forward the process of taming the capital by swaying the warlords to remove their militias from the city. It is noteworthy that this effort is being led by women, who are sacrificing their meager resources to feed the cantoned militias. Needless to say, they cannot sustain that endeavor for too long without major assistance. It seems, therefore, that the international community, which

ceded to IGAD the mediative authority (one that in its practical terms marginalized Somali civic-minded individuals and associations at the Conference), has now adopted a skeptical attitude towards the Mogadishu-based peace movement. Such a stance at once deflates the confidence of the civic coalitions and emboldens the warlords-cum-leaders.

Recent declarations by President Yusuf that he is intent on mobilizing his militias to move towards Mogadishu, and the warlords' at best diffident efforts to locate their armed sectarian groups in common camps outside of the capital, suggest that the peace process is virtually dead without major and quick international intervention. The mismanagement of the peace process in Kenya and its corrupt product have now created conditions that might rekindle the civil war with annihilative consequences. It is bewildering, then, that the AU, IGAD, and the international community, which publicly claim to support Somalia's peaceful reconstruction, are loathe to give a timely and effective hand to the peace warriors or, perhaps at the same time, impose diplomatic and material sanctions on those who are eager to continue the reign of chaos and violence. Having declined to use their immense clout to advance real peace, members of the international community should be prepared for another tidal wave of Somali refugees. We urge President Yusuf, Prime Minister Geedi, and Speaker Sheriff Hassan Sh. Aden to strictly adhere to the Charter that prescribes the specific authority of their respective offices. Without such a degree of fidelity to the letter and spirit of the Charter, a reversion to the malignant *mentalité* of the past decade and more is unavoidable. Furthermore, for all three in particular and the rest of the leading edge of the transition in general, we alert them to the context that requires a **re-moralization** of politics in which ambition is transvalued from vice to virtue. Such a perspective will mean the embrace of dialogical and consensual engagement as the method of settling contentious issues and of mobilizing the vast majority for an ennobling and productive transition. Below, we reproduce the articles of the Transitional Federal Charter that stipulate the responsibilities of each of the three offices. Finally, we conclude by reminding everyone of some of the basic principles of the Universal Declaration of Human Rights, the irreducible basis for even a healthy pre-modern *gemeinschaft*, let alone a mature governance fit for the 21st century. Here, the wisdom of Cicero is worth recalling:

But when with a rational spirit you have surveyed the whole field, there is no social relation among them all more close, none more dear than

that which links each one of us with our country. Parents are dear; dear are children, relatives, friends; but one's native land embraces all our loves; and who that is true would hesitate to give his life for her, if by his death he could render her service? So much execrable are those monsters who have torn their fatherland to pieces with every form of outrage and who are and have been engaged in compassing her utter destruction.<sup>12</sup>

### **I. RESPONSIBILITIES OF THE PRESIDENT (Article 44)<sup>13</sup>**

- Address the opening of the Parliament;
- Address a special sitting of Parliament once a year;
- May address Parliament any other time;
- The President shall nominate the President of the Supreme Court and other Judicial Officers on the proposal of the Council of Ministers;
- The President shall appoint persons to offices in the public service and heads of government organs on the proposal of the Council of Ministers;
- The President shall appoint persons to be Ambassadors, Diplomatic or Consular representatives to foreign countries on the proposal of the Council of Ministers;
- The President shall receive foreign diplomatic or consular representatives in the country;
- The President shall confer state honours on the proposal of the Council of Ministers;
- The President shall appoint and dismiss the Prime Minister and/or dismiss the government if it fails to obtain the required vote of confidence from Parliament;
- The President shall dismiss ministers and assistant ministers on the proposal of the Prime Minister;
- The President shall have authority to sign international treaties on the proposal of the Council of Ministers and upon ratification by Parliament;
- The President shall assent and sign into law legislation passed by the Parliament and regulations and decrees approved by the Council of Ministers.

## **II. THE PRIME MINISTER (Articles 45 and 48).**

- The executive power shall be vested in the Council of Ministers;
- The Prime Minister shall propose to the President names of persons to be appointed ministers and assistant ministers;
- The Prime Minister shall propose to the President names of persons eligible to be appointed as ministers and assistant ministers irrespective of whether he or she is a member of Parliament;
- The Prime Minister shall preside over the meetings of the Council of Ministers;
- The Prime Minister shall be responsible for the promotion, co-ordination and supervision of government policy and general administration.

## **III. THE PARLIAMENT AND THE SPEAKER (Articles 28, 33, 36, and 38)**

- The legislative powers of the Transitional Federal Government of Somalia shall be vested in Parliament;
- The members of the Parliament shall represent the unity of the nation;
- Parliament shall elect the President of the TFG;
- Parliament shall elect Speaker and Deputy Speaker;
- Parliament shall make legislation;
- Parliament shall approve and adopt the annual budget;
- Parliament shall consider motions of confidence in the Government;
- Parliament shall make internal parliamentary regulations;
- Parliament shall investigate any matter of public interest;
- Parliament shall hold public hearings;
- Parliament shall ratify international agreements and treaties;
- Parliament shall present to the President for assent any law it passes;
- Every Parliamentary sitting shall be presided over by the Speaker.

#### IV. UNIVERSAL DECLARATION OF HUMAN RIGHTS

As a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

##### *Article 1*

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

##### *Article 2*

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

##### *Article 3*

Everyone has the right to life, liberty and security of person.

##### *Article 5*

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

##### *Article 7*

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection

against any discrimination in violation of this Declaration and against any incitement to such discrimination.

### *Article 8*

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

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### **Notes**

1. See Abdi Ismail Samatar and Ahmed I. Samatar, eds., *The African State: Reconsiderations* (Portsmouth, N.H.: Heinemann, 2002).

2. Kenya, the other significant actor, behaved with greater restraint and sensitivity. However, a major blemish on the latter's dealings was a disappointing proclivity towards administrative ineptitude on the part of its chief representative and the coordinator of the Conference.

3. It is reported that some of the presidential candidates paid as much as \$3,000 per MP vote. The great irony is that some of the candidates' agents took cash and the Quran to potential vote sellers. The seller, then, was sworn to cast his/her vote for the candidate who paid for the vote. Impartial witnesses reported that money was "King." A brutally honest MP stated, "if money had a father today, he would have wept due to the ease with which it was squandered." This suggests that swearing on the Quran for these MPs had no sacred meaning. In this context, what possible value would the swearing in of the new president have for upright citizens?

4. Here is how a witness described the problem: "At the end of the 3-year term on July 30, 2001, none of the mandated tasks was carried out. No plausible reason(s) were offered for the noncompliance. The government of Col. Abdillahi Yusuf's mandate hence expired for all practical purposes. But Col. Yusuf was not ready to abide by the provisions of the law and to relinquish office. Instead, he began to unceremoniously insist on obtaining another three-year mandate, and refused to hand over responsibility to the Chief Justice, as set by the Charter...In the meantime, the Chief Justice of the region convened a constitutional conference, as provided for in the Charter, within the established period of 30 days, the same procedure with which Col. Abdillahi Yusuf and his Vice-President were elected three years earlier. At the end of a long debate, the conference elected on November 10, 2001, Col. Jama Ali Jama...for a three-year term...Rather than complying with the law and the wishes of the people, Col. Yusuf opted for employing illegal maneuvers...including the use of force and acts of terror and violence. He refused to recognize the newly elected president and declared himself as the 'legitimate president.' After the election of the new president, Col. Yusuf soon amassed a formidable armed force with the help of Ethiopia and preemptively attacked the peaceful city of Boosaaso, killing at least 14 innocent civilians and injuring more than 48...Col. Yusuf and his militia force of about 300 people with 17 so-called technicals...led by himself landed on Garowe and immediately attacked a residential villa, where the newly elected President, Col. Jama, was staying. The attack was a surprise. Eleven innocent civilians were killed and 31 others injured. The main target, Col. Jama, luckily escaped unharmed...About a



month later, Col. Yusuf launched another attack on Garowe. This time around, the main target was a prominent and highly respected businessman, Farah Dheere, whose crime was that he opposed Col. Yusuf. While driving his car, the targeted victim was assailed and murdered in cold blood by armed militia." Unpublished Report. Boosaaso, January 2003.

5. It is worth noting that a case is pending in a British court in which Col. Yusuf is accused of masterminding the murder of Sultan Hurre. It is reported that Col. Yusuf admitted that his bodyguards killed the Sultan (Case No: HQ02X03221 Supreme Court of England and Wales). It has been reported that Yusuf lost the first round and was asked to pay nearly \$30,000 in court and other costs.

6. Ahmed I. Samatar and Abdi Ismail Samatar, "Somali Reconciliation: Editorial Note," *Bildhaan: An International Journal of Somali Studies* 3 (2003): 1–15.

7. President Yusuf has made a quick reference to the need for forgetting about the past in his brief remarks of acknowledgment of his victory. This is a commendable start but only that. Both the national legitimacy of his leadership and the project of reconciliation require a less perfunctory and more full-blown address to the nation. Such a coming-out, as it were, has the likelihood of setting him apart from other warlords, triggering a fumigation of the communal animosities of the past, and ushering in a new perspective and correlate discourse necessary for a successful transition.

8. Mr. Geedi, as the Chief Minister, has yet to put in front of the Somali people and the relevant outside world even a glimpse of his Government's practical agenda, let alone his own broad dream for national re-enchantment. This is especially troublesome given the fact that the parliamentary cast of the transition underscores the pivotal role of the prime minister in the implementation of public policy.

9. This survey was carried out by the U.N. Economic Commission for Africa. See <http://news.bbc.co.uk/1/hi/world/africa/3736956.stm> (October 13, 2004).

10. The first sign is foreboding since the same relatives and security detail of warlord times surround the Transitional President. This arrangement is a continuation of the odious practices of Siyaad's last years, some regional administrations, and the previous TNG.

11. Claude Ake, *The Feasibility of Democracy in Africa* (Dakar, Senegal: Codesria, 2003), p. 189.

12. Cicero, *On Duties*, edited by M. T. Griffin and E. M. Atkins (Cambridge: Cambridge University Press, 1991), p. 57.

13. The following Articles (44, 45, 48, 23, 33, 36, and 38) are directly taken from the text of *The Transitional Federal Charter of the Somali Republic*.