

## THE AUDIO OF AUDACITY

### Mahdi Guuleed is Oblivious to the Looming Constitutional Crisis

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I have listened to a truly shocking statement recently made by a certain Mahdi Guuleed, Deputy Prime Minister of Farmaajo's administration, apparently speaking at an event organized for MPs supportive of his administration's recent shenanigans in parliament. The audio of his statement, which I also received via WhatsApp, captured attention in the social media over the past day or so. Here's a full English transcript of what he said:

*"... all of them, from President, to Prime Minister, and government are answerable to the national assembly. The bases of Somali politics; politics in Somalia is guided by parliament [sic].<sup>1</sup> It is a parliamentary system, and the national assembly is a cornerstone. Parliament is the foundation of our government ... it's the reference place [sic] where laws are made, and the source of power; it is where we represent the world [sic]; it is the reference where we return to [sic]. The foundation, the cornerstone and the bases of our government is the parliament. Therefore, it is not acceptable to say that whenever parliament comes, when parliament works for three years, we close it down. I congratulate parliament that they work, like parliaments in the rest of the world, up to midnight, and even beyond. We know how hard they've worked recently during the nights. When they finish at 6 o'clock during the magrib prayers; they would return and work all night. You've got a lot of work in front of you. You're a parliament; you're the basis of the constitution [sic],<sup>2</sup> and the supreme legal authority in the land. Do not accept to be told to disperse after being in office for three years; do not accept that the country's future is decided by 10 men; do not accept that 10 men become legislatures; and do not accept that 10 men lead the politics of the country. Hear, O Parliament: you're the foundation of the sovereignty of the Somali people. We operate on the basis of the powers and privileges you give us. The President of the FRS operates on the basis of the powers and privileges you give him. Our Prime Minister operates on the basis of the powers and privileges you give him; and the government too operates on the basis of the powers and privileges you give it. And it is your job to always hold them to account by calling them to appear before you and ask them 'what have you done?'. Until such a time that a duly elected*

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<sup>1</sup> May be, what he is trying to say here is that parliament is the supreme legal authority in the country.

<sup>2</sup> I guess what he's trying to say here is that parliamentary sovereignty is a principle of our constitution.

*parliament replaces you, the government of Somalia, our flag and our sovereignty are all subject to the law of Parliament. Do not accept to be told to disperse. That is like the newborn who taught his mother how to have a baby! Shall we accept that? Applause. Hear, O Parliament; you're our foundation. The President, the government, and all of us are standing by you. You do your work, continue legislating for us. Take this country forward to a position whereby it can implement a one-person-one vote election. And the government will implement and administer the laws that you produce. Thank you."*

'The less men think, the more they talk,' was Montesquieu's dictum and I think it rightly fits with this gentleman's position. But perhaps the mighty Somali proverb "*Hadal badanu haan ma buuxsho* – A mere ample talk doesn't fill in a container, with necessities of course" does a better job here. Mr. Deputy PM simply talked the talk but didn't walk the walk! Can I ask you Sir, when did this parliament hold your government to account?

Let me cite just one specific example of a very important public accountability matter whereby parliament could've held the government to account, should they have chosen to do so but chose not to. Sometime ago, the auditor general noted that 10.7 billion Somali shillings (\$18.4 million) in foreign assistance had not been properly accounted for in reports received from government ministries. Where has this money gone, and what did parliament do about it? In the latest International Ranking of Corruption, Somalia tops the list of the most corrupt countries in terms of the so-called CPI "Corruption Perceptions Index" for the public sector. What did parliament do about this?

The record of your boss, Mr. Farmaajo, is that he has completely emasculated parliament and the democratic character of the FGS by undermining the independence, effectiveness, and accountability of legislative and executive branches, and the democratic oversight of military and security services, as well as judicial independence which guarantees equality before the law. He has also violated the constitutionally agreed structure based on a federal system of separate political units, all of which enjoy certain exclusive executive, legislative and judicial powers independent of the central government.

I think the main issue here is not about parliamentary business. It is that this overrated apparatchik seems to be completely clueless about the looming constitutional crisis and, as the writers of recent Manifesto II put it, 'the ominous threat or sense of doom that

hang over the country' due to his administration's clear as crystal conspiracy to indefinitely postpone or modify the elections. He's simply following Mr. Farmaajo's ill-famed delusions of an impractical 'One man, one vote' con project and his attempt to transform what could become a mortal blindness and possibly a relapse into civil war into a fable of excessive patriotism and nationalism.

He's giving a clear instruction to a parliament whose term is coming to an end in a few months' time to renew itself (by how long and who decides? Mr. Farmaajo? Who else?), and hence extend Mr. Farmaajo's term in office beyond his four-year term, ending on 8 February 2021. The instruction is illegal, unconstitutional and unconscionable, and if parliament adheres to it, they will be doing a disservice to the downtrodden people of Somalia.

The 10 men that he's discourteously referring to are the National Leadership Forum, comprising Federal and FMS leaders, who were formed back in the 2016 political transition to break the protracted parliamentary stalemate, and who in the end managed to conduct democratically enhanced parliamentary and presidential elections, and a peaceful transfer of power from the then government of President Hassan Sheikh Mohamud to President Mohamed A. Farmaajo's administration.

"Those who do not remember the past are condemned to repeat it", is a quote attributed to a twentieth century Spanish American philosopher by the name of George Santayana. The human catastrophe in Somalia that reached international attention in the 1990s did not arise overnight. Observers have documented the frailty and looming failure of political institutions in the late 1980s and early 1990s in great detail. These included reports by human rights groups, Western governments and international NGOs but, above all, the first Manifesto signed by 114 elders in May 1990, as was heroically referenced by Manifesto No. 2 recently.

International actors that had maintained a significant economic and military assistance relationships at the time, most notably the United States, recognized the warning signs of disaster but lacked interest to act and help change course for Somalia. Left to its own devices, Somalia collapsed into anarchy, with the overthrow of Siyad Barre at the beginning of 1991.

As they say, hindsight is always twenty-twenty, but one can make the case that creative and concerted attention by external actors with some leverage and resources would have helped. Today we have UNSOM, AMISOM and Somalia's international partners on the ground. The creative and concerted attention and resources necessary to discourage a relapse into civil war are far less extensive, as they were back then in the 1980s, than what will be required to assist in reassembling a viable order once anarchy was unleashed again. All of the above named bodies owe it to the downtrodden people of Somalia to come up with new ideas and strategies to prevent a relapse into an avoidable renewed armed conflict in the not-too-distant future.

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