

**T.C.
ISTANBUL AYDIN UNIVERSITY
INSTITUTE OF GRADUATE STUDIES**



**WOMEN'S RIGHTS: SOMALI WOMEN'S PAST EXPERIENCES AND
PRESENT REALITIES**

MASTER'S THESIS

Halimo MOALIM ADAM

**Department of Political Science and International Relations
Political Science and International Relations Program**

FEBRUARY, 2021

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T.C.
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Danışman



Dr. Öğr. Üyesi Filiz
KATMAN

İşbu tutanak, tez danışmanı tarafından jüri üyelerinin tez değerlendirme sonuçları dikkate alınarak jüri üyeleri adına onaylanmıştır.

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DECLARATION

After so many ups and downs, I finally achieved one of my life goals. I hereby clearly declare that that this study is my own original work and never submitted to any other institute. I also declare that all the information used in this thesis has been obtained and presented based on academic rules and regulations with full citations and references given to all materials utilized.

With love, I dedicate this work to my parents, siblings and close friends. I also equally dedicate to my wonderful supervisor Assist. Prof. Dr. Filiz KATMAN.

Halimo MOALIM ADAM



FOREWORD

This work is written in completion of Master's program in Political Science and International Relations at Istanbul Aydin University. The study is focused on "Past Experiences and Present Realities of Somali Women". It is destined to assess the status of Somali women in terms of women rights. Given the fact, the prolonged civil war and chaos that Somalia witnessed and it is affect that had its toll on everyone. Therefore, this thesis presents how the civil war specifically influenced women and how their role changed during the conflict with further emphasize on their political participation in post-conflict setting.

The successful completion of this thesis is all because I received support and caring from valuable individuals who never let me fall down. First and foremost greatest thanks go to the Almighty ALLAH for the protection and guidance throughout the entire journey. Also my sincere gratitude and profound appreciation to my supervisor Assist. Prof. Dr. Filiz KATMAN, whose continuous support, guidance, ideas, patience and endless collaboration enabled me to complete this project. Without her commitment and timely feedback I would never have finished this thesis. I am really fortunate to have such kind and supportive supervisor.

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ABBREVIATIONS

AMISOM	: African Union Mission in Somalia
CEDAW	: Convention on the Elimination of All Forms of Discrimination against Women
CESCSR	: Committee on Economic Social and Cultural Rights
COGWO	: Coalition for Grassroots Women Organization
CSOs	: Civil Society Organizations
DAWO	: Daryeel Women Organization
DEVAW	: Declaration of Violence against Women
ESC	: Economic, Social and Cultural
FGM	: Female Genital Mutilation
GBV	: Gender Based Violence
HRW	: Human Rights Watch
ICCPR	: International Covenant on Civil and Political Rights
ICESCR	: International Covenant on Economic, Social and Cultural Rights
ICRC	: International Committee of the Red Cross
LAW	: Legal Action Worldwide
MMR	: Maternal Mortality Rate
MoWHRD	: Ministry of Women and Human Rights Development
NGO	: Non Governmental Organizations
NSS	: National Security Service
OHCHR	: Office of the High Commissioner for Human Rights
SCC	: Sixth Clan Coalition
SNA	: Somali National Army
SNM	: Somali National Movement
SPM	: Somali Patriotic Movement
SSWC	: Save Somali Women and Children
SYC	: Somali Youth Club
SYL	: Somali Youth League
TFG	: Transitional Federal Government
TNC	: Transitional National Council
TNG	: Transitional National Government
UDHR	: Universal Declaration on Human Rights
UN	: United Nations
UNHCR	: United Nations High Commissioner for Refugees
UNICEF	: United Nations Children's Fund
UNSCR	: United Nations Security Council Resolution
USC	: United Somali Congress
VAW	: Violence against Women
WPS	: Women, Peace and Security



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WOMEN'S RIGHTS: SOMALI WOMEN'S PAST EXPERIENCES AND PRESENT REALITIES

ABSTRACT

Armed conflict negatively affects people particularly women and children who is regarded as the most vulnerable groups among societies. The civil war that erupted Somalia in the early 1991, endangered everyone. Since the collapse of the central government, the country experienced prolonged civil war and chaos, which has taken almost two decades. Destruction of state structures accompanied by huge violation of human rights subjected to women and girls. The civil war same as it affects people negatively, it also brings unintentional and progressive changes to the societies which is the case of Somali women who acquired new roles and responsibilities during the decades of war. On the other hand, in post-conflict settings new government structures established with constitution adopted. Social, political and economic transformation occurs within the post-conflict spaces. Based on this setting, this study is destined to examine the extent of human rights violations specifically subjected to women and girls. It also traces the role of Somali women played during the conflict particularly their role in peace building efforts of the country. The study further evaluates if any progress being made in regard to women political participation in post-conflict period with analysis on the issues preventing women to fully participate in Somali politics. The thesis consists of five chapters. The first chapter is partly an introduction that presents general image of the thesis with methodology and the objectives of the study. The other part lays foundation for the theoretical framework of the study and presents also literature review based on the study variables. The second chapter emphasizes how the main international human rights instruments protect and promote women rights. The third chapter discusses the past of Somali women in which detailed image of women in the traditional Somalia was given. The chapter also sheds light the status of women in two periods; post colonial period and the revolutionary period. While the fourth chapter analyzes, human rights violation against women during the conflict. Also the opportunities that the war endowed to Somali women and the role they played in making peace. It further discusses women political representation and the factors that impede women's involvement in the politics. The last chapter is the conclusion part where the finding of the study is shortly presented and recommendations made based on the results found.

Keywords: *Women Rights, Gender roles, War experiences, Women as Victims, Agents of change, Somali Women, Somalia*



SOMALILI KADININ GEÇMİŞ DENEYİMLERİ VE MEVCUT GERÇEKLERİ

ÖZET

Silahlı çatışma, toplumlar arasında en savunmasız olan kadın ve çocukları olumsuz etkilemiştir. 1991'in başlarında Somali'de patlak veren iç savaş herkesi tehlikeye atmıştır. Merkezi hükümetin çöküşünden bu yana, ülke neredeyse yirmi yıl süren uzun süreli iç savaş ve kaosa sürüklenmiştir. Devlet yapılarının yıkımı, kadın ve kız çocuklarının tabii oldukları insan haklarının büyük ihlalinin de beraberinde getirmiştir. İç savaş, insanları olumsuz etkilediği gibi olumlu yönde de etki sağlamıştır. Bu durum da Somalili kadınlarının savaş yılları içerisinde yeni roller ve sorumluluklar edinmesine sebep olmuştur. Öte yandan çatışma sonrası anayasanın kabul edilmesiyle beraber yeni hükümet yapıları kurulmuştur. Bu dönemde bir çok alanda olduğu gibi siyasi, ekonomik ve sosyal alanlarda da reformlar gerçekleştirilmiştir. Burada bahsettiğimiz çerçevelere dayanarak bu çalışma, özellikle kadınların ve kız çocuklarının maruz kaldığı insan hakları ihlallerinin kapsamını incelemeyi amaçlamaktadır. Ayrıca Somalili kadınlarının çatışma sırasında oynadıkları rolün, özellikle de ülkenin barış inşası çabalarındaki rolleri incelenmiştir. Çalışma, kadınların Somali siyasetine tam olarak katılmalarını engelleyen konular üzerine yapılan analizlerle değerlendirilirken, çatışma sonrası dönemde kadınların siyasi katılımı konusunda herhangi bir ilerleme olup olmadığını da incelemiştir. Tez beş bölümden oluşmaktadır. Birinci bölüm kısmen tezin genel imajını, metodoloji ve çalışmanın amaçlarıyla birlikte sunulan bir giriş bölümüdür. Diğer bölümü ise, çalışmanın teorik çerçevesi için temel oluşturulmuş ve ayrıca çalışma değişkenlerine dayalı literatür taraması sunulmuştur. İkinci bölümde, temel uluslararası insan hakları belgelerinin kadın haklarını nasıl koruduğunu ve nasıl teşvik ettiği vurgulanmıştır. Üçüncü bölüm, tüm Somalili kadınlarının imajını kapsamıştır. Ayrıca savaştan önceki dönem incelenerek Somalili kadınların tarihi ele alınmıştır. Bölüm ayrıca, "sömürge sonrası dönem kadınları" ve "devrimci dönem kadınları"nın durumuna da ışık tutmuştur. Dördüncü bölüm, tezin en büyük bölümüdür. Bu bölümde çalışmanın bütün sorularını cevaplamaya çalışırken, çatışma sırasında kadına yönelik insan hakları ihlalleri de incelenmiştir. Savaşın Somalili kadınlara kazandırdığı fırsatlar ve barış yapmada oynadıkları rolleri de incelenmiştir. Bu bölümde kadınların siyasi temsilini ve kadınların siyasete katılımını engelleyen faktörleri tartışılmıştır. Son bölüm yani beşinci bölüm, araştırmanın bulgusunun kısaca sunulduğu ve bulunan sonuçlara göre önerilerin yapıldığı sonuç bölümüdür.

Anahtar Kelimeler: *Kadın hakları, Savaş deneyimleri, Cinsiyet rolleri, Somalili kadınlar, Somali*



1. INTRODUCTION

Most of the literatures on women and war emphasize the negative aspect of war in terms of women. Analysis goes only to the devastating impact of war on women, children and young girls. It is true that during armed conflicts; women and girls are the most targeted groups. Conflict related violence is widespread where rape is the most used weapon during the conflict. In addition to domestic violence and trafficking, child marriage is also widespread. This negative aspect of conflict is specifically true in a country like Somalia, which experienced decades of war and instability.

At the beginning of 1991, the country entered a period of turmoil where everyone's life was in danger let alone women. However, during the decades of war, it is said women to have suffered more. The war left behind tragedies and human rights violations. However, there is just one and only story that has been told about Somalia; fragile state with tragedy, violation, destruction, rape and starvation. I have no doubt the extent of impact and destruction can have a country that has been without any central and effective government for almost 20 years. The effect of the prolonged civil war had specifically on women stands as one of the main objectives of this thesis.

However, what I am also arguing is that, despite negative war experiences and human rights violations, Somali women's capacity has changed and they received space to maneuver and organize themselves. I specifically argue that the conflict offered new opportunities, roles and responsibilities to Somali women. The tragic events of the country had also witnessed the capacity of women who stood against the violence and the general state of impunity despite male dominance and bone patriarchy.

Therefore, this study takes in to account the two main leading and contesting status of women and war; victims of war and agents of change. Both the argument is true for the case of Somali women who experienced huge violation of human rights and at the same time never gave up the hope of transformation.

Many women employed their power and capacity to organize themselves and courageously stand against the violence threatening their life as a women and their community as well. However, based on my argument, women are the victims of war and at the same time agents and that crisis can be understood not just breakdown and devastation but also as an opportunity.

1.1 Familiarization With the Research Objective and Structure

Following on the above-mentioned argument, the study is destined to assess three main aspects. First is to assess the extent of human rights violations subjected to women during Somali civil war. Second, their contribution in to the peace building and peacemaking of the country, which is the main evidence that war and armed conflict effect does not only limit on negative ground but also have some unexpected progressive changes. As such, the study will also analyze how the war endowed new opportunities and roles to Somali women by focusing women as being agents of change. The study will also look how women's involvement in peace process formally and informally contributed increasing their political participation along with the issues still impeding their representation, given the fact the long exclusion of women from decision making and political spaces on the basis of culture and other gender stereotyped factors. Therefore, the study is based on feminism theory on gender roles to reflect how gender specific roles discriminate women both at times of war and of peace. The reason of using this theory typically lays on the fact that deep rooted gender norms exist in Somalia where women is viewed as inferior or second class citizen and that women's role is just limited to that of the house. On the other hand, the study presents international human rights instruments for the purpose to reflect the ways in which these instruments can be referenced protection and promotion of women rights as well achievement of gender equality.

This research is basically qualitative in nature where it is not involved any statistical or numerical analysis. It therefore employs historical analysis as well as case study as a method of analysis. The study utilizes both secondary data as well as primary data where various sources including books, articles, reports of the government as well the reports of UN, INGO, NGO's, news, thesis,

Newspaper, and Websites used as well as some legal documents. This research is centered on evaluating past experiences and the realities of women in Somalia. As the theme implies (Past Experiences and Present Realities of Somali women), it contains two important parts. The first which is past experience mainly relates on how women were not only the victims of the war but also how the war bestowed them new opportunities of involving activities other than domestic affairs that they traditionally confined. The second part (Present realities) apart from looking general status of women it as well focuses women's political status today with attention to their representation in law making and the cabinet as well challenges on the ground.

This thesis consists of five chapters. The *first chapter* is partly an introduction in which the general framework of the thesis is given. It also covers literature review on women and war looking the discussions of both the effects of war and other possible roles that women play during armed conflicts. Moreover, the chapter provides theoretical background of the study where feminism theory view of gender perspective is presented.

The *second chapter* discusses the international attempts to protect and promote women rights in which the main United Nations international human rights that address gender issues is presented. Mainly, United Nations charter, Universal Declaration of Human Rights, the twin covenants on political, economic, cultural, civic, and social rights, women convention; Convention on the Elimination of Discrimination against Women and Declaration of Violence against Women (VAW) is focused.

The *third chapter* relates on Somali women in the past where women in the traditional and pre-civil war status evaluated based on the restriction of gender roles. However, one to understand the impact of civil war on women, it is important to have glance on women in the past. Therefore apart from the general emphasize on women in the past, the chapter further emphasizes women status in terms of two periods; Post-colonial period of Somalia and the period of socialist state (Siad Barre regime) along with women's anti-colonial involvement and their ignored role in Somali poetry, which is an evidence for the masculine and feminine view of the society.

The *fourth chapter* serves the main part of the thesis. It tries to answer the questions set for the study. Therefore, it analyzes the chapter based on the argument that the civil war did not only negatively affected women but also positively transformed them since the war witnessed women's activism as individuals, organizations and NGO's. It also shows whether their activism during the conflict necessarily improved their status or not. Main issues that this part covers are analyzing women status during the civil war through both the eyes of victim and agents of change. Also, the chapter presents general status of women and specifically political participation along with the challenges on the ground as well the efforts that have been made to improve their rights.

The last chapter, which is the fifth, is the concluding part of the thesis where the findings of the thesis presented with proposals made based on the results found.

1.2 Literature Review: Women and conflict

1.2.1 Consequences of war: Women as victims

The effect of war on women and girls had received great attention for the last decades both within and outside the international system. The issue specifically addressed in the fourth world conference on women. The 1995 UN Platform for Action stresses the vulnerability of women and girls during armed hostilities. It carries no doubt that the entire community suffer in war circumstances. Evidences however showed that war has a great impact on female compared to male. Many wars and conflicts caught the attention of the world due to the use of rape and sexual violence as a weapon of war. However, this was a long used strategy for the purpose to conquer the enemy and has been a common means from Ancient Romans to Vietnam War and to any other war that the world experienced. However, this text focuses armed conflict impacts on women and girls looking in to the general scholarly discussions about the issue. The aim is to connect how Somali civil war physically influenced women compared to what others have said and experienced in the context of conflict.

To begin with, Chinkin and Charlesworth (2016) argue in their writing "An Aliens Review of Women and Armed Conflict" talking about women and conflict really takes one in categories like conflict, armed conflict and post-

conflict. To establish real definition for these categories seems difficult where violence typically ranges from formal conflict periods to post-conflict stage. However, the term post-conflict might lead in to erroneous understandings when it is used via the context of women since it carries the meaning of transition period from war circumstance in to peace and stability. In addition, the term also gives the view that societies differ in terms of the two periods; conflict and post-conflict situation. Nevertheless, the authors further state, the experience of women at the times of conflict and its aftermath differ based on their status of being civilian, combatants, internally displaced as well their socioeconomic status, national identity, race, class and many other factors including family position, occupation and well-being. However, it is conceivable to extract some shared features and capabilities.

On the other hand, Kumar (2001) on the writing on (Women and Civil War: Impact, Organization and Action) also claims that the breadth, intensity and the nature of effect of civil war on people particularly women varies from one country to another. It depends on factors such as the country's political milieu and its social and economic nature. However, it as well highly depends on differences in the country's population, conflict location, nature and the duration of the war. Nonetheless, taking a glimpse on the countries experienced war like Rwanda, Cambodia, Guatemala, Georgia and etc; Kumar says the plight that women lived with throughout the conflict is more difficult than the physical insecurity. However it is obvious that women disproportionately suffer both during and after war as a consequence of social networks breakdown which makes them highly vulnerable to sexual violence and rape.

Apparently, the influence of war and armed conflicts on women and men occurs in a varying degree and varying context. In some cases for example, some individual groups may be directly targeted while others may have an indirect impact of insecurity, fear and also loss of livelihood. However, Ali in her writing "Women and Conflict Transformation in Africa" argues that the war impact on women can be classified at the level of "personal, individual, household, community and the society in general". At the personal and individual level relates to the physical insecurity that women experience taking as an example of the genocide of Rwanda where large number of rape cases

reaching 500,000 as said has been recorded. This further accompany by the danger of domestic violence (2007:69-70). However, one common feature on the effect of war on women is the existence of violence, which is specifically targeted and subjected to women. In any conflict, old or recent, extensive violence against women has been recorded including the ones in Afghanistan, Chad, Côte d'Ivoire, Burundi, Colombia, Rwanda, Liberia, Democratic Republic of Congo (DRC), Russian Federation, Sudan, former Yugoslavia, and Uganda and so on (Chinkin, 2016:173).

Acts of sexual violence against women during armed conflicts have long become part of international criminal law. It is been described as “genocide, crimes against humanity, breach of humanitarian standards and war crimes”. Mass rapes have been witnessed for the genocide in Rwanda 1994 for instance. On the other hand numerous rape, abduction, and sexual enslavement have also been publicized in conflicts of other parts of Africa. Evidences showed that women do not only experience sexual violence during political repressions and armed hostilities but also grave criminal acts. Nevertheless, this kind of violence is among the widespread and threat that women often meet. In addition, women also loose valuable possessions like home, land and even source of income. This is as a result of sexual violations where women due to it are stigmatized and may also be abandoned. The effect of war on women however does not only relate to physical violence like rape and other kinds of sexual violence. Women also go through irreparable and grave losses as a consequence of the conflict. For instance, if men are killed or injured in the conflict, women remain challenged where all responsibilities fall on their shoulders. Absence of male support positions women in a difficult condition and forces them to assume the role of taking care of the family. Due to widespread of violence and lack of food as a result of economic destruction forces women to move areas which they think they can manage their lives. This exposes them to further violence and loss (Walker, 2009:18-20).

In armed hostilities, women often feel trapped even at their own homes. Fear from violence often limits economic as well as social activities. Absence of law and order also challenges women to freely move from one place to another. In rural areas for instance, women not even dare to go outside for the purpose of

firewood collection for cooking. As Kumar argues, the surprising thing is that the fear condition slightly and partially improves even if the hostility ends. The threat continues and people remain in a serious risk and violence from the demobilized soldiers and militias even in the post conflict transition. This behaviour of violating human rights has long existed and never improved immediately when fighting ceased even if security reforms introduced the improvement remains slow. Many innocent people specifically women and children had to cope with large number of unemployed young men who, using violence and brutality adopted during the hostilities (2001:8).

Another war experience is that, women cannot even escape from the affected area especially when they are pregnant or already having children that they are alone responsible. Even if they flee from the hostilities, they still meet violence in refugee camps and also in internally displaced camps. The level of sexual gender based ferocity that is subjected to these kinds of groups is high. This also coupled by lack of reproductive health system and unequal access to opportunities. Existing discrimination against women within these spaces additionally intensify deprivation of women's rights in the aspect of housing, land and property ownership (Chinkin, 2016:174). According to an interview with Nadine Puech guirbal (ICRC women and war advisor at the time of interview (2009) mentioned that armed conflict contributes destruction of health care system which places pregnant women and nursing mothers in a difficult health conditions. Given the fact that women are more in need of uninterrupted health system due to the high risk associated with pregnancy and childbirth. In support of that, one can take as an example ten countries with the highest maternal mortality due to their experience of conflict in which Somalia, Afghanistan, DRC, Sierra Leone and Liberia are examples of them. On the other hand, according to a report on the Elusive Peace: Ending Sexual Violence during and after Conflict written by Karuhanga et al., (2018) clarifies that men are more likely to participate in the fighting thus makes absent the protection that is supposed to be given to women. This further promotes women's vulnerability and exposure to sexual violence to increase with the armed conflicts.

Even in the post-conflict setting, women continue to suffer where armed groups and ex-combatants continue to subject violence to women due to inherited

behavior from war. In addition, armed conflict further contributes devastating social norms, behaviors and social networks that may provide an increase of conflict-associated sexual violence. In addition, it weakens traditional structures and mechanisms of addressing conflict. Apart from the physical violence, conflict leaves women without support and allies. The report also states that in post conflict period, men use sexual violence as a tool to reacquire power which they feel they lost. This specifically happens in refugee camps. After conflict, there are also risks associated with the high influx of humanitarian and international actors that makes women highly vulnerable to be sexually exploited. Female Survivors in the refugee and internally displaced women may particularly meet assaults and exploitation from powerful actors. Survival sex, forced marriage and other forms of sexual exploitation such as kidnapping and human trafficking often occurs during armed hostilities.

An example of survival sex relates to the African peacekeeping operation in Somalia (AMISOM). Given the fact the dire living condition of women as a result of deep-rooted poverty and limited humanitarian assistance, many Somali women and young girls engaged sex with AMISOM soldiers in exchange of food, medicine and money. Being the sole-breadwinner of the family left women to engage such awful act of with sex trade. According to Human Rights Watch interview (2014), here the story of 19 years old Somali girl:

“Kassa¹. D., 19, had been having sex with soldiers from Uganda because she was unable to find money for meals. Her friend took her to the base in May 2013, and introduced to a Somali translator. Through her words clarifying the dilemma Kassa said:

“I was nervous. I tried to run, but I knew that my desire would bring me through same thing that got me here (hunger). I had made a decision and now I couldn't turn around.” The translator paid her \$10 after the sexual encounter and led her to the exit. At the time of the interview she involved the sex trade with the same soldier for six months”

Also Amina who was 18 at the time of the incident shared her story with HRW (2014); Amina became the sole provider of the family after she lost her father in

¹ The names used for the stories referenced in this thesis are not the real name of the individuals.

an explosion. The responsibility of taking care of two young sisters and her seriously ill mother had fallen on her shoulder. This state positioned Amina to be sexually exploited. Through her words she told the story to HRW:

“A neighbor put me in touch with a Somali man working at the Burundian base. He agreed to meet me after asking me what I looked like and if I was a virgin. He did not fully describe what I would have to do until I came to the base. He said that I would have to befriend powerful foreign men who could help me get money, food and medicine.

I would enter the base through a separate side entrance at 6 a.m. that was used mainly by me and the three girls that I worked with. The youngest girl was 16. The interpreter paid us between \$3 and \$5 a day and would coordinate the visits by taking us between the soldiers’ rooms. At the end of the day, the intermediary would escort us out.

All the men were foreigners—Burundi military officers. They all wore similar green camouflaged uniforms and had stripes on their epaulets. Some men had three stripes, others had four, but they all looked like powerful men”.

However, there are number of actors and multiple perpetrators who are involved and often commit such kind of violence against women. That includes government forces, militias, non-state armed groups, peacekeepers and even civilians (Chinkin 2016:174). It is however obvious that absence of government institutions and agencies exacerbates human rights violations. Nevertheless, evidences also showed that violence against women in all its kinds increase and widespread in post-conflict settings (Committee on the Elimination of Discrimination against Women, 2013).

According to UN report in regard to fact finding mission in Gaza (2009) states that conflict intensifies poverty and economic hurdles to women where women turn to be the breadwinners of the family. Moreover, another example which demonstrates the hardships that women face during armed conflicts especially when the role of male is absent is the case of Syria. According to the report of Commission of Inquiry in Syria (2013): “Syrian men are often absent because they are battling, imprisoned, or disappeared or murdered, forcing women to become their families' primary caretakers. Due to the limited job opportunities

available, both within the Arab World and in refugee centers, women are struggling economically to support their families. Reports of mental illness among Syrian women segregated or under immense strain, have skyrocketed”.

Changes in the division of work occur either from the loss of males (due to death or demise) or from being unable to obtain capital. There are significant numbers of female and child-headed families in dispute and post conflict environments. This occurs within the household level room, as Ali argues (2007:70). In addition, she further claims that women are also prone to their own desires and conditions in addition to the vulnerability aspect to abuse, indicating born biological problems such as menstruation pregnancy, parturition and lactation”. Women have to confront all these issues.

On the other hand, ICRC (Lindsey, 2001) states that conflict leaves large number of widows. Many countries witnessed due to high level of military and civilian casualties. This constitutes a major impact which touches not only women but also the whole society in general. However, in one case or another, many women have organized and grouped themselves in to networks for the purpose of supporting each other and reacquiring their loss status.

To sum up, in conflict situations whether intra-state or inter-state conflict, women have to endure the devastating consequence of war. Following the discussion above, one thing that all conflicts are in common is the use of violence. Numerous human rights violation subjected to women and young girls have been recorded where rape constitutes the most used one. In addition, many women are forced to displace. Given the fact, leaving conflict areas does not offer them protection. In refugee camps, women still experience the same tragedy that they left from their home countries. Apart from the physical effect of the war, it also has psychological, economic and health effects. Social rejection is also part of the main consequences of armed conflict where for instance women survivors of rape and widow women may encounter social related challenges. However, war influences everyone in society but as many studies found its major effect goes to women and children.

1.2.2 Roles other than victims: Looking the other side of the coin

Reading all the negative aspect of war and armed conflicts does on women for instance the discussion above; one thing that comes to the mind is attaching only victim status to the women. However, conflict is not entirely bad and does not only have negative aspect of devastation, loss of life, violation, social breakdown and so on. Looking the other side of the coin, conflicts also have other progressive attributes which may bring social transformation and changes. Therefore focusing only the victim side of women obscures other roles that women play during conflicts and aftermath of the conflict. Many conflicts have witnessed the capacity of women fighting, mobilizing and also taking up arms but the most important part is their involvement in peace building and peacemaking of the country. Armed conflicts greatly transform women and can entirely change women's role in the household, community and public domain. As a result of breakdown of the family and society as well, women have to assume new roles and greater responsibilities. Conflicts produce large number of female headed families where men due to the cause (war) disappeared, dead, displaced or detained (Lindsey, 2001). Within the community level, conflict may create space and makes redefinition of social relations possible. Although it does not fundamentally contribute changing patriarchal ideologies but in doing so it rearranges, readopts and reinforce patriarchy based beliefs (Ali, 2007:70).

Agbalajobi (2009:10) for the research on "the Role of African Women in Peace Building and Conflict Resolution: the Case of Burundi" outlines that in conflicts women is just seen as victims while there are many other roles that they play including soldiers, supporters and informants and instead of viewing them as agents they are labeled only war victims. Citing the conflicts of Rwanda, Mozambique, Palestine, and Sri Lanka where women apart from being victims have played other roles. Another argument belong to Schirch and Sewak (2005) on the "role of women in peace building" who argued that the perception on women for being only the victims of war makes doubtful their capacity and role in making peace, reconstruction and peace building process itself. The author's mentioned that women are involved in each four peace building categories; non-violently waging conflict, capacity building, transforming relationships and reducing direct conflict. In addition of turning breadwinners, women also

become human rights activists, peacekeepers, aid workers, educators and also involve in development process as well policy making, trauma healing and so on. Their participation in these fields brings unique insight as a result of their experience from traditional and historical unequal social relations, structures and power. However in times of hostilities women's dialogue initiatives becomes the only useful and possible channel of communication where women may sometime act as channel between the conflicting parts. An example of women groups' significant contribution in peace building could be taken; Women in Peace building Network in West Africa, Women in Black in former Yugoslavia, and women of Bougain ville. Women display remarkable strength during difficult times, their role as agents of change, combatants and also the protective and breadwinner role can be actual evidence. The question whether they are more vulnerable than men holds both the yes and no answer. However, women must be viewed vulnerable in a sense that they particularly susceptible for marginalization, poverty and the engendered suffering of the war and in specifically when they are already victims of discrimination in peacetime (Lindsey, 2001).

Agbalajobi (2009) also have the view that conflict forces women to organize and arrange themselves for the purpose of safeguarding basic necessities and carrying it is basic related activities such as education and health issues for instance. This shows that women are not merely war victims. However in spite of conflict's huge effect on women and also the various roles they play amid the conflict, unfortunately women are not fully participated in the process of building peace due to its gendered nature. As the author notes, resolving war and preventing it is two different things. This is needs carefully taking in to account issues that gave rise of the conflict. In order to achieve that, capable society must be established. That further demands, security, well-being, and justice equality for all, including women.

In one case or another, women have been described just as victims that need to be offered protection from male counterpart. This in fact deprives women's agency and also to get involved in the fight of impunity. Only men is given the dominant role of peace building, peace keeping, peacemaking, negotiation and the whole process of decision making. Given the fact, attaining sustainable

peace requires the full participation all the effected stakeholders (Kidane, 2014:87). As Schirch and Sewak (2005) moving beyond the mentality of “women as victim” is essential as it otherwise makes difficult women’s engagement and to have an influence the peace processes.

Women in transition periods enormously contribute to the peace-building, peacemaking and peacekeeping. Particularly, women play an essential role in negotiations, in security, legal sectors and in political-decision making processes. However, due to patriarchal behaviors that view women as only victims and subordinate to men, they face challenges while trying to take part of these roles. In spite of the various roles that women assume in the face of war and aftermath periods, they traditionally regarded only as victims instead of active contributors and social changers. This is the reason behind exclusion of women from post-conflict activities especially peace-building. However, it is crucial women to participate informal and formal initiatives of peace in order to attain sustainable and long-lasting peace. This is important because their strong informal network allows them crossing the divides based on ethnic, culture and religious issues. Women in Liberia as for example, organized non-violent struggle for Muslims and Christians. Also women in Colombia as well mobilized diversity groups to stand against the militarization of the society. This shows women’s ability to mobilize different groups of people for a common cause. Another important reason is that women have access to different levels than men. They can both organize people at the grass root level and the upper level. This is possibly due to their general absence from the power structures and their valuable social roles which provide them space to create informal networks (Kidane, 2014).

In order to address the problems associated with the exclusion of women from peace building processes, efforts have been made to create an inclusive environment in which women have access in decision making that effect their lives. The UN Security Council adopted resolution which emphasizes women’s inclusion in to the peace negotiations. The UN resolution namely 1325 has been adopted in October, 2000. Since its adoption, Women, Peace and Security (WPS) theme was launched. This was to draw attention women’s presence in peace process and also to include gender perspective in these issues (SC Res

1325, Para.8). Equally important, 1325 further addresses women's non-representation and under-representation in negotiations table. As such, women are permitted to have an observer status at the formal negotiation table, for example, Liberia, Burundi, Eastern India and Somali.

1.3 Theoretical Framework: Feminism Theory of Gender Perspective

1.3.1 Understanding gender

As a point of departure it is necessary to have an understanding the concept of "gender". As feminists argue the term is not something relate to the biological difference between men and women. Instead a systemic structure which legitimize the power of male over women in different scale of life; economic, culture and social. Gender functions each and every level of human experience. However it doesn't mean that it is similarly experienced but rather differs in culture, place and so on (Harcourt, 2019). Furthermore, Gender can be referred to the society's given status to men and women where simply individuals raised and trained to be female and masculine. Various states and countries of the world each can have different meaning and explanation in regard to feminine and masculine. Thus offering one universal explanation seems impossible. However, the very basic issue is that as the society establishes gender roles, feminine roles are extracted from masculine where the reality holds different (Hjälmeskog, 1999 in Olofsson, 2018:16). According to UNICEF (2017) the word *gender* refers to "the society's constructed roles and responsibilities for men and women in which they believe as appropriate for both".

Judith Butler (1988) on the other hand states that gender is not actually who we are but it is what we do and specifically acting in a gender appropriate way that is what makes us men and women. Gender role is a learning process which starts from childhood where society teaches everyone the associated sex roles. Male child taught to be powerful and strong while female child raised with the opposite of what they label male attributes. This is where the internalized motivation of men and women's ways of behaving differently comes from (Bem, 1981). That is why Butler says as mentioned above gender is what we do rather than who we are. Feminists seriously challenged the issue of sex (female/male) and gender (masculine/feminine) which is usually viewed and

framed as same in many discourses. They argue that framing as interchangeable involve describing and stereotyping women as merely an innocent (Sjoberg&Jessica, 2011:167 in Laukka, 2018).

However, using gender lens helps us understanding how power relations between men and women determine the course of life. The approach is also useful tracing out how the bias in gender may produce negative results including individual's differential treatment based on gender and also denial of resources, rights and opportunities to certain group of people (Harcourt, 2019).

1.3.2 Gender roles and stereotypes as an obstacle to women: Feminism gender perspective

There are various Feminist theories. One basic issue that these entire theorists have in common is their highlight of gender roles which represent the basic way of understanding society's symbolic division. Many feminists made an attempt to clarify the two contesting terms of sex and gender. They challenged the idea that the two terms is synonymously used. Sex denotes to the human's biological difference and gender has roots with social factors mainly relating to social behavior, role, identity, and position as well. Actually feminist distinction of the two terms was basically to challenge the notion that biology is destiny. An example based on biological determinism can be taken Geddes and Thompson (1889) who explained biological determinism as a base of the difference in social, behavioral and psychological. Women are anabolic they conserve energy and this makes them passive and uninterested in politics. While male are what they referred catabolic thus makes them eager, energetic and have consideration in social and political affairs. This was historically used to justify deprival of women's political rights. Although the explanation of Geddes and Thompson is no longer common today but feminists generally argued that behavioral and psychological difference have social content rather than biological basis (Mikkola, 2017). On the other hand as Judith Butler (1988) states that gender is not actually who we are but it is what we do and specifically acting in a gender appropriate way that is what makes us men and women. Her argument is based that gender is performative which is simply transmitted from generation to another. Therefore, performance itself creates gender roles which further turn an internalized notion.

Kate Millet as well on her writing of (sexual politics, 1971) states that the difference in gender is basically cultural related issues and that is the result of differential treatment between men and women. For her gender is a socialization process where everyone learns social roles thus creates masculine-feminine gender norms. This gendered behavior is what strengthens women's relegation since women are socialized in to a subsidiary social position in which at the time they learn and accept to be passive, inactive, and ignorant and docile. However, equal society can be established by unlearning the gendered norms and social roles since they initially resulted from culturally learned behavior (Millet, 1971 in Harcourt, 2019).

Also Chodorow (1978, 1995) on her side challenges the social learning theory of gender and argues that it is too simplistic to give satisfied explanation of gender differences. According to her point of view, a masculine and feminine personal quality is something that gradually develops and starts at an early age (infancy) as a result of parenting practice. These unconsciously practices establish ego boundaries which ultimately build feminine and masculine individuals. However, evidences showed that gender roles have ground on society's different expectations, roles and responsibilities that each individual and group have; based on certain beliefs and values of the society that they are part. For instance back then western societies had the view that woman is more nurturing compared to men. Therefore women are expected to behave in that way. Meaning that women should engage only nurturing of the family and working within the home instead of going outside. On the other hand men are expected to assume leadership; head of the house and taking decisions (Amy, 2003:335).

Nevertheless, this view of giving decision making power to men takes us to what feminists called patriarchy which is to some extent central to the gender inequalities of some cultures. Although some believe that the concept is old fashioned but to my point of view patriarchy is a concept that still have place in today's world societies. In large part of the world especially Africa, subordination of women is prevalent where women often experience discrimination and unequal treatment even with basic rights. Patriarchal concept in explanation of female domination and the underlying principles of their

oppression has been widely used and in a variety of ways within the literature of feminism; from sociologist, to political theorist and psychologist. At the most general understanding and at the very basic level, the concept is described as the male domination and power relations where men dominate women (Millet, 1969). Millet is unlike other writers her understanding and definition is solely limited on the system of men domination and women subordination. In her book of (sexual politics), she takes patriarchy to the general level where it is referred to the rule of men instead the narrower definition of the “rule of father” and to her note, “patriarchy is universal mode of power relationships and domination”. According to her argument, this Omnipresent system of male power comes in two ways; either by habit (the effect of psychology, socialization and ideology) or by force through economic control as well as the state and its agents (Kate, 1970 in Mitchell, 1971:59-60).

Another explanation of patriarchy as being a system of social structure is given by Walby (1990), the definition is centered on the rejection that difference in biology is used to determine the role of the sex which has roots with the notion that naturally every individual man is in position of dominance while women is the opposite. Departing from Walby argument we can observe that one common ground for the world's unequal structures is attached to gender roles where it is referred to the society's ascribed roles and responsibilities as mentioned above. The so-called gender role is the basis of the symbolic division of society. Feminine and masculine can have different meaning according to different countries; there is no single, unified and universal definition that can be attached to all societies in regard to it. Nevertheless, femininity is driven from masculinity as it's understood; meaning that what one is, the other is the opposite and this is the mentality and the very basic understanding of society's construction of gender roles. For instance, if the man is active, women hold passive status, if he is rational she is emotional and so on (Hjälmeskog, 1999). What exaggerates gender roles and the biological difference between sexes is the patriarchal ideology which attempts to keep men in the position of power, hierarchy and women in the feminine ones. It is powerful to the extent that men have the ability to secure apparent consent to the women they oppress (Sultana, 2010:3).

However, according to Archer and Lloyd (2002:22) on their work on (Sex and Gender) argue that men's greater exercise of social power often comes from society's attached traits to men as a male attributes. They demonstrate number of characters that the society is specifically and separately regard to women and men. One of them is the view that women are inferior to men. Moreover, De Beauvoir (1974) claims the view that women are fundamentally differently from men positions women to the status of the second sex and further puts them in the subordinate position (Sultana, 2011:8).

Based on feminist perspective, gender roles is not merely an idea regarding the appropriate way of behaving both male and female but has also have connection the extent of power that males and females has in the society. For instance, taking decisions of the family and economic control shows that men exercise greater power than women. These examples really assert that the roles are created based on exaggerated stereotypes. Simple example male is perceived as unemotional while female is labeled overly emotional and also irrational. This why, feminist movement and other political movement emphasize reconstructing gender roles and to find alternative conception of gender roles for the purpose of realizing substantial equality between men and women (Amy, 2003:337).

According to OHCHR (2017, 2018) gender stereotypes is one of the issues that often challenge the enjoyment and realization of human rights. It places barrier from girls' participation of education to participation of other spheres of life and opportunities. In addition OHCHR mentioned that the complex and rigid femininity/masculinity traits that society builds with wrongful stereotyped gender roles takes part and serve as one of the main root causes of Gender-Based Violence subjected to women and young girls. It is at the most important to create non-binary individuals with respect and equal gender relations.

However, employing Feminist researchers and theorists in a research is important as they confront the ideologies and structures that marginalize and oppress women by taking in to account women lives, general issues, and experiences as well as illuminating stereotypes and biases attached to gender. The goal is to promote women empowerment and their findings is mostly employed in the service of women emancipation through social change and

social justice (Hesse-Biber and Leavy, 2007). However, feminism lenses can be found in studies of peace and conflict as well as international politics and even security studies. All these various fields and discipline have consideration on the role of gender in war and peace concepts. Nevertheless, utilizing feminist theory along with gender perspective raises critical issues that could be asked: whether women and men in peace and war conditions experience differently? Peace is for whom and how can be realized? If women issues and concerns taken to the central level instead marginal, how the world will look like? These questions and many other issues need to be answered. Addressing these issues has connection with the gendered perception of war and peace, and amongst other power and security. Moreover, answers to such questions made possible framing diverse effects of conflict on men and women and keeping women outside peace processes and resolutions as well as polarization of words such as Masculinity/Femininity (Björkdahl, 2016 in Laukka). Despite the diversity between gender and war, the question is how war relates to gender? In regard to Goldstein argument through the writing on War and Gender (2001), gender roles in war has been regular and existent throughout the history and across all known human societies where gender identities constructed by culture make possible war. Through the authors own words it is stated that “Causality, between conflict and gender, goes both ways. Gender roles conform people to war positions, and combat functions provide the framework in which people are socialized through gender roles”.

Elshtain (1995) in her writing on (Women and War) while dealing with the stereotypes on the dichotomies of feminine and masculine says “beautiful soul and just warrior”’. On the other hand Emma Hutchinson and Roland Bleiker (in Shepherd, 2016) approached the narratives of Elshtain (beautiful soul and just warrior) via humanitarian photographic representation to show the extent of gender stereotypes attached to the humanitarian visual representation. They said “The images of children and women in extreme pain are heavily displayed in nearly all catastrophe media reports. They are described as passive and sentimental, as if they had no control, waiting only for sensible men to save them”.

In a research made by Agbalajobi (2009) on the role of women in peace building Africa claims that women are not only victims and there are other roles that women play during conflicts. Instead viewing only as victims they should be rather perceived as change makers, peace builders and so on. On the other hand according to Pateman & Grosz's (2013) the main issue that needs to be won is the notion that only people with masculine characters engage with masculine activities. A woman who does not possess masculine attributes can thus not deal with the same activities as male. This is due to patriarchal ideologies which has no place for women as women. The authors' point of view will be useful in analyzing the study since Somalia is characterized as patriarchal society.

However it is often generalized when it comes to the lived experiences of armed conflict. Given the fact every war and armed conflict has its own unique characters. Human beings behave in different ways according to different situations and environments. They employ all possible manners and methods just to secure survival. As Cohn (2013) makes clear:

“Therefore, acknowledging that women's view of war is very broad and complex is a crucial first step, but we will need more than just catalog of what women do and what relates to them. We need to start by recognizing the background within which the knowledge is embedded, the sequence of interlocking structures, interactions, and mechanisms that constitute the circumstances in which women operate, in order to appreciate the specificity and importance of the various perceptions and acts of women in combat. This include the gender structures in which women work; the different forms of conflicts being battled; and the larger range of local and global players and economic, social and political mechanisms that form both the lives of women and the communities whereby they live before after and after the conflict”.

Nevertheless it is of the most important to look the war and armed conflicts as well the entire world through gender lenses as it permits to view gender as a kind of power-relations. Particularly as it allows emphasizing the daily experiences of women for just being women while it also draws attention to the consequences of their unequal social position (Steans, 1998).

However, gender is always at the center when it comes to the practice and representation of war and also the attempts to stop the war and reconstruct the society aftermath of the hostility. Apart from the biological difference of the people involved of the war, simply war is gendered because it is described different terms; power, control, weapon, heroism, action, courage, violence and amongst others. These terms mostly referred to as masculine characters in some cultures while the opposite is true for feminine label; caring nurturing, nonviolence and lack of action (Cohn, 2013). The most important term here is (lack of action) as if women just sit and watch the tragedy until men comes to rescue them as Elshtain stated (Beautiful soul and just warriors) while the opposite is actually true. According to Shepherd (2016) who claims against the idea of women as only victims states that it's masculinized story which does not truly reflect the complexity role of women and men in conflicts. Shephard points that only the given status of violence victims undermines other roles for instance agent role thus makes complicated for women to participate in peace building and their issues to be addressed. What Shephard is trying is to change the only given status which is really a perpetuation of women in conflict. The author mentions roles that women also play during armed conflicts; peace activists, negotiators and also decision makers.

In the context of Somalia, due to clan-based culture which strictly supports male hierarchy, women continuously bear hardships. The limitations imposed by culture accompanied by other complex factors contribute to deeply rooted inequality between men and women. This undermines the representation of women in leadership positions. The patriarchal filters that exist in the community have long kept women outside decision making spheres (UN women, n.d). Departing the highlights of Hutchinson and Bleiker mentioned above; that the mainstream media covers only the humanitarian aspect of women. I can surely say that this almost true for Somali women where only images of women in their worst condition have been the coverage and the headline of the media. I am not arguing that the war did not have negative impact on women as this serves part of the research purposes as mentioned above. However my argument relate to what I call looking behind the scene of victims. Apart from looking the negative aspect of war, the research will also

focus on the never appreciated role of women which is acting as peace agents. The above discussion helps as to coherently understand the real experience and roles of women as effected parts and as agents of change in conflict and in peace building. The idea of just focusing the victim part of the story has roots with the gender stereotypes and that women are always passive and take no action in the face of war. Somali women are evidence that women are not only victims but also contributors, community transformers and peace builders. However, the strong rooted gender norms led the efforts of women to be undermined.

In the traditional Somalia, women's role just confined to the domestic affairs only where idealized gender roles strongly manipulated society. This is due to cultural and patriarchal norms that clearly have defined roles and responsibilities for women. Although it is believed that the cultural norms and gender roles diminished with the start of war but it is obvious that still these norms restricting women's improvement in general and in specific their political participation. A study on gender analysis in Somalia (2016) written by Koshin revealed that "In Somalia, gender disparity continues and has many reasons; including the tradition and history that determines suitable group roles for males and females. Starting from the home environment and spreading to the neighborhood and the wider society, these responsibilities take hold early in childhood. Women are unable to completely access the benefits of growth, including such as schooling, health, and jobs, due to gender discrimination. The good model female is seen as one who has managed to take care of the home successfully. Women who stand up for the rights of women and strive to go beyond the position of home-makers are seen to challenge men and to oppose religion and culture".

However, based on the discussion above, the study is based on feminism theory of gender roles along with the patriarchal ideology to explain generally the status of women in Somalia. The discussion emphasized how everything is gendered from normal times to peace and war situations. I chose this theory because it exactly fits to the situation of women given the fact that gender roles fuelled with patriarchal ideologies have long kept women outside the political arena and their enjoyment of rights as a whole and also how these social

structure underestimated the capacity and experience of women during the civil war where the exaggerated victim status of women has been only displayed. That is why the questions of the research structured in a way that could present both victim status of women and as well as agents of change. In addition, evaluation of political representation in the parliament and cabinet is also included in order to reflect if the patriarchal ideology diminished with the war as some argue.





2. WOMEN RIGHTS AND MAIN INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

This chapter presents the main human rights instruments that promote and protect gender equality. Not all existing UN conventions is focused here instead the major ones including United Nations charter, Universal Declaration of Human Rights, the twin covenants on political, economic, cultural, civic, and social rights, women convention (CEDAW) and declaration of Violence against Women (VAW).

The reason behind adding these human rights mechanism in to the thesis is to show that at least there is international legal framework specifically formulated to safeguard human rights of all if it is accordingly implemented. Second which is the most important is society's acceptance of these instrument for the chosen country (Somalia). These Human rights instruments are widely referenced from awareness raising, training to advocacy although the country is not part some of the above mentioned documents. However, even the Provisional Constitution apart from it is basis on Shariah law generally, it also have references to the international human rights law especially the UDHR. Therefore, presenting these instruments with specific focus on the provisions that focus women issues will help women for their fighting on gender equality² and can also be used for the improvement of their rights.

²To make some clarifications: using gender equality for this thesis does not mean neither that I am against the Islamic shariah nor it mean that I am promoting men and women to be equal even the issues that is Islamically forbidden. I am fully aware for the risk attached to the issue and I am also aware of the Islamic limitations. Therefore using it refers for the permitted rights which Somali women do not even have due to cultural values.

2.1 Definition of Key Concepts embody

2.1.1 Human rights

The concept of human rights is understood as the very basic rights associated with human beings with no distinction to their race, body color, sex, religion, language and being member of a particular group or any other status. Human rights demand states to take actions that create conducive environment for all members of society which enables all human beings to enjoy their rights without any challenge. In this note, many scholars and organizations have come up with variety of definitions related to human rights. However, the definitions are centered that human rights basically the rights that are born with it and all human beings are required to equally enjoy it.

For instance, human rights according to United Nations Office of the High Commissioner for Human Rights are the rights that belong to every human being by virtue of human dignity. It is inherent to each and every human being, due to their humanity. These rights encompass both individual and collective rights in which international and state constitutions laid down. This further explains that states and any other duty bearer are under the responsibility of protection and respect of human rights and places them to act in a particular way (2016:19). Also, Claude and Weston (1989:16) in their book on Human Rights in the World Community define human rights as the rights equally possessed by everyone everywhere. They also refer as to wide continuum of value claim varying from the most reasonable to the most encouraging and inspirational. Ishay also describes as the rights carry by individuals just because of their nature of being human beings and being part of human species. Those rights are universal in content and cannot be regarded to the sex, race, nationality, or economic status of the person; it is shared equally by everyone (2004:3). Human rights carry basic principles which are *universality, inalienability, indivisibility, interrelated and interdependent* (Office of the High Commissioner for Human Rights, n.d). Human rights can be categorized in to different groups of rights; rights of non-discrimination, political and civil, social, cultural and economic rights (Cook, 1994:10).

2.1.2 Women rights

Women carry same as the rights entitled to men. Oxford defines, as the legal, economic, and the social rights for women that are equal to those of men (Oxford Learner's Dictionaries). It can also be regarded the treatment of both men and women in an equal manner across all areas of life (Cambridge Dictionary, 2020). In a simple term, since women are human, women's rights are human rights. This ties to the Universal Declaration of Human Rights (UDHR) in which the term "all" is used to refer the equality of the sexes. In reference to article 1 of the UDHR, "Free and equal in liberty and identity, all humans are born equal". They are entrusted with purpose and conviction and should behave in a sense of fraternity against one another (United Nations, 2015:4). Women's rights are essential human rights element that are safeguarded and promoted by the United Nations for more than 70 years. Mainly, include educational rights, property ownership, non-discrimination, voting rights, fair and equal wage, and violence free and slavery (Global Fund for Women). Based on aforementioned understanding, one can observe that women rights are essential segment of human rights and both men and women are eligible the same privileges because human rights are natural rights derived from human nature. This asserts attaining equality and eliminating discrimination based on sex is must.

The individual and collective engagement on matters of life is an important paramount for each and every state. Therefore, every citizen's involvement in the administrative, financial, societal and racial life is necessary, specifically women's involvement in the decision-making and political powers. The participation encompasses both the involvement on decisions that affect their lives and also allowing them to freely take part of any act of opposition. This further includes voting, standing for office and becoming member of any political party. Women's contribution to political arena is a component of their basic rights which exerted in the UN core instruments. For this reason, the realization of this is a fundamental political right for every citizen of a country.

2.1.3 Gender equality

There is a persistent gap in regard to gender equality throughout the whole world where achieving gender parity seems difficult. Women are disadvantaged on accessing opportunities and decision making power. They have less opportunities and also less representation in parts of life. That is where the concept of gender equality may arrive. Although the term equality itself does not literally mean that women and men are same despite biological difference between the sexes. Nevertheless, equality is meant the opportunities and responsibilities should not be differently regarded in to men and women but in an equal term. It also involves that the needs, interests and priorities to be equally taken in to consideration. In general it is the women who are often the disadvantaged group. The understanding of gender equality relates to addressing imbalances between men and women in enjoying these rights. This does not imply that men and women are the same but instead various life aspect should neither be constrained nor to be dependent on the sex of the individual (UNFPA, 2005).

Gender equality According to Directorate of Human Rights, Council of Europe (1998) Gender Equality can be referred as “In all spheres of public and private life there should be fair visibility, empowerment and engagement of both sexes. Gender equality, is the opposite of gender inequality and seeks to encourage the complete inclusion of women and men in society.”

However, Gender equality is an essential step towards development. It lays the base of achieving peaceful world with prosperous and sustainable progress. Equality carries enabling women and girls equally access to education, health services, access to jobs with decent and fair wages and also representation in the decision making positions (United Nations, n.d). The concept states that both sexes have equal conditions in life. They have to be equally treated in realizing the full potential participation of social, political, cultural and economic development. The word *gender* denotes to the society’s fashioned roles and responsibilities for men and women in which they believe as appropriate for both (UNICEF, 2017). The concept of gender parity entails that men and women are allowed to pursue their individual goals and should not be set rigid roles and responsibilities. They have to be free from society’s stereotypes and prejudices.

2.1.4 Gender based violence (GBV)

GBV is widespread in every part of the world. It does not depend being a democratic country or an authoritarian one, developed or underdeveloped but equally occurs everywhere. However, the level is different across countries and regions. It is very pervasive in weak or unstable governments like for instance Somalia or countries with no government at all. GBV mainly subjected to women since it is believed that they are the most vulnerable part of societies. According to Peace Corps GBV is “violence and abuse of women and girls based on their perceived subordinate status”. When talking about violence, there are many forms of violence; domestic abuses, customary practices like Female Genital Mutilation, GBV commit by police and security forces, GBV during armed conflict and so on (Cook, 1994:20).

UNICEF (2017:2) also defines as any kind of harmful act against the person’s will which mainly relates to sexual violence with it is various kinds. Also any kind of detrimental traditional practices including, Female Genital Mutilation (FGM). The nature of the GBV may differ from a country to a country. It depends on the culture of the country and may also differ from a region to region. These kinds of violence comprise sexual, physical, mental and economic harm inflicted both in public and in private spheres. It as well includes threats of violence, coercion and manipulation (UNHCR, 2019).

2.2 Women Rights under International Human Rights Instruments

2.2.1 Introduction

The international effort and concrete expression towards women rights began in the early twentieth century. For instance, the Hague convention in 1902, women issues was utmost concern. The convention addressed the national laws conflict concerning on marriage, divorce and also child custody. In addition, the 1904 and 1910 conventions were adopted with the intention to tackle the trafficking of women for the aim of prostitution. In between 1910 and 20s, the International Labor Organization also took part on the development of women issues as it has developed rules and standards prohibiting women working through difficulties and unsafe environments (Lockwood et al., 1998:5). Even before the adoption

of UN treaties and the establishment of UN itself, there were conventions related to the slavery and the trafficking which also touch women e.g. (1926 and 1921 conventions on trafficking and slavery).

However, Article 31 (1) of Vienna Convention calls states that “A treaty should be read in good faith in compliance with the ordinary sense to be granted, in its sense and in the light of its purpose and intention, to the existing treaties”. This means that when states enter in to a treaty internationally it automatically becomes obligatory to it and they agree to include the treaty in to their national legal system through enforcement and domestication. Also Preamble of the UN charter shows that members are required to “Create requirements under which justice and conformity may be preserved with the commitments resulting from agreements and other sources of international humanitarian law”. Therefore following the Vienna convention and other UN regulations, any country who assumed membership of any treaty bound to respect and implement accordingly to all treaties they are part of it including those related to women rights.

2.2.2 United nations charter and human rights

Non discrimination is regarded as fundamental and basic principles of United Nations. The UN recognized this principle in its charter itself even before the formulation of UDHR (E.Bond, 2012:92-93). The charter of UN (Arti.1, Para. 3) explicitly stresses nondiscrimination rights and this is among the main objectives of the UN as stated in the first provision of the charter which says “Promoting and encouraging respect for the human rights and basic liberties for everyone, regardless of race, ethnicity, language or religion”. Furthermore the Preamble states the International Community have agreed to reaffirm their belief in universal human rights, the dignity and value of the living beings, the equality of women and men and of countries large and small”. This shows that one of the primary reason in which the UN created was to protect and also endorse the comprehension of equal enjoyment of the fundamental rights for all human beings regardless of sex. In reference to the article 55 (c) for instance, UN expressly prohibits discrimination based on gender and member states impose to observe human rights with respect and promotion. Member countries obliged to take actions separately and jointly with cooperation of the United Nations on enabling collective deference and ensuring accomplishment of basic

freedoms with no discrimination being attached to the race, language, sex or religion of the person (Cook, 1994). The UN charter which came in to being in 1945 is the first international system that human rights integrated to the international system and made these rights as one of the purposes of state obligations (Langley, 1999).

Based on the above look, we can argue that since UN came in to being, the issue of Gender has been incorporated in to the national and international systems and laws of member states as a way to protect and promote respect of women rights and other vulnerable groups as they represent the most discriminated and violated groups. Gender has taken a serious place in today's' global policies. It became a cross cutting issue which not specifically considered in human rights but also in development issues and even environment. The reality that discrimination is subjected to women and that based on gender perspective promoted the inclusion of gender in to the international tools of protection in which both international community and UN opposes and considers as a violation to human rights.

2.2.3 Universal declaration of human rights (UDHR)

The first and the second World Wars put the world in acute need of international legal order. There was a need to some extent an initiative to tackle the horrific situation and to also maintain freedom internationally. For the purpose of stability along with peace and security, an international organization for the fulfillment of these purposes was deemed necessary since the League of Nations failed. This brought extensive consensus concerning the establishment and development of new world orders which could help and diminish the risk that the world already experienced.

The events of the World War two and its coupled atrocities provided an immediate background setting up international bill of rights which is the UDHR. The fact that the world was in a whole turmoil as an outcome of the Mussolini government, the Spain civil war, Japanese cruel action policies and militarism, the Franco regime, and most important Nazi expansion and extermination. These issues laid the ground for the need of a new legal order.

Actually, the initial process on the demand for a future legal order based on four freedoms; “Freedom of speech, liberty of religion, freedom from desire and liberty from fear”, these four basic freedoms adopted from the president of US in his speech to the senate on January 1941 (Eide, 1999). Scholars say that the drafters of the UDHR give tribute to Franklin and proclaimed these four freedoms as the utmost ambition of the citizens (Morsink, 1999:1). On December 10th 1948, United Nations’ General Assembly came up the UDHR which is basically non-binding document. However, this document serves as an outline of human rights explanation as it’s required to apply and interpret throughout the world. However, the Declaration stands as the first document asserted the major pillars of human rights which comprise liberty, equity, and justice and world peace (Ghosal, 2010:1104).

Moreover, UDHR stands for the view of international community regarding human rights promotion. It clearly elaborates human rights as understanding by world community and presents the commitment of the world on realization and treating human beings on equal basis without reference to their gender or sex (Bunch, 1995:13).

According to Vesa (2004:319) one of the things which all the UDHR signatories agreed is that “humans are equal in both dignity and moralities”. Although some scholars argue that in the UDHR no mentions have been made to women. However, according to the second article which states that all human beings (including women) are eligible both the rights and freedoms ascribed in the document without any specific consideration to the person’s race, color, language, sex, or any other status. It also gives recognition on “equality before the law” and everyone has the right to enjoy equal protection of the law without subject of any discernment”. By the same token, as it touches to health and security of the human being, the UDHR also sets the tone that every individual should have a life free from torture, cruel or inhumane treatment (Vesa, 2004:319-320; UDHR Art.1,5,7). In addition, it equally and explicitly states that each and every one has the right to own property and prohibits the deprivation of one’s own property (Koskinen, 2002). As part of the existing international provisions, article 17 of the UDHR is one of the most important articles which directly states property ownership rights.

Furthermore, the declaration serves as the measurement of the world standard on the protection of rights and the members are judged based on the extent and degree to which they apply and conform to UDHR. Although it is a matter of dispute whether UDHR stands as legal binding instrument, some scholars argue against while some others state being an international instrument. In this respect, Vesa (2004:319) argues that this bill of rights has a binding effect since it represents as a “authoritative interpretation” on the human rights obligations made provision in the UN charter.

On the other hand, UDHR further focuses on the equal rights of marriage. This is mentioned under the article 16 of the declaration which recognizes the fairness of men and women in both the times during the marriage and dissolution time. The marriage shall be based on full consent of both parts. Also, under article (23 Para. 1 and 25 Para.2) it further gives attention the right of equal payment for equal work and also the protection of motherhood. In reference to these provisions, it makes mandatory for equal payment of both men and women. Women shall be treated equally through fair and equal payment as male counterpart in work premises.

In summation, the UDHR is the bill of rights which provides an explanation to a plenty of rights in which all human beings are entitled. This document although it does not provide enough and specific provisions intended for women rights but as whole it serves the rights of human beings in general in which women constitute an integral part. Even if women rights did not specifically considered it doesn't mean that they are not part of the human being. The term equal right of all in which the UDHR consistently mentions refers to both sex and therefore both men and women are represented in the rights presented in the declaration.

2.2.4 International convention on civil and political rights (ICCPR)

The ICCPR covenant came in to being on March 23, 1976 identifies that the rights introduced in this convention requires to be accordingly exercised and implemented without any discrimination being made to any kind of status (ICCPR, art.2 Par.1). Under this article the convention affirms the world's commitment and support on equality of sex and standing against any act of discrimination based on gender. It specifically states that “Every State Party to

the present Covenant undergoes to respect and uphold the rights recognized in the present Covenant to all persons within its territories and subject to its authority, without distinction whatsoever, such as color, sex, gender, political or other belief, national or social origin, land, birth or other status, of any kind whatsoever.”. Also in several other articles of the convention, gender equality and freedom from any act of discrimination based on gender are vowed. Further, the covenant guarantees the rights to effective legal protection and remedies for all (Vesa, 2004:13; Art.26). It firmly states that state parties are in charge of certifying the gratification of civil and political rights for both sex; men and women in an equal manner as it’s illustrated in International law and the basic doctrines of human rights law. Claims on equality of treatment of men and women obviously relates to the long-standing dominance of men over women which women in Africa and even the rest of world have long been experiencing. Despite the provisions generally and specifically assigned to the equality of rights, the discrimination of women based on gender continuously occurs. As a scholar argues the existence of non-discrimination principles in this covenant and other treaties prohibiting the act, it is obvious that it is not adequately and fully employed to enhance the situation and the general wellbeing of women both in Africa or any other part of the world (Beyani, 1994).

However, equally as the rest of human rights treaties, the covenant has provisions relating to torture and inhuman treatment of people. Article seven for instance which says that “Violence or cruel, barbaric or abusive treatment or penalty shall not be subject to anybody.” where Female Genital Mutilation (FGM) can be taken as an example to the violation of this provision. One can closely link to the prevalence and extent of FGM in some African countries. It is argued that doing so is an act of violation on state’s obligation to guard women and children from this kind of torture (Trueblood, 2020:454).

ICCPR further stipulates that each and everyone have the right of freedom of thought; religion³ and conscience (Art.18). In addition, the covenant under its article 19 also stresses right to freely express opinions, and ideas.

*Freedom of religion is a matter of dispute in which many of the Islamic states reserved. But this is not the case in this thesis.

Moreover, all human beings are equal before the courts of administrative tribunals where each and everyone have the right of recognition before the law. By the same token, article 23 focuses on equality of partners. It provides to both couples equal rights and responsibilities on marriage matters. Gender equality and freedom from gender-based violence articulated within the various provisions of the ICCPR. It further guarantees to all human beings effective legal protection and remedies (Vesa, 2004:321). However, State parties imposed to prohibit any act of discriminating one based on sex and gender are required to guarantee each and every one equal rights and to offer protection from the discrimination. Each and every human being has the right to benefit all the rights set forth in this convention where states have in charge realization of those rights equally by men and women. ICCPR does not separate men and women and every article the word “any person” is used which constitute both men and women. The convention is written in a gender neutral term while where necessary women have been specifically mentioned. Therefore, taking the benefit of the political and civil privileges is the backbone and center for everyone’s life. This is granted in both non-binding and binding treaties and documents and the United Nations has full consideration for human rights and fundamental freedoms without giving regard to the sex or gender as its main theme. However some state parties do not have the ability to fulfill those rights while others intentionally violate and block people’s enjoyment of rights. Knowing that the convention imposes strict obligations that are not only limited to respect the plenty of rights outlined in the convention but to guarantee also that it’s secured under the national laws through domestication.

2.2.5 The international covenant on economic, social and cultural rights (ICESCR)

The initial process of the covenant began on 16 December 1966 through the General Assembly resolution 2200 A (XXI). It has entered into force on 3 of January 1976. The covenant is the commitments made after the WWII intended to promote the social and standard of living (Sepúlveda, 2003:1).

ICESCR further focuses the principle of non-discrimination (Art.2 Para.2 & art.3 of 1976 convention) by offering equal enjoyment of rights on the main aspects of the convention. It is generally perceived ICESCR as the international

instrument that supports women's economic access, and communal and social rights. The provisions of the ICESCR guarantees equal terms of rights in the aspect of economic, social and cultural (ESC) issues and provides both men and women right to earn a good salary to support their relatives. The covenant along with ICCPR lays foundation for effective legal protection and remedies to all hurdles that women meet in terms economic and social while it equally serves as a protection for Domestic violence victims (Vesa, 2004:324-325). .

Article 12 of the ICESCR expressly imposes member countries to first recognize the rights set forth in the convention and then work towards realization of these rights with attainable physical and mental health. Based on Vesa (2004:324) argument, the article further addresses domestic violence and imposes states responsibility protect women in all conditions. The committee on Economic, Social and Cultural Rights (CESCR) general comment No.16 (2005 Paragraph 1&41) states that "One of the basic values acknowledged under international treaties and enshrined in the key international conventions is the equal responsibility of men and women to the fulfillment of all human rights" and that "failure to guarantee formal and practical equality in the appreciation of the particular rights enshrined in the Agreement constitutes a breach of that right." ICESCR stands as powerful tool for claiming Economic, Social and Cultural (ESC) rights for women as a whole since it directly relates to the issues of women. UN-Women points out that ICESCR along with women's treaty (CEDAW) can be a vital reference on the issues of gender equality (UN Women, 2015:37).

In addition, Article 2 paragraph 2 and Article 3 of the convention stresses the discrimination based on the gender and calls member states to guarantee the rights emphasized in the convention without regard to any status of the person. Further, States are under the responsibility of ensuring that these rights are equally benefited by both men and women. This can be explained that ICESCR gives both men and women same status and entitled same rights. Also, Article 6,7,8, and 10(3) focus on the rights of work where it states that everyone has the right to freely choose work and that the conditions of work should be safe and health. Moreover, the covenant prohibits discrimination in terms of employment and also promotion where it also calls equal wage to be observed both women

and men. Working rights also include right to associate with each other and gives paid holiday right to individual workers. These articles equally touch child rights as it prohibits child labor (IWRAW&ESCR, 2013:13).

Under this convention, states are demanded not to intervene and to avoid any kind of intervention on people's enjoyment of all the rights enunciated throughout the covenant. States are required to abstain from any kind of measures which may hinder people's enjoyment of their rights. Generally, ICESCR provisions lays legal framework for the promotion, protection and also gives direction to the very basic social, cultural and economic rights which ranges from working rights with fair, equal and favorable conditions, to realization of adequate standard of living, attainment of physical and mental health, having cultural related freedoms to education. Deeply looking in to these provisions, one can observe that the covenant is mainly addressing Violence against Women (VAW). Given the fact that women are mostly experiencing discrimination based on the above mentioned issues. As such, ICESCR mainly, explicitly tries to deal with VAW which is the cause for women's oppression where Article 2,3,6,7,10,11,12, 13, 14, 15 are the most relevant ones for tackling VAW (Center for Women, Peace and Security).

2.2.6 Convention on the elimination of all forms of discrimination against women (CEDAW)

This convention is the product of the first world conference conducted by the United Nations for women in Mexico 1975. After five years of the conference, the convention came in to being on 18 December 1979. This convention stands for women's international bill of rights as it is specifically dedicated to serve women issues worldwide. Apart from the general intentions that the convention stands for, CEDAW particularly and explicitly focuses discrimination against women and girls by unravelling the root causes of gender inequalities all over the world. The convention gives tangible guidance and direction to each and every state party of the convention on how to employ the rights articulated in CEDAW. It further demands member countries realization of these rights and eradication of all discrimination forms through adoption of laws, policies and standards where the responsibility collectively falls on state, non-state actors and even private members. The convention does not only serve as the bill of

rights but also as an agenda for action in which states obliged to guarantee those rights (Perrie, 2019:112).

Since it is intended for the differential treatment based on sex/gender, it defines discrimination in a way particularly structured to prevent discrimination against women instead a generalized definition based on sex. Under article one of the convention discrimination is described as “Any separation, exclusion or limitation rendered on the ground of gender which has the effect or intent of prejudicing or nullifying women's acknowledgment, enjoyment or exercise, regardless of their marital status, on the premise of equality between men and women, on the basis of basic human rights in the political economic, cultural, cultural or other fields”. This shows that CEDAW strongly stands against any kind of discrimination on women and firmly asserts the equality of all without distinction to gender. According to the preamble, the convention further reaffirms the UN charter regarding fundamental faith on human rights, dignity, human value and the equality rights for all. However, as Ijeoma (2006:34) states that implementation of CEDAW is based on three issues; first States are in charge to formally recognize that human rights and basic freedoms are entitled to all human beings equally, second, same as men; States should enable women equal opportunity for the purpose of enjoyment of these recognized fundamental rights and human rights in general through prohibition of discrimination, third, tackle and also eliminate any kind of gender based obstacle that may hinder equality of rights. However, eliminating the root causes of discrimination is much difficult than formulating laws that have equality grounds.

Furthermore, CEDAW is the only treaty which gives recognition to women's reproductive rights and emphasizes culture and traditions as the barrier for women's enjoyment of rights as these factors contribute shaping the gender roles and family relations of societies. The convention provides equality rights for women by ensuring equal access to opportunities and equal involvement of politics and public life including but not limited to voting rights, running political office as well as rights of education, health and employment opportunities (UN Women, 2009). However, the equality that convention calls does not only have grounds in formal equality but also touches equality in all spheres of life including private lives (Ijeoma, 2006:34). The thirty provisions

of the convention and its preamble clearly addresses discrimination based on gender and touches all direct and indirect ways in which women and girl's rights are violated (Perrie, 2019:113). Since CEDAW does not clearly prohibit VAW, but GBV has been incorporated in to the general ban of the convention by the CEDAW committee. In reference to the general recommendation No.19, the committee clarifies that "The Convention describes discrimination against women in article 1; the definition stresses that Gender Based Violence as the violence that is directed and aimed towards women since she is a woman or that unfairly impacts women. It entails actions that cause or to suffer in terms of physical, psychological or sexual harm, threats of these acts, such as coercion and other deprivations of liberty. Gender Based Violence may breach specific provisions of the convention, regardless of whether those provisions clearly address violence". Although recommendations are not legal binding but one can take this explanation in reference to violence against women.

On the other hand, as it focuses gender based discrimination, it also deals with physical and mental health. Article 12 for instance which calls signatory countries to take necessary actions for the elimination of discrimination in terms of health and there should be equality in accessing to the health care services. According to this point, Vesa (2004:328) argues that women whose health in danger due to domestic violence and not capable to find medical attention can use CEDAW specially this article as a ground in advocacy of right and failure of the state for not coming up with legislations and laws that could have prevented the victim from the physical abuse. However, CEDAW generally relates to all fields whether public or private in which women often meet discrimination in terms of equal access and involvement in these fields. Therefore, in Article 3, State parties are imposed to have appropriate measures in regard to political, economic, social and cultural rights in order to ensure that women have full exercise, enjoyment and advanced accordingly in regard to these rights. Moreover, Article 5 of CEDAW imposes all signatories to alter the patterns of social and cultural conduct, with the purpose to end prejudices, customs and other practices grounded on the stereotyped roles and inferior conception between men and women (Trueblood, 2020:356).

However, women's treaty as it is sometimes called is the first document which directly relates to women rights and equality within the social, cultural, economic and political arena. Although there are other previous UN conventions adopted before CEDAW but those conventions did not provide enough attention to women issues instead they generally address human rights of all. Based on that, the convention clearly admits the inability of the previous human rights instruments on addressing women rights violation as it says in the preamble "the Convention explicitly acknowledges that "all-encompassing discernment against women endures".

However the Convention on Elimination of All forms of Discrimination against Women guarantees set of rights for fortification and elevation of women rights. Therefore, Signatories are required to take appropriate measures to eliminate violence and discrimination against women and girls. Article two of the convention imposes these obligations on state parties. Under the convention, state parties are in charge the full realization of the rights described and recognized in this document. They have to take the indispensable phases and actions at the national level by any possible means. Upon the acceptance of the treaty, signatory parties are required to adopt measures intended to eliminate any kind of VAW and girls. That may demand ensuring equality principles in the legal system, reform and formulate laws abolishing any kind of discriminatory practices and also putting effective mechanism for the protection of women (UN Women, 2009).

However, ratification and respect to the ground rules is not enough. This should be accompanied with implementation through domestication and enforcement of laws at the national level. They should have concrete actions for ensuring women rights under the convention. The convention recognizes the cultural and the traditional impact on women as well as its obstacles on women's enjoyment of rights (Koskinen, 2002). The main responsibility that CEDAW demands lies on article 5; however as mentioned, the equality which the convention reaffirms not only restricted to the standard and formal equality but also lays foundation the very basic ways for realizing women's access to political, public and private opportunities in an equal manner. Further, the convention stresses the

difficulties that women face by expanding the equal treatment concept usually prescribed in terms of how men are treated.

2.2.7 The declaration on the elimination of violence against women (DEVAW)

As part of the recognition of women rights and its universal application through emphasizing the dimensions of dignity, liberty, equality and security gave the adoption of DEVAW. The fact that these principles articulated in the international bill of rights; UDHR, ICESCR, ICCPR, women's treaty (CEDAW) and other human rights treaty. However, to strengthen the effective implementation of CEDAW which is mainly determined to eliminate VAW, DEVAW came in to being. The declaration adopted by the UN General Assembly through the resolution 14/104 on 20 December 1993. DEVAW indicated that any form of violence against women is a barrier that challenges accomplishment of equality, peace and development. It further affirms that VAW represents as the main obstacle for women's enjoyment of central freedoms and human rights which is a long-standing issue (OHCHR, n.d).

However according to its article one, it defines VAW as "Any incident of gender-based violence results in or likely to result in physical, sexual or psychological damage or harm to women, particularly include threats of such acts, coercion or arbitrary deprivation of liberty whether in public or in private life". This definition constitutes to the kinds of violence which may include physical and psychological harm and the harm as a result of traditional cultural practices. The declaration goes further than just describing violence but in addition it also codifies measures to be taken to eliminate this kind of act (Trueblood, 2020:357).

Further, according to (Sullivan, 1995:131) the declaration explicitly demonstrates political consensus regarding human rights responsibilities and obligations on states in tackling Gender Based Violence (GBV) that women constantly suffer. Sullivan further argues that the main aim of DEVAW is "To answer to the need for a clear, comprehensive and detailed definition of violence against women and a clear declaration of the rights to be enforced in order to ensure that violence against women is abolished in all its manifestations and to make sure States as well as the international community

are committed eliminating violence against women”. As UN-Women states DEVAW constitutes the first International instrument which direct speaks out violence subjected to women and young girls and gives direction for national and international action in response to the violations against women. DEVAW has been characterized as the crystallization of political and moral support of states on ending violence against women as it fully illustrates the scope of state responsibilities and obligations on ending gender based violence and the type of violence which violence against women is termed (Sullivan, 1995:131). One of the importance’s of the declaration entails its acknowledgement that violence against women obstructs the achievement and the realization of equality, development and peace (Trueblood, 2020:357). Article two of the declaration constitutes a number of violence that women experience; both in terms of physical and psychological that takes place generally in the family as well as in the community, Female Genital Mutilation (FGM), and other destructive cultural and traditional practices, sexual exploitation, aggravation, coercion occurring at work and educational premises, women illegal trafficking... and so on. These are grouped in to three forms of violence; violence that occurs in the family, public violence, and the violence that state condones. The declaration requires from States to condemn and prevent violence grounded on customs, traditions, and religious aspect as the basis of avoiding punishment. It further demands from states the improvement of domestic legislations through the development of punitive, civil and managerial approvals with the aim to punish acts of violence against women. In addition, it imposes national authorities a duty to act with ‘due diligence’ and are required to punish any kind of violence against women whether from state actors or individuals with just and effective measures for the victim damage (Tatu, 2019:30).

3. HISTORICAL FRAMEWORK: SOMALI WOMEN IN THE PAST

This chapter discusses Somali women in the past by focusing two periods; Somali women under the colonial period and the period of the collapsed central government (Military regime/Siad Barre government). It also gives attention to the traditional role of Somali women, marriage, divorce and their position in the society and how they have been viewed within the community in general. On the other hand, under the colonial period, the focus is on Somali women's movement during the period of colonization while the second part sheds light to the rights of women under the military regime and how their rights are respected.

3.1 Background Information on Somalia

Somali is an east African country located in the Horn of Africa. As a result of the scramble of Africa, Somali state was formed during the partition in the horn of Africa by various colonizers; Britain, Abyssinian empire, France and Italy. However, Somalia was not a single state even during the colonial period, divided as Northern British protectorate and Southern Italian Somalia. On June 26, 1960, the British protectorate acquired independence from the British colony while the southern part became independent after four days. The Republic of Somalia was formed on July 1, 1960 after the Northern part of country united with the southern part (M.Lewis, 2020). The country covers approximately 246,331 square miles (638,000 sq km) landmass. Somalia borders with "Djibouti to northwest, to the northeast, the Somali peninsula projects in to the Arabian Sea, the entire north is bordered by the Gulf of Aden with Yemen on the other side of the sea and the entire eastern shores are prominently delimited by the Indian Ocean" (Njoku, 2013:1-2). To put it simply, the country connects with the Gulf of Aden, the Indian Ocean and has borders with Kenya and Ethiopia and Djibouti (Lewis, 2020). Somalia's capital is Mogadishu; the largest city situates just north of the Equator on the Indian

Ocean with 17 districts. The second capital of the country is Hargeisa (the self proclaimed state), and the third capital is Kismayo. In the past, most of Somalia's population was rural. More than half of the population was pastoralist or agro pastoralist while small number of the people relies on fishing and the rest are urban dwellers. The population is one of the most homogenous people ethnically and culturally in Africa. However, clan constitutes an essential role in the Somali community. Though the people fought among themselves traditionally, but the great identity as Somalis carry huge respect and takes hold in front of strangers.

According to Worldometers (2020), Population estimation at the current is 15,877,070 million. Mainly the climate is dry and hot except at the North higher elevations. Somalia contains eighteen regions with two only perennial rivers (the Jubba and Shabelle) and its natural features include beaches and mountains. Official language of the country is Somali and Arabic as stated in the current Provisional constitution. Also the official religion is Islam since 98% of the people are Muslim. Somalia is described as people of poetry where it is given the name "Nation of Poets" because of their love of poetry. Oral poetry has an essential place in the Somali community since the country has been without written language until 1972 when the Somali language was written.



Figure 3.1: Map of Somalia

Source: Nations Online (2019), “Political Map of Somalia”

<https://www.nationsonline.org/oneworld/map/somalia-political-map.htm>

3.2 Brief Historical Overview

History shapes societies. It serves as a narration for a given people and helps us understand the past same as it helps the present. This is true for everyone and every society including Somali people. History recreates past events and allows people to have an understanding of their roots as it gives sense of identity to people. Historians generally divide historical studies in to four main periods respectively; Prehistory, Ancient History, Medieval History, and Modern History with each having its own subdivided phases. To some extent, the first two divisions are considered as the general history of humankind. Human history became diverged with the third and fourth periods resulting human history and its universality to turn dubious. Modern European history for instance which comprises Renaissance period, Industrial revolution, colonization and Technological advancement. These periods through the context of colonized countries carry different conditions, categorized as Islamic civilization,

Colonization and nation-state formation. To put in to the context of Somalia, these periods can be labeled as Pre-colonial, Colonial and Post colonial. However, Somalia being an Islamic country makes its history part of Islamic civilization. Therefore it is third history begins Seventh century with the spread of Islam in the Somali peninsula and ends with the fall of Muslim states (Ajuran and Adal sultanates) in the seventeenth century. While the third period regarded as the era of decadence due to invasions and reconfiguration of world society through colonization (Baadiyow, 2017:34). The case of Somalia, pre-colonial period starts with the collapse of aforementioned Islamic sultanates and the beginning of the creation of clan-based emirate until the invasion of the colony in 1880s.

Although Somalis call themselves as a people without history but Somalia has a long history. The historians and linguists traces back to a much earlier time to the origin of Somali people. While there is still debate on the exact origin of Somalis, however it carries no doubt for being the inhabitants of the region long before the use of their names was recorded in the early 15th century for the first time (Noor, 1993:11). Recent study shows that “Somalia is nation with a history that stretches back more than 10 Millennia to the beginnings of human civilization” (Njoku, 2013:13). Somalia occupies a unique strategic location connecting trade routes of Africa, Europe and Asia. There are two hypotheses which show that Somalis are migrants coming either from the highlands of Southern Ethiopia in the first century (AD) or from the South Arabian Peninsula after tenth century. Baadiyow (2017:35-36) challenges these two notions and argues that Somalis have long dwelled the region and are not newcomer’s instead indigenous people who lived the region for the past 7000 years and he explains his argument on the basis of trade⁴. Somalis took significant part of the Abyssinian push-pull war in thirteenth century since they were locally part of the Muslim sultanates of Idil and Ifat. On the other hand, in fourteenth

⁴ Baadiyow argues that Somalia was the nexus of global economy. They traded various commodities (Frankincense, Myrrh and Species), produced and exported from the North-Eastern Somalia know as the Land of Punt, with **Ancient Egyptians** (Existed three Millennia from 3100 to 332BC and contained thirty dynasties), **Phoenicians** (which located on the East Mediterranean coastal part of the Fertile crescent on the coastline currently known as Lebanon, Palestine, Syria and west Turkey in between 1500 BC and 300 BC), **Mycenaean** (1600 and 1100 BC and was the last phase of the Bronze age in Ancient Greece), and **Babylonians** (emerged 1894 and ended 539 BC).

century the Ajuran imamate emerged and was the largest state in Somalia before the colony. The dynasty ruled most of the southern part of Somalia until seventeenth century. The imamate is known for their repulse against the Oromo invasion from the west and Portuguese incursion from the Indian Ocean. These periods, no single centralized government governed the region instead various sultanates with varying authorities and power. As one author argues, the country was comprised a clan-based zones with recognition to each other and in addition “water, land, pasture, camels, and women were fiercely contested” (Ingiriis, 2018:61).

To sum up, when talking the history of Somalia it gives the image as if the Somali history initiated only with the colonial period. Less attention was given to the periods before. It is true that origin of Somalis is a matter of dispute. The same token, it is also true that they have long history. The vast literatures that is available covers colonial period and after, while it overlooks the period before the colonial incursion. The rich ancient history of the Somali people is limited thus presents enormous gap. The little available writings offer no clear image of the history of Somali peninsula. Therefore, based on the above facts, the following part focuses on two periods of Somali women history; the colonial period and the military regime.

3.3 Somali Women in the Past

3.3.1 Traditional role of women

When talking about Somali women, it is important the image to be taken from the general Somali society in which they constitute and form an integral part. Somali women equally share the burden and the problems with their male counterparts and that makes them distinct and special from the rest. Yet they are the ones who always suffer gender subordination. They always bear unequal brunt of hardship resulted by poverty, the prolonged civil war, and more specifically clan-based culture which is male dominant in nature. Somalia characterizes as a patriarchal society in which men holds power over women. Further, Somalis recognize themselves based on clan system. Most of the

Somalia's population is rural. Large proportion of the population represents pastoralist or agro-pastoralist which is nearly 75% to 80%⁵. Since large part of the people is estimated as the category of pastoralist, or agro pastoralist, the general image will be taken from them so as to narrate the past of Somali women.

In the context of pastoralist society, each and every one has defined roles, rights and responsibilities both in the family and the various levels of the clan. Each family has a leader which is male and they relate through that male hierarchy. Historically, they accordingly resided and moved based on the male line which further connects to the clan. The kind of the position and status provided to the individual member defined according to the society's prescribed roles and responsibilities (Warsame, 2004:22). Women keep their tie with their family even if they marry and move to the family of the husband. Clan offers some measure of protection for women against the mistreatment of the husband and his relatives (El Bushra, 2004:28).

Being a pastoral society, women play an important role in the family and the economy. Besides the tasks relate to child care, food preparation, and household chores which is generally universal according to women. Somali women played also an essential part in animal husbandry, the mainstay of the rural economy. Their economic contribution through the production of livestock was appreciated and seen as a survival of the family in the pastoral system. As Warsame in her book *Queens without Crown* (2004:22-23) states their role was not only limited to that, they were also responsible for the preparation of make-shift nomadic hut (Aqal in Somali). Although women had an essential role on animal husbandry and production but they had no ownership rights. However, women have full exercise of rights over animal products (Milk and ghee) as wives and this use of rights is secured as long as the women not divorced. Traditionally, the nomadic life shaped and molded the role of women both in culture and thought (Wieringa, 1997:165). Child bearing and rearing and household tasks along with the contribution of the family's economy through

⁵ Since this part relates to the past of Somali women which covers before the civil war, therefore the estimation taken is based on the period before the independence to reflect their past. The percentage might be different to the current Somalia.

the livestock production was the sole role that women played. The strict defined division of labor made women responsible only for domestic tasks. Thus leaves no room for education and involvement of the community (El Bushra, 2004:9).

3.3.2 Family, marriage and divorce

Marriage is just universal and marks the union of two people and also their family. In Somali culture, it's a religious duty and social necessity as well. According to Musse (2004:52) in her part of writing "The war through the eyes of Somali Women" states that under the traditions of Somalis, Marriage represented a contract between families. Marriage bonds together group of families through male ancestors. Women marry little bit earlier age normally between 16-18 years while men marry 20 to 22 years of age. Men can even marry at later age and brings them no problem compared to girls. However, the problem is attached to the women if she stays late as a single status after the age of 20, might be seen as a spinster. Further, in the Somali community it is also uncommon marriage with a woman who's older than the man or a woman who passed the fertile age (Landinfo, 2018:6).

Back then, Marriage rooted just forging alliance between two clans thus makes it more than union formed by two persons. One family asks the girl of another family as usual, there establishes new family. However, the girls' consent was not properly considered, the choice only rests with the boy (Warsame, 2004:26). It is stated that sometimes the whole society might know that the man is looking for a wife. Prowling around the settlements of the families with a new clothes dressed on is a sign. If the choice of the man seems fine with his family, then the next step will be taken but sometimes the choice is rejected if the in-laws seem unacceptable to the family. By the same token, the girls' family might also reject the marriage proposal. Her family is responsible ensuring the wellbeing of their daughter. They also ensure the wealth of the man Measured on the base of the livestock he has and the compatibility of his kinship to that of the girl (Abdullahi, 2001:130).

Elopement⁶ occurs in the society if however, the two are heartedly connected. One of the occasions people cite on how extreme of marriage was without the acceptance of the family especially the father. A father uttered divorce-oath if the daughter ever marries without his consent her mother will be automatically divorced. So the girl expressing her feeling says:

“Oh what a starry night, what a starry night,

Oh father Ali,

What a fine night to elope with a man”⁷

This has been the most detested and the most dangerous marriage among the Somali traditional society. This kind of marriage may sometimes cause a feud between families or between clans (Musse, 2004:56). Those who break the social norms and the rules of the family receive no help or protection from the relatives or family members (Landinfo, 2018:10). But it was tool used by young people to avoid and resist unwanted marriage.

As the marriage creates new connections, marrying within the same lineage was not encouraged. There was a highly preference the bond to be created outside the girl/boy's family. For instance, marriage between the cousins whose fathers are brothers is not highly appreciated. Therefore, young people are advised and encouraged marrying outside their clan that would establish a new bond of relation and this known as exogamous marriage. Exogamous marriage provides greater protection for women compared to endogamous. Every man values his relation to other men. However, men serve as protective shelter to their relatives and protect women from the domestic violence (Musse, 2004:52-53).

Usually, the family consists of man, wife/wives and children if any. Male is considered as the head of the family unless it is widowed or divorced women where the household will be headed by women. Women are required to fulfill

⁶ Elopement (Secret Marriage) is the kind of marriage which takes place without the consent of the family for either two reasons; the family knows nothing about it or they refused the marriage proposal. Such marriage to be valid needs the couple to travel certain distance from home (Approximately 90 km). Traditionally, approximately three days used to take to travel such distance by camel.

⁷ Composing poetry in every aspect of life situation shows how Somalis valued poetry given the fact that they are characterized as oral society and nation of poetry. Therefore, this thesis will be full of poetry since it was and still one of the tools that women employed in their fighting of oppressions.

their duties as wives, daughters and mother and are not allowed to socialize with men publically (Trigo-Arana, 2013:8). According to Warsame (2004:28) the life of the traditional Somali society was subsistence-oriented in nature. There was no sole bread-winner in the family as everyone had the responsibility to contribute to the economy of the family and they as well equally shared livestock resources.

On the other hand, polygamy was practiced as a means to expand the income of the family (El Bushra, 2004:29). Nevertheless, according to the Kuran and the Somali tradition man is allowed to have four wives in a condition that the man equally treats all the wives and their offspring's emotionally and materially. So this is common in Somali community traditionally and the current time. Generally, practicing this system depends on age. Usually men between 40 to 60 ages tend to have four wives. This is because at such age, the economic condition (measured in terms of domestic animals) of the man is better (Lewis, 1994:29; in Landinfo, 2018:16). However, according to Warsame (2004:27) Somali women always resisted and reacted strongly. The available poems, songs and children lullabies can be a testimony to their resistant. One of the poetry by the nomadic women against the polygamy says:

*“O’ polygamous man, polygamous man,
Here comes the polygamous man grumbling,
Each night goes, he to a different hole (house),
Polygamous one, who makes a gaari (a clan woman) miserable,
Polygamous one, who dishonors a young wife,
A young wife who has never failed him,
She is not good enough! Says he of her,
To justify his multiple marriages”.*

In a polygamous marriage, separate and new house is established to the new wife. However, the first wife has always a say regarding how much stock is allocated to the new one. Sometimes, first women stand against the marriage extension and sabotage the process. This is specific when she has grown up offspring (Musse, 2004:55).

As far as it concerns divorce, it is difficult for women than men. Under the Islamic law, the divorce (Talaq) is in the hand of the man. Yet women can request divorce based on the ground that man is not supporting her or that he is mentally ill or maybe he is impotent. Whatever the case may be, the divorce should follow the Islamic law and it should be made under the local sharia court. However, under the traditions, many divorce cases is treated in favor of the father as the children belong to their father's clan. According to an interview carried by Warsame (1999) in her writing *queens without crown* (2004:23-24) says that it is well-known fact in Somali society that even the father takes away the children from their mother after divorce. If the baby is still in the breastfeeding stage then permission would be given to stay with the mother but few years later will be returned. According to her (24-25) in case the mother has grown up sons, the children will probably stay with the mother and will also keep the livestock. This expressly shows that sons are insurance for the mother. Therefore the father will have no courage to send off the women. In addition, it is noted that women had no choice in regard to the child custody due to three main reasons. *First*, women own no livestock and all the livestock belongs to the husband. *Second*, Mothers have the feeling that children better to stay with their father and within their own kin since the mother had to go back to her clan who might be different from the children's clan. *Third*, Mothers also have the feeling that when children grow up would ask their mother and will come back to her. They used to express the feeling through lullaby saying that "O my child, no matter where you are taken to, deep down in my heart I know that nothing on earth will keep you away from me, for I am your mother". Generally divorce was rare under the traditional society but woman used to take the blame if dissolution occurs. According to the society divorce was shame to the divorced women. On other hand, women had no rights to own property and that is the rationale behind not giving any property for women after divorce. A popular Somali saying expresses the extent of Somali men's despise against women possessing anything "If a woman brings anything, even a pot, break it".

In nomadic life when the child is taken from his mother, mothers protest in their own way. One song says "Blood is thicker than water". No matter the distance between them it is obvious that no one can deprive her exclusive natural right

meaning that she is the one who give birth and he/she hers and hers only. According to Adan in her article on women and words (1981:119) presents this song as an illustration the hardship life that women lived:

“We don’t pick dates off from its tree,

We don’t own milk camels,

We feel the weight of worry more”

3.3.3 The Position of women in the society

Somalia and African countries as a whole is characterized as a patriarchal society where the dominance is in the hand of male. The word roots to the ancient Greek where it is referred as the “rule of the father”. Its extent and force lies in different ideas and explanations. Some employ to explain to the patterns initiate from the family structure while others refer to the misogyny, exploitation and the oppression of women as a general. Although women’s’ oppression can be multilayered, but in this text it takes us to the societal inequalities at the family and the society in general. It further leads us to the norms and structures, which are patriarchal in nature.

Somali society operates as patriarchy both in the traditional time and to some extent at the present day. Usually male dominates the public sphere and makes majority of the decisions. Being profoundly patriarchal brings women and girls to face gender specific and gender intensified risks.

Somali people give more value to the men than women. The idea of superiority ingrained in the minds of Somalis. The assumption that women are inferior normally circulates in the society, from parents to daughters and to the son without deep thought and consideration. Hence, the children accept and internalize the society’s given status. Society decides the place of men and women as well. This has been existent and still there in today’s Somalia. Diverse mechanisms used to reinforce the attitude towards inferiority of women. One thing contributing to the idea is that male children are welcomed in the world and giving birth to a boy was something being valued and celebrated. While girls less enthusiastically celebrated or sometimes not celebrated at all despite their potential wealth for instance bride wealth which is the least to

mention. Although in Somali culture, children regarded as a blessing from Allah but being strongly a patriarchal society male child is given greater value than female child. Women and girls are viewed as inferior and the male child as a continuation of the clan and father's lineage (Warsame, 2004: 25). The birth of a girl is grief to her mother and brings unhappiness. As an oral society and a nation of poetry, Somali women improvise lullabies, poems and songs according to the situation. According to (Hassan et. al., 1997:176) here the words of mother expressing her denigrated role through lullaby:

“Why were you born?
Why did you arrive at dusk?
In your place a boy
Would have been welcome
Sweet dates would have
Been my reward
The clan would be rejoicing
A lamb would have
Been slaughtered
For the occasion,
And I would have
Been glorified”

As further argued by (Hassan et.al 1997:176-177), mothers did not address the issue in a uniform way. Above represent a mother who is morally broken for the birth of a baby girl. It is true that mothers equally sad in regard to the society's low status labeled to the female. However, some mothers reacted in a positive and sympathetic way. A mother sympathizing for her daughter and stating the unequal treatment of women says:

*“O, my daughter, men have
Wronged us
For in a dwelling where women*

Are not present

No camels are milked

Nor saddled horses mounted”.

Despite the grievance that women faced, the inferior status attached to them and the preferences of the parents. There is one thing worth mentioning, once the euphoria ends, children are equally treated in terms of the love shown to them, food and anything else related to the upbringing of the child (Warsame, 2004:34).

As mentioned, woman is defined according to her father's clan. Therefore the social position of the women is identified through the clan of her dad and later to her husband. Women do not carry the name of the husband or the clan either, only the children belong to the husband's clan. Women enjoy degree of protection from her clan. However, clan protection will not be available if a woman commits adultery. Since she brought shame to the family, neither her own clan nor her husband's clan will provide protection to her. However, the case is different from adulterous man as he does not subject the same social rejection as women (Refworld, 1994:98-99).

Moreover, referring to gender relations, Somali society practiced protection of women rights at some level. Traditionally, customary law provided protection for women against cruel abuses from husband. For instance if woman face such act, she may take the issue to the elders. If the woman wins the case, the husband might be asked to compensate. He has to pay amend through selling some of the animals and will be given to her in terms of money. No men can stand against the order of the elders. Sometimes the man might be punished by tying in to a tree with biting ants. Women were given care even if she marries. As Diriye further explains in terms of two things 'Dhixid and Dhalasho' "the first means an overnight stay and signifies the transient nature of marriage, the later means birth and signifies inalienable and inalterable rights of birth invested in her family of birth". It was a custom to periodically check the woman and to also give the permission to visit her paternal relatives. Sometimes this is carried further to make the husband reside with her family for at least a

year. This was basically intended to ensure the safety and the wellbeing of the daughter (Diriye, 2004:125-126).

On the other hand, decision making at the community level rested upon the male whose age is above sixteen years. All the male who meet the required age can participate and had a say in the clan gathering. Most of the decision at this level concerns the daily issues of nomadic life. This includes; conflict resolution, resource sharing, discussions on potential hostile from other clans and if to go to war or to settle disputes and moreover dia paying (blood money). Since its nomadic life resource sharing was the most issue to solve and there was continuous conflicts based on that. Conflict resolutions were entrusted to the clan elders and the strength of the clan is measured in terms of the number of males. The number of female was not properly considered essential. Therefore, the clan meeting which takes place to what Somalis call *justice tree* women had no say and rarely participated in the meeting. However they sometimes played invisible role depending on the situations. As such, women never invited to contribute the decisions or to share their opinion publically. However, It is been argued that women were consulted in the private realm. Consulting with women publically was seen as undermining man's power, therefore they were consulted and discussed the standing issue in a private way. Their invisible role was never acknowledged (Warsame, 2004:28-29).

Somali society undermined women in one way and another. One Somali proverb says that "The Breast that contains milk cannot contain intelligence" (Adan, 1981:131). This expressly indicates that traditionally women are marginalized and it is one of the reasons that their role in the decision making never appreciated due to the natural inferiority attached to them by the society. Evidence shows that the traditional customary law (xeer) did not encouraged women and might have and had potential effects on future of women participation in public decision making (Fiske, 2019:264-268).

Traditionally, women had exercised certain power of decision-making at the family level. Although decisions taken at the household level was considered and seen less significant to that at the clan level but this was the only domain that women could exercise some decision-making authority. This includes decisions related to the livestock such as milking and ghee (Warsame, 2004).

One of the reasons that women enjoyed autonomous in this kind of decisions is that man normally do not interfere domestic affairs. The man who involves anything relate to domestic affairs specifically food is regarded as lowly and despised. For this reason women enjoyed having complete authority on managing domestic related things. Despite their significant role in the production and their labor input but it did not lead them social status equal to that of the men. Superior status is only attached to the male and this is because the patrilineal system. Their respect in the decision making grows with the increase of the age while women do not have similar status as they grow older their reproductive and production role diminishes which further leads to diminish their respect. However, women's respect grows and becomes stronger if she's a mother, especially being a mother of male offspring (Warsame, 1987).

As Warsame (2004:28) mentioned, as far as it is related working outside, back then there were no traditions and customs that neither confine women nor were there traditions that segregate people on gender ground. All individual members contributed to the labor for sustenance. On the other side of the country, there were small number of women who worked outside as traders and vendors. Those women comprised divorced, widow and poor women at different age.

In summation, several reasons used to defend and justify the inferior status being attached to women only. Among the major justifications root with tradition, religion and the biological differences of the male and female. There are contradictories on the position of Somali women. On one hand women are perceived to be weak and docile and also inferior status labeled to them. On the other hand at young age they are taught to be smart and strong. Somalis perceive women as the backbone of the family and the society as whole and without them life would be misery. But all the importance given to them was just limited to serve man and not hold positions. This can be reflected through the role they played in the past. Throughout their history, they experienced and lived under conflicting signals. However it is true that they were less valued in their social position and their role in general. It is also true that they were the backbone of the society both at the community level and family level as well.

3.4 The neglected aspect

3.4.1 Women and poetry

The country has long been known as the Nation of Poets. Somalia had no written language until 1970s. There are indications that Somalis long started oral traditions of poetry roughly 12th century and has been passed through generations. Oral poetry was an integral part of day-to-day interaction and communication between individual members of the family and clan meetings at the community level. Somali people known constructing their speech or message in the form of poetry or sometimes through proverbs and wisdoms.

Somalis produced valuable and wealth oral traditions and literature. Oral poetry is a mirror narrating the lifestyle of the nomadic people and their thought. Poetry was mainly used by elders to express their opinions (Trigo-Arana, 2013:14). According to Adan (1981:116) “poets are the traditional spokesman of their clans and a great poet is considered a great value to his clan”. In addition Poets have been used to transmit the clan affairs in the inter-clan politics. This is translated as why women have always been excluded from this kind of speech and expression since they are not part of decision making. She also explains the reason based on a Somali saying which says; “three qualities are considered virtue for men Courage, eloquence and generosity, (Geesinimo, Aftahannimo iyo Deeqsinimo in Somali)”. These three noble qualities are deprived from the characteristics of women. This further explains as “if a woman is courageous she will fight her husband, if she is generous she will give away her husband’s property which is entrusted to her and if she is eloquent, she will debate or daringly address her brother-in-law which inherits his brother’s wife”. The belief that this three characteristic regarded men’s trait led women’s saying seem unimportant. Their sayings were never considered and valued. It also shows that the society welcomed only the woman who do not quarrel and not stand against a man. On the other hand, Poetry played vital role in the community and as said the country described as the “Nation of bards”. However, women have not been mentioned in the history of Somali oral poetry. This does not mean that they never composed poets. Great celebrations have been given to male poets and their poems have been recorded and memorized by Somalis as a whole. This is because that neither foreigners who colonized and

ruled the country nor Somali people given consideration to the women's literature and was seen as less significant. Due to the idea that women are less significant in the culture of Somalis in which women internalized resulted that women even themselves deemed unnecessary their contribution to the literature (Hassan et al., 1997:168).

If a woman composes poetry, it will only be limited to family or friends who might memorize, it will not go further. Although there are other transmissions for women poetry like radio but only one case women's poetry is recited if there is engagement or wedding ceremony. Memorization and recitation is considered as male's specific occupation. Women are excluded from this crucial and important role. Somali male never recited poem composed by woman. It is perceived as shame for man to recite poem composed by women in front of audience (Jama, 1991:43-44).

Adan (1981:140) through her writing on women and words claims that "The activities of the Somali woman have been neglected by most foreign writers and travelers. Richard Burton commented on Somali poetry, but being a male chauvinist from Victorian England, he absolutely overlooked women's literature, even though he had a keen eye for every passing beauty! Even Margaret Laurence, a woman herself, overlooked her sisters talents and, like her fellow countrymen, paid tribute to the male poets only".

Generally, Somalis divide Poetry in three forms; Gabay, Jiifto and Geeraar. The most serious one is Gabay. These three forms considered and viewed as man's domain. Women are excluded and denied from this type of classification. Women compose poetry in their own form which is not three noble forms. They compose in terms of what is called 'Buraanbur' which is often lighter and shorter compared to other types. Hobeeyo (children lullaby) is also part of Buraanbur but these types was not considered serious in the nomadic life. However, women used this kind of poetry as a weapon to fight against any oppression (Hassan et. al, 1997: 174-175). Children lullaby was not only used to entrain the kids but also used to address the wrong doing of the man and the child whom the lullaby was recited is often a female child since they are in the same boat of oppression and grievance and in addition to the fellow women. Here the words of a woman from the writing of Adan (1981:117)

*“Oh my daughter, men have wronged us
For in a dwelling where women are not present,
No camels are milked,
Nor are saddled horses mounted”*

Since both the mother and the daughter are equally the victims she is illustrating to her little girl their unity for being women together (Hassan et. al., 1997:177). Also, through this poem, woman is addressing the belief that women do not contribute and take part to the wealth of the family. As usual women belong to another family; she does not belong to family she marries in to. Traditional society has the belief that she has no role to wealth of family of her birth. Therefore she is illustrating the contribution she has given to them through the bride-price paid to her as the man provides horses and camels to the maiden family of the woman (Adan, 1981: 117).

In conclusion, it's revealed that feminism is indigenous to Somalia and was not borrowed from western ideology. Female subjugation in the west expressed through writing books and journals by early feminists but in contrast Somali feminists used poetry as a means to express their dissatisfaction and oppressions (Hassan et al, 1997:167). Somali women have never been submissive throughout the history. They strongly faced both natural calamities and social oppressions. They continuously and clearly expressed their grievances. They also shared their hope and philosophy. Poetry has been a tool for them to address negative aspects of society and the wrong doings of men. They also used to raise awareness to the fellow women. The chain of poetry transmitted from one generation to another and from mother to daughter.

3.4.2 Women and nationalist movement

Studies argue the political involvement of women; participation and their activism appeared late in Africa exactly after post colonial setting. However the case of Somali women movement of 1943 to 1960 provides a unique insight which presents an image on how Somali women absorbed national politics much earlier than fellow women in other sites of the world. This also lays foundation understanding women's movement in the contemporary setting. The movement

of Somali women born in the form of organizations whose aim was the realization of independence. But long before, there was feminist consciousness in the nomadic ordinary women. As mentioned, those women had their own way of addressing women issues through songs, poems and lullabies. The consciousness that long existed extended to the urban life where women started to participate the struggle of independence (Hassan et. al., 1997:171). We can trace back to the origin of Somali women movement in 1940 when number of political movements established for the purpose of independence (Ingiriis, 2015:376). Women actively organized themselves and largely participated in the act of standing against foreign domain (Hassan et. al. 1997:171). Their main aim was to stand tall against the colonial power. They used various methods to unite Somali people for the cause of colonization. In 1940 Somali women in the north and the south together eagerly and enthusiastically joined the movement. They played vital role both in the actual struggle and also contributed employing traditional mechanism of composing poetry. The poetry was presented in the occasions of public gathering and rallies intended for the struggle of liberation. Unfortunately, their poetry did not receive enough attention and recognition even though some women employed classical style of male poetry (Jama, 1991:44).

Women proved that their role not only limited to domestic work. Their chances of leading role had little bit increased after the establishment of SYL (Somali Youth League) in 1947 which transformed from SYC (Somali Youth Club) of 1943 to SYL. SYL provided chance to organize themselves but they immediately faced difficulties in regard to acquiring political experiences. SYL members (13) were only male and had no female member. In spite of that, women took crucial part in the mobilization, recruitment and attraction of many people for the aim of political independence (Kleppe, 2008).

In addition, the organization was very reluctant to represent women at the decision making but the reluctant itself assisted women to enhance their efforts with the purpose of attaining recognition in the agencies of movement and within the society in general (Alim, 2008:91). The various movements of the country including SYL treated women as supporters rather than partners. However, women were the backbone of the anti-colonial movement. In support

of this, political memoirs give tribute to the women who actively participated in politics directly and through poetic way in nationalist movements particularly SYL (Op.cit, 88). Throughout the forty six articles of 1947 SYL constitution, the term gender or women was not mentioned in any of its provisions. But despite that, article five indicates uniting “All Somalis in general and youth in particular”.

On the other hand, as part of the movement efforts women employed their specific kind of poetry which is *Buraanbur*. According to Jama (1991:46), one of the *Buraanbur* composed by Halimo shiil who was active member of SYL when she was given advice not to participate in the struggle she might die says:

*“For me death and life are the same.
We have decided to bum the colonialists.
Until they leave (us) we will keep the shield.
The angry one who is being scolded for not avenging takes action,
Until they leave (us) we will keep the shield”*

Later, women’s form of poetry started to acquire slight recognition within SYL and the community at large. The wife of Yaasin Haji who was one of the SYL founders composed poetry to support the movement of SYL (Boqor, 2009:113). Ambaro (her name) said:

“We are the men
Who wear the logo of our party on our hearts and
are not afraid of clan. Let all those who are
good and want to join come to the Somali League”

SYL could not have achieved their political goal without continuously endorsement of women. The support of women was not only moral support and poetry they also supported in terms of social welfare. Women served free food and drink in the weekly meeting of the league used to occur at *isku raran* (a village in Mogadishu) for every Sunday. They also helped in regard to finance through collecting funds by selling their jewelers and also assisted in recruiting new members in the organization.

During the “fact finding mission” by the delegates of the United Nations in January 1948, SYL organized big rally with the support and cooperation of women intended to show that the people are strongly against the Italian colonial rule return. Women have been the majority of people attended the public rally. Armed confrontation followed the public rally between SYL supporters and the Italian residents receiving hand from the Somali adherents. This caused the killing of Somali women called Hawa Osman Taako along with 52 Italians. Taako⁸ was the first female freedom fighter in the contemporary Somali history. It was claimed that she was martyred while carrying her baby boy in her back. The incident changed the social perception that women are weak but unfortunately did not led women to gain access in the decision making arena (Ingiriis, 2015:380-381). Along the death of freedom fighters, there were also other people who were arrested while others deported to remote areas. In response as Jama (1991:48) stated Halimo Godane composed a short poem saying:

“The men who were put in the trucks to be deported,
Our leaders who were arrested,
The official ban on gatherings,
O God, the King, may the British lose their dignity”

Given the fact that SYL was reluctant to share decision making spheres with women, an Association founded under SYL in the year 1952. This section led by Raha Ayaanle and Halima Godane; the two women activists. The aim was to create sense of belonging. Unfortunately it took long for women to be recognized in the broad male domain of SYL. In 1959, Raha was accepted as member and became part of the central committee of SYL as the first female received access to the decision making (Ingiriis, 2015:381). This came when the National congress of SYL in 1959 attended no woman. Therefore, women selected two women among themselves, namely Ardo Dirir and Hawo Jibril

⁸ Haawo Taako was the first female freedom fighter. She was martyred during the armed confrontation know as (Soomaaliya ha noolaato) literally means (Long live Somalia). A monument dedicated to her and other freedom fighters by the Military regime. The monument was erected in Mogadishu city center just like the American Statute of Liberty in Manhattan, New York. Taako’s history was repeatedly disseminated at that time and continues till now.

being selected to represent women for the aim to deal with the issue of non representation of women in the congress. As Aided (2010:116) asserts women told that they “lacked education and did not have the necessary political consciousness for leadership” by the chairperson Aden Abdulla Osman. Hawa replied:

“Are you not really arguing as the Italians? Are you not, in fact,

Supporting their contention, as expressed at the United Nations, that the
Somalis

Are not ready for independence, because they allege that we have not

Sufficient education or political maturity?”

After the arguments between the women representatives and SYL leaders, it convinced that a woman to be represented in the council and that was when Raha elected to become member of the SYL central committee.

Later, women started to feel conscious regarding their subordination for both home and community in general. The broad struggle turned in to women’s struggle against gender oppressions. It said that Somali Women Association was the first organization of its kind formed in 1959 (Hassan et al. 1997:171).

On the other hand, the first democratic election for local municipalities conducted in southern Somalia in 1954. However, not everyone was granted voting rights in this election. Only male were given permission to vote regardless of their class and education. Two years later, general election was held which was the first to be held. Again women were not given the right to vote. The second municipal election took place in October 1958 but this time the election based on universal suffrage where both men and women were allowed to vote. The southern part of Somalia ruled by Italian colony became the first Somali territory allowed women to vote. In the municipal election, Halima Godane was the first women ever to stand for public office but unfortunately she was defeated (Ingiriis, 2015:381-382).

Somalia attained independence and Somali Republic was born in 1960 after the southern part united with the northern part in July 1, 1960. The issue of women was still standing. No improvement has been realized by the new leaders. It was

a period of disillusionment where corruption, mismanagement, tribalism and nepotism were extensive. Women were eager to achieve equality in the aspect of education, political participation and employment but nothing close has been achieved. Again women expressed their grievances through poems such as the one composed by Hawo Jibriil (Hassan et. al, 1997:171-172).

*“Sisters you sold your Jewelers,
Depriving yourselves
Enriching the struggle
Sisters, you stayed as one
United, even when your brothers
Divided and deceived our nation
Sisters you joined the fight-
Remember the beautiful one,
Hawa-stabbed through the heart
But sisters we were forgotten!
We did not taste the fruits of success
Even the lowest positions
Were not offered
And our degrees were cast aside as dirt
Sisters, was this, what we struggled for?”*

However, under the constitution of the newly born government, women were not given any basic right. Women felt neglected. Nothing was granted to them including access to leadership and decision making circles. The government was unfavorable to the women. The struggle and the participation of liberation did not produce better opportunity to women. There was strong feeling that women’s previous role (home servants) reasserted since the political power remained in the hands of male even post independence (Ingiriis, 2015:382-383). The grievance and disappointment of women brought the formation of Somali Women Movement (SWM) in 1967. SWM established by educated middle class

women. The main aim was to realize the Political, cultural, Economic and Social, rights of women. Somali Women Movement was the most radical organization, but it did not last long (Hassan et.al 1997:172).

3.5 Women and Socialist State (the Military regime)

In 1969 new government came in to power through a bloodless military coup. The military government came with its new ideology of (Scientific socialism). The regime promised to bring change and alter the political system and the social status quo in which the people are not satisfied with it. Since women have taken an integral part in the nationalist movement of independence Barre added women liberation in his agenda in order to politically sideline women with his government (Mohamed, 2015:2). The new government provided space for women to maneuver and organize themselves but all was for the benefit of his regime. However, the previous existing social organizations and the political parties were banned but a year later specific section was established for women under the political office in the Presidency of Supreme Revolutionary Council (SRC). Members were driven from the former banned organization like the Somali Women's Movement. The section formed committee in each of the villages, districts and regions of the country. Among the tasks assigned to the section was mobilizing and raising awareness on women's political consciousness. They also set tangible objectives to raise their image before everyone (Hassan et.al., 1997:172-173).

Whatever the intention of the government was, there was an indication of gender equality improvements including citizenship, access to jobs and social services as well as maternity leave with paid (Inclusive pace and Transition, 2018:2). During that time, number of woman held public positions and joined the parliament. It is claimed that those women had relations with military officers, either marriage relation or clan allegiance. Other major opportunities women had been serving in the local councils. The revolutionary government also offered overseas academic and military scholar ships to women. In addition, women also took part in the army but they did not held senior or middle positions only they become officers in the army (Ingiriis, 2015:386).

In reward for the vital role women played and their efforts, Somali Women's Democratic Organization was founded in 1977. It has become the only national organization for women and was given a lot of space to maneuver. SWDO served as the sole agent for women rights. In many cases promoted women issues and raised awareness in regard to women rights (Hassan et. al., 1997:173).

One thing to mention is that Barre government adopted new workers statute. Under this act women were provided equal rights of payment for equal work. It further offers women maternity leave of 14 weeks with salary. The statute also allowed reduction of one or two hours for working days during breast feeding (Forni, 1980:22).

However, the worst scenario of state-driven improving women rights issue was when the government adopted family law in 1975 which legalizes equality of men and women. The law gives equal right for inheritance for both men and women upon the death member of the family. It also restricts polygamy and equally allows women to seek and fill divorce from their partner. The law was controversial to Islamic law and the Somali customary law as well. Religious leaders criticized and stood against the law as it was going against the national religion which is Islam (Mohamed, 2015:2).

The clash between the state and religious leaders made women to fall in to cracks. The family law caused the execution of ten clergymen. It had become signal to the society and in particular women felt that political aims were behind the support of women, not social transformation and gender justice. However, women did not hesitate to stand with the military regime even 1978 failed coup attempt. They stood along with the military policy to defend the state. As Ingiriis mentions (2015:385) the president again promised reward for their loyalty and Faduma Alim was appointed for vice minister. Prior the chair of SWDO Faduma Omar Hashi was the only woman in Barre regime. Women were dissatisfied with the inequality between their loyal support, expectation and the political reality. They addressed the issue through poem. According to Alim (2008:167), Hawa Jibriil who was the mother of the vice minister (Faduma Alim) composed the following verses:

“Is it fair to have only two women in our higher political offices?

Did women neglect or fail to understand their duties?

Are they not yet mature enough to comprehend them?

Do they not deserve higher positions and rewards?

Or are you too hasty, and having second thoughts?

Are you not tormented by the injustices they suffer?"

Hence, women did not take more time to change sides. The regime started to silence women and many women left the country. While in exile they composed poems. Those remained and tried to resist were detained. Among the detained was the famous singer Saado Ali who was arrested even without trial just for singing *Kacaandiid (Anti –revolutionary)* song (Ingiriis, 2015: 389).

In summary, under the military regime Somali women realized improvement in terms of education and economy which was being promoted broadly. Education for instance, the literacy campaign initiated by the government in 1973 reached 240,000 adults which was the aim. 162310 of them were women. This was specific for urban areas, while the literacy programs for rural areas realized the figure of 426192 in between 1974 to 1975. However in the political reality nothing has changed and they stayed outside the political power and decision making spheres.

3.6 Conclusion

The aim of this section was to give an image of Somali women in previous periods. The periods in which the chapter focused is mainly the colonial, post colonial and more importantly the period of military regime. Attention was given to the struggle of women with emphasize to the multiple layers including history, culture and development as well. The chapter also explored the role of women within the premise of traditional aspect of Somalis. It further gave interest to the position of women in the society, their movement and struggle against any oppression. One to understand how the Somali civil war influenced women, it must have an image on Somali women in the past to lay foundation for the next chapter and that is what the chapter aimed.

4. THE STRUGGLE OF SOMALI WOMEN: EXPERIENCES AND REALITIES

Following the previous chapter which presented general image of Somali women in the past with attention given to two periods; colonial period and the period of military regime, this chapter emphasizes the struggle of women with their experiences and realities on the ground. The chapter looks the effect of civil war on Somali women; the human rights violation and how their role changed by also shedding light to women's role in making peace. On the other hand, apart from the general emphasize on the status of women for the post-conflict period, specific focus is given to their political participation. Given the fact women's continuous experience of exclusion from decision making spheres. Therefore, this chapter tries to present changes in regard to women's presence in the political arena with further analyze on the challenges before women in terms of full participation in to the politics of Somalia.

4.1 Brief Introduction to Somali political trends

To understand the effect of war and how it is started, one must have an understanding the political trends of Somalia since its establishment as a Republic in 1960. However, to begin with, traditionally majority of Somalis were nomadic people, there was no government in Somali pre-colonial era. Somalis ruled themselves on the basis of clan structure through family grouping. They connected based on common ancestors and protected their life and property on the basis of clan system. Before colonial entrance, there was no hierarchical government in the traditional Somalia.

However, as the country acquired independence from the colony in 1960, the Italian part of Somalia (South) and the British part (North) united and formed Republic of Somali on July 1 1960. The country established a civilian government that ruled the people nine years. The first established state was condemned for being weak and letting number of individuals to manipulate the

country's resource and power. During the period 1960 to 1969, two presidents ruled the country; Aden Abdulle Osman and Abdirashid Ali Sharmarke respectively. Ultimately, Sharmarke was shot dead. The replacement of the second president created dispute in the parliament and as a consequence, the military under the control of Mohamed Siad Barre took the power through a bloodless coup in 1969. The country entered new situation where the military junta ruled the people with new system of governance (Scientific Socialism). The first years, the country realized stability and became one of the most stable states in Africa. However, whatever the cause was, the government started to turn weak in the late 1985. As a result, people began to divide themselves as clans and sub-clans with hatred towards each other and opposition to the military regime. Mainly, there were three clan movements; each established its own organization, for instance SNM; the Somali National Movement serving the agenda of specific fraction which was the Northern part of Somalia, especially the northwestern currently known as Somaliland, United Somali Congress (USC) from the southern part, and the Somali Patriotic Movement (SPM). Each movement had its own agenda. The first for instance it is agenda was to separate north from south. The movements finally caused the ouster of Barre and the fall of the central government (Barre government) in the early 1991. The country entered in to a period of turmoil and upheavals. Each clan and sub-clan created their own political party or warrior with the aim to defend and safeguard their existence. The country had no government since the break of the central government. For about two decades, Somalis lived without a central government and under the control of warlords where violations, killings and other inhumane treatments were common. Almost ten years later from the start of the civil war, the attempt to establish government was initiated. In 2000, a Transitional National Government (TNG) formed in Djibouti. However, the first TNG failed to function. Another attempt was taken which brought the establishment of Transitional Federal Government (TFG). The TFG receiving support from Ethiopian government was established in Kenya. Again it has failed due to the conspiracy that Ethiopians are trying to destabilize the country. The Establishment of the TFG fueled the ongoing violations, bloodsheds and total destruction of the country. Bombardments and mass killings between the government with the support of Ethiopian troops and the public continued in the

country more specifically the capital city Mogadishu. This gave birth to the Islamist group fighting against the government, Ethiopian troops and the warlords. In 2009, the chair of Islamic Courts Union became the president of the second Transitional Federal Government. He cleaned Al-shabaab from the capital city and its surrounding. The country gradually started to restore peace, security and rule of law. However, it was only in the year 2012 when the first election was conducted in the country after long years without full effective and functional government. The Transitional government altered into a first internationally recognized Federal Government with a constitution being adopted after long years since the collapse of the central government where Hassan Sheikh Mohamud and Mohamed Abdullahi Farmajo became the presidents of the country respectively. Currently president Farmajo is the leader of the country.

4.2 Women and War

4.2.1 Women as victims: the general impact of war on women

Armed conflicts adversely affect people specifically women, girls and children who are believed to be the most vulnerable and helpless groups among society. These groups of people constitute the most targeted groups of sexual and gender-related kind of violence. However, the use of this as tactics and strategies is not something new as rape and sexual violence have always been employed as a weapon of war. It has always been used to conquer the enemy and has been a common means from Ancient Romans to Vietnam War and to any other war that the world experienced. Armed conflicts further exacerbate the unequal social structures of pre-conflict periods. Further, forced displacement and Gender Based Violence (GBV) are the major things which are deliberately used as strategies of war. Women experience both physical and emotional violence which regularly occurs in war affected areas.

After the collapse of central government, Somalia experienced a prolonged civil war and chaos which has taken almost two decades. The attempt to overthrow the military regime that ruled the country in between 1969 to 1991 not only resulted in the collapse of the government but also destroyed many parts of the state. The war engulfed the south and central part of Somalia. It has torn the country apart leading to huge destruction to the economy. The conflict forced large portions

of the society to displace and turn in to refugees by seeking refuge in the neighboring countries. While others lost their life migrating to western countries in order to get better life conditions. During the conflict, the country has suffered serious human rights violations which endangered almost every member of the society. Loss of life of many innocent lives accompanied huge violation of human rights. Traditionally, the customary system of Somalia provided shelter protection for women from violations. There were methods intended to prevent and reconcile the conflicts. Somalis had rules and norms for engaging at times of war and conflict. Certain groups of the society were given respect and were used to call as “*biri ma geedo* meaning those who do not deserve the sword”. Women, children, elderly groups, religious and men with knowledge and those who are not member of hostility parts have been part of that kind of group. The period of civil war was described as a period of disrespect of traditional norms as well as a period of normalization of all forms of violence. However, in 1988 armed uprising began in the northern part of Somalia which later engulfed the southern part of Somalia particularly the Capital city Mogadishu in 1991. The movement was intended to forcibly remove the military regime which ruled the country for a period of twenty one years. After long period of discontent Barre regime was ultimately removed from the power in 1991 and the central government collapsed. The attempt to overthrow the dictatorship regime turned in to civil war between clan based military factions. This period was the most violent period throughout the history of Somali civil war. It is said 25,000 people to have killed in Mogadishu just four months of fighting between 1991 and 1992 (Accord Insight, 2013:45). In addition, 1.5 Million Somalis left the country and became refugees in the neighboring countries like Kenya, Ethiopia Djibouti, Yemen and also Europe and North America while an estimate of 2 million people internally displaced (Inclusive Peace and Transition Initiative, 2018:2).

According to Gardner, the customary conventions and code of honor that Somalis used prior to the civil war to regulate conflict between clans and offer protection for women and children to ensure freedom from violence have been widely destroyed and violated during the war periods (CISP and International Alert, 2015:10). Somali women and children faced unequal brunt of hardships

during the prolonged civil war. The conflict disproportionately affected women. But this is not surprising as women occupied inferior and powerless position in the Somali society for a long time (Shire, 1993). Although men and boys represent the majority of the people being killed in the war but the conflict hugely affected women and children. They were killed, raped, looted, forced to displace, abandoned and sexually dishonored. In addition, the war left behind large number of widows and orphans as a result of the killings of men. The bereavement and separation led the displacement of large portion which majorly constitute women to displace either within the country or become refugee in other countries. Because of the pressures of the conflict further accompanied by poverty, despair and displacement, their marriage was destroyed leading to live alone without even tiny support from relatives. Women became the sole breadwinners of the family (Bryden&Steiner, 1998). In addition, they became the target group of rape, abduction, sexual slavery and clan-related revenge killings. The long armed conflict had also caused society's breakdown, forced displacement and family separation (CISP, 2015:10). Women have always tried to keep their families together but the conflict torn apart both the social and the family life. Back then before the conflict families were headed by men and it is uncommon in Somalia family without a man. According to ICRC, the estimated 30,000 people died in five months were men. The number of women lost their lives during this period is unknown due to their less involvement in the fighting itself. However, the tragedy left women to turn heads of the families which is unaccustomed to the traditions of Somalis. As previously said, both women's own clan and their husband's clan offered protection to them. However, the protection that woman received from clan structures lowered down with the conflict (Refworld, 1994). Women were forced to choose between their birth clan and to their husbands' as well as children's clan. Inter-clan marriages were common before the conflict. According to an interview with Hussein carried by Refworld in 1993, states that inter-clan became no longer prevalent and families started to have second thoughts before agreeing to the union of the persons. This is due to the war which was basically clan based conflict. People were afraid from each other to form union. The conflict clearly had gendered aspects. Violence towards women and girls particularly sexual violence against them has been the most employed tool and was used as a psychological weapon for the

intention of humiliating each other by dishonoring the wives, sisters and daughters of the opponent groups. The kind of act by the militias caused serious suffering for women including physical pain, mental problems and sometimes death. It further led dissolution of families due to cultural mentality that put much shame to the survivor instead to the perpetrator (Ingiriis&Hoehne, 2013:318).

According to Osman, the extent of violation against women based on clan opposition was very high at the times of war. Rape was perceived as manhood attack against both the husband's clan and the birth clan of women. Therefore, the basic intention was to humiliate and denigrate all the men of women's clan (Refworld, 1994:103). It was also reported raping young girls in front of the eyes of the parents. Sometimes taking the young girls and never returning to their parents (US Department of State, 1991; 1992). As Fowzia through her part of writing on "war crimes against women and girls" (2004:70), argues the worst scenario was the "rape camps" in Mogadishu early in 1990s.

Militias subjected repeated rape and other kinds of abuse to women by abducting and imprisoning them in to villas. Women and girls were the most targeted groups. This mainly occurred in terms of two issues; being member of any opposing factions or women from weak clan affiliations who had no or little clan protection. She further states that the minority groups were the most targeted ones. Fowzia refers minority female to the unarmed groups which had little retaliation. This includes people in the coastal population of Mogadishu, Merca, Brava and Kismayo. Further, According to the country reports on human rights practices (1992; 1993) around 3000 people died everyday due to the famine and starvation. It is said that the majority of them were women and children. As it is always the case for armed conflicts, Asha Haji says that women and children usually remain the first and the last victims of war. Although the war is not their desire neither their decision but they are the ones who suffer more. Women were killed, raped, physically tortured and forced to displace. In addition to the lost of loved ones, they also experienced mistrust from the clan system. As a result they were rejected by both their married clans and origin clans (The Nordic Africa Institute, 2007:18).

Women also suffered serious health problems ranging from Anemia, protein deficiency, to gynecological problems caused by much stress and fear from war related atrocities. They were at greater risk of being killed, raped and sexually assaulted. The Absence of health facilities resulted difficulties on taking care of children particularly for women who remained and displaced within the country. Health facilities were totally destroyed and medical personnel's left the country. And whatever remained just limed on providing basic and primary health services to people (African Rights, 1993:8-10). On the other hand, according to OECD; the Organization of Economic Co-operation and Development, the civil war also affected the civil liberty of women. The conflict resulted general loss in terms of mobility. This specifically influenced on women compared to men. Due to the fact the threat of rape had limited women's freedom of movement (2010:263). Few political rights that women enjoyed before the war have worsened with the start of war both during and after the conflict. Women lost the hope they perceived to enjoy even if the socialist regime overthrown.

Dr. Safia says that women became voiceless as the start of war and their rights began to erode (in refworld 1994: Shire 1993). Even the fact that women do not have distinct clan affiliation but that did not provided shelter from clan-related assault. As there was no central government, a tremendous amount of violence was subjected to women. In the year 2011, throughout the whole world, the country characterized as the fifth worst and most dangerous country to be a woman (TrustLaw, 2011 in Ismail, 2013). The conflict contributed the creation of large portion of displacement, most of them women who are vulnerable of violence. The conflict had also destroyed the systems of health and justice and has long remained unable to protect and assist victims of sexual violence. As United Nations report stated (Muscatti, 2014), within just six months in 2013, 800 sexual and GBV cases have been recorded in Mogadishu alone. The number of cases might be higher where there may be unreported cases due to lack of trust on the justice system and fear of reprisal by the rape victims. For women and girls in Somalia fear of rape became part of their everyday life. Human Rights Watch stresses that rape is just normal in Somalia. The intense fighting continued even after the establishment of Transitional government. From the year 2000 onwards, 369,000 people are displaced alone in the capital city

Mogadishu. According to the United Nations Development Program (UNDP, 2012), around eighty to seventy percent comprised women and children. The IDP camps spread across the capital center with total estimated of 20,000 inhabitants (CISP 2015:15). Maryan Qaasim (Former Minister) described Mogadishu as a living hell for children and women. Dr. Maryan surprised the country to be ranked just as fifth worst places since it deserved to stand as the worst in the whole world. She couldn't afford to describe the real situation of women. Being a doctor, she argues that the greatest risk that Somali women experiencing is not because of the war but the birth. Once woman gets pregnant her chance of survival becomes low. As of 2011 the country's maternal mortality rate was high becoming second only to Afghanistan. This is due to antenatal care, poor health care, lack of medical supplies and infrastructure. This further accompanied rape and killings as well as high percentage of cultural practices like FGM (Qaasim, 2011).

4.2.2 Refugee women in kenya-the extent of rape in refugee camps during the civil war

In addition to the inequality and gender discrimination that women usually suffer, armed conflict also adds burden of violence arising from the situations of war and access reduction to health which also results from the conflict, shortage of food and lack of resources for their survival and their children as well. Evidences show that, in armed conflict and emergency humanitarian settings, there is a widespread of violence particularly subjected to women and young girls. In the context of Somalia, Several thousands of Somalis left the country soon after the start of the conflict in 1988. They seek refuge in the neighboring countries more specifically Kenya. As soon as the war extended in 1991, camps were formed in the North Eastern part of Kenya to accommodate refugees from Somalia. Four main refugee camps were opened in Dadaab (Ifo), Liboi, Hagadera and dagahley.

The civil war claimed thousands of lives; some wounded both physically and mentally. As said around million Somalis fled the country to the neighboring states. From the start of war, 300,000 Somalis left the country crossing the hundred miles (800) of Somali-Kenya border. Nearly all refugee Somali people walked miles in order to reach the North-Eastern province of Kenya while

others risked their life by using makeshift boats to reach safe destinations. According to UNHCR, 80% of the refugees fled to Kenya were women and children including rape survivors. Even though they left the country to escape the danger, women were continuously experiencing violations. While crossing the borders, women continued to be subjected to rape and also other gender based violence both from Somali militias and the policemen of the neighboring countries especially Kenyan police. The atrocity and violence against women continued even in the refugee camps (UNHCR, 1993:3). More than hundred Somali refugee women were raped in a short period of one and half year. In between February and August in 1993, one hundred ninety two rape cases recorded by UNHCR. Four of these cases constituted rape against children and one against man. It is stated 107 out of the 192 rape cases occurred in refugee camps of Kenya while the rest of the 85 cases took place in Somali soil. Only in one month time, additional 42 cases were recorded the same year. This constitutes the cases recorded by UNHCR, while the actual cases might be higher than the reported cases. Further UNHCR states that women and girls were continuously attacked by unknown gunmen every time they go to the outskirts of the camp in order to collect firewood or herd animals. Nearly hundred cases committed by bandits. In addition, they were also vulnerable to the violence from the Kenyan police forces. Although it was less extent compared to those committed by bandits. The rape and sexual assault against Somali women and girls had no distinct age. Women and girls were equally raped and subjected to violence. Some women were gang raped by seven persons at one time while others raped several times. In addition, robbing, inhumane treatment and knifing and gunshot were also common in refugee camps (UNHCR, 1993:3-4). As quoted “in the nightmare continues” by the African Rights (1993), a refugee woman says “We ran away from the lion, but we only found hyena”. Inside the refugee camps of Kenya, there was a shocking scale of violence against Somali women. The overall rape cases against refugee women were unknown until the intervention of UNHCR in 1993. However, Fowzia who was working with UNHCR as project coordinator for women victims of violence through her part of writing on “war crimes against women and girls” asserts that the number of women subjected to violence have passed hundreds and even near to thousands. Women had no ability to report due to the

fear from the attackers. Some women claim that they can recognize the faces of the attackers but they were reluctant to speak and talk about the ordeals. They were raped inside their own home and sometimes with presence of their husbands while the children are locked inside a room or sometimes the act is done in front of them. Fowzia adds that grenades, bayonets, daggers, clubs, rifles and walking sticks has been used as a means to attack women and sometimes flashlights to blind them for night attacks. Young girls who had no previously sexual relations had greater risk of health problems or sometimes bleed to death. The attackers used razor blades and bayonets to infibulate them (2004:71-72). As a consequence of rape and the violations, women incurred both short term and long term health problems. They continued to have back and ribs pain as a result of beating. Further they experienced sleeplessness and shock. Among the long term physical affects miscarriage when pregnant women raped, uncontrolled urination, and hemorrhage (UNHCR, 1993:8).

There was an apparent increase on the number of abuses committed by the Kenyan authorities which reach the highest level in 2009. So many rape cases occurred inside the various refugee camps of Kenya and continued even after a decade from the start of war. In just six days in March 2010, Human Rights Watch had interview with 102 refugee women. Almost half of the interviewees experienced sexual violence and abuse by the police of Kenya. The abuses include extorting money from the asylum seekers, detention and unlawfully arrest. However, their voices were not heard and their complaints ignored instead of investigation (Human Rights Watch, 2010). Given the fact that the Constitution of Kenya lays down key provisions of international human rights instruments in which the country constitutes part of it. The Kenyan constitution states that “each and everyone in Kenyan province including refugees and asylum seekers have the right of property protection, as well as to be free from arbitrary arrest and detention and also have the right to be free from all forms of inhuman and degrading treatment or punishment”. However, Kenya which opened its gates to the Somali refugees since the start of war had failed to protect women from violation.

On the other hand, women did not only face physical and emotional difficulties as a consequence of the rape subjected to them. Also, the physical and the

psychological trauma accompanied by strong cultural stigma which is attached to rape incidents. Women often meet family rejection in specific and community rejection in general. The case of Hibaq (see below rape testimony three) for instance, when her husband came to know that she has been raped, Hibaq was kicked out of her family. The husband even took all her belongings (Muse, 2004:75). However, rape consequences vary according to the background of the victim. In case of unmarried women beside the rejection, finding a husband becomes disintegrated. As a young girl who is 16 years old raped claims “people just see me and treat me like prostitute, all I want is just to disappear from this world and being buried alive because it is the only solution for my grievance”. By the same token, an older woman who is raped becomes also shattered in the eyes of the community (El bushra, 2004:79-80).

4.2.2.1 Few Rape Testimonies in Kenya

Maryam was a 38 year old woman who sought refuge in the neighbouring country; Kenya. Around 1992 July, Maryam arrived Ifo camp; which is north eastern Kenya. A month after her arrival while sleeping at the hut, nine unknown men attacked.

Through her words:

“They came around 9pm. We were in the house sleeping. They came into the house with guns and knives and told us to give them our money. We didn’t know them. They were wearing black jackets, trousers and hats. We were so scared, we gave them everything. Then they began to beat me. They beat me

Figure 4.1: Rape Testimony One: The story of Maryam

Source: Interview with the survivor: 23 July, 1993 Marafa Camp (adopted from: War Through the eyes of Somali women by el Bushra and Gardner, 2004).

Asalim was 20 years old. She was living with her husband at Dhagahaley camp, Kenya and was expecting their first child as they recently got married. In March 1993, during a night time two gun men dressing olive coloured jacket as she described entered their house. They looted the little belonging they had. In addition they took Asalim outside her residing and raped. As a result, she suffered miscarriage.

Asalim explaining the incident said:

“They took me to the bush outside the camp. I was so scared that no sound was coming from my mouth. They asked me what clan I was and then told me to remove my clothes. Both men raped me – each twice”

Figure 4.2: Rape Testimony Two: Asalim story

Source: Interview with Asalim: Dhagahaley camp, Kenya 26 July 1993 (El Bushra and Gardner, 2004).

A 40 year old Hibaq was also raped in Liboi camp, Kenya by three unknown assailants in March 1993. She was attacked at the mid of the night while sleeping with her three children who were twenty one, ten and eight years.

In Hibaq's words

“I live in a compound with my husband and his second wife, and I was woken up by a torch shining in my face. I asked who it was and they told me to shut up. There were three men dressed in black with white scarves around their heads. One of them had a gun. They dragged me out of the house and then searched the house for money. They couldn't find any so they dragged me back inside and began beating me. I started crying and screaming: 'God is great, God is great and my God is watching you.' They said: 'Fuck your God.' They slapped me on my ears and even now I can't hear in one ear. No one came to help me. They were too scared. Then all three raped me in my own house while my children were there. One of them held a gun at my throat while the other raped me and then they changed places. For one hour they raped me and then

Figure 4.3: Testimony Three: Hibaq's Story

Source: Interview with Hibaq: A camp in Liboi, Kenya 1993, July 19 (El Bushra and Gardner, 2004).

4.3 Women's Efforts: Roles Other than Victims

4.3.1 Changes on gender roles (Economic Perspective)

Apart from the direct effect of war on women and children, there has been also structural and indirect influence of the conflicts on women. Bryden&Steiner (1998:49) argue that the conflict exacerbated what the authors called feminisation of poverty. The war forced many women to live alone and without even receiving any support from relatives. Large number of women turned the sole breadwinners of the family. Thus enhanced the degree of poverty feminisation. The Civil war brought enormous change to the role of Somali women. Women became the main breadwinners of the household playing the roles traditionally associated with the opposite sex. As CISP states, Shabelle region for instance, around 80% of households' income depend on women. Although the changes in gender roles are different according to the situations but women in IDP camps play an important role on the generation of income in the household. Majorly they rely on casual labor being included clothes washing, house cleaning and other kinds of manual labor (CISP, 2015:18). Although the changes on gender roles did not provided tangible change on patriarchal values that undermine gender identities but it had offered women to gain more economic power at the family level particularly urban areas. Through this setting, women engage in trade activities traditionally ascribed as the male domain. They involve livestock trading, selling khat, fuel trade and exchange rate. As said, this brought nothing to the gender power relations as Somalia remained high in terms of gender inequality index. Women continue to live in poverty with no or little access to decision making and leadership positions (CISP 2015:18-19). Gardner states that decision making remains at the hands of men outside the family level even if it's known that wives contribute to the family's income. Men dominate various sections including formal business sector, civil services, paid political posts, police and defense as well. However, women's work does not depend on certain jobs and the education level. It does not matter whether she holds high level certificate or not. Women assume any kind of job they perceive they can manage the lives of their children as long as their children sitting in the house and waiting food. In support of this, former senior civil servant says it doesn't matter the kind of job that women perform

and even if they cook Pancakes and Sambusa in the streets because the honor of the clan does not embody to the women. The educational level of the women makes no sense. If she was previously a doctor or teacher she can also sell tomatoes or tea in the street. This shows how clan system marginalizes Somali women and how the societies defined gender roles ascribe women. However the civil war role increased the economic independence of women but also added burden to their lives. This drove no change to their status or political power. They remained politically unrepresented in all regions and in all fields (Gardner, 2016:6).

On the other hand as the conflict significantly lowered job opportunities, many families became impoverished. The war altered the social status of women and men. Before the start of war, finding job was not much difficult for men and the status of being head of the family and the bread-winner remained as men's status. However, during the civil war the status totally destroyed. Many Somali men became depressed due to the lack of economic opportunities. They were unable to perform their traditional role in the household. However, even though it was informal but women remained the main providers of social welfare of the country which was the need that gradually increased with the war. Women played multi roles and conducted different tasks while managing their families' lives. They had given care to the sick, wounded, rape survivors, orphans and injured women. Knowing the fact that Somali women traditionally played an invisible role in the community. This became the first time women assumed direct role apart from managing their households. They were forced to live without male head in the family and as a result they found themselves strong and active. As they were forced to cover the basic needs of their children. Women had to make money in order to meet the demands of the household including food, shelter, healthcare and security of their children (Timmons, 2004:13-14).

However, since the country experienced social, economic and political transformations, women became the leading agencies of these transformations. For instance, the economic system of the country transformed from male-dominated to more female-dominated scale. Many women became traders and acquired the traditional role of men as the sole bread-winner in the family.

Particularly, women's trade involved small-scale trade, selling food, clothes, snacks and vegetables was the main. However, young girls and educated women joined in the field of development where they became partners with INGO's and even UN as they created their own organizations for the intention to foster peace and give hand to the most needed people. While those who sought refugees in western countries contributed in terms of remittance since the start of war. Same as their engagement for peace, they as well engaged economic reconstruction of the country (Ingiriis&Hoehne, 2013: 326).

4.3.2 War as an empowerment: Women as agents of change

Somalia has been without effective and functioning government since the central government which collapsed early 1990s. Since then, the country entered in to a period of chaos and turmoil which lasted for 20 years. This state exposed the life of everyone in a danger. However, it is true that the civil war adversely affects/affected people especially women but it is also true that it positively transforms women's capacity which is the case of Somali women. The opportunity that the war opened for women is something worth mentioning. The civil war era became the first time that women got chance to exercise authority and to serve as the agents of change and peace apart from the colonization period in which they had taken part. The civil war witnessed the capacity of women. They were not only the victims of the war but also peace-makers. From the start of war, women become stuck to earn money in order to manage the life of their families and their basic needs. However, this later shifted in to addressing the root causes of their difficulties and their continuous suffering. Starting from the grassroots, they became peace advocates, educators and human rights protectors. Their movement gradually started to move upward. Women acquired trust from the community and among themselves. As a result, they gained access and built communication with community leaders (Timmons, 2004:2). Traditionally women's involvement and presence in conflict resolution as well as attempts of peace building was just minimal. They performed indirect role in forging peace between the hostile parties (Warsame, 2004:43).

However the civil war positively transformed women's capacity from an invisible to more visible role. Women once they got aware on the situation that their people befallen, they turned as peace promoters and keen to conclude the

fighting. Many women have taken part the war against the dictatorship regime in 1980s. They acquired respect in taking part of the struggle. Some women took advantage of the respect they gained in participation of the movement against Barre. They demanded concessions from warlords and militias. That led several women to come up with the initiative to establish civil society organizations while others became active leading members of the CSO's. This further made possible women to engage in peace building (Jama, 2010:62). During the years of conflict, women managed to form active and overwhelming connections both at the ground level and at the level international through building networks with other fellow women's social and humanitarian organizations. According to them empowerment and equality of gender had been a source for justice and democracy. However, women turned as crucial peace builders during the long lasted civil war. The war opened up new opportunities and responsibilities when the country was just described as a failed state. They take more active role in organizing themselves and their community at large. Their role got beyond the involvement in household chores and private business. Although they were often excluded from formal peace efforts but they actively and visibly participated in the processes of peace making, leadership and state-reinstating. Since war circumstances endowed and offered them new responsibilities. Practitioners of gender development figured out that war enables redefinition of social relations by rearranging, readopting and reinforcing patriarchal ideologies that exist at the community level. However it does not fundamentally alter those ideologies. In this respect, the position of women and men carry in the process of making peace emerges in a different way. Each faces separate experience and relationship which is based upon the type of gender. As the war raged between the opposing clans, many Somali women acted as peace envoy or messenger between the rival clans. With this engagement as messengers enabled them to get the chance of positively taking part armed conflicts that normally results from men with power and authority over resources (Ingiriis, 2012). Women employed different strategies including acting as messengers in order to foster peace. It is been noted that some strategies that women employed were more traditional while others were more innovative and modern. Playing the role of messengers between the warring clans was among the tools they used. However, that was driven and

originated from clan exogamy and the patrilineal descent. Normally, in Somali society woman is a member of her own and origin clan and as well as she relates to that of the husband. Therefore, whenever the two groups are in conflict women usually find a way and create line of communication between the opposing clans. That either prevents or ends the conflict (Kapteijns, 1993:217). This method is only effective if the conflicting parties have the mentality that women, children and elderly do not deserve the sword. Otherwise it places at greater risk for women messengers when the parties know no boundaries. However as previously noted, in Somali society, only men have the means of making and promoting peace. As a result women have been excluded from decision making forums and negotiations but their position within the clan structure made the possibility to bridge within clan divisions by always acting and serving as first channel for conflict resolutions. They have been active for convincing elders and clan leaders to intervene the conflict (Jama, 2010:62).

A second more important method women employed was peace demonstrations, demanding peace through chanting slogans by clearly demonstrating that women need not war but peace. At the time of demonstrations women had also used very traditional method of composing their specific poetry (Buraanbur) to promote peace. Reciting that kind of poetry, sometimes helped women to transmit their messages which made militiamen to accept the message and end the hostility (Ingirii&Hoehne, 2013:321). Even young girls contributed peace-making efforts. According to Elmi et al. (2000: 133) here a poem composed by thirteen year old school girl called Samira Omar Said who was calling for peace after a violent conflict broke out

“Peace! Peace! Peace assurance I call

Everyone in society has a great role to play

Never to repeat previous mistakes

Never to shun responsibilities

Because peace is a collective responsibility”

Further, women have also played an active role on mobilizing resources for the purpose of financing peace meetings and demobilization. While Somali men emphasized only realizing political settlements with the mentality that peace

will ensue. But women had greater and comprehensive vision of peace than men which includes sustainable livelihood, education, and reconciliation. Women realized that the struggle of peace and women rights is inextricably linked.

Generally in Somalia it is said that “while women can build peace, only men can make it”. To some extent, this has roots with the different clan affiliations of women. However, the clan affiliation made difficult women’s representation in peace negotiations and decision making forums. One reason is that, apart from being related to her father’s clan, women also relate to her mother’s clan, husband and children and son-in laws thus makes women’s clan loyalty unpredictable which further contributed to the already existing barriers that caused women’s exclusion. With the same perspective, as multiple clan affiliations prevents women’s involvement in decision making and at the same time facilitates women to play structural role as a peace builder by allowing her to act as conduit and pressure the warring parties come to the table or keep talking. However, to some level this just specific to women who have wealth or women from a respected family (Jama 2010:62).

Somali women had equally taken part peace efforts of the country. Women in the North for example, played an important role in both regional and local peace processes. It is noted that women attended several peace conferences in Somaliland in the early years of 1990s for the purpose of advocating peace (Bradbury, 2008). As Ingiriis argues, these conferences laid foundation for the political reconstruction of the region. Women had always given priority to the peace in Somaliland. However it took several years to realize stability in the state (Hoehne, 2011). Faiza in her article Somali women and peace building (2010:63) highlights that peace conference in the north Somalia especially; Borama, Sanaag and Hargeysa 1993 and 1996 respectively would not have been possible without collective role of women, their lobbying and exerting pressures to the elders to end the conflict. For instance, in 2001 when tensions flared up between the president Egal and traditional leaders, some business women through the local news published an open letter. These women called the parties to avoid any action or steps that could endanger the peace (Ingiriis&Hoehne, 2013:321). As Warsame (2004:44-45) mentions, Somaliland women took part in peace-making through demonstrations against the war. They also composed

songs and poems intended to support peace. Women further participated through attending peace processes without even invitation. Women organized themselves by choosing number of women among themselves to represent in the conference and made remarkable speeches. In addition, they also raised awareness from the family level (persuading their husbands' and sons to stop and end fighting) to public level.

On the other hand Puntland (Autonomous administration established in 1998) women played similar role on the promotion of peace (Ingiriis&Hoehne, 2013:321). In response to one conflict in Puntland for instance, women from different clans courageously approached warring parties carrying the message that they have seen enough conflicts with displacement and they are no longer have tolerance to other conflicts. This mobilized clan leaders and traditional elders and caused the conflict to be resolved peacefully (Faiza, 2010:63). Furthermore, in the northern part particularly Hargeisa and Bosaso, women contributed even funding local police forces for the purpose of creating conducive and secure environment for the children by raising funds through local NGO's. The initiative of forming both regional and local organizations allowed women to band together. It further provided the opportunity to network and to share their various experiences of war and oppressions. Initially women movement was specific for survival purpose but later they extended their role to include defending human rights (Timmons, 2004:14).

However, it is believed the overwhelming opposition of women to the conflicts came from the results of horror and terror of the war that women experienced which then motivated them to highly engage activities of building peace rather than warfare ignition (Warsame, 2004:45). According to the highlights of personal communication of Ingiriis with Asha Haji Elmi (2011) the war experience and the suffering as a result of the prolonged conflict altered women's minds in to peace-making where Asha further states that women acquired new roles.

4.3.3 Notable women who break the chain

There are some women who inspired other fellow Somali women. Among the popular women is *Marriam Hussein Awreeye*, Marriam devoted her life

promoting and advocating human rights in Somalia. She is the widow of previous lawyer of human rights called Ismail Jimale Osoble. Marriam established human rights center in Mogadishu and given the name of her late husband (Ismail Jimale Center for human rights). The center was founded soon after the collapse of the central government to record human rights violations of the country with the hope once the country recovers the perpetrators could be brought to justice. Also **Dr. Hawa Abdi**, notable female philanthropist with her two daughters risked their life to assist women and children for more than the two decades of war. She became the only women doctor at a time when women were given neither the right to be seen or heard. When the civil war broke out she decided to stay and to not leave the country (Ingiriis&Hoehne, 2013:321). During the hostilities, *Dr. Hawa* built 400 bed hospitals using her own money. Once upon time she woke up while the war going outside her home. One of the fighters asked her why she is running the hospital knowing that she is a woman and old. Mama Hawa stood against him and replied asking what he has done to his people other than destroying them. She further added that she will not leave the hospital even if it costs death and she is ready to die with her people with dignity (Wallace, 2011). *Dr. Hawa* was strong enough and has done many things along with her two daughters. She had given care to the sick and wounded people often for free. Mama Hawa saved thousands of Somali people mostly women and children. Due to her prominent role in the field of gynecology, *Dr Hawa* nominated for the Noble Peace Prize in the year 2012 (Ingiriis&Hoehne, 2013:321). Unfortunately, today (05/08/2020) while writing this section Mama Hawa passed away (Hiiraan Online, 2020a).

Also several other women lost their lives in the middle of assisting their people during the years of war. A community leaders like **Starlin Abdi Arush, Mana Abdirahman Suldaan** who ran an orphanage center and Swiss relief staff Verena Karrer who all dedicated their life's enhancing the status of women and children in the southern part of Somalia especially Merca. In 2002 Starlin and Karren was killed (Ingiriis&Hoehne, 2013:321). Starlin actively participated peace negotiations and fighting against tribalism of the country. Her efforts range from negotiating with warlords, setting up hospitals, chairing Somali Olympic committee to aid worker. Among her remarkable job for saving the

country was her involvement in 1993 for the negotiation on ending the stand-off between Aided; Somali warlord and American peacekeepers who perceived Aided as the root cause of all evil. However Starlin was killed at early age of 45 by unknown gunman. Her fiancé expressing her love to the country says that saving people was her first priority and she put even above her own future (Astill, 2002).

On the other hand, **Asha Haji** is also among the active Somali women. She is women rights activist and hugely lobbied the participation of women in the whole processes of peace making. Asha is also the founder of SSWC; Save Somali Women and Children which was established during the first years of the conflict roughly 1992 (Global Peace Builders). When Somali women were excluded from the various peace processes, Asha initiated the notion of *sixth clan* in order to draw attention the importance of women involvement and inclusion in to the peace process. Asha is peace and women rights activist. She strongly advocated women's participation in conflict resolution and also campaigned against the traditional cultural practices like for instance FGM (The Elders, 2014).

4.3.4 Civil society organizations (CSOs) as a strategy to foster peace and protect women

Establishing Non-Governmental Organizations was part of the mechanisms that women employed during their attempt of fostering peace. Traditionally women's role confined to a range of activities related to home, and taking care of children. Self organization of women has not been possible until the broke of civil war. Even in the revolutionary period of 1969 to 1991 of Barre regime self association of women was not possible. Only government managed organizations were allowed for women. However, developing NGO's has been an innovational idea and as the war broke out, significant number of NGO's was established. Among significant ones was the ones coined themselves as women groups/organizations. Women decided to band together and collectively join their plan to carry out collective activities in persuasion of peace and security.

This ranges addressing issues including covering basic needs of the community particularly the most vulnerable members. In addition, since they continuously

subjected exclusion from all-male arena clan-based politics. They therefore turned their collective role and political acumen in to civil society space. Women were keen to bring peace to the country while others stood to safeguard vulnerable groups of people. Among the notable one was SSWC. Asha Haji Elmi founded *Save Somali Women and Children* (SSWC) with the support of several women from different clans, political affiliations and with different economic backgrounds. They had common characteristics, commitments and common concerns regarding the promotion of peace and protection of women and children. Asha's organization is known for being among the first organizations to break the chain and go beyond the clan boundaries since its inception in 1992 (The Nordic Africa Institute, 2007:18). However, Asha's organization was a cross clan women movement. Although Asha's organization composed various women with different background but it is said that SSWC combined only the so called majority clans while minority members were not represented in the organizations (Ingiriis&Hoehne, 2013:323).

Moreover, *IIDA* is also one of the effective organizations founded during the early years of the conflict. This Women's Development Organization established for the purpose to provide what internationally called survival and basic needs service. At the beginning *IIDA*'s work limited at the local and was providing services like housing, counseling, and training. It also offered jobs to women survived from conflicts and human rights violence. As the organization developed, the work expanded to include peace-making. In addition, supporting internally displaced people, the organization also worked disarmament of local militias. *IIDA* performed several important activities. Among it is most essential one was 1997 program intended to address and specifically deal with the problem of armed men, youth committing crimes and causing stability. As a result, the organization succeeded to confiscate number of weapons including (Bazookas, AK47, rocket launchers, grenades, and rifles). Hence, this enabled *IIDA* to move in to another level of international framework for advocacy on women decision making and leadership (Timmons, 2004:15-16).

On the other hand, women had always talked the demand to form an umbrella in order to avoid duplication and to coordinate the efforts of women. Therefore the need to unite like-minded organizations was deemed necessary. Here comes

COGWO; *Coalition for Grassroots Women Organizations* established in 1996. As Timmons states this came after the gathering of organizations from various regions of the country in Nairobi to get prepared for women's 4th world conference in Beijing 1995. Later, in 1996 women's effort was united through the establishment of COGWO. As women's voices and efforts united, COGWO served as a platform for peace-making. In 1999 COGWO drafted Somali women's charter setting out women's rights and aspirations. Several other organizations came to the way and followed the footsteps of the initial organizations. As part of women rights promotion and education, COGWO developed family law exclusively based on Shariah law. It further focused on international bill of human rights by conducting several religious gathering in order to make comparison the bill of rights with the Islamic shariah. Around 80 religious workshops conducted within five years to raise awareness. This enabled to increase the understanding of human rights and equality of gender in the Somali community while taking in to account Islamic views (FAO, n.d).

As previously mentioned, Somali women equally participated peace building of the country and protecting their own rights. The movement was not only specific to the south and central part of Somalia. The northern part also played similar role whether using NGO's as a strategy or employing other ways to foster peace. During the conferences in 1990's in Somaliland, it is perceived that women were not adequately heard during the peace building process and stability efforts. As a result, an umbrella called NAGAAD was established. It is combined various women organizations with the aim to work for the empowerment of women in terms of social and economic spheres. Also to advocate women's perspective and input in to the peace building efforts. This increased their social power to some extent and women were accepted as peace makers and developers (Ingiriis&Hoehne, 2013:323).

Women's effort in bringing peace and supporting other fellow women and children continued across all regions of the country bearing in mind the huge pressure that women and children have faced since the collapse of the central government. Women continued facing a lot of intricacies suffering health problems, humiliations and harassments. In addition to lack of medical facilities that Somali society faced as a whole, young individuals couldn't afford to fetch

education which is considered as the most important rights of children. In order to support children and women and to bridge the gap that exists in the community DAWO came in to being in 1998 in Bosaso. DAWO which literally means remedy positioned herself to support the weaker group among Somali society. The aim of Daryeel Women Organization was to assist people in the field of education, health and Human Rights (Daryeel Women Organization, n.d). DAWO stood advocating women's rights in terms of health, equality for education, women's access to employment opportunities and decision making participation (Fao, n.d).

Civil Society Organizations have played an essential role throughout the absence of central government and continued to play the role even after the return of functioning government in 2012. CSO's performed various issues ranging from peace-building activities, conflict prevention with promotion of democratization, to providing humanitarian aid and defending human rights.

4.4 Analysis on the Status of Women

4.4.1 Before the civil war

The existing large bodies of literature mostly emphasize unconventional ways in which women contributed to the peace promotions. It obscures women's specific engagement in formal politics. There is strong history regarding Somali women's advocacy on political rights and leadership. This refers back to the colonial period when British and Italian administrations founded representative assemblies. However, as Ingiriis argues there is no enough evidence and data exclusively focusing on women's engagement and contribution to the political and nationalist movements prior to the socialist regime particularly the period between 1943 and 1960 which is the grass root for understanding the movements of Somali women. However, the postcolonial government contributed to the transformational change of women although they were not guaranteed political vacuum in the newly government, but freedom of expression and voice rights preserved in the constitution as a basic right in 1961 by the republic government. Throughout this period, several women actively participated serving the government and the National Parliamentary Committees. This had taken part post-independence authorities to recognize

peoples' rights to freely mobilize and organize themselves through movements, associations and political parties.

In spite of the resistance from male, women had taken advantage of the narrow rights assigned to them. Number of women activists and singers emerged. It was even that time, when first wave of female Somali higher education graduates from abroad returned to the country. As one author says this was a dramatic improvement in regard to women's status generally in Africa. However, Somali women remained unrepresented and felt neglected in the political arena particularly leadership and decision making spheres (Ingiriis 2015:382-383). Whatever the cause was, the government did not meet women's anticipated aspirations. There was strong feeling that women would continue to be confined as servants of the house since the political power still remained in the hands of men even after the realization of independence. Hence, women continued to speak loudly and fight their share in the leadership positions (Alim, 2008).

However, in comparison to the status of post-colonial period of other African states, the post-colonial period of Somalia was described as a period of progress in terms of freedom of expression and liberty (Bayne 1965; Gassem 2002; Ingiriis 2010&2015; Lewis 2002). Somali women enjoyed voting rights since 1958 and 1961 in the south and North respectively. Unfortunately, they did not enjoy taking part in the clan assembly as some clan had never accepted women being represented in the clan meeting (Refworld, 1994:102).

As Ingiriis in his article "sisters was this what we struggled" states that one of the significant issues was women's active participation in the election which the existing literatures obscured. It was March 1969 when Somalia witnessed the first female contender for the Somali National parliament. During the election, Hawa Awale; the first Somali women contested a seat in El Bur constituency. Hawa organized herself in a way different from other contestants. She employed music band and brought to the contested constituency with the aim to attract more voters. Before the start of the election, Hawa met the prime minister of India and Indira Ghandi where she secured financial assistant for her campaign. Unfortunately she was defeated in the contest (2015:386). Although women received access to political fields however, the democratic constitution of 1960 at some point clearly shows that it was gendered. We should remember that

there were few red lines and constraints in which women could not able to challenge. If we have a look in to the constitution of 1960, there was no single statement directly highlighting that women cannot run for president. Yet Article 71 of the constitution specifically paragraph 2 says that any person running for president should not be married to a woman with another origin than Somali. This explicitly regards to men only.

On the other hand the period after 1969 until the civil war has been described as women's golden era by some scholars. As soon as the military regime ascended the power, political and social changes occurred in Somalia. This period was a period of transformations which had a profound impact on women. Under the scientific socialism, women got space to maneuver. Although it was the benefit of the government, but Barre regime allowed women to organize themselves. During the military era number of women acquired senior public positions. They also became parliamentarian members which was pseudo in nature. However, this was one of the transformations and achievement during his reign. On the other hand women were seen serving in local councils and were also involved playing sports. In addition, women were presence in the National Security Service (NSS) and secret police as well (Ingiriis, 2015). It is claimed that women witnessed positive changes during the military regime (Samatar 1988). As Ismail argues in her thesis (2013:5-6) women's status turned to improve. They had the chance to access higher education. However, referring back to the era before Barre, the legal system of Somalia derived from colonial system and Islamic traditions. After independence, both the northern and southern part which united to form Republic of Somalia sought to unify the legal status. But Barre attempted to modernize the civil law and made compatible with his vision through scientific socialism. He perceived that both the Islamic law and the traditional system are outdated. The improvement of the status of women was among the vision of his government. Hence, the regime introduced the family law in 1975. Mainly, the law emphasized equal status of women with men in terms of marriage, divorce, child custody and inheritance. This was an attempt to curb inequalities in terms of gender, social and political inequalities and to increase women's role in society. But that brought different interpretations and was regarded as against the Islamic law.

However different scholars offered different interpretation to the family law. From anthropological perspective, I.M. Lewis (1994) illustrated the law as being symbolic and tokenistic in nature which to some extent enabled improvement to women's lives. While other scholars' emphasized lack of enforcement by its most of provisions like for instance education rights. Considering the fact that the 8 years of compulsory education, girls' literacy remained 39% compared to that of boys (Refworld 1994, Laitin and Samatar 1987). In addition the law was also described as an attempt to shake the society who just composed mainly elders and lineage structure. However, some scholars like Ahmed Samatar admired Barre's work and achievements and his policies on women issues. He described the law as a progress to the country and women in specific. Samatar in his book States that women received enough attention during the socialist regime compared to any other era (1988). Regardless the political intention of the military regime, Samatar here admits the legal reformation that the adoption of family law brought to the matter of Somali women in spite of the obstacles that the implementation of the law experienced. For instance when the law attempted to secure equal rights in several matters like divorce, due to society's resistance women were unable to file divorce without the receipt of approval from the husband. In other aspect, the law granted mothers to seek custody after divorce in which traditionally regarded as the right of fathers only. On the other hand, the law family became stuck with the Shariah law as some of its provisions were contradictory to the Islamic law such as the case of inheritance where the law granted equal share to both men and women. Based on this reason, the family law failed to guarantee equal inheritance rights. Its implementation also became difficult knowing that 98% of the population practice Islamic religion. However, there was only one fact that both supporters and opponents of the law were representing the patriarchal society and women were the victim. They are the ones suffered the most since the introduction of the law. Women continuously suffered on the basis of polygamy, in terms of divorce and domestic violence which drastically increased with social problems being augmented (Hoehne&Luling, 2010). Moreover, Ismail (2013:8) argues that even the adoption of the family law women were not at any different. The time the military government officially announced the formation of single socialist political party, many criticized the

real status of women political participation and how their political rights slowly turning to shrink.

As women were always outside from any real decision making meetings, that contributed the creation of gap of what was actually defined as right for women and making use of these rights. As a matter of fact, some clans stick with the idea of not representing women in the meeting no matter if it's a tribal meeting or elder's assembly. So the whole meeting was only composed of men (Lewis, 1969). Hence, that gradually made disappear any possibility to hold higher positions and to contribute any political issues. However, following the election of 1984, women acquired 25 seats from the total of 177 seats in the Somali parliament (People's National Assembly). Later women were not represented in the cabinet and the executive branches of the government. Back then, in 1987 all members in these branches were men only. According to UNDP report, as of 1990, the participation of female in the parliament was four percent (4%) compared to male participation (Refworld, 1994:102). It also reported as the war started in the country, their involvement in politics gradually vanished (US Department of State, 1992, 1993:239). As mentioned above, in terms of voting south and northern part of Somalia were different. In the south women had voting rights little bit earlier which was in 1958 while the north women participated voting in 1961.

In conclusion, the mentality that Somalis have "women are poor thing, she understands nothing" which Lewis stated held women back and prevented women to realize a complete victory. Having backward ideologies, clannism with gender inequalities accompanied by complex social structures made Somali women's life difficult. However, the era of Siad Barre government was the start of a bright future for women even though he used women as tool to realize his political visions. However, there was an increase on gender equality in terms of citizenship, voting rights, access to social services and equal job opportunities with paid maternity leave for women during the era of Barre. Unfortunately, Somalia remained strongly patriarchal in general where male supremacy and domination over political, social, economic and decision making never disappeared. Nevertheless, it is worth mentioning, during the above focused era, Somalia was not signatory to the main international conventions which protects

and promotes women rights e.g. CEDAW. However, she was part of the ICCPR and ICESCR (Refworld, 1994).

4.4.2 From the civil war onwards: Any change on women capacity and status?

It was 1991 January when the international community officially announced end of the military regime led by Mohamed Siad Barre. The country as a whole witnessed political chaos and instability. According to different sources, Somali women became not only the victims of war. Indeed the war disproportionately made them suffer from the continuous use of violence particularly rape which constitutes the most employed weapon of war. Nevertheless, they also turned active participants in peace building activities. As Nakaya (2003:466-467) in her analysis of “women and gender equality in peace processes in Somalia and Guatemala” argues that the movement of Somali women is a product of humanitarian crisis caused by the prolonged civil war. Women played role even taking care of the combatants by providing shelter and medical treatments. As part of the attempts to restore peace, Somali women contributed also increasing the level of education by restoring destroyed schools. As mentioned, Somalis are patrilineal in nature based on clan exogamy. Following this point, Sumie states that women do not only belong to her father’s clan but also to that of the husband because of their children. So they form close ties with their father’s and husband’s clan. That made possible to act as an agent for the cross-clan dialogues. Hence, several NGO’s led by women has been established in order to strength dialogues on peace-making. However it’s stated that 1998 meeting on National Reconciliation in Addis Ababa was the first time formulized Somali women’s participation in formal peace processes. The meeting brought the establishment of Transitional National Council (TNC) that required the presence of woman for each of the three delegation members from each of the eighteen Somali regions. But the inclusion of women in TNC was just based on clan associations. Although it failed but there were no measures intended to improve the status of women.

However, it was only 2000s when women started to formally and directly challenge men throughout the different political structures; local council, regional and national parliaments and national cabinet (Inclusive Peace and Transition Initiative, 2018:2). Due to realization on the calamity and the

difficulties that the community befallen, women never hesitated to actively contribute community transformations and inspired to end the fighting. Nevertheless, being based on clan exogamy made women's identity to split in to two; between her original clan; the father's clan and the one with the husband which to some extent enabled them to act as a channel between the clans as mentioned above. However, this diminished due to mistrust from both parties to women's loyalty. However, women's efforts in terms of social and humanitarian aspect had gradually developed expanding from the ground levels to local structures, regional and national levels. Women's success in the aspect of humanitarian as well as peace issues laid the foundation for the National Peace conference of Arta in the year 2000. That became the fourteenth attempt as thirteen previously peace attempts failed. However, once the president of Djibouti called reconciliation and peace conference during the Security Council meeting in September 1999, there were only sixty intellectuals among them five women including Aisha Haji Elmi; co-founder of sixth clan. They campaigned women to participate as independent and equal partners. With the support of Ismael Omar Guelleh, president of Djibouti, women were accepted to stand their own not as observers (El Bushra&Gardner, 2003:193). Nonetheless, the thirteen peace reconciliation attempt again failed. This is followed by the 14th conference. It became the first time where hundred women became among the estimated 2000 to 3000 Somalis selected for the representation of clan affiliations. The selected hundred women from the five Somali clans started to cooperate and work with each other with the hope to bring women issues to the table. However, they realized that peace accords based on traditional clan structures and clan-based power sharing would not give women consideration in decision making structures. As a result women sought to establish new identity for women in politics. During the conference in Arta, around 92 women agreed to break the chain based on clan allegiance. They agreed to vote as a single bloc and that was where the idea of "*Sixth clan*" emerged (Summons, 2004:18).

This new term which refers to the clan of women officially emerged during the Arta peace conference of 2000s and also entered in to the discussions of gender and politics in Somalia during that period. Women lobbied across the whole major clan leaders of to persuade women to take part of the conference as sixth

clan and separate unit. They actively engaged persuasion of clan leaders and challenged to think beyond clan boundaries (Ingiriis&Hoehne 2013:324). Through the words of Asha Haji Elmi during the conference of “Arab women on economic and political issues” held in Dhakar on May 1, 2005 explains how the sixth clan emerged said that:

“The sixth clan was born out of the frustration. Within our society, although we are victims of conflict we had no voice for the national solution. In a patriarchal society such as ours, women have no right to represent their clan, nor any responsibility for protecting the clan. A group of us had the idea to form our own clan, in addition to the five pre-existing clans. The sixth clan gave us the first political entry point for women as equal partners in decision making. The women elected me to be their leader. We went to the negotiation table with the five clan leaders. We put women’s interest into the peace process... we engendered the language. Instead of merely referring to men, the language (government documents) now says he or she”.

The sixth clan coalition lobbied women representation and as a result 10% allocated for women representing 25 seats, five from each and every of the five major clans. According to Summons (2004:19) during the conference 70% of coalition members voted as a single bloc that enabled the formation of national charter which regulates reservation of 25 seats for women out of the 245 parliament member of Transitional National Government (TNG). In addition, the charter also contributed guaranteeing the human rights of children and also women and minorities. Starting from the early 2000s, Somali women became engaged in to the politics of country as this was the first time women in south central Somalia entered in to the national politics after the collapse of the central government. As already mentioned, 25 seats were given to the women in the newly formed Transitional Government in Arta, Djibouti. As Ingiriis and Hoehne (2013) claim prominent women also acquired extra seats. TNG had also the first female minister throughout the history of Somalia. The Arta conference of 2000 has been described as one of the most inclusive conference (Inclusive Peace and Transition Initiative, 2018:1). Certainly, Sixth clan has been the first organized political movement funded and purely led by women inspired to seek the rights of women in general and their representation at all

levels of making decisions in the government. However, despite it is success on realization women quota in the Transitional National Government women continued to face political barriers. They continued to be denied as a platform (sixth clan) and as an independent group in the subsequent peace conferences of 2002-2004 and 2008-2009 in Kenya and Djibouti respectively. Yet women participated in the conferences as part of their clans (Ingiriis&Hoehne, 2013:324).

However, the Arta conference followed by the peace talks in Kenya, Nairobi which concluded on January 2004. The Nairobi gathering produced the agreement to establish new parliament and new government that will replace the TNG. The new agreement called the appointment of 275 parliament members from each of the clan with reservation of 12% quota for women delegates. Summons (2004:20) states that the Sixth Clan Coalition (SCC) achieved a milestone in the conference as the co-founder and the chair of SCC signed peace agreement becoming the first Somali women to sign an agreement. In theory, 12% quota was allocated for women but in reality the situation was different for the newly established Transitional Federal Government (TFG) that replaced the TNG. Only half of the 33 seats (12%) taken by women and only one woman appointed for minister position.

Nevertheless, another TFG was established roughly after four years in Djibouti. As a reality on the ground, women were supposed to acquire the 12% already allocated for them even though the enlargement of the parliament comprising 550 parliamentarians. Again, same as the previous government, women held half of the seats. However, the TFG of 2009-2012 had several women ministers.

On the other hand, Northern part of Somalia it is said women to have achieved political position little bit earlier than the south central Somalia. The first female minister that was given to women was family affairs Ministry which women acquired in the early 2000s. In 2003, Edna Adan became the first female minister of foreign Affairs. Edna was the first lady of the Republic of Somalia back in 1960. Other women followed Edna's selection. Two other women became Minister of Education and Labor. In the election of 2012, women also run for president. Fowzia Yusuf who tried to contest for presidential position created her own political organization for the purpose of contesting seats in

local council. Her organization was defeated at the first round and as a result it was excluded from final elections (Ingiriis&Hoehne, 2013:324-325). However, despite women's early entrance in to the politics, they have not realized significant achievement in regard to parliament representation or local councils. As Mohamed and Samatar (2019:181) argue, the lower progress according to women's representation is due to different reasons; legal obstacles, the elder's role in the politics and the conservative ideologies they have. However, the attempts for the introduction of quota have stalled in spite of the serious debates prior to each of the elections. Over the past years, there was an attempt to introduce number of strategies intended to realize gender equality. One of the strategies was the creation of gender unit and gender focal points in line ministers with the purpose to facilitate gender mainstreaming efforts. National women rights umbrellas with collaboration of INGOs so far failed to secure quota for women. However, the Somaliland constitution endorsed on May 2001 recognizes women equal rights in participation of politics. It further allows women to form their own political parties. Nonetheless, women's representation remained relatively low compared to men. After years of lobbying, Somaliland women with the support of UNDP and other International NGOs came up the "Bill of Reserved Seats for Women and Excluded Minority Groups". The bill intended to increase women's formal participation through 25% quota at all levels of the government. In 2012 the consultative committee appointed in 2011 has made suggestions regarding quota reservation for women. They recommended 15%, 10% and 7% to be reserved for women in the local council, House of Representatives and the Guurti (upper house) respectively. Unfortunately, the bill rejected by the lower house after it is introduction on July 2012. Evidences showed that there was a fear that this would diminish the seats available for men. However, some progress has been realized despite the barriers. In the local council elections of November 2012, ten women have been voted in out of the 142 contested seats (Walls, 2017:45-46).

4.5 Post Conflict Realities of Women Political Participation (from the year 2012 to the present)

The establishment of permanent Somali state came after long years of Transitional Governments. On August 20 2012, the first international recognized central government was established in Mogadishu with parliamentarians of 275 being formed within the same month including 38 women (Legal Action Worldwide, 2014:2). According to Legal Action Worldwide (LAW) the established government repeatedly committed realizing gender equality and empowering Somali women. In 2013, the government led by Hassan Sheikh adopted a New Deal Compact. Several commitments of the compact clearly emphasize women rights issues by seeking to address gender inequalities on the ground (2014:5). However women continued to experience gender imbalances and several other challenges in enjoying their rights and attaining equal access to assets and services. Although, representation of women in the parliament and the cabinet marked as an improvement compared to the transitional periods, but women's representation still remained very low. For instance, in the strong parliament of 275 persons, women were only 37 representing (14%) thus making them minority. While the ten person cabinet, women were only two despite the agreements and the principles of Garowe II which provides women 30% representation of all political institutions (UNDP, 2012:1). In spite of the low representation of women, Hassan Sheikh government became the first government ever to appoint women as a Deputy Prime Minister as well as Minister of Foreign Affairs. The two appointed women were Fosiyo Yusuf Haji Adan who has been given the highest position ever and Maryam Qasim the Ministry of Development and Social Services which comprised around five ministries combined together. Moreover, three other women have been part of 20 Deputy Ministers (Dini, 2013). However, women were not content the representation given to them by the first republic government. In an interview carried by Shukria Dini (2013) highlights that the government did not give proper representation to women, appointing deputy prime minister for women does not mean it will bring more attention to women issues said Amina. However, as usual the electoral process of the elections of 2012 had been in the hands of TFG and the UN who further gave the responsibility 135 clan leaders

for the purpose of appointing Parliament members. Even though the elders alerted to ensure the inclusion of women in the government particularly the parliament but there were no any specific measures and mechanisms intended to enforce the issue.

According to UNDP report, as of 2012, the Gender Inequality Index for Somalia has been 0.776 which placed the country the fourth highest position at the global level (UNDP, 2012). The inequality coupled by increased economic barriers where women work menial positions which sometimes involved risking life and humiliation. Moreover, SGBV is common and very pervasive with the highest number of incidents in IDP camps (UNDP, 2012:1). Only in 2012, 1700 rape cases were recorded in 500 camps located in Mogadishu while the beginning of 2013, other 800 GBV cases recorded again in Mogadishu (UNDP, 2014:4-5).

In 2014, the Federal government appointed new cabinet increasing the ministerial portfolio from 10 to 25. This significantly lowered women's presence in the cabinet taking the proportion from 20% to 10% in 2014 but this not altered the number of women in the parliament (Op.cit. UNDP: 7). However, things changed slowly as the country turned its way in to federal system in 2012. There were many efforts and attempts to secure the position of women in the political space. Civil society organizations with the support of international community pushed the problem that women experienced in the 2012 elections. Among the attempts was realizing gender quota and mitigating the power and influence of clan leaders in the Somali elections. In the National Leadership Forum, a minimum of 30% quota of women at all government levels reiterated. For the 2016 election new electoral model have been adopted where 14025 delegates were in charge to vote parliamentary members. Unfortunately, clan leader's influence were still there as the delegates appointed by them. However, women acquired near the allocated quota. the current government led by Mohamed Abdullahi Farmajo, women hold 24% moving from 14% which has been marked as a milestone for Somali women (Concar, 2017).

In the national elections of 2016, 66 women have been elected to the Lower House out of the 275 total members while 13 women acquired seats in the

Upper house of a total 54 seats. Moreover, the appointed cabinet of 27 positions women was given 6 positions being Ministry of Ports and Marine Transport and also the Ministry of Commerce and Industry which represent first period to be given to women (Samantar, 2019:182). However, recently the president has appointed a new Prime Minister which replaced the former Prime Minister (Khaire) who served as the country's PM since the national election of 2016. The new PM, who was appointed on September 18 this year, announced a month later on his appointment new cabinet ministers composed of 26 ministers and deputy minister. Women represent four out of the 26 new ministers appointed (Dhaysane, 2020). Women's position in the cabinet lowered from six to four. As mentioned above, the government of Khaire; the predecessor of the current PM, women held six prominent positions from the total 27 ministerial posts.

Furthermore, the elections at the federal states like Puntland which took place in 2018 (parliamentary elections) only one woman was selected from the total contested female which were 16. By the same token, in Somaliland 82 parliament members in the lower house only one represents women while there is no women in the upper house (Affi, 2020). On the other hand, Galmudug state women hold 6.7% for the elected 89 members while South West state in the recent elections women acquired 17% (16 out of the 95 Mps) which is the most highest compared to other states (Hiiraan Online, 2020b).

4.6 Glance of the Somali Provisional Constitution

The Somali Provisional Constitution adopted by the government in August 2012 gives protection of women rights in both social and political spheres. It offers plenty of rights to be protected in general. In specific, the second chapter of the provisional constitution dedicated the basic principles of human rights which to some level compatible with the UDHR. In addition, the provisional constitution gives women the right to participate all levels of the government but there is no specific article which mentions the 30% quota of women in participation of politics. Although it guarantees the equality of rights based on Islamic shariah but the clan system discriminates women based on their gender. On the other hand, the Provisional constitution in its articles 15 (2,4,5) and 24 (5) prohibits

the cultural practices like FGM and also recognizes equal rights at the workplace as well as prohibits any act of violence against women. Currently, there is an ongoing revision on the Provisional Constitution adopted in 2012. However here the articles that specifically relate to women rights and human rights in general:

Table 4.1: Constitutional articles relate to women

Specific mentions to Women/Gender Rights	
Art 3- Founding Principles	(5) Women must be included, in an effective way, in all national institutions, in particular all elected and appointed positions across the three branches of government and in national independent commissions.
Article 10- Human Dignity	(1) Human dignity is given by God to every human being, and this is the basis for all human rights. (2) Human dignity is inviolable and must be protected by all. (3) State power must not be exercised in a manner that violates human dignity.
Art 11- Equality	(1) Equality before the law, regardless of (inter alia) gender and any other status (2) discrimination may be intentional or unintentional; (3) The State must not discriminate against any person on the basis of inter alia, gender
Art 15- Liberty and Security	(2) Right to personal security which includes the prohibition of all forms of violence, including any form of violence against women, torture, or inhumane treatment. (4) Prohibition of FGM. (5) Abortion is prohibited except in cases of necessity, especially to save the life of the mother.
Art 24- Labor Relations	(5) All workers, particularly women, have a special right of protection from sexual abuse, segregation and discrimination in the work place.
Art 27- Economic and Social Rights	(5) Minorities, who have suffered discrimination including women, must get the necessary support to realize their socio-economic rights.
Art 28- Family Care	(2) Mother and child care is a legal duty of the State; (3) Every child has the right to care from their parents; (5) Marriage must be between consenting adults.
<i>General Rights</i>	
Art 13- Life	Right to life
Art 14- Slavery, Servitude and Forced Labour	A person may not be subjected to slavery, servitude, trafficking or forced labor for any purposes.

Table 4.1: (More) Constitutional articles relate to women

Art 16- Freedom of Association	Right to associate with other individuals and groups.
Art 18- Freedom of Expression	Right to have and express opinions.
Art 20- Political Expression	Right to participate in meetings, demonstrations and peaceful protests Without requiring authorization.
Art 21- Movement	(1) Right to freedom of movement; (2) Right to citizenship/ a passport.
Art 22- Political Participation	(1) Right to take part in public affairs.
Art 23- Work	Every citizen has the right to choose their trade, occupation or profession.
Art 25- Environment	(1) Right to a non-harmful environment; (2) Right to share of natural Resources and protection from exploitation of resources.
Art 26- Property	(1) Right to own and transfer property; (2) No acquisition of property without fair compensation.
Art 27- Socio-Economic rights	(1) Right to clean water; (2) Right to healthcare, including emergency healthcare even where there is lack of economic capability; (3) Right to social security; (5) Women must get necessary support to realize rights
Art 30- Education	(2) Right to free primary education.
Art 32- Access to Information	(1) Right of access to information held by the state, or (2) another person which is required for the exercise or protection of any other just right.
Art 33- Admin Decisions	Right to administrative decisions that are lawful, reasonable and Procedurally fair.
Art 34- Legal Decisions	(1) Right to file a legal case; (2) Right to a fair trial; (4) State to provide free legal defense where necessary; (5) including for public interest cases
Art 39- Human Rights Violations	(1) The law shall provide for adequate procedures for redress of human Rights violations; (2) Redress must be available in courts and readily Accessible; (3) Third party may protect rights of another in court.
<i>Independent Commissions</i>	
Art 11B- Human Rights Commission	Human Rights Commission, tasked with: (a) Promoting respect for human rights, (b) promoting the development and attainment of rights; and (c) monitoring and assessing the conduct of human rights

Table 4.1: (More) Constitutional articles relate to women

Art Parliamentary Service Commission	111D	(1) Parliament shall establish a Parliamentary Service Commission; (2) consisting of: (a) The Speaker of the House; (b) The Speaker of the Upper House; (c) four members elected by the house of people which at least two shall be women (d) two members elected by upper house which at least one shall be woman.
Art Ombudsman	111J	The Ombudsman shall: (a) Investigate complaints of rights violations, abuse of power, unfair behavior, etc by representatives of government.

Source: Legal Action Worldwide (LAW): Women's Rights in the New Somalia: Best practice guidelines for MPs and CSOs, 2014

4.7 What the government has done so far: Ministry of Women and Human Rights Development (MoWHRD) efforts

The Somali government committed several times empowering women and mainstreaming gender equality. At the beginning, the government adopted a roadmap on human rights which sets a benchmark to be realized within years. However, one of the important steps taken by the Government in regard to human rights protection was the establishment of national Ministry specifically devoted to human rights issues. In 2013, the Prime Minister Abdi Farah Shirdoon established Ministry of Human Rights which later merged with the previous existing independent human rights taskforce and formed the current MoWHRD. In accordance with the Ministry's Score Card published (2019), MoWHRD which is in charge protection and as well as promotion of human rights so far achieved:

- Establishment of Independent National Human Rights Commission (NHRC): as mentioned above, Article (111B) states the formation of a National Human Rights Commission tasked promoting respect for human rights and also realizing the enjoyment of rights for all as well as monitoring and assessing the conduct of human rights. The law establishing the commission approved by the federal parliament and signed in to law in June 2015 and 2016 respectively (UNSOM, 2016). Through the efforts of MoWHRD, the commission was formed following the necessary procedures and securing its compliance with the Paris

Principles of National Human Rights Institutions. The commission which in total 9 members, four of them is women and one allocated for Persons with Disabilities (PWD). This is in line with the gender equality principles on the ground.

- Ratification of the United Nations Convention in regard to child rights (CRC) in 2015 and its optional protocol. There is ongoing process on the domestication of the convention through the adoption of child rights bill.
- The government also signed and ratified United Nations Convention on Persons with Disabilities on 17 May 2019.
- As part of the implementation of UNSCR 1325, the Federal Government along the support of the UN developed comprehensive National Action Plan (NAP) on ending violence in conflict specifically Sexual Violence. The NAP intended to put in place measures on addressing sexual violence specifically security-related violence and violence against Internally Displace People (IDP)
- As a result Sexual Offence Bill (SOB) was formulated, comprehensively intended tackling sexual incidents of the country. SOB is currently in the parliament.
- National Gender Policy which serves as key platform for achieving and realizing equality of gender in Somalia in terms of legal, Social, civic, political, economic, and socio-cultural issues.
- Draft FGM law

4.8 Current Situational Analysis of Women

4.8.1 General focus

It is said that women are more affected by the post-conflict period than men and that mainly results from male-dominated political arena as well as socio-economic and political positions. In other way round post-conflict period contributes transformation of social, economic and political institution that traditionally undermines women. It further presents window of opportunity that enables them to participate in post conflict political arena. Through this setting,

new government structures are established with constitution being drafted and adopted. State institutions are rebuilt and new agreements are signed.

According to global report by (Equal Measures, 2019) it is been mentioned that around 40% which constitute 1.4 billion women and girls globally live in states that totally failed the realization of gender equality. The study conducted in 129 countries and found that no country for the selected states fully realized gender equality promises. Being Sub-Saharan Africa as the lowest rank, although some states has done more in terms of parliamentary participation of women like Rwanda in which 61% of parliament members are women. In addition, it been stated in the Global Gender Gap report (2020) that the current generation will never experience gender equality and women should wait a century to achieve gender equality. On the other hand UN Women (2019) notes that globally 35% of women face physical or sexual violence which results higher rate of depression, abortion, and HIV. Even those in politics subjected to psychological violence. United Nations (2019) also highlighted “that throughout the whole world VAW represent among the most widespread and devastating violations in regard to human rights, but much of it is often unreported due to impunity, fear, and shame and gender inequality”. This is particularly true countries like Somalia where women and girls are at higher risk of gender-related violence as UNHCR illustrates. Over hundred cases of sexual violence have been recorded by the UN in the year 2019 which among the most painful cases was two girls who was gang raped and died due to the cause (2020).

Aisha's Case

Aisha Ilyas was just 12 years old. On February 24 2019, Aisha went to the market and never returned. Aisha was reported missing on Sunday evening, the same day. The little girl has been kidnapped and in addition was gang-raped subsequently. She was tortured as well and then brutally killed. Later, the culprits dumped outside her house.

Figure 4.4: Rape case

Source:<https://somalilandmonitor.com/somalia-shocked-by-the-gang-rape-and-murder-of-12-year-old-aisha-ilyas-adan/>

Non-Governmental Organizations continuously record patterns of rape committed with impunity which particularly subjected to the women living in the IDP camps and minority clan members and the perpetrators normally from government forces, militia members and uniform wearing men. In Lower Shebelle for example the rape cases being reported mostly occur in checkpoints or villages near to it where these places controlled by the Somali National Army (SNA) as it is been mentioned in the country's yearly human rights report (2019). These groups of people (IDPs and Marginalized clan) disproportionally suffer GBV. As of July 2019, around 462 cases of rape or rape attempts reported in Somalia. The sad thing is that the survivors sometimes asked to do the investigatory for their own case where they sometimes meet direct threats from the perpetrators while the police are reluctant to do the investigation. The report also adds that a formal structure is rarely used to investigate cases. Despite the laws and policies banning violence for all its kinds, domestic and sexual violence remain serious problem in Somalia (United States Department of State, 2019). In a recent extreme case of rape subjected to a teenage girl in Mogadishu.

The case of Hamdi

Hamdi Mohamed Farah who was 19 years old student have been gang raped in Mogadishu, the capital city on 15 September 2020.

Hamdi was assaulted by a group of men. After the incident they throw her off from a six floor building and found dead. The incident came after she was invited by a man who she thought as a friend to her

Figure 4.5: Rape case two

Source:<https://www.aa.com.tr/en/africa/somalia-11-held-for-rape-murder-of-teen-student/1974491>

The country's human rights report (2019) further states that rape and other kinds of violence also accompany by lack of social service where survivors meet considerable challenges for accessing health, psychosocial support, justice and legal assistance. In addition, the cultural stigma attached to rape often brings exclusion from social spheres which further results, lack of response and report due to the silence and fear regarding SGBV crimes. The role of Somali men just limited to continuously deny violence against women while accusing international community for inventing high figures of sexual violence cases (CISP, 2015).

On the other hand, the cultural practice FGM/C very widespread in the country in spite of the prohibition by the provisional constitution which describes and considers as cruel and degrading treatment and also the recognition of United Nations as a violation to human rights. According to a latest study conducted by SIDRA (2019) shows that fear from violence is what prevents women from pursuing their personal goals including education, working and also exercising political rights. Girls often experience parental restrictions which sometimes takes away educational opportunities. Their vulnerability to social and cultural stereotypes impedes their progress and empowerment in the context of Somalia. However, SIDRA states that rape and other GBV issues were uncommon and less prevalent in the pre-civil war Somalia since women used to receive strong protection from tribesmen but since 1980s there is a regular increase on the number of SGBV cases.

Moreover, according to UNICEF report on the (Situation Analysis of Children in Somalia, 2016) women and children meet complex challenges in terms of health compared to any other country in the world. The UNICEF report states that “The maternal mortality ratio (MMR) in Somalia is also, at 732 per 100,000 live births, among the world’s highest, exceeded only by Central African Republic, Chad, Nigeria, Sierra Leone and South Sudan. Moreover, there is a higher lifetime risk of maternal death, at 1 in 22, in Somalia than in any other country apart from Chad and Sierra Leone”. This is due to high fertility rate in which the country remains the highest in the world where each woman holds an average of 6.6 children. Further, the high percentage of early marriage also contributes to high ratio of MMR where UNICEF states that one in every ten marriages takes place before young girls reach 15 years and almost half before the girls turn in to 18 years. Above that, Somalia’s health care stays to be private thus poses difficult for women who can’t afford to access.

Moreover, girls’ involvement in education sector is very low compared to that of boys. In terms of girls less than 50% go to school. However, there is lack of recent data in the education sector of Somalia. Hence, according to the last countrywide survey which was 2006 demonstrated that the literacy rate of women is low and only 25% of women with the age 15 to 24 are literate (UNICEF, 2016). Here a comparison of literacy of Sub-Saharan African states including Somalia.

Table 1.2: Adult literacy rate comparison for selected Sub-Saharan Africa (2014)

Adult literacy rates				
Country	Year	Male	Female	Total
Djibouti	2009	78.0	58.4	67.9
Eritrea	2011	79.5	59.0	68.9
Ethiopia	2007	49.1	28.9	39.0
Kenya	2010	90.6	84.2	87.4
Rwanda	2010	74.8	67.5	71.1
Somalia	2014	43.8	36.2	40.0
South Sudan	2009	40.0	16.0	27.0
Sudan	2011	80.7	63.2	71.9
Tanzania	2010	75.5	60.8	67.8
Uganda	2010	82.6	64.6	73.2

Source: UNFPA Report (Gender Equity: Hit or Miss in the Somali population, 2019),

Available at: <https://somalia.unfpa.org/en/publications/gender-equity-hit-or-miss-somali-population>

The above table shows that the percentage of male literacy which is higher than that of the female for the selected Sub-Saharan Africa where Somalia represents as the third lowest female literacy. Differences in the ratio could be linked to the absence of equal access in terms of education with the fact that the culture of Somalis favors boys over girls. However, qualitative studies indicate women's involvement in the social domain is gradually increasing. Although it is still low, but Somali women are getting to take part decision making spheres both at the household and at the level of community. Also, women are taking part of the educational sector and labor forces as well as forming social structures for the purpose of the welfare of women and children. However, clannism, weak government systems (Health, judicial and administration, early marriage and early child bearing) continues to be a barrier to women's full potential participation in the social sphere (UNFPA Somalia, 2019).

Generally, women in Somalia do not have full economic empowerment and they held weak position in the labor market. Yet it is true that Somali women have made considerable gains in the socio-economic sector where previously and traditionally held by men. As mentioned, during the conflict, women assumed new responsibilities including income generation of the family. However, women's economic position still remains weak in the Somali society (UN Women, n.d).

4.8.2 Political participation and decision making perspective

For decades Somali women have experienced marginalization from decision making and leadership activities. Yet they represent 49.3% which is almost half of the population with the fact, just few women being part of higher ranks in the formal political positions. Nevertheless, this is not only limited to the central government. At the federal level for instance, Puntland and the self declared state Somaliland which experienced relative peace have not yet realized better representation of women in the parliament (Abdi, 2016). Current figures suggest that women representation in the parliament close to 25% in spite of the 30% quota formally allocated for women though this marks as an achievement

compared to the 14% in 2012 but still women make low percentage. Further, Somalia still employs old electoral model which contributes the marginalization of women as it's in the hand of traditional male leaders where the selection of initial candidates is required from them. As Carver (2017) states women who run for political positions within male dominated system face challenges; *first*, women are already outside the customary decision making processes and this leaves little space to vie and declare themselves as political candidates. *Second*, there is lack of legal mechanism and even policies intended to ensure the 30% compliance. Knowing that, the provisional constitution designates only women political participation. There is no specific measure in regard to the implementation and enforcement of the quota system by the traditional leaders. As former Minister of MoWHRD Zahra Mohamed Ali asserts "all that women have is a promise that the quota will be filled. They have no one to hold accountable if they are overlooked". In one case or another, female politicians are ignored in the political spaces. For example, the 2016 election in HirShabelle region female politicians were left behind as a result of the objection for the seats reserved for women from the federal indirect electoral implementation team. Women participation in politics is human rights issue as well as justice issue. Certainly their full participation is essential attaining both transformative and inclusive political structures. The UN international instruments and conventions including the UNSCR 1325 and also Beijing Platform for Action, all call inclusive politics. However, women do not enjoy their political right. As Dr. Dini in her article on women in the government of Somalia stresses that the politics of Somalia not only remained contested but also male-dominated where the system of 4.5 used to select men. It is a politics where male allows male to represent the nation and Somalis as a whole (2013).

In conclusion UN women state that "Somali women often bear an unequal brunt of the hardships occasioned by poverty, conflict and clan-based culture which promotes strict male hierarchy and authority. This is further exacerbated by religious and cultural limitations on the role and status of women in Somali society. As a result, deeply rooted gender inequality prevails; Somali women are either excluded from formal decision making and asset ownership or operate through a patriarchal filter. Somalia has extremely high rates of maternal

mortality, rape, cases of female genital mutilation, violence against women and child marriage. Women's access to justice is restricted both within the formal, clan based and sharia-based judicial systems. Women face limited access to economic resources and assets. This is compounded by women's low participation in politics and decision making spheres".

4.9 Barriers to Women Political Participation: The Mentality that Politics is For men

According to UN Women (2019), there is a low progress in regard to women participation in politics. As of February 2019, women legislatures constituted 24.3% globally and had slowly increased from 11.93% since 1995. Women are still underrepresented in decision making and leadership positions. Although the percentage has increased over the last years but at the present only one in each four members in the lower houses is woman. Women are not only unrepresented in the parliament but also other executive branches of the government and senior levels of civil servant (Apap et al. 2019:1). Nevertheless, according to Joanna the attempts being made and the adoption of political measures like the introduction of quota system intended to ensure the inclusion of women in to the political arena had significantly improved women's political status (2019:4). Despite the significant progress, there is still large difference on the representation of men and women where equality of gender has not been realized yet. However, the exclusion of women from the political arena is common throughout the world. Women are largely marginalized and face various challenges in participation of politics. These challenges are made up of a complex set of factors embedded with culture, religion and traditions. Somali women are like other women in the world. They face multiple challenges including economic, socio-cultural, and security-related obstacles. The advancement of women is significantly influence by culture; which is mainly referred to the values, norms, and beliefs of a particular people. The patriarchal nature of Somalis limits the opportunities of women especially in the political spheres. Taking in to account that patriarchal system deems women subordination with the mind that they are incompatible and unsuitable for political positions. This ideology places women in a less hierarchical space.

However, it is perceived that clannism as the most important barrier in regard to women's political involvement. A research study report indicates that clan leaders identify women as weak in nature compared to their male counterparts. They are regarded as less intelligent to represent the clan. In addition with the cultural norms which do not give permission women to seek political positions, clan leaders who are responsible for the political representation degrade women's efforts as they rarely allow women to hold key positions in the government (AMISOM, 2016:9). Clan plays an important role in Somali politics. It gives priority to the interests of men while women within their own clan are behaved as a second class and given inferior status. The clan system contributes to the marginalization of women. Women and men are not entitled the same rights. The right to hold positions and represent the clan is only defined as the right of men. Through the words of Shukria Dini (2012), "Clan leaders often tell any woman who is running for a political position whether a parliamentarian member or any other political post that the seats assigned to each clan is just too few to give seats to them. Women with cross-clan marriages particularly meet additional challenges when aspiring and contesting a Member in the Parliament where these women are told to search support and nomination from the clan in which they have married into – which is really a deliberate strategy to marginalize as well as deny women access to seats". In addition, Dini also states that women with cross-clan marriages meet additional barriers as they do not receive seats both from their natal clan and the clan of husband. However, according to the research of Dr. Lewa and Mohamud on "Factors Affecting Women Political Leadership in Benadir Region" revealed that women who win leadership positions are those who break the chain and overcome the challenges posed by clannism through establishing strong connections with progressive male leaders both within and outside the political system and in addition with the advancement of status at the community level (2019:114). By the same token, O'Neil and Domingo (2016:11) also argued the political influence of women greatly depends on her ability to establish strategic alliance with male who are always the gatekeepers.

In Somalia, instead of universal suffrage, the electoral system of Somalia is based on clan structure; members' selection of both upper and lower houses of

the parliament is in the hands of clan leaders. As a result the representation of women strongly depends on the willingness of those male leaders (Madigan, 2017). Tripp notes that clan politics is one of the major challenges to women's advancement in politics (2016:100). Formally, women are excluded from decision making spheres and clan meetings. Knowing that, the politics of the country is based on balancing of power which is between clans and their sub divisions. This lowers women's chance to actively take part in the politics. As a result, the political disadvantage of women in the clan composition can be directly mirrored in formal political spaces as the clan decides individual rights on gaining candidacy (Anna Park, 2017:14). Brown and Fisher in their report key actors mapping Somalia state that in spite of partially clan absence for the short period of Islamist movement between 2006 and 2011 but clan made vigorous return in today's' Somalia and acts as the main powerful political figure in Somalia (2013:2). However, according to a research carried by EARF (2017:14) shows that clannism represents as the major challenge to women's involvement in politics and leadership positions. There is strong perception in the Somali community that women can not represent the clan interest. Clan leaders exercise significant power and are involved in every political process. In an extreme case, Somali clan system poses enormous threat to women seeking political power. One female MP in Mogadishu expressing the difficulties she faced says

"I was competing against a very powerful man as well as a few young women. It was very tough and I faced a lot of intimidation via text message and phone calls telling me that I should step down my candidacy or face the consequences".

In addition, the findings of (Mohamed et al, 2018, Samatar, 2019) the clan-based political system favors male and undermines women's political participation. The favoritism is based on the fact the patriarchal nature of Somalis and clan power sharing arrangements which deprives the political rights of Somali women.

On the other hand financial resource play essential role on acquiring political positions. Politics is highly commercialized nowadays where politicians allocate funds for political posts. In every part of the world whether developed or

developing, politicians provide money in order to succeed for their political campaigns. According to an Empirical study conducted by Sendukas (2010) indicates that women in order to effectively take part in politics require considerable amount of financial resources for their political campaigns. This is in line with the fact that many women lack adequate financial resources to realize political positions. Several other studies showed that women face financial barriers which challenge their success in political spaces. For instance, a study carried in Ethiopia found that due to the economic disadvantage of women, many women experienced great challenge for their efforts to be elected in to the political office (Kassa, 2015).

Shvedova (2007) on the study of barriers to women participation in parliament also observed that the economic status of women have an impact on their involvement in politics. Certainly, the success of their political participation highly depends on their social and economic status. However, it is been argued that unlike men, Somali women do not have full access to opportunities; education, employment and productive assets which hinders their presence in the political scenes. Certainly, their lack of equal access to opportunities as male counterparts inevitably enables absence of women from decision making spheres which demands having financial muscle. This is further fueled by the socially ingrained prejudices against women which present scenarios that further remove financing and endorsing women for their political ambitions (Abdi, 2016). Income generation is difficult for women in Somalia due to their limited education. In addition many women do not own property or business; they therefore have limited purchasing power compared to men and that explicitly shows that they are economically disadvantaged (AMISOM, 2016:16). As mentioned, political campaigns demand extensive financial resources which women cannot handle for some reasons. One reason is that, their level of economy based on that, their involvement in the politics tends to be low. This is in line with the view of Inglehart and Norris (2003), due to their economic disadvantage; it is difficult for women to get in to the elected office since they do not have the necessary resources in realization of political ambitions. Further Matland and Ballington (2005) also claim that women do not have the ability to access developmental resources and thus consequently leads

to have less power compared to men in general. However, according to Samatar and Mohamed, women candidates receive support neither from the government nor from their clan. In their research, one respondent asserts that men are more likely to get financial support from the clan, business groups and political leaders if they stand for political positions while women are ignored (2019:185). Dr. Dini (2012) supports that women are marginalized; because of their economic status and she also states that they also experience lack of family support and the support of traditional leaders as well. This economic disadvantage implies without securing support from family or any other sources, financing a political campaign remains beyond the capability of women.

Further, there is a cultural stigma attached to women participation in political affairs. The idea of male superiority is universal although it differs across culture. The society ascribed roles puts women in a hierarch where female sex characterized as less value than male sex. As such, it is normal for men to seek political power while women are supposed to be submissive to men. Any attempt of women to find political power is unwelcomed to the society (Yassin&Mohamud, 2015:126). This is why many have the mentality that politics is meant only for men while women's role is limited on domestic task and taking care of children. According to Madigan (2017) Dahaba Ahmed who is running for MP for the upcoming 2021 elections addressing the hurdles she is already experiencing said during an event conducted in Mogadishu "being a woman I am facing so many obstacles and challenges including mainly social pressures and also absence of awareness in the general community about women's capability. Society at large and even families believe that only men can do a better job and are stronger positioned to take up political posts, and that the sole role of women is just related to domestic affairs and to stay at home". Women in Somalia continuously experience challenges which limit their political participation. Nevertheless, their challenge goes beyond from vying political office, but also once elected they often find difficult to effectively perform their duties and actively participate in key political and legislative processes (National Democratic Institute, 2017). The socio-economic and cultural constraints that Somali women often meet also fueled by insecurity issues which further blocks women from running in to power. According to a

research conducted by AMISOM in regard to Somali women political involvement public life found out that women who run for political office are in greater risk of being killed or threatened which may come from the opponents contesting the same political post and further adds that the killings carry by militia or political opponents (2016:17).



5. CONCLUSION

As mentioned, Somalia characterized as patriarchal where the power rests in the hand of male. Traditionally, women's role was just confined at household activities where they were solely responsible managing family affairs. They were not allowed to involve decision-making outside food preparing, child care and household hold chores. Clan meetings were just regarded as male affairs and only male above 20 years given the permission to attend. However based on the finding it is revealed that Somali men never appreciated the role of women played behind the doors at difficult times by giving advices and suggestions. Usually, women equally share the burden and difficulties with their male counterparts. However, inferior status was attached to them and their position defined according to the society's ascribed roles and responsibilities. Besides the domestic activities, their contribution to the family's economy is worth mentioning. In the past, women played an active role for holding together the household as they were responsible all the tasks related to the family and the economic contribution by means of selling milk and ghee from the animals they had. Women were also responsible arranging all the tasks related moving from one place to another in search of water and grass for their animals. The kind of role that Somali women played in the traditional Somalia was huge.

Unfortunately, they are rewarded exclusion from decision-making at the clan level. In the traditional Somalia, each and every family had a male leader and they related through the male hierarchy. Only male was allowed to have this kind of right. Despite effective role in production and reproduction and their unconditional role, women continued to suffer gender-subordination. One can say women were marginalized almost all spheres of life with social inferior being added as their trait. Right to own property and access to resources were deprived from them. Only married women had the right to exercise power over the property of the husband but once divorced all the properties remain with the husband and woman with empty hands were used to send off to her parents.

On the other hand, very little encouragement received from the community on exercising property ownership rights as the society gives more value for men than women. The idea of superiority has long circulated in the minds of Somalis. However, Somali women known as hardworking and consistent like any other women in the world. In spite of preferences, grievance and the inferiority being attached to them, they never became submissive throughout the history. They strongly faced the social oppression and the discrimination subjected to them. One tool that women used was composing poetry. As the poetry has an essential place in the society, women composed poems which many times altered the minds of men. Although women were kept outside the main poetry field but they had their own kind of poetry (buraanbur) in which it is also regarded as less significant in the eyes of the society. However, through composing poetry, women clearly expressed grievances and natural calamities. Moreover, one thing which worth stating is that in the past women enjoyed certain kind of protection. Clan system and the customary law offered protection for women from any kind of violence although this diminished with the start of war.

Moreover, the research revealed that women experienced serious human rights violation due to the collapse of the central government in 1991. The country witnessed prolonged civil war and chaos which has been going almost two decades where the conflict torn the country apart and hugely affected the economy and the people as well. During these periods, Somali people as a whole have experienced violations which endangered almost every member of the society, leaving no mercy to anyone. Women and children were the most vulnerable among society. They continuously suffered sexual harassment, rape, and all other kinds of Gender-Based Violence. This occurred both in Somali territories and in refugee camps of the neighboring countries especially Kenya. Being one of the worlds starkest and the most neglected tragedy, resulted thousands of people to be under the thrall and the mercy of warlords for decades. The country became one of the worst countries in regard to human rights. In addition to the violations, Somali women turned to be the bread-winners of the family as the war left them without husband, brother and even a father. The war contributed changing the gender roles of the sexes.

Traditionally, men were the sole family providers but the conflict led women to gain great responsibility over themselves and their families.

On the other hand, due to a complex set of factors including culture, clannism and economic condition, Somali women not allowed access to decision making spheres and were often excluded from leadership positions. Considering the fact that strict gender roles exist in the community, but this is not stopped women from contributing to the country's peacemaking efforts. They were active in peacemaking and peace building of the country. Absence of government led women to bear the burden. However, the establishment of transitional government was a milestone to the country as a whole and specifically to the women. Women's mobilization and struggle increased but on the other hand the creation of the TFG did not bring anything in regard to protection of women from violation instead continuation of conflict and violations. The fragile state failed to protect women.

Rape which was the most violence subjected to women have been used as a weapon of war. During the war, women lost everything including the little protection they received in the past. Armed conflict hugely affected women and became the most vulnerable group and the targeted ones in the society. Based on the findings, women and young girls have long been the victims of sexual violence and still continuing to be. Both women who left the country and the women who remained inside subjected to violence. But the extent of violence that refugee women experienced is much frustrating. In search of safe place, Somali women sought refuge in the neighbouring country; Kenya where the Kenyan government established camps for the purpose of hosting Somali refugees. Unfortunately, the terror that women met while trying to escape the war broke in their country was just miserable. Neither their way to the camps nor inside the camp became safe heaven to them. The violence against women and girls in the refugee camps continued even decades of war. During the conflict, the customary system and the code of honour in which the society previously employed in regard to the conflict resolution and ensure freeness of violence for women and children have been widely destroyed. In addition with forced displacement, women were killed, raped, looted and sexually dishonoured.

However, apart from the negative effect of war, conflict redefines social relations. It positively transforms women's capacity. Although it does not change conservative and backward ideologies but conflict creates space. Based on the analysis, since the country witnessed social, political and economical changes, this also influenced gender-based roles and responsibilities. Women assumed new roles and responsibilities where they turned crucial peace-builders. Their role got beyond the confinement of household chores and private issues. As the war raged between clans, many women found themselves in the middle of the opposing clans acting as channel between the hostile parties. The horror and terror as a result of the war altered the minds of women. Through the results of the analysis it is revealed that women were not only the victims of war instead the war offered new opportunities for Somali women. Against the notion that women do not contribute to economy, majority of women became traders. They acquired the traditional position of men as the sole bread-winner of the family which to some extent transformed gender roles in Somalia. As economic changes occurred, the economic system of Somalia transformed from male-dominated to more female-dominated type although this does not give women access to decision making as it remained in the hands of male. On the other hand, younger and educated women joined in the field of development becoming partners of INGO's and UN since they created their own organization for the purpose of fostering peace and helping the most vulnerable group among society. Number of civil society organizations led by women emerged in the country ranging from human rights advocates to peace promoters. These organizations actually filled the role that the government supposed to do. Unfortunately, there was no effective, functional and recognized government until 2012.

Based on the results found, civil war period was different from the pre-war periods, women at least received acknowledgement for their double burden. They found more respect in the community but regrettably, this did not substantially increase their social status. Still women remained to hold inferior status in the community. In long period, the tradition and the culture of Somalis forced women to remain outside the political centres. Nevertheless, this to some extent decreased with the war. Over the past decades, women realized

development in many aspects. The collapse of previous state structures provided women spaces to organize themselves in the social, economic and political spheres. As Ingiriis (2013) states, “the tragedy provided women blessing in disguise”. Through the attempts of fostering peace, women individually and collectively employed more traditional and also advanced strategies. In one way another, they acted as a channel between the opposing clans. Also, they publicly demonstrated against the violations and insecurities. This presented an opportunity of forming NGOs, adding the demands of women in peace building and community development perspectives.

The research also found that unlike pre-civil war, women particularly realized considerable advances in the political arena without even support from the male. With the fact, that women had no representation in the politics of Somalia back then in 1960. Even coming the revolutionary period where women had limited rights and representation. The first time when women break the chain was the year 2000. Women’s political status improved as they hardly tried their voices to be heard and respect their rights. The transitional governments established in Arta, Djibouti and Kenya respectively, women got representation in the parliament though it was tiny proportion compared to the male. They additionally gained ministerial positions. This gradually increased with the time; initially the representation of women was very low only 12% was given to women. This is followed by 14% representation in the parliament, then 25% representation and number of female ministers which is the current government. However, yet to be achieved the 30% quota of women. According to a recent event in which women adopted Somali women’s charter states that women advocating for a 50% representation. However, it is worth mentioning, that the electoral system is still in the hands of male traditional leaders. Knowing their favour of men above women to entrust clan political positions. Nevertheless, one can argue that, the little progress of women political representation resulted from the civilization of Somali politics after the war engulfed the country. However, the little improvement of women’s political status does not generally mean that Somali women’s rights also improved. There is no enough empowerment of women. Furthermore, there are continuous violations against the rights of women and young girls. Apart from the traditional practices like

FGM, there is widespread of sexual violence subjected to women and girls. The extent of violations especially rape particularly subjected to the Internally Displaced People is more than the rest of the society. Nevertheless, it cannot be said that no violation occur outside the IDP camps as women generally suffer human rights violations. Women and young girls live with fear of Gender Based Violence. It is true that the government trying to protect and promote women rights and there are laws and regulations against the violence for women rights. However, these laws are not enough to protect women as there is still a need more laws to be formulated and adopted and also existing laws to be implemented accordingly.

On the other hand, the research also discovered that the major challenge that women face in regard to participation of politics is the clan system which long remained and still remaining the backbone of Somali politics. Same as other parts of the world, the government adopted quota system of women representation in decision-making spheres. However, the quota lacks institutionalization. There are no measures and mechanisms intended for the achievement the allocated percentage for women. This indicates the quota system that the government adopted is yet to be realized. One contributing factor is that, the electoral system, the country still employing old electoral model where clan leaders have played and still playing influential role in Somali politics and governance. Even in the last national election of 2016 where it seemed clan influence reduced but played the same role. Clan system hugely marginalizes women in one way another. Throughout the history of Somalia, clan elders never easily accepted woman to represent the clan as they strongly believe that the politics is for men only. Generally, a woman is perceived as less capable and weak who cannot be entrusted any clan position. In addition, women also face financial problems in their attempt to run for political office

In conclusion women have been both victims and at the same time agents of change and that crisis can be understood not just breakdown and devastation but as an opportunity. Because the tragic events of the country had also witnessed the capacity of women who stood against the violence and the general state of impunity. Despite male dominance and bone patriarchy, women played immense role in peacemaking efforts of the country. Therefore the conflict

offered unexpected as well unintentional progressive changes to women by providing new roles, opportunities as well responsibilities in to their life. Currently women are seen involving various aspects of life compared to the previous periods in which they only confined domestic affairs.

The researcher of this thesis therefore recommends based on the results found throughout the study:

- Increase raising awareness in regard to women rights and their capability to represent clan since there is a cultural stigma attached to women's political participation and the believe that politics is male domain.
- Women face financial problems in their attempt to run for political office since political posts require funding, therefore, there should be a source of finance specifically allocated for women within the government institutions and the international community as well.
- Though the current Provisional Constitution of Somalia adopted in 2012 is written in gender neutral term. However, in many aspects it lacks specific mentions of women. Neither the quota of women is specified in its provisions nor how women are represented in all government institutions. Therefore, the ongoing revision of the constitution, women shall be given enough consideration.
- Somalis have the mentality that women rights are western ideology and there is no reference in the Islamic teachings. There is a highly need to increase people's religious understanding and this can be addressed through a comprehensive awareness raising, religious gathering, trainings, debates and discussions on Islamic shariah and how Islam protects women.
- Positive steps have already been taken, but still there are more to be done. The current existing laws, policies and regulations are not enough to improve the status of women. The government needs to sign and ratify women's constitution as it's called, (Convention on Elimination of All the forms of Discrimination Against women). No matter even if the government makes reservation on some of its articles enough to be signed and domesticated.

- Currently, the country is on the way to multi-party system and as planned the upcoming elections will be based on universal suffrage as planned. So the inclusion of gender quota should be at the highest priority for all political parties. In order to ensure this, women should be represented in all electoral commissions.
- The allocated percentage for women should be institutionalized and clearly expressed in all government laws and policies.
- Sexual and gender based violence is widespread in the country and it's mostly dealt in terms of traditional and cultural ways where the perpetrator is not brought to justice. The victims are silenced and sometimes prefer not to speak out due to the fear and insecurity. There must be a platform where SGBV survivors can submit their issues without any fear of being attacked. The cases should also be transferred to the court with guarantee that the perpetrators will be punished accordingly. However, to realize this, Somali justice system needs to be improved.
- As the findings revealed, part of the SGBV cases are committed by uniform groups. Armed personnel should be enhanced their understanding of International human rights law. Instead of breaking the laws, they should be trained how to protect the law. In addition, there should be a means of accountability if any personnel commit an act against the human rights.
- Somalia is signatory to the covenant on Civil and Political Rights and economic, social and cultural rights covenant but there is no legal framework for the implementation of these covenants. Comprehensive and concrete action plan with compliance on the United Nations Resolution 1325, 1820, 1888, 1889 and 1960 will help improve women status.

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Education

- **Bachelor:** 2013, Simad University-Somalia, Faculty of Business and Accounting, Department of Business Administration.
- **Masters:** 2021, Istanbul Aydin University, Social Sciences Institute, Department of Political Science and International Relations

Work Experience

- **2013 to the current:** Head Section of Human Rights at Somali Ministry of Women and Human Rights Development

Language Skills

Somali	English	Arabic
Mother tounge	Excellent	Good

Hobbies

Advocacy and awareness raising, Research, Reading Creativity, Travelling, Developmental activities, Community work.