

Challenges Facing Public Administration of Failed State of Somalia

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Abstract

In Somalia there was no clear vision of how reconciliation should proceed. The United States initially saw its mission as short and limited to opening supply lines so would not have to become involved in Somali politics. Nor did the United Nations have a clear road map for reconciliation. The short-range objectives of the U.S. involvement meant that it was very difficult to take many credible steps to promote reconciliation. The expectation was that the combatants, after years of fighting a civil war, could somehow resolve their differences in a few months. Given such circumstances, it was inevitable that groups without large stocks of weaponry would be leery of collaborating openly and quickly with the United Nations to rebuild local government institutions. Three lessons can be drawn from the Somalia experience. First, future interveners must understand that there is no such thing as a humanitarian surgical strike. Defining a failed state is a second area that needs work. There is understandable reluctance to proclaim trusteeships, given the term's association with colonialism. Third, the proper intervention forces must be developed. There has been much talk about the formation of a U.N. army that could intervene in troubled areas, but little action. The purpose of this study to understand the limitations of good administration and get possible solution to generate political recovery and eliminate failed state in Somalia. To reduce poor administration and enhance justice, accountability, public sector management in order to prevent any possible risk that damages the capacity of good governance.

Keywords: Challenges Facing Public Administration

1.0 INTRODUCTION

Globally failure state is normal around the world, across the territory of Somalia a variety of political, military, tribal and administrative entities seek to govern. Despite some fourteen attempts by the international community to sponsor national peace processes, none of the governments that have emerged and succeeded in establishing their authority or broad legitimacy among Somalis. Indeed, efforts to revive a functional central government have become conflict triggers, as different clans fought for increased representation and resources. Even in the relatively stable regions of Somaliland and Puntland, the effective functioning of the regional administrations is undermined by different clans seeking to influence and control key institutions, revenue and positions Tavistock (1981). Efforts and aspirations to have a modern functioning public sector often run counter to the traditional and religious forms of governance which have varied legitimacy and influenced across the country. At present, Somalia comprised three principal administrative areas: South Central Somalia, the semi-autonomous Somali State of Puntland, and Somaliland, which unilaterally declared itself an independent republic in 1991. While interlinked ethnically and economically, each of these three regions has evolved differently and faces differentiated levels of stability, development and governance. Large areas of all three regions are ungoverned by formal structures and changes in allegiances continue to shift the borders of each entity Brown (1966).

Beyond the formal structures, governance in Somalia is determined by a highly influential informal system. Traditional leadership has primary responsibility for land management and dispute settlement, co-existing with Sharia and secular courts to provide justice. These non-state actors are, therefore, critical for any state led reconciliation, legitimizing the establishment of new councils, mobilizing communities in planning and local development and improving land dispute resolution mechanisms. Access to the formal justice system (police and judiciary) remains limited to the main urban center, and most of the population rely on customary law and their elders to provide justice. In essence, the challenges to governance in Somalia are wide-ranged and cover a mixture of political, institutional, cultural and human resource issues. This demands that the international community pursues a comprehensive and sustained approach to governance strengthening that includes support to the development of responsive institutions, support to inclusive political processes, and the fostering for state-societal relations (including the engagement of traditional authorities, religious leaders and civil society).

1.1 The Background of Somalia as a country: Struggle for Independence as a (country Somalia)

Flag of the Somali Youth League (SYL), the nation's first political party, During World War II, Britain regained control of British Somaliland and conquered Italian Somaliland, administering both militarily as protectorates. In November 1949, during the Potsdam Conference, the United Nations granted Italy trusteeship of Italian Somaliland, but only under close supervision and on the condition first proposed by the Somali Youth League (SYL) and other nascent Somalian political organizations, such as Hizbia Digil Mirifle Somali (HDMS) and the

Somali National League (SNL) that Somalia achieve independence within ten years. British Somaliland remained a protectorate of Britain until 1960.

To the extent that Italy held the territory by UN mandate, the trusteeship provisions gave the Somalis the opportunity to gain experience in political education and self-government. These were advantages that British Somaliland, which was to be incorporated into the new Somali state, did not have. Although in the 1950s British colonial officials attempted, through various administrative development efforts, to make up for past neglect, the protectorate stagnated. The disparity between the two territories in economic development and political experience would cause serious difficulties when it came time to integrate the two parts. Meanwhile, in 1948, under pressure from their World War II allies and to the dismay of the Somalis, the British "returned" the Haud (an important Somali grazing area that was presumably 'protected' by British treaties with the Somalis in 1884 and 1886) and the Ogaden to Ethiopia, based on a treaty they signed in 1897 in which the British ceded Somali territory to the Ethiopian Emperor Menelik in exchange for his help against possible advances by the French. Britain included the proviso that the Somali nomads would retain their autonomy, but Ethiopia immediately claimed sovereignty over them. This prompted an unsuccessful bid by Britain in 1956 to buy back the Somali lands it had turned over. Britain also granted administration of the almost exclusively Somali-inhabited Northern Frontier District (NFD) to Kenyan nationalists despite an informal plebiscite demonstrating the overwhelming desire of the region's population to join the newly formed Somali Republic.

1.2 Referendum

A referendum was held in neighboring Djibouti (then known as French Somaliland) in 1958, on the eve of Somalia's independence in 1960, to decide whether or not to join the Somali Republic or to remain with France. The referendum turned out in favor of a continued association with France, largely due to a combined yes vote by the sizable afar ethnic group and resident Europeans. There were also allegations of widespread vote rigging, with the French expelling thousands of Somalis before the referendum reached the polls. The majority of those who voted were Somalis who were strongly in favor of joining a united Somalia, as had been proposed by Mahmoud Harbi, Vice President of the Government Council. Harbi was killed in a plane crash two years later. Djibouti finally gained its independence from France in 1977, and Hassan Gouled Abtidon, a Somali who had campaigned for a yes vote in the referendum of 1958, eventually wound up as Djibouti's first president (1977–1991).

On 1 July 1960, the two territories united to form the Somali Republic, albeit within boundaries drawn up by Italy and Britain. A government was formed by Abdullahi Issa and other members of the trusteeship and protectorate governments, with Haji Bashir Ismail Yusuf as President of the Somali National Assembly, Aden Abdullah Osman as President, and Abdirashid Ali Shermarke as Prime Minister (later to become President from 1967–1969). On 20 July 1961 and through a popular referendum, the people of Somalia ratified a new constitution, which was first drafted in 1960. In 1967, Muhammad Haji Ibrahim Egal became Prime Minister, a position to which he was appointed by Shermarke. Egal would later become the President of the autonomous Somaliland region in northwestern Somalia. On 15 October 1969, while paying a visit to the northern town of Las Anod, Somalia's then President Abdirashid Ali Shermarke was shot dead by one of his own bodyguards. His assassination was quickly followed by a military coup d'état on 21 October 1969 (the day after his funeral), in which the Somali Army seized power without encountering armed opposition essentially a bloodless takeover. The putsch was spearheaded by Major General Mohamed Siad Barre, who at the time commanded the army.

1.3 Somali Democratic Republic Successor Siad Barre

Supreme Revolutionary the army commander Lieutenant Colonel Mohamed Siad Barre, the "Father of the Revolution" that succeeded Somalia's civilian administration, Alongside Barre, the Supreme Revolutionary Council (SRC) that assumed power after President Sharmarke's assassination was led by Lieutenant Colonel Salaad Gabeyre Kediye and Chief of Police Jama Korshel. Kediye officially held the title of "Father of the Revolution," and Barre shortly afterwards become the head of the SRC. The SRC subsequently renamed the country the Somali Democratic Republic, dissolved the parliament and the Supreme Court, and suspended the constitution. The revolutionary army established large-scale public works programs and successfully implemented an urban and rural literacy campaign, which helped dramatically increase the literacy rate. In addition to a nationalization program of industry and land, the new regime's foreign policy placed an emphasis on Somalia's traditional and religious links with the Arab world, eventually joining the Arab League (AL) in 1974. That same year, Barre also served as chairman of the Organization of African Unity (OAU), the predecessor of the African Union (AU).

In July 1976, Barre's SRC disbanded itself and established in its place the Somali Revolutionary Socialist Party (SRSP), a one-party government based on scientific socialism and Islamic tenets. The SRSP was an attempt to reconcile the official state ideology with the official state religion by adapting Marxist precepts to local circumstances.

Emphasis was placed on the Muslim principles of social progress, equality and justice, which the government argued formed the core of scientific socialism and its own accent on self-sufficiency, public participation and popular control, as well as direct ownership of the means of production. While the SRSP encouraged private investment on a limited scale, the administration's overall direction was essentially communist

1.4 Ogaden War 1977

In July 1977, the Ogaden War broke out after Barre's government sought to incorporate the predominantly Somali-inhabited Ogaden region into a Pan-Somali Greater Somalia. In the first week of the conflict, Somali armed forces seized the southern and central parts of the Ogaden. The units in the Godey Front were led by Colonel Abdullahi Ahmed Irro. For most of the war, the Somali army scored continuous victories on the Ethiopian army, following it as far as Sidamo. By September 1977, Somalia controlled 90% of the Ogaden and captured strategic cities such as Jijiga and put heavy pressure on Dire Dawa, threatening the train route from the latter city to Djibouti. After the siege of Harar, a massive unprecedented Soviet intervention consisting of 20,000 Cuban forces and several thousand Soviet experts came to the aid of Ethiopia's communist Derg regime. By 1978, the Somali troops were ultimately pushed out of the Ogaden. This shift in support by the Soviet Union motivated the Barre government to seek allies elsewhere. It eventually settled on the Soviets' Cold War arch-rival, the United States, which had been courting the Somali government for some time. All in all, Somalia's initial friendship with the Soviet Union and later partnership with the United States enabled it to build the largest army in Africa.

1.5 Rebellion

Major General Mohamed Siad Barre, Chairman of the Supreme Revolutionary Council. A new constitution was promulgated in 1979 under which elections for a People's Assembly were held. However, Barre's Somali Revolutionary Socialist Party politburo continued to rule. In October 1980, the SRSP was disbanded, and the Supreme Revolutionary Council was re-established in its place. In May 1986, President Barre suffered serious injuries in a life-threatening automobile accident near Mogadishu, when the car that was transporting him smashed into the back of a bus during a heavy rainstorm. He was treated in a hospital in Saudi Arabia for head injuries, broken ribs and shock over a period of a month. Lieutenant General Mohamed Ali Samatar, then Vice President, subsequently served as de facto head of state for the next several months. Although Barre managed to recover enough to present himself as the sole presidential candidate for re-election over a term of seven years on 23 December 1986, his poor health and advanced age led to speculation about who would succeed him in power. Possible contenders included his son-in-law General Ahmed Suleiman Abdille, who was at the time the Minister of the Interior, in addition to Barre's Vice President Lt. Gen. Samatar.

By that time, Barre's government had become increasingly unpopular. Many Somalis had become disillusioned with life under military dictatorship. The regime was weakened further in the 1980s as the Cold War drew to a close and Somalia's strategic importance was diminished. The government became increasingly totalitarian, and resistance movements, encouraged by Ethiopia, sprang up across the country, eventually leading to the Somali Civil War. Among the militia groups were the Somali Salvation Democratic Front (SSDF), United Somali Congress (USC), Somali National Movement (SNM) and the Somali Patriotic Movement (SPM), together with the non-violent political oppositions of the Somali Democratic Movement (SDM), the Somali Democratic Alliance (SDA) and the Somali Manifesto Group (SMG).

1.6 Somali Civil War

US Army helicopter shortly before Battle of Mogadishu in 1993, with the political situation deteriorating, Barre's long-standing government in 1991 eventually collapsed under the pressure. The national army disbanded shortly afterwards, United Nations Security Council Resolution 794 was unanimously passed on 3 December 1992, which approved a coalition of United Nations peacekeepers led by the United States. Forming the Unified Task Force (UNITAF), the force was tasked with assuring security until humanitarian efforts aimed at stabilizing the situation were transferred to the UN. Landing in 1993, the UN peacekeeping coalition started the two-year United Nations Operation in Somalia II (UNOSOM II) primarily in the south to provide humanitarian relief. Some militias that had seized power after the Barre regime's ouster interpreted the UN troops' presence as a threat to their hegemony. Consequently, several gun battles took place in Mogadishu between local gunmen and peacekeepers. Among these was the Battle of Mogadishu, an unsuccessful attempt by US troops to apprehend faction leader Mohamed Farah Aidid. The UN soldiers eventually withdrew altogether from the country on 3 March 1995, having incurred more significant casualties.

1.7 Decentralization

Following the outbreak of the civil war and the ensuing collapse of the central government, Somalia's residents reverted to local forms of conflict resolution, secular, traditional or Islamic law, with a provision for appeal of all sentences. Row (1985). The legal structure in Somalia is thus divided along three lines: civil law, religious law and customary law. While Somalia's formal judicial system was largely destroyed after the fall of the Siad Barre regime, it was later gradually rebuilt and administered under different regional governments, such as the autonomous Puntland and Somaliland macro-regions. In the case of the later Transitional Federal Government, a new interim judicial structure was formed through various international conferences, despite some significant political differences between them, all of these administrations share similar legal structures, much of which are predicated on the judicial systems of previous Somali administrations. These similarities in civil law include:

A charter which affirms the primacy of Muslim shari'a or religious law, although in practice shari'a is applied mainly to matters such as marriage, divorce, inheritance, and civil issues. The charter guarantees respect for universal standards of human rights to all subjects of the law. It also assures the independence of the judiciary, which in turn is protected by a judicial committee. A three-tier judicial system including a supreme court, a court of appeals, and courts of first instance (either divided between district and regional courts, or a single court per region). The laws of the civilian government which were in effect prior to the military coup d'état that saw the Barre regime into power remain in force until the laws are amended, Marcos De Souza (1985).

1.8 Shari'a

Islamic shari'a has traditionally played a significant part in Somali society. In theory, it has served as the basis for all national legislation in every Somali constitution. In practice, however, it only applied to common civil cases such as marriage, divorce, inheritance and family matters. This changed after the start of the civil war, when a number of new shari'a courts began to spring up in many different cities and towns across the country. These new shari'a courts serve three functions; namely, to pass rulings in both criminal and civil cases, to organize a militia capable of arresting criminals, and to keep convicted prisoners incarcerated. The shari'a courts, though structured along simple lines, feature a conventional hierarchy of a chairman, vice-chairman and four judges. A police force that reports to the court enforces the judges' rulings, but also helps settle community disputes and apprehend suspected criminals. In addition, the courts manage detention centers where criminals are kept. An independent finance committee is also assigned the task of collecting and managing tax revenue levied on regional merchants by the local authorities.

1.9 Xeer

Somalis have for centuries practiced a form of customary law, which they call Xeer. Xeer is a polycentric legal system where there is no monopolistic institution or agent that determines what the law should be or how it should be interpreted. The Xeer legal system is assumed to have developed exclusively in the Horn of Africa since approximately the 7th century. There is no evidence that it developed elsewhere or was greatly influenced by any foreign legal system. Its legal terminology is practically devoid of loan words from foreign languages, suggesting that it is truly indigenous. The Xeer legal system also requires a certain amount of specialization of different functions within the legal framework. Thus, one can find odayaal (judges), xeerbogeyaal (jurists), guurtiyaal (detectives), garxajiyaal (attorneys), markhaatiyal (witnesses) and waranle (police officers) to enforce the law. Xeer is defined by a few fundamental tenets that are immutable and which closely approximate the principle of jus cogens in international law: These precepts include:

1. Payment of blood moneys (locally referred to as diya) for libel, theft, physical harm, rape and death, as well as supplying assistance to relatives
2. Assuring good inter-clan relations by treating women justly, negotiating with "peace emissaries" in good faith, and sparing the lives of socially protected groups "Birr Magaydo," (e.g. children, women, the pious, poets, messengers, sheikhs, and guests);
3. Family obligations such as the payment of dowry, and sanctions for eloping
4. Rules pertaining to the management of resources such as the use of pasture land, water, and other natural resources
5. Providing financial support to married female relatives and newlyweds
6. Donating livestock and other assets to the poor.

1.10 After Siad Barre politics of Somalia

In 2000, Abdiqasim Salad Hassan was selected as the President of the nation's new Transitional National Government (TNG), an interim administration formed to guide Somalia to its third permanent republican government, on 10 October 2004, in a session held by the Transitional Federal Parliament (TFP), former Puntland President Abdullahi Yusuf Ahmed was elected as President of the succeeding Transitional Federal Government (TFG), an interim federal administrative body that he had helped establish earlier in the year. He received 189 votes from the TFG Parliament, while the closest contender, erstwhile Somali ambassador to Washington Abdullahi Ahmed Addou, got 79 votes in the third round of voting. The then incumbent President of Somalia, Abdiqasim Salad Hassan, peacefully withdrew his candidature. Ahmed was sworn in a few days later on 14 October 2004.

1.11 Transitional Federal Institutions

The Transitional Federal Government (TFG) was the internationally recognized government of Somalia until 20 August 2012, when its tenure officially ended. It was established as one of the Transitional Federal Institutions (TFIs) of government as defined in the Transitional Federal Charter (TFC) adopted in November 2004 by the Transitional Federal Parliament (TFP). The Transitional Federal Government officially comprised the executive branch of government, with the TFP serving as the legislative branch. The government was headed by the President of Somalia, to whom the cabinet reported through the Prime Minister. However, it was also used as a general term to refer to all three branches collectively.

1.12 Islamic Courts Union and Ethiopian intervention

Abdullahi Yusuf Ahmed, one of the founders of the Transitional Federal Government, in 2006, the Islamic Courts Union (ICU), an Islamist organization, assumed control of much of the southern part of the country and promptly imposed Shari'a law. The Transitional Federal Government sought to reestablish its authority, and, with the assistance of Ethiopian troops, African Union peacekeepers and air support by the United States, managed to drive out the rival ICU and solidify its rule. On 8 January 2007, as the Battle of Ras Kamboni raged, TFG President and founder Abdullahi Yusuf Ahmed, a former colonel in the Somali Army and decorated war hero, entered Mogadishu for the first time since being elected to office. The government then relocated to Villa Somalia in the capital from its interim location in Baidoa. This marked the first time since the fall of the Siad Barre regime in 1991 that the federal government controlled most of the country. Following this defeat, the Islamic Courts Union splintered into several different factions. Some of the more radical elements, including Al-Shabaab, regrouped to continue their insurgency against the TFG and oppose the Ethiopian military's presence in Somalia. Throughout 2007 and 2008, Al-Shabaab scored military victories, seizing control of key towns and ports in both central and southern Somalia. At the end of 2008, the group had captured Baidoa but not Mogadishu. By January 2009, Al-Shabaab and other militias had managed to force the Ethiopian troops to retreat, leaving behind an under-equipped African Union peacekeeping force to assist the Transitional Federal Government's troops.

Due to a lack of funding and human resources, an arms embargo that made it difficult to re-establish a national security force, and general indifference on the part of the international community, President Yusuf found himself obliged to deploy thousands of troops from Puntland to Mogadishu to sustain the battle against insurgent elements in the southern part of the country. Financial support for this effort was provided by the autonomous region's government. This left little revenue for Puntland's own security forces and civil service employees, leaving the territory vulnerable to piracy and terrorist attacks. On 29 December 2008, Abdullahi Yusuf Ahmed announced before a united parliament in Baidoa his resignation as President of Somalia. In his speech, which was broadcast on national radio, Yusuf expressed regret at failing to end the country's seventeen-year conflict as his government had mandated to do. He also blamed the international community for its failure to support the government, and said that the speaker of parliament would succeed him in office per the Charter of the Transitional Federal Government.

1.13 Coalition government

The battle flag of Al-Shabaab, an Islamist group waged war against the federal government, between May 31 and 9 June 2008, representatives of Somalia's federal government and the moderate Alliance for the Re-liberation of Somalia (ARS) group of Islamist rebels participated in peace talks in Djibouti brokered by the former United Nations Special Envoy to Somalia, Ahmedou Ould-Abdallah. The conference ended with a signed agreement calling for the withdrawal of Ethiopian troops in exchange for the cessation of armed confrontation. Parliament was subsequently expanded to 550 seats to accommodate ARS members, which then elected Sheikh Sharif Sheikh Ahmed, the former ARS chairman, to office. President Sharif shortly afterwards appointed Omar Abdirashid Ali Sharmarke, the son of slain former President Abdirashid Ali Sharmarke, as the nation's new Prime Minister.

With the help of a small team of African Union troops, the coalition government also began a counter offensive in February 2009 to assume full control of the southern half of the country. To solidify its rule, the TFG formed an alliance with the Islamic Courts Union, other members of the Alliance for the Re-liberation of Somalia, and Ahlu Sunna Waljama'a, a moderate Sufi militia. Furthermore, Al-Shabaab and Hizbul Islam, the two main Islamist groups in opposition, began to fight amongst themselves in mid-2009. As a truce, in March 2009, Somalia's coalition government announced that it would re-implement Shari'a as the nation's official judicial system. However, conflict continued in the southern and central parts of the country. Within months, the coalition government had gone from holding about 70% of south-central Somalia's conflict zones, territory which it had inherited from the previous Yusuf administration, to losing control of over 80% of the disputed territory to the Islamist insurgents.

1.14 Changes governance system of Somalia 2010-2012

On 14 October 2010, diplomat Mohamed Abdullahi Mohamed (Farmajo) was appointed the new Prime Minister of Somalia. The former Premier Omar Abdirashid Ali Sharmarke resigned the month before following a protracted dispute with President Sharif over a proposed draft constitution, foreign Minister of Somalia Mohamed Abdullahi Omaar in a meeting with UNDP Administrator Helen Clark and other diplomats at the UN headquarters in New York. Per the Transitional Federal Government's (TFG) Charter, Prime Minister Mohamed named a new Cabinet on 12 November 2010, which has been lauded by the international community. As had been expected, the allotted ministerial positions were significantly reduced in numbers, with only 18 administrative posts unveiled versus the previous government's bloated 39 portfolios. Only two Ministers from the previous Cabinet were reappointed: Hussein Abdi Halane, the former Minister of Finance and a well-regarded figure in the international community, was put in charge of a consolidated Ministry of Finance and Treasury; and Dr. Mohamud Abdi Ibrahim was reassigned to the Ministry of Commerce and Industry.

Ahlu Sunna Waljama'a, a moderate Sufi group and an important military ally of the TFG, was also accorded the key Interior and Labour ministries. The remaining ministerial positions were largely assigned to technocrats new to the Somali political arena. In its first 50 days in office, Prime Minister Mohamed's new administration completed its first monthly payment of stipends to government soldiers, and initiated the implementation of a full biometric register for the security forces within a window of four months. Additional members of the Independent Constitutional Commission were also appointed to engage Somali constitutional lawyers, religious scholars and experts in Somali culture over the nation's upcoming new constitution, a key part of the government's Transitional Federal Tasks. In addition, high level federal delegations were dispatched to defuse clan-related tensions in several regions. According to the prime minister of Somalia, to improve transparency, Cabinet ministers fully disclosed their assets and signed a code of ethics.

An Anti-Corruption Commission with the power to carry out formal investigations and to review government decisions and protocols was also established so as to more closely monitor all activities by public officials. Furthermore, unnecessary trips abroad by members of government were prohibited, and all travel by ministers now requires the Premier's consent. A budget outlining 2011's federal expenditures was also put before and approved by members of parliament, with the payment of civil service employees prioritized. In addition, a full audit of government property and vehicles is being put into place. On the war front, the new government and its AMISOM allies also managed to secure control of 60% of Mogadishu, where 80% of the capital's population now lives. According to the African Union and Prime Minister Mohamed, with increasing troop strength the pace of territorial gains is expected to greatly accelerate. On 19 June 2011, Mohamed Abdullahi Mohamed resigned from his position as Prime Minister of Somalia. Part of the controversial Kampala Accord's conditions, the agreement would also see the mandates of the President, the Parliament Speaker and Deputies extended until August 2012, after which point new elections are to be organized. Abdiweli Mohamed Ali, Mohamed's former Minister of Planning and International Cooperation, was later named permanent Prime Minister.

1.5 Federal government

Mohamed Osman Jawari, Speaker of the Federal Parliament as part of the official "Roadmap for the End of Transition", a political process which provided clear benchmarks leading toward the formation of permanent democratic institutions in Somalia, the Transitional Federal Government's interim mandate ended on 20 August 2012. The Federal Parliament of Somalia was concurrently inaugurated, ushering in the Federal Government of Somalia, the first permanent central government in the country since the start of the civil war. On 10 September 2012, parliament elected Hassan Sheikh Mohamud as the new President of Somalia. President Mohamud later appointed Abdi Farah Shirdon as the new Prime Minister on 6 October 2012, who was succeeded in office by Abdiweli Sheikh Ahmed on 21 December 2013. On 17 December 2014, former Premier Omar Abdirashid Ali Sharmarke was reappointed Prime Minister.

2.0 LITERATURE REVIEW

2.1 The roles of Public Administrations and Challenges faced by failed states

Historically, social, as well as economic and political exclusion by political elites has been a major driver of conflict in Somalia and remains key to establishing peace and good governance today. People that are not fully integrated into societal traditional links such as the clan structure are the ones more prone to be victims in both conflicts and natural disasters that characterize the Somali situation. Vulnerable social groups differ from locality to locality from entity to entity but can generally be summarized as women, youth, people with disability, ethnic and clan minorities, IDPs/refugees/destitute and prisoners and those in conflict with law Certo. (1997). For many of these social groups the access to political representation and the ability to participate in government and benefit from economic resources is limited, being often both the cause of local conflicts (for instance those related to charcoal production in pastoral and agricultural areas) as well as to national political processes, in the case of small business owners, many of whom are women, the current unstable and insecure situation is very hostile, since small entrepreneurs have no means to secure clan support and politicians favor Gordon, J.R. (1993)..

2.2 main reasons related with the failed state in Somalia

As there are several existing studies on the dynamics of conflict in Somalia which has been summarized some of the main reasons of failed state as identified in the literature reviewed. The actors and dynamics will need to be identified in each local and entity level intervention, but generally they can be described as:

Lack of inclusion of actors in political decision making, and control over the benefits from resources and economy, national, sub-national and locally is often cited as the main driver for conflict and fractionalization in Somalia.

Resource based conflicts, including competition over land, water points and (potential) natural resources; intra-pastoralist and pastoralists versus agriculturalists, environmental degradation, water systems, lack of regulatory mechanisms, forcible occupation and re-acquisition of property.

Militarization, including small weapons proliferation; clan/power influence on public institutions and police, demobilization processes, human rights violations and lack of access to justice, impunity.

Internal sub-national conflicts on contested areas: Lower Juba, Mudug, Sool and Eastern Sanaag and Somaliland/Puntland border region; based both on national/ethnic claims and on the efforts to control natural resources.

Regional and international actors: the opposing military and proxy influence of states in the region, the war on terror actors and politicization of aid and aid effectiveness.

Civil society can play an important role at all these levels and is well positioned to do so as it is, more than other governmental actors, and seen as more neutral. Currently the focus is on local peace building on resource based conflicts and in facilitating demilitarization processes (including the defense of human rights). However, a major role is to be played for: in both situations civil society can assume both an advocacy role and a mediating role (through accessing European or British actors in support) Al-Zhrani, S. (2010).

2.2.1 State building

Peace and state-building have been, for many years, the focus of international organizations with several peace processes launched, mostly failing to achieve stability in the long term. A common feature in most processes has been the lack of involvement of civil society organizations both at the national as well at the local levels (which predominantly involved clan/traditional leaders). The main way to involve civil society at national level peace processes has been the cooptation of individuals coming from civil society within a process mainly aimed at producing an agreement among faction's and party's leaders (this has been a practice UNPOS has often been accused of). Only recently, in the Djibouti and Kampala processes some kinds of involvement of civil society have been more thoroughly considered. However, these processes failed to achieve a strong involvement, probably because of the emerging competition among political actors (that involve the fact that politicians see civil society organization as a potential competitor or as a possible basis for the mobilization of new political parties) and because of the mechanisms chosen for assuring representation of local actors, focusing mainly on the Clan system (the so called 4.5 model Chambers, R. J. (1964).

A further common feature of most peace processes held at national level has been to look for establishing new temporary or transitory authorities, without looking to set up a process in which conflict factors are progressively addressed and solved in order to arrive at final agreement. Nonetheless, and despite the presence of several external factors fuelling conflict relative peace and stability have been established in the north of the country. Somaliland and Puntland are the larger and more stable areas in which peace has been achieved, but also a relative peace and stability has been set in many areas of South and Central Somalia. Invariably NSA have played important roles: elders

negotiating clan based interests, the business community trying to achieve the possibility to carry out productive and commercial activities and even civil society organizations representing important groups in Somali society (as among others women). Some different roles can be assumed by civil society organizations in such a framework, namely: grounding the constitutional process and fostering the setting of legitimate state and government, by assuming a mediation role and by allowing the people at grassroots level to understand and to be informed about the political dynamics and by feeding the political actors with knowledge and information on the needs and issues emerging in Somali society, Jahangir, K. (2005).

Grounding the peace processes in the policy issues related to people's life and to conflict factors, by mapping conflict factors and advocating for the setting of a political and peace agenda that, more than searching for peace agreements based on the distribution of power among political actors, is based on the provision of solutions to existing problems, both regarding access to resources (land, water, etc.) And the representation of actors;

Increase the participation of local actors to international led peace processes, by fostering an active participation to the peace processes initiatives (meetings, conferences, etc.) Based on the representation of interest groups, platforms and networks rather than on the participation of single individuals selected on the basis of their individual features (as it has been done also recently, choosing civil society representatives on the basis of the 4.5 scheme), by fostering the representation of socially and political excluded groups (i.e. Internally displaced people, ethnic minorities, disabled people, youths, women, etc.) And by fostering the citizens active participation in monitoring the implementation of peace agreements.

Advocate for international policies concerning external conflict factors, by assuming an active direct role in mapping external conflict factors (i.e. International and transnational political & economic interests) and making them the subject of advocacy activities addressing the international community (i.e. not only the international organizations and agencies but also the general public), without passing through the inter-mediation of international NGOs Jarboe, K. P. (2005).

Recently, a greater participation of civil society and NSAs to the so called "Road map" process has been encouraged, also promoting "Civil Society Conferences". However, some main issues emerge in these initiatives: the first one is that of agenda setting (de facto agendas are often following up the needs of the "political process"), the second one concern timing (the time of political negotiations is faster than that of civil society processes: calling a civil society conference is not simply to invite civil society representative to take part in a meeting, but involves a long term consultation and a progressive construction of agendas and representation; the third one is the transparency of the process itself: transparency is in fact a main legitimating factor for CSOs.

2.2.2 Civil society organizations role in state-building

Civil society organizations role in state-building are

The main role of CSO is that of rebuilding the trust between state and citizens, considering that Somali citizens never had the experience of an inclusive, accountable and responsive government and state.

State-building cannot be seen out of peace building perspective: for Somali citizens, peace and stability emerge as a basic need. Rather than institution-building therefore, the focus should be on building reliable and sustainable governance systems allowing for the representation of all social actors. From experience we can see often interventions for state-building have tend to generate conflict among parties often defending vested interests and positions and have no linkages with people and with local needs and processes.

Inclusive consultation process for allowing local and different agendas merge and influence the construction of institutional mechanisms can be a crucial element in the state-building

Raising awareness building in this framework, another crucial process: however awareness building cannot be seen as a 'top-down' educational process, but should be recognized as a two way communication. Grassroots level organizations and actors need to inter-act and communicate with actors that are at a higher level, for building mutual recognition and understanding and for allowing on the one hand the understanding of political processes (including those linked to constitution making and elections) and on the other hand the recognition of local needs and dynamics by political actors and governments at all levels

Since democratization is not an irreversible process, and since in state and political institution consolidation often negative trends emerge, CSOs should play a specific role in reducing and controlling such negative trends, both through information and advocacy (at local national international level) and through the active participation in local governance. Some spaces for local governance have been created, sometimes thanks to international aid, both in Somaliland and in Puntland, but very often citizen's organizations have been not identified as an actor to be involved. In this framework, action is needed to increase public recognition of CSO as legitimate actors and not just as service providers. In South and Central Somalia public spaces, in which citizens organizations can safely play their role are

currently lacking, despite the fact that CSOs are widely recognized and are often active in influencing political power also in the areas in which conflict is more acute Lingham, L. (2006).

For being functional and legitimate, Somali state must achieve a sufficient degree of inclusiveness and responsiveness to citizens. With this aim, CSOs should foster the active participation to decision making of certain actors which are traditionally excluded (even if in some cases they can have a strong influence). The setting of coalitions among CSOs can reinforce the possibility of most excluded groups to be heard.

Representativeness and inclusivity of CSOs is often jeopardized by internal organization dynamics, such as the lack of transparency, the presence of unaccountable leaders, the lack of spaces for constituency participation to decision making. The possibility to support state-building is therefore strongly conditioned by the possibility to remove internal obstacle to CSOs representativeness and openness. Resources should be devoted to support CSOs related more effectively with their constituencies and their platforms more accountable, representative and inclusive.

2.9 Good Governance

The United Nations has taken a leading role in reconceptualizing governance. In the UN's paradigm, governance is defined as "the exercise of political, economic, and administrative authority to manage a nation's affairs. It is the complex mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests, exercise their rights and obligations and mediate their differences." In this framework, the State is only one of the institutions through which authority is exercised. The private sector and civil society organizations play important roles in helping citizens articulate their interests and exercise their rights. Government's role is not only to exercise political governance but to interact effectively with the private sector and civil society organizations in achieving public goals and objectives.

As the United Nations Development Programme (UNDP) has defined good governance, its characteristics include widespread participation by all citizens, decision making by rule of law, transparency in the actions of governance institutions, responsiveness to the needs and desires of citizens, equity in the treatment of citizens, effectiveness and efficiency in the use of public resources, public accountability, and the exercise of strategic vision in planning for development Rhodes, J. (2010).. Underlying the United Nations' conception of good governance is the need for governments to reinvent themselves in order to conform to the basic characteristics of good governance and to enhance their capacity to work effectively with other governance institutions in the private sector and civil society organizations.



2.10 Characteristics of Good Governance

Much has been written about the characteristics of efficient government, successful businesses and effective civil society organizations, but the characteristics of good governance defined in societal terms remain elusive. The characteristics are:

- **Participation** - All men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their interests. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively.
- **Rule of law** -Legal frameworks should be fair and enforced impartially, particularly the laws on human rights.
- **Transparency** -Transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them, and enough information is provided to understand and monitor them.
- **Responsiveness** - Institutions and processes try to serve all stakeholders Consensus orientation-Good governance mediates differing interests to reach a broad consensus on what is in the best interests of the group and, where possible, on policies and procedures.
- **Equity** - All men and women have opportunities to improve or maintain their well-being.
- **Effectiveness and efficiency** - Processes and institutions produce results that meet needs while making the best use of resources.
- **Accountability** - Decision-makers in government, the private sector and civil society organizations are accountable to the public, as well as to institutional stakeholders. This accountability differs depending on the organization and whether the decision is internal or external to an organization.
- Strategic vision Leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development. There is also an understanding of the historical, cultural and social complexities in which that perspective is grounded.

2.11 Causes and Consequences of Failure State

Failed States provide only very limited quantities of essential political goods. They progressively forfeit their role as the preferred national suppliers of political goods to upstart Warlords and other non-state actors. A failed state is a hollow polity that is no longer willing or able to perform the fundamental tasks of a nation-state in the modern world. Its institutions are flawed. If legislatures exist at all, they ratify the decisions of a strong executive. Democratic debate is absent. The judiciary is derivative of the executive rather than being independent. Citizens know that they cannot rely on the court system for redress or remedy, especially against the state. The bureaucracy of the state has long ago lost its sense of professional responsibility, and helps to oppress citizens Little Brown (1966). Failed states exhibit deteriorating or destroyed infrastructures. The telephones fail, the railways rarely run, water supplies dry up, power falters, and other normal services vanish. Educational and medical facilities crumble literally and metaphorically. Literacy rates fall and infant mortality rates rise. AIDS overwhelms what little there is in the way of a health infrastructure. The poor become more and more impoverished, and battered. Failed states offer unparalleled economic opportunity for a privileged few, and nothing much for everyone else. Currency speculation and arbitrage benefits the ruling class. Corruption flourishes. GDP per capita levels decline, often precipitously. Growth rates go negative.

Inflation soars. Food shortages, even hunger, may follow. Failed states are insecure. They cannot project power much beyond the capital city, or control their national peripheries. Crime rates rise. Unable to establish an atmosphere of security throughout the nation, the faltering state's failure becomes obvious even before, or as, rebel groups and other contenders arm themselves, threaten the residents of central cities, and overwhelm demoralized government contingents, as in Liberia, Nepal, Sierra Leone, Congo, and Cote d'Ivoire and Somalia. The basic cause of corruption is monopoly and discretion without adequate accountability. This implies that the expanding role of government in development has placed bureaucracy in a monopolistic position and enhanced opportunities for unlimited administrative discretion. Corruption results from excessive regulation, increased bureaucratic discretion, and the lack of an adequate, accountable, and transparent system. The State intervenes in the economy to provide a framework for economic and social activities protection of personal and property rights, provision of public goods not supplied by the market, redistribution of income, and the provision of opportunities for education, health, and employment. However, State intervention is also likely to expand the discretion of public officials to make decisions. It is the misuse of unchecked discretion that is one of the primary causes of corruption Drucker, Peter (2008).

The causes of corruption are both economic and political. A study commissioned by the United Nations identifies five main causes.⁵ First, payments are made for goods and services that are available below the market price. Examples include producer goods being sold in China, both at the state subsidized prices and on the free market; setting the price of oil at an artificially low level in Nigeria; payoffs for getting credit in Russia and Eastern Europe; and South Africa's twin currency system as a source of payoffs. Conditions for corruption are rife when a service is scarce, so that only those with the ability to pay the highest price are able to obtain it. Second, bribes can serve as incentive payments for government officials to undertake their tasks. Firms and individuals are willing to pay in order to avoid delays in cases where, for example, a government department does not pay its bill on time, or services such as telephone connections and driver's licenses are delayed. When fees are required for even routine services, the system can gravely undermine the legitimacy of the State Vittal, A., & Shivraj, K. (2008)..

2.11he Three Types of States According To Their Performance

Strong States: unquestionably control their territories and deliver a full range and a High quality of political goods to their citizens. They perform well according to indicators such As GDP per capita, the UNDP Human Development Index, Transparency International's Corruption Perceptions Index and Freedom House's Freedom of the World Report. Weak States include an array of nation-states that may be inherently weak because of geographical, physical, or fundamental economic constraints; or are situationally weak because of internal antagonisms, greed, or despotism.

Weak States: typically harbor ethnic, religious, linguistic, or other tensions that may at some near point be transformed into all out conflict between contending antagonisms. Their ability to provide adequate amounts of political goods is diminished or diminishing. Physical infrastructural networks are deteriorated. Schools and hospitals show signs of neglect. GDP per capita and similar indicators have fallen or are falling, sometimes dramatically. Levels of venal corruption are high and escalating. The rule of law is honored in the breach. Civil society is harassed. Despots rule. There is a special category of weak state, the seemingly strong one, always an autocracy, which is secure but at the same time provides few other political goods. Cambodia under Pol Pot was one such state. Iraq under Saddam, and today's Belarus, Turkmenistan, Libya, and North Korea all fit this rubric.

Failed States: provide only very limited quantities of essential political goods. They progressively forfeit their role as the preferred national suppliers of political goods to upstart Warlords and other non-state actors. A failed state is a hollow polity that is no longer willing or able to perform the fundamental tasks of a nation-state in the modern world. Its institutions are flawed. If legislatures exist at all, they ratify the decisions of a strong executive. Democratic debate is absent. The judiciary is derivative of the executive rather than being independent

Collapsed States: are rare and extreme versions of a failed state. They exhibit a vacuum of authority. They are mere geographical expressions, black holes into which failed policies have fallen. There is dark energy, but the forces of entropy have overwhelmed the radiance that previously provided some semblance of order and other vital political goods to the local inhabitants. Political goods are obtained through private or ad hoc means. Security is the rule of the strong. Substate actors take over, and parts of the collapsed state exist and function, if in an unrecognized and disordered manner. Collapsed states can only return to being failed, and then perhaps to being weak, if sufficient security is restored to rebuild the institutions and strengthen the legitimacy of the resuscitated state. Lebanon did so thanks to Syrian security, Tajikistan because of Russia, Afghanistan because of the U. S. led invasion, and Sierra Leone because of British intervention.

As the world economy becomes more deeply integrated, the economies of most industrialized and many developing countries have shifted from mass-production manufacturing to technology- and knowledge-based systems of production and services. Technology embedded in new production techniques, products, and communication, transportation and energy systems has driven the growth of global markets and the economies of competitive countries. The United Nations Development Program's Human Development Report points out that the world's economy is shifting from the Industrial Age to the Network Age. It notes that while the industrial age was "structured around vertically integrated Organizations. For the private sector, new technologies both enhance factor mobility and create new varieties of products and services. New technologies change the relative costs of production and distribution and the comparative advantages of enterprises. Technological innovation also accelerates global economic integration. Rapid advances in information technology and electronic commerce are fundamentally changing the demands on businesses and revolutionizing the way they conduct transactions across national borders New York: Basic Books (1977).

Advances in digital communications technologies are driving down costs and increasing capacity for exchanging information. The costs of computing (millions of instructions per second) fell by nearly 99 per cent between 1991 and 1997. E-commerce will continue generating new business opportunities for manufacturers, suppliers and service providers. In the computing, electronics, shipping, warehousing and utilities industries especially, more than 70 per cent of trade is expected eventually to go through e-market places, restructuring existing supply chains and increasing the number of new industry connections. Both broader international economic interaction and rapidly advancing technology also require governments in countries seeking to participate effectively in a globalizing economy to assume new roles as catalysts for market development, enablers of productivity and efficiency, regulators ensuring that markets remain open and equitable, promoters of private sector expansion, and stimulators of human and capital resource development. Although governments in many countries with developing and transitional economies are transforming their roles, not all have embraced change. Experience over the past 50 years clearly shows that what is needed are not large and all-powerful governments that plan for and control all aspects of economies and societies. Innovative governments seek new ways to guide and facilitate economic growth, enhance human capacity, mobilize financial and human resources for development, promote and encourage private enterprise, protect economically and socially vulnerable groups, combat poverty, and protect the natural environment and physical resources through democratic, participative, honest, efficient, effective, and accountable political and administrative systems Dennis A. Rondinelli (2010).

1.13 Establishment and Development Strategies Prevent To Accurse Failed State of Somalia

Perhaps the single most important challenge facing governments in the 21st century will be how to establish the institutional capacity of public, private and civic sectors to meet both the needs of citizens and the requirements of an international economy. Institutional capacity-building is the process through which individuals and organizations in any country strengthen their abilities to mobilize the resources needed to overcome economic and social problems and to achieve a better standard of living as generally defined in that society. Institutions include both sustainable organizations and widely accepted rules of behavior in both the public and private sectors. Recent studies emphasize the pivotal role that institutions play in economic and social development. Examining experience with economic growth and social development in 140 countries over the past century, economists Dani Rodrik, Arvind Subramanian and Francesco Trebbi contend that the primacy of institutions becomes clear in distinguishing countries that progressed economically and those that did not. Strong institutions can overcome geographical disadvantages, promote integration into the world economy and the capacity to trade, and increase income levels of the

population. In explaining economic development, they conclude that “the quality of institutions trumps everything else.”

Establishing and enforcing a “rule of law” that is, providing a reliable set of legal institutions gives participants in market economies the guidelines to operate efficiently and effectively. Without transparent legal institutions, owners and managers of enterprises waste time and money negotiating each transaction with government officials a process that opens the way for bribery and corruption. Legal institutions provide rules for structuring and organizing corporations, identifying the activities in which they can engage, defining the nature and characteristics of legitimate business practices, and clarifying corporations’ rights and obligations. Either by national law or by international agreement, legal institutions should set the standards for treatment of foreign owned or multinational corporations Kumar, P. K. (2006). They should determine allowable levels of foreign ownership of joint ventures and identify conditions of business entry and exit, including visa restrictions for doing business in the country on non-citizens, business registration, liquidation and bankruptcy, and import and export requirements

2.14 Creating Policies for Participation in the Global Economy

Achieving sustainable human development in the 21st century, as outlined in the Millennium Development Goals, requires governments to enact and implement policies that create an enabling environment in which individuals and enterprises can participate in and benefit from global economic interaction. The heads of state that ratified the United Nations Millennium Declaration believed “that the central challenge we face today is to ensure that globalization becomes a positive force for all of the world’s people McLeod, Jr. (1990). Innovative governments respond in new ways to the opportunities and risks that globalization brings to all areas of modern life the economy, society, communications, transportation, trade and investment. National economic and social development is being driven increasingly by the multinational regionalization and internationalization of trade and investment. Innovative governments participate effectively in shaping the international rules of global economic interaction. In a global economy, governments must be willing and able to participate in regional trade agreements free trade areas, customs unions, common markets, or economic unions. Since the 1970s countries have been expanding their international trade by cooperating in regional trade alliances such as the North America Free Trade Agreement, the Association of Southeast Asian Nations, the Arab Common Market, the Southern Africa Customs Union and the European Union.

Innovative political leaders and public administrators recognize that increasing global economic interaction and technological advances in communications and transportation result in greater similarities in production capabilities around the world, in the need for agile business practices by companies seeking to meet growing international demands for speed, efficiency and quality, and in the expansion of markets required to attain economies of scale and scope. All of these trends affect the competitiveness of individual firms and often require them to forge international strategic alliances and cooperative arrangements in order to compete. In a global society, innovative governments create a climate of national competitiveness in which enterprises, localities, and regions can engage profitably in international transactions and contribute to national economic and social development. Governments in those countries seeking to expand their international trade and investment, create jobs, increase incomes and wealth and improve the standards of living for their citizens must find ways to create a domestic economic system in which most or all goods are available for purchase or sale on the market. Effectively operating markets allow prices to reflect true relative scarcities in the economy, encourage decision makers to behave according to rules of the market, and allow producers to obtain fair profits. For innovative governments, this means finding effective ways of implementing structural adjustment policies, liberalizing trade and investment, creating or strengthening property rights, and developing a legal framework for economic transactions John D. Kasarda (2005).

2.15 Government Enhancing Public Administration Capacity

Public administration or management must be strengthened, especially in developing countries, if governments are to perform the functions required to promote socially equitable and sustainable economic growth, create enabling policies for participation in a globalizing economy, and combat poverty. Among the most important of those functions are:

- a) Developing human resources
- b) Protecting human rights and political freedoms;
- c) Protecting security, health, safety and welfare;
- d) Building social capital by strengthening civil society;
- e) Protecting the natural environment;
- f) Mobilizing financial resources for development;

The challenge facing all governments in the 21st century is to create a system of governance that promotes and supports efficient economic interaction and that, at the same time, advances the health, safety, welfare, and security of their citizens. All states face continuing challenges in renewing political institutions, finding new modalities of governance, and expanding political capacities to guide national economic activities without undue intervention and control. Innovative governments create a political system that can elicit at least a minimum level of public consensus on social and political goals; encourage political, business, and civic leaders to articulate social and economic priorities; and guide the actions of public and private organizations toward economic objectives that benefit society Raymond (1990).

Among the means available to strengthen public administration are constitutional, electoral, governance, administrative, and civil service reforms. Constitutional reforms restructure and revise the basic principles and institutions of governance; establish the structure of government as a federal, federation, or unitary system; identify the purpose and powers of the State; delineate the powers and limitations of and relationships among legislative, executive, and judicial branches of government; and clarify the responsibilities and obligations of government and citizens. Electoral reforms create new types of and bases for representation; establish or revise the qualifications for registration and voting; modify election rules and voting procedures; determine the process of candidate selection; prevent corrupt or unfair voting practices; guarantee voting rights; and determine how the public can hold elected officials accountable.

Governance reforms delineate the units of government at national, regional and local levels, their roles and responsibilities, and the relationships among them that can strengthen mechanisms for decision making, interaction, coordination and cooperation and create procedures for dispute resolution and settlement. Administrative reforms improve the quality of government by specifying the procedures of bureaucratic accountability, of decision making by rule of law, and of the role of the judiciary in maintaining them. Innovative governments concerned with quality strengthen the efficacy and transparency of financing, procurement, contracting, accounting and other management functions. Civil Service reforms establish or adjust the duties, responsibilities and obligations of public employees, pay levels, recruitment procedures, incentives, training and career development rules, and ethical standards Rhodes, J. (2010).

Globalization requires governments to not only arrange for the provision of conventional physical infrastructure such as roads and utility systems but, increasingly, to take a strong role in strengthening the infrastructure required to promote technological innovation, apply knowledge, and expand information systems. Expanding knowledge-oriented infrastructure requires government to collaborate with the private sector and with universities and research institutes in creating what the United Nations describes as “Knowledge, Innovation and Technology Systems” (KITS). Governments are increasingly developing Electronic systems (e-government) that open access to information about public institutions, allow public agencies at different levels of administration to cooperate more effectively, and make it easier for citizens to obtain public services. More governments are strengthening their e-government capacity to cut costs, increase the efficiency and effectiveness of public agencies, make decision-making and service delivery faster, improve the quality of service delivery and enable new and innovative approaches to governance.

2.16 Government Improving Decentralization and Public Service Delivery

A recurring lesson of experience with economic and social development over the past half century is that central government alone cannot achieve economic and social equity. Innovative governments find appropriate ways to de-concentrate authority, resources and responsibilities to local governments in order to elicit greater participation in political and administrative decision making and to deliver social services that are essential to creating a strong economy. Governments seeking to improve the quality of their services strengthen the capacities not only of national bureaucracies, but of sub national regional and local administrative units as well. Strengthening local governance capacity can be done through vertical decentralization of authority, responsibility, and resources to sub national administrative units, local governments, and other organizations working at the local level; and through horizontal decentralization that empowers local communities.

Strengthening local governance capacity involves a variety of stakeholders, including central government agencies, local governments, civil society organizations, community groups, the private sector, and international donor organizations. Innovative governments play an important role in empowering these organizations to participate in five essential functions: priority setting, planning, producing, paying or financing, and consumption. All of these functions are critical in engaging local groups, and in encouraging them to take ownership of development projects and programs. Governments that seek to serve citizens find new ways to strengthen their fiscal architecture in order to mobilize the financial resources needed for development. Although managing domestic resources has always been an important role for the State, national governments must now develop greater competency in managing foreign

financial resources as well. States face increasing challenges in widening the tax base, enforcing tax compliance and managing tax competition.

As tax systems become more complex, the State must take a stronger role in ensuring that taxes fall equitably on all groups in society. Innovative governments develop new sources of revenue for financing essential economic and social programs and tap into revenues generated by international business opportunities created by globalization. To satisfy citizens' needs and meet the challenges of globalization, the State must support a fiscal architecture that not only strengthens central government revenues, but also the capacity of the central government to expand local government finances. Beginning in the 1980s, for example, the Government of China initiated fiscal reforms that changed the system of public finance from a unitary one in which the central government exercised total control over revenue collection and budget allocation to a more decentralized one in which provincial and central governments shared revenues and provincial governments gave greater flexibility to lower tiers of government. Studies show that fiscal decentralization not only increased economic efficiency in China but also contributed significantly to economic growth. Innovative political leaders and public administrators know that the success of democratic governance requires decentralizing participation in public policy making and the implementation of government programs, and that the success of decentralization depends, in turn, on giving local administrative and political units adequate revenue and spending powers.

Central governments can strengthen the fiscal capacity of local governments by, among other things, expanding taxing and revenue-raising authority for them, allowing them to raise taxes from a wider variety of local sources and to use a greater number of tax instruments. In some countries the central government has created special funds that can be replenished from national revenue sources such as customs, excise, or import taxes or regular budgetary assignments that are set aside from line agency budgets to be used to finance costly capital investments. In other countries the State provides statutory payments to local governments from fixed percentages of recurrent revenues of central or provincial government budgets as unrestricted grants, thus giving local administrations more flexibility to meet local needs and demands.

2.18 Government Empowering Citizens through Organizations of Civil Society

Strengthening the capacities of public administration to empower organizations of civil society to participate in economic, social, and political activities will be an increasingly important function for all governments in an era of globalization. Civil society organizations not only supplement services provided by the private sector and maintain a check on government power, but they can also help to distribute the benefits of economic growth more equitably within society, and offer opportunities for individuals to improve their standards of living. Civil institutions channel people's participation in economic and social activities and organize them into more potent forces in influencing public policies. Organizations of civil society have an important role in mitigating the potentially adverse impacts of economic instability, creating efficient mechanisms for allocating social benefits, and providing a voice for poorer groups in political and governmental decision making Vittal (2007). A robust network of social and civic institutions which political economist Robert Putnam refers to as "social capital" contributes to the capacity of society to undertake activities that facilitate economic and social development.⁴² Putnam's studies of regional economic development in Italy showed clearly that regions with higher endowments of social capital were far more successful at stimulating and sustaining economic growth, social progress, and democracy over a long period of time than regions with less social capital. These regions were established throughout the country and had the same structures and authority, as well as substantial amounts of money (about 10 per cent of GDP) to spend for economic development. But despite their identical form, some of the regions flourished and others failed to achieve their objectives.

Putnam found that the regions some predominantly Catholic, some communist, and others almost feudal with strong and extensive networks of social and civic organizations invariably did far better than those with weak social capital. The former not only achieved higher levels of regional development but were also more democratic. Putnam points out that social capital has powerful consequences because civic networks and norms ease the dilemmas of collective action by institutionalizing social interaction and reducing the attractions of opportunism, by fostering norms of social reciprocity and social trust, and by facilitating political and economic transactions.⁴³ Well-developed networks of civil institutions also amplify the flows of information and help transmit knowledge of people's reputations that lower economic and social transaction costs and provide the means for reliable political, economic, and social collaboration, all of which are essential to the effective operation of market systems Short, J. E. (1990)..

Among the most important institutions of civil society that must be created or strengthened in countries seeking to promote sustainable economic and social development are employer organizations, workers organizations, professional associations, policy and advisory groups, public interest groups, community groups, consumer groups, charitable and philanthropic organizations and a variety of social organizations.

Organizations of civil society can provide functions and services that markets cannot offer, facilitate social transactions, and protect vulnerable groups in society from adverse economic impacts. These organizations have especially strong impacts on economic, political and social development when they work in cooperation with each other, the government and the private sector. Civil society groups can contribute to economic development by helping to create the “entrepreneurial milieu” that is so essential to sustaining a competitive system.

Organizations of civil society can make a contribution in all of these areas of human resource development. As the World Bank points out, governments have a strong responsibility to provide the “public goods” aspects of health care that is, to provide information about and control contagious diseases; require child immunizations and vaccinations against transmittable diseases; reduce environmental pollution and social behaviors posing health hazards; provide cost-effective health services to the poor and unemployed; and overcome problems created by uncertainty and insurance market failure. But a wide range of civil society organizations including employer and trade union organizations, charitable groups, and religious organizations also play an important role in influencing health care policy and in providing some types of health services directly to their members or to other groups in society (Gordon, J.R. (1993)). In all of these areas, governments can find innovative ways of working with or supporting organizations of civil society that make strong contributions to protecting the interests of the poorest groups, which are most likely to suffer from traumatic economic changes.

2.19 Government Extending Services through Public-Private Partnerships

Public dissatisfaction with the quality and coverage of government-provided services and the slowness with which national and local governments extend infrastructure often pressures societies to seek more private sector participation. Economic globalization is also creating strong pressures on private firms to respond more flexibly to rapidly changing world markets, and to gain access to modern transportation and telecommunications systems that facilitate international trade and investment. The private sector can fill a void in countries where governments are slow to respond to demands for the technologically sophisticated infrastructure and services on which improvements in economic competitiveness depend.⁴⁵ Moreover, international assistance organizations such as the World Bank and the International Finance Corporation often require as a precondition for infrastructure loans to developing countries that governments mobilize private investment and improve public service delivery. Privatization of state-owned enterprises (SOEs) is usually a basic component of economic reform programs and PPPs can help privatize commercially viable services.

The private sector is playing increasingly important roles in producing goods and providing services that were once considered “public” and therefore exclusively the responsibility of governments.⁴⁶ PPPs and other forms of cooperation between the private sector and local and national governments are being used frequently around the world to develop and expand energy and utility networks and services, extend telecommunications and transportation systems, construct and operate water, sewer, and waste treatment facilities, and provide health, education and other services. In many developing countries, innovative governments are also using PPPs to finance and manage toll expressways, airports, shipping ports, and railroads, and to reduce environmental pollution, build low-cost housing, and develop ecotourism.

Governments and the private sector are cooperating in the provision of services and infrastructure through a variety of mechanisms including contracts and concessions, build-operate-and-transfer (BOT) arrangements, public-private joint ventures and informal and voluntary cooperation. Innovative governments are also deregulating many industries and allowing the private sector to compete with public agencies and state enterprises. They are “corporatizing” SOEs that are not privatized, requiring them to compete with private firms and to cover their costs and manage their operations more efficiently. They are allowing or encouraging businesses, community groups, cooperatives, small enterprises, private voluntary associations and other NGOs to offer social services. In some countries governments are using PPPs as an intermediate phase in the process of privatizing SOEs or as an alternative to full-scale privatization.

Forming public-private partnerships to assume functions that were formerly public sector responsibilities has potential benefits for both citizens and governments. PPPs can increase competition and efficiency in service provision, expand coverage, and reduce delivery costs. As the U.K. government points out, PPPs allow optimal overall risk allocation between the public and private sectors, facilitating the distribution of risk to the organizations that can most effectively manage it.⁵⁰ Involvement of the private sector ensures that projects and programs are subject to commercial discipline and due sound financial diligence. Moreover, the private sector can often manage the entire supply chain needed to provide and distribute goods and services more efficiently than can government agencies. Public-private partnerships can bring new ideas for designing programs and projects, and greater synergy between design and operation of facilities (Demetrius, K. (1996).

Through public-private partnerships, governments can avoid expensive over specification and design of public assets and focus on the life-of-project costs of initiating new activities or building new facilities. Cooperating with the private sector also allows governments that are seeking to improve the quality and efficiency of service delivery to adjust the size of programmes incrementally as demand or needs change. Partnerships that partially or completely displace inefficient SOEs can help reduce government subsidies or losses and relieve fiscal pressures on the national treasury. PPPs can usually respond more flexibly to "market signals," more easily procure modern technology, and develop stronger capacity to maintain infrastructure than can public agencies. Public-private sector cooperation can also generate jobs and income while meeting demand for public goods and services.

2.20 Government Linking Government and Citizens through Democratic Governance

Effective and efficient public administration, including public sector management, promotes and strengthens democracy and good governance. An effectively functioning civil service is essential in order to ensure that democratically elected leaders are able to protect the rights of citizens and mobilize resources through taxes and other sources in order to pay for police, judges, and the provision of services. A consolidated democracy requires the administrative capacity of the State to maintain law and order, and to promote and protect public goods such as the environment. Public confidence in the political system and subsequently the political legitimacy of the government is increased where the public service delivery system is effective, public officials are accessible to local citizens, and government agencies and departments work together in well-coordinated, complementary ways. Equally important is the "capacity to govern" to make important policy choices, design and implement programs and actions to achieve policy objectives, and anticipate emerging trends and challenges. However, public sector management capacity to perform the above and related tasks requires merit-based recruitment of qualified personnel, effective human resource development strategies, motivation and commitment of civil servants, and transparent processes for policy formulation, budgeting, and implementation Chambers, R. J. (1964)..

Over the past few decades, improving public administration capacity has been one of the most critical issues facing developing economies. With the the public sector is under even greater pressure to increase its capacity to deal with the new challenges and opportunities presented by globalization, such as new information and communication technologies, expansion of trade and investment, an increased focus on such public goods as the environment and human rights, and the proactive role of global institutions, such as the World Trade Organization, which affect development processes at the country level. For example, Transparency International a Berlin-based international NGO, has national chapters in about 70 countries that provide a forum for civil society, private sector, and government functionaries to interact with one another to create public awareness about corruption in the country. The United Nations General Assembly has passed a resolution requesting Member States to design and implement strategies to combat corruption. The Organization for Economic Development and Cooperation (OECD) has approved an anti-corruption convention, endorsed by its member countries, making the bribery of public officials in developing countries by multinational corporations a criminal offence. The international business sector wants regulations that are conducive to investment and not state controls that stifle private sector initiatives. Each of the above and related actions that have emanated from the rapid pace of globalization have shifted the focus of the public sector from control to accountability and transparency in government actions - a trend that is likely to continue and expand.

2.22 Government Implementing Four Phases of Public Administration

Over the past 50 years, the concept of public administration has gone through four phases. Historically, public administration was perceived to be a set of state structures, institutions, and processes. It was characterized, among other features, by hierarchy, continuity, impartiality, standardization, legal-rational authority, and professionalism. It was expected to provide human security and protection of property, establish and enforce societal standards, and sustain the rule of law, among other functions. Yet, in practice, traditional public administration was severely criticized in the 1970s for red tape, slowness, paternalism vis-à-vis citizens, wasting resources, and a greater focus on processes and procedures rather than results. The second phase, Public Management, focused on the application of management principles, including efficiency in utilization of resources, effectiveness, customer orientation, reliance on market forces, and greater sensitivity to public needs Robert D. Putnam (2009).

It called for expanding the role of the private sector and correspondingly, minimizing the size of the public sector and the domain of traditional public administration. It sought to use private sector principles in public sector organizations. The third phase, New Public Management (NPM), continued the previous trends. It focused on outcome-oriented partnerships between the public and the private sector to provide services to citizens. Its main principles were: Flexibility to enable managers to cope with on-going changes in the national and global environment; Empowerment of citizens to promote more efficient, entrepreneurial, and results oriented management including "steering rather than rowing;" New responsibility mechanisms that go beyond compliance mechanisms to search for

innovations and results over processes; Introducing business principles into public affairs, including out-sourcing and contracting out; Promoting professional ethics in the public sphere; and Performance management and budgeting.

The fourth phase, governance, has been defined as a system of values, policies, and institutions by which a society manages its economic, social, and political affairs through interactions within and among the State, civil society and the private sector. It comprises the mechanisms and processes through which citizens and groups can articulate their interests, mediate their differences, and exercise their legal rights and obligations.

It provides the rules, institutions, and practices that set limits and provide incentives for individuals, organizations and firms. Three actors are involved in governance: the State, which creates a conducive political and legal environment; the private sector, which generates jobs and income; and civil society, which facilitates social and political interaction. The essence of governance is to foster interaction among these three types of actors to promote people-centered development. Although governance is one fabric, for the sake of analysis and entry points for action, it can be divided into three dimensions. Political governance means the range of processes through which a society reaches consensus and implements regulations, human rights, laws, and policies. Economic governance is the architecture for national and international economic activities, including processes to manage the production of goods and services and to marshal and protect natural, fiscal and human resources. Social governance is the set of norms, values, and beliefs that guide society's decisions and behaviors. Each dimension of governance affects and interacts with the other two dimensions.

Good governance refers to the question of how a society can organize itself to ensure equality of opportunity and equity (social and economic justice) for all citizens. Good governance is a value in itself, but it is also the most critical means for achieving the Millennium Development Goals the eradication of extreme poverty and hunger, the achievement of universal primary education, the promotion of gender equality, the reduction of child mortality, the improvement of maternal health, the fight against HIV/AIDS and other diseases, and the promotion of environmental sustainability and a global partnership for development. Despite significant differences in the focus of each of the aforementioned phases, public administration continues to be indispensable for performing core functions of the State, including maintenance of law and order, setting societal standards and goals, protecting society's vulnerable groups, and safeguarding the environment. What has changed is that public administration must respond to the new context in which it operates. Changes in this context bring about changes in its internal structures and functions Turnbull, J. (2010).

Principles at the heart of good governance are participation, pluralism, subsidiarity, transparency, accountability, equity, access, partnership, and efficiency. The essence of public administration as a democratic institution is to use the principles of good (democratic) governance to design and structure state institutions, their internal processes and mechanisms, and their mission. Simply stated, it implies that public administration as a democratic institution has the following characteristics:

- It is accountable and transparent;
- It is decentralized;
- It is instrumental in ensuring fair and legitimate elections;
- It is based on a system of checks and balances between the executive branch and the parliament;
- It plays a central role in combating exclusion and protecting the rights of minorities and disadvantaged groups;
- It has adequate management capacity to enhance access to justice;
- It protects public goods;
- It provides a facilitating environment for the active engagement and role of civil society and the private sector;
- It utilizes the power of information and communication technology to promote citizens' access and participation in the development process;
- It promotes and strengthens partnerships of various types to achieve objectives.

2.24 Government Adopting Good Practices in Combating Corruption

The Independent Commission against Corruption in Hong Kong was empowered to investigate and prosecute corruption cases and to promote public education and awareness. The Commission received a large number of complaints from the public. Surveys showed its effectiveness, measured by the reduction in the level of corruption as a result of its activities. The Commission's success was due to the strong political will and long-term commitment of the government, the independence of the Commission, and the resources at its disposal to pursue its investigation and prosecution of those involved in corrupt practices, public education programs, and the active participation of an informed public Max Iacono (1997).

The Corrupt Practices Investigation Bureau in Singapore had sufficient resources, highly qualified staff, a supportive legal framework, an independent judiciary, and a competent public administration system. The case of Singapore shows the significance of an independent commission in combating corruption. The government has undertaken several steps to reduce incentives for corruption including increasing wages of civil servants and improving their working conditions rotating officials, and increasing supervision. However, in an authoritarian regime with weak rule of law, such a model could be used as an instrument to victimize political opponents. The Directorate on Corruption and Economic Crime (DCEC) in Botswana can investigate and prosecute offenders, prepare strategies to combat corruption, and provide public education. With a high conviction rate and collection of fines in excess of its operating costs, DCEC is perceived in the region as a good practice of combating corruption in a democratic country. Many factors account for Botswana's success in combating corruption the operational independence and prosecution powers of the Directorate, the focus on strong enforcement, financial independence, and viability. The country's achievement was also based on structural factors a favorable political climate, state capacity to govern, effective civil service reforms, macroeconomic stability, a strong resource base, and the record-keeping capacity of the government Max Iacono (2009).

The Integrity Pact (IP) in the Republic of Korea provides a mechanism to ensure that all bidders for a city's construction projects, technical services, and procurement are required to sign a pact to fight corruption. During the bidding stage, the IP is explained to bidders and only those who agree with the "Bidders' Oath to Fulfill the IP" are qualified to register their submissions. At the same time, a related government official submits the "Principal's Oath to the IP." During the contract's finalization and execution, both parties must sign a "Special Condition for Contract." Provisions are made to protect and reward those reporting inside corruption. Violators of the Pact are disqualified by the city from submitting bids or face termination of existing contracts. They are banned from bidding for other contracts for six months to two years.

The Philippine Center for Investigative Journalism (PCIJ) is an independent, non-profit media agency. It was founded on the belief that media play a crucial role in scrutinizing and strengthening democratic institutions and should thus be a catalyst for social debate and consensus for public welfare inasmuch as well researched information communicated to citizens leads to informed public opinions and public decisions. The PCIJ aims to provide training for investigative reporting to full-time reporters, free-lance journalists, and academics. In addition to training, it uses information technology to optimize as well research and technology as to systematize access to data. The success of the PCIJ is due to its recognized professional expertise and to its focus on capacity building and training. Its self-sustaining operations and high-quality outputs have attracted the attention of development partners nationally and regionally Gordon, J.R. (1993). In Central and Eastern Europe (CEE), most observers see the continued promotion and strengthening of ethical standards in public administration as one of the most significant factors in ensuring mature democracies in the region. Recognizing this, regional governments give high priority to actions to promote accountability and transparency in the ways that decisions are made and programs and projects are implemented and evaluated.

2.25 Government Creating Decentralized Public Administration

Decentralization including political devolution, de-concentration, delegation, and transfer to nongovernmental organizations promotes public administration and good governance by providing an institutional framework to bring decision making closer to the people, and by building partnerships and synergies among actors and organizations at multi levels to achieve economic and human development goals. Over the years, policy makers, politicians, and practitioners in developing countries have supported decentralization policies and programs, driven by a variety of internal and external factors. The scope of decentralization has ranged from de-concentration of some of the routine functions of government departments and ministries to their field offices to devolution of political authority and resources to local governments. The results of these efforts have been mixed. Yet, decentralization continues to be one of the predominant approaches to strengthening democracy, especially at the grass-roots level, as well as to improving service delivery.

Decentralization of authority and resources from the center to sub national and local levels of government and administration must take place if public administration, with its core principles, is to be promoted as a democratic institution. Advocates of decentralization have provided a variety of reasons for political, financial, and administrative decentralization. In fact, decentralization can promote the effectiveness of public administration and good governance in several ways Charles Polidano (1994).

First, it provides an institutional framework through which groups and individuals at multi levels can organize themselves and participate in the decision-making process. It helps to develop democratic values and skills among citizens. Effective sub national and local political institutions serve as mechanisms through which the voices of groups and individuals are communicated to national political decision makers, which allows for greater representation of

various political, religious, social, and ethnic groups. This enhances the active participation of local citizens and, consequently, the political legitimacy of the government and national integration.

Second, decentralization is seen as a more effective means to ensure the accountability of government officials and, consequently, improve the access of people to government-initiated services and facilities. More direct interaction between local residents and elected leaders promotes a culture of accountability. Where local government has sufficient political and financial authority and community-based groups are active, people have greater access to such services as primary health care, agricultural extension aid, education, and low-income housing Allen, B., Heurtebise, (1995). Proximity to a demand base for a service renders responses more effective and promotes a more rationalized use of resources. This proximity also allows for closer monitoring by the beneficiary population of projects intended to serve them. However, the way that decentralization affects service delivery and access also depends on such program design aspects as the extent of resources and responsibilities granted to local governments and their administrative capacity to carry out their assigned responsibilities.

Third, decentralization reduces red tape and rigid and uniform procedures of central governments, relying instead on the knowledge, expertise, and experience of local people. It strengthens the capacity of local governments and civil society organizations because they perform some functions that were previously undertaken by central governments. It facilitates the exchange of information about local needs. Close interaction and dialogue among groups and individuals about local priorities and concerns increases their “stake” in maintaining the political system and creates a culture of tolerance of different points of view a necessary condition to consolidate democracy Englewood Cliffs, NJ. (2010).

Fourth, decentralization promotes checks and balances between the center and sub national/local units of government and administration one of the key ingredients of effective public administration aimed at promoting people centered development.

Finally, the transfer of authority and resources for the design and implementation of development programs to local units of government and administration provides opportunities for more citizens to play a direct role in the development process. As catalysts for development and local change agents, citizens can make decisions about the location of services and determine local priorities. Decentralization facilitates the growth of civil society organizations and networks because it provides the greatest scope for the establishment of such groups around local issues that directly impact people’s lives. Decentralization can be both a means to improve efficiency and effectiveness of public services or an end in itself to promote the values of pluralistic, participatory democracy Savas, E.S., (2009).

2.26 Government Implementing Management Bodies and Public Administration

The role of Electoral Management Bodies (EMBs) is to organize elections. Depending upon the system, this can include revision of the voter lists, voter identification and the registration of new voters, dissemination and collection of voting materials, training of poll workers, voter and civic education, announcement of the results, and so on. The management of the electoral process influences the extent to which a country's voters accord legitimacy to their government. Case studies from Ghana, Indonesia and Mexico show the significance of EMBs in enhancing the legitimacy of elections as events, as well as of the electoral process. EMBs come in a variety of models. They may be temporary or permanent bodies; partisan, partially partisan, or non-partisan bodies; centralized or decentralized bodies; a specialized judicial body or government ministry; or even a mixture of several of these types and thus not easily categorized. One thing fairly common to every EMB is the requirement that it act as both an administrative and a supervisory body.

However, one or both of these functions can be compromised depending upon the model concerned. For example, excessively large EMBs can be unwieldy and slow to make and implement decisions. EMBs dominated by political parties can wind up stalemated in partisan battles. And EMBs not fully independent of the government can find their actions subject to charges of manipulation and fraud. A growing consensus is emerging that an EMB needs to possess three qualities in order to fulfil its mandate in today’s democracies. It must be independent, nonpartisan, and professional Gorry, G. A.,(1994). On the surface, temporary or quasi-governmental bodies might appear to be more cost-effective in the short term, but research has shown that permanent and independent EMBs are the most cost-effective ones. This is because such EMBs develop experience and expertise in basic planning and cost-effective techniques. Permanent, independent, and multi-party EMBs also tend to encourage greater credibility in the electoral process. Indeed, the perception of neutrality and impartiality is critical in order for EMBs to successfully function as institutions of governance.

A recent survey of electoral management bodies shows that elections are organized by independent election commissions in 53 per cent of democracies; the government under the supervision of an autonomous electoral authority in 27 per cent of democracies; and directly by the executive branch in 20 percent of democracies.⁸ With the global trend towards democratization, many developing countries are creating permanent commissions that are

independent of the executive branch, include representatives of various political parties, and are staffed by professional civil servants. In most of the Latin American democracies and in some in Africa and Asia, the status of the electoral management bodies is included in the Constitution to ensure that the executive branch does not interfere in open and transparent electoral processes. The practice also shows that - despite differences between the common law systems of the Anglo-Saxon world and continental Europe some degree of de-concentration of electoral administration is required to facilitate voter registration, voter education and related tasks Dennis A. Rondinelli, (2002).

2.27 Government Introducing Executive and Parliament Relations

Parliamentarians interact with the executive branch in the process of performing their law-making, representation and oversight functions. Where the executive branch is dominant, usually through a political party, parliaments are not able to effectively check its abuses. On the other hand, a confrontational legislature leads to a breakdown of effective legislation and good governance. To promote their complementary roles, the executive branch needs to recognize the parliament as one of the pillars of democracy and the parliament needs to work on a bi-partisan basis to achieve societal goals. The relationship between the executive and the legislative branches depends upon two models that demarcate functions between the two: the presidential system in which the chief executive is elected by the people, and members of the parliament are elected by different geographic or other units; and the parliamentary system, under which the executive is usually the head of the majority party in the parliament. The separation of powers is particularly important in the case of the presidential system because the executive usually has more power than the parliament in that system.

In practice, countries have followed different models based on country specific situations. The 1996 Constitution of Guinea-Bissau, for example, combined the characteristics of the presidential and parliamentary systems, providing for both the president and the prime minister to be directly elected in a multi-party system. In Mozambique, the parliament has the power to approve, alter, or reject legislation submitted by the president.

However, the government has encroached upon the parliamentary responsibilities because of the parliament's weak technical and human resource capacity. Furthermore, funding for parliamentary oversight of the economic and social plan and the state budget has largely been financed through external sources, which further limits the negotiation powers of the legislature. The case of Chad also shows the same trend. Even though the 1996 Constitution emphasized decentralization to regions as a mechanism to reduce central executive power, the president and the prime minister, usually both from the same party, were in practice in a better position to take leadership in public policy and law making than was the new National Assembly, which lacked technical and human resource capacity to provide leadership

2.29 Management of the Judicial System and Access to Justice

Independence and impartiality of the judiciary is one of the central pillars of democracy and good governance - which in turn depend upon the effectiveness of institutional and organizational mechanisms and procedures for appointment, promotion and tenure of judges; processes of budgetary allocation and controls; and procedures for judicial administration. Effective and efficient management of the judicial system requires increasing the judiciary's budget, improving its physical infrastructure and reforming judicial selection and career laws. Other measures to improve efficiency and effectiveness of the judiciary are training judges and other court personnel, strengthening Bar associations, curriculum reform in the universities, increasing the availability of legal materials for judges, and strengthening case management and other administrative tasks. Judiciaries in many developing countries have outdated personnel practices, procedural requirements and equipment. Furthermore, judicial personnel perceive their professional roles and responsibilities differently from career government officials. One of the important areas of judicial management, especially in Latin America, is alternative dispute resolution - usually through mediation and arbitration - to keep many cases out of the courts, ease the backlog, and reduce costs for the people involved. Revitalizing or reshaping the role of public prosecutors and public defenders is an important complementary element of most judicial reform programs. This is especially important in post-conflict situations such as those in Bosnia, Rwanda and Somalia.

Civil society organizations play an important role in enhancing the efficiency and responsiveness of the judiciary, including those branches that work for the reform of public interest laws such as those involving political and civil rights, government transparency and environment; those seeking to help groups such as farmers and tenants through legal advocacy appeals to local government officials, judges and other authorities; and those CSOs whose explicit goal is to promote and advance judicial, police and other institutional reform. Other CSOs are involved in media training, teaching journalist about legal and judicial reform, and legal aid clinics, assisting the disadvantaged to gain access to justice. In the Arab region, many changes over the years have led to improvements in the management

and administration of courts. These have included the establishment of a professional judicial corps, identification of procedures to improve citizen access, improvement in the professionalism and integrity of judiciaries, salary increases for judges, improved training of judges, and the greater independence of judicial councils.

However, serious problems still remain, such as inadequate administrative support for the courts, the continuation in some cases of exceptional courts, which negatively affects the establishment of a unified judicial system, overworked and underpaid clerks and other personnel, and tensions between the judiciary and the Ministry of Justice over budget and administrative support for the courts.

2.32 Government Implementing Role of Public Administration in Protecting Public Goods.

Many issues such as the environment traditionally considered to be national issues now require actions by more than one nation state. In cases of the environment and the protection of cultural heritage, for example, major strides have been made in policy development at the national and global levels, as well as in technical cooperation to respond to global environmental concerns, including the Montreal Protocol and the Global Environment Facility. The process of consensus building on global public goods requires the State to look beyond its borders. Increasingly, government ministries and departments have international cooperation units and divisions to prepare national strategies as a part of global concerns. The shift from inward-looking attitudes of public officials to the recognition of the interdependence of nation states in effectively dealing with public goods is one of the key outcomes of globalization. Over the past few years, the celebration of the 50th anniversary of the Declaration of Human Rights, the human rights initiative of the Secretary-General of the United Nations and the proactive role of national and international human rights institutions both governmental and non-governmental have been instrumental in building pressures at local as well as global levels to promote and protect civil and political rights of all individuals, especially marginalized groups, the poor and women.

The rapid pace of globalization requires governments to make decisions in a global environment of uncertainty, heterogeneity and high levels of complexity. Governments, therefore, need to possess requisite capacity in terms of institutions, knowledge, skills, and information flows within public administration structures and processes to cope with the challenges of globalization. As the experience of the countries in Central and Eastern Europe shows, public administration plays a critical role in promoting public goods. To successfully do that, however, public administration needs to partner with and gain the support of the private sector and civil society organizations. Matching the role of the State to its capability is essential to ensure effective and efficient use of public resources. It implies identification of what states do and how they do it. The World Bank in its 1997 World Development Report identified three types of state functions: "minimal;" "intermediate;" and "activist." The report argues that countries with low state capability should focus first on the provision of "pure public goods" - macroeconomic stability, the provision of basic services such as safe water, control of infectious diseases, law and order, and property rights. The second category of functions includes "management of externalities (pollution control, for example), regulation of monopolies, and the provision of social insurance (pensions, unemployment benefits)." The "activist" functions include the State's role in the promotion of markets through industrial and financial policy.

The administrative capacity of the State needs to be strengthened to cope with globalization. This may include strengthening the State's capacity to manage change and its role as a "learning organization," enhancing leadership skills and strategic planning capacities, the need for performance standards for management development, and the training of top-level managers to perform significant tasks on a supranational level. Competencies needed to cope with the challenges of globalization include a combination of knowledge, skills, behavior and attitudes.

2.33 Government Expanding Roles of Civil Society and the Private Sector

Effective governance is the process of fostering interaction among actors from civil society, the private sector and the State. Traditionally, mistrust and in many cases hostilities between the public and the private sectors have constrained complementary actions on both sides. This had gradually, but significantly, affected the role of public administration and the way this role is performed. Similarly, lack of trust and good will characterizes relationships between the State and civil society actors. Practices in developing countries show that each of these three actors have their strengths - the State in providing the economic and legal framework, the private sector in creating jobs that provide income to improve living conditions, and civil society in protecting rights of all citizens and facilitating their participation in civic life. Where they work together - as in the cases of Japan and the Republic of Korea - the capability of society to deal with economic and social problems is enhanced. Of particular importance is the role of civil society, which is increasingly called upon to play an important part in ensuring proper accountability of the State and, in some cases, serving as an alternative channel for the provision of basic services, and defending the interests of the poor in national and global forums. At the national level, civil society has been recognized as a significant governance partner. Thus, there is added pressure to enhance its capacity for policy level interaction with state

institutions, Civil society will be increasingly called upon to play an important role to ensure proper accountability of the State and the private sector, defend the interest of the poor in national and global forums and facilitate the participation of people in decision making. At the global level, civil societies are playing an increasing role in strongly advocating global concerns, such as environmental protection, protection of human rights, gender equity, trade negotiations and debt relief Jahangir, K. (2005)..

As the main engine of economic growth, the private sector has increased responsibility for employment creation that brings high value added, greater income, and subsequently added state revenue that could be used for social spending. Opportunities for joint ventures with advanced countries promote new technology and knowledge in developing countries. One of the areas of close interaction between the State and the private sector is the need for the private sector to be more socially responsible as it improves productivity, and for the State to create an enabling environment including policy, legal, and regulatory frameworks - that promotes competitiveness in the economy. State institutions are assuming added responsibility in the formulation of and adherence to new global rules, dealing with such matters as protecting public goods and enhancing the equity of exchange between firms from different countries.

2.34 Government Building Partnerships in Public Administration

Partnerships among the public sector, civil society organizations, and the private sector, and other forms of cooperation between local and national governments are instrumental in achieving the primary tasks of the State. Such partnerships are frequently used to develop and expand energy and utility networks and services, extend transportation systems, construct and operate water and waste treatment facilities, and provide such basic services as primary health care, education, and shelter. Specifically, governments and the private sector cooperate through a variety of mechanisms, which include contracts and concessions, build-operate-and-transfer arrangements, and public-private joint ventures. Interest in public-private sector cooperation has emerged for many reasons insufficient resources at the disposal of national and local governments to extend services, public dissatisfaction with the quality and coverage of government-provided services, the ability of the private sector to furnish some services such as transportation and housing with greater efficiency, and pressures from international assistance organizations to mobilize private investments.

A recent UN report identifies five types of partnerships based on practices around the world partnerships between the public and the private sector; between different levels of government dealing with effective planning, implementation, and evaluation of activities; between social groups, employees, and trade unions on the one hand and employers and their representative bodies on the other; partnerships between organizations and entities in different countries; and partnerships in relation to knowledge. Fostering and promoting outcome-oriented partnerships requires fundamental shifts in government structures and processes as follows

- ❖ Shift from bureaucratic red tape to community empowerment;
- ❖ Shift from input to results orientation;
- ❖ Shift from centralized to decentralized and participatory modes of policy and program design and implementation
- ❖ Shift from secrecy in decision-making to administrative, financial and political accountability
- ❖ Shift from bureaucratic paternalism to community empowerment and active engagement of civil society organizations.
- ❖ Shift from the traditional from hierarchy in government organizations to team orientations
- ❖ Shift from direct delivery service to catalytic and steering role , marketing orientation

3. 0 Methodologies

3.1 Introduction

This chapter states in the research design, population of the study, research instrument and data collection it can also discuss data gathering procedure, data analyses ethical consideration.

3.2 Research design

In this study the research was used survey design which is a common design in a public research this choice was used in a fact that the researcher seek to answer questions which what how it was seek the opinion of the respondents about the specific subject matter through the quantitative techniques.

3.3 Study of the population

In this study the researcher was targeted the employee of interior department of Somalia, and other qualified persons about Somali Politian. The population was 100 person about male and female.

5% will be acceptable errors

3.4 Sampling techniques

The sample of this study was drawn from the interior department of Somalia according to the quality and reliability of the study. During sampling techniques researcher was used the following formula: $(n=N/1+N(e)^2)$.

Substitution n = sample size N = target population e = acceptable errors.

$n = \text{target population} / (1 + \text{target population} (\text{acceptable errors})^2) = n = 100 / (1 + 100(5\%)^2) = n = 80$ respondents.

The sampling procedure was randomly selected from the sample. The researcher was spared the validity and the reliability of the study 75% this was achieved by presenting questionnaire used the secondary data to ensure that the questions were relevance according to the literature

Result in the desired findings.

3.3.1 Validity and Reliability of the Instrument

The most important issue in the research is to ensure reliability and validity. Joppa (2000) defines reliability as: "The extent to which results are consistent over time and an accurate representation of the total population under study is referred to as reliability and if the results of a study can be reproduced under a similar methodology, then the research instrument is considered to be reliable". However, as far as data validity and reliability are concerned, the researchers ensure the outcome of the study had the minimum margin of errors by personally distributing and collecting the questionnaires from the respondents. Furthermore, the authors also will be very interactive with the respondents to ensure that all the questions were understood since the language of instruction is written English which some employees might find difficult in understanding it. Therefore, the researchers have confident that this participative method will prevent the respondents to give inaccurate or guessed information which might have contribute and increase the degree of the margin errors. As a result, since the researchers will fully engage and in control of the data collections and analysis, the researchers are very much convinced that the studies will reasonably measure the subject on test and the reliability and validity of the study is not in question.

Table 3.2.2: Reliability test of the study

	N	Number of items	Cranach alpha
Challenges facing public administrators	80	10	.714
To rebuild failed state	80	10	.664

3.5 Data collection method

Researcher was applied questionnaire method according rather opportunity related with the respondents opinion because respondents have choice to select statement of questionnaire either agree or disagree and etc. we also got different opinions, it is better than observation & interview because observation have no choice, your estimation may correct or incorrect

3.6 Data analyses and interpretation

Researcher was used analyzing data through the following tools (SPSS) statistical package for social science in order to facilitate and mitigate mistakes about the respondent's opinion. There was limitations and constraining of this study in terms of resource time and access. The required for large were not available. There were also constrain the questionnaire written English language and this was made imperative that the questionnaires was only be filled by literate participant, constrains is time it was conducted within very little academic time frame.

Table 3-4: The meaning of the values of correlation coefficient

No	Coefficient correlation	Meaning
1	-1	Perfect negative
2	-0.7 up to -1	Strong negative
3	-0.4 up to -0.7	Moderate negative
3	-0.2 up to 0.4	Weak negative
4	0	Perfect independency
5	0.2 up to 0.4	Weak positive
6	0.45 up to 0.7	Moderate positive
7	0.7 up to 1	Strong positive

8	1	Perfect positive
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3.7 Ethical consideration

Researcher was provided special consideration for the respondents in order to satisfy respondent's opinion and got official data related with case study of Somalia. Researcher was obeyed the rules of the researchers when they collected and gathered for their respondents' data. The researcher was appeared open mind with good behavior effectively and professionally. To keep in tone with ethical dimensions of research, the researchers was started the process of obtaining information's from the respondents by seeking their consent in written form and explaining that the intention behind this study remains purely academic. The researcher was also strived to keep the identity of the respondents anonymous in order to keep the information obtained from them confidential.

4.0 DATA ANALYSIS

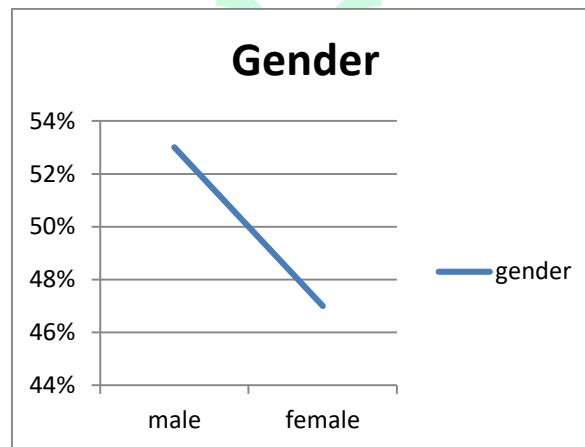
This chapter exhibited research in function to analyzes data and interpretation demographic data interpretation of the objectives clarification tables and figures and understand the major objectives.

4.1 Demographic data

This sector elaborates the demographic analyses and determination gender based through the table below.

Description	Frequency	Percentage	Valid Percent	Cumulative Percent
Male	41	53%	53%	53%
Female	39	47%	47%	100%
Total	80	100	100	100

In the table above indicates the number of male was 41 where the percent was 53% number of female as 39 and the percent was 47%.

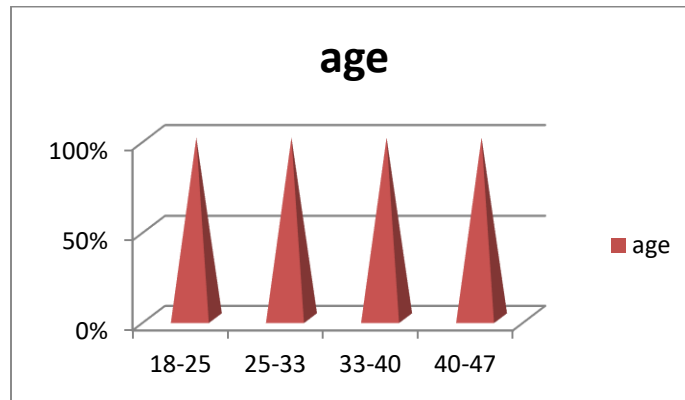


Age

Description	Frequency	Percent	Valid Percent	Cumulative Percent
18-25	20	25%	25%	25%
26-33	12	18	18%	43%
33-40	25	34%	34%	77%
40-47	19	22.5%	22.5%	97.5%
47-More	4	2%	2%	100%

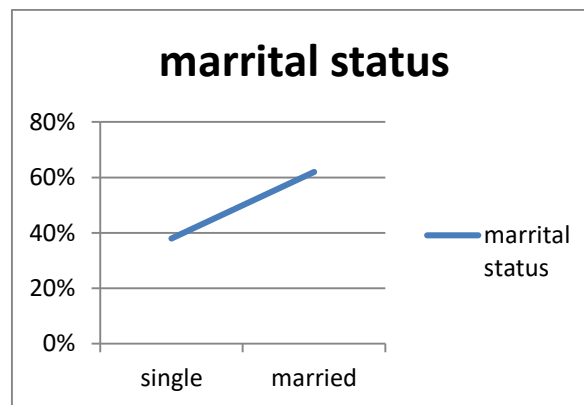
In the table above elaborates the respondents, age either elder or young respondents thus (18-25) was 25% and their frequency was 20 persons, 25-33 was 43% number of frequency was 12 persons, 33-40 was 77% and the frequency was 25% 47-other was 4 persons and percent was 2%.

The researcher also wanted to facilitate the appearance of data through the figure below.



Marital status

Description	Frequency	Percent	Valid Percent	Cumulative Percent
Single	31	38%	38%	38%
Married	49	62%	62%	100%
Total	80	100%	100%	

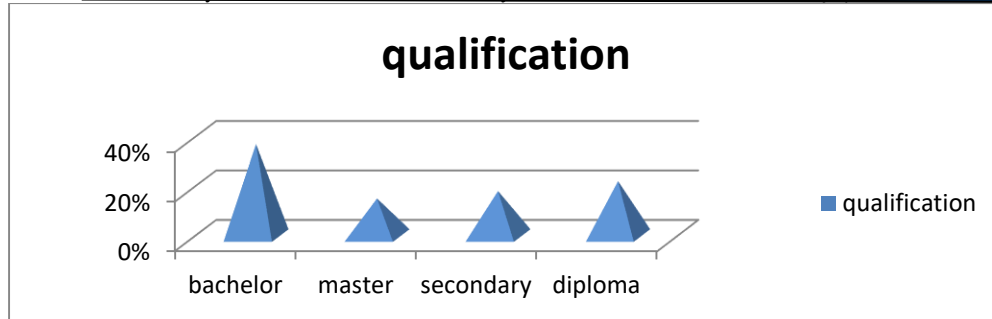


In this table mansion the marital status of the respondents in order to determine single and married the percentage of married was 62% whether the single was 38% through evaluating their frequency distribution.

Qualification

Description	Frequency	Percent	Valid Percent	Cumulative Percent
Bachelor	33	37%	37%	37%
Master	9	15%	15%	52%
Secondary	15	18%	18%	70%
Diploma	23	30%	30%	100%
Total	80	100%	100%	

In the table above states degree of qualification to the respondents in order to get good respond according their professional areas. Number of bachelor degree was 33 whether the percentage was 37%, 9 person was master of economics whether the percentage was 15%. Number of the secondary was 15 whether the percent was 18% through the following figure:



- 1) Do all people involved in politics and participated public administration activities in the regions of Somalia.

Description	Frequency	Percent	Valid percentages	Cumulative percent
A	55	68.75%	68.75%	68.75%
B	25	31.25%	31.25%	100%
Total	80	100%	100%	

In the table above elaborates the respondents opinion towards in the above statement, 55 about the respondents said yes whether the percentage 68.75% and the other responded said no, frequency was 25 whether the percentage was 31.25%.

- 2) Which group of the civil society are you a member?

Description	frequency	Percent	Valid percent	Cumulative percent
A	40	50%	50%	50%
B	2	5%	5%	55%
C	26	31%	31%	86%
D	12	14%	14%	100%

In the table above indicates the participants opinion towards the above question, 40 about them said women group whether the percentage was 50%, 2 about them youth group and their percent was 5%, 26 about them said business group and their percent was 31% 12 said we are religious leaders whether the percentage was 14%.

- 3) Do you support civil leadership in Somalia?

Description	FR	PR	VP	CP
A	45	66%	66%	66%
B	35	34%	34%	100%
Total	80	100%	100%	

As the the table said 45 about the respondent yes we like to support civil leadership in Somalia and their percent was 66%, and 35 about them we don't like to support civil leadership in Somalia, the percent was 34%.

- 4) Do you support military rule in Somali?

Description	FR	PR	VP	CP
A	35	34%	34%	66%
B	45	66%	66%	100%
Total	80	100%	100%	

The respondents respond the above question 35 said yes whether the percent was 34% and others said no and their percent was 66%.

- 5) What do you think the failure of public administration in Somalia?

Description	FR	PR	VP	CP
A	33	34%	34%	66%
B	47	66%	66%	100%
Total	80	100%	100%	

In the table above indicates the percent of respondents said yes 34% and others said no whether the percentage was 66%.

- 6) Do you belief failed state can generate ungovernable and discrimination of people?

Description	FR	PR	VP	CP
A	54	67.5%	67.5%	67.5%
B	26	33.5%	33.5%	100%
Total	80	100%	100%	

In the table above indicates 67.5% said yes whether the frequency is 54 and others 26 said no whether the percentage was 33.5%.

- 7) How do people in Somalia organize themselves inters of leadership?

Description	FR	PR	VP	CP
A	54	67.5%	67.5%	67.5%
B	26	33.5%	33.5%	100%
Total	80	100%	100%	

According the respondents opinion 67% said by clan and others 33.5% association through the frequency 54, 26.

- 8) Do all stakeholders in Somali have access to the political and traditional leaders?

Description	FR	PR	VP	CP
A	54	66%	66%	66%
B	26	34%	34%	100%
Total	80	100%	100%	

The table above mentioned 66% said yes and others no 34% and the result is the stakeholder's access to the political and traditional leaders in Somalia through the respondent's opinion.

- 9) Do women in Somalia have greater role in public administration

Description	FR	PR	VP	CP
A	60	70%	70%	70%
B	20	30%	30%	100%
Total	80	100%	100%	

60 about respondents said have greater role in public administration activity and the percent was 70% the others was 30% said opposite that.

- 10) Somali women are the most venerable in the case of conflict.

Description	FR	PR	VP	CP
A	65	72%	72%	72%
B	15	28%	28%	100%
Total	80	100%	100%	100%

In this table states 72% said yes women have a great venerable in the case of conflict and others 28% was against the first opinion. At this moment I would like to conclude this chapter, I like to provide further conclusion and recommendation in the next chapter.

5.0 CONCLUSION

In this chapter the researcher will discuss the general conclusions and recommendations, recommendations further of the research, and other relevant details

5.1 General conclusions

This study entitled challenges facing public administrators to rebuild failed state of Somalia, This title provisionally related public administration in Somalia it facilitated and interpreted how we can get sustainable development in term of political and administration. The purpose of this study was to investigate the relationship between employee commitment and organizational performance in some selected Universities in Mogadishu, Somalia. An empirical investigation was undertaken, using the simple correlation analytical technique, specifically the Pearson product moment correlation coefficient (PPMC).

The first objective of this study was to investigate the causes and consequences of failure state in Somalia, the study found strong positive relationship between causes and consequences of failure state. The second objective was to find out the establishment and development strategies prevent occurs failed state in Somalia, the study resulted moderate positive relationship. The correlation between causes and consequences of failure state became 0.749, which means that one level increase of consequences effectiveness leads to 0.749 higher failure state.

This coefficient shows that there is a statistically significant strong positive relationship between causes and consequences on failure stat. On the other hand the correlation between establishment and development on a failure state became 0.654 which means that one level increase of establishment and development effectiveness leads to 0.654 lowers failure state. This coefficient shows that there is a statistically significant moderate positive relationship between establishment and development strategies

5.4 Recommendations

Recognizing that reform requires consensus at different levels of government, FG should invest in strengthening core capacities and systems at national, regional and local level, whilst supporting federal and regional leadership to establish clear priorities and plans for the implementation of broader institutional development initiatives. A central principle of this support will be assisting national partners to build responsiveness, accountability and oversight of public institutions

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