



Assessing the Effectiveness of Somali Courts in Anti-Corruption Cases: A Public Perception and Confidence Analysis

Dayah Abdi Kulmie

Director, Department of Research and Development, Judicial Training Institute, Somalia

Lecturer, Faculty of Economics and Management, Jamhuriya University, Somalia

* Corresponding Author: **Dayah Abdi Kulmie**

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Abstract

Corruption is a significant issue in Somalia, affecting daily lives and hindering development. It is primarily caused by weak governance, poverty, and economic hardship, and therefore its recently a subject of major political, policy and academic debates and media. This study investigates the effectiveness of Somali courts in handling anti-corruption cases. It analyzes public perceptions of court efficiency, judicial independence, and fairness in these cases. The research employed primary data collected from 217 individuals, using questionnaires as data collection tool. The study reveals that 68% of respondents find court procedures inefficient, while 38% doubt the investigative process. Additionally, 61% express a lack of faith in the judicial system's effectiveness. A significant majority (64%) agreed with widespread public frustration regarding the slow pace of justice. Further, the majority of respondents (60%) believe the judiciary is not independent from political influence, with 49% not confident in its integrity, transparency, and accountability, while most respondents believe court decisions in anti-corruption cases are unfair, and the judiciary is not effectively deterring corruption, with 71% of respondents expressing concern. However, the judiciary can play a crucial role in combating corruption, but, in Somalia, it faces obstacles such as political interference, limited resources, and lack of independence. Therefore, enhancing judicial effectiveness requires addressing these challenges and promoting transparency, accountability, and public participation. The study highlights a gap between public expectations and the justice system's performance, highlighting the need for comprehensive reforms to enhance efficiency, transparency, and public confidence. Recommendations include strengthening judicial selection, ensuring adequate remuneration, promoting judicial education, streamlining procedures, and investing in technology.

Keywords: Judiciary, Justice, court, anti-corruption, public perception, Judicial Training Institute, Somalia

1. Introduction

Corruption is commonly defined as the misuse of public authority, and involves deviating from public duties for personal gain (Awale and Kulmie, 2024) ^[64]. Corrupt people disobey laws that prohibit the use of certain forms of private influence (Halter, *et al.* 2009) ^[22]. In political systems today, corruption is a major problem, especially in poor and developing nations. Moreover, corruption poses significant challenges to the modern world, impacting government, public policy, resource allocation, private sector development, and poor communities (Amundsen, 1999) ^[5]. Researchers and policy analysts discuss about corruption regularly, and the media often reports private parties paying money to public parties frequently involving citizens or corporations (Argandoña, 2003) ^[6]. Moreover, corruption has no boundaries meaning that corrupt individuals, and institutions are not limited in poor countries, but are also prevalent around the world with varying degrees.

In Africa, corruption is widely viewed as a significant issue, negatively impacting daily lives and hindering development, despite variations across countries. It is primarily caused by weak governance, poverty, lack of education, economic hardship, political instability, and cultural factors. Corruption is a pervasive issue in Somalia, hindering development, undermining governance, and eroding public trust (Kulmie, 2023) ^[68]. Marqaati (2016) ^[30] documented that corruption in Somali society affects public and private sectors, causing misuse of public goods, bribes, and clan-based patronage networks, while businesses adapt to lawlessness through tax avoidance and expired goods and drugs. Several studies have been conducted on this widespread disease (see Ronan & Jenkins, 2017; Ahmed & Özkan, 2021; Harun, 2020; Kulmie, *et al.* 2023; Mohamed, *et al.*, 2022) ^[39, 3, 25, 68, 33], focusing on its characteristics, prevalence, causes, and impacts on political development, governance, the economy, peace building, and public trust and confidence. Experts propose policy and operational or technical measures to prevent and detect these crimes. For instance, Kulmie (2023) ^[68] argues that the Somali government should implement effective control mechanisms, activate government anti-corruption agencies, and develop robust legal frameworks to promote accountability and deter perpetrators.

The separation of powers among government branches has played a crucial role in checking and balancing authorities and powers, enhancing decision-making processes, increasing transparency, and boosting public trust and confidence. However, the Somali public sector is characterized by poor governance, corruption, and a lack of independence among public institutions (Mohamed & Kulmie, 2023; Awale & Kulmie, (2024) ^[68, 64]; Awale, *et al.* 2025) ^[63, 65]. According to Ali while Somalia has endeavored to ensure the independence of its judiciary, significant challenges remain, particularly regarding the appointment, promotion, and removal of judicial officers. One of the key challenges hindering judicial effectiveness in Somalia is the absence of a Judicial Service Commission (JSC), which is responsible for appointing, promoting, and disciplining judges and other judicial officers. A JSC is crucial for selecting qualified candidates for judicial positions, evaluating their performance, and handling disciplinary matters. Conceptually, the judiciary plays a critical role in combating corruption by investigating, prosecuting, and adjudicating cases.

The federal government operates a legal system with civilian and military courts, but enforcing existing laws is challenging due to weak judicial and law enforcement institutions and general instability (Ronan & Jenkins, 2017) ^[39]. Ronan & Jenkins (2017) ^[39], citing the US Department of State (2016), reported that there have been no prosecutions or convictions related to money laundering in Somalia. Even the judiciary itself is accused of corrupt practices. In regard, Marqaati (2016) ^[30] stated that corruption within the judiciary is widespread in Somalia; and the very institution entrusted with combating corruption has become a primary instigator of it. However, in the past two years, there have been several high-profile corruption cases brought before the courts, which have garnered significant public attention. The public has closely followed the debates, court proceedings, investigator reports, and final court decisions related to these cases. This research aims to assess the effectiveness of Somali courts in handling anti-corruption cases.

2. Research Objectives

This study aims to assess the effectiveness of Somali Courts in Anti-Corruption Cases. Specifically, the study has the following objectives:

1. To evaluate public perception on the efficiency of court procedures in anti-corruption cases.
2. To assess public perception on the Independence of the Judiciary in anti-corruption cases.
3. To assess public perception on the fairness of the court decisions on anti-corruption cases.

3. Literature Review

3.1. Corruption: Concept and Options to Control

Corruption is a global issue affecting all communities, with widespread effects in public and private sectors. Several studies have been conducted on corruption and how can be prevented in both private and public sector. Bechem, (2018) ^[10] examined corruption in Cameroon, focusing on the role and effectiveness anti-corruption agencies. Respondents agreed that corruption is a major problem and that its existence was due to lack of transparency, and accountability with several sectors including judiciary. In Somalia, a study by Kulmie (2023) ^[68] revealed that the public believe that corruption is prevalent; 78.2% of the respondents agreed that financial crimes exist in the public sector of Somalia. Perceptual studies show that corruption is a complex issue with multifaceted perceptions in different context such as countries, and culture. Corruption remains a significant challenge for African economies, despite significant progress made by some countries in combating it, highlighting the need for transparency and good governance (Maragia, 2020; Kulmie, *et al.* 2024) ^[29, 64].

Corruption, broadly defined as the abuse of power for personal gain, erodes public trust, undermines democracy, and hampers economic development (Basavarajappa, 2020) ^[8]. When citizens perceive widespread corruption, they may become disillusioned with their government, leading to decreased civic engagement, social unrest, and even political instability (Nye, *et al.* (1997) ^[36]. Understanding public perception of corruption is crucial for policymakers, researchers, and civil society organizations to develop effective strategies to enhance public awareness and to combat corruption and restore public trust. Preventing corruption involves strengthening legal frameworks, promoting transparency and accountability, improving governance, empowering civil society, and implementing education programs (Kulmie, *et al.* 2023) ^[68]. Measures include establishing clear laws, ensuring power separation, promoting an independent judiciary, and merit-based systems for public positions. Moreover, civil society organizations should have freedom of expression and collaboration with government agencies. Public awareness and education programs should promote ethical behavior and participation in decision-making processes. Detection methods include internal controls, risk assessments, independent financial audits, forensic audits, data analysis, and benchmarking. Whistleblower protection is also crucial.

3.2. Role of Judiciary in Combating Corruption

From political perspective, the judiciary, a crucial branch of government, serves as the guardian of law and justice (Adeleke & Olayanju, 2014) ^[1].

It interprets and applies laws to specific cases, resolving disputes impartially and protecting individual rights. By enforcing laws and upholding the rule of law, the judiciary safeguards the principles of equality and fairness (Nwabueze & Pofinet, 2018) ^[35]. Moreover, it acts as a check on the power of the executive and legislative branches, ensuring that they adhere to the law and constitution. Through its decisions and rulings, the judiciary promotes social justice and provides a platform for public discourse on legal and social matters, fostering a more equitable and informed society.

Similarly, the judiciary is crucial in combating corruption by enforcing anti-corruption laws, upholding the rule of law, and providing remedies for victims. The judicial staff particularly, judges and prosecutors investigate and prosecute corruption cases, holding offenders accountable and maintaining public institutions' integrity (Dakolias, & Thachuk, 2000) ^[46]. Both judges and prosecutors uphold the principle of equality before the law, preventing corruption and promoting fairness. Additionally, the judiciary can provide restitution or compensation to victims of corruption, holding corrupt officials accountable and restoring justice. This helps maintain public trust and confidence in the legal system (Ozuru & Nwajah, 2020) ^[37]. In short, judiciary's ability to combat corruption is a function of the legal and political mechanisms in place (Bazuaye & Oriakhogba, 2016) ^[9].

3.3. Challenges in the Judicial Sector

The judicial sector in Africa is often considered one of the weakest institutions in the public sector due to several interconnected factors, including political interference, corruption, lack of resources, inadequate infrastructure, outdated legal frameworks, and low public trust (Mbaku, 2007) ^[31]. These factors undermine judicial independence, accountability, and public trust, leading to a culture of impunity. Bazuaye & Oriakhogba, (2016) ^[9] reported that the judiciary in Nigeria faces challenges in combating corruption due to perceived corruption, interference by politicians, and the adjudicatory system, but can effectively utilize legislation. Similar findings have been discovered recently by Ali who indicated that the judiciary in Somalia faces various challenges, including legal contradictions, inadequate legal structures, weak institutional framework, political interference, security risks, corruption, insufficient infrastructure, and limited resources. Addressing these issues requires comprehensive reforms, government and international assistance, and initiatives to enhance the autonomy and effectiveness of the judiciary. Several studies including Barre (2024) ^[7]; Hamdi (2013) ^[23] and Klocke (2014) ^[28] identified numerous obstacles that hinder the independence of the judiciary, including the absence of the separation of powers, disregard of constitutional articles, corruption, and judicial disempowerment.

3.4. Determinants of the Effectiveness of Courts

The effectiveness of Somali courts is influenced by various factors, including government stability, the rule of law, the legal framework, judicial independence, accountability, resources, public trust, and cultural norms. The judicial system of Somalia collapsed in 1991 due to the outbreak of civil war. Somalia has historically faced significant instability, which has had a profound impact on all sectors of society, including the public sector, private sector, and the general population. According to Judijanto *et al.* (2024) ^[27] and Helmke, & Rosenbluth (2009) ^[26] government stability is

crucial for the judiciary's ability to function effectively, as it can lead to disruptions in court operations, interference in judicial independence, and a lack of resources experts affirmed that strong commitment to the rule of law is essential for the judiciary to function effectively, as weak one can lead to impunity, corruption, and a lack of respect for judicial decisions. Another attribute is that the legal framework must be clear and consistent, with laws being accessible to the public, particularly those without legal training (Elliott & Thomas, 2014) ^[18].

Moreover, the cornerstone of an effective court system is its independence, which is essential for the judiciary to function fairly and impartially, and judges must be held accountable for their actions through mechanisms such as disciplinary procedures and oversight bodies (Di Federico 2012). Additionally, the judiciary system cannot work effectively without enough resources, such as funding for personnel, infrastructure, and technology. More importantly, human resources, including qualified and experienced judges and court staff, require investment in training and development programs. However, modern political and governance systems recognize the public as an essential component of democracy (Spicker, 2008) ^[43]. Public participation is therefore a crucial aspect of all judicial and justice systems and processes. Therefore, public trust is also crucial, as transparency and accountability are essential for the judiciary to function effectively another aspect is the cultural factors, such as traditional dispute resolution mechanisms and social norms, can also influence the effectiveness of the judiciary (McIntyre, (2019; and Sarat & Grossman, 1975) ^[32, 41]. For example, a strong preference for mediation or arbitration over litigation can impact the workload of the courts

3.5. Factors Affecting Public Perception towards Courts

Public perception of the courts is an integral part of a functioning justice system. Literature identifies several factors that influence public perceptions of their court system. According to Prescott (2017) ^[38] and Flynn *et al.* (2016) ^[20] court accessibility, (including location, transportation, and infrastructure) and affordability of legal services and fees significantly influences public perception, and sometimes can create negative perceptions, affecting public trust. Additionally, Geyh (2013) ^[21] fairness and impartiality in court proceedings are crucial for public trust, ensuring unbiased judges, fair trials, and equal treatment under the law. Broscious (2013) ^[14] assessed the public perceptions of the state courts, and found that public perceptions of courts are influenced by court performance, supporting claims that court performance significantly impacts trust in these courts. Ferguson, (2022) ^[19] highlights that court backlogs and procedural delays can negatively impact public confidence in the justice system, while complex legal procedures and bureaucratic red tape can cause frustration and delays.

Ali identified that public perception of corruption and inefficiency undermines confidence in the judicial system. This demonstrates that a lack of transparency significantly erodes public trust in their court systems, which can ultimately lead to people resorting to legal means outside the formal judicial process. Additionally, the author notes that the coexistence of traditional and informal justice systems with the formal judiciary introduces complexities, and influence the public perception towards the government court systems. This can hinder the consistent application and upholding of the rule of law. For example, in some regions,

traditional dispute resolution mechanisms may operate outside the formal legal framework, potentially leading to inconsistent outcomes and undermining the authority of the state-sanctioned courts. According to Boothe-Perry (2014)^[13] and Sherman (2002)^[42] and Callanan & Rosenberger (2011)^[15] media coverage of courts can influence public perceptions, with negative portrayals damaging public trust, such as stories of injustice or corruption.

Furthermore, personal experiences with the justice system, whether as a party or witness, can significantly influence public perceptions of courts. Indirect experiences, such as

hearing stories about others' experiences, can also shape public opinion (Hammerslev, 2011; Mutz, 1998; Bibas, 2006)^[24, 34, 11]. For instance, individuals who have personally experienced the justice system negatively, such as through wrongful arrest or protracted legal proceedings, may harbor deep distrust of the courts. Moreover, even those without firsthand encounters can be swayed by secondhand narratives. Hearing about friends or family members who felt unfairly treated by the legal system can shape public opinion, eroding confidence in the judicial process.

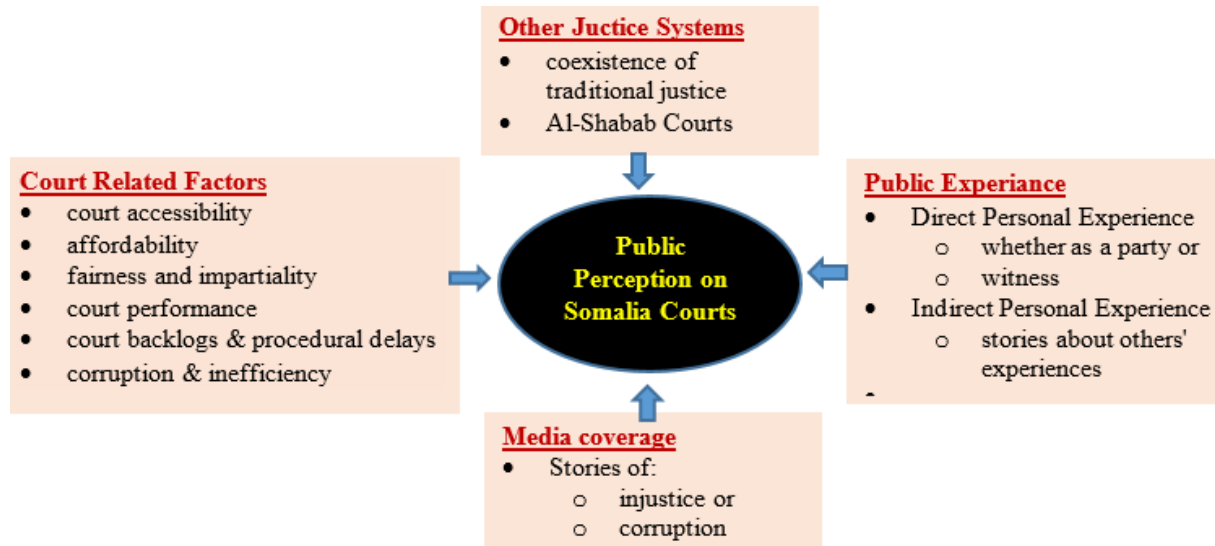


Fig 1: Factors Effecting Factors Affecting Public Perception towards Courts, Author's own Creation

4. Methodology

This study employs a quantitative cross-sectional descriptive research approach to investigate the perception and confidence on the effectiveness of Somali Courts Courts in Anti-Corruption Cases. The cross-sectional design is well-suited for this research as it allows for the collection of data at a single point in time, providing an accurate snapshot of the public veivs on the effectiveness of Somali Courts Courts in Anti-Corruption Cases. Data collection was conducted using a structured questionnaire consisting of three main sections. The first section focuses on demographics to gather essential information about the respondents, including their gender, age, occupaton. The second part concerned public perception on the efficiency of court procedures in anti-corruption cases. The third secrion focusses on public perception on the Independence of the Judiciary in anti-corruption cases. The fourth section assess public perception on the fairness of the court decisions on anti-corruption cases. The questionnaire survey was conducted online using Google Forms and distributed via WhatsApp groups. This method was chosen for its convenience and ability to reach a broad audience quickly. 300 individuals responded completing the form accurately and on time. Upon collection, the data were analyzed using the Statistical Package for Social Sciences (SPSS) software, version 24.

5. Results and Discussion

5.1. Demographis Characteristics

Table 1 indicates that 20% of the participants were female while 80% were male. The table also shows that the 20-30 age group had the highest number of respondents, with 93 respondents at a 46.5% percentage. The second largest group of respondents—76, or 38%—were those between the ages of 31 and 40. In addition, 95% of respondents aged between 41 and 50 were 19 years old. In contrast, the least number of respondents—6%, or 12 out of 200—were over 50 years old. According to official figures, 75% of Somalians are under 30 years old, which could explain these findings. The education level of the respondents is also shown in the above table. Of the respondents, 85, or 42.5%, have a bachelor's degree, the number of participants with a master's degree was 88, or 44%. This finding makes it clear that employees in the public sectors have degrees. In contrast, 5 (2.5%) of respondents hold a PhD, while just 22 (11%) respondents have any other certificate. Lastly, Table 1 illustrates that, of the respondents, 32 (16%) had less than two years of experience, 30 individuals (30%) have three to four years of experience, and 62 (31%) of them have 5-7 years of experience. Table 1 also discloses that 46 (23%) of the participants had over 7 years of experience.

Table 1: Demographic Information

Categories	Frequency	Percentage (%)
Gender		
Male	164	80
Female	53	20
Age		
Under 20	5	2.3
20-30 yrs old	99	45.8
31-40 yrs old	80	36.9
41-50 yrs old	23	10.6
Above 50 yrs	10	4.6
Marital Status		
Single	85	39.2
Married	129	59.4
Widowed	3	1.4
Education		
University Level	214	98.6
Informal education	3	1.4
Occupation		
Private Sector	62	28.6
International organizations	10	4.6
Local NGOs	6	2.8
Self-employed	13	6.0
Unemployed	28	12.9

5.2. Public Perception on the Efficiency of Court Procedures in Anti-corruption Cases

The study aimed to evaluate public perception of court procedures' effectiveness in anti-corruption cases by presenting questions to respondents to evaluate the judicial system's capacity to address corruption-related issue. The analysis reveals that 68% of respondents find court procedures inefficient, indicating a lack of public trust in the investigative process as shown in table 2. Also, the majority of respondents, 38%, expressed doubt about the investigative process, indicating a lack of public trust. The table also indicates that 40% of respondents believe evidence sufficiency and admissibility, while 33% and 27% are uncertain about the effectiveness of witnesses in the legal process. Further, 42% believe witnesses are effectively used for prosecution or defense, while 32% express doubt and 26% are unsure. Similarly, Respondents were asked whether they believe excessive delays within the court system hinder the prosecution of corruption cases. A significant majority (64%) agreed, indicating widespread public frustration with the slow pace of justice. Similarly, 61% of respondents expressed lack of faith in the court system's ability to handle anti-corruption cases, indicating deep-seated concerns about the impartiality, efficiency, and effectiveness of the judicial

system in addressing corruption. These findings clearly indicate public perception of the judiciary as slow and bureaucratic, consequently impacting trust and national reputation. Moreover, factors like political interference, resource constraints, corruption, and lack of transparency erode trust. Therefore, addressing these issues requires streamlining processes, adequate resource allocation, and robust anti-corruption measures. Furthermore, public opinion on the quality and persuasiveness of evidence is divided, likely linked to concerns about evidence quality, admissibility, and sufficiency, as well as potential bias and lack of transparency in investigations. Indeed, delays in justice have negative consequences, including diminished public trust, increased impunity for the corrupt, and hindered economic development (Samuel *et al.*, 2024; Modupe, 2024; Kabaka, 2023; Riyadi, 2024) ^[44, 48, 49, 50]. In addition, low confidence in the judiciary can be attributed to perceived corruption, lack of independence, inefficiency, delays, and lack of transparency (Solaiman, 2022; Dakolias & Thachuk, 2000; Usman *et al.*, 2022) ^[45, 16, 47]. Specifically, perceived corruption among judges and other officials undermines public trust. Similarly, inefficient court procedures and lack of transparency also erode trust and create opportunities for corruption.

Table 2: Public Perception on the Efficiency of Court Procedures in Anti-Corruption Cases

Questions	Options	Responses (%)
How would you rate the overall efficiency of court procedures in anti-corruption cases?"	Very Efficient	8
	Efficient	24
	Inefficient	26
	Very inefficient	18
	Extremely inefficient	24
Do you believe that investigations into alleged corruption cases are conducted in a thorough and impartial manner?	Yes	38
	No	31
	Not Sure	30
Do you believe that the evidence presented in court is sufficient and admissible to prove the charges beyond a reasonable doubt?	Yes	40
	No	33
	Not Sure	27
Do you think that witnesses are used effectively to provide support for the prosecution or defense?	Yes	42
	No	32

	Not Sure	26
Do you believe that there are excessive delays in the court system that hinder the prosecution of corruption cases?"	Yes	64
	No	20
	Not Sure	16
Are you satisfied with the overall efficiency of the court system in handling anti-corruption cases?	Yes	39
	No	61

5.3. Public Perception on the Independence of the Court in Anti-corruption Cases

The second objectives of the study were assessing the public perception on the independence of courts in anti-corruption cases. To achieve this goal, respondents were asked four questions specifically intended to measure their views on the independence of courts in anti-corruption cases. Respondents were asked: Do you believe that the judiciary is truly independent from political influence? The majority of the respondents amounting 60% responded "No" believing that judiciary is not truly independent from political influence, 29% said "Yes" while 12% responded "Not sure". Then, participants were asked: Do you have confidence in the integrity and impartiality of judges and prosecutors in anti-corruption cases? The results show that majority of them (49%) responded "No", 32% answered "Yes" while 19% reported "Not Sure". Also participants were asked: Do you believe that the judiciary is transparent and accountable to the public? The greatest number (48%) answered with "No", 36% said not sure, while 35% responded "Yes". Another Question which is: How would you rate the overall

independence of judicial and country system? were asked to participants. The majority of the respondents amounting 56% responded "dependent", 29% said "independent" while 15% responded "Not sure".

Debates on corruption, judicial independence, and court performance are a global concern. For instance, the American judiciary faces repeated attacks from media, politicians, special interest groups, and websites, calling for increased accountability and removal of judges for individual cases and specific issues (Brody, 2008). Studies like Ferejohn & Kramer, (2002) reveal that judicial independence and democratic accountability are means to a well-functioning system of adjudication. Wibisana (2023) suggests that enhancing the integrity of judges involved in corruption cases is crucial for a fair and responsible legal system. Judges should exhibit intellectual honesty, prioritization of judicial responsibilities, adherence to the law, astuteness in interpersonal interactions, adeptness in managing personal funds, and a rigorous approach. Implementing human resource management characteristics can help achieve this.

Table 3: Public Perception on the Independence of the Court in Anti-corruption Cases

Questions	Options	Responses (%)
Do you believe that the judiciary is truly independent from political influence?	Yes	29
	No	60
	Not Sure	12
Do you have confidence in the integrity and impartiality of judges and prosecutors in anti-corruption cases?	Yes	19
	No	49
	Not Sure	23
Do you believe that the judiciary is transparent and accountable to the public?	Yes	35
	No	48
	Not sure	36
How would you rate the overall independence of judicial and country system?	Independent	29
	Dependent	56
	Not sure	15

5.4. Public perception on the fairness of the court decisions on anti-corruption cases

The third objective was to assess the public perception on the fairness of the court decisions on anti-corruption cases. To accomplish this goal, respondents were surveyed with four questions designed to gauge their perceptions of judicial independence in anti-corruption proceedings. Respondents were asked to rate the overall fairness of court decisions in anti-corruption cases. As results shows in table 4, 12% rated court decisions in anti-corruption cases a extremely fair, 11% rated it unfair, 28% fair, 41% unfair and only 8% responded very unfair. So, the majority of respondents believe that court decisions in anti-corruption cases are unfair. Furthermore, respondents were asked "Are you concerned about the potential for corruption within the judiciary itself?". The majority (71%) of respondents responded "Yes" while 29% said "No". And respondents were asked "Do you believe that the courts are effectively deterring corruption?". The majority of respondents (39%) said "No", 33% said "yes" and

28% of them responded "Not Sure". These results indicate, based respondents view, that courts are not effectively deterring corruption.

Several experts delved into the critical areas of judicial independence, judicial performance, and public trust in the justice system. Barbabela (2022) ^[55] contends that the courts' impartiality and efficiency in corruption cases activate the institutional channel, influencing citizen attitudes towards corruption and acting as deterrents. Therefore, an unfair justice system undermines public trust and allows potential or existing offenders to exploit system weaknesses for personal gain (Houqe, *et al.* 2020) ^[56]. The key characteristics of an effective judicial system are independence, fair trials, and strict adherence to evidence. Several countries have high-quality court systems, such as the UK and Malaysia. Corruption in Somalia is high due to weak governance, poverty, clan-based favoritism, lack of accountability, and political will, with measures like the National Anti-Corruption Commission facing challenges (Mudey &

Arshad, 2024)^[57]. Mohamed (2019)^[58] added that Somalia's governance is severely impacted by corruption, which affects representation, legislation, and oversight, leading to a decline

in democratic processes. Therefore, the author recommended maintaining the principles of power separation among the executive, legislative, and judiciary branches.

Table 4: Public Perception on the Independence of the Court in Anti-corruption Cases

Questions	Frequency	Responses (%)
How do you rate the overall fairness of court decisions in anti-corruption cases	Extremely Fair	12
	Very Fair	11
	Fair	28
	Unfair	41
	Very unfair	8
Are you concerned about the potential for corruption within the judiciary itself?"	Yes	71
	No	29
Do you believe that the courts are effectively deterring corruption?"	Yes	33
	No	39
	Not Sure	28

6. Conclusion and Recommendation

This study reveals a significant gap between public expectations and the perceived reality of the justice system in addressing corruption. A majority of respondents expressed dissatisfaction with the efficiency of court procedures, citing concerns about investigative processes, evidence handling, and excessive delays. Furthermore, public trust in the judiciary is eroded by perceived political influence, lack of independence, and concerns about corruption within the system. These findings highlight a critical need for comprehensive judicial reforms to enhance efficiency, transparency, and public confidence. The study proposes several recommendations to improve judicial independence, court efficiency, public trust, investigative capacity, and a culture of integrity. It suggests strengthening judicial selection and appointment processes, ensuring adequate judicial remuneration, promoting judicial education and training, streamlining court procedures, investing in technology, and addressing resource constraints.

Particularly, the Judicial Training Institute of Somalia should be invested in and capacitated to fulfill its role in building an effective judiciary system in Somalia. Furthermore, research-based capacity building and employee development are essential. Further, the paper also emphasizes the importance of transparency, accountability, public communication, and prompt investigation of public complaints. Investigative agencies should be strengthened, and evidence collection and preservation should be improved. A culture of integrity should be promoted, with robust anti-corruption measures implemented and a strong ethical code of conduct for judges, prosecutors, and court staff. These measures aim to reduce corruption risks and attract qualified professionals.

7. References

- Adeleke FAR, Olayanju OF. The role of the judiciary in combating corruption: aiding and inhibiting factors in Nigeria. *Commonwealth Law Bulletin*. 2014;40(4):589-607.
- Adeleke FAR, Olayanju OF. The role of the judiciary in combating corruption: aiding and inhibiting factors in Nigeria. *Commonwealth Law Bulletin*. 2014;40(4):589-607.
- Ahmed AMW, Özkan S. The effects of corruption on political development in Somalia. *International Journal of Social Humanities Sciences Research*. 2021;8(73):2072-2079.
- Ali AMO. Judicial independence in Somalia. *Global Journal of Politics and Law Research*. 2024;12(2):20-31. <https://doi.org/10.37745/gjplr.2013/vol12n22031>
- Amundsen I. Political corruption: an introduction to the issues. Chr. Michelsen Institute. 1999.
- Argandoña A. Private-to-private corruption. *Journal of Business Ethics*. 2003;47:253-267.
- Barre GS. Weaknesses of federalism in Somalia and required reforms. *East African Journal of Arts and Social Sciences*. 2024;7(2):1-10.
- Basavarajappa BC. The effects of political corruption on economic development: a study. *International Journal of Research and Analytical Reviews*. 2020;7(4):1269-2348.
- Bazuaye B, Oriakhogba D. Combating corruption and the role of the judiciary in Nigeria: beyond rhetoric and crassness. *Commonwealth Law Bulletin*. 2016;42(1):125-147. <https://doi.org/10.1080/03050718.2014.973894>
- Bechem EE. Corruption in Cameroon: public perception on the role and effectiveness of the different anti-corruption agencies. *Review of Public Administration and Management*. 2018;6(235):2.
- Bibas S. Transparency and participation in criminal procedure. *New York University Law Review*. 2006;81:911.
- Bibas S. *The Machinery of Criminal Justice*. Oxford University Press; 2012.
- Boothe-Perry NA. Friends of justice: does social media impact the public perception of the justice system. *Pace Law Review*. 2014;35:72.
- Broschious CE. Public perceptions of the state courts: how performance evaluations and judicial selection method affect citizens' trust in the courts [dissertation]. Temple University; 2013.
- Callanan VJ, Rosenberger JS. Media and public perceptions of the police: examining the impact of race and personal experience. *Policing & Society*. 2011;21(2):167-189.
- Dakolias M, Thachuk K. Attacking corruption in the judiciary: a critical process in judicial reform. *Wisconsin International Law Journal*. 2000;18:353.
- Di Federico G. Judicial accountability and conduct: an overview. *Judicial Independence in Transition*. 2012:87-118.
- Elliott M, Thomas R. *Public Law*. Oxford University

- Press; 2014.
19. Ferguson AG. Courts without court. *Vanderbilt Law Review*. 2022;75:1461.
 20. Flynn A, Hodgson J, McCulloch J, Naylor B. Legal aid and access to legal representation: redefining the right to a fair trial. *Melbourne University Law Review*. 2016;40:207.
 21. Geyh CG. The dimensions of judicial impartiality. *Florida Law Review*. 2013;65:493.
 22. Halter MV, De Arruda MCC, Halter RB. Transparency to reduce corruption? Dropping hints for private organizations in Brazil. *Journal of Business Ethics*. 2009;84:373-385. <https://doi.org/10.1007/s10551-009-0198-6>
 23. Hamdi I. The role of the judiciary in the administration of justice in the Somaliland judicial system. 2013.
 24. Hammerslev O. Comments on 'Which effects do courts have?'. *Understanding Law in Society: Developments in Socio-legal Studies*. 2011;7:181.
 25. Harun I. The impact of endemic corruption on constitutionalism and peace-building in Somalia. *Corruption and Constitutionalism in Africa*. 2020;19:260.
 26. Helmke G, Rosenbluth F. Regimes and the rule of law: judicial independence in comparative perspective. *Annual Review of Political Science*. 2009;12(1):345-366.
 27. Judijanto L, Zainuddin Z, Bidja I. Analysis of the role of the constitution, legislature, and judiciary in maintaining the principles of government effectiveness in Indonesia. *West Science Law and Human Rights*. 2024;2(01).
 28. Klocke S. The significance of informal justice for state building in Somalia. 2014.
 29. Maragia JK. Corruption in the Sub-Saharan African region: exploring anti-corruption strategies in Kenya and Somalia [master's thesis]. Utica College; 2020.
 30. Marqaati. 2016 State of Accountability in Somalia. 2016 Feb 7. <https://marqaati.org/wp-content/uploads/2017/02/Marqaati-2016-Corruption-Report.pdf>
 31. Mbaku JM. *Corruption in Africa: Causes, Consequences, and Cleanups*. Lexington Books; 2007.
 32. McIntyre J. *The Judicial Function*. University of South Australia, School of Law; 2019.
 33. Mohamed AN, Ebar DN, Ramli A. Effect of corruption and governance on tax revenue in Mogadishu, Somalia. *International Journal of Mechanical Engineering*. 2022;7(2):45-58.
 34. Mutz DC. *Impersonal Influence: How Perceptions of Mass Collectives Affect Political Attitudes*. Cambridge University Press; 1998.
 35. Nwabueze CJ, Pofinet D. The rule of law and integrity: Appraising the place and role of anti-corruption standards in the fight against corruption within the Central African Economic and Monetary Community. *Comparative and International Law Journal of Southern Africa*. 2018;51(2):207-240. <https://hdl.handle.net/10520/EJC-132990b43c>
 36. Nye JS, Zelikow PD, King DC, editors. *Why People Don't Trust Government*. Harvard University Press; 1997.
 37. Ozuru G, Nwajah PO. The fight against corruption in Nigeria: A focus on victims and their restitutionary rights. *International Review of Law and Jurisprudence*. 2020;2:126.
 38. Prescott JJ. Improving access to justice in state courts with platform technology. *Vanderbilt Law Review*. 2017;70:1993.
 39. Ronan K, Jenkins M. *Somalia: Overview of Corruption and Anti-Corruption*. Berlin: U4 and Transparency International; 2017.
 40. Ronan K, Jenkins M. *Somalia: Overview of Corruption and Anti-Corruption*. Berlin: U4 and Transparency International; 2017.
 41. Sarat A, Grossman JB. Courts and conflict resolution: Problems in the mobilization of adjudication. *American Political Science Review*. 1975;69(4):1200-1217.
 42. Sherman LW. Trust and confidence in criminal justice. *National Institute of Justice Journal*. 2002;248:22-31.
 43. Spicker P. Government for the people: The substantive elements of democracy. *International Journal of Social Welfare*. 2008;17(3):251-259.
 44. Samuel O, Egobueze A, Nwaoburu L. Judiciary and corruption in Nigeria: A study of Bayelsa. *Journal of Research in Humanities and Social Science*. 2024;12(4):85-96.
 45. Solaiman SM. Corruption and judges' personal independence in the judiciary of Bangladesh: One bad apple can spoil the bunch. *Cardozo International and Comparative Law Review*. 2022;6:501.
 46. Dakolias M, Thachuk K. Attacking corruption in the judiciary: A critical process in judicial reform. *Wisconsin International Law Journal*. 2000;18:353.
 47. Usman A, Hassan M, Sial A. Independence of judiciary leading justice system to injudicious outline. *Journal of Law & Social Studies*. 2022;4(2):233-246.
 48. Modupe A. Corruption and its impact on sustainable development in Nigeria. *Wukari International Studies Journal*. 2024;8(4):33-44.
 49. Kabaka M. Assessing the effect of corruption on economic development in Tanzania [doctoral dissertation]. IAA; 2023.
 50. Riyadi BS. The sociology law: Corruption and abuse of power in Indonesia. *International Journal of Religion*. 2024;5(7):599-613.
 51. Shekhar B. Marshalling forensic science in the Indian courts: The judiciary's dilemma. In: *Forensic Justice*. Routledge; 2024. p. 255-280.
 52. Ballantyne KN, Summersby S, Pearson JR, Nicol K, Pirie E, Quinn C, Kogios R. A transparent approach: Openness in forensic science reporting. *Forensic Science International: Synergy*. 2024;8:100474. <https://doi.org/10.1016/j.fsisyn.2024.100474>
 53. Miller CM. A survey of prosecutors and investigators using digital evidence: A starting point. *Forensic Science International: Synergy*. 2023;6:100296. <https://doi.org/10.1016/j.fsisyn.2022.100296>
 54. Carr S, Piasecki E, Gallop A. Demonstrating reliability through transparency: A scientific validity framework to assist scientists and lawyers in criminal proceedings. *Forensic Science International*. 2020;308:110110.
 55. Barbabela L, Pellicer M, Wegner E. Court performance and citizen attitudes toward fighting corruption. *Governance*. 2022;35(3):717-735. <https://doi.org/10.1111/gove.12604>
 56. Houqe MN, Zahir-ul-Hassan MK, Idrus MA, van Zijl T. Bribery and corruption: Assessing the fairness of the Malaysian judicial system. *Crime, Law and Social*

- Change. 2020;74(2):135-154.
<https://doi.org/10.1007/s10611-019-09882-1>
57. Mudey MH, Arshad R. Corruption impedes good governance in Somalia's public sector. *Journal of Financial Crime*. 2024. <https://doi.org/10.1108/JFC-07-2024-0225>
 58. Mohamed AM. Oversight of corruption and legislative process in Somalia [master's thesis]. KDI School of Public Policy and Management; 2019.
 59. Ferejohn JA, Kramer LD. Independent judges, dependent judiciary: Institutionalizing judicial restraint. *New York University Law Review*. 2002;77:962.
 60. Wibisana AW. Developing the integrity of corruption crime judges: Evidence in Indonesia. *International Journal of Research in Business and Social Science*. 2023;12(9):460-476.
 61. Brody DC. Use of judicial performance evaluation to enhance judicial accountability, judicial independence, and public trust. *Denver University Law Review*. 2008;86:115.
 62. Kulmie DA, Hilif MD, Hussein MS. Socioeconomic consequences of corruption and financial crimes. *International Journal of Economics and Financial Issues*. 2023;13(5):88-95. <https://doi.org/10.32479/ijefi.14714>
 63. Mohamed NA, Kulmie DA. Role of effective monitoring and evaluation in promoting good governance in public institutions. *Public Administration Research*. 2023;12(2):48. <http://dx.doi.org/10.5539/par.v12n2p48>
 64. Awale AA, Kulmie DA. Public employees' views on corruption and financial crimes: A perceptual study. *Journal of Asian Scientific Research*. 2024;14(4):612. <https://doi.org/10.55493/5003.v14i4.5180>
 65. Awale AA, Abdullahi FA, Kulmie DA. Understanding the realities of financial crime in public institutions: Female public servants' insights. *International Journal of Economics and Financial Issues*. 2025;15(1):319-329. <https://doi.org/10.32479/ijefi.17417>
 66. Kulmie DA. Do fraud triangle components motivate financial crimes in Somalia? *International Journal of Economics and Finance*. 2023;15(10):1-84.
 67. Kulmie DA, Mohamud AA, Ibrahim MS. Good governance, public service delivery and public trust: Case of Banadir Regional Administration of Somalia. *International Journal of Religion*. 2024;5(9):60-68. <https://doi.org/10.61707/1fzxbj65>
 68. Kulmie DA. Financial crimes in Somali public sector: Causes and consequences. *International Journal of Economics and Finance*. 2023;15(4):1-18. <https://doi.org/10.5539/ijef.v15n4p18>