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SOMALIA

CONSTITUTIONS
OF THE
COUNTRIES
OF THE
WORLD

Editors

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SOMALI DEMOCRATIC
REPUBLIC

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The Somali Democratic Republic (Somalia) is a "union" of two former colonies. The Northern Region comprises the former British territory known as the Somaliland Protectorate. The Southern Region comprises the former Italian Somaliland which, after World War II, became a United Nations Trust Territory.

1889 Following treaties with local Sultans, Britain proclaimed the Somaliland Protectorate over the Northern Regions of Hargeisa and Burao. This became the Northern Region of what is now Somalia. The Protectorate also included the Haud which became part of Ethiopia in 1955. The Protectorate, located at the southern end of the Red Sea, was on the direct route from England to India via the Suez Canal.

1894 Tripartite Accord was reached by Great Britain, Italy and Ethiopia over other Somali territories. Italian control was established over an area on the Indian Ocean to a point south of Mogadishu. This became Italian Somaliland and the Southern Regions of what is now Somalia. Mogadishu is now the capital of Somalia. The Accord also recognized Emperor Menelik's claim to the Somali-populated territory of Ogaden.

1900-1920 Sayid Muhammad Abdille Hassan, a Somali national hero who was labeled the "Mad Mullah" by the British, waged a twenty-year war for independence against the British, Italians, and Ethiopians. His attempts to free the country from foreign domination became known as the Dervish fight for freedom.

1936 Italy conquered Ethiopia and incorporated the region of Ogaden as part of Italian Ethiopia.

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- 1940-1941 Italian troops briefly occupied the Somaliland Protectorate but were driven out by British forces which then seized Italian Somaliland.
- 1941-1950 Somaliland Protectorate, Italian Somaliland and Ogaden were governed together under British Military Administration.
- 1947 Somali Youth League, the first modern Somali political party, was organized in Mogadishu. This later became the ruling party under the 1961 Constitution of the Somali Democratic Republic before it was outlawed in 1969.
- 1948 Britain, France, the United States and the Soviet Union, who were charged with the disposition of the former Italian colonies, sent a Four-Power Commission to Mogadishu on January 6 to ascertain the desires and aspirations of the local population. The Commission found great public support for the Somali Youth League program. This called for bringing all Somali lands together under a single government which would achieve independence in ten years. The S.Y.L. also advocated a trusteeship under Four-Power Administration for the ten-year period. Britain, France and the United States supported trusteeship under Italy while the Soviet Union favored Four-Power control. Failing to reach agreement, the issue was referred to the United Nations.
- 1949 United Nations General Assembly, on November 21, decided to entrust the former Italian Somaliland to Italian Administration under U.N. authority for a ten-year period. Britain was to retain control over the Somaliland Protectorate and was to administer Ogaden. (United Nations General Assembly Resolution 289 B (IV).)
- 1950 United Nations Trusteeship Agreement on Italian Somaliland was approved by the

General Assembly on December 2. Under this Agreement, the Italian Trusteeship Administration (A.F.I.S.) was to "Foster the development of free political institutions and to promote the development of the inhabitants of the territory towards independence." (Trusteeship Agreement for the Territory of Somaliland under Italian Administration, Sales No. 1951 A.I. New York, United Nations, 1951.)

- 1951 Territorial Council of fifty-one members, appointed by the Trust Administrator, was inaugurated on January 29 as the first legislature in the Trust Territory. This was done in accordance with the Trusteeship Agreement which provided that legislative authority would be exercised by the Administration, after consultation with the Territorial Council, until such time as an elective legislative body was established. The Council had 21 regional representatives, 18 representatives from political parties, nine from economic and cultural groups and one each from the Arab, Italian and Indian-Pakistani communities.
- 1953 By Somaliland Protectorate Order-in-Council, 1953, supreme executive and legislative powers in the British Protectorate were no longer to be vested in the Governor. An Executive Council was established to consult with the Governor.
- 1955 Britain ceded the Reserved Area (Ogaden) and Haud to Ethiopia.
- By Somaliland Protectorate Order-in-Council, 1955, a Legislative Council was established for the first time in the British Protectorate. It consisted of the three ex officio Executive Council members (Chief Secretary, Attorney General and First Secretary), not more than five official members and not more than six unofficial members appointed for three-year terms. Without the recommendation or consent of the Governor, however,

the Council had no power to put any law into effect.

- 1956 The Territorial Council in the Trust Territory of Somalia was transformed by Ordinances Nos. 1 and 2 of January 5th into a Legislative Assembly. The first elections for this new Assembly took place on February 20. The body had 72 seats, of which 60 were allocated to Somalia and the others to elected representatives of ethnic minorities. Inauguration was on April 20.
- The Legislative Assembly was given full powers in domestic affairs, subject to the absolute veto of the Administrator. In the beginning, the Administrator's prior authorization was required for the submission of legislation. The Legislative Assembly could also delegate to the Administration the power to issue decrees limited in time which had the force of law.
- By Ordinance No. 5 of February 2, the Law on the Organization of the Judiciary was put into effect. This was designed to separate the judicial and executive functions of government.
- Under Law No. 1 of May 7, the first Somali Government was established. This consisted of a Prime Minister and five other ministers, all appointed by the Administration. It was responsible to the Administration, rather than the Legislative Assembly.
- 1959 Trust Territory developments included the formation of the second Somali Government, consisting of the Prime Minister and nine ministers. Following the introduction of universal adult franchise for elections to the Legislative Assembly, a new Assembly was inaugurated on May 26. And by Decree No. 140 of September 6, a Political Committee was chosen to make preliminary studies for a Somali Constitution.

In the British Somaliland Protectorate, the membership of the Legislative Council was first enlarged to include thirteen elected members as well as additional appointed members. Somaliland (Constitution) Order-in-Council, 1959. Elections were held in March. By Somaliland (Constitution No. 2) Order-in-Council, 1959, a new Legislative Council was established. This was to consist of 33 elected members and three ex officio members, with a speaker nominated by the Governor as presiding officer. Elections were scheduled for February 7, 1960.

- 1960 In the Trust Territory, Law No. 6 of January 8 gave the Legislative Assembly the powers of a Constituent Assembly to prepare a constitution for Somalia. A Drafting Political Committee was appointed which met from March 29 to May 9. The Constituent Assembly met in 42 sessions beginning on May 16 and approved the Constitution on June 21.
- The Somaliland Protectorate declared its independence from Great Britain on June 26. The Trust Territory of Somalia became independent on July 1.
- Meeting in joint session at Mogadishu on July 1, the legislatures of the two newly independent states proclaimed the establishment of the Somali Republic.
- 1961 Act of Union, Law No. 5 of January 31, was enacted by the combined National Assembly, formalizing the union of the Trust Territory and the Protectorate.
- The Constitution was approved by a popular referendum on June 20. It was a democratic, western-style Constitution modelled basically on the Italian Constitution.
- 1960-1969 Period of legal development: With the Northern Regions following English law

and the Southern Regions following Italian law, the National Assembly sought to integrate the two systems. Uniform laws were passed in several fields.

1969 Bloodless military coup d'etat on October 21 put the government under the control of a 24-man Military Council. The Somali Democratic Republic was proclaimed and the Constitution was suspended.

The new ruling National Revolutionary Council then issued a seven-point policy communique based on the statement that "the Revolution had been motivated by the reign of anarchy prevailing in the country, and the violation of all State laws including the Constitution." The seven points were as follows:

- "1) The new Revolutionary Council maintains the policy of positive neutrality and non-alignment and seeks friendship with all nations;
- 2) The Council respects the principle of self-determination and non-interference in the affairs of other states;
- 3) The Council supports the rightful cause of all liberation movements of the peoples still under foreign domination;
- 4) The Council repudiates war as a means of settling issues and differences;
- 5) The Council intends to eliminate corruption in the public administration;
- 6) The Council will establish an effective National Guidance to eliminate tribalism.
- 7) The New Revolutionary Council will boost the economy of the country."

1970 The basic manifesto of the nation's ruling body (now known as the Supreme Revolutionary Council) was published in the February issue of New Era, the official publication of the Ministry of Information and National Guidance. It bore the title, "Revolution: 1st Announcement. SRC Act on Behalf of the People."

REVOLUTION: 1ST ANNOUNCEMENT
SRC Act on Behalf of the People

"KNOWING: The sacred right of the people and solemnly understanding the Charter of the United Nations and the Charter of the Organization of the African Unity;

DETERMINED: to collaborate all the people for the aspiration of liberty, justice and world peace and particularly with peace loving peoples and social justice;

STRONGLY: decided to consolidate to preserve the independence of the Somali nation for the exclusive welfare and interest of the Somali people and to create a society founded with the principle of popular sovereignty, equality and justice and the right of the Somali citizens, without distinctions, for better social life;

DECLARATION

The Supreme Revolutionary Council has assumed the legislative, judiciary and executive power of the Somali Republic through national revolution with effective date of 21st October, 1969, at 0300 hours to exercise in the norms established by the existing Law in Somali Republic which is compatible in the spirit of the Revolution, has taken integrally all functions conferred in the existing laws which have been mentioned and all powers are transferred to the Supreme Revolutionary Council and all existing laws have been substituted by the provisional laws. The Parliament has been dissolved, Government has been deposed and the Supreme Judiciary Council has been abolished.

The Supreme Revolutionary Council suspended the constitution of the Somali Republic, particularly, those parts or Sections which are contrary or incompatible with the spirit of the Revolution and the name of the Somali Republic has been changed into the Somali Democratic Republic.

The Supreme Revolutionary Council will elect its President, with secret ballot and with majority of two thirds of the members. In the event of the failure of one candidate to receive two thirds of the majority, a second secret ballot shall be voted and the President will be elected on an absolute majority.

The Supreme Revolutionary Council consists of the Regional Revolutionary Council, the District Revolutionary Council with a proposal from Regional Revolutionary Council in which the functions of both Regional Revolutionary Council and District Revolutionary Council will be established by a defined Law emanated by the Supreme Revolutionary Council.

Every Revolutionary Council will adopt its decisions on an absolute majority.

A: INTERNAL POLICY

1. To constitute a Society based on the right of work and in principle of social justice considering the environments and social life of the Somali people;

2. To prepare and orientate the development of economic, social and cultural programme to reach a rapid progress of the country;

3. Liquidation of illiteracy and to develop an enlightened patrimonial and Cultural heritage of the Somali people;

4. To constitute, with appropriate and adequate measures, the basic development of the writing of the Somali language;

5. Liquidation of all kinds of corruption, all forms of anarchy, the malicious system of tribalism in every form and every other phenomena of bad customs in State activities;

6. To abolish all Political parties, and

7. To conduct at appropriate time free and impartial election.

B: EXTERNAL POLICY

1. Support for international solidarity and national liberation movements;

2. Oppose and fight against all forms of colonialism and neo-colonialism;

3. To struggle to maintain the Somali National Unity;

4. To recognise strongly the principle of Peaceful Coexistence between all peoples;

5. To continue and preserve the policy of positive neutrality; and

6. To respect and recognise all legal international commitments undertaken by the Somali Republic."

1976

The Somali Revolutionary Socialist Party (SRS) was founded on July 1, and the SRSP Program and Statute were published in October.

The Program commits the Party to "scientific socialism", material and technological development of a socialist society and socialist democracy, including the preparation of a new national constitution.

The Statute states that the SRSP "is the vanguard of the Somali Working People," and "scientific socialism" is the "guiding philosophy" of the Party. There is to be a National Congress of the Party, held at least every five years, a Central Committee defined as the supreme governing body between Congresses and a General Secretary of the Party and a Political Bureau, both elected by the Central Committee. Mohamed Siad Barre was elected the first General Secretary of the SRSP.

The Statute also makes provision for local party organization at the Regional, District, Village and Party cell levels.

Both the Program and the Statute of the SRSP are included as they bear directly on the Constitution, which was subsequently adopted.

1979

By nationwide referendum, in August, the Somali people approved a new Constitution. This Constitution specifies a broad range of civil liberties. The Constitution states that all citizens are entitled to employment and free education, freedom of expression, publication and speech. Individuals, as compared to citizens, are guaranteed the right to life, personal integrity, personal liberty, and freedom from unwarranted searches. In addition, all persons are guaranteed privacy, the right of secrecy of correspondence and freedom of religion.

The Constitution established an elected Parliament or People's Assembly, which has the power to enact legislation. The Assembly also elects the President of the Republic who serves for 6 years and has wide executive authority. A constitutional court, which was not included in the original draft, is empowered to determine the constitutionality of laws. The Constitution may be amended except that such amendments may not affect the republican system of government, adoption of socialism as the foundation of the economic system, Somali territorial unity, and the fundamental rights and freedoms of citizens and individuals. Conspicuously absent from the provisions which may not be changed by amendment is provision in Article 7 that the Somali Revolutionary Socialist Party shall be the only legal political party in the country.

1980

On October 21, President Mohamed Siad Barre declared a State of Emergency. Under Article 83 of the Constitution, entitled, "Extraordinary Powers of the President," the President has the power, after consultation with the National Defense Council, to establish emergency rule, "when faced with grave matters endangering the sovereignty, internal or external security of the country, or in circumstances of absolute necessity."

Following the declaration of the state of emergency, the President reinstated the powers and functions of the Supreme Revolutionary Council (Presidential Decree No. 3 of October 23, 1980), and established five Committees: Defense and Security, Economy, Commerce and Finance; Political; Social; and Control and Auditing. By Presidential Decree No. 4 of October 23, the President named the members of the five Committees. In addition, the President established revolutionary committees in the Regions and Districts with power to

carry out the objectives of the State Emergency, including limiting the right of assembly, and imposing imprisonment of up to 90 days. This Decree and the Reinstatement of the Supreme Revolutionary Council are included as important documents effecting the interpretation of the Constitution.

CONSTITUTION

The constitutional documentation of the Somali Democratic Republic consists of the following:

- (1) Constitution for Somali Democratic Republic, 1979.
- (2) Presidential Decree on the Composition of Regional and District Revolutionary Committees.
- (3) Presidential Decree No. 3 on the Establishment of Supreme Revolutionary Council Committees. (10/23/80)
- (4) Presidential Decree No. 4 on the Establishment of Supreme Revolutionary Council Committees. (10/23/80)
- (5) Programme of the Somali Revolutionary Socialist Party.
- (6) Constitution of the Somali Revolutionary Socialist Party.

Preamble to the Constitution

The Somali People collectively and individually struggling for a life of dignity and equality, and engaged in a fight to establish lasting peace and stability internally and externally, to realize the general interests of the working masses, and accomplish the major objectives of the revolution, unity of the nation, socialist construction in order to create a society founded on social justice, equality and democracy in which the individual attains higher levels of political and social consciousness and strengthens the pillars of the revolution and national sovereignty, in order to achieve rapid political and socio-economic development, have resolved to adopt this constitution which shall constitute the basis of the struggle for the development of the Somali society, peaceful co-existence and mutual cooperation among nations of the world, especially those whose interests shall coincide.

The Constitution of the Somali Democratic Republic

Chapter I

General Principles

Section 1

The Republic

Article 1

The Somali State.

1. The Somali Democratic Republic is a socialist state led by the working class, and is an integral part of the Arab and African entities.
2. All sovereignty belongs to the people who shall exercise it through their representative institutions.

Article 2

Flag, Emblem and the Capital

1. The national flag shall be azure in color, rectangular, and shall have a white star with five equal points emblazoned in its center.
2. The emblem of the Somali Democratic Republic shall be composed of an azure escutcheon with a gold border and shall bear a silver five pointed star. The escutcheon surmounted by an embattlement with five points in moorish style, the two lateral points halved, shall be borne by two leopards rampant in natural form facing each other, resting on two lances crossing under the point of the

escutcheon, with two palm-leaves in natural form interlaced with a white ribbon.

3. Mogadisho (Hamar) shall be the capital of the Somali Democratic Republic.

Article 3

Religion and Language

1. Islam shall be the state religion.
2. Somali is the language which all Somalis speak and through which they recognize each other; Arabic is the language which links the Somali people with the Arab nation, of whom they are an integral part, and the two languages shall constitute the official languages of the Somali Democratic Republic.

Article 4

The Unity of the Somali People

1. The Somali nation is one and Somali nationality is indivisible.
2. The law shall determine the modes of acquiring and losing Somali Citizenship.

Article 5

State Territory

1. The state territory shall be sacred and inviolable.
2. The territorial sovereignty shall extend over land, the sea, the water column, sea-bed and subsoil, continental shelf, and island and airspace.

Article 6

Equality of Citizens

All citizens regardless of sex, religion, origin and language shall be entitled to equal rights and duties before the law.

Section Two

The Party

Article 7

Authority and Leadership of the Party

1. The Somali Revolutionary Socialist Party shall be the only legal party in the Somali Democratic Republic; no other party or political organization may be established.
2. The Somali Revolutionary Socialist party shall have supreme authority of political and socio-economic leadership in the Somali Democratic Republic.

Article 8

Unitary Nature of the Leadership

The leadership of the country shall be founded on the unitary system of political leadership of the party and state.

Article 9

Deliberations, Decisions and Executions

1. Political institutions elected at all levels shall function in accordance with the principle of collective deliberations, majority decisions and collective responsibility in execution.
2. Within the party institutions the afore-stated principles shall dictate the unity of view points, sensitivity, purpose and collective work.

Article 10

Complementarity of Party and State Duties

1. Party and state institutions shall discharge their respective duties as prescribed by the law, each pursuing its own methods in order to accomplish the common objectives.
2. The political mobilization of the country shall be based on the complement of the duties of party and state institutions as prescribed by the laws establishing them.

Article 11

Party Statute

The structure and functions of the party institutions shall be determined by the statute of the Somali Revolutionary Socialist Party.

Article 12

Social Organizations

1. The state shall allow the establishment of social organizations of the workers, cooperatives, youth and women.
2. Social organizations shall be established on national, local production levels and in educational centers.
3. The specific structure, laws and programs of the social organizations shall be in consonance with the general interests of the masses, the Constitution, the statute and the program of the Somali Revolutionary Socialist Party.

Article 13

Powers and Duties of Social Organizations

Social organizations shall participate in the leadership of State and social affairs and resolution of political, economic, social and cultural matters in accordance with the duties prescribed in their respective laws.

Article 14

Democratic Centralism

The principle of Democratic centralism shall be the basis of mobilization, and functions of party and state.

Section Three

Foreign Policy

Article 15

The Principle of Self-Determination

1. The Somali Democratic Republic shall firmly uphold the principle of self-determination of peoples and fully supports the national liberation movements, and all the peoples fighting for their freedom and independence.
2. It shall resolutely oppose colonialism, neo-colonialism, international imperialism and racial discrimination.

Article 16

Somali Territories Under Colonial Occupation

The Somali Democratic Republic adopting peaceful and legal means shall support the liberation of Somali territories under colonial occupation and shall encourage the unity of the Somali people through their free will.

Article 17

Policy of Neutrality and Peaceful Co-Existence

1. The Somali Democratic Republic shall pursue a policy of positive neutrality.
2. It shall fully recognize the principle of peaceful coexistence of the peoples of the world.

Article 18

Policy of Cooperation

The Somali Democratic Republic shall promote a policy of cooperation among all peoples and states based on mutual benefit, equality, and respect for the independence and political system peculiar to each state.

Article 19

International Legal Norms

The Somali Democratic Republic shall recognize the Universal declaration of human rights and generally accepted rules of international law.

Chapter 2

Fundamental Rights, Freedoms and Duties of the Citizen and Individual

Article 20

Political, Economic, and Social Rights

Every citizen shall be entitled to participate fully in the political, economic, social and cultural activities in accordance with the constitution and laws.

Article 21

Right to Work

1. Every citizen shall be entitled to work. Work is a duty, honor and the foundation of a socialist society.
2. The state shall promote the creation of employment in order to realize the citizen's fundamental right to work.

Article 22

Right to Election

Every citizen who fulfills the conditions prescribed by the law shall be entitled to elect and be elected.

Article 23

Right to Education

Every citizen shall have the right to free education.

Article 24

Freedom of Processions, Publications and Opinion

1. Every citizen shall be free to participate in an assembly, demonstration, or in their organization.
2. The citizen shall further be entitled to express his opinion in any manner, freedoms of publication and speech.
3. The exercise of the freedoms mentioned in paragraph 1 and 2 of this article shall not contravene the Constitution, the laws of the land, general morality and public order, or the freedoms of other citizens.

Article 25

Right to Life and Personal Security

1. Every individual shall have the right to life and personal security.
2. The law shall determine the conditions in which the death sentence may be passed.

Article 26

Personal Liberty

1. Every person shall have the right to personal integrity.
2. No person shall be liable to any form of detention or other restrictions of personal liberty, except when apprehended in flagrante delicto or pursuant to an act of the competent judicial authority in the cases and in the manner prescribed by the law.
3. Any person who shall be detained on grounds of security shall without delay be brought before the Judicial authority which has competence over the offence for which he is detained within the time limit prescribed by law.
4. Every person who shall be deprived of his personal liberty shall forthwith be informed of the offence of which he is accused.
5. No person shall be searched except in the conditions mentioned in paragraph 2 of this article, or under laws relating to judicial, sanitary, fiscal and security matters, and in the manner prescribed by the law, giving due respect to the honor and integrity of the person.

Article 27

Security of the person under detention

1. A detained person shall not be subjected to physical or mental torture.
2. Corporal punishment shall be prohibited.

Article 28

Private Ownership

1. Private ownership shall be guaranteed by law, which shall define the modes of acquisition and forfeiture, and the contents and limits of its enjoyment for the purpose of safeguarding its social functions.

2. The use of private property shall in no case be contrary to the public interest, and the objectives of the revolution.
3. Private property may be expropriated or requisitioned for reasons of public interest, in exchange for equitable compensation.

Article 29

Privacy of the Home

Every person shall be entitled to the inviolability of his home or any other place reserved for personal use except in the cases referred to in paragraphs 2 and 5 of article 26.

Article 30

Freedom of Communication

The right of secrecy of correspondence and other means of communication shall not be tempered with, except in the cases determined by the law.

Article 31

Freedom of Religion

Every person shall be entitled to profess any religion or creed.

Article 32

Right to Institute Legal Proceedings and Right of Defence

1. Every person shall have the right to institute legal proceedings before a competent court.
2. Every person shall have the right of defense before a court.
3. The state shall guarantee free legal aid in the conditions and in the manner prescribed by law.

Article 33

Penal Liability

1. Penal Liability shall be personal.
2. The accused shall be presumed innocent until the conviction becomes final.

Article 34

Non-retroactivity of Penal Laws

No person may be punished for an act which was not an offence under the law at the time when it was committed, nor may a punishment be imposed other than the one prescribed by the law enforced at the time such offence was committed.

Article 35

Extradition and Political Asylum

1. The Somali Democratic Republic may extradite a person who has committed a crime in his country or another, and has taken refuge in the Somali Democratic Republic, provided that there is an extradition treaty between the Somali Democratic Republic and the state requesting the extradition of the accused or offender.
2. The Somali Democratic Republic may grant political asylum to a person who has fled his country or another for political reasons while struggling for the interests of the masses, human rights or peace.

Article 36

Protection of Public Property

Every citizen shall have the duty to protect and consolidate public property.

Article 37

Participation in Economic Growth

Every person shall have the duty to participate in the economic growth of the country, payment of taxes, contributions to state expenditure according to his capacity and the laws of the country.

Article 38

Defence of the Motherland

The defence of the motherland and the consolidation of the unity of the Somali people shall be a sacred duty of every citizen.

Article 39

Observance of the Constitution and Laws

Every person shall have the duty to faithfully observe the constitution and laws of the state.

Chapter 3

Socio-Economic Foundation

Section 1

The Economy

Article 40

Economic Development

1. The State shall develop the economy of the country, and raise

production, while assuring an equitable distribution.

2. The state shall encourage the principle of self help for the rapid development of the country.

Article 41

The economy of the Somali Democratic Republic shall comprise the following sectors.

The state sector which shall constitute the vanguard in the economic development of the country and shall be given special priority;

The cooperative section which shall be instrumental in promoting the living standards of cooperative members, while promoting the rapid growth of the national economy, and the state shall participate in its planning and encouragement;

The Private sector which shall be based on non-exploiting private ownership;

The mixed sector which shall be based on the joint ownership between the Somali state and others.

Article 42

Land and Marine Resources

1. The land, natural marine and land based resources shall be state property.
2. The state shall promulgate a law prescribing the best methods for exploiting such resources.

Article 43

Economic Planning

1. The economy of the country shall be founded on socialist state planning.
2. The plan shall have a judicial authority superior to other laws.
3. There shall be a supreme state planning institution, and the law shall establish its structure, duties and powers.

Article 44

External and Internal Trade

In promoting the economic development of the country the state shall guide external and internal trade.

Article 45

Protection of Currency

The state shall organize the fiscal and monetary system of the country, and shall by law fix taxes.

Section 2

Promotion of Education & Science

Article 46

Education

1. The state shall give special priority to the promotion, expansion and dissemination of education and science, and shall consider education as the ideal investment which shall play the leading part in the Somali political and socio-economic development.
2. Education in the Somali Democratic Republic shall favor the working class, and shall conform to the special conditions and environment of the Somali Society.

Article 47

Compulsory Education

Education, in the Somali Democratic Republic shall be free. It shall be compulsory up to the intermediate school level.

Article 48

Eradication of Illiteracy

Eradication of illiteracy and adult education shall be a national duty towards which the people and state shall pool their resources in its fulfillment.

Article 49

Promotion of Science and Arts

1. The state shall promote science and arts, and shall encourage scientific and artistic creativity.
2. Copy rights and patent rights shall be regulated by law.

Article 50

Youth and Sports

In order to ensure healthy physical and mental growth of the youth, and to raise their level of education and political consciousness the state shall give special importance to the promotion and encouragement of gymnastics and sports.

Section 3

Cultural and Social Welfare

Article 51

Promotion of Culture

1. The state shall promote the progressive culture of the Somali people, while benefiting from the international culture of human society.
2. It shall promote art, literature and the national folklore.
3. It shall protect and preserve nations, historic objects and sites.

Article 52

Social Customs

The state shall preserve the good customs, and shall liberate society from outdated customs and those inherited from colonialism specially tribalism, nepotism, and regionalism.

Article 53

Child Care

The state shall promote child care homes and revolutionary youth centers.

Article 54

Rural Development

The state shall promote the program of permanent rural development campaign in order to eradicate ignorance and to narrow the gap between rural and urban life.

Article 55

Health

The state in fulfilling the policy of general health care shall promote the prevention of contagious diseases, and encourage general hygiene, and free medical treatment.

Article 56

Family Welfare

1. The state recognising the family as the basis of society shall protect the family and shall assist the mother and child.

2. The state shall be responsible for the care of the handicapped, children of unknown parents and the aged, provided they shall not have anybody to care for them.
3. The state shall guarantee the care of children whose parents die while defending the country.

Article 57

Work and the Workers

1. The state shall safeguard and promote work and its various types.
2. The minimum age for work in the Somali Democratic Republic shall be fifteen years.
3. The workers shall be entitled to receive without discrimination a remuneration equal to the amount and value of work done.
4. The workers shall be entitled to weekly rest and annual leave.
5. The law shall determine the working hours, conditions of service and persons suitable for certain jobs.

Article 58

Evaluation of Work

In evaluating work the state shall apply the principle; "from each according to his ability, to each according to his work."

Article 59

Social Insurance and Assistance

The state shall promote the system of social insurance and assistance and shall strengthen general insurance institutions of the country.

Chapter 4

State Structure

Capital One

Functions and Rules of the People's Republic

Article 60

Legislative Power

Legislative power in the Somali Democratic Republic shall exclusively be vested in the People's Assembly.

Article 61

Election to the People's Assembly

1. The People's Assembly shall consist of deputies elected by the people through free direct and secret ballot.
2. Every Somali has attained the age of twenty one years shall be eligible for election as a deputy. The law shall determine the grounds for ineligibility for election to the People's Assembly.
3. The number of deputies, conditions and procedure for election shall be established by a special law.
4. The President of the Somali Democratic Republic may nominate to the People's Assembly up to six persons from among people dedicated to science, Arts, and culture or highly esteemed patriots.

Article 62

Term of Office

1. The term of office of each People's Assembly shall be five years beginning from the declaration of election results.
2. In the event of circumstances which shall render the holding of elections impossible, the President of the Somali Democratic Republic shall, after consultations with the Central Committee of the Somali Revolutionary Party, have the power to extend the term of the Assembly for a period not exceeding one year.

Article 63

Dissolution of the People's Assembly

1. The People's Assembly may be dissolved before the expiry of its term of office on the proposal of one-third of the deputies and the approval of two-thirds of the membership.
2. The People's Assembly may also be dissolved by the President of the Republic after consultations with the Central Committee of the Somali Revolutionary Socialist Party and the Standing Committee of the People's Assembly.
3. The election to the new People's Assembly shall take place within three months beginning from the date of dissolution.

Article 64

Sessions

1. The People's Assembly shall hold two sessions annually.

2. The People's Assembly may be convened in an extraordinary session by a resolution of the Standing Committee, or on the request of one-third of the membership.
3. The President of the Somali Democratic Republic shall have the power to convene an extraordinary session of the People's Assembly.

Article 65

Meetings and Decisions

1. The People's Assembly at its initial meeting shall elect from among its members: Chairman, vice-chairman and a standing committee.
2. The meetings of the People's Assembly shall be public. However closed meetings may be held on the motion of the President of the Republic, the Standing Committee, Government or not less than one fourth of the deputies, and on the approval of the Assembly.
3. The majority of the deputies of the Assembly shall form a quorum.
4. The Assembly shall reach its decisions by a majority vote except when a special majority is required by the constitution or by law.

Article 66

Rules of procedure

1. The conduct of business in the Assembly shall be governed by rules of procedure adopted by the Assembly.

Article 67

Powers of the Assembly

1. Amendment of constitution;
2. Legislation and approval of decisions on national development;
3. Election and dismissal of the President of the Somali Democratic Republic as expressly stated in article 80 of this constitution;
4. Election and dismissal of the Standing Committee of the Assembly;
5. Ratification of international treaties relating to political, economic and commercial matters or agreements entailing financial obligation for the state;
6. Ensuring observance of the constitution and the laws of the country;
7. Approval of the national economic development plan;
8. Approval of the annual budget and accounts;

9. Enforcing accountability within the Government and its members;
10. Any other powers granted to the Assembly by the constitution;

Article 68

Delegation of Legislative Power

1. The People's Assembly may for a limited period delegate to the Government the power to legislate on specified matters. The enabling legislation may establish the principles or directives which the government shall follow.
2. Legislative power delegated to the government shall be exercised through Presidential Decrees.

Article 69

Emergency Decree - Laws

1. In the event of special emergency circumstances, the government may pass Decree laws which shall have temporary effect, and shall be issued by Presidential Decrees. Such Decrees shall within a month be submitted before the People's Assembly or the Standing Committee for conversion into laws.
2. The People's Assembly when in session, or the Standing Committee when the Assembly is in recess, shall reach a decision within fifteen days beginning from the date of the presentation of the decree.

Article 70

Draft Laws

The President of the Somali Democratic Republic, the Standing Committee, or the government may present a draft law to the People's Assembly. A draft law may also be proposed by a member of the people's Assembly provided one third of the membership agreed to such a proposal.

Article 71

Laws Relating to Party Strategy

Every draft law concerning Party strategy for the realization of revolutionary objectives and the system of the national leadership shall initially be approved by the central Committee, before the People's Assembly shall reach a final decision.

Article 72

Promulgation and Publication of Laws

1. Every law approved by the People's Assembly or the Standing Committee shall be promulgated by the President within forty-five days.

2. The President of the Somali Democratic Republic shall, within the period mentioned in paragraph 1 of this article, have the power to resubmit such a law to the Assembly stating the grounds thereof with a request to reconsider the law and reach a decision.
3. Where the Assembly shall approve such a law for the second time by a two-third majority, the President shall promulgate it within forty-five days.
4. Every law approved by the Assembly and promulgated by the President shall be published in the official bulletin and shall come into force after the fifteenth day of its publication, unless the law shall prescribe a different time limit.

Article 73

The Deputy

1. Every deputy shall represent the general interests of the Somali people.
2. Before assuming functions in the Assembly a Deputy shall take the following oath:

In the name of God and country I swear that I shall faithfully, selflessly and with full confidence serve the Somali people, implement the principles of the Revolution of 21st October, 1969, abide by the Constitution and laws of the country, carry out the socialist principles, protect the general interests of the people and the Somali state, defend with all my ability the freedom, sovereignty and unity of the country, place the general interest before private interest, and practice equality and justice among the Somali people.
3. A Deputy shall not be prosecuted for views and opinions expressed before the assembly and its various committees in the exercise of his responsibilities.
4. No criminal proceedings shall be instituted against a deputy, nor shall he be arrested, or his person or domicile be subjected to search, except in cases of flagrante delicto or with the authorization of the Assembly or the Standing Committee, when the Assembly is not in session provided that such an act shall be subsequently validated by the Assembly.
5. A Deputy shall discharge his responsibilities in the Assembly while pursuing his ordinary duties. While the Assembly is in session, or when entrusted with tasks relating to his Assembly responsibility, a Deputy shall be entitled to an honorarium which shall be fixed by a special law.

Article 74

Removal and Recall of a Deputy

1. Every deputy who shall fail to fulfill the conditions of his membership or shall fail to discharge the duties relating to his responsibility shall be relieved of such responsibility.
2. The electors may recall any deputy in whom they have lost confidence on the proposal of one-fourth of the electors.
3. The decision to relieve the deputy from responsibility shall be by a simple majority of the People's Assembly.

Article 75

Investigations by the Assembly

1. Every Deputy shall have the right to propose motions and put questions to the Government or its members, which the Government shall be obliged to answer within twenty days.
2. The Assembly may order investigations through committees comprising its members.

Section Two

The Standing Committee

Article 76

Functions and Powers of the Standing Committee

The Standing Committee shall be the organ which shall direct the business of the Assembly and shall discharge the functions of the Assembly between recesses and shall have with the exclusion of its powers those mentioned in article 67, paragraphs 1, 3, 7 and 8 and article 82 paragraphs 3 and 12 of the Constitution.

Article 77

Membership of the Standing Committee

1. The Standing Committee shall comprise the following members: chairman, vice-chairman, secretary, and ten members.
2. The chairman and vice-chairman of the Assembly shall become the chairman and vice-chairman of the Standing Committee.

Article 78

The Powers of the Standing Committee

The Standing Committee shall have the following powers:

1. Legislation and amendment of laws during recesses, subject to subsequent approval by the Assembly.
2. Interpretation of laws and resolutions of the Assembly.
3. The convening of ordinary and extraordinary sessions of the Assembly.
4. Supervision of election of deputies to the Assembly.
5. Any other powers granted by the Constitution or the People's Assembly.

Capital II

President of the Somali Democratic Republic

Article 79

Head of State

The President of the Somali Democratic Republic shall be the Head of State and shall represent state power and the unity of the Somali people.

Article 80

Election and Term of Office

1. The candidate for the President of the Republic shall be proposed by the central committee of the Somali Revolutionary Socialist Party and shall be elected by the People's Assembly.
2. The election of the President shall be by a majority of two-thirds of the deputies on the first and second ballots. A simple majority shall suffice on the third ballot.
3. The Assembly may relieve the President of his responsibility in accordance with the procedure laid down in paragraphs 1 and 2 of this article.
4. The President of the Republic shall hold office for six years beginning from the date of taking the Oath of Office and shall be eligible for re-election.
5. Before assuming office, the President shall take the Oath of Office set out in article 73 of this Constitution.

Article 81

Conditions for Election

Every Somali whose parents are of Somali origin, shall not have married a person not of Somali origin, has fulfilled the conditions for election to the Assembly, and has attained the age of forty may be eligible for election to the Presidency of the Somali Democratic Republic. The President of the Republic while in office shall not marry a person not of Somali origin.

Article 82

Duties and Powers of the President

In addition to the powers and duties granted by the Constitution and the laws, the President of the Somali Democratic Republic shall have the following powers and duties:

1. Representation of the state in relations with foreign states.
2. Representation of the unitary nature of the political leadership of party and state.
3. Ratification of international treaties relating to defense and security, sovereignty and independence of the Republic, on the approval of the Central Committee of the Party and People's Assembly.
4. Ratification of other international agreements.
5. Reception and accreditation of ambassadors and heads of foreign missions.
6. Chairmanship of joint meetings of party and state institutions.
7. Appointment and dismissal of ministers and deputy-ministers.
8. Appointment and dismissal of the President of the Supreme Court, Attorney-General of the state, having heard the opinion of the Central Committee of the Somali Revolutionary Socialist Party.
9. Appointment and dismissal of senior state officials having heard the opinion of the Council of Ministers.
10. Grant pardon and commute sentences.
11. To be Commander-in-Chief of the armed forces and chairman of the National Defence Council.
12. Declare states of war and peace after authorization by the Central Committee of the Party and the People's Assembly.
13. Initiate a referendum when the country is faced with important issues.

14. To issue Presidential decrees.
15. Confer medals and other state honors.

Article 83

Extraordinary Powers of the President

1. The President of the Somali Democratic Republic, shall have the power, after consultations with the National Defence Council, to proclaim emergency rule throughout the country or a part of it, and take all appropriate measures when faced with grave matters endangering the sovereignty, internal or external security of the country, or in circumstances of absolute necessity.
2. In the event of a state of war the President shall assume power over the entire country, and those articles of the Constitution which shall be incompatible with such a situation shall be suspended.

Article 84

Vice Presidents

1. The President of the Somali Democratic Republic having heard the opinion of the Central Committee of the party and People's Assembly may appoint one or more vice-presidents.
2. Before assuming functions the vice-president or vice-presidents shall take the oath of office set out in article 73 of the Constitution.

Article 85

Incapacity to Discharge Responsibility

1. In case of death, resignation, or permanent disability of the President of the Somali Democratic Republic, a new President shall be elected within sixty days in accordance with the procedure laid down in article 80 of the Constitution.
2. Until the election of a new President, or in case of a temporary disability of the President the first vice-president shall temporarily assume the presidency.

Capital III

The Government

Section I

Central Government

Article 86

Council of Ministers

1. The Council of Ministers shall be the supreme executive organ of the Central Government.
2. The Council of Ministers shall consist of the chairman of the council and ministers.
3. The President of the Somali Democratic Republic shall be the chairman of the Council of Ministers.
4. The President may appoint a Prime Minister if he shall deem it appropriate.

Article 87

Powers of the Council of Ministers

In addition to the powers granted by the Constitution and laws the Council of Ministers shall have the following powers:

1. To present draft laws to the People's Assembly.
2. To direct, coordinate and supervise Government activities.
3. To issue decrees.
4. To direct activities relating to the defence and security of the state.
5. To prepare the annual budget and accounts.
6. To lay down the plan for the economic development of the country.
7. To conclude agreements with foreign countries and international institutions.
8. To take every step to safe guard the interest of the state and public order within the powers granted by the Constitution.

Article 88

Organization of the Government

1. A Special law shall establish the powers and functions of the Council of Ministers not specified by the Constitution.
2. The organization of the Council of Ministers, ministries and related offices shall be determined by presidential decrees.

Article 89

Penal Liability of Ministers

1. Ministers shall be liable for crime resulting from the execution of their functions.
2. The law shall determine the procedure for prosecuting ministers for crimes mentioned in subsection 1 of this article and any other crimes.

Article 90

Oath of Office

Before assuming their functions government members shall take the Oath of Office set out in article 73 of the Constitution, before the President of the Republic.

Article 91

Government Program

Subsequent to its appointment, the Government shall present its program to the central committee of the Party and the People's Assembly.

Article 92

Deputy Ministers

Ministers in their functions may be assisted by deputy ministers appointed by the President of the Republic, having heard the opinion of the Council of Ministers.

Section 2

Decentralization of Power and Administration

Article 93

Administrative Decentralization

As far as possible administrative functions shall be decentralized to local administration and public bodies.

Article 94

Local Administration

1. Local administrative powers shall be an integral part of the central government powers of the Somali Democratic Republic.
2. The law shall determine local administrative powers in accordance with the principle of democratic centralism.

Article 95

People's Local Councils

1. The people shall directly elect members of the People's local councils.
2. The law shall determine the structure, powers, sources of revenue and the relationship between the People's local councils, the Party, People's Assembly and the State.

Capital IV

The Judiciary

Section I

Principles of Justice

Article 96

Objectives of Justice

1. The courts and the office of the Attorney-General shall protect the socialist system of the State and its social structure.
2. The courts and the office of the Attorney-General, in the fulfillment of their responsibility shall inculcate in the Somali citizen a spirit of participation in the construction of the country, defence of the socialist system, observance of the laws, social cooperation and the faithful discharge of state and social duties.

3. The Judiciary shall ensure observance of the laws, and shall guarantee the protection of the freedom, rights, and life of the citizen, interests and dignity of the human being.

Article 97

Unity of the Judiciary

The Judiciary of the Somali Democratic Republic shall be unified.

Article 98

Independence of the Judiciary

Judges and Attorney-Generals shall be independent in the performance of their functions and shall be guided by the rule of law; they shall not be relieved of their responsibilities except in conditions provided by the law.

Article 99

Court Proceedings

1. The court proceedings shall in principle be oral and shall be open to the public. The law shall determine the conditions in which the proceedings shall be in Camera.
2. Judgments of courts shall be pronounced in the name of the Somali people.

Section 2

The Courts

Article 100

Courts of the Republic

1. The courts of the Somali Democratic Republic shall comprise the following: The Supreme Court, Courts of Appeal, Regional courts, District courts, Judicial committees, Military courts.
2. Special courts whose jurisdiction and structure shall be determined by law, may be established.
3. People's judges shall participate in the courts as determined by special law.

Article 101

The Supreme Court

The Supreme Court shall be the highest judicial organ in the Somali Democratic Republic. It shall regulate, and supervise the activities of all the courts.

Article 102

Organization of the Judiciary

The organization of the Judiciary in the Somali Democratic Republic and the mode of appointment of judges shall be determined by a special law.

Section 3

Article 103

The Attorney-General of the State

1. The office of the state Attorney-General shall comprise: the attorney-general and his deputies.
2. The establishment of the office of the Attorney-General and its functions shall be determined by a special law.

Article 104

Responsibilities of the State Attorney-General

1. The office of the state Attorney-General shall ensure the strict observance of the laws of the country.
2. It shall ensure that the decisions, orders and directions of state institutions are in accordance with the Constitution and the laws of the country.
3. It shall initiate proceedings against anyone who shall commit a crime.
4. It shall supervise the prisons and reformatories.
5. It shall protect the rights of the weaker section of society.
6. It shall fulfill any other functions prescribed by the law.

Section 4

The Higher Judiciary Council

Article 105

Responsibility of the Higher Judiciary Council

1. The Higher Judiciary Council shall be the organ which shall direct the general policy and administration of the Judiciary.

2. The Higher Judiciary Council shall advise the President of the Republic on amnesty, appointment, transfer, promotion, and dismissal of judges and members of the office of the Attorney-General.
3. It shall supervise the functions and conduct of judges and members of the office of the Attorney-General.
4. The structure of the Higher Judiciary Council and its functions shall be determined by a special law.

Article 106

Chairmanship of the Higher Judiciary Council

The President of the Somali Democratic Republic shall be the chairman of the Higher Judiciary Council.

Article 107

Constitutionality of laws

1. There shall be a constitutional court which shall have the power to decide on the constitutionality of laws.
2. The constitutional court shall be composed of the supreme court along with members from the people's Assembly nominated by the President of the Republic having heard, the opinion of the standing committee.
3. The Procedure composition and the term of the constitutional court shall be determined by a special law.

Chapter V

Defense and Security of the Country

Article 108

Responsibilities of the Armed Forces

1. The armed forces shall protect the sovereignty and independence of the Somali Democratic Republic, the achievements and fruits of the Revolution against internal and external enemies, ensure internal security and peace and shall participate in the construction of the country.
2. The state shall develop the capability and technical expertise of the armed forces, raise their political consciousness, and inculcate in them the spirit of nationalism and self-sacrifice for the motherland.

Article 109

Structure of the Armed Forces

The structure and the organization of the armed forces shall be determined by a special law.

Article 110

National Defense Council

1. The responsibilities of the National Defense Council shall be to evaluate conditions relating to the defense and the security of the country and mobilize all resources necessary for meeting the defense needs of the country.
2. The President of the Somali Democratic Republic shall be the Chairman of the National Defense Council and shall appoint other members.
3. The law shall determine the powers of the National Defense Council both in time of peace and war.

Chapter VI

Miscellaneous Provisions

Article 111

The Basic Law

1. The Constitution shall have supreme legislative authority.
2. The Constitution of the Somali Democratic Republic shall be the basis for all laws, decrees and order of state institutions.

Article 112

Amendments to the Constitution

1. Amendments to the Constitution may be proposed by the President of the Somali Democratic Republic, the Central Committee of the Party or one-third of the membership of the People's Assembly.
2. The People's Assembly shall approve Amendments to the Constitution by a two-thirds majority.
3. Amendments to the Constitution shall not affect the following:
 - a) the Republican system of the country
 - b) the adoption of the principle of socialism
 - c) territorial unity
 - d) the fundamental rights and freedoms of the citizen and individual.

Article 113

Transitional Provisions

1. The laws at present in force shall continue to apply and those sections which are found incompatible with the Constitution shall be amended within one year.

2. Until such time that the institutions prescribed by the Constitution are established, their powers shall be exercised by existing institutions.

Article 114

Entry into Force

The Constitution shall come into force with effect from the date of the declaration of results of the referendum.

PRESIDENTIAL DECREE
ON THE COMPOSITION
OF REGIONAL AND DISTRICT REVOLUTIONARY COMMITTEES
October 23, 1980

Having seen: articles 82 and 83 of the constitution, having seen: Presidential decree, number one of 21st October 1980 on the state of emergency, considering: the necessity to take the appropriate steps in realizing the objectives of the state of emergency, considering: the necessity of establishing on the regions and the districts, revolutionary committees which are to take the especial responsibility of mobilizing, and organizing the masses as well as defending and upholding the objectives of the 21 Oct. Revolution, consulting the National Defense and Security Committee, issues the following:-

Article 1

Revolutionary Committees are established in every region and district of the Country.

Article 2

Regional Revolutionary Committee is comprised of the following:

- | | |
|---|---------|
| 1) Regional Party Secretary: | -Member |
| 2) 1st Assistant Regional Party Secretary: | -Member |
| 3) 2nd Assistant Regional Party Secretary: | -Member |
| 4) Regional National Army Commandant: | -Member |
| 5) Regional Police Commandant: | -Member |
| 6) Regional National Security Service head: | -Member |
| 7) Regional Custodial Corps Commandant: | -Member |
| 8) Regional Commandant of the People's Militia: | -Member |

District Revolutionary Committee is comprised of the following:

- | | |
|--|-----------|
| 1) District Party Secretary: | -Chairman |
| 2) 1st Assistant Party Secretary: | -Chairman |
| 3) Chairman of the District Assembly: | -Chairman |
| 4) Army Commandant stationed in the District: | -Chairman |
| 5) Officer in charge of the District Police Station: | -Chairman |
| 6) District Security Officer: | -Chairman |
| 7) Commander of the District People's Militia: | -Chairman |

Article 3

1. Each committee can have sub-committees which would carry out special tasks as is defined in Article 6 of this decree. These sub-committees will be named by the regional and district committees respectively.

2. The sub-committees will be chaired by a member of the regional or the District committee respectively, and will be comprised of specialists and other professional persons.

Article 4

The District Revolutionary Committee will be represented in the villages by a Committee comprising 3 persons chaired by the Secretary of the party cell of the village.

Article 5

The sessions of the Regional and District Revolutionary Committee will be valid only with the participation of 1/3 of its members, and their resolutions would be adopted by simple majority.

Article 6

The Regional and the District Revolutionary Committee will carry out the following duties and responsibilities:

1. To mobilize and organise the people for a national defense and serve the interest of the people in accordance with the objectives of the Revolution and in line with the State Emergency;
2. To assist and care for the refugees in the regions and the districts as well as to help government agencies and international institutions running the refugee camps;
3. To eradicate tribalism and regionalism;
4. To eradicate maladministration, nepotism, favouritism, embezzlement of public funds, inequality and injustice;
5. To eliminate rumour mongering and spreading of fallacies;
6. To make effective inspection on the activities of the government institutions;
7. To work hard towards fostering unity and co-operation among the people as well as raising their patriotism.

Article 7

The Chairman of the Regional or the District Revolutionary Committee, in representation of the SDR President and in consultation with other members of their Committees are fully empowered to implement the objectives of the State Emergency laid down in the presidential Decree number one issued on October 21, 1980 and the responsibilities defined in Article 6 of this decree and particularly. They are also to make provisional decisions on:

- a. Limiting the activities and meetings of the individual in order to maintain peace and security as well as safeguard the national political leadership;
- b. Imposing a detention of not more than 90 days, and through investigation of nature of the case committed;
- c. Giving extra-ordinary powers to public and army institutions.

2. The Execution of the resolution defined in No. 1 article of this decree is the responsibility of the National Security Service.

Article 8

The sentence defined in Article 7(B) of this decree will apply to the person when his/her crime is not punishable by law No. 1 enacted on January 10, 1970, and other penal codes this last state of the accused will be brought to the court empowered to execute the nature of the offense of which the person is accused or to the Regional and the District Committees for consideration.

2. Reaching decision on the violation of law No. 1 enacted on January 10, 1970, is the prerogative of the Regional and District Revolutionary Committees, and will be submitted to the SDR President for approval.

Article 9

1. If the offense is not more serious, anybody who violates the resolutions of the Chairman of the Regional or District Revolutionary Committees will receive a punishment of up to a one-year imprisonment or up to a fine of 10.000 So. Sh.

2. The meeting out of sentences on the offensive prescribed in the preceding number is the prerogative of the District Security Court.

Article 10

The District Revolutionary Committee will submit to the Regional Revolutionary Committee a regular report detailing District's action programme, the quality and results achieved; it should also forward a copy of the report to each of the SDR President, the SRSP's Central Committee for Organisation and Mobilization, and the Local Government and Rural Development Ministry.

Article 11

The Regional Revolutionary Committee will forward to the President of the SDR a region's action programme a copy of which, to be transmitted to the SRSP Central Committee's General Bureau for Organization and Mass Mobilization as well as to the Ministry of Local Government and Rural Development.

Article 12

1. The Chairman of the Regional and the District Revolutionary Committees shall maintain direct contacts with the SDR President on matters relating to the implementation of the objectives of the state of emergency.

2. On ordinary matters, the competent bodies shall be contacted.

Article 13

This Decree takes effect from October 23, 1980, and will be published in the official Bulletin.

PRESIDENTIAL DECREE
NUMBER 3
ON THE ESTABLISHMENT OF SRC COMMITTEES
October 23, 1980

Decree Number 3 of 23rd October 1980 states:

Having seen: Articles 82 and 83 of the Constitution. Having seen: Presidential Decree Number One of 21 October 1980. Knowing: the necessity to reinstate the powers and functions of the members of the Supreme Revolutionary Council so as to straighten any handicaps impeding the progress of the 21st October Revolution:

Issues the following:

Article 1. The following committees have been named:

- 1) Defense and Security Committee;
- 2) Economy, Commerce and Finance Committee;
- 3) Political Committee;
- 4) Social Committee;
- 5) Control and Auditing Committee.

Article 2. The Committees referred to in Article One of this decree comprise members of the Supreme Revolutionary Council (SRC).

Article 3. The Committees shall execute the following duties and responsibilities:

1. To eliminate any impediments as regards to the objectives and aspirations of the Revolution.
2. To reorganize the general set-up of the government institutions.
3. To fight undermining of work, embezzlement of public properties, mal-administration, favouritism, injustice and inequality.
4. To eliminate tribalism and spreading of fallacies and rumour-mongering.
5. To see that justice is properly executed.
6. To safeguard national defense and sovereignty.
7. To supervise over and give advice on ways of uplifting producing and promoting economic, and Commercial development and state finances.
8. To supervise over the implementation of internal policies and foreign policies, and
9. Any other task pertaining to the implementation of the objective of the State of Emergency.

Article 4. Each and every Committee is fully empowered to carry out all necessary steps in fulfilling the responsibilities entrusted to them.

2. Every Committee can inspect government institutions taking necessary measures against anybody proven guilty of mismanagement or of committing other mistakes.

Article 5. Every Committee can have sub-committees comprising specialists and other experienced people.

Article 6. The responsibilities and duties of every Committee shall be issued in a special law.

Article 7. In order to ensure that the Committees are coordinated, the President has appointed a member of the Supreme Revolutionary Council as the Chairman of the Secretariat of the SRC.

Article 8. This decree will be effective from 23rd October 1980 and will be published in the Official Bulletin.

PRESIDENTIAL DECREE
NUMBER 4

ON THE ESTABLISHMENT OF SRC COMMITTEES
October 23, 1980

Decree Number 4 of 23rd October 1980 states:

Having seen: Article 83 of the Constitution. Having seen: Presidential Decree Number One of 21st October 1980, on the State of Emergency. Having seen: Decree Number Three of 23rd October 1980 on the establishment of the Committees of the SRC. Knowing: the necessity of naming members of the Supreme Revolutionary Council.

Issues the following decree:

Article 1. The Committees of the SRC shall come under the President of the SDR and shall consist of:

- 1) Defense and Security Committee:
 - 1) Lt. General--Mohamed Ali Samater --Chairman
 - 2) Brig. General--Ahmed Suleiman Abdalla--Vice-Chairman
- 2) Economy, Finance and Commerce Committee:
 - 1) Major General Abdalla Mohamed Fadil --Chairman
 - 2) Col. Ahmed Mohamoud Farah --Vice-Chairman
 - 3) Col. Farah Wais Dule --Member
 - 4) Col. Muse Rabille Good --Member
- 3) Political Committee:
 - 1) Brig. Gen. Ismail Ali Abokor --Chairman
 - 2) Col. Mohamed Omer Jess --Vice-Chairman
 - 3) Col. Abdikadir Haji Mohamed --Member
- 4) Social Committee:
 - 1) Maj. Gen. Hussein Kulmie Afrah --Chairman
 - 2) Brig. Gen. Mohamed Ali Shire --Vice-Chairman
 - 3) Col. Abdirasak Mohamoud Akubakar --Member
 - 4) Col. Osman Mohamed Jelle --Member
 - 5) Col. Abdi Warsame Isak --Member
- 5) Control and Auditing Committee
 - 1) Brig. Gen. Mohamoud Gelle Yusuf --Chairman
 - 2) Col. Ahmed Hassan Muse --Vice-Chairman

Article 2. Jaalle Brig. General Mohamed Sheikh Osman has been appointed as the Chairman of the Secretariat of the Committees of the Supreme Revolutionary Council.

Article 3. This decree will be effective from 23rd October 1980 and shall be published in the official Bulletin of the Somali Democratic Republic.

Meanwhile, a third decree issued by the President here tonight relieved (with effect tomorrow) some SRC members of their ministerial or administrative responsibilities they held before the formation of the SRC Committees.

The move was taken to enable these members to devote themselves to the execution of their new tasks within the established committees.

Members relieved of their previous posts are:

- 1) Jaalle Maj. General Abdalla Mohamed Fadil
(Minister of Health)
- 2) Jaalle Brig. Gen. Mohamoud Gelle Yusuf
(Minister of Marine Transport & Ports)
- 3) Jaalle Colonel Ahmed Hasaan Muse
(Minister of Agriculture)
- 4) Jaalle Colonel Mohamed Omer Jess
(Minister of Tourism)
- 5) Jaalle Colonel Abdi Warsame Isak
(Minister at the Presidency for Social Affairs)
- 6) Jaalle Brig. General Mohamed Ali Shire
(General Administrator of the Agricultural
Development Agency)
- 7) Jaalle Colonel Farah Weis Dule
(Administrator General of the National Banana
Board).

Portfolios evacuated by the out-going SRC members will be provisionally taken over by their respective assistant ministers or general managers, the decree said.

PROGRAMME OF THE SOMALI REVOLUTIONARY SOCIALIST PARTY

INTRODUCTION:

The Somali liberation movement went through many stages with the aim of realizing the ideas of the Somali nation. The colonialists, with the intention of impeding the liberation movement, continuously put difficulties in its path.

The Somali liberation movement has affected and was in turn influenced by the world liberation movements and in particular by those of Africa and the Arab World.

The aims of the Somali struggle against colonialism were not limited to the attainment of political independence and unification of the Somali nation, it also aimed at and succeeded in the mobilization of the Somali masses against colonialism. The people took to arms and fought bitterly which was a reflection of the maturity of their consciousness and the strength of their belief in their just cause of liberation.

The revolutionary vanguard represented by the armed forces and led by comrade Mohamed Siyad Bare made the 21st October Revolution. It was necessitated by the consciousness of the need to resume the second phase of the liberation movement, namely the socio-economic liberation. The First and the Second Charter of the 21st October Revolution stated concretely that it was necessary to realize the ideals of the Somali people for independence and unity. The revolutionary state unified the political independence with the social transformation. It has also adopted Scientific Socialism as the only ideology with scientific planning that could enable the rapid building of a new society without exploitation and without social injustice. Since the Revolution, progressive steps were taken to change the existing political, economic, social and cultural structures which paved the way for the creation of socialist society that strives prosperity.

One of the first moves towards the creation of the new society was the continuous mobilization of the masses, in the form of numerous campaigns, to participate in the nation building. The General Secretary of the Somali Revolutionary Socialist Party stated in his report to the founding congress of the Party, that the revolutionary state spared no efforts to prepare the conditions for mass participation in the state policy making. Such an objective has been realized.

This programme, which was approved by the founding Congress of the Party, expresses the revolutionary changes that occurred in the country since the 21st October 1969.

The Party programme is a guideline which channels our talents and capabilities towards the building of a just and egalitarian society.

It is the duty of Party members and the Somali masses to study it, apply it practically in their daily lives and try to overcome the difficulties that arise in its implementation.

The Party Programme embodies the essence of the struggle of the Somali people and the experiences gained since the Revolution. Its practice and implementation make it possible to build the basis for a socialist society.

by Comrade Brigadier General

Ismail Ali Aboker
Assistant General Secretary
of the SRSP.

The working masses of humanity have up to the last quarter of the 20th century been aspiring and struggling to build a society in which each individual leads a decent life; a society which has no place for enslavement and the exploitation of man by man. The unfolding of this struggle has led to the conviction that those aspirations could only be fulfilled when the toiling masses take control over the organization of the production of labour. The savage class exploitation and the appropriation of the products of labour, by a minority of unproductive capitalist and monopolists in the past epochs awakened the political consciousness and unity of the working people and incited their rejection of exploitation. This struggle waged by the human masses resulted in the division of the world into two ideological camps: That of imperialism - the system of reaction and exploitation of the working people - and that of the world progressive forces represented by the socialist world system and the progressive working class in the imperialist countries which defend the interests of the working people.

How could the countries of the Third World, which mostly broke away recently from the yoke of colonialism, be liberated today from the neo-colonialist domination economically and culturally? And what is the best way for them to take to attain rapid and over-all development for the interest of the toiling masses? The history of the class struggle of these societies and the conditions that currently prevail in the Third World clearly show us the inevitability of the socialist way to development.

The choice of the socialist path is neither spontaneous nor imitative. It could only be taken through a bitter and persevering struggle against the aggression of imperialism and internal reaction which jointly try to hinder any socialist development in the Third World through various tactics. One of these tactics is to confuse the leadership and the masses of these countries as to the type of socialism to be installed. To divert the peoples of the Third World from Scientific Socialism they propose to them all the different, subjective and "Special" types of socialism.

As the President of the Somali Revolutionary Council pointed out repeatedly there are no different types of socialism. There is only one socialism and that is Scientific Socialism which, as an ideology, is a culmination of the best and most progressive of the human thought and of the bitter experience of centuries of oppression and exploitation.

Scientific Socialism has its objective laws which could be utilized in every country and continent. A prerequisite is to discover them first and then utilize them according to the specific conditions of each country. The countries in which socialism has struck roots ascertain, beyond doubt, the supremacy of socialism over capitalism.

In order to obscure and divert the developing countries from this victory the imperialist world openly strengthens exploitation, hinders any economic and democratic development and internifies its aggression against the people in these countries.

The world political scene today shows us that the true nature of imperialism does not change and that it is in essence reactionary and aggressive. It tries, unsuccessfully, to regain its powers. This is testified by its consistent interference in other people's internal affairs and its moral and material support of colonialism. The daily occurrence of reactionary coups, the use of mercenaries against liberation movements, the corruption and bribery of the governments of the Third World and the looting of their resources are all manifestations of their resistance and refusal to acknowledge their final inescapable defeat.

The continent of Africa has been in the last centuries maltreated by colonialism whose footprints are still fresh and who mischievously plot a comeback.

II

Since the Second World War the African peoples have achieved great victories which show that their slumbering powers have to be reckoned with. A proof of this is the naming of 1960 as the "year of Africa" in which 17 countries attained independence. Today the figure is 47. This feat was accomplished as a result of the awakening of the African masses, their resistance against the long-enduring enslavement and pauperisation and their understanding that a bright future would not be given to them as a gift but should only be realized through their will. The African awakening contributed greatly to the resistance and liberation of the other peoples in the imperialist countries suffering under fascist, and dictatorial regimes. The solidarity among the different liberation movements in Africa necessarily arose from their consciousness that their objectives are the same and that their unified stand against colonialism weakens the forces of reaction and oppression. The experience gained during the days of the liberation movement was made use of after the independence of many countries by establishing the O.A.U. in 1965. The O.A.U. promoted further the struggle of the African nations towards independence and development of the economy, technology and culture. It has coordinated the scattered forces which are today united against colonialist and imperialist aggression.

It is worthwhile to note here the strong military and economic support given to the African liberation movements by the socialist countries. Guided by their scientific conviction of social changes and still support the liberation movements and the newly independent countries.

Today after the overwhelming majority of the African countries are liberated, the questions we are asking ourselves are: Have the African countries benefited from the independence that was attained after a long and bitter struggle?

It was not possible for the African countries to make the best use of their independence. The reasons are many. But an important one was the disorientation that happened to the peoples of these countries after independence. The wishes of the masses were not more represented by the leadership which strayed from the goals of the liberation movement and linked themselves to the imperialist world order.

Some of the reasons for the political confusion of the newly independent African nations are:

- 1) Lack of any serious and scientific study of the socio-economic structures of these countries;
- 2) No steps were immediately taken to revive the heritage of the African nations;
- 3) An easy way of life based upon the capitalist consumption patterns has whetted the personal and selfish appetites of the ruling class and tied them stronger to the international bourgeoisie.

All these and many other problems that face Africa could have been avoided if the liberation movement was not understood as a one time event that has its finale in political independence, but as a continuous process necessitating a solid economic base and oriented towards social justice and equal distribution of income according to labor.

The Somali Democratic Republic was one of the African countries which became independent in 1960 after a long and boldy national struggle.

Among the recent phases of the long struggle for national liberation were the Dervish war led by Sayid Mohamed Abdulle Hassan and the liberation movement, led by the political parties, which started during the Second World war.

The objectives of these struggles were:

- a) to liberate Somalia from colonialism.
- b) to unify the Somali nation.
- c) to transform the old and reactionary traditional structure based upon tribalism and regionalism and to form a democratic government belonging to all the people.

Ultimately, two of the Somali parts under colonialism became independent in 1960 and then united to form the Somali Republic. The leadership of the country fell into the hands of a reactionary group, a self-seeking clique closely linked to world imperialism.

This state of affairs not only made impossible the reunification of the Somali nation but also isolated Somalia from the national liberation movements and from these countries and peoples with which it has the same destiny.

The political leadership directly after independence, which called itself "democratic", was indeed bourgeois and reactionary and served world imperialism. Using the parliamentary system as camouflage they consistently pursued and promoted their self-interest.

In 1969, 88 political parties participated in the elections. These parties were created on the basis of either tribal or regional and some of them served neo-colonial interests. And in actual fact they were to serve personal ambitions that had no connection with the interests of the toiling masses.

The reactionary forces have looted and amassed to their benefit the wealth of the people and the country while remaining linked to external capitalist interests which retarded the economic and social progress of the country. The Somali nation became mercilessly subjected to injustice, unemployment, poverty and disease. The reaction of the people to this bitter experience was not one of docility but rather one of resistance as has been reflected by the demonstrations of 1962, 1967 and 1968, which should have been signals of warning to the reactionary regimes. The political consciousness of the masses was hardened and heightened even though it did not yet mature enough to lead to the formation of a single political organization which would have mobilized and channeled their activities to a specific goal. That delayed the revolutionary confrontation with the reactionaries.

The country was in such a situation when the armed forces led by comrade Major General Mohamed Siyad Barre and other progressive officers stepped in on the 21 October 1969 to save the Somali nation. They clearly identified themselves with and expressed the peoples wishes.

It was not to serve their own interests that the armed forces took over power but it was rather to carry out their duty: which is to defend their mother country and to protect the population from internal and external robbery and exploitation. The armed forces and other progressive forces supporting them immediately realized that it was imperative to execute the revolutionary tasks democratically and to transform the social structure so as to obtain for each individual employment, security and equality. It was in order to reflect such an objective that the name "Somali Republic" was changed to "Somali Democratic Republic". The leading organ of the Revolution, which till today took over the responsibility to guide the nation, was "The Supreme Revolutionary Council" headed by comrade Major General Mohamed Siyad Barre. The Supreme Revolutionary Council rendered null and void the national constitution and the laws which were not in accord with the spirit of the Revolution. These laws were replaced by new ones embodied in the First Charter of the Revolution. Among them was the law saying: A new society is to be created in Somalia which has justice, employment for everyone and social equality as its basis. A new form of administration was immediately introduced, new government and public agencies were established and the people were called upon to take power into their own hands. The purpose of these new moves were:

- a) To keep away the reactionary forces from power.
- b) To create the material basis for economic and social development.

- c) To lay the cornerstone for the long-term building of a socialist society.
- d) To prepare cadres who are both politically and professional qualified to realize the objectives of the Revolution.

The circumstances for accomplishing these tasks were very difficult. Nevertheless, the transitional period of social change was launched. World imperialism and international reaction spared neither might nor craftiness to destroy the Revolution. The Revolution was adamant, it permitted neither compromise nor weakness.

The Second Chapter was issued in 1970 to implement the promise of the Revolution which was to embark the country on a new path in order to realize the wishes of the working masses. This path was to be that of socialism. The only other alternative would be that of capitalism which so far has not advanced the interests of the masses in any of the Third World countries. Making Scientific Socialism as its ideological foundation and learning from the experience of the socialist world system, the Revolutionary Council has unequivocally led the country towards the chose path. The first important steps towards this path were: The nationalisation of the banks and the foreign companies, introduction of the single financial system, government take-over and strengthening of the control of trade (foreign and local) and the establishment and enlargement of the public sector both in industry and agriculture. The Development plans of 1971-'74 and that of 1974-'78 show the importance given to a planned national economy. These plans gave the first meaningful experience planning and the guidance of the national economy. With the implementation of the two plans, the important sectors of the economy developed rapidly such as livestock husbandry, agriculture, industry and the infrastructure education, health, etc. The Crash Programme put new lands under the plough and contributed greatly to the increase in production of essential agricultural foodstuffs.

The establishment of co-operatives in agriculture, fishery and handicraft in 1975 through state laws and the historical programme of removing and settling the drought-stricken nomads in 1975 offer great prospects for the economic and social development of the country in the years to come.

Even though the settlement of the nomads was precipitated by the drought, it was an objective of the Revolution, prior to the drought, to settle the nomads gradually. It was the conviction of the Revolution that the subsistence nomads and agricultural peasants were not in a position to exploit adequately the abundant land and sea resources of the country.

The Revolution could not leave the masses in the countryside to the vagaries of rural life and to ignorance. Thus convinced, the Revolution took such steps to better facilitate people's use of land and sea resources through national planning.

Besides saving the drought stricken people a long way was taken towards the implementation of the settlement programme. The success of these programmes will secure for these people a more comfortable settled way of life, guarantee the country self-sufficiency in many consumer goods and lay a strong basis for economic development and the construction of a socialist society.

Lately, there have been Revolutionary changes in the different political, social and cultural aspects of the society. New civil laws have been passed concerning employment, the pension, free medical treatment and compulsory education up to the intermediate school. Drastic measures have been taken to raise the standards of education, culture and literature.

The writing of the Somali language and the related campaigns to eradicate illiteracy were historical measures necessary for the building of a socialist society. Such a society requires the availability of an enlightened and politically conscious people who would not become an easy prey to cheap propaganda and superstition.

Besides the dissemination of general and vocational education among the urban and rural population these campaigns contributed greatly to the improvement of health and cultural and facilitated the contacts among the people. The use of the Somali language as the medium of instruction has in turn made it possible for the language to acquire new words and terminology pertaining to the natural and social sciences and applicable to the Somali environment.

During this same period of writing the Somali language, the university itself, with its different faculties, was in the making. The establishment of the National University made the country dispense with the frenetic seeking of higher education abroad. Moreover, it was during this same period that the system of National Service was introduced. For thousands of young people, this system made it necessary for them to participate in the nation building before enrolling in the National University.

It is self-evident that the Supreme Revolutionary Council led by Comrade Major General Mohamed Siyad Barre consolidated all energies for the construction of a new society based on democratic principles.

The workers committees, organized within the factories and other public agencies, see to it that laws and regulations are observed. They actively participate in their efforts to increase production, and are also vigilant in protecting the interests of the nation. The workers committees support and loyally put to practice the directives of Comrade Siyad to the effect that the workers should be guided in the period of building socialism, not by short-sighted selfish interests, but by a long-term Policy of transforming the society materially and spiritually.

In 1972 a great political advance was made in the way of giving more power to the people and the realization of a socialist democracy. The Regional, District and Village Revolutionary Councils were established. In addition to representatives of the armed forces and the central government, the revolutionary council have among their members direct representatives of the working people. Since the October Revolution, the working people have been both increased and revolutionized in order to actively take part in the economic and political life of the society. Thereby, 1972 ushered in the first political event of this nature in our history enabling the people to genuinely participate in the management of nation building. It further strengthened the relations and the confidence between the leadership and the people. This is evidenced by the great role the people played in the national activities such as the illiteracy campaign, the campaign to learn the principles of Scientific Socialism. The self-help schemes and the reclamation of the land threatened by sand dunes.

The political Office of the Presidency of the Supreme Revolutionary Council acted as a strong link in the consolidation of the relationship between the leadership and the Somali masses. The political Office mobilized and organized the letter. It played a leading role in educating the people in the principles of scientific socialist ideology and explained to them the essence of the national policy, internally and externally.

The armed forces, the true sons of the Somali masses, made the October Revolution while remaining conscious of the wishes of their people and patriotically representing them. Today while vigilantly protecting the Revolution, making peace and stability reign in the country, they continue to actively involve themselves in the vanguard role of building a new society.

Before the Revolution the country was in chaos. In the prevailing conditions then, there was no security in life and property.

Besides the changed relation in the new society, the revolutionary government reformed the existing laws and issued new ones to correspond to the new socio-political line.

Furthermore, to ascertain security and justice it became indispensable to develop and raise the political consciousness of the people.

The successes of the Revolution could only be secured and protected if the working people actively and directly participate in the administration.

It cannot be said that the building of a new society could be achieved without difficulties. The Somali people experienced many difficult trials in their struggle against economic backwardness, severe droughts, epidemic diseases and the havoc wrought by the cyclones. Only by succeeding in these and other trials was it possible to stand against the hostile activities of the reactionaries and the counter-revolutionaries. They had to fight relentlessly against tribalism the number one enemy of the Somali society and the Revolution.

Only if the society is cleaned of tribalism is it possible to attain national unity and social progress.

With the intention of reinstating the old system of government, the reactionary forces oppose both openly and secretly the laws and decisions of the leadership of the Revolution. They create political and economic difficulties, bandy around baseless rumours and claim the nonexistence of a just social system. The reactionaries predict the inevitability of the failure of the revolutionary system.

However, the scheming of reaction continuously fail and they themselves suffer severely the consequences of the backlash. The revolutionary system continuously gains strength due to its solid integration with the people. An obvious proof of this was showed during the severe drought which caused a great deal of loss in both life and property in many regions of the country. Had it happened before the Revolution it would have, no doubt caused the death of hundreds of thousands of people and its consequences would have drastically thrown back economic development.

The Supreme Revolutionary Council, the armed forces and the Somali masses mobilized all resources in order to avert the consequences of this natural calamity.

IV

The progressive foreign policy of the Somali Democratic Republic is in essence a reflection of its revolutionary internal policy. The foreign policy has as its basis the principles clearly defined in the First Chapter of the Revolution. The Somali Democratic Republic is irreconcilably opposed to imperialism, neocolonialism and racism. It consistently and actively supports the policy of peaceful coexistence among countries with differing socio-political systems. The RDS reliably pursues a policy of friendship with the socialist and other progressive countries, it fully supports the struggle of the working class in the capitalist countries and liberation movements against exploitation and oppression, and for world peace, progress and democracy.

The Somali nation, cognisant of the strong cultural, religious and geographical bonds it shares with its fraternal Arab countries has in 1974 joined the Arab League. No one is oblivious of how strong the feelings of the Somali people ran when some of the Arab countries became victims of imperialist aggression, nor of how the Arab countries lent their unreserved support to the Somali liberation movement. The Somali membership in the Arab League contributes to the eventual realization of the Arab unity.

The SDR is also an active member of the United Nations, the Organization of African Unity and the non-aligned Nations and other

In the foregoing years the SDR has strengthened its friendly ties with many countries in Europe, Asia, Africa and Latin America. It has strong relationship with the socialist countries and in particular the Soviet Union which is based on the principles of equality, mutual benefit and the non-interference in each others internal affairs.

The correct foreign policy of Comrade Siyad and the other leaders of the country so far makes possible the extension of our relations with the outside world and further enhances the respect held for us by other countries and the liberation movements of the Third World.

V

The Somali Democratic Republic entered a new phase in its progressive development which is to lay a solid basis for the building of a socialist society. To realize these objectives, it is of paramount importance to rapidly develop the country economically and socially. A national political organization is indispensable for the utilization of the objective laws towards social progress, for defending and promoting the interests of the working people and for vindicating the ideals of the Revolution.

A political organization with such responsibilities could only be a vanguard revolutionary party equipped with scientific socialist ideology and benefiting from the international experience of socialist construction.

Being guided by socialist principles, being conscious of the level of political maturity attained by the working masses and being true to the spirit of the First and Second Charters of the Revolution the Supreme Revolutionary Council deemed necessary the creation of a political party of the New Type which should act as vanguard of the working people and of all the other progressive forces in the country.

The party of the New Type is categorically different from the Somali political parties of old. It has the following tasks to carry out:

- 1) To create a society based on social justice, equality, unity and progress;
- 2) As a true revolutionary party, its objective is not only to take-over power, but to consciously affect revolutionary social changes;
- 3) To represent and defend the interests of the Somali people and in particular the interests of the working people and the progressive forces;
- 4) To mobilize, agitate, educate and guide the Somali working

masses, and not to stagnate into a club riddled with sterile polemics;

- 5) To have its work guided by the principles of internationalism;
- 6) To implement and apply the general objective laws of socialism to the specific conditions in this country; to be in a position to forecast all changes and trends in the society and accordingly to prepare scientific programmes to solve internal and external problems;

In the economic sphere the Party takes upon itself to fulfill the following tasks:

- 1) To build material and technical basis in order to overcome economic backwardness and to enable the development of a socialist society;
- 2) To make a realistic and detailed plan of the most important sectors of the economy and to insure its implementation—this being a condition of scientific leadership.
- 3) To spare no efforts in improving the living conditions of the nomads and their livestock, which are the backbone of the national economy; to improve the pasture areas, veterinary and husbandry services and to plan the introduction of higher and more productive breeds of livestock, to establish state and cooperative holding grounds for livestock in order to satisfy the needs of both people and industry.
- 4) To expand the productive capacity of agriculture by using both extensive and mechanized methods of cultivation and by creating efficient state and cooperative farms. Agriculture is to be guided by the policy of catering to the needs of the population and industry and above that, to create reserves available in case of emergencies; to consolidate the successes of the present settlements and to plan the eventual settlement of all the nomadic people in the form of socialist cooperatives which guarantees a higher and more comfortable way of life.
- 5) To expand and strengthen the productive capacity of the public sector in industry by creating new plants and by improving the efficiency of the existing ones in order to locally substitute import, create more employment and to supply the population with more and better industrial goods.
- 6) To employ all possible methods of exploiting the national water resources in order to be able to satisfy the needs of the population, livestock, agricultural and industry, to expand the transport network of the country (land, sea, and air) and its links with outside world to improve the radio and telecommunication system and to build a television station.

- 7) To increase the valuta reserves of the country through the expansion of the production capacity of the country and the enlargement of both internal and external trade and through the improvement of state supervision of industrial and agricultural activities, financial agencies and taxation methods.
- 8) To encourage the investment of foreign and local capital in the national economy within the limits considered not antagonistic to the national plan and the socialist development.
- 9) To strengthen and increase foreign trade according to the policy of equal and mutual benefit. To expand the traditional exports and to import the goods necessary for the national economy.

In the social sphere the party take upon itself to fulfill the following tasks:

- 1) To introduce a social insurance system in the country and to safeguard the health and the well-being of the new society both physically and spiritually;
- 2) To complete and make the policy of the free medical care more practicable through the building of more hospitals, the training and employment of more medical doctors, the production of medicine locally, the prevention of epidemic diseases through sanitary and epidemic services and education of the people in health matters; it is also important to give special care to the health of mothers and children.
- 3) To consolidate the compulsory intermediate education through the construction of more schools and the provision of all the necessary facilities;
- 4) To expand and strengthen the system of adult education;
- 5) To improve and extend vocational education to the secondary and university level in order to prepare professional for the different branches of the economy;
- 6) To harmonize the curriculum of education with the development of the economy, culture and policies related to the socialist construction;
- 7) To promote and encourage the development of socialist culture and traditions by assimilating the best and revolutionary parts of our national heritage and at the same time by learning from that of other nations;
- 8) To encourage and develop the national arts, literature and folklore;
- 9) To give special care to sports in order to prepare healthy

youth able to work and defend the country if necessary;

- 10) To be constantly conscious of the pension system and to improve and systematise it;

In the political sphere the party takes responsibility to build a strong basis for socialist democracy in the following manner:

- 1) prepare a new national constitution;
- 2) To improve the central and regional administrative system in order to adjust it to the spirit and principles of Scientific Socialism;
- 3) To strengthen the state administrative system by improving the professional capabilities of the government employees and by inculcating in them tenets of the socialist ideology; to prepare the employees to sacrifice themselves for the revolutionary ideals;
- 4) To encourage the workers' movement and their organization, to coordinate their activities with the state and the national economy and improve the supervision of public enterprises;

In the sphere of foreign policy the Party will do all its best to realize the principles identified in the First Charter of the Revolution:

- 1) To continue the struggle against imperialism, colonialism, neocolonialism and racism, to continue to support peace and the principles of peaceful coexistence among the different socio-political systems;
- 2) To continue to support the national liberation movements, the struggle and solidarity of the African people to achieve full independence;
- 3) To consolidate the friendly cooperation among the African countries, and in particular among the East African countries, and solving before hand the internal conflicts among them peacefully and through friendly understanding.
- 4) To give assistance to the Somali people, divided by colonialism, in their struggle for independence and unity;
- 5) To effectively participate in the activities of the Arab League, the Organization of African Unity, the United Nations and other international organizations;
- 6) To contribute to the development of bilateral and multilateral cooperation among the African and Arab countries;

- 7) It is among the duties of the Party to fully back the cause of the Arab nations in their struggle against Imperialism and Zionism, to liberate the occupied Arab territories and to correct the injustices done to the Palestinian nation by recognizing their legal rights;
- 8) To strengthen and promote the relations of friendship and cooperation with the socialist states, their parties and social organizations;
- 9) To support the just struggle of the working class in the capitalist countries and that of other progressive forces in the world.

The Party is convinced that, in the present stage of social development, the armed forces of the Somali Democratic Republic are still in the fore front of the society, executing their duties in the defense and construction of the country. The Party gives special and preminent consideration in strengthening the defense capabilities of the country which includes advancing the technical proficiency of the armed forces the Party will do all its best to raise the political consciousness of the armed forces, their spirit of patriotism and their readiness in case of war and their defense of the principles of Scientific Socialism.

The Party is to protect the successes of the Revolution from the plots and sabotages of local and foreign reactionaries and counter-revolutionaries. The party is conscious of the importance of security to development and therefore the organs responsible to keep the peace like the National Security Services, the police and the Victory-bearers (Gulwadayaal). The people employed in these organs should be selected for their conviction and loyalty to the principles of the Revolution. They should be properly educated in all matters connected with their work and their political consciousness should be constantly raised.

Without the collaboration of the people the Party alone cannot build the new society. To carry out its duties the Party should rely on the support of the working class, the agricultural peasants, the herdsmen, petty traders, the armed forces and the progressive intellectuals. The extent of its power is directly related to the extent it is tied to the masses.

The Party is to guide the masses but at the same time rely on the support of the social and mass organizations and should direct and guide them. At the same time the Party should develop strong relations with the state institutions. Weakness in the party's theoretical, political and organizational guidance will lead away from the right path, giving opportunity to imperialist ideology and politics and to the other enemies of the Revolution. The revolutionary vigilance will thereby be endangered.

Political work is an important function of the party. Socialist principles are to be taught, studied and developed. The ideological understanding of the party members and the working people should be raised. It is only through such understanding and loyalty to the socialist ideology that the right political path of the party will be followed and maintained.

Islam is the religion of the Somali masses. It has played a powerful role in the struggle of the Somali nation against colonialism, injustice and ignorance. It is widely known that the Islamic religion proclaims equality, justice and national progress. The Revolution, being aware of all these qualities has, reinstated to Islam the respect that it deserves. It has taken part in the improvement of the traditional Islamic Schools, directly encouraged Islamic education and built mosques for its practice.

The party besides widening the circulation of the socialist ideas considers its duty to analyze and disclose the defects of the imperialist thoughts and those of their lackys in Somalia.

In order to be able to build a socialist society the Party gives importance to the preparation, the training and the proper distribution of the Party cadres. The Institute of Political Sciences plays an important role in this field. The Institute educates, prepares and activities the consciousness of the party cadres and that of social organizations and scientific institutions. It is the only center in Somalia which provides Party education and political orientation.

The results of the sacrifices of the masses and the party cadres in the near and distant future in further developing the Revolution largely depend upon the resourcefulness and successes of the party of the New Type and upon how far it succeeds to win the masses to its side and mobilizes the mental and physical potentialities of the people towards the construction of a prosperous socialist society.

SOMALI REVOLUTIONARY
SOCIALIST PARTY
THE CONSTITUTION OF THE PARTY

INTRODUCTION

The Somali Revolutionary Socialist Party, is a Political Party whose aims and objectives are to lead the Somali people to prosperity and new socio-economic development based on equality, social justice and the total abolition of exploitation of man by man.

It is a Party whose entire membership is united by the common belief in and conviction on the principles of Scientific Socialism which makes correct analysis and provides solutions to class struggle, socialist revolution and the construction of a Socialist society. For fulfilling its historical duties that are connected with the various stages of development; it is essential to implement and consciously practice the Party rules which were unanimously approved by the Founding Congress of the Party. The success and the achievement of the Party will entirely depend upon the extent and the degree by which the Party rules and articles are respected, protected and implemented according to the spirit of the law.

The Party must be conscious of the needs and the aspirations of the masses, it should also organize and be closely connected with the Somali Working Class who have sustained and carried out the struggle through such a long period of time: this enabled us to reach this new historical epoch that constitutes a turning point in our socio-economic and political life. A revolutionary theory can only materialize and develop when it's practically used in life and is efficiently applied through the principles of democratic-centralism which is the basic functional foundation of the Party. The essence of this principle involves consulting each other and reaching decisions collectively, and at the same time, inculcating the leading organs of the Party with the spirit of discipline, respect of the Party Leadership and obedience for the majority rule. Party members are to be encouraged to practise and apply the party-rules in order to achieve the objectives mentioned above.

GENERAL PRINCIPLES

The Somali Revolutionary Socialist Party is the vanguard of the Somali Working People. Party members consist of the most active, progressive and politically conscious members of the society who represent: workers, peasant farmers, progressive intellectuals, the armed forces and petty nationalist traders.

The Party relentlessly opposes imperialism, colonialism, racism, zionism and any other form of exploitation of man by man, and, on the other hand, it leads the Somali masses and struggles for the creation of a new society that is based on social justice and the establishment of the material base which is an objective necessity

for building socialism. The co-operation and friendly relationship of the Party with the revolutionary movements of the world and the socialist countries will play an important role in this direction.

The theory of Scientific Socialism is the guiding philosophy of the Party which properly enables us to understand the general laws for developing a socialist society and at the same time taking into account the specific historical experience of the Somali Democratic Republic. In view of this, it is highly essential for the Party to mobilize and educate the working masses with these principles in order to realize and fulfill the Programs of the Party; it is also equally important to prepare ideologically as well as professionally the cadres of the Party and those who are going to run the administrative machinery of the State; to provide the basic guidelines for the organization and the training programme that will effectively impart, to the Party members, the spirit of promoting their inter-relationships which in turn, helps in strengthening the co-operation between the higher bodies and the local organizations of the Party. This policy can be enhanced if it strictly adhered to the idea of consultation and the unity of purpose in matters relating to policy and organization; the increase of the two-way flow of ideas and contacts between the masses and the Party in order to further their practical implementation. There is need for critical self-appraisal, preparation, selection, and proper distribution of the Party cadres. Constant supervision and control of the work has a determining effect on the success of these policies. Despite its similarities and the general laws which it shares with other progressive parties of the world; yet these rules takes into account the peculiarities of the Somali culture, customs and the ethical behaviour of our society. These considerations give all Party members self-confidence and enable them to realize the aspirations that are based on the prevailing objective conditions, and equally encourages them to carry out this historical duty that is entrusted to them.

Article 1

With the effect from July 1, 1976 a Socialist Political Party is founded in the Somali Democratic Republic. It will, henceforward, be responsible for the direction of the policy, of the country.

The name of Party is "THE SOMALI REVOLUTIONARY SOCIALIST PARTY". The emblem of the Party is a hoe and hammer which cross each other and are encircled by two banana leaves; and the star of the Somali National Flag is placed over them.

Article 2

PARTY MEMBERS: THEIR RIGHTS AND DUTIES

Every citizen of the Somali Democratic Republic can be a member of the party, provided that he or she is 18 years old and above; accepts and recognizes the party programme and rules; executes the decisions of the Party. Such a person should belong to the party and can be a member of the Party, provided that he or she actively work in one of the party cells and regularly pay his/her membership dues.

EXPLANATION

When we consider the conditions and the terms expected from every member, Article 2 shows that, a party member above any other thing should recognize, accept and implement the party programme and rules. What is the significance of this fact? It's significance is that from the very moment the party is founded; every member must join the party on his own free will and accept the programme and the rules of the party. This is the only way in which a party whose members share views and convictions can be created. This can truly be the people's vanguard party. The history of the political parties of many countries reveal that if it so happens that some people who infiltrate into the party, seem to accept, the programme and the rules of the party, but have different views in many other matters, they will inevitably cause among the rank and life of the party members, disorder and confusion which will result in serious consequences on the smooth functioning of the party. If we consider the words of the article which says "...work in one of the party cells", we see that these words have an important significance. The point, in essence, means that every party member should take a specific role in one of the party cells; it means that a member should depend on and follow the directives of the party cell and observe the discipline of the party, while at the same time, he/she takes special responsibility for the work of the cell, working in one of the party cells amounts to taking part in the activities of the whole party. Article 2, concludes by words concerning the regular payment of the party member of the membership dues. What is the importance of this point. For carrying out its many important functions, the party naturally requires money for the construction and maintenance of buildings, training of cadres for the party and the life. From where such financial means could be obtained? A certain amount of it can be obtained by printing - publishing of books, journals and newspapers. The major source of the financial means of the party is, however, provided by the regular payment of the membership dues. Despite its importance for financial reasons, the regular payment of the membership dues is also significant for the strengthening of the relationship between the member and the party. Not only that, but the party member will also be inculcated with discipline and the spirit of strict collective behaviour.

Article 3

DUTIES OF PARTY MEMBERS

Every party member must:

1. Work honestly and selflessly for the betterment of the society so as to enable the Somali people to achieve progress and prosperity;
2. Know the political line of the party and at the same time work for its implementation;
3. Struggle to accomplish the goals of the Revolution and protect its achievements;

4. Study and practically apply to life the principles of Scientific Socialism;
5. Fight against tribalism, bad social practices and any other custom that constitutes an obstacle to the development of the society;
6. Observe the discipline, the ethical life of the party and preserve Party and State secrets;
7. Protect and respect party unity which is the basic condition which facilitates the strength and the capabilities of the party leadership.

EXPLANATION

The article concerning the duties and rights of a party member was not previously included in the rules of revolutionary parties, because it was obviously taken for granted. However, experience shows that they are, of necessity, to be explicitly written, and that is why the majority of the political parties have included them in their rules in recent years.

On writing the duties and rights of party members, one has to take into account the actual historical condition which affect the development of Somalia today, as they are clearly presented in the speeches of Jaalle Siyad and the resolutions of the Supreme Revolutionary Council. The priority task facing the Somali nation today is to raise the economy of the country and improve the living standards of the masses.

By their exemplary work the party members can draw the masses towards these objectives. In addition to this, the members of the party should propagate and explain the party's policy to the masses and therefore members should study and be conversant with the resolutions of the party and the principles of Scientific Socialism.

The purge of the administrative machinery that has been carried out recently reveals that the Somali Revolution, does not only have its supporters but it has also those who are against revolutionary change. The party member should, therefore, defend the Revolution against external and internal enemies.

Article 4

RIGHTS OF PARTY MEMBERS

A party member has the right to:

1. Elect and be elected to the committees and other position of the party;

2. Freely express his/her opinion, and submit proposals at party meetings, conferences, the general congress and sessions of the party before decisions are reached;
3. Criticise, within the Party and at any meeting of every level, every other member of the party;
4. Participate personally in the meeting and committee sessions of the party when matters connected with his/her behaviour and work are being discussed.

EXPLANATION

Having show the duties expected from the party member before, it is equally necessary to express his/her rights in the party rules. If the leaders of the party live up to those ideals and exercise constructive self-criticism they can lay the foundation for creating the right climate for raising the party member's dynamism and the ability to work. This will enable the party to utilize, effectively, the strength and the knowledge of every one for the common good.

The clause relating to the personal participation of the party member, when matters connected with his work and behaviour are being discussed, makes it easier for it to reach sound decisions and at the same time enhance the reputation of the party.

Article 5

ADMISSION PROCEDURE OF THE PARTY

The system of admission to the party rests on voluntary and on individual basis. The person who wants to join the party has to submit his application to the party cell, (and if there is no party cell, to the District Party committee, village, etc.) together with the following documents:

1. An application written on a special form which can be obtained from the party cell or District Party Committee, village, etc.
2. Recommendation by two persons who are party members. The recommendations should testify that the person is qualified for the membership of the party.
3. The people who recommend a member are responsible for anything that may arise there from. Hence in the event that they provide false information to that effect, they will be held responsible with the possible consequences of being fined, or expelled from the party.
4. The person joining the party should be a candidate a period of 6 to 12 months before he is given full membership.

The question of admission to the party is to be discussed upon in the general meeting of the party cell. The resolution, to this effect, can be adopted, if it is passed by a two third majority of those present. However, it can come into force only when it is approved by the District Party Committee.

However taking into account the ability and the outstanding national services rendered by a person, he/she can be exempted from the above procedure of admission in recognition of his/her work. Such a case can be proposed by the regional committees and be approved by the Central Committee of the Party.

EXPLANATION

The significance of a new party member's admission lies in the fact that it passes through the cell which is the grass-root of the party. In fact, a person is well-known either at his place of work or residence, and because of this, party members who are his work-mates can give a detailed description about his/her virtues and thereby can reach a decision based on intimate knowledge and responsibility as to whether to accept or reject an applicant to the party. It seems necessary to show in the Admission form of the party, that the decision on each application must be taken separately.

The number of people seeking to join the party will increase with the growth and expansion of the party.

To exercise control over the selection of the people best suited to take party membership, there is a statement saying that membership can be effective only after it is approved by the party District Committee.

The new members of the party can be selected from among the candidates of the party who have gained experience and who also have completed the required probationary period. It is, of course, possible to accept a person into the party without following the normal procedures of admission as mentioned in Article (5).

The objective behind putting the candidate into probation, serves the purpose of acquainting the person with the programme and rules of the party and, at the same time, allows the party to study his particular characteristics and needs. The system in which a person can be party candidate is just of the same procedural method as admission into the party. The duration of the probationary period extends from 6 to 12 months.

However, the candidate can attend the meetings of the party without having voting rights. The experiences of many revolutionary parties of the world, show the need to have a system of screening and training the people who are to join the party. The probationary period stands for the screening and training system indicated above.

Article 6

PARTY DISCIPLINE

Strict party discipline is a necessary condition for the very life

and the activities of the party. The resolutions of party committees must be adhered to and carried out with rapidity and precision.

The faults and omissions committed by party members can be identified thus:

- a) Sabotage directed against unity and harmony in the normal work and activities of the party;
- b) Non-execution of the resolutions passed by the higher organs of the party.

These faults and omissions can result in the following actions. For party organizations:

Reproach: the nomination of a new provisional committee by higher organs and replacement of the whole organization with new appointed members.

Individual members:

If a member of the party commits a crime he/she will be subjected to:

1. Oral or written-warning.
2. Party reproach.
3. Temporary suspension of one's party responsibility and re-consideration for one's continuation of the posts he/she holds in the State.
4. Removal from the sensitive posts of the party.
5. Expulsion from the party.

EXPLANATION

The experience of revolutionary parties shows that a party cannot exist without having a conscious discipline because precise and exact observance of the party programme and rules are required. The fulfillment of the tasks, duties and resolutions of party committees must be the law for every party member.

The aims and objectives of those articles are to prevent the infiltration of unwanted elements into the party and also to serve as the basis for maintaining the integrity of party members and for ensuring co-ordination and strict discipline within the party.

Article 7

ORGANIZATIONAL STRUCTURE OF THE PARTY

The party is organized on the basis of the principles of democratic centralism, which mean:

1. Election of Party Committees, from the bottom to the top;
2. Strict Party discipline and the observance of the principle of majority rule;
3. Obligatory fulfillment of the decisions of higher party committees by the committees.

Article 8

The Party is organized on the basis of settlement and production; party organizations must be created at the places where the party members work or live and be linked within villages and districts.

Article 9

All the party organizations have the right to take decisions provided that they do not contradict the decisions of the higher party organs.

Article 10

The supreme ruling organs of the party are:

1. General meeting which is meant for local party cells at the industries, military camps, cooperatives, educational institutions etc.
2. Conference which is meant for regional, district and village party organizations.
3. Congress which is meant for the whole party members. It openly elects Secretaries, bureau or committee to direct the deliberation and activities of the Congress.

Article 11

THE SUPREME PARTY ORGANS CONGRESS CONGRESS

The most supreme organ of the party which expresses its will, outlines its goals and tasks, is the national Congress summoned by the Central Committee. The Congress takes place at least once every five years. The Central Committee has the prerogative to call an extraordinary Congress if so required. The date of the Congress and its agenda are announced not less than one month before the starting date. A party Congress formulates the internal and external policies of the Party and the State. It has the right to make amendments of the Party Programme and Rules; approves the Report of the Central Committee, Central Inspection Commission and elects the Central Committee and the Central Inspection Commission.

The founding Congress empowers the central committee to amend the party constitution, if necessary, in the period before the forth coming Congress. Any amendments therefore should strictly reflect the essence of the party constitution.

Article 12

CENTRAL COMMITTEE

Being the supreme body in between the party congresses:

- 1) The Central Committee outlines the general directions of government administrative policies, and the activities of other social organizations;
- 2) Represents the party's external relations;
- 3) Approves the creation of regional, district, and village party organizations and coordinates, organizes and directs their activities;
- 4) Lays the procedure for conducting the party congress, conferences, meeting and election of the various committees of the party.
- 5) Responsible for the financial administration of the party, and report of party-members, etc;
- 6) Carries out the selection and placement of party Cadres;
- 7) Examines and watches to see that the people suspected or proved to be engaged in subversive activities are not allowed to hold any important positions within the party or the state. The suspicion may involve sabotage corruption, tribalism, opportunism etc.
- 8) Direct the matters related to orientation, broadcasting service and publishing of newspapers, magazines etc.

EXPLANATION

The article on the Central Committee deserves far-reaching considerations. It proceeds from the party rules that the Central Committee is a Supreme body of the political leadership, theoretical and ideological centre and possesses absolute power over the administration of the party. The experience of the revolutionary parties of the world shows that if a person fails to obey the resolutions of the higher ruling organs of the party, is just equivalent to refusing to be in the party; is tantamount to party destruction. This shows that the Central Committee can interfere with the activities of all local organizations. (This implies that the Central Committee may interfere with principal problems, but not petty questions). It is ready to safeguard the general interests of the party. At the same time, the strong links with committees and party organizations enables the Central Committee to foresee and analyse all the processes of life and take sound decisions accordingly.

The words "--- carries out the selection and placement of personnel" have to be explained. One can notice from there that these words contain the concept of the organizational work of the party in which the future destiny of the political line depends upon. How are personal matters particularly treated? The most important function of the party in relation to the work of the personnel is the selection, placement and reorientation of the people contained in the Central Committee nomenclature. The nomenclature is the list of the most important posts in which the candidates are examined, recommended and approved in advance by the concerning committee (The Central, Regional District and Village Committees). The people whose names are included in the nomenclature of the Central Committee, can be dismissed or relieved from their posts only with the consent of the Central Committee. For example, the rules of the party read that, the secretaries, department heads, the secretaries of regional and district committees are approved by the Central Committee of the party. This means that nobody except the Central Committee is entitled to appoint or dismiss them from their posts.

The party must write in the nomenclature a relatively small number of workers who occupy key posts and play an important role in the affairs of the State and the Society. All the party committees, from the central to district committees, have their nomenclature. This does not mean that the same workers are reshuffled from one place to another. There should always be an infusion of new blood into the ranks of Party Cadres. It is, therefore, important to have the ability to select the most capable, experienced, trusted and qualified people who can take part in the direction of the affairs of the state and the party, and at the same time to dismiss those who failed to carry out their duties honestly and efficiently.

The words "--- the work of orientation and mass media ect." are also very important. The rules show that it is necessary to make use of the mass-media in order to propagate among the Somali masses the principles of 21 October Revolution and acquaint them with the pressing needs of the country.

Lastly, the Central Committee staff must have the most competent people who can perform their duties in a friendly comradely manner. The experiences we gained from other countries reveals that the Central Committee have to be elected from the most capable, qualified and experienced people from the members of the party; from government officials, armed forces, diplomats and religious men who represent the cross section of the society. The Central Committee would, therefore, be in a position to organize well the work and the activities of the people, to be closely in touch with the masses and effectively express the aspirations and the development needs of the society.

The number of the Central Committee depends upon the total number of the Party members.

Article 13

The sessions of the Central Committee are held on the proposal of the Political Bureau. The sessions of the Central Committee are held once in every three months.

The Central Committee, elects by simple majority vote:-

1. The General Secretary;
2. Political Bureau and the heads of Central Committee departments or bureaus;
3. Central Control Committee.

The session of the Central Committee can be held only if two thirds (2/3) majority of the members are present. The decision of the Central Committee can be adopted by simple majority vote, and in case of votes "for" and "against" for any decision are equal the voice of the chairman will be decisive.

Article 14

POLITICAL BUREAU

The Political Bureau:

1. Carries out the work of the party in the period between the sessions of the Central Committee. It consists of the General Secretary, members of the Political Bureau only with some of the Central Committee heads of departments, and certain other secretaries whose number is determined by the Central Committee on the proposal of the Political-Bureau.
2. Gives reports in the session of the Central Committee and accounts for the responsibilities which have been intrusted to it.

Article 15

GENERAL SECRETARY AND HEAD OF CENTRAL COMMITTEE DEPARTMENTS BUREAUS

The Central Secretary of the Party Central Committee is the highest leading person of the Party, who is responsible for the observance of the fundamental principles, execution of the goals and resolutions of the Party. He co-ordinates and directs the day to day activities of the Political Bureau and sessions of the Central Committee. If the country faces a difficult situation, or there is a specific need to do so, the General-Secretary has the right to call an extraordinary session of the Central Committee.

Article 16

For the practical fulfillment of party directives and decisions by the state, and economic bodies, as well as local party organizations, The Central Committee must create different departments or bureaus according to the need.

The Central Committee departments may be headed by the Central Committee Heads of Departments.

Article 17

The Central Committee elects the Party Control Committee. This committee sees to it that all party members observe party discipline; makes the party members answerable for violations of Party programme and rules; examines complaints from local Party Committees. It also exercises general control over the procedure of admission to the party. If necessary, however, the Central Committee can reconsider the Party Control Committee decisions.

Article 18

CENTRAL INSPECTION COMMISSION
OF THE PARTY

The Central Inspection Commission controls the rapidity and efficiency of the activities of the central bodies and inspects the treasury of the Central Committee.

Article 19

LOCAL PARTY ORGANIZATION

The Local Party Organizations are subdivided as follows:-

1. Region
2. District
3. Village
4. Party Cells

EXPLANATION

The local party organizations are the most important branches of the party which cover the country as a whole. The establishment of local party organizations in accordance with the administrative set up and geographical divisions of the country, facilities for the party the Execution of its policies in an efficient, flexible and co-ordinated manner which is in line with the prevailing conditions.

The principal duties expected to be fulfilled by the local party organizations are fully described in the rules of the party.

Article 20

The Local Party Committees and organizations, in line with the programme and rules of the party, perform within the regions, districts, villages educational institutions, agricultural and industrial projects, co-operatives, public enterprises and military units, the following functions:

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1. Work on political, organizational and ideological matters in order to carry out the decisions of the central bodies of the Party;
2. Mobilize and inculcate with revolutionary ideology, party members, other nonparty activists and in the masses as a whole for the realization of the tasks concerned with economic reconstruction, social and cultural development.
3. Transmit regular reports of their work to the higher party committees.

Article 21

THE SUPREME ORGANS OF REGIONAL PARTY
ORGANIZATIONS

The supreme organ of a Regional Party organization is the Regional Party Conference and, in the period between Regional Party Conferences, it is the Regional Party Committee.

The Regional Party Conference is organized and called by the Regional Party Committee at least once every two years. The Regional Party conference hears the reports of the Regional Committee, and Regional Inspection Commission, discusses various issues related to the party; issue of economic, cultural and social aspects of the region, and approves the Regional Party Committee, and Regional Inspection Commission. It also elects the delegation of the region to the party congress.

EXPLANATION

The Regional Party Committee approves the executive body of the Bureau and the Secretaries of the Committee. How many people are elected to the executive bureau of the Regional Party Committee and who can be elected? That Party Central Committee determines the number. Article 12 indicated that the secretaries and head of departments of the regional party committees are selected and nominated if necessary by the Central Committee or the Political Bureau. The aim and objectives of this point is to see the administrative machinery entrusted to people who had passed through many tests and thereby proved to be honest and efficient.

Article 22

LEADING ORGANS OF REGIONAL PARTY
ORGANIZATIONS

The Central Committee or the Political Bureau selects and proposes the members of the Executive Bureau, secretaries and heads

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of departments, which are approved by the Regional Party Committee. The Central Committee or the Political Bureau of the Party have power to select and nominate the secretaries, head of departments of the Region if the situation calls for in order to preserve the interest of the country, and the principles of the Party.

The Central Committee or the Political Bureau have also the prerogative to remove responsibilities from members of the organs mentioned above if there is need to do so.

The Regional Party Committees elects the central Committees and also nominate the editors of party newspapers. A session of the Regional Party Committee is held once very three months.

The Regional Party Committees give directives to District and Village Party organizations and inspect their activities. They hear the reports of the District and Village Party Committees.

Article 24

LEADING ORGANS OF DISTRICT AND VILLAGE PARTY ORGANIZATIONS

The supreme organ of district and village party organizations, is the district and village party conference.

The district and village party committees, organize and summon the district and village party conference once a year. The district and village party conference hears the report of the district and village committees and the inspection commission; discusses and studies different matters related to economic and cultural activities and other party problems. It approves the district and village party committees, inspection commissions and the delegates to the Regional Party Conference.

Article 24

The district and village party committee approves the bureau, the secretaries and the heads of department while having been selected and proposed by the Central Committee or the Political Bureau, similar to Article 22 the Central Committee or the Political Bureau have the right to select and nominate the Bureau, the Secretaries and head of department if the situation calls for in order to preserve the interest of the country and Party principles. The Central Committee or the Political Bureau have also the prerogative to remove responsibilities from the members of the organs mentioned above if there is a need to do so.

The district Party Committees elect the control Committees and also nominate the editors of Party newspapers. All these have to be approved by the party Central Committee. But the heads of departments at the district level need to be approved by the Regional Party Committee.

The district or village Party Committees organize and approve the party cells in cooperatives, factories, schools, government offices etc. They direct their activities, hear their reports on matters related to party admission.

The heads of branches are approved by the regional central committee of the party. The district and village party committee organizes and approve the party cells in co-operatives, industrial establishments, schools, government offices etc. and directs their work, regularly hears their reports and instructs them on matters related with selection of new party members. The session of the district and village party committee is held, at least, once every two months.

Article 25

The Party cells formed within the places where the party members work such as: co-operatives, farms, industrial establishments, schools, higher educational institutions, state offices and military camps. The number of Party cell members must not be less than three persons.

The supreme organ of the party cell, is the party cell meeting which is held at least once every month. For the proper execution and efficient running of the work, the Party Cell elects, from its members a secretary and his assistant for a period of one year. If the number of the party cell members are more than 50 persons, they elect a committee. The work and activities of the party cell is guided by the programme and the decisions of the higher organs of the party. It directly works among the workers and the masses in order to organize and channel their energies for constructive purposes so that the Somali people can reach progress and prosperity.

EXPLANATION

As it is clearly shown in this article, a cell is the fundamental basis of the party. In this connection, a question may arise: can this idea be implemented in Somalia where there are no big industries and modern agricultural farms? It is important to take into consideration the prevailing realities in the country and the lessons we can learn from the experiences of revolutionary changes in other countries.

There is a fact of our recent history which reveals to us that the national orientation centres which successfully junction both in districts, villages, quarters and at productive places, have gained substantial achievements in respect to the increase of production and the preparation of political and ideological thoughts within these places and enterprises.

History proves to us that the productive places have always been the most important sources of strength and reliable support for the party.

The political leadership of the country tries consistently to raise the political consciousness of the masses. This could be achieved by maintaining the ethical principles and the discipline of the Somali masses, as well as through the works accomplished within party cells.

Article 26

PARTY CELLS

The functions of the Party Cell are the following:

1. Propose the admission of new members to the party.
2. Organize how to teach principles of Scientific Socialism to those members.
3. Insure that the party members take the lead in production and in political orientation within co-operatives, factories, organizations etc.
4. Help the district and village party committees to carry out their duties and regularly submit reports to them. The Party Cell must struggle to ensure that party members become an example to be followed in the execution of Party rules and observations of the ethical values of the Somali working people on which the following principles are dependent upon:
 - a) Loyalty to the principles of the revolution;
 - b) Political consciousness;
 - c) Strict discipline;
 - d) Comradeship and mutual assistance of the members;
 - e) Protection of the interests of the society.

Article 27

THE PARTY AND WORKERS ORGANIZATION

The workers organizations are the foundation for the fulfillment of the functions concerning the interests of the working masses; further more they participate in the application of party decisions and policies. They struggle on how to expand and establish their legal position, selects the most political conscious among the workers who will be future backbone of the worker's party organizations. They raise the education of the members of worker's party organizations.

The party does not directly interfere with the activities of the worker's organization. However it gives overall policy guide lines in respect to their educational policies, and the harmonization of their activities and control.

The party Cells also try to direct and co-operate with the activities of workers committees organizations with the help of party members. The party cells can either be a member of the worker's committee or directly cooperate with the regional, district or village party committees. The Party cells in co-operation with the worker's committee must:

1. Practically fulfill the economic, social and cultural development programme of our socialist society.
2. Develop the political awareness, discipline and the duty consciousness of the workers;
3. Strive for the interest of the workers and the State, while at the same time fighting against reactionaries, corruption and all sorts of anti-social activities.

Article 28

THE PARTY AND THE ARMED FORCES

The Armed Forces of the Somali Democratic Republic are the vanguard and also a part and parcel of the Somali masses.

The party organizations formed within the Armed Forces:

1. Prepare the conditions for implementing the party's policies within the Armed Forces; unite and harmonize their political activities with the view of imparting with service men, a sense of nationalism, revolutionary spirits and the principles of Scientific Socialism. This will enhance the readiness of the Armed Forces to protect the country from external aggression and internal enemies, to preserve the national unity and the sovereignty of the State.
2. Organize and mobilize the armed forces to fulfill their duty of combat readiness, political awareness, and at the same time take an active role in national reconstruction efforts.

EXPLANATION

Considering the important role in which the army plays in national development it is worth-while to explain in detail the general guiding principles of the work of the party within the Armed Forces. The Armed Forces have specific characteristics which comprise of:

1. The party organizations in the army, similar to other party organizations, are formed on the basis of the principles of democratic-centralism. However, their political activities are guided by political bodies which are not elected like the other committees in the regions and districts. The Ministry of Defense and the Central Committee nominate the party political organ in the army.
2. In contrast to civil party organizations, those in the army are not formed on the basis of production and geographical locations. In fact, the army party organizations are formed in accordance with the structure of army organization.

The regional party organization embraces all the party cells located within that given region, where as the party organizations of the military units, wherever they may be located, are united under the political branch of that sector.

3. The party members of the army have the right to criticize any party member during their meeting, but this does not necessarily mean that they are entitled to question the directives and the commands of their superior officers. This indicates that the armed forces practise the art of strong centralism.
4. To carry out their party duties, the military party organizations elect, at their plenary meetings the Secretary and Bureau for the direction of the party affairs in a certain period.
5. All the political bodies are set up from the party committees, their functions in the army are similar to those of the party control committee and, therefore, consider decisions of the local party cells in respect to the selection of party members.

Article 29

The party organizations within the army are formed in line with the structure of the armed forces. The work of the party within the Armed Forces is directed and determined by the Party Central Committee through the political department of the army affairs which functions as a "branch" of the Party Central Committee.

Article 30

Being a constituent part of the party, the Army Party organizations cooperate with the local civil party organizations. They submit reports of their political activities to the Committees of the Party; assist the local party organizations; in reconstructing the national economy and promoting our social and cultural heritage.

Article 31

THE PARTY AND THE SOMALI YOUTH ORGANIZATION

The Somali Youth Organization is the highest social organization of young men and women representing the most political conscious elements from the army, intelligentsia, students, workers, peasants as well as the vanguard-victors (Guulwadayaalacha).

COMMENTARY 31

The question concerning the relationship between the Revolutionary Party and the youth has a great importance for the future destiny of the Revolution, and the progress of the country as a whole.

In fact, it is a matter which greatly affects both the strength of ideas and the level of activities of the party. It has an influence on the younger generation who hold the future responsibility of establishing socialism. That is why it is essential for socialist parties to give special attention to the political organization of the youth who represent the future pillars of the party.

Article 32

The Youth Organization act under the guidance of the party. They are also the party's active supporter and reserve army. The organization bring up the youth with a sense of devotion and self-sacrifice to the party as well as to the Revolution in order to have revolutionary vigilance for protecting and defending the motherland.

The Youth Organization organize and mobilize the youth for the active participation in the establishment of socialism. To teach and propagate the principles of Scientific Socialism and to raise the technical skill of its members. Every member of the youth organization is obliged to raise his knowledge and skill, and to help others to do so.

Article 33

The Youth Organization Committee have the right to take due steps executing the directives, duties and their responsibilities towards the party, particularly where there is no party cells and organizations.

Article 34

The regional, district and village youth committee organizations have the right to give sound recommendations to their members when joining the Party. The Committee recommendations is tantamount to that of a party member. The regional, village cell and cell committees of the party co-operate in their political organizational and orientation- al and orientational works among the youth with respective organization of the youth, the party committees at the same time assist them in the execution of their tasks.

Article 35

Women's organization is the foundation for the fulfillment of the works related to the interests of the women, and propagation of the party objectives. It carries out the following matter:

1. Strive to expand and establish their legal framework in order to develop to an organizational level which operates under the guidance of the Party.
2. Organize and unite the women that are politically conscious, therefore, can be the future backbone of women's organizations.
3. Increase their efforts in implementing the socio-economic programme of the country.
4. Play an important role in the political education of women, the household and bringing up their children with revolutionary ideals.
5. Consistently fight against reactionary forces, corruption and decadent activities.
6. Work hard to defend the women's cause, and encourage them to embrace the spirit of nationalism and the principles of socialism.
7. Women's organization as a direct and permanent connection with those of the regions, districts and villages and also co-operate with the other international women's organizations.

Article 36

The financial means of the party and its organizations are provided by the incomes obtained from publishing books, newspaper and journal etc. as well as the membership dues received from the party members.

The monthly membership dues of the party members are prescribed according to their income brackets:

Monthly Salaries	Percentage Deductions
100/ = upto 1000 Shillings	1%
1001/ = upto 1500 Shillings	1.5%
1501/ = upto 2000 Shillings	2%
2001/ = and above	3%

The people who have no specific sources of income, such as students etc, have to pay a monthly membership fee of 2 shillings.

Every party member will pay at the first an admission fee of 10 shillings.

N.B. For clarity purposes, income is meant the take-home income which is clear from taxes, and all other deductions.

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Act of Union, Law No. 5, 1961.

II. Secondary Sources.

The most useful work on the Somali Constitution is:

Noor Muhammad, Haji N. A. The Development of the Constitution of the Somali Republic. Mogadiscio, Government of the Somali Republic Printing Office, 1969.

This excellent study was written by the former Vice-President of the Supreme Court of the Somali Republic who also served as United Nations Legal Adviser to the Presidency of the Council of Ministers. Following a historical background oriented to constitutional development, it analyzes each part of the Constitution. Additional chapters are devoted to the civil service and local government. The book is an expansion and development of his prior article on the subject:

Noor Muhammad, Haji N. A., "The Republican Constitution of Somalia," 3 Indian and Foreign Review, No. 5, December, 1965.

Muhammed, Haji N. A. Noor, The Legal System of the Somali Democratic Republic. Charlottesville, Va., The Michie Company, 1972. 429p.

Indispensable reference work for anyone interested in the constitutional law of this country. Following a section of general historical, geographical, and cultural background, the legal systems of the Italian and British periods are considered, then the development of constitutional law in the republic before and after the revolution. This is the fifth volume in the Legal Systems of Africa series, under the general editorship of Prof. Kenneth Redeen of the University of Virginia.

Castagno, Margaret, Historical Dictionary of Somalia. Metuchen, N.J., The Scarecrow Press, 1975. 213p.

Alphabetically-arranged items on institutions, persons, places, events, and so on. Contains, for example, entries on "Constitution," "Political Parties," "Legal System," and "Legislative Assembly." The extensive bibliography is especially rich in periodical literature.

The two works in Italian are also important in research on the Somali Constitution. Comprehensive and analytical is:

Angeloni, R. Diritto Costituzionale Somalo. Milan, A. Giuffrè, 1964.

For background data on the constitutional problems faced in the Trust Territory prior to independence, see:

Costanzo, G. A. Problemi Costituzionali della Somalia nella Preparazione all'Indipendenza (1957-1960). Milan, A. Giuffrè, 1962.

III. Somali Legal Materials.

The most pressing legal problem facing the newly-independent Somali Republic in 1960 was that of integrating the British common law system of the former Somaliland Protectorate with the civil law system of former Italian Somaliland. By far the most important work on this subject is:

Contini, Paolo. The Somali Republic - An Experiment in Legal Integration. London, Frank Cass, 1969.

This excellent book is an expansion of the author's article:

Contini, Paolo, "Integration of Legal Systems in the Somali Republic," 16 Int. & Comp. L.Q. Part 4 (1967).

See also:

Ganzglass, Martin R. Penal Code of the Somali Democratic Republic. New Brunswick, Rutgers University Press, 1971.

IV. Background Literature.

Barre, Mohamed Siad, My Country and My People. Mogadisu, Ministry of Information and National Guidance, 1971. 101p.

The collected speeches of Major-General Barre, president of the Supreme Revolutionary Council in 1969 and 1970, the period immediately following the revolution. Interesting as collateral reading.

To understand the land and peoples that became the Somali Democratic Republic, the best works are:

Lewis, I. M. The Modern History of Somaliland. London, Wiendfield & Nicholson, 1965.

Lewis, I. M. A Pastoral Democracy. London, Oxford University Press, 1961.

The 1965 Lewis volume is the best in the field for an overall historical view. The 1961 work contains an excellent analysis of Somali tribal society and has a sound description of Somali customary law. See also:

Drysdale, J. The Somali Dispute. London, Pall Mall Press, 1964.

Hess, R. L. Italian Colonialism in Somalia. Chicago, University of Chicago Press, 1966.

Touval, S. Somali Nationalism. Cambridge, Harvard University Press, 1963.