

HAILGAN!



(THE STRUGGLE)

**ORGAN OF THE SOMALI
REVOLUTIONARY SOCIALIST PARTY**

* **REFLECTIONS ON THE
CONSTITUTION OF THE S.D.R.**

- * **National Workshop on Rural
Development**
- * **Notes on Somali Culture**
- * **The New National Constitution**

Struggle to
learn, in order to
learn to
struggle better

HAILGAIN

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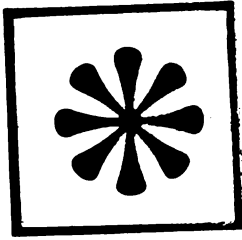
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EDITORIAL



The New National Constitution of SDR

The new constitution has passed through various stages and the preparatory committee have come across many problems. The formation of a constitution among other things include in the first, second and third Charter of the Revolution.

The resolutions on the founding congress of the SRSP on 1st July 1976 emphasised the formation of constitution with in a short period.

In consideration to the forementioned decision a committee consisting of 16 persons was appointed on Presidential degree on 20th Oct. 1977. Also the CC of the SRSP decided that the constitution should be prepared within one year.

The Secretary — General of the SRSP, President of the SDR, Jaalle Mohamed Siad Barre, reshuffled the committee on 26th Nov. and minimized to eight persons. This committee was officially appointed to prepare a new constitution up to January 1979.

It is imperative therefore, to ask ourselves, what is the difference between the new constitution and the previous one that has been abolished by the revolution immediatly after its birth on 21st Oct. 1969?

The previous constitution was capitalist oriented and was prepared mainly by foreign experts, who despite their meagre information could not cope with the problems exactly envisaging the Somali people particularly and their solution. But the new constitution is based on the welfare and betterment of the Somali people that has been declared in the 1st, 2nd, and 3rd charters and at the same time the Party laws, programme and constitution.

The difference between the new constitution and the one that existed prior to the revolution is vast and each was engendered by certain conditions. The previous constitution was initiated immediately after independence, it was foreign prepared and capitalist oriented and could not therefore cope with the concrete reality of the life of the Somali people. On the other hand, the new constitution was prepared after 9 years of Revolutionary administration and in consideration to the peculiarities and circumstances the society is experiencing. It is also prepared by Somali experts.

This constitution coincided with the socialist construction of the Somali people and their diligence to enhance the society's unity, cooperation and self confidence.

To carry the constitution to the remote areas and to every individual, seminars were held to discuss the constitution and the referendum having headquarters in the police academy.

These seminars were offered to :-

- Secretaries of the Regions and districts.**
- Governments directors and Party representatives.**
- Somali composers and**
- Intellectuals.**

Besides these seminars, the mass media — the Radio and News-papers were fully and consistently engaged in propagating the constitution and plebiscite. Seminars were set up in all regions and districts.

Lastly, after a long process of preparation the plebiscite occurred on 25th August 1979.

The Somali people who possessed a highly political consciousness and having understood the importance of a new constitution, portrayed their patriotism in accepting unanimously the new constitution. The number of people who voted yes were 3,574,139 out of total voters of 3,587,179 while the people who voted against were 7,852 persons. In this case it is easily understandable that the number of people who voted no are less than 1%.

The acceptance of the new constitution will further facilitate the diligence of the Somali people to achieve rapid development.

Political, Economic and Social Affairs



National workshop on Rural Development



The National Workshop on Rural Development commenced in one of the Conference rooms in the Peoples Hall on 22nd Sept. 1979. The Workshop was sponsored by the National Planning Commission and the UN. The Workshop was participated by representatives from all ministries and National Agencies, who in part or in whole are involved in the rural development. Also, there were representatives from the International Agencies. These agencies include WHO, FAO UNIDO etc.

The workshop was officially inaugurated by the Minister of Local Governments and Rural Development, Jaalie Jama Mohamed Galib. The Minister delivered a speech on the occasion and pointed out the essence of this workshop which was the first of its type. The Minister emphasised that the need for rapid

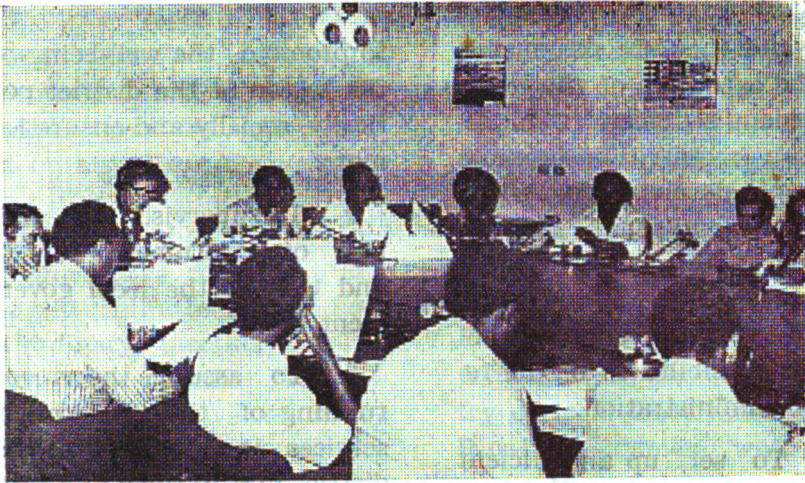
rural development and the integration of rural economy depends on the study of the problems and prospects of the rural economy. The UNDP resident representative Mr. OLAV SVENNEVIK also delivered a speech on the opening session. He emphasised the need for an integrated economy and the imperative need for the establishment of a coordinating - body. The UNDP resident concluded that the UN agencies will not spare their efforts in taking part in the integration of rural economy.

The plenary meeting usually started at the plenary hall and after presenting each paper, comments, questions and discussions followed. After the plenary meeting, the conference was broken into discussion groups, the members of each group discussed the questions and comments and drew their conclusions accordingly.

The agenda has included papers and discussion sessions covering virtually all the relevant aspects of rural programme in our country.

According to the programme each ministry and its affiliating agencies was supposed to have a complete day so that the chairman for that day was either the Minister or the Director General of the Said Ministry. Almost all Government, Ministries and Agencies participated in the workshop each discussing the problems and prospects of an integrated rural economy, their function and plan for new ways of improving the rural economy. The participants and observers were not confined to the Ministries and Agencies but also there were observers from the Agricultural and Fishery settlements and from the potential beneficiaries. The representatives presented amalgamation of the activities of the Said Ministries and Agencies. A day before the conclusion of the national workshop a draft committee was appointed to prepare a draft outline on the Rural Development Strategy for Somalia 1980 - 1989. The main points to be discussed under this topic include;

1. Somalia's experience in Rural Development.
2. Government of Somalia's Rural Development Objectives



3. Barriers to more Rapid Rural Development in Somalia.

The draft committee presented its outline on the 29th Sept. before the conclusion. Meanwhile the concluding addresses began. The first address was delivered by the Chairman of the meeting. The UNDP resident representative also delivered a speech on the closing session. The UNDP representative between the Somali Govt. And the UN Agencies participating in the Task Force on Rural Development have great hope and expectation that the deliberations of the workshop would yield long term programmes and strategy for integrated rural development which would benefit immensely the vast masses of the low-income rural population. He further continued his speech stressing the need for better coordination and in-

tegration of government ministries and agencies so that a basic change may be insured. stressing on the role of the UN he mentioned that this is the beginning of their interest and that a new era of cooperation between Somali government and UN has commenced on proposals specially designed to alleviate rural poverty.



Lastly the Minister for Local Gov't and rural Development Jaalle Jama Mohamed Galib who was present throughout the proceedings of the National Workshop delivered the concluding speech.

The Minister, laid emphasis on the Development of the guidelines by further research and writing, taking into full account all the documents and proceedings of the National Workshop so as to constitute a strategy paper for integrated Rural Development in Somalia.

The Minister continued to say that this workshop will analyse the party experience in order to draw useful lessons for future action. The Minister concluded to extend his thanks to all people who represented their respective Agencies.



Perspective on effective Rural Development

Introduction Rural development Administration.

1. The Revolutionary Government has taken necessary measures to formulate policy for rural development which is basic to national develop-

ment, since 70 — 80% of the Somali population are rural and nomadic.

2. To facilitate administration the Somali Democratic Republic is divided into Regions, Districts and Villages. The

political administration and social economy of the Regions. Districts and Villages come under the responsibility of the Local Government bodies referred to as Regional, District and Village committees or councils which function on

behalf of the general administration of the Somali Democratic Republic, and cover the whole country.

3. In every region and district council with a party committee which comprises of public representatives and the heads of Government offices. They are all members of the party. The same guiding principle applies in every village committee where we find members of the party and social committees. Most of them are selected from among the local residents.

4. Likewise, the administrative committees of heads of Government offices are also classified according to Regional, District and Village levels.

5. In order to unify the duties of the party and the administration, and to avoid contradiction that might hinder the smooth running of the national service, an executive office is established in every region and district. This is the highest authority in the region or district that combines the duty of the party and the administration. It is composed of 3 members and they are responsible for the following :-

1. Implementation of policy of regional or district council and the administration of the region or the district.

2. Fulfilment of party responsibility and the administrative functions as laid down in the law and programme of the party. The law No. 21 of 3/2/1977, pertaining to regional and district administration.

The village committees are established by resolution of the regional administrative commi-

tee, and they are responsible for the execution of village development schemes. Committees are required to promote economic development, social wellbeing, and assist administration.

The following are some of the responsibilities of the regional administration:-

1. To set up an efficient system and prepare plans to execute the national policy.

2. Implementation of plans effectively so as to improve the life of the people in the regions and districts.

3. Execution of the normal administrative functions of Ministries and corporations of the Central Government, at the Regional level.

4. Inspection and supervision of the services of district administrative committees.

5. Transmission of problems that are beyond the capability of the regional and district committees to the central Headquarters of the Government.

6. For these reasons, all the heads of various branches (departments) of ministries and their representatives in the regions or the districts administrative committees.

The district administrative committee has similar responsibilities as those of the regional administrative committees as illustrated above.

7. The regional or district administrative committee is also vested with authority to such as:

1. To make laws (rules) or abolish existing local ones, provisions of the national laws. These rules are intended

to promote the well-being of the region or the district politically, socially and ensure harmony.

2. To supervise the collection of Government revenue and that of the local government body.

3. To assure the smooth running of the government services in the region or the district and to solve any problems and conflicts that may arise.

4. To prepare and submit the budget of the local Government body to the regional party committee in accordance with the financial rules and regulations.

5. To render any advice to the central government if so required in the general interest of the public.

6. Also, the regional or district administrative committee has sub-committees comprising the heads of various branches of government offices, which are responsible for the following :-

1. The Sub-Committee for the economy and the co-operatives;

Which is responsible for the general development of the economy, executing projects included in the national development plan, co-ordination and encouragement of self-help schemes, promotion of increase of agricultural output, establishment of co-operatives and animal husbandary.

2. The sub-committee for social affairs;

Which is responsible for public health and sanitation, education, justice, sports, relaxation, literature, etc.

9. The regional administrative committee is required to consult the district administrative committee before they act on any resolutions concerning district affairs. It is a requirement that the regional administrative committee and the sub-committee should hold an ordinary meeting once in every three months. The district administrative committee is required to have its ordinary meeting once in every 15 days. The objectives of these meetings are mainly to check and review what has been achieved, and what has not yet been accomplished and the causes for it, and also for general consideration of matters of interest to the people.

The local government bodies are up to now confined to providing the public with the following services :-

1. Supplying documents such as identity cards and commercial licences.

2. Sanitation, planting and decoration of towns and villages.

3. Accomplishing minor projects within their financial capability and equipment available.

4. Accomplishing the consolidation of rural development campaign.

5. Commercial services, such as supplying of food, sale of construction materials, clothes and footwear.

10. However, in the long-term, the local government bodies are expected to attain required standards, where they can fully take charge of the responsibilities and services now provided by ministries and corporations of the central government in the regions and

districts with the exception of some projects and other services which may have to be operated directly by the central government in many regions and districts. This is the major objectives of the local government in the future.

11. The regional administration comes under the ministry of local Governments and Rural Development, which has power to inspect, co-ordinate and to take care of the functions relating to the administration. But every region or district has the power to deal direct with government corporations for their services. Every region is required to send a general report to the ministries pertaining to their work once every three months. Therefore, every region or district or village has the freedom of action on its local administration politically, economically and socially, but this should coincide with and conform to the general policy and plans of the State.

12. As regards the rural literacy campaign (a nationwide rural development undertaking,

there is a national committee consisting of the following government ministries and central government bodies :-

1. Ministry of local Government and Rural Development
Chairman

2. Ministry of Education
Secretariat

3. Ministry of Health
Member

4. Ministry of Agriculture
Member

5. Ministry of Live stock, Forestry and Range

Member

6. Ministry of Fishery
Member

7. Ministry of Information and National Guidance
Member

8. State Planning Commission member

13. The responsibility of the National Planning Committee

1. Defining the policy and the general plan for the consolidation of rural campaign (JOHRM).

2. Assuring the accomplishment of the policy plan of the consolidation of rural development campaign.

The National Planning Committee is assisted by a technical committee comprising officers from the ministries mentioned above. The technical committee for the consolidation of rural development campaign has to deal with the following :-

1. They should be aware of the resolutions of the national planning committee (JOHRM).

2. Inspecting the regions, districts and villages where the programme (JOHRM) is functioning.

3. Preparing the reports relating to the inspections pointing out the difficulties hindering the accomplishment (success) of the programme (JOHRM).

4. Organizing and administering training seminars for the heads of rural societies.

5. Studying and evaluating the outcome of the programme (JOHRM).

6. Preparing the statistics relating to the programme (JOHRM).

14. The Headquarter of the technical committee (JOHRM) is in the premises of the Ministry of Local Government and Rural Development. Likewise, there are committees for (JOHRM) consisting of representatives from the Ministries represented within the National Committee of JOHRM in every region and district. Every committee has a Secretariat headed by the representative of the Ministry of Local Government and Rural Development. In the region, the secretary of the committee is the coordination of the Ministry of Local Government and Rural Development, whereas the administrator of local government is the secretary of the committee in the district. In the village there are numerous committees responsible for the accomplishment of the programme (JOHRM). These committees include the heads of the rural society (village headmen and tribal chiefs), members of the party, social committees, the functionaries of health and animal husbandry, and the teachers of the Ministry of Education. The heads of the rural society which include tribal chiefs, village headmen, are given orientation seminars in Ceel Jaalle (near Merca). Thereupon, they are given a wide variety of lessons concerning the objectives and the significance of the programme (JOHRM) after which they comprise the mechanism for the village services under the campaign.

16. The Objectives of the Programme (JOHRM)

1. To improve the basic

needs of the community like, health, education, water, food and communication.

2. To improve the agricultural output, animal husbandry and fishery.

3. To encourage minor technical skilled occupations that could be used for commercial purposes, if needed.

5. Accomplishing minor projects relating to the development of the rural society by adopting the principle of self-help.

6. To improve the standard of political consciousness of the rural society.

17. A copy of the schedule of the services to serve as a guideline for the regions, districts and the villages is attached. Resolutions of the committees of the programme (JOHRM) are brought before the regional, district and village administrative committees for approval.

After that, a copy of their resolutions is sent to the Ministry of Local Government and Rural Development for information and consultation, if necessary.

18. The difficulties that hinder or damage the smooth running of the programme

and 2

1. The lack of cadres experienced in the preparation and accomplishment of the programme (JOHRM) in the country.

2. The scarcity of economic means is a barrier to the accomplishment of minor projects that might encourage employment generation of economic resources and useful technical training.

3. The diffusion of the administrative services relating to the programme (JOHRM).

4. The different definitions given to the rural and urban services.

5. The frequent movement of rural societies.

19. It is believed the programme would succeed if solutions of the above mentioned difficulties are found.

DEVELOPMENT PERSPECTIVES

There is no doubt that the rural society of the Somali Democratic Republic has achieved some clear development goals in the field of economic policy and social affairs under the leadership of 21st October Revolution. This is witnessed by the level of general knowledge, political attitude and the economic development which the nation has reached during the period mentioned

Economic development in the regions, districts and villages executed on :

1. Local Government budget.
2. Self help scheme funds.
3. Central Government grants.

Though the central government executes projects in the Regions and Districts under its development plans, yet the Agencies responsible for implementing the projects are directly in touch with the interests and needs of the rural society which also has funds received from the local government budget and self-help funds collected from the people.

Each year, the District Administrative Committee prepares the proposals for the budget and the District Council or Committee of the district estimates the following year's draft budget in concise form so as to balance its income and expenditure. This estimate is submitted to the District Council for, following the acceptance by the Party Committee in the Region, it is transmitted for the consideration of the Regional Administrative Committee and the Party Committee. The budget after acceptance by the Administrative Committees and the Party and after approval by the Regional Council is transmitted to the Ministry of Finance, through the Ministry of Local Governments and Rural Development. It should be noted that an attempt is made in the budget to meet peoples requirements using all the resources available.

Finally, the budget of the Local Government is accepted by the Central Committee of the Party, as forming a part of general budget of the nation. The estimated income of the Local Government budget is obtained from the following sources:

1. Tax on utilities.
2. Income Tax.
3. Substantive income and services.

Only a small income is obtained from the Local Government's own body properties. 1/4 or 3/4 of the Local Government's income in the districts is obtained from tax on revenue animals, markets and houses etc. Though each district's income is dependent to the number of economic sources

established in the district.

The estimated expenditure of the Local Government budget in the districts is generally divided into a) Regular expenditure and b) development expenditure.

Regular expenditure includes the following.

1. Payments and Salaries
2. Maintenance.
3. Services and Materials.
4. Minor expenses.

Most of the income of the Local Government bodies in the districts is spent on regular expenditure. The reason is that on the District's present Services to the People where no income is obtained, such services being — lighting, sanitation, maintenance of peace political activities, and Social amenities, etc. under development expenditure it is the duty of the District to execute local development projects of primary importance every year.

Though the central government assists the districts which are unable to incur the expenditure by presenting additional funds to implement its projects. The establishment and change in the source of income of the Local Government bodies is dependant on to the powers of the District Administrative Committee to constitute Local Laws and rules consonant with the District's economic situation.

The administrative laws of the regions and districts allow Local Government bodies to retain additional (surplus) at the end of the year. This should be placed as a deposit in order to finance new projects

in the following year to avoid the freezing of funds at the end of the financial years.

The estimate of the regional headquarters is composed of income and expenditure prepared by the regional administrative committee which is then submitted to the regional party committee. Their income is drawn from transfer of money by the districts from their extra surplus funds and also from Central Government grants. Their expenditure is mostly on regular items of expenditure but they spend also on projects assigned to them for execution at regional level.

For local Government bodies of the districts that can not afford to incur expenses to meet needs of the district community, it was arranged that each social unit should execute its own projects on self help basis in order to fulfil their needs. In fact, it is not found difficult to get villages to take action to establish Kuranic Schools, veterinary Centres, water sheds and reservoir, etc. Thus, in order to evaluate the position of self help projects in the economic development of the country which the same time to make sure of balanced development in regions, districts and villages. The National Plan of 1979 — 1981 provides for projects financed from the following sources :-

1. Local Government estimates.
2. Central Government Aid
3. Self help funds.

Before incorporating in the National Plan, initially the national planning Committee

had prepared a regional plan based on studies made on the needs of the peoples in the regions, districts and villages, balance also into account economic resources that can be mobilized.

In view of the plan preparation procedures which ensures necessary measures are taken to develop rural society — there is confidence that targets will be reached and prospects for future development might bring changes and improvement in the life of the people as in the developed world.

Annexure «A» shows a schedule of the projects implemented in the regions, districts and villages from 1976 to 1979, with the exception of those executed on self help schemes.

Other small projects that will be executed in the regions districts and villages in 1979-1981 are shown in Annexure «B».

The difficulties faced by the Local Government bodies for economic development of the Society which are under their responsibility are as follows :

1. Their economic resources related to taxes are highly limited.

2. The shortage of working materials and production materials.

3. The control and supervision on regular expenditure for the District is a responsibility on central Government Services.

4. Scarcity of experienced cadre in the affairs of administrative planning and economy.

Projects	1976	1977	1978
1. Markets	27	28	7
2. Meat Market houses	4	8	7
3. Slaughter houses	25	4	—
4. Local Government Farm	36	36	33
5. Animal Dips	3	27	6
6. Gardens	1	5	—
7. Water sources expansion	8	17	17
8. Water sheds	1	—	—
9. Canals	2	4	5
10. Dams	2	—	—
11. Water reservoirs	99	42	9
12. Open wells	50	60	4
13. Lighting schemes	15	21	22
14. Drilling wells	15	—	—
15. Salt projects	2	—	—
16. Road construction	6	6	9
17. Guidance centres	10	6	3
18. Recreational	4	10	11
19. Rest houses	16	7	12
20. Office construction	16	15	14
21. Domestic Centers	14	24	18
22. Kuranic Schools	2	5	3
23. Cinemas	2	3	—
24. Restaurants	2	—	1
25. Training centre	1	—	—
26. Engine houses	7	4	6
27. Garages	5	2	2
28. Stores	4	2	5
29. Health Centres	3	2	—
30. Worker's houses	14	17	13
31. Mosques	2	2	1
32. Statues	1	—	—
33. Hospitals	—	1	—
34. Workers Coffee shops	—	1	1
35. Cemetery fences	—	1	1
36. Disposal of sewage	—	2	1
37. Toilets	—	3	—
38. Dhows	—	1	—
39. Village gatherings	5	8	6

Projects	1979	1980	1981
1. Community Centres	28	17	8
2. Markets	38	38	42
3. Stores	24	35	28
4. Kuranic schools	49	159	77
5. Domestic schools	29	20	20
6. Toilets and disposals	58	66	79
7. Water reservoirs & dam	57	44	32
8. Canals	47	27	21
9. Different Constructions	58	27	28
10. Worker's Houses	71	71	34
11. Technical Centres	24	9	15
12. Livestock Dips	67	66	61
13. Small Roads Construction	41	31	31
14. Rest Houses	11	5	4
15. Play grounds	16	16	12
16. Farms	50	14	29
17. Health Centres	45	39	34
18. Cinemas	4	2	—
19. Child Care Centres	3	—	2
20. Shallow Wells	63	61	39
21. Shops	12	10	5
22. Offices	12	39	39

TOTAL Yearly Funds 1979	So. Sh.	46,744,206
TOTAL Yearly Funds 1980	So. Sh.	36,543,666
TOTAL Yearly Funds 1981	So. Sh.	39,505,000

PARTICIPATION OF RURAL FAMILIES IN LOCAL LEVEL PLANNING

The historical background of October Revolution was basically conditioned by the difficulties experienced in the country as a whole, in the fields of economy, culture and social affairs, in fact, the survival of the Somali nation was in danger.

One of the main reasons that brought in the revolu-

tion was the poverty situation in rural life which generated betterness day by day, and showed the substantial differences in life in the rural and urban areas.

As the majority of the Somali people live in the rural areas, the revolutionary government resolved to improve and develop the social well-being of rural society.

To achieve this the government decided that steps

should be taken to enable rural communities to participate in planning the development programmes concerning their development, in addition, it encouraged self-help schemes with economic and technical assistance from the Government.

1. The extension of national administration.

2. To raise the standard and political attitude of rural society by holding continuous training and seminars.

3. Inspection by high officials of state to determine the needs of rural people.

4. The spread of the principle of self-help schemes and its importance in coordinating the interests of the Government and communities.

5. The establishment of social organs such as those for youth, cooperatives, women, workers and victory pioneers.

6. Implementation of rural development campaign and its consolidation campaigns.

THE EXTENCE OF NATIONAL ADMINISTRATION.

On 8th June 1972, Law N.O. 52 was proclaimed and it concerns the re-establishing of the Local Government bodies of all regions, districts and villages.

OBJECTIVES OF THE LAW

1. That rural society is served promptly by the National Government with minimum delay in transmitting things from the Capital.

2. That communities shall directly participate in the national administration.

3. To raise the attitudes, knowledge and the functional abilities of the communities.

4. To bring to the notice of the central government the the difficulties and aspirations of the people.

5. To ensure that services are taken to the communities, down to the lowest levels.

Coordination of action between the Government and communities had been stepped up by the revolution, assuring that the services done by local government bodies are compelled to be taken to the communities in order to fall in line with their requirements.

This law facilitates democratic centralism, which coordinates the central government plan and the rural area plans in respect of economy, administrative, policy and culture.

In order to assure the realization of the Law's objectives, there were established the revolutionary council, and committees of regional, district and village levels. They are required to handle development and services for the rural communities through a number of committees such as:

1. Economic development committee
2. Social affairs committee
3. Defence and peace committee
4. Financial administration control committee
5. Political guidance and orientation committee

6. Medication committee

The local government councils in the Regions are comprised of heads of government Departments and public representatives. The same applies to the District revolutionary council. But, the villages committees (councils) are composed of public representatives only and they are responsible for administration and village development.

The Law mentioned above certifies the powers of regional councils as well as these of districts and villages as follows:

1. To take such steps as are necessary for the accomplishment of its duties and works vested in it.

2. Organizing and regulating the tasks which appear as services among the society objectives.

3. Advices extended by the central government concerning culture to be responded to accordingly.

4. The execution of their decisions that have the power of laws, if not amended by the central government on a law form.

The matters mentioned above show how rural society is given a chance to examine plans affecting their lives.

It is essential to bear in mind that decisions of their revolutionary councils carry the power of law and needed to be obeyed if not generally contradicting the national law.

Other measure which diffused the national administra-

tion's power was the formation of new Regions and districts which made possible greater participation by rural people.

Prior to the revolution the Divisions were regions (8) in number; and districts (48) forty-eight, but, as at today, there are 16 regions and 67 districts and three (3) Agricultural Cooperatives administered as districts.

All these measures were taken to abroad base government services and allow for greater participation of society as a whole, while also enabling society to transmit their feelings, difficulties and advices to the central government. The regions, districts and villages are attempting to reach their target of self-sufficiency based upon their socio-economic services to the people.

11. To foster correct Political Attitudes and Orientation of the Rural Communities.

In order to maintain people's participation, seminars and training classes are held with the following aims :-

1. To improve their general knowledge on various matters including agriculture, health, education, veterinary science, fishery and politics.

2. To make them understand the national development policy and the importance of the principle of self-help projects.

3. To acknowledge their difficulties and the needs of the rural society.

4. To unify political thoughts, economy and the culture of the people in general.

5. To collect the important information for the rural development.

Thus, such seminars and training camps offer to the people opportunities for rural participation in formulating their development plans that are in conformity with national policies.

III. The Regional, District and Village Inspection

The 21st October Revolution declared that each year there shall be at least one inspection tour made by the heads of the government of the regions, districts and villages in order to be fully acquainted with rural life. During their tour the heads shall have meetings with the village people aimed at the exchange of ideas and advice.

The 21st October Revolution proclaimed that the Somali nation shall be confident of itself and follow the principle of self-reliance. In order to implement their needs on the principle of self-help projects, the revolutionary government had introduced law number 39 of 11/5/72 concerning the organization of self-help schemes. It lays down that the committees in villages, districts and regions should cooperatively think, decide and execute the needed projects as well as measures covering the development of the environment.

V. The Establishment of Social Groups and the Armed Forces

The social groups are composed of youth, workers, women, victory pioneers, coope-

ratives and merchants. These groups participate in setting up plans and its execution in connection with their settlements. The delegate members to the local committees. They are the guiding elements of national development in cooperation with the armed forces. They are also responsible for executing measures concerning the organizing developing, orientating and to advise in the needs and feelings of the society. They are also responsible for maintenance of peace and the increase of production.

of the Rural Development Campaign

Though, the rural development campaign deserves to be treated separately, yet as I have pointed there, because it is one of the revolutionary measures of self-help administration. The law points out that every society shall have the responsibility to set up and execute projects that covering their livelihood developments with the help of the central government in technical and economical measures. Therefore, no project that could be executed in any district or village by the local or central government without the plan of the people concerned. The principle of self-help schemes is uniting the interests and needs of the rural society by its guidance to the needed developments. The schemes are the following:

— Construction of schools, mosques, guidance centres, stores, latrines, dispensaries, roads, health centres, dips, water canals, wells, berkedes, pools, hospitals, offices, shops, dams agricultural cooperatives, animal cooperatives, grazing areas and domestic schools,

The money, mind and muscles that those constructions are being implemented have been paid by the local people with the assistance of central government.

development of rural society in particular and the country in general.

The Objectives are to Execute the Campaign

1. Eradication of illiteracy
2. Improvement of public and animal health
3. Census for both people and livestock

The additional interests beyond these were :

1. To know more about the rural situation and the determination of their needs
2. To train the rural people then to solve their elementary needs and their participation in social development
3. To preserve the advantages of customs and cultures of rural society
4. To promote acquaintance and close relations between the rural and urban peoples in order to remove their differences
5. Execution of principles of self-help schemes, justice, self reliance programmes.

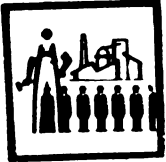
The campaign has enabled the rural society to understand its obligations. After the birth of Somali Revolutionary Socialist Party on 1st July 1976, the Party members replaced the revolutionary councils in relation to the administrative

and social bodies established in regions, districts and villages. But in respect of responsibility no change has taken place. Further information is given in the paper concerning (Rural Administrative Infrastructure).

Therefore, the above mentioned measures are certified, indicate fully how the rural society participates in preparing their future. One difficulty which needed to be mentioned is that the society requires some training on pre-

parations and executions of its plans.

The revolutionary principle is to work together, discuss together and follow up on your decisions and resolutions based on majority rule system.



Legal Position Of Constitution Laid Among Other Laws

In studying Constitutional Law it is imperative at first hand to pin point the position of Constitution or constitutional law in general and in particular among other laws. That is before scrutinizing the nature of their relationship. The two different systems of socialism and capitalism have their socio-economic discrepancies. Similarly, disparities exist in their respective legal systems and their relationship. Scholars of the capitalist system and those in the transitional stage who inherited their legal system from the above system, have divided law into two main divisions: aforesaid laws are related to Public and Private law.

Public law regulates relations or cases in which the state having its sovereign status is a party. The other party either being an ordinary individual or a state.

Further, public law is subdivided into external (public international law) and internal law. Major branches of the said law are the following: Constitutional, Administrative, Penal, Financial and Social security laws etc.

While private law embra-

ces civil and commercial law (Labour, Civil, Commercial law procedure and private international law). The the two main divisions of the law.

Furthermore, private law regulates relations among individuals and the state. That is a state with its sovereign status is equal to an ordinary individual. Therefore, the above division is based on the opinion of the aforesaid scholars who are different as we shall see from the scholars of the other socio-economic system.

Thus, law scholars of the socialist system do not recognise the above division of the law into two main categories as a scientific method. That is the division of the law into public and private law.

Time and the limitation of the subject matter does not permit us to dwell on the refusal of the socialist scholars to recognise the two main division of the law. However, it is pertinent to observe two important points: The first one deals with the nature of the system. That is socialist law

does not permit strengthening private ownership of the means of production. The importance and the class role which the legal system of capitalism strengthen itself. The second point is connected with the scientific division of the law.

Therefore, socialist scholars do not view the above division of the law as a scientific one, but consider it as a smokescreen, used by the ruling capitalist class to perpetuate itself in power. Hence they equate public law with public interest and the state as being the protector of the public interest.

Moreover, they believe that every law has to be given the title of the subject it regulates. It seems that although scholars of the two systems are divided in their views concerning the two divisions of the law, but concur on the special importance of constitutional law with respect to ordinary internal laws.

However, such consensus does not make constitutional law as the only fundamental law. It seems that there could exist other fundamen-

tal or basic laws that are not part of constitutional law, but regulates other matters of vital importance to a given nation. But these laws do not necessarily come under the constitution like ordinary laws as long as they are compatible in substance and subject wise.

The said laws and some principles having constitutional validity could be seen or inferred from the laws which the revolution governed the country. Such laws regulated the political, economical and social system of the state. Hence in drafting of the SDR, the above laws were utilised. Although it was not possible to include all of them in the new constitution. Nevertheless, the new constitution underlines their constitutional importance.

In substance and subject wise the new constitution and the said laws are identical, for example, article 40 of the constitution is in Party with the planning law placing it at forefront of other laws. While article 83 which gives the President extra-ordinary power in promulgating laws is consistent with the spirit of the constitution whenever there is an emergency situation existing in the country.

Besides, some revolutionary laws have their own

importance and constitutional value. Equally, the principle and the objectives of the revolution have the same value with the exception of the third principle of Foreign policy which was mentioned in the first charter of the revolution, consequently we could find in the constitution important items which are not contingent in their realisation the absence of conflict with the constitution, but have been attached apart from their compatibility with the principles and the objectives of the revolution. A good example is the preamble of the constitution and article 29, etc.

Accordingly, in our view the position of constitutional law with respect to other laws outside its domain is tied to the nature of such laws and the subject they regulate. In other words, if the subject matter they regulate is or is not a constitutional matter. Thus if the subject or the relations which such laws regulates is an ordinary law lacking constitutional nature they come directly under the constitution. For example, the way the constitution of the SDR refers to in article 113.

As pointed out earlier some principles which regulate a subject having constitutional nature share with

the constitution a legal and political importance. Therefore, we can not say that every law which is outside the realm of the constitution does not possess constitutional importance. The same could be said that every article in the constitution has constitutional substance or relevance. The reason being that it is possible for constitutional document to incorporate constitutional law and an ordinary law.

The above reason have to be included in the constitutional document of ordinary law. It is possible to protect these laws from simple alteration before it is incorporated within the real of the constitution.

Such laws are older than the constitution. Because they do not wither away with the constitution whenever it is abrogated it is not replaced by special law. For example article 40 of the defunct constitution of 1961, speaks of civil responsibility of the state towards its employee. But this ordinary law was in force despite of the fact that the previous constitution was abrogated.

In conclusion, structural wise the constitution is the basic law of the country. At the same time, in substance it is the fundamental law of the state.

PARTY LIFE



Members of the CC tour the Regions

Party delegations led by members of the central committee departed on 17th August to the districts and regions of the SDR.

The delegates who set off for inspection, although for a limited time 17.30 August, met the Somali people in their respective districts and regions.

The inhabitant of these areas welcomed

warmly the visiting delegations and the people in the various districts and regions discussed issues concerning, the achievements of the 21st. October Revolution, the objectives of the revolution and the task of the Somali people in order to ensure the strategy of the party - which is basically the building of a new society free from

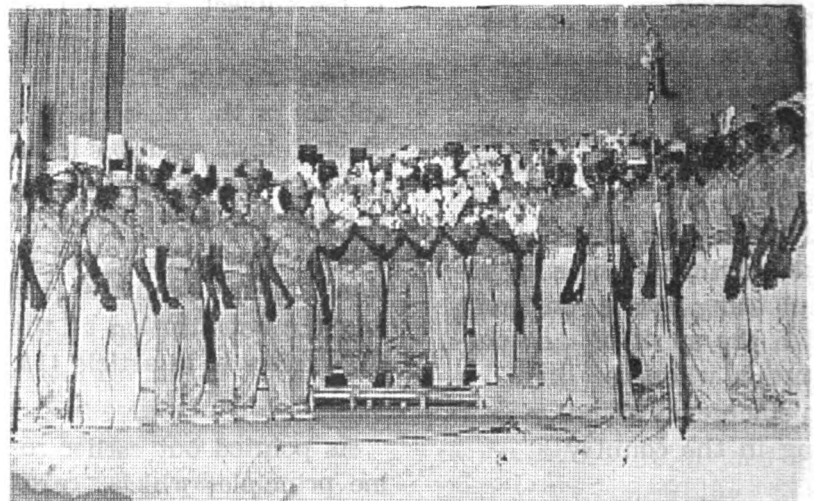
exploitation and underdevelopment.

During this period the delegations participated with the Somali people in balloting for the plebiscite of the new national constitution on 25th August 1979. Obviously, the said historical date in regard to our people's struggle for freedom and development.

Commennoration of the 7th anniversary of the Victory pioneers

The SDR highly celebrated the 7th anniversary of the victory pioneers on 19th August which marked the founding of the victory of laying wreaths, speeches concerning the occasion and concerts depicting the task responsibility and the role of the victory poineers in the nation building and in defending the achievements of the Revolutions.

On the 18th August, groups comprising from the victory poineers, military and police and music bands accompanied by members of the central committee of the SRSP and representatives of the social organisations of the Benadir Region laid wreaths of flowers at the monuments of Sayid Mohamed Abdulla



Hassan, Dhagahtur, Hawtako and the Unknown Soldier.

Another ceremony commemorating the founding day of the victory poineers was held at the National Theatre and a concert was

displayed reflecting the capability and role played by these forces.

The General secretary of the SRSP, and president of the Somali Democratic Republic Jaalle Siyad participated in a ceremony held



at the headquarters of the victory pioneers in Mogadishu. The president delivered a speech of congratulation and emphasised that the foundation of the victory pioneers did not come spontaneously but

through a conscious activity geared towards the elimination of the exceptional quality internal anti-Revolutionary elements. Like wise the president mentioned that members of the victory pioneers are men of who possess political maturity an implement the following tasks orientation of the masses, assisting the poor, defending the National interests, safe guarding the fruits of the Revolution and leadership of the society. The President was accompanied by members of the CC of the SRSP.

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A New Headquarter for the trade Unions of Local government

the chairman of the mobilization Bureau of the CC of the SRSP Jaalle Abdulkadir Haji Mohamed laid a stone of a new headquarter built for the Trade Unions of the local government Tourism and Hotels.

This new building which will be financed by the Mogadishu local gov't was estimated to cost 1,433,322/ Sh. So.

Speaking on the occasion Jaalle Abdulkadir mentioned that it is the first one of the seven Trade Unions that built a new head quarter of its own.

Jaalle Abdulkadir also admonished the other Trade Unions to follow suit, so that they could fulfill their genuine task and the responsibilities intrusted to them.

While on 10th August the chairman of the mobilization Bureau closed a seminar at the headquarter

of the GCSTU. The participants of 150 people were chairmen and secretaries of the working centres. This seminar which continued for a period of 3 days dealt on matters concerning the preparation for the celebrations of the 10th anniversary of the 21st October Revolution and the considerations given to the value of work and the workers.

In his address Jaalle Abdulkadir emphasised the Advantages of such seminars which raises the political consciousness of the workers. He told the participants about the need to increase their endeavour and the capacity of their organisation. He further emphasised their role for the preparation of the 10th anniversary of the October Revolution.



New forces enrolled into the Party

New members from the Districts of the Benadir Region were recently recruited as members SRSP. They have demonstrated continuous Revolutionary struggle and activities for the last decade but haven't had the opportunity of becoming members of SRSP.

The new members consist

of 1,700 individuals selected from the 18 districts of the Benadir Region. On 13th August a seminar was opened at three districts in the Benadir Region for the new members. These were Hodan, Shibis and Hamar Weyne.

This seminar was in

inaugurated by members of central committee of the SRSP, the new members were learning various subjects concerning the statute and programme of the party the new constitution and the laws of the Referendum.

A Women's seminar concluded

The Chairman of the Somali Women Democratic Organization (SWDO) and member of the Central Committee of the Somali Revolutionary Socialist Party (SRSP) Comrade Fadumo Omar Hashi, has concluded on 20th August, 1979, a seminar, for 78 member participants of the working Women from the Ministries of Agriculture, Libsoma Agency and the crash programme agency.

In the 8 days seminar the women have fruitfully studied the national draft constitution, its campaign, the subsequent referendun and the programme of the Somali Women Democratic Organization (SWDO).

In her closing speech Comrade Fadumo Omar Hashi has pointed the need for a cooperation and close work between the working women and those who are still confined in domestic and household activities in the Regions, Districts and Villages. That is to exchange experiences and to gain a common outlook



from the Somali Women Democratic Organization Programme.

The chairman of the Somali Democratic Organization Comrade Fadumo Omar Hashi has sincerely encouraged the women to take a leading role in the implementation of the tasks related to the draft constitution since they are one of the leading forces in the society.

Besides, the Chairman of the Somali Women Democratic organization Comrade Fadumo organized mee-

tings with women workers of the different Ministries and agencies on 17th August at the organization's headquarters. In her speech of one of these occasions, Jaalle Fadumo informed the Union's Committee of the working women the tasks and activities of the organization and urged them to fulfill their role in the execution of the programme of the Somali Women Democratic Organization as well as their role in the construction and development of the country.

Workers Seminar Opened

The Vice-Chairman of the General Federation of Somali Trade Union (GFST) Comrade Abdillahi Mohamed Mire has opened on 2nd September, 1979, a Seminar for the Workers from the Unions of the Ministry of Local Government and Rural Development and Ministry of Tourism and Hotels.

The participants of the three days seminar which was held at the headquarters of the General Federation of the Somali Trade Unions GFSTU have dis-

cussed thoroughly issues including, the statute of the union, strengthening the cooperative work of the unions and overall issues concerning the tasks of the General Federation of Somali Trade Unions.

In his speech at the opening ceremony, comrade Abdillahi Mohamed Mire has highlighted the tasks of the General Federation of the Somali Trade Unions and its day-to-day activities.

The Vice-Chairman urged the participants of the

seminar to carry out responsibilities and duties of the Somali Workers in the tasks of national construction and the implementation of the socialist ideology.

Comrade Abdillahi encouraged the seminar participants to achieve fruitful and beneficial results. The concrete objectives of the Somali workers are based on the ideology and outlook of our 21st October Revolution of 1969 guided by the Somali Revolutionary Socialist Party.

The Chairman of the Mobilization Bureau closed a seminar

The Chairman of the Mobilization Bureau of the Somali Revolutionary Socialist Party (SRSP) Jaalle Abdulqadir Haji Mohamed have concluded five days seminar for 300 participants at the headquarters of the national printing press. The participants, who were from Banadir Region discussed lectures dealing with the draft constitution and its referendum campaign.

In his closing speech of the seminar, the Chairman of the Bureau Jaalle Abdul-

qadir has disclosed that the new draft constitution of the Somali Democratic Republic is based on the Somali Social environment, on the belief of the Islamic Religion, on Scientific Socialism and the international relations expressing the needs of the Somali people. Furthermore, the Chairman stressed that the national draft constitution is geared to enhance the economic, social and political development of the Somali nation.

The Chairman also com-

mend all those who actively participated in the preparation and execution of the fruitful results. Above all, the Chairman of the Mobilization Bureau of the Somali Revolutionary Socialist Party SRSP have encouraged the participants to play a dynamic role in the implementation of the national draft constitution.

Present at the closing ceremony of the seminar were members of CC of the Somali Revolutionary Socialist party.

A Friendly Visit



At the beginning of the month of August, Women's delegation from the Italian confederation of Labour Syndicates (ICLS) have arrived in Mogadishu, the Capital City of Somali Democratic Republic.

The 4 members delegation was led by the secretary of the Italian Confederation of labour syndicates of Milano Region.

During their stay in our country, the delegation had friendly and amicable talks with the Committees of the Banadir Worker's Unions, the talks concerned the collaboration and strengthening of the rela-

tions between the two worker's unions particularly and that of other brother's over, the delegation witnessed the developments achi-

eved by our society during the revolutionary period.

Besides, during the first days of August another delegation from the Eritrean worker's union have paid a friendly visit to Somali Democratic Republic.

The delegation's visit was in response to an invitation offered by the General Federation of Somali Trade Unions. During the week of their stay, the delegation had friendly talks with the General Federation of Somali Trade Unions concerning the collaboration and strengthening of the two worker's unions.



MONTHLY BULLETIN



The New Somali Constitution adopted

The Somali people have unanimously adopted a new constitution in a nation-wide referendum conducted throughout the Somali Democratic Republic.

On 25th August 1979 millions of Somalis of all sexes and from all walks of life went to the polls to cast their votes on a new draft constitution presented by the Somali Revolutionary Socialist Party (SRSP).

Voting for the constitutional referendum started officially throughout the country at 6:00 a. m. Local time on Saturday and ended at 10:00 p. m. with the closing of the last polling station. Voters converged at polls to cast their votes in a secret ballot in 1699 polling stations scattered throughout the country's 16 Regions.

The tough spirit with which the people cast their votes in the constitutional referendum was indicative of the high level of political maturity attained by the people and their realization that the draft constitution was worked out and introduced to carry them to a better and prosperous future.

The Secretary General of the SRSP and president of the SDR Jaalle Mohamed Siad Barre accompanied by Politburo member Jaalle



Brig. Gen. Anmed Suleman Abdalla, and member of the Central Committee joined the public in casting their votes on 25th August at 1st July school polling station.

The President and his entourage later toured a member of districts in Benadir Region where they were highly impressed by the pollings were progressing and the degree of public attendance.

Similarly Vice-President Jaalle Lt. General Mohamed

Ali Samatar, Jaalle Major General Hussein Kulmie Afrah and Brig-General Isma' Ali Abokor cast their votes respectively at polling stations in Hodan, Hamar Jab-Jab and Wardhigley districts.

Central Committee members, Party functionaries, government officials and social organizations also cast their votes.

Members of the public interviewed at random at various polling stations were highly impressed by the way the referendum was organized and conducted.

Announcing the referendum's provincial results Mogadiscio on 30th August 1979, the Chairman of the Central Committee for the constitutional referendum, Jaalle, Ahmed Jama Abdulle said that out of 3, 597, 599 voters 3, 586, 391 have voted



in favour of the constitution and 7,898 opposed it. The number of spoiled ballot papers totalled 3,303, he said.

He added that the number of voters favouring the constitution constitute 99.69% those opposing 0.22 per cent while the remaining 0.09 per cent deemed invalid.

The validity of the results is subject to the Supreme Court's endorsement which is to be done within ten days from the date of announcement.

Presented by the SRSP, the constitution, which will be the basis for all laws of the country from now on

is to enable the Somali voters to elect a people's Assembly (Parliament) which in turn will elect a President into office for six years.

The newly adopted 114 article constitution contains provisions which guarantee the Somali people peaceful unity and on overall progress under socialism. The constitution enables the People's Assembly to introduce any sensible changes that circumstances may require except in four important areas. No amendments are to be permitted in :

1. The political system of the country.
2. The integrity of the

country.

3. The fundamental rights of the citizens.

The new constitution was a success with 99.69 per cent having voted in favour according to the Chairman of the Central Committee for the constitutional referendum. Thus the opposition accounted for negligible figure in this total.

Such unanimity of opinion by the people on the constitution can not but testify to the overwhelming confidence the masses have in their Revolution and their party. It is a confidence that has shown itself in an outpouring of unprecedented enthusiasm. And the revolution has reciprocated trust in its leadership by handing over complete power to the people.

With an impressive command over their affairs there can be no reason why our people should not attain their socialist goals in the shortest time possible so that everyone will enjoy prosperity, equality and justice in a truly independent and democratic society.



Peoples Militia Anniversary

The President of the SDR Jaalle Mohamed Siad Barre addressed members of the peoples Militia Force on 20th of August at a ceremony held in Mogadiscio to mark the occasion of the 7th anniversary of the Force's foundation.

In his address the president complimented the peoples Militia Forces for

active role they have played during the seven years of their existence in defending the gains of the revolution and in the full participation tasks.

Speaking on the objectives for which the Force was formed Jaalle Siad stated that it was initiated during the revolutionary era with the objective of creating a

force destined to crush down internal and external enemies and to reinforce the struggle of the Somali people for peace as well as political, economic and social independence.

The socio-political conditions inherited from colonialism prevailing in the country during the inception of the revolution nece-

assisted the formation of a force to be assigned for the mission of countering the enemies but on opposing the revolution's aspiration of bringing about a social transformation added the president.

Jaalle Siad characterized the peoples Militia as a dedicated force which has attained a high level of political maturity; he stated their responsibilities as orienting the masses the ready peoples, defending the national interests and the gains of the revolution crushing down the enemy and guiding the masses.

He added that the peoples Militia also act as a reserve and supportive force the National Army and Police their duties with a revolutionary spirit because said the president «The peoples Militia are composed of workers youth and women who have volunteered to carry out pioneering tasks in addition to their ordinary duties».

Speaking about the reputation earned by the peoples Militia Jaalle Siad pointed out they constitute a pride for the patriot and a threat to the enemy of the revolution.

Jaalle Siad called for the further consolidation and strengthening of the people's Militia so that they can carry out their duties effectively.

The President called upon the Somali people to launch a relentless war against tribalism which he said is the tool used by the reactiona-

ries and the imperialists.

He warned the people the against propaganda and the imperialists aimed at the treacherous activities of discouraging the Somali people for giving priority at the present moment to safeguard their independence and defend the motherland

The SDR president stressed that the SRSP guided by the principles of sociali-

The day of Namibia

The Organization of African Unity (OAU) on 25th August condemned South African's continued maneuvers to establish a puppet regime in Namibia and to give that territory a «Sham Independence» through an internal settlement.

In a message to mark «Namibia Day» on 26th August, the OAU said Pretoria had persisted in defying implementation of the decision of the U. N. Security Council on Namibia and frustrated the efforts of the five western powers.

It called on all nations and particularly the five as initiators of the proposals adopted by the security council, to support the enforcement measures to be taken against South Africa under chapter 7 of the U. N. charter.

The OAU also urged intensification of the armed struggle by the South West African people's organization (SWAPO) until such time as U. N. plans for Namibia were fully implemented.

For thirty years the uni-

sm and defending on the strength of the Social organizations and the armed forces will surmount and be victorious over all obstacles.

Meanwhile large ceremonies commemorating the occasion were held throughout the 13 districts of the Benadir Region and wreaths of flowers were laid at the Mogadisho monuments.

ted Nations has been trying to enable the people of Namibia — formerly known as South West Africa — to choose their own future. The territory — bounded by South Africa Botswana, Angola and the Atlantic — was entrusted to South Africa under a League of Nations mandate in 1920. Following the 2nd World war the newly — founded United Nations sought to bring the territory under its trusteeship system, but to no avail. Following two decades of frustration, the U. N. General Assembly, in 1966 declared the mandate void — a position later sustained by the World Court. The Assembly also declared that Namibia was henceforth a direct U. N. responsibility. The Security Council has also been active on the issue and repeatedly reviewed the whole Namibian problem. As debate got under way, Duns-tan Kamana, President of the U. N. Council for Namibia — which has been acting as a legal administration from outside the territory — urged the Security Council to reaffirm past demands such as South Africa with-



drawal and an end to the Apartheid and Tribal homelands policies. And it should:

Declare and direct that, the people of Namibia be enabled to determine their own future, free elections under the supervision and control of the United Nation be held (for the whole of Namibia) as one political entity.

Ambassador Salim Ambe Salim of Tanzani inquired into the criterion for South African presence in Namibia if South Africa is not a colonial power: «What on earth are they doing in Namibia? What shall we categorize their position and their status in Namibia? In

fact with the impending liquidation of the last remnants of European Colonialism in Africa among the major colonial powers that remains in Africa now is the South African Government».

SWAPO'S Moses Garoeb commented: «I would like to state here for the record of the Security Council that the people of Namibia never Government to come and rule over us. We claim our right before the world and this council to rule ourselves, to develop ourselves or even for that matter to misrule our selves».

A draft resolution condemning South Africa's continued illegal occupation of Namibia, and policies of apartheid and Bantustans, and the military build-up in the territory — and calling for U. N. controlled elections — was introduced by Ambassador Rashleigh Jackson of Guyana on behalf of seven non-permanent security council members:

«The main burden of the resolution is the need for the holding of free elections in Namibia under United Nations supervision and control in order that the people of Namibia will be able to freely express their

opinions about their own future. For a meaningful expression by the Namibians on their future — as distinct from the sham constitutional conference designed by the racist regime during 1975. The resolution was unanimously adopted by the Security Council.

«Give me back Namibia»

Freedom and independence for Namibia is the general theme of yet, another postage stamp issued by the United Nations Postal Administration. The new set issued to coincide with the end of the special session of the U. N. General Assembly on the question of Namibia.

Then in 1975 another stamp was issued that had the title — «Namibia: United Nations direct responsibility». And the latest one has the title: «Namibia: Liberation, Justice and Cooperation». This new design comes in three different denominations and each of the three stamps had a distinct different colour the stamp actually shows a shackle where the handcuff so to speak, has been opened by the word Namibia; A symbolic design used in the particular U. N. issue stamp.



CULTURAL AND ARTS



Notes on Soomaali Literature

In Somalia already there are discernable trends towards the revival of the national arts, chiefly in the field of poetry. This process is a part of the overall national awakening which assumed a tangible form in the struggle for independence during the last half a century or so. Naturally, the achievement of national independence gave more impetus to this revival process, and thus self-determination, which should lead to the creation of better social life for the people, becomes a prerequisite for the future development of national cultures as a whole. Given the inductive social environment capable to nourish the people's creative genius, it is fairly reasonable to hope for a steady development in the years to come of Somali national cultures and literature and drama in particular.

After Rage and the Sayid several prominent «Gabayaa» poets rose to great fame in their time, namely Qaman, Aliduh, Salan Arabey, Qawdan Duale and many others. All these doyens of Somali classical poets were, except Rage who lived in an earlier age, contemporaries, having been born in or about the year known as «Gobaysane» or the year of the nobles (c. 1865). These and others of their times are usually considered as the fathers of Somali classical or serious poetry. Here we shall only consider briefly some of the principal

genres of Somali classical poetry.

GABAY : It is not known who was the first gabay singer, since there was no writing system for the Somali language for a considerable time in the past.

It could be safely said, however that gabay is the dominating genre in classical, as well as modern Somali poetry. Rage Ugas is considered to have been the founder of the gabay, with the refrain word «Hooyaalayey» or «Hoobaalayey». The word has no particular significance of its own, it only serves to give the singer or poet time to mentally construct or memorise the next line of verse to be recited. Gabay is, in fact, a versified story and almost any social problem could serve as the subject of gabay, but its usual themes, especially amongst the nomadic community, in the old days were for example:

1. Description of historic victories;
2. Usefulness of camels, horses;
3. Women's grace;
4. Description of the idyllic life of the nomadic community;
5. Self-boasting of the poet (arar) etc;

We shall quote here as an illustration few lines the Sayi

d's famous gabay «Koofil», an epic poem dedicated to one of the great victories of the Somali patriotic forces over the British Colonial Troops. «Koofil» is a Somali misspelling of «Corfield», the name of one of the British commanders killed when his forces were defeated at the battle of Dulmadobe in northern Somaliland. Usually Somali gabay with a serious subject like Koofil are recited from memory by professional poets before the people, so as to give a historical account retrospectively:

You have died Corfield
and no longer in this world
merciless journey was your
portion

When, Hell-destined
you set out for the other
world

those who have gone to heaven
will question
you, if God is willing

say that: «from that day to
this the Dervishes
never ceased their assault
upon us

The British were broken, the
noise of battle engulfed us,

Say: «if stubborn denials
are to be abandoned

then my clansmen were defeated.

Say: «the Dervishes are the advancing.

V13. B.W. Andrzejewski and Musse Galal — *The Interior and The City in Somalia*, Mogadicio, 1969).

GEERAAR. This is also a story in a verse form, chiefly employed in the old days to express the poet's feelings in great social occasions, such as celebrating historic victories over the enemy, preparation for battle, desire for revenge for wrongs done to one self, praise of ancient national heroes, a fast horses, etc. Same as gabay Somali poets of the younger generation use geeraar in political and other social topics of the modern world. Shorter meter of the lines (usually 7 lines) than in gabay (usually 14 lines) is normally used in geeraar, but it's language is much more forceful than in gabay. As an example we quote here a few lines from a geeraar by Farah Shuriye, one of the wellknown somali poets of the present generation:

a rider of a steed splendid
galoping gracefullv by
slackening never the reins

and a rider of donkey weak-
ling

couldn't on journey compa-
nions be

when drought severe scor-
ches the earth

and rain unseèn for long

a possessor of camels nume-
rous in milk abundant

and owner of single a goat
couldn't in wealth companio-
ns be.

Geeraar and gabay are, therefore, two of the principle genres in classical or serious Somali poetry. Both gabay and geeraar follow a strict system of alliteration by which the poet keeps proper symmetry of his beyd, or stanza, and by which the poem as a whole is judged in respect of rhyme, choice of language etc. Defective alliteration in a line of gabay or geeraar would indicate lack of poetic ability on the part of a Somali poet. There are no less than forty different genres in modern Somali poetry, and they all conform to an alliterative pattern in their textual construction. Sayid Mohamed's epic poem «Koofil» is, for instance, alliterated with the fully accented phoneme «J».

RURAL DRAMA

Dramatic plays might portray the behaviour, manner, way of speaking of persons etc. designed for effect, showy not natural.

The author of a novel, essay etc, in order that the reader may understand the representation of image of life indicated by the author, or the characters in it, narrates the situation in which these characters are acting, their actions and feelings.

The author of a lyrical work of art gives the feelings of a person, his thoughts etc. On the other hand, the author of a dramatic work of art shows all this through the action, through behaviour, speech and feelings of his characters and in this way the author has the possibility of showing the characters in his work of art on the stage. Dramatical creations are mainly intended for showing on the stage.

Existing evidence indicates that Somalia had a well developed dramatic art in earlier periods of her history. That ancient art foreign cultures that clashed on with the Somali cultures as a whole to sustain itself, to hold on to its native ground and withstand the outside pressure, was due, in our opinion, to the fact that due, in our opinion, to the fact that it had sufficiently strong deep roots in its own soil. Otherwise it could not possibly have been able to resist such cataclystic pressure exerted upon it by the various alien cultures with which it came into a direct contact. In this, the Somali theatre has played a dominant role in the country's cultural life since very early times, though in later ages its influence was checked by unfavourable circumstances, such as the colonial interference with the people's cultural growth as a whole. The colonialists made great efforts to suppress all progressive thought amongst the Somali people. Conscious of the fact that the theatre is an effective medium of influencing people, they banished all dramatic art to the extent that one had to obtain a special permit from the Carabinieri to stage even the traditional dances on festive occasions.

It is generally said that the African cannot exist without playing on his drum, to propitiate his ancient domestic deities and spirits, to discharge extra energy etc. In our opinion the same could be said of any other people in the world, since man needs some sort of spiritual food, some liesure and recreation for colonial administrators could not control the people's mind by force, and the pastoral theatre in Somalia continued to exist, not-

withstanding the extremely difficult conditions under which it had to exist during the unhappy colonial era, inspiring the people to sustain their social ideals. The theatre was chiefly active in the countryside, where police surveillance was less strigent, than in the towns. There, in the evenings, when the flocks were safely in the pen and every member of the nomadic community have had his/her bowlful of milk, it is then time for the dance square. Here experienced actors perform before the entire village population who sit around in such a manner as to form a large circle in the open air, in the middle of which the actors perform. In this kind of theatre, improvised in the heart of the African jungle, the traditional theatrical adjuncts such as costume, scenery, music etc. play no role; what is significant is the visual action by which the actor interprets the plot of the story that is being presented on the stage. The story-teller-actor dramatizes his voice, mimic action etc. in an effort to put across his story to the audience as effectively as possible. This kind of rural theatre is usually seen amongst the nomadic communities of northern Somaliland. It is called shir.

The conflict is usually between good and evil in which the former wins almost always. Such a happy finale receives the general satisfaction and approval of the simple pastoral audience, who consider destruction of evil forces as the highest moral obligation of man.

GAMBARALE

In the reverine areas of the Banadir region another kind of

a dramatic play entitled Gambarale is staged on festive occasions, such as harvest seasons etc. This is a poetic contest between local poets, where the winner is proclaimed before the audience as a poet in his own right. This is, in fact, a great honour coveted by many would-be poets, but few ever reach at such a poetic height.

The visual object of the poetic duel could be a village beauty, whose favours several young men may be competing for. The tradition is that in such case one should win her hand through a public poetic contest. The participants could only recite poems composed by themselves, usually in praise of the beloved one. The contest is arranged by the elders poets of the community who are at the same time on the lookout for young talents, who might one day succeed them.

The contestants line up on one side of the square, facing the audience, each one of them coming into the centre of the arena and reciting his poem. There might be ten or more contestants.

There are usually a large audience present at such spectacle, composing of the ordinary men and women of the village, who come to the dance square to witness the event. Everybody brings in his/her Gambar, a low Somali stool, to sit upon during the long hours of the performance. From this piece of furniture the name of the play is derived, the traditions say. The people are not however, more onlookers, but they fully participate in the event unfolding before them by applauding the performance of the more talented contestant, and at the same time noting the defects of the

less talented participants. In deed, the audience here is the real judge of the present, who are to pronounce the final outcome of the contest, bearing in mind the general feelings of the audience.

At the end of the performance, which might last for many hours, the leading poet-judge of the community enters the arena and pronounces, in a verse form (usually Gurow), his final decision before the audience, and he proclaims the winner of the contest. His judgment is often in agreement with the general feelings of the audience expressed beforehand by their enthusiastic applause, encores etc.

As the judge ends his recitation, a group of dancers, both men and women, enter the square and enact a joyous folkdance as a happy finale to the poetic duel.

The prize of the poetic contest, the charming beauty of the village, is thus «won» by the most talented young poet, since the people, together with their elder poets, have adjudged so. She is not, however, forced to marry him if she does not want to.

Thus Gambarale is principally a theatrical performance with a serious plot based on a social theme. At the same time it is an event which provides light-hearted entertainment and recreation for the toiling people in the rural areas of Somalia.

MODERN DRAMA

The struggle for Somali independence, spearheaded by the famous Somali nationalist, Sayid Mohamed at the turn of the present century, had resul-

ted in touching of the people's patriotic sentiments that ever since could not have been fully extinguished by foreign domination over the decades of colonial overlordship in the Somalilands. The dramatic art, therefore, acts as a suitable media for such a people to give expression to common national feelings on stage. Hence the rapid revival and development of drama in the country, which is presently having such a great popularity in Somali society. The theatrical art has been developing in Somalia during the past thirty years or so, but it took tangible strides during the revolutionary years, when a profound cultural revolution took place in the country as a whole. Although this seems to be a new addition to the tradition folkloric literature already indicated, it could safely be said that the Somali theatre had, in fact, always existed in the nation's cultural history, and that it was continuously performed at least in some regions of Somalia, such as Lower Juba, Banadir etc.

The rapid development of dramatic art in the country during the past few years was illustrated, for instance, by extraordinary forceful play entitled «DASHED HOPES» (La Mocd Noqonse Weydey), staged in 1969 by the dramatic ensemble of the National Army. The play revolved around a problematic theme:

On the one hand, there is a genuine love between two young people (Miss Haweya and her lover Olad, who are the representative of the young generation.

Being both of them soldiers in the national army, they are conscious of the great responsibility on their shoulders, namely the defence of the motherland. There is, on the other hand, Mr. Mire, a wealthy and influential middle-aged man, who with the power of his money and social position, determined to possess Haweya.

Thus, a sharp dramatic social conflict is created, which is realistically based on contemporary Somali social relationships. The young generation has entirely different views on modern life and its multiple problems, whereas the old members of society could not detach themselves from their habitual pattern of thought and from old values. Haweya and her lover are conscious of the new demands made on their generation, of their role in the new Somalia, and they believe that nothing should hinder this energetic generation accomplishing its social mission. Optimism and youthful determination in the end defeat rigid conservation views which tend to stand in the way to social progress. For without action there could be

no life, no social evolution. Such is the law of nature.

The October Democratic Revolution spearheaded by the Somali Armed Forces has transformed the country economically, politically, ideologically and culturally. During the colonial era and subsequently in the period of corrupt civilian regimes Somali culture was a voice in the wilderness kept alive only by a nucleus of our artists and the common people, but it has now come to the forefront in the new society we are creating. The Somali artist has now found his rightful place and the declared policy of our Democratic Revolution to revive the nation's rich cultural heritage was crowned with great success by the announcement on the third anniversary of the revolution (1972) of the Supreme Revolutionary Council's decision to adopt the Latin script for writing the Somali language.

The Revolutionary Government of Somalia is making every effort to safeguard our cultural values for the succeeding generations, as well as for the benefit of the world at large. Having now turned over a new leaf in our national history, and thereby releasing the creative energy of our people, we are confident that we shall achieve considerable success in this direction in the years to come.

THEORETICAL ISSUES



The class nature of the Socialist oriented State

To overcome the Capitalist colonial legacy of backwardness and to lay a strong foundation for socialism in one and same time cannot be achieved unless the political leadership launches a drastic progressive social transformation. In other words, the implementation of the above pressing tasks needs the establishment of the state whose objective is to bring together the forces of the society and to express the interests of the majority and in the forefront, the interests of working people.

The abolition of the capitalist relations and creation of new social relations can only take place and be realized by a socialist-oriented state.

To understand the difficult social nature of the society who have chosen the non-capitalist way of development requires a deep rooted historical approach to the concrete conditions. The rich experience of mankind which is the result of a long history of mankind have witnessed that every new state what ever course it is taking is in essence a political instrument of a class nature which is safeguarding the interests of either the exploited or exploiters of a particular society.

For instance the states that ruled the slave - owning and feudalism societies, were the dictatorial instruments of the slave-owners. Likewise, the emergence of the bourgeois state as a result of the bourgeois class came to power protects the interests of the ex-

loiters (bourgeois class) in every field of social life. Unlike the old dictatorial states the socialist state is an organization consisting of the get together political leadership of the exploited toiling masses of the society. The first socialist state appeared after the defeat of the exploiting classes by the toiling masses and established a socialist state based on the dictatorship of the proletariat with the genuine alliance of the peasants and other toiling social groups such as the progressive intelligensia and the armed forces.

These facts prove that the tangible and progressive new social relations of the proletarian state is an advantage of socialism over all preceded and out - dated social relations. It is beyond doubt that the proletarian state established after the Revolutionary destruction of the rule of the exploiting minority is the political leadership and administrative force of the exploited and oppressed masses.

Within that framework it is a fact that in every historical stages of social development (with the exception of communal society) the existing state is a political organization or a political instrument which expresses and defends the interests of a certain class.

This historical objective is also true for the socialist-oriented states for it is not a state for all existing social classes and groups, but it is a political instrument which expresses the interests of certain classes and

certain social groups.

As far as the specific and concrete conditions of the societies differ the socialist-oriented states can apply different forms and means to implement their policy which is in essence part and parcel of the international revolutionary struggle for socialism. So it is not strange to see different names for the socialist - oriented states so far in essence, they are the dictatorship of the democratic revolution of the masses and that it is ideologically different from the bourgeois dictatorship of the exploiting minority.

The term mass changes and transforms historically with the development of mankind, and unites diverse contents resulting from the diverse conditions of the different societies such as the level of economic development which varies from society to society.

Among others, the downtrodden working class who is directly attached to the production process is a component so there are other social groups who under certain conditions join the masses temporarily and play their historical role necessitated by then existing objective conditions.

For instance during the liberation struggle various class and social groups which are in essence have contradictory and opposing interests and objectives are united under the banner of liberation and to oust colonialism from their soil. But after the victory of the national struggle against coloniali-

sm is assured, the national bourgeoisie and other exploiting social groups start to perpetuate the colonial policy which was to exploit the rest of their society in order to achieve their own individualistic and selfish interests.

Many African and Asian societies were deceived by their national bourgeoisie after the independence and lead these societies to the capitalist way of development and brought them in close collaboration and more precisely, became part of the imperialist world. Besides there are other societies who have chosen the non-capitalist way of development in which a lot of imperialist puppet took part in the decision making at the highest level of their political leadership. These puppets always defend the interests of the national bourgeoisie, the landowners as well as international imperialism in every aspect and hinders the implementation of the revolutionary tasks set forth for the development of the society these reactionary imperialist clique always resort to cause to political instability with the help of foreign intervention. Considering all the historical experiences we have to be sure enough that certain compromises with the bourgeoisie and above all, to keep favorite puppet elements along the political leadership is a great damage to the working class interests and the tasks for building socialism.

For all the above facts we can deduce that it is not always possible for the whole people to fully participate in the progressive movements of national democratic revolution and more precisely, that the political leadership of Democratic Revolution is not always handled by full fledged and veteran revolutionaries. Likewise

we can deduce that the content of the socialist-oriented states is of a class nature and is the alliance of the working class and the peasantry, and other sections of the society such as the progressive intelligentsia and the armed forces. However, it is possible that within the alliance there participate nationalist groups who in the long run could not go along with and could not support the working class struggle for building socialism.

It needs a bitter and severe struggle in order to implement a progressive transformation within a society who is under colonial domination or capitalist exploitation and precisely enough the struggle between communists and capitalists gets protracted and reaches its culmination at certain stages of its development. The only way to achieve a progressive social transformation is to keep the bourgeoisie and all selfish elements away from the power and to establish a strong basis for socialist policy. Moreover, it is very necessary for all the progressive forces of the socialist oriented state to unite under a national democratic front. The realization of the unity of the progressive forces is not only confined within the liberation period but it is also necessary during the national transformations in order to consolidate the people's power. Though, the socialist-oriented state is in the hands of the people the role of the various classes and groups for the execution of the policy differ. In other words, there are classes and groups who are passive to fully participate the progressive activities which are set forth for progressive transformation of the society. For that reason it is very imperative for the working class and the peasantry who are at the same time the majority of the so-

ciety to express the constitution of the state, likewise, it is necessary for these forces to depend on each other and integrate their efforts under the circumstances they all passing through.

Among other things both the democratic forces of the socialist-oriented state and a socialist state have Anti-imperialist character but also they differ in many aspect. A people's rule can be achieved after the elimination of the classes and elements who are ruling to plunder and plundering to the rule and to build a developed socialist society. But the socialist-oriented state is at the first stage of the transition from a national democratic revolution towards a socialist revolution. This means that the socio-economic system during the period of the national democratic revolution is composed of different opposing sectors in which each sector is dominated by a certain class. That is to say, the socialist oriented state has not fully executed the new socialist economic order with its new social relations.

Among other things, the socialist-oriented state aims for the mobilization of the revolutionary democrats of the workers and peasants with its complex specific conditions such as the transitional character of the economy and the social structure, due to the fact that the national bourgeoisie who played a good role in the liberation struggle are at this stage fighting against all progressive movements and activities and more precisely against the struggle of the working class and the peasantry for building socialism.

But, all in all, the general trend of development of the country and the social relations can be clearly reflected in the economic plan of the country.



The New Somali constitution

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 realise the general interest 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 socialist justice, equality and democracy in which the individual attains higher level of political and social consciousness and strengthen the pillars of the revolution 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 interest shall coincide.

The Constitution of the Somali Democratic Republic

Chapter 1

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 colour, rectangular, and shall have a white star with five equal points embalsoned in its centre.
2. The emblem of the Somali Democratic Republic shall be Composed of an azure escutcheon with a gold border and bear a silver five-pointed star. The eschutcheon 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 lonces 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 understand each other; Arabic is the language of the Somali people which links them 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 People are one and the 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. Territorial sovereignty shall extend over land, the sea the water column, sea-bed and subsoil, continental shelf, islands 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 organisation 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 execution

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 principle 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 mobilisation of the country shall be based on the complementarity of 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 organisations

1. The state shall allow the establishment of social organisations of the workers, cooperatives, youth and women.
2. Social organisations shall be established on national, local production levels and in educational centres.
3. The specific structure, statutes and programmes of the social organisations shall be in consonance with the general and the programme of the Somali Revolutionary Socialist party.

Article 13

Powers and duties of Social Organisations

Social organisations 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 mobilisation, and functions of party and state.

Section three foreign policy**Article 15****The principle of selfdetermination**

1. The Somali Democratic Republic shall firmly uphold the principle of self-determination of people's 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**

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 peaceful means and 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 co-existence 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 sovereignty and political system peculiar to each state.

Article 19**International legal Norms**

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

Chapter 2**Article 20****Fundamental rights, freedoms and duties of the citizen and Individual**

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, honour and the foundation of a socialist society.
2. The state shall promote the creation of employment in order to realise the citizen's right to work.

Article 22**Right to election**

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

Article 23**Right to election**

Every citizen shall have the right to free education.

ARTICLE 24

Freedom of Processions, publication and opinion

1. Every citizen shall be free to participate in an assembly, demonstrations, or in their organisation.
2. The citizen shall further be entitled to

express his opinion in any manner, freedom of publication and speech,

3. The exercise of the freedoms mentioned in paragraphs 1 & 2 of this article shall not contravene the Constitution, the laws of the country, general morality and public order, and shall not prejudice the freedoms of other citizen.

ARTICLE 25

Right to life and personal integrity

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

ARTICLE 26

Personal Liberty

1. Every person shall have the right to personal liberty.
2. No person shall be liable to any form of detention or other restrictions of personal liberty, except when apprehended in flagrant delicto 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 timelimit prescribed by law.
4. Every person who shall be deprived of his personal liberty shall forth with 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 honour 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

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

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 paragraph 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 tampered 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 defence 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 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 in force 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, contribution to state expenditure according to his capacity and the laws of the country.

Article 38
Defence of the motherland
The defence of the Mother-land 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 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 sector which shall be instrumental in promoting the living standards of cooperative members, while promoting the 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 juridical 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 organise the fiscal and monetary system of the country, and shall by law fix taxes.

Section 2**Promotion of Education and Science****Article 46**

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 role in the Somali Political and socio-economic development.
2. Education in the Somali Democratic Republic shall favour 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 fulfilment.

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 health 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 national, historic objects and sites?

Article 52**Social Customs**

The state shall preserve the good cus-

toms, 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 centres.

Article 54

Rural Development

The state shall promote the programme 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 encourage the prevention of contagious diseases, observance of 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 without discrimination a remuneration
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

People's Assembly

Section I

Functions and Rules of the People's Assembly

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 who attained the age of twenty one years shall be eligible for

election as 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 upto 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 which with the central committee of the Somali Revolutionary Socialist 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 extraordinary session of the peoples Assembly.

Article 65

Meetings and decisions

1. The People's Assembly at its initial meeting shall elect from among its members: Chairman, vice-chairmen 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 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

The People's Assembly shall have the following powers;

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. Retification of international treaties relating to political, economic and commercial matters or agreement 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 president of the Somali Democra-

tic 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

Law relating to party Strategy

Every draft law concerning party strategy for the realisation of revolutionary objectives and the system by which it leads the country shall be approved by the central committee, before the People's Assembly shall reach a final decision.

Article 72

Promulgation and publication of law

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 I 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. Livery law approved by the Assembly and promulgated by the president shall be published in the official bulletin and shall come into force after the fifteen days of its publication, unless the law shall prescribe be 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 my country I
sembly a Deputy shall take the following
with full con-

fidence 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 interest of the people and the Somali state, defend with all my ability the freedom, independence and unity of the country, put the general interest above my interest, and practise 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 honorarium which shall be fixed by a special law.

Article 74

Removal and recall of Deputy

1. Every deputy who shall fail to fulfil the conditions of 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 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 its powers with the exclusion of those mentioned in article 61, 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 chairmen 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

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 the Constitution.

Article 81

Conditions for election

Every Somali whose parents are of Somali origin, and have not 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 defence 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.
8. Appointment and dismissal of the 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 Comander-in-chief of the armed forces and chairman of the National Defence Council.
12. Declare state of war and peace after decision 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 honours.

Article 83

Extraordinary powers of the President

1. The President of the Somali Democratic Republic, shall have the power, af-

ter consultations with the National Defence Council, to proclaim emergency rule through out 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 Peoples Assembly may appoint one or more vice-presidents.
2. Before assuming functions the 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 President.

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 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 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 agreement 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

Organisation of the Government

1. A special law shall establish the powers and functions of the council of ministers not specified by the constitution, the number and functions of the ministeries.
2. The structure of the council of ministeries and related offices shall be determined by presidential decrees.

Article 89

Penal liability of ministers

1. Ministers shall be liable for crimes

resulting from the execution of their functions.

3. The law shall determine the procedure for prosecuting ministers for crimes mentioned in paragraph 1 of this article and any other crimes.

Article 90

Oath of the 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 Programme

Subsequent to its appointment, the Government shall present its programme 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

Decentralisation of power and administration

Article 93

Administrative Decentralisation

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

Article 94

Local administration

1. Local administration powers shall be an integral part of the central Government powers in 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, Peoples' 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 fulfilment 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 Judge 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. Judgements 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 and 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

Organisation of the Judiciary

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

Section 3

The office of the Attorney — General

Article 103

The office of the State Attorney-General

1. The office of the state Attorney-General shall comprise: the Attorney-General and his deputies.
2. The structure of the office of the Attorney-General and the 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 weak.
6. It shall fulfil 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 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.

Section 5

Constitutional court

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 peoples' 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

Defence 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 order 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 organisation of the armed forces shall be determined by a special law.

Article 110

National Defence Council

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

Chapter VI

Miscellaneous Provisions

Article III

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 institutions.

Article 112

Amendments to the Constitution

1. Amendment 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 peoples' Assembly.
2. The Peoples Assembly shall approve Amendments to the constitution by a two thirds majority.

- 3. Amendments to the constiution shall not affect the following :-
 - a. The Republic 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 con-

tinue 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 constitution.

Article 114

Entry into Force

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

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N O T I C E

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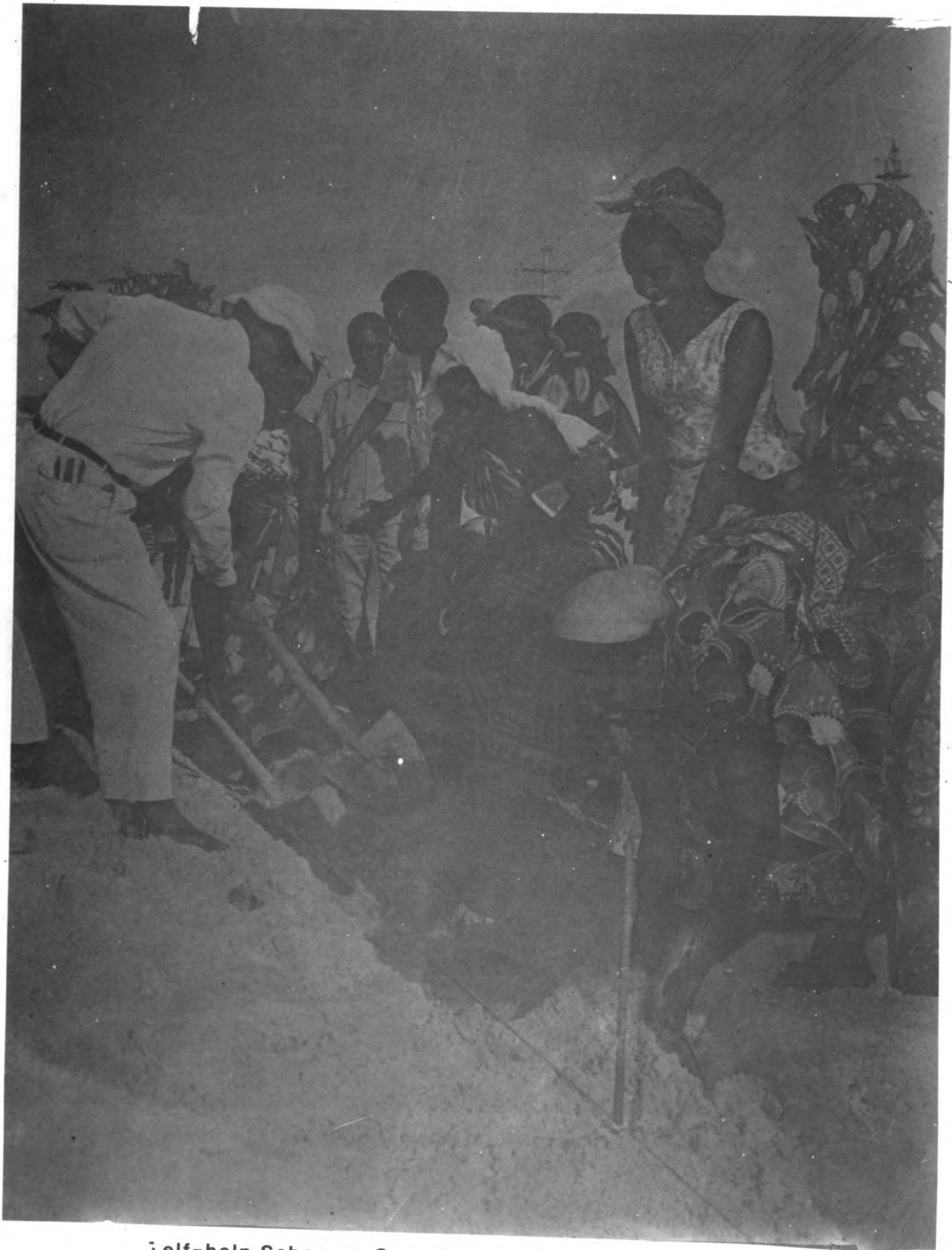
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