

The Court's Jurisdiction under the Somali Judiciary System

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Abstract

The Provisional Constitution of the Federal Republic of Somalia establishes the legal framework for the Somalian judicial system. It specifies that the national court system will be divided into three levels: the Constitutional Court, Federal Government level courts, and Federal Member State level courts. Any federal-level member of the court may be appointed by the future nine-member Judicial Service Commission. The Law on the Organization of the Judiciary (Judiciary Act) establishes a more precise framework for the selection and removal of judges and prosecutors, as well as the duties of the AGO, courts, and the creation of the Attorney General's Office. Clarification of court levels and jurisdiction is provided in this article.

Keywords: Court, Jurisdiction, Judiciary system

Definition of Key Terms.

Courts also called the **court of law**, a person or body of persons having judicial authority to hear and resolve disputes in civil, criminal, ecclesiastical, or military cases

Jurisdictions the power to hear and determine the subject matter in controversy between parties to a suit, to adjudicate or exercise any judicial power over them; the question is, whether on a case before a court, their action is judicial or extrajudicial; without the authority of law, to render a judgment or decree, upon the rights of the litigant parties. Cannot be done unless the law confers the power to render judgment

Somali judiciary is defined by the Provisional Constitution of the Federal Republic of Somalia. It stipulates that the national court structure is to be organized into three tiers: the Constitutional Court, Federal Government level courts, and Federal Member State level courts.

System a set of things working together as parts of a mechanism or an interconnecting network; a complex whole.

INTRODUCTION

In Somalia, the judiciary of Somalia is defined by the Provisional Constitution of the Federal Republic of Somalia. It stipulates that the national court structure is to be organized into three tiers: the Constitutional Court, Federal Government level courts, and Federal Member State level courts. A future nine-member

Judicial Service Commission is empowered to appoint any federal tier member of the judiciary. It also selects and presents potential Constitutional Court judges to the House of the People of the Federal Parliament for approval. If endorsed, the President then appoints the candidate as a judge of the Constitutional Court. The five-member Constitutional Court is likewise empowered to adjudicate issues pertaining to the constitution, in addition to various federal and sub-national matters. As of 2014, pending the adoption of new legislation, the pre-civil war judicial structure, courts and laws are in the process of being reformed to be applicable in Somalia's new federal system.^[2] In May 2014, the Council of Ministers approved a new Constitutional Review and Implementation Commission.^[3] Additionally, the Somali Bar Association has recommended that several federal and regional courts should be established to handle cases on a provincial basis.^[4] In this capacity, new local courts have been set up in areas that have been re-captured by the central government.^[5] In June 2014, the Minister of Justice and Constitutional Affairs Farah Sheikh Abdulkadir also announced that the Federal Parliament had approved a new law establishing the Judicial Service Commission.^[2] As part of a broader effort at reforming the judiciary, the office of the Attorney General also hired six additional women lawyers in April 2015.^[6] They are among 17 new attorneys attached to the office within the Ministry of Justice. According to **Article 105** of the constitution, the courts have judicial authority. The judicial structure is, in turn, regulated by a parliamentary law. **Article 106** establishes the functional independence of the judiciary from the federal government's other executive and legislative branches, subject only to the law.

A judge cannot be legally pursued in civil or criminal proceedings for exercising a judicial function. Authorization to search a judge or his or her home must also first be obtained from the Judicial Service Commission. Judicial procedure while **Article 107** stipulates that although judicial proceedings are ordinarily open to the public, courts have the authority to decide under special circumstances whether hearings should instead be conducted in private. Situations that may warrant this include matters relating to national security, juveniles, rape, ethics or witness protection. Additionally, all parties in a proceeding must first be accorded the opportunity to present their case before a judicial decision can be rendered. Judicial decisions likewise should be accompanied with reasons explaining them. In National Courts Structure as provided by the **Article 108** of the constitution, the national court structure is organized into three tiers: the Constitutional Court, followed by the Federal Government level courts and then the Federal Member State level courts. At the Federal Government tier, the highest court is the Federal High Court. The Federal Member State High Court is, in turn, the highest court at the Federal Member State level. The Jurisdiction on **Article 109** formalizes the proceedings of the National Courts. It states that whenever a case pertaining to the Federal Government is presented before a court, the court will forward it to the Federal Government tier court. Indeed Constitution-related cases may likewise be referred to the Constitutional Court. Provided that there is no conflict with the Constitutional Court's exclusive powers as outlined in **Article 109C**, any court with judicial powers has the discretion to determine if a case brought before it qualifies as a constitutional matter. The Constitutional Court is also the ultimate authority with regard to constitutional issues, and has sole jurisdiction on issues surrounding the interpretation of the constitution that have not developed out of court litigation. Furthermore, the government as well as any individual or groups may tender a reference application to the Constitutional Court on subjects of public interest. Notwithstanding the above-mentioned **Article 109** that points out the Federal Parliament is to pass a law specifying how the Federal Government tier courts are to interact in legal terms with the

Federal Member State courts. (Somali constitution 2012).

Law on the organisation of judiciary

Law on the Organisation of the Judiciary: The Law on the Organisation of the Judiciary (Judiciary Act) provides a more defined framework for the appointment and dismissal of judges and prosecutors, as well as the functions of the AGO, courts, and the establishment of the attorney General's Office. There are, still, two versions of this law and both are signed by Presidential decree. For some time now, Parliament and a committee consisting of the Attorney oGeneral, the Solicitor General and an independent lawyer are said to be working on a third version with a view to harmonising the two existing laws and addressing gaps. However, at the time of writing, the proposed new law has not been finalised. Law reform is essential if the functions of the judiciary and the AGO are to be well-defined. Constitutional and legal provisions need to be consistent with the principle of the separation of powers in order to preserve judicial independence. However, there must be political will to discuss amending the Constitution, and at the very least, finalising the draft Judiciary Act, which will be a tough battle given the far-reaching implications. Nonetheless, reform of the current law needs to be prioritised and supported with technical assistance, and it is important to integrate the amendment and finalisation of the Judiciary Act in any future justice reform work plan as one of the key activities.

The judiciary in Somalila is comprised of only male judges. As of the writing of this paper, no female judges have been appointed to the bench. The general perception throughout the justice sector is that women are not suitable candidates as judges despite being as professionally qualified as men for the job. Instead, qualified women are appointed to other roles such as court clerks or prosecutors. This is largely the result of social prejudice and serious objection from religious leaders to women judges, even though women serve as judges in many other conservative Muslim countries, including Sudan and Pakistan. 5 The appointment of women judges in Somalila will be take time and will be a process that involves not only the judiciary but also the Government, religious leaders and the public at large. However, it is not a hopeless endeavour because in other Islamic states women serve as judges. As a starting point, the Chief Justice should be encouraged to appoint women as assistant judges. The Government intends to establish specialist courts for juvenile justice. This could be an opening, an opportunity to lobby for the appointment of women to the judiciary, because their involvement with juvenile justice may be seen as beneficial given the role of women in society (The State of the Judiciary in Somaliland June 2016)

First judicial reform (1962-1969) Facing the unique challenge of creating a unified and coherent judicial system after two years of widespread confusion, the new Somali government established a national committee to study the matter carefully and propose actionable options. The Consultative Committee for the Integration of Legal Systems (CCILS) was given a broad mandate by the Council of Ministers. Comprised of legal experts and scholars, the committee traveled the country and eventually helped draft landmark legislation that aimed to address the problem.⁶ In 1962, the parliament passed the "Law on the Organization of the Judiciary" which aimed at integrating the various legal systems. To this day, elements of this legislation continue to shape the justice system in Somalia In one way or another. Remarkably, the new law, while giving the appearance of transformative change, essentially added to the existing confusion. It stipulated that the country's civil and penal codes were to be based on Italian law, while choosing the Indian Code for criminal procedures. Furthermore, the legislation allowed Shariah law

to be used for family cases, such as divorce and inheritance, while Xeer was noted as an optional dispute resolution mechanism among communities.⁷ In other words, the new legislation simply removed British Common Law from the system and replaced it with the Indian Code. There are several theories as to why this happened. The most plausible is that the first post-independence chief justice was an Indian Muslim who was brought in to help build the capacity of the nascent justice system of Somalia. Complimentary laws were also passed including the Constitution and Legislative Decree No. 3 of June 1962, which formally integrated the entire judicial system under the Ministry of Justice and Religious Affairs. Under this law, the structure and hierarchy of the justice system was codified, with a supreme court at the top, an appeals court in the middle and a network of regional and district courts at the bottom Heritage (Institute2021)

After more than a decade of state collapse, four different justice systems can be identified in Somalia:

- 1 formal judiciary structures in regional administrations and central governments created at international peace processes
- 2 the traditional, clan-based system known as xeer
- 3 the growing number of shari'a courts in urban areas, particularly Mogadishu
- 4 Civil society and private-sector initiatives, as well as ad hoc mechanisms established by Somali militia-factions.

These systems often coexist in the same location. They each have their own strengths and weaknesses, and all have provided a degree of security and redress for Somalis over the past decade. Nonetheless, their application in Somalia today requires review and harmonisation into a complementary whole.

Formal judiciary structures in regional administrations – Some regions of Somalia have come under the control of formal administrative structures which grew out of militia-factions that took control over significant territory. Somaliland', which controls most of the territory of the former British Somalia protectorate in the northwest of the country, has voted to secede from the rest of Somalia. By contrast, the 'Puntland State of Somalia' declared the country's northeast regions to be a federal state-in-waiting for the return of a national authority. Both have succeeded in establishing relatively safe and stable security conditions. Although no such durable administration emerged in southern Somalia since 1991, a Transitional National Government (TNG) was established in Mogadishu in 2000, after a year-long peace process in Djibouti. The TNG never took control over the capital city, let alone other parts of the country. However, it did provide an example of Somali efforts to establish a formal judiciary structure to administer the rule of law, and can be seen as laying some foundations for the new TFG (Dr Andre Le Sage 2005).

Jurisdiction court of Somalia

District Courts

The district court shall have jurisdiction its seat in each district headquarters and shall have jurisdiction over the whole territory of the district, the district court shall have two section the civil section and criminal section and each section shall be heard by a single judge.

The civil section shall have jurisdiction over controversies where the cases of action has appointment of the subject matter does not exceed 3,000 sh.S and provided that on the application of the judge or either party, the president of the court of appeal may order the transfer of case to the general section of the regional court. The said order shall not be subject to appeal.

The criminal section shall have jurisdiction with respect to offence punishable under the penal code with imprisonment for period not exceed three years or fine not exceed 3,000 Sh.S or both.

Separate civil section of the district court may be constituted outside its normal seat within the territorial limit of the district by decree of the minister of grace and justice, having heard the higher judicial council. (Article 1 law of the organization of the judiciary 1974)

Regional Courts;

Regional court shall have seat in each regional headquarters and shall have jurisdiction over the whole of territory of the region. The regional court shall have two sections general section and the assize section

Cases in general section shall be heard in single judge the general section shall have jurisdiction

In a civil matters, over controversies which are not within jurisdiction of the district court.

In criminal matter, with respect to crime not within the jurisdiction of the district court, assize section and military penal section provided for under paragraph

The assize section shall consist of the president of the regional court and two assessors, it shall have jurisdiction with respect to crime, no within the jurisdiction of the military penal section, which punishable with death, imprisonment for life or imprisonment not less ten years.

The general section and assize section may hold sessions, outside their normal seat, within territorial limits of the court, at such places as May necessary for the convenient and speedy administration of justice (Article 2 law of the organization of the judiciary 1974)

Courts of Appeal

The appeal court shall have its seat in each regional headquarter and shall have jurisdiction over the whole territorial over region The Appeal court has jurisdiction over appeals of all appeals from the District Court or the State Court. It also has the power to separate cases concerning the jurisdiction and jurisdiction between the adjoining District Courts and these and the State Court. It also has sole authority over matters relating to the execution of the Foreign Rule the jurisdiction of the Court of Appeal is limited to the country as long as the State is in office. the appeal court shall have two section , the general appeal section and assize appeal section. The cases in the general section shall hear signal judge; this section shall heard appeals against judgment of the district court and section of the regional court.

The Assize appellate section shall consist of the president of the appeal court, judge of the appeal court and three assessors, it shall heard appeal against judgment of the assize sectional for the regional court. The shall established a military penal appellate section in the court of appeale of Mogadishu and Hargeisa,

which shall consist the president of the appeal court and four military assessors it shall within the termination limit referred in to the article 3,paragraph 6 of the law organization of the judiciary, heard appeals against judgment of the military penal section of the regional court. There may be established by the law tax appellatesection in the appeal court which shall exercise appellate jurisdiction in tax matters. (Article 3law of the organization of the judiciary 1974)

The Supreme courts

The Supreme Court shall have its seat in each Mogadishu and shall have jurisdiction over the whole territorial of republic of Somalia, it shall consist of the president vice president and four judge. The Supreme Court shall ensure respect for and the uniform application of the law and shall exercise any function as may be attributed to it by the constitution and by the law. Cases before the Supreme Court shall be heard by division bench three judge such bench have jurisdiction over

- Appeal against judgment given by any court in its appellate jurisdiction or against judgment giving by any court from which appeals lie direct to the Supreme Court
- Petition against final decision of the public administration.
- Petition relating to the rendering of the accounts by officer handling public funds.
- Petition for revision of judgment in criminal matter.

The full bench of the Supreme Court shall consist of five judges and shall have jurisdiction over, in accordance with the article 59 of the constitution. Petition disputing the validity of the election of deputies to the national assembly. In accordance with the article 59 of the constitution. Controversies relating to the conflict of jurisdiction or competence among judicial organs. Any other matter considered by the president to be particular importance, even though. such matter is within the scope of the previous paragraph.

Separation of the judicial system and jurisdiction between the ordinary and extraordinary courts, and private tribunals, except as provided for in Article 9. And Declaration of General election presidential and parliamentary results and decisions on any complaints relating to such elections, and appeals from lower courts" decisions in respect of complaints relating to local government elections. (Article 4 law of the organization of the judiciary 1974).

In civil procedure code in Somalia.

ARTICLE. 5 DETERMINANT MOMENT OF THE JURIDICITION

The jurisdiction and the competence are determined on basis to the fact state existent to the moment of the proposition of the request and not relevance respect to them the subsequent changes of that state (Somali civil procedure code 1974).

ARTICLE. 6 IN DEROGATION OF THE CONVENTIONAL COMPETENCE

The competence cannot be derogated on agreement of the parts, except that the cases established from the

law (Somali civil procedure code 1974).

ARTICLE.7 COMPETENCE OF THE DISTRICT TRIBUNAL

The district tribunal is competent for all the controversy of which value not exceed sh.so.3,000 2 and for all the questions related to the personal institute (family law), without limit of value appealable pronounced from judicant organs of the republic;

2) For all the administrative cases The territorial competence of the district is delimited from the circumscription of the district (6,8 judiciary organization, 1974) (Somali civil procedure code 1974).

ARTICLE.8 COMPETENCE OF REGIONAL COURT

The regional court has competence for all controversy of which value is greater than sh.so.3,000 or are of undetermined value. It has also competence for the labor cases, for those in which is part the state and for all the cases for which the competence is to it attributed from special law. The territorial competence of regional court is delimited from the circumscription of the region (6,9 judiciary organization act, 1974) (Somali civil procedure code 1974).

ARTICLE.9 COMPETENCE OF THE APPEAL COURT

The appeal court is competent to know of all the appeal against the sentences of the district, and the regional (230-245) to it is also attributed the resolution of conflicts of jurisdiction and competence between district tribunal of the region and between these and regional of the same. The appeal court has also exclusive competence in matter of deliberation of foreign sentences 312,3164 The territorial competence of the appeal court is delimited from the circumscription of the region (10-12 jud.org, 1974) (Somali civil procedure code 1974).

ARTICLE.10 COMPETENCE OF THE SUPREME COURT

The Supreme Court has jurisdiction on all the republic and competence (13 judiciary act, 1974): For all the petitions against the sentences of second instance and of first grade not 5 ;For the revocation proceedings (266) of the sentences issued from the same supreme court;

For all the matters attributed from the law to its competence ;) For the competence regulation and jurisdiction between ordinary jurisdictional organs and between extraordinary jurisdictional organs and specials, (266) to the exception to what is foreseen to the art.9. (Somali civil procedure code 1974)

ARTICLE 11 DETERMINATION OF THE VALUE

The value of the case to the end of the competence is determined and basis of the introductive request of the process (Somali civil procedure code 1974).

COMPETENCE PER TERRITORY:

ARTICLE.12 DETERMINATION OF THE TERRITORIAL COMPETENCE OF THE JUDGE

Except otherwise different dispositions of law, the territorial competence of the judge is determined from the place in which the defendant has the residence or domicile (40 cc). If the defendant has not residence nor domicile in Somalia or if these are unknown is competent the judge of the place in which resides the plaintiff. (Somali civil procedure code 1974)

ARTICLE.13 Competence for the cases related to real rights (681, 698, 707, 718, 745, 792, 803, 806, 821, 855 c.c) or possession on immobile is competent the judge of the place where is situated the immobile (757). (Somali civil procedure code 1974)

ARTICLE.14 COMPETENCE FOR THE CASES RELATED TO THE RIGHT OF OBLIGATION

For the cases related to the rights of obligations (88,225 c.c) the competence can be attributed discretionally to the judge of the place in which is arisen or should be executed the obligation. (Somali civil procedure code 1974)

ARTICLE.15 COMPETENCE FOR THE CASES RELATED TO THE HEREDITARY QUESTIONS

For the cases related to the hereditary questions is competent the judge of the place in which is opened the succession (724,725 c.c). (Somali civil procedure code 1974).

ARTICLE.16 Competence for the cases related to the forced executions on mobile or immobile is competent the judge of the place in which the things are situated (343, 346, 360, 390). The same judge is competent for the cases of opposition to the execution (432, 636). (Somali civil procedure code 1974)

ARTICLE.17 DEROGABILITY OF THE TERRITORIAL COMPETENCE FOR PART ACCORD

The competence per territory can be derogated for expressed accord of the parts, except that the derogatory not being incompatible with mandatory disposition of law (293,294,346,427,429). (Somali civil procedure code 1974)

ARTICLE 18 FORUM OF ELECTED DOMICILE

Who has elected domicile to the norm of the articles 40 and subsequent civil codes, can be defendant before to the judge of the elected domicile. (Somali civil procedure code 1974)

In criminal procedure code

Article 1 Criminal Jurisdiction Criminal Jurisdiction shall be exercised in accordance with the provisions of the Constitution and of the Law on the Organization of the judiciary by:

- a) District Courts;
- b) Regional Courts;
- c) Courts of Appeal;

d) The Supreme Courts (The CRIMINAL PROCEDURE CODE, 1963).

Article 2 Jurisdiction and Composition of the Courts

1. Except as otherwise provided by this Code, the criminal jurisdiction and composition of the Courts both in regard to the subject matter and territory shall be determined in accordance with the Law on the Organization of the Judiciary

2. Notwithstanding anything contained in paragraph 4 of Article 2 of the Law on the Organization of the Judiciary, and except as otherwise provided in any special law, the Criminal Section of the District Courts shall have jurisdiction over all offences punishable with imprisonment up to three years or fine up to Sh. So. 3,000 or both (The CRIMINAL PROCEDURE CODE, 1963).

Article 3 Definitions

1. For the purposes of this Code, unless the context indicates otherwise:

a) the term “ Law on the Organization of the Judiciary ” shall mean the Organization of the Judiciary approved by Legislative Decree No. 3 of 12 June 1962;

b) the term “ Court ” shall mean any of the judicial organs enumerated in Article 1 of this Law or any section of the such organs;

c) the term “ high Court” shall mean: The Supreme Court with regard to the Courts of Appeal;
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2. The Courts of Appeal with regard to the Regional Courts and to District Courts which are located within the jurisdiction of the same Court of Appeal;

d) the term “ lower Court” shall mean:

1. The Courts of Appeal with regard to the Supreme Courts;

2. Regional Courts or District Courts with regard to the Court of Appeal within whose jurisdiction they are located;

e) the term “ Competent Court” shall mean the Court which has jurisdiction over the offence or the proceedings;

f) The term “President of the Court” shall mean the Judge who presides over the Court or over a section of the Court; g) the term “ Judge” shall mean the Judge who exercises judicial function in a Court; h) the term “ competent Judge” shall mean a judge who exercises his function in a competent Court (The CRIMINAL PROCEDURE CODE, 1963).

Article 4 Subject Matter Jurisdiction

1. To determine whether the Court has jurisdiction over the subject matter, regard shall be had to the maximum punishment established by law for each offence for which a charge has been brought, taking into account any aggravating circumstances, but excluding the effects of recidivism.
2. Non-compliance with the provisions regarding jurisdiction over the subject matter shall render the proceedings void and a declaration to the effect may be made by Court, also on its motion, at any stage of the proceedings-that is, trial or appeal or revision (The CRIMINAL PROCEDURE CODE, 1963).

Article 5 Territorial Jurisdiction

1. The place where the offence was committed shall determine the territorial jurisdiction. In cases of: a) a ((continuing offence)), or b) a ((permanent offence)), the place where the last act or omission in a continuing or permanent offences occurs shall determine the Court at which the offence shall be tried.
2. When: a) it is possible to determine the Court which has jurisdiction in accordance with the paragraph 1 of this Article, or b) the alleged offence was committed outside the territory of Somali Republic, Supreme Court shall designate the Court which shall try the case.
3. Objections as territorial jurisdiction shall be raised in the Court which is alleged not to have such jurisdiction, by the prosecution or the defence, as soon as the fact of such alleged lack of jurisdiction comes to the notice of the parties concerned. Or the Court on its motion may declare it self incompetent.
4. Non-compliance with the provisions regarding territorial jurisdiction shall only render the proceedings null and void, if timely objection was made in the manner described in the preceding paragraph and as a result of such lack of jurisdiction the rights of the accused were prejudiced (The CRIMINAL PROCEDURE CODE, 1963).

In Constitution of Somalia

Article 105. The Judicial Authority of the Federal Republic of Somalia

- (1) Judicial authority is vested in the courts.
- (2) The judicial structure shall be regulated in a law enacted by the Federal Parliament.(Constitutional Court, 2012)

Article 106. Judicial Independence

- (1) The judiciary is independent of the legislative and executive branches of government whilst fulfilling its judicial functions. Members of the judiciary shall be subject only to the law.
- (2) No civil or criminal proceedings shall be instituted against a judge in respect of the exercising of any judicial function.
- (3) The home or person of a judge cannot be searched without the authorization of the Judicial Service

Commission. (Constitutional Court,2012)

Article 107. Judicial Procedure

(1) Judicial proceedings shall be open to the public, but the courts may decide, in the interests of ethics, national security, the protection of witnesses, in cases involving juveniles, or concerning rape, that the proceedings be held in private.

(2) No judicial decision shall be made unless all parties have had the opportunity to present their case.

(3) Reasons shall be given for all judicial decisions Article 108. National Court Structure The national court structure shall be of three levels, which are:

(a) The Constitutional Court` (b) The Federal Government level courts` (c) The Federal Member State level courts. The highest court at the Federal Government level shall be the Federal High Court, whilst the highest court at the Federal Member State level shall be the Federal Member State High Court. (Constitutional Court,2012)

Article 109.

The Proceedings of the National Courts

(1) If a case is presented before a court, and the case concerns the Federal Government, the court shall refer the case to the Federal Government level court.

(2) If a case is presented before a court and the case concerns a constitutional matter, the court may refer the case to the Constitutional Court (Constitutional Court,2012)

(a) Any court with judicial powers can decide on whether a matter brought before it is a constitutional matter or not, if this will not contradict the exclusive powers of the Constitutional Court, as stipulated in Article 109C of the Constitution`

(b) The Constitutional Court is the final authority in constitutional matters`

(c) The Constitutional Court shall have sole jurisdiction on matters of interpretation of the Constitution which have not arisen out of court litigation`

(d) Any individual or group, or the government may submit a reference application directly to the Constitutional Court on matters concerning the public interest. (3) Notwithstanding Clauses 1 and 2 of this Article, the Federal Parliament shall enact a law providing detailed laws for the interaction between the Federal Government level courts and the Federal Member States courts (Constitutional Court,2012)

Weakness and strangeness of the judiciary court system in Somalia

The weakness of the judiciary court system in Somalia

- Lack of protection judicial officials across the country are exposed to incalculable risks,

including to their own lives.

- Lack of enforcement one of the most frustrating challenges confronting the justice system is the chronic lack of enforcement of decisions, both civil and criminal.
- The problem is most acutely felt in courts litigating civil cases, such as land disputes in Mogadishu.
- Judicial system adds multiple layers of complexity to the legal system.
- People may not agree on what the judicial system actually.
- Every case must face uncertainty until a final ruling is made
- Judicial system always are created rigidity and sometimes need flexibility.
- This system can introduce unnecessary restrictions into the law. (phesians BibleStudy, 2019)

The strangeness of judicial court system in Somalia

- Judicial system offers the legal system access to consistency and predictability
- It also offers the judicial system a certain measure of flexibility.
- There is always the potential in place to set a new precedent
- Judicial system helps the courts to save time on future rulings.
- It creates a system that focuses on fairness.
- The structure of the judicial system works to prevent mistakes from occurring. (phesians Bible Study Conclusion

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