

**Review of the Bajuni sections of the Report on Minority Groups in Somalia, by a joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 17-24 September 2000. Often called the JFFM 2000.**

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This report is much cited for what it says about Bajuni language and culture. Further, it is much relied on in other reports, for example, in the COI reports, published twice or more a year. These all contain the same basic information about Bajuni culture and language, taken from this 2000 report, and the differences between each COI report do not modify the basic unchanging information but rather deal with specific political events since the previous report, events that have little or nothing to do with the Bajunis. Successive web reports (not just the COI ones) feed on each other. This report (and the others) gives a certain profile of the language situation among Somali Bajunis, a profile that is taken up as a template by some immigration services in Europe and applied to those claiming to be Somali Bajunis. This profile is based on inaccurate, outdated, and unreliable information. I am concerned that the current situation leads to incorrect decisions on asylum applications, as a result of which protection is withheld from people who deserve it. So I thought it appropriate to examine this JFFM report more carefully.

The web version I have read is 124 pages long, consisting of 11 sections (56 pages) on various minorities, followed by a list of individuals and organizations consulted, Bibliography, maps, and many annexes (including lists of clans, and letters from various minorities to various authorities (68 pages in all)).

**Authors.** Three are listed (p.4): one government official from each of the UK, Denmark, and the Netherlands. None is a linguist. None, to my knowledge, has any direct knowledge of Bajuni matters nor of the Bajuni area of Somalia. None mentions having been to the Bajuni area on the Somali coast.

A fourth person, a French researcher, M-A Perouse de Montclos, is quoted as having given advice on the Bajunis (section 5.2). He is a Francophone who specializes in, according to the web, violence and conflict resolution in Africa. Much of his work centres on West Africa. He has worked in Mogadisho and northern Somalia but is not a Bajuni specialist (see his name on the Web).

**Meeting with Bajuni elders.** The information in the report comes entirely from a meeting between the three authors and seven Bajuni elders in Nairobi, central Kenya, in September 2000. Nairobi is a long way from the coast of southern Somalia. The elders' names are given in one annex and also in a separate letter to the American Embassy in Nairobi (pp.95-6). All their addresses (section 12) are given not as their home place in Somalia but as the Jomvu refugee camp near Mombasa (...the camp closed in late 1997).

With one exception, all the elders interviewed had fled Somalia in 1991 and not returned (introduction to section 5). The exception had also fled to Kenya, returned briefly, was mistreated, fled a second time to Kenya, so already in 2000 their collective experience was nearly 10 years old, and is now 20 years old. These are elderly men not speaking first hand of the situation or the

events of the past two decades. The exact age of an ‘elder’ is hard to define but a working definition would be someone 40 years or older. These elders would have been born around 1950 or earlier. Their formative years would be 1950-ish to 1980-ish, a peaceful period far removed from the present. It would be unwise to rely on their testimony about the current state or use of the Bajuni language in Somalia<sup>1</sup>.

**Clans, maps, letters, Bibliography.** There is a brief, one-page, letter from Bajunis in an annex (Annex 6, compared to several longer letters from the Bravanese community), complaining of pressure, abuse, theft, looting, rape, and murder. There is no Bajuni clan list and no map for the Bajuni area. As the JFFM Bibliography has not a single citation for Bajuni or Bajunis, the source for all the alleged facts (below) is unclear.

**Section 5.** Although the whole report is long, only a small part, Section 5, six pages long, deals with the Bajunis: 5.1 Groups and sub-groups, geographical distribution (1½ pages), 5.2 Language (11 lines), 5.3 Socio-economic situation (2 pages), 5.4 Security and human rights situation (1 page), 5.5 Bajuni refugees in Kenya (1 page). Since this review is language-oriented, I divide my remarks into Language versus Other.

**Language in Section 5.** Only 11 lines long, this is easy to summarise. It has two paragraphs, one on the use of Somali and of Bajuni, and one on whether Bajuni is related to the “Swahili dialect spoken immediately south of the border with Kenya”.

The elders claimed that Bajuni is very different from the Swahili dialect just south of the border. There must have been a misunderstanding here. Language maps of the area show the Bajuni area stretching from Kismayu in Somalia as far as Dondo, opposite Lamu, in northern Kenya (e.g. Prins 1967, map inside back cover). If one walks south from Ras Kiamboni, the most southerly village on the Somali side, a Bajuni village, into Kenya, a few miles away, the first village is Ishakani, a Bajuni village, and the next ten or so villages on the mainland, and those opposite, on northern Pate Island, are also all Bajuni villages<sup>2</sup>. Kenya and Somali forms of Bajuni are almost indistinguishable. So this claim is not correct (perhaps communication between delegation and elders broke down here, perhaps the elders had some other language in mind?).

As for knowledge of Somali, the elders said “most Bajuni speak some Somali”. They also said that, however, “younger Bajuni who have mainly lived in exile” may have only very limited knowledge of Somali”. The paragraph also states “Bernard Harborne, Chief of the UN Co-ordination Unit for Somalia, also stated that most Bajuni can speak some Somali.”

I consider these three claims to be very wide of the mark. For several centuries before the 1980’s, from at least AD1600, the mainland was mainly Somali-speaking and the Bajuni Islands of Somalia were monolingually Bajuni. A few adult Bajuni males spoke some Swahili and/or Somali as a result of fishing or trading activities. Most islanders were resolutely monolingual – adult Bajuni did not and do not care for Somalis or Somali, did not and do not speak Somali, did not and do not want to speak it, and strongly discouraged their children from speaking it. Relations between Bajuni and ethnic Somalis were frosty, to say the least. This traditional Bajuni aversion to Somalis and their language was based on long memories of dimly remembered events in the past (Nurse 1982, 1991, 1994). Then, when Somalia imploded in 1991, ethnic Somalis flooded on to

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<sup>1</sup> This should not be taken to mean I disregard other aspects of their knowledge. I have had occasion to hear what one elder said about names and settlements on Chula Island: his knowledge was encyclopedic.

<sup>2</sup> See Fitzgerald (1898) did exactly this walk, south to north, then north to south, and describes it. .

the island, bringing chaos, violence, rape, and death with them. The events since 1991 have only strengthened the age-old aversion to the invaders and their language.

This impression of language use was initially based on what I was told 30 years ago by elderly Bajuni, both from northern Kenya and southern Somalia. It is confirmed by nearly all the Bajuni refugees I have listened to meanwhile. It is confirmed by most of the 300+ Bajuni refugees interviewed by Brian Allen in the UK. It is confirmed by other specialists, e.g. Prof. Lewis (LSE), giving testimony to an Immigration Appeal Tribunal in 2003 ([www.asylumlaw.org/doc...-somalia.minoritygroups.pdf](http://www.asylumlaw.org/doc...-somalia.minoritygroups.pdf), section 12). He disputed the accuracy of the view expressed in the Fact-Finding Mission report (2000) that all or most Bajuni spoke Somali. He considered that the Bajunis who would speak Somali would be those who had the most interaction with Somalis, in particular those in local political or business roles or elders or leaders of local communities. Prof. Lewis lived and worked in Somalia for 50 years, specialises in Somali affairs, speaks fluent Somali, and is regarded as one of the UK's foremost Somali specialists. The same view of Bajuni general lack of ability in Somali is repeatedly confirmed by the British Home Office COI reports, which over the last few years have all included this sentence: "It was highlighted in the JFFMR 2004 (pp. 37-38) that the island-based populations tended not to be able to speak Somali due to their social isolation from the mainland." Most Bajunis live or lived on the islands.

All these last sources agree that most Bajuni, especially island Bajuni, do not speak Somali.

Finally, there is the claim that "the main language spoken by the Bajuni is KiBajuni". This certainly used to be the case. Up to 20 years ago, we can be sure that at least the islands were almost 100% monolingual Bajuni-speaking, although male traders and fishermen who travelled to Kismayu and Kenya would have had some exposure to Swahili. The language situation on the islands has changed since 1991. In that year the UN advised Bajunis to move to refugee camps in SE Kenya and many/most (the figures are disputed) did. The camps were porous, which was eventually the main reason why the Kenya government asked the UN to close the camps, and while Bajunis passed out and in, local Swahili-speaking Kenyans passed in and out. When, 6 years later, the Bajunis returned north, adults spoke Swahili beside Bajuni, and many young people spoke mainly Swahili. The prevalent attitude among young people was that they prefer Swahili, an international language with prestige and utility, whereas Bajuni has neither so they no longer found it useful. However, the elders whose information provided the basis for the report remained in Kenya and were not in touch with this new situation. So in this case, the elders are describing a language use situation that obtained during their lifetime, from 1950-ish and earlier to the 1980's. Since The Troubles began, the Bajuni language use situation, particularly in the islands, has changed out of all recognition.

**Other.** Sections 3.4, 3.5 and bits of the other sections in the report (see above) treat topics not relevant here. The content of much of the rest is accurate, consisting largely of generic statements that can be found elsewhere. There are however a number of minor factual errors, and two major ones.

### **Minor errors**

"Kismayu (Kismayuu or Kismayu, not Kismayo, is the Bajuni form of the word, it is a Bajuni word) was the original home of the Bajuni people... they can trace their origins in Kismayu back to the 13<sup>th</sup> century." (section 5.1)

Not quite. Wilson (1992), a professional archaeologist familiar with the East African coast, shows a string of settlements, likely to be Bajuni, from Kismayu down to Dondo in northern Kenya. All have the 14<sup>th</sup> or 15<sup>th</sup> century as their earliest date. Since all, from north to south, have much the same date, that does not support the claim that the Bajuni spread south from Kismayu nor that they go back to the 13<sup>th</sup> century.

“Kismayu translates as ‘top of the well’”. (section 5.1)

It also translate equally well as the ‘well above’, or ‘northern well’, much better, given that Kismayu is the northernmost Bajuni settlement.

The elders are quoted (section 5.1) as giving a number of mainland and island settlements with a Bajuni population. These are largely correct, except for Kudai “island” (it is mainland) and Fuma Tini “island” (it is mainland). See British War Office maps.

“According to Perouse de Montlos, the Bajuni are locally called *tiku* and are essentially found on the islands Koyama, Ngumi, Chovayi, or Chula” (section 5.1)

*Tikuu* (*ti* ‘country, land’, plus *kuu* ‘big’) is one of the Bajunis’ names for themselves. The island of Ngumi is deserted and probably has been since the late 17<sup>th</sup> century (Wilson 1992).

“the Bajuni represent/are a mixture of Arab, Bantu, Somali, and possibly Malay (claimed by Cassanelli).. maybe Indonesian or Yemenite (de Montclos, section 5.3.1) origins”.

Current evidence from archaeology, language, and bits of oral tradition support the Bantu, Somalia, and Arab/Yemenite part. The claim about Malay and Indonesian has been passed down unchanged from early 20<sup>th</sup> anthropologists and ethnologists, and is not supported by any evidence. The best evidence would be from (mitochondrial) DNA. That is passed down through females but the people of Indonesian origin in Madagascar were originally sailors, thus men.

“The UNHCR genealogical table of clans show the Bajuni as a Bantu subclan....but the delegation did not receive any other information that this was the case” (section 5.3.1).

Some confusion here. The word ‘Bantu’ has two meanings. If it refers to the ‘Somali Bantu’ = the people of the Somali inland rivers, then the Bajuni are not a Bantu subclan. But ‘Bantu’ is also a linguistic term referring to the many languages spoken by most communities from Nigeria to Somalia to South Africa, which would include the language of the Bajuni. Which is meant? And what is a subclan? Whichever is intended, the Bajuni are nobody’s subclan.

## Major errors

**Population** “The elders estimated that before the civil war the total number of Bajuni was some 11,000, though they were not exactly sure....but... Cassanelli (1993) estimated the number at perhaps 3,000 to 4,000” (section 5.1).

The only official census ever done of island and mainland Bajunis in Somalia was carried out in 1926 by the Italian administration (Grottanelli 1955: 25). It covered Chovai (434 people), Kismayuu (334), Chula (301), and Koyama (172). Grottanelli, based on his own observation in 1953, estimated the population of Bur Kavo (mainland) at 80, and put the whole Bajuni population in Somalia at at most 2,000. It is unlikely to have increased much meanwhile. The water in all the wells on the major islands is brackish, so fresh water has to be brought in, and the agricultural

areas on the mainland on which the Bajuni depended for most of their food other than fish was increasingly out of control of the Bajuni. So throughout the 20<sup>th</sup> century, Bajuni individuals and families trickled down into Kenya, long before the civil war of the 1990's. Cassanelli's figure, especially the 3,000, is in line with the earlier 1926 figure. It also fits well enough with the statement that "according to the elders, some 2,500 returned to Somali (in 1998, from the Kenya refugee camps)". A final piece of evidence comes from looking at the Google Earth Somalia map from the early 2000's. It is possible to look down at nearly all the Bajuni settlements and count the buildings: Kismayu, hundreds of buildings: Fuma and adjacent island, perhaps 12: Koyama, 3 villages, some 150 buildings: Chovai, 2 villages, some 100 buildings: Istambuli, 50 buildings: Chula, one village on Chula, 100+ buildings visible on the satellite photo<sup>3</sup>, plus Mdova off the southern tip (Mdova village is known to be small), so we might guesstimate 130 buildings for Chula/Mdova: Rasini, "a few buildings": Kudai ? but small: Buri Kavo, 100-150 buildings: Kiamboni. 100+ buildings. Kismayu is today a mixed settlement, with a small BAJUNI minority. Excluding Kismayu, that makes a total of some 700 buildings, but what does 'building' mean? Are they inhabited or deserted? Inhabited by Bajunis, Somalis, or others? How many are not houses, i.e. mosques or the like? What was, or might have been just before the start of The Troubles, the average number of people per house/family? I assume four, so 4 x 700 = maybe 3000.

There is no basis for any significantly higher figure.

**Subgroups/clans** "The Bajuni elders described the Bajuni as a united people not divided into subgroups" (section 5.3.1). If by 'united...not divided into subgroups' the elders had in mind that they were not divided into warring factions, as the mainland Somali, they were correct. If by subgroups, they meant 'clans', they misspoke. The three major sources (Grottanelli 1955, Prins 1967, Nurse 1982) describe the Bajuni as a *kabila* or *uchand'u* 'tribe (branch)', divided into the following clans (*ukoo*, *uchumbo*, or *kamasi*), nearly 50 in total: al-Ausi(i), al-Kindi, al-Khadheraji(i) Nofali, Abimali, Abugado, Amshiri, Avutila, Vyangove, Birkao (some equate Birkao/Buri Gavo with Shungwaya), il-Barawi, Chand'aa/Tendaa, Chithindani, Chovai, Chula, Chund'a, Daile, Dili, al-Famaui, Firado/Ferado, Garre, Gede, Hartikawa, Kachwa, Kava, (Na)Kilio. Kismayu(u), Kiunga, Kiwayuu, Koyama, Kudai, Ngumi, Omwe/Vumwe/Vumbe, Rasini (there are two Rasini, one in Somali, one in Kenya), Rasmali, Simambaya/Shimambaya, Shiradhi, Shungwaya, Tak(w)a, Uero, Umbuyi, Upembo, Utanuni, Uwani, Veku, Vekwaa, Vumbu, Dhipingoni, Dhitindini,

These clans have or had minor and somewhat different functions from those in Somali clans – mainly in matters of marriage and land.

### Misinterpretation

**Links with Kismayu** The report contains this (section 5.1): "The elders described how the communities on the islands maintained close links with each other and with Bajuni communities along the coast and in Kismayu. Bajuni from the islands would usually have spent a part of the year in Kismayu, where it was essential to travel for trading fish, purchasing essential commodities, medical treatment and any official business with government bodies."

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<sup>3</sup> A cloud obscures the southern part of Chula Island, including the southern part of the village, and all Mdova Island and village.

In several legal judgements I have read this has been interpreted as meaning that significant numbers of Bajuni travelled regularly from island to island and from the island to Kismayu and back. The elders do not say that. They say ‘the communities maintained close links with each other and in Kismayo’, and ‘Bajuni from the islands would usually have spent a part of the year in Kismayu’. That last statement is exactly equivalent to something like “People from the UK would usually have spent a part of the year in Spain”. Just as this does not mean that all people in the UK spent part of the year in Spain, it does not mean that all Bajunis spent part of the year in Kismayu.

Adjacent islands are fairly close to each other (Fuma to Koyama, Koyama to Ngumi, Ngumi to Chovai, Chovai to Chula) and interisland travel could be made in small boats, so was more frequent. But from the islands to Kismayu involved longer distances: Koyama to Kismayu is 25 miles, Chula to Kismayu is over 60 miles. For such travel larger dhows are needed and larger dhows are in constant use for fishing. Trading fish, purchasing essential commodities, and official business was largely the province of older men. As for medical treatment, mostly small ailments were treated locally (see Grottanelli 1955), women gave birth locally, and people only went to Kismayu for major medical intervention. So while travel between the islands was fairly frequent, only a fairly small number of males travelled regularly to Kismayu, and only for short periods for defined purposes.

There is a difference between then and now. The elders are describing a situation that obtained during their lifetime, from 1950-ish to the 1980’s. Since The Troubles began, the situation has changed out of all recognition. I have listened to many refugee claimants in the last few years. Most were genuine Bajunis, in my judgement, and all agreed on many issues. One is travel to the mainland. While the few older claimants used to travel there, few young applicants have ever been to the mainland. They see it as a dangerous place, full of wayward and armed militias, not well disposed to Bajunis. Some had even been forced to go to Kismayu, to work in labour camps. Kismayu is now regarded as dangerous, to be avoided if possible.

## **Summary**

**Local knowledge.** Much of what is said in the report about Somali Bajunis is reliable, but should be used carefully because, as just illustrated, there is incorrect or unsubstantiated material mixed in with the correct statements.

**Language** Three claims are made. All are incorrect, largely because the elders are describing a different epoch, or because communication between elders and delegation seems imperfect. Most obviously incorrect is the claim that the main language now used in the islands is Bajuni.

In my opinion, it would be ill-advised to base any judgements or decisions on the linguistic material in this report.

It is not clear where the delegation got their objective information as their Bibliography contains not a single item on Bajuni.

## **Selected Bibliography**

Documentary sources for the Bajuni, their language, and culture are poor. Grottanelli is the best single general source.

Bajuni.com

British Admiralty maps 668 (*Lamu Bay*), 670 (*Juba or Dundas Islands*), 3362, dated 1997 (a composite of the first two). The original Admiralty maps predate FitzGerald, because he refers to them.

British War Office map. 1948. *Maps of East Africa: Kismayu, Kolbio, Lamu.*

British War Office and Air Ministry map. 1958, 1963

The War Office maps are the best for the area.

Cassanelli, L.V. 1993. *Victims and Vulnerable Groups in Southern Somalia*. Immigration and Refugee Board of Canada. <http://www.unhcr.org/refworld/docid/3ae6a8092.html>.

FitzGerald, W.W.A. 1898. *Travels in the coastlands of British East Africa and the Islands of Zanzibar and Pemba*. London.

*Google Earth Somalia*

Grottanelli, V.L. 1955a. *Pescatori Dell'Oceano Indiano*. Rome. Edizioni Cremonese.

JFFMR 2004 = *Human Rights and security in central and southern Somalia*. Joint Danish, Finnish, Norwegian and British fact-finding mission to Nairobi, Kenya.

Nurse, D. 1982. The Swahili Dialects of Somalia and the Northern Kenya Coast, in M-F Rombi (ed.). *Etudes sur le Bantu Oriental*. Paris. SELAF. 73-146.

The only grammatical description.

---- 1991. Shungwaya and the diaspora, *Etudes Océan Indien* 12: 125-59.

---- 1994. Historical texts from the Swahili coast (Part 1), *Afrikanistische Arbeitspapiere* 37/*Swahili Forum* 1: 47-85.

Prins, A.H.J. 1967. 1967. *The Swahili-speaking Peoples of Zanzibar and the East African Coast*. London. International African Institute.

Best comparative overview of coastal Swahili culture

Wilson, T.H. 1992. Settlement patterns of the coast of southern Somalia and Kenya. In Adam & Gesheker (eds). *Proceedings of the First International Congress of Somali Studies*, Chico CA. Scholars' Press. 76-112.

Historical archaeology.

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I am a professional academic linguist, having taught for nearly 40 years in departments of Linguistics in Canada, Tanzania, Kenya, and Europe, including a two-year spell as Associate Professor of Swahili Dialectology at the Institute of Swahili Research in Dar es Salaam. I specialize in African languages and historical and dialect Swahili in particular. I spent hundreds of hours doing fieldwork, including on Bajuni. I lived 12 years in East Africa, including 6 months in the Bajuni area on the NE Kenya coast. I lived in Bajuni villages in northern Kenya, sailed in Bajuni dhows, had Bajuni friends, interviewed many Bajunis. I have published descriptions and analyses of Bajuni, and edited and published dozens of pages of Bajuni stories, songs, and poetry, which are abundant. As far as I know, no other scholar, African or foreign, has done this. I co-authored the standard linguistic history of Swahili and have written descriptions of other Swahili

coastal dialects. I have written 10 books and over 80 chapters and articles, all on African linguistic topics. This can be verified at <http://www.ucs.mun.ca/~dnurse/>.

I visited Somalia for one week. I have not lived or worked in Somalia but my fieldwork on Bajuni included extensive interviews with elderly Bajuni males from Somalia. Although my main Bajuni experience was that of northern Kenya, not southern Somalia. I think that irrelevant, as Bajuni language, villages, culture, dances, clans, fishing habits are homogenous along the whole coast. The Bajuni spoken from Somalia to northern Kenya varies little because, until independence, Bajunis had always travelled and moved freely along “their coast”, maintaining language and ties. “Their coast” stretched from Kismayu, in Somali, south and across the border into northern Kenya, to the islands north of Lamu and the mainland opposite Pate Island, a distance of just over 150 miles/250 kilometres.

I have read the relevant Bajuni literature by others, notably Grottanelli (1955), the standard reference work on the Bajunis. After living 8+ years in Tanzania and 3+ years in Kenya, I am familiar with Swahili varieties in both countries. Since 2004 I have dealt with 80 cases of refugees claiming to be Somali Bajunis, plus a few other non-Bajuni Somali cases. This covers refugees in five countries and includes work for “both sides”.

I am Professor Emeritus and earlier Research Professor at the Memorial University of Newfoundland and a Fellow of the Royal Society of Canada.

(Prof) Derek Nurse, F.R.S.C  
June 2010, St. John's



## Overview of Sprakab telephone interviews of Bajuni refugee claimants

In the last year I have listened to over 40 Sprakab phone interviews of individuals claiming to be Somali Bajunis seeking refugee status in Europe (mainly the UK). All follow the same format so an overview is easy.

**Purpose** The main aim is to elicit speech patterns, to determine whether the interviewee speaks Bajuni or not. A secondary aim is to elicit local knowledge, since that forms part of nearly all Sprakab analyses. There is a difference in expectation between interview and analysis: interviewers don't insist on use of Bajuni but analysts conclude that if Bajuni is not used then applicants can't be from Somalia. It also should be part of the interview to systematically determine whether the interviewee also speaks Somali, as ability to speak the national language would buttress the claim to originate in Somalia, but in most interviews the questioner doesn't ask at all or just asks if the interviewee speaks Somali, and passes on: occasionally he might ask for a Somali phrase or two. That is inadequate for forming an informed opinion.

**General format** Data for Sprakab analyses comes from a Sprakab telephone interview, between an interviewer in one place (Sweden ?) and an interviewee in another. The interviewer works from a fixed list of questions, in a fixed order, and wants answers to those questions. He does not much listen to the answers, ponder them, and then ask follow-up questions, but sticks to his list. Sometimes questions are omitted, sometimes questions are added, but not often.

**Acoustic quality** Acoustic quality of the interview and recording varies, from almost perfect to poor. In the latter, a minority, the phone first distorts the acoustic signal, particularly consonants, especially high frequency (s, sh, etc) and other consonants and to some extent the vowels. Some material is followed by an echo. Then there is almost continuous background noise, mostly talking but occasionally music or electronic sound. The interviewer making the recording is often working in/near a public space. In such recordings, interviewer, applicant, and I had trouble with hearing questions and often with understanding the answers. Questions had to be repeated, sometimes more than once. Applicant often answered the wrong question, for which there might be several reasons, of which one is that because they couldn't hear.

**Length** The length of most recordings falls between 20 and 24 minutes, 22-23 being average. In fact, interviews are shorter, because the interviewer's opening remarks about his company and the purpose of the interview, and his closing remarks, take up 2 to 4 minutes. That leaves 19-20 minutes. The applicant speaks less than half of the 19, partly because interviewer speaks more than applicant, partly because there are pauses between one person talking and the next (a few misunderstandings). I estimate applicants speak for 8-9 minutes. Some answers are short - single words ("Yes, no"), names, lists, phrases, short verbless sentences. I counted up to 30 such speech tokens in several recent interviews. So the material useful for linguistic analysis is limited in quality and quantity - perhaps the equivalent of 7 minutes of continuous speech. This is rather short for establishing linguistic facts, the main purpose of this interview.

**Language of interview** Bajuni differs from other forms of Swahili. If two old people were using the traditional form of Bajuni to talk about cultural matters such as fishing or family relationships, speakers of other forms of Swahili would have trouble understanding (imagine someone from Mississippi going to the Gorbals for the first time). The interviewer conducts the interview entirely in Swahili, does not speak Bajuni at any point, and at no point asks applicants to speak in Bajuni. Faced with official interviewers talking Swahili, refugees always follow along, despite instructions to speak Bajuni, because Swahili is official and prestigious while Bajuni is neither. Swahili is the language of power, Bajuni the language of an impoverished and disempowered minority. This puts applicants at a disadvantage because it virtually removes any possibility of their speaking Bajuni, giving the impression that they speak only Swahili and no Bajuni. It should be a central part of the interview to have a first language Bajuni speaker, or at least a Bajuni-speaking interviewer make a sustained effort to conduct the interview in Bajuni from the start, because that is the best way of inducing the interviewee to speak Bajuni.

The interviewer's Swahili is also different from the applicants' – theirs being coastal, his not. In nearly all interviews, applicants use the phrase 'I don't understand' several times. Applicants don't understand because of the difference between Bajuni and the interviewer's Swahili, but this inability to understand is then seized on by the analysts as evidence for their case. In many cases, one of the analysts is also the interviewer.

**Yes/No questions and linguistically useful speech** Linguists use the term Yes/No question to refer to questions that normally expect Yes or No as the answer ("Did you ever go to the mainland?"). Such questions are not useful for providing linguistic material for forensic purposes. Most Bajunis are illiterate and illiterates tend to answer such questions literally and not expand, whereas more educated people will realise that more is wanted. A second kind of not useful answer is one that expects a one-word answer ("Who is the President of Somalia?"). More than half the questions on all the interviews consist of these two types. Good interviews ask questions that elicit the phonology, morphology, syntax, and vocabulary of the interviewee but this question-and-short-answer technique does not produce worthwhile or lengthy speech.

**Local knowledge** Since the interviewer works from a fixed general list of questions, some questions are useful. Many are not. Each Bajuni island is small (between 2 and 7.5 sq.km), consists entirely of coral, has little or no vegetation, no roads, and the population is 100% Muslim. I have heard all these questions, some on every recording, some on most recordings: are/is there mountains, rivers, thick bush, wild animals, roads, cars, lorries, electricity, police station, soldiers, football pitch, factory, church (versus mosque), hospital? Many of these questions show a complete lack of local knowledge. The interviewer has posed these questions and heard the answer ("No") many times, yet he persists, instead of finding new and useful questions. Such questions don't produce useful local knowledge nor useful languages samples.

**Attitude to interviewee** In an interview designed to elicit information from an interviewee in a strange new land and in a strange situation (no phones in the Bajuni Islands), one would think that the most productive attitude from the interviewer would be to treat the interviewee fairly kindly and gently. While he is often cheerful and friendly, sometimes patient and sympathetic, he often adopts an impatient, hectoring stance. He rarely shows interest in answers but passes straight on to

the next question. He often abandons questions when they are not understood. In several interviews he asks interviewees (more than once) if they are really Bajunis, after they give answers he doesn't care for: that gives them and me the impression that he doesn't believe them – not an objective way to proceed. Often, after applicants profess ignorance, he immediately asks 'Have you been to school?' ("No"), followed "Oh ... only *madrassa* (religious school)", the implication being that as Muslim you couldn't be expected to know that.

**Time taken for analysis** On several occasions I have heard the Sprakab interviewer tell someone in the background that he will have the result ready in "three minutes". Result/analysis of a 20 minute interview ready in 3 minutes?

I am a professional academic linguist, having taught for nearly 40 years in departments of Linguistics in Canada, Tanzania, Kenya, and Europe, including a 2-year spell as Associate Professor of Swahili Dialectology at the Institute of Swahili Research in Dar es Salaam. I specialize in African languages and historical and dialect Swahili in particular. I spent hundreds of hours doing fieldwork, including on Bajuni. I lived 12 years in East Africa, including 6 months in the Bajuni area on the NE Kenya coast. I lived in Bajuni villages in northern Kenya, sailed in Bajuni dhows, had Bajuni friends, interviewed many Bajunis. I have published descriptions and analyses of Bajuni, and edited and published dozens of pages of Bajuni stories, songs, and poetry, which are abundant. As far as I know, no other scholar, African or foreign, has done this. I co-authored the standard linguistic history of Swahili and have written descriptions of other Swahili coastal dialects. I have written 10 books and over 80 chapters and articles, all on African linguistic topics. These claims can be verified at <http://www.ucs.mun.ca/~dnurse/>.

I visited Somalia for one week. I have not lived or worked in Somalia but my fieldwork included extensive interviews with elderly Bajuni males from Somalia. Though my main Bajuni experience was in northern Kenya, not southern Somalia. I think that irrelevant, as Bajuni language, villages, culture, dances, clans, fishing habits are homogenous on the whole coast. The Bajuni spoken from Somalia to northern Kenya varies little because, until independence, Bajunis had always travelled and moved freely along "their coast", maintaining language and ties. "Their coast" stretched from Kismayu in Somalia, south and across the border into northern Kenya, to the islands north of Lamu and the mainland opposite Pate Island, a distance of just over 150 miles/250 kilometres.

I have also read the relevant Bajuni literature by others, notably Grottanelli (1955), the standard reference work on the Bajunis. As a result of 8+ years in Tanzania and 3+ years in Kenya, I am familiar with varieties of Swahili in both countries. Since 2004 I have dealt with some 80 cases of refugees claiming to be Bajunis from Somalia, plus a few other non-Bajuni Somali cases. This covers refugees in 6 countries and includes work for "both sides".

I am Emeritus Professor, and earlier a Research Professor at this university (Memorial University of Newfoundland). I am a Fellow of the Royal Society of Canada.

(Prof) D. Nurse, F.R.S.C.  
St. John's, NL, CANADA. February 2010



## Overview of Sprakab linguistic analyses of Bajuni refugee claims 2004-2010

Since 2004 I have read some 70 Sprakab reports of the linguistic and local knowledge of Bajunis from southern Somalia claiming refugee status, plus 3 from other Somali minority groups. The reports have changed little over the years, so after 6 years I have a good overview.

In 2004 a group of 19 experienced and mostly senior linguists drew up a set of 11 guidelines for those involved in forensic linguistics. They make good linguistic sense and are widely followed worldwide. These are the **Guidelines** referred to in what follows (the reference is at the end of this overview).

**General** These reports have 3 general characteristics. They are short, simple, easy to read. They are linguistically unsophisticated. They contain much repetition and assertion. I have the impression they are aimed at lawyers, judges, solicitors, and others, who have limited time at their disposal, limited knowledge of technical linguistics, and limited knowledge of Somalia.

**Length** They are short or very short. In general they range from about 300 to about 800 words, that is, from about 1 to 2½ pages of content (ignoring the headings). That includes data, analysis, and conclusions. Given the number of repeated claims, the actual content is somewhat less. In my opinion, that is too little to do justice to cases that are mostly not simple.

**Qualifications of authors** Most are co-authored by a Scandinavian ‘linguist’ and 2 East African ‘analysts’. The linguist come from a set of 3, most of whom, while having academic qualifications in peripheral topics such as Arabic, Scandinavian languages, or computational linguistics, have no qualifications in general linguistics, Swahili, Bajuni, or African languages. The analysts also come from a set of 3, and have various qualifications, including claims to ‘native speaker competence’ in Bajuni. Since the same individuals also claim the same level of competence in several other languages spoken far away in adjacent areas of western Kenya and adjacent countries, one wonders what native speaker competence means: I assume it means that Bajuni is not their first language. The interviewers are audibly not speakers of Bajuni but are rather from western or central Kenya. The Sprakab interviewer and one of the analysts may often be one and the same person because on several occasions I have heard an interviewer tell someone in the background that he will have the result ready in “three minutes”. So since the interviewer is audibly not a native speaker of Bajuni, then the analyst(s) cannot be either, so the recordings provide evidence that the analysts are not native speakers of Bajuni. One analyst is said to have written a book on Swahili but in 6 years I have never seen any detail of the book. I provide my name and a concrete list of my qualifications and the reports should do the same for the analysts/linguists. **Guideline 3: LANGUAGE ANALYSIS MUST BE DONE BY QUALIFIED LINGUISTS:**

“Judgments about the relationship between language and regional identity should be (1) made only by qualified linguists with recognized and up-to-date expertise, both in linguistics and in the language in question.... higher degrees, peer-reviewed publications....(2) including how this

language differs from neighbouring language varieties...(3) broad coverage of background issues..(4) citation of relevant academic publications (= sources DN).”

Sprakab offers no evidence of (1), no systematic evidence of (2), no coverage of background issues (3), and doesn't bother producing any set of references to sources (4).

**Sources cited** In every report I provide an appended set of References. Sprakab never provides such a list in their reports (or rebuttals), so their statements are unfounded, though constantly using the phrase ‘with certainty’. Both sides in the debate should list their full sources. The sources should not consist of a short list of dubious web sites. See Guideline 3, above.

**Lack of understanding/explanation of the general sociolinguistic situation** Since Somalia imploded in 1991, Bajuni society and language in Somalia have been, and still are constantly and rapidly changing. The community has gone from being more or less monolingually Bajuni to having a continuum from fully Bajuni-speaking through a mix of Bajuni and Swahili to being purely Swahili-speaking. The local variation also varies. In 6 years Sprakab reports have never presented the general language situation in Somalia or the Bajuni area or given any indication that they could. See Guideline 3 (3), above.

**Bajuni versus Swahili?** Implicit in Sprakab's presentations is that the difference between Bajuni and Swahili is clear, is a black and white distinction. While Sprakab may believe that, and while that statement may appeal to many uninformed readers, it is not true. In real communities, the line between them is fuzzy, depending on the speaker, the addressee, and the circumstances.

**Guideline 9: LANGUAGE MIXING:**

“It is unreasonable in many situations to expect a person to speak only one language variety in an interview/recording, for the following reasons”.. 8 reasons given. All apply to Bajunis in Somalia.

**“Can't speak Bajuni” + “can't speak Somali” + “can speak Swahili similar to that allegedly spoken in Kenya/Tanzania” = not from Somalia** Although not always so stated, this is essentially the formula used by Sprakab, despite the frequent presence of Bajuni elements, despite the fact that real Somali knowledge (not just a few words) is not tested properly, despite there being evidence that the “Kenyan/Tanzanian Swahili used’ is also the same as or similar to that used in southern Somalia.

This Sprakab formula is clearly at odds with conclusions reached by the United Kingdom Immigration and Appeals Tribunal (UKIAT), an independent body set up by the UK government to hear and decide appeals made by the British Home Office on these matters. Besides adjudicating individual Bajuni cases they have attempted to set out general guidelines. In the case of AJH (2003) they said this: “What is needed therefore in cases in which claims to be Somali nationals of Bajuni clan identity are made is first of all: (1) an assessment which examines at least three different factors: (a) knowledge of Kibajuni (b) knowledge of Somali varying depending on the person's personal history; and (c) knowledge of matters to do with life in Somalia for Bajuni (geography, customs, occupations etc). But what is also needed is (2) an assessment which does not treat any one of these three factors as decisive: as the Tribunal noted in *Mohamed Ali Omar*

[2002] UKIAT 06844, **it is even possible albeit unusual that a person who does not speak Kibajuni or Somali could still be a Bajuni**". See the website at the end of this overview.

A Somali Bajuni who does not speak Bajuni or Somali has only one language left to speak: Swahili, with or without a Bajuni accent. Sprakab is at odds with the opinions of UKAIT, Brian Allen, myself, and many Somali Bajunis in denying the existence of such people.

**Data to analysis to conclusions** Linguistic analysis, including forensic linguistic analysis of this kind, starts by laying out linguistic data and proceeding through analysis to conclusion. This is not done in Sprakab reports. General claims are not bald assertions but need supporting evidence.

**Limited data, no proper analysis** The linguistic data offered in the standard Sprakab report is quite limited. Each report has four sections: Phonology, Morphology, Syntax, Lexicon. The data always includes some vocabulary, never includes any morphology, sometimes offers sentences (syntax) but never makes any particular analysis of them, and sometimes makes claims about phonology but the examples never link the data to any analysis, so it is unclear what the data shows. The bits of data are just put inside the boxes labeled Phonology, Morphology, etc, but are not linked to the labels. Never is the available data presented in full, it is presented as "examples". Central to these cases are the differences between Bajuni and Standard Swahili but I have never seen any evidence that the Sprakab team could really list in full Bajuni characteristics or the differences between Bajuni and Swahili. See Guideline 3 (2), and **Guideline 5: LANGUAGE ANALYSIS REQUIRES USEFUL AND RELIABLE DATA:**

"Linguists should be allowed to decide what kind of data they need for their language analysis. If the linguist considers the data provided to be insufficiently useful or reliable, he or she should ask for better data or state that a language analysis cannot be carried out in this case. ...relevant examples include a (1) recording of poor audio quality, (2) recording of insufficient length, and (3) interview carried out with an interpret/interviewer not speaking the language of the interviewee". (2) and (3) are true of all the Sprakab interviews, (1) is occasionally true.

**Linguistic conclusions are mainly assertions** The reports present a number of findings and conclusions. All reports I have read contain maybe half a dozen findings: 4 minor ones, and the 2 major conclusions that the applicant comes not from their alleged place but from some other place. The four minor claims, on which the two major conclusions rest, do not usually derive from the linguistic facts presented but are assertions, often repeated several times in one form or other. In this kind of forensic linguistics most conclusions range along a scale of probability, from 'It is certain that...' through 'It is probable, possible, maybe, not clear, etc' to 'It is certain that X does not come from Y'. All Sprakab reports express absolute certainty ("with certainty"), in my opinion unwarranted. **GUIDELINE 4: LINGUIST'S DEGREE OF CERTAINTY:**

"Linguists should have the right and responsibility to qualify the certainty of their assessments, even about the country of socialization. It is rarely possible to be 100% sure of conclusions based on linguistic evidence alone (as opposed to fingerprint or DNA evidence), so linguistic evidence should always be used together with other (non-linguistic) evidence. Further, linguists should not be asked, and should not be willing to express their certainty in qualitative terms (e.g. 95% certain

that X was socialized in country Y), but rather in qualitative terms, such as ‘based on the linguistic evidence, it is possible, likely, highly likely, highly unlikely that X was socialized in Y.’

**Flawed analyses and conclusions about local knowledge** The analyses of country and local culture proceed similarly. Instead of a complete account of what the applicant says, the reports give a short (often inaccurate) list of what the applicant was unable to do. They selectively summarise parts of the applicant’s statements and omit others, thus not reflecting honestly the content of the interview. They come to the same general conclusion, that the applicant has deficient knowledge of the area and culture – and this after the interviewer has only asked a limited set of questions. For example, the interviewers always ask these three questions about the country Somalia, and rarely others: “Name President; describe flag; name currency and describe a banknote or notes”. In my opinion that information would not be adequate for determining whether an individual came from e.g. the UK, because it is easily memorized. Guideline 5 also applies here. Applicants cannot be faulted for not answering questions that are not put.

**General conclusion: it would be unwise to rely on these analyses, they lack credibility**

In general I find Sprakab analyses and conclusions in Somali Bajuni cases brief, careless, lacking in supporting evidence, and unconvincing. It can be seen that they do not follow the **Guidelines** (I could take all the **Guidelines** and compare, but didn’t for want of space). The result of a 25 minute interview can apparently be ready within 3 minutes of finishing the interview – this is a report which goes to lawyers and government officials who have a person’s fate in their hands. I think not much credence should be attached to these reports. In my opinion, it would be unwise to use them as a basis for any legal decision on whether an applicant is or is not a Somali Bajuni.

### **Guidelines Reference**

Arends, J, J. Blommaert, C. Corcoran, Suzanne Dikker, D. Eades, and 14 others. (The Language and National Origins Group). 2004.

**Guidelines for the Use of Language Analysis in Relation to Questions of National Origin in Refugee Cases**, *The International Journal of Speech, Language and the Law: Forensic Linguistics* 11,2: 179-266. <http://privatewww.essex.ac.uk/~patrickp/language-origin-refugees.pdf>

[http://www.bailii.org/cgibin/sino\\_search\\_1.cgi?method=titleall&query=CG+Somalia&meta=%2Fbailii&mask\\_path=uk%2Fcases%2FUKIAT&rank=on&show=50](http://www.bailii.org/cgibin/sino_search_1.cgi?method=titleall&query=CG+Somalia&meta=%2Fbailii&mask_path=uk%2Fcases%2FUKIAT&rank=on&show=50)



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I have also read the relevant Bajuni literature by others, notably Grottanelli (1955), the standard reference work on the Bajunis. As a result of 8+ years in Tanzania and 3+ years in Kenya, I am familiar with varieties of Swahili in both countries. Since 2004 I have dealt with some 80 cases of refugees claiming to be Bajunis from Somalia, plus a few other non-Bajuni Somali cases. This covers refugees in five countries and includes work for “both sides”.

I am Emeritus Professor, and earlier Research Professor at this university (Memorial University of Newfoundland). I am a Fellow of the Royal Society of Canada.

(Prof.) D. Nurse, F.R.S.C.  
February 2010, St. John's

**COMMENTS ON THE DECISION OF THE UPPER TRIBUNAL IN RB (LINGUISTIC EVIDENCE SPRAKAB) SOMALIA (2010) UKUT 329 (IAC)**

15 September 2011

Before Messrs Ockleton, Perkins, McKee

Between RB and the Secretary of State for the Home Department  
RB (Linguistic evidence – Sprakab) Somalia [2010] UKUT 329 (IAC)

I have been asked to comment on the above determination.

I focus, although not exclusively, on language aspects of this case. I do not deal with the merits or otherwise of the particular case but with Sprakab and forensic linguistic analysis. The numbers used below refers to sections in Determination and Reasons. In 2004, a group of 19 experienced and mostly senior forensic linguists issued a set of eleven **Guidelines** for this kind of work (Arends et al 2004, see Bibliographical References at the end). These are referred to by number during this report.

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**10, 13, 14, 15, 20, (27). The qualifications of the Sprakab linguists (01, 02, 03, 04) and analysts (EA10, 14, 19, 20, 246, 249).** I have dealt with dozens and dozens of Sprakab analyses of those claiming to be Somali Bajuni refugees. In the course of these I have looked carefully at the qualifications of these linguists (Scandinavian) and analysts (East Africans). With the exception of EA14, not one is a native speaker of Bajuni (EA14 has now left Sprakab’s employ, which might tell us something): ‘mother tongue ability’ is a poorly defined term but in any case not the same as being a native speaker. Few have any training in African languages, Swahili, or Bajuni. Some of the Scandinavians have qualifications in Scandinavian languages and Arabic. In each case, at least one of the team (linguist, analyst(s)) ought to have recognized qualifications in the discipline of linguistics and in African languages/Swahili. This is not the case.

**Guideline 3** “Judgements about the relationship between language and regional identity should be made only by qualified linguists with recognized and up-to-date expertise, both in linguistics and in the language in question, including how this language differs from neighboring language varieties. This expertise can be evidenced by holding of higher degrees in linguistics, peer reviewed publications, and membership of professional associations. Expertise is also evident from reports, which should use professional linguistic analysis, such as IPA (International Phonetic Association) transcription and other standard technical tools and terms, and which should provide broad coverage of background issues, citation of relevant academic publications, and appropriate caution

with respect to conclusions reached”.

I have been in this field a long time and am familiar with the publications in the field. I keep up to date with new material. I am not aware of work in this field by any Scandinavian or East African. In each of the four Sprakab reports one would expect some combination of native speaker ability and recognized qualifications in linguistics and African languages/Swahili. I don't find that in any of the reports. It is unusual that Sprakab would find it necessary to produce four reports – usually one suffices.

**11, 12, (18, 19, 21). Ms. Kumbuka and her analyses.** I am concerned with two issues here. One is, what are Ms. Kumbuka's qualifications? Not really stated. Two, various generalisations are made here about her report and her characterisation of the interviewer's Swahili. Anyone can claim that the moon is made of cheese but without access to supporting data, it is not possible to evaluate her claims. So it is here: neither I nor any other linguist can evaluate her generalisation without seeing her supporting data, so I am inclined to suspend judgement on what she says.

**10 (last sentence), 13 (last two sentences), 14 (last sentence), 15 (nearly all), etc.** I would repeat that I have read many Sprakab analyses of those claiming to be Somali Bajuni refugees. As they all follow the same pattern and make similar kinds of statements it is easy to generalize about them. Linguistic analysis, including forensic linguistic analysis of this kind, starts by laying out all the available linguistic data and proceeds through analysis to conclusion. General claims should not be bald assertions but need supporting evidence. Sprakab reports on those claiming to be Bajuni refugees from Somalia do not do this. They do not set out all the data but invariably give just a few 'examples'. The data most often consists of a few words, and rarely shows other linguistic material, such as phonetics, morphology, or syntax. The data rarely leads to the conclusions that Sprakab draws, and the generalizations are rarely based on solid data. There are many unsupported assertions. Central to the analysis is exactly how Bajuni differs from Standard Swahili. It is possible to list the differences (see e.g. Nurse 2010a, the sections called *Grammatical sketch* and *Word list*) but no Sprakab report I have seen shows any sign that the team is able to do this: see the last clause of the first sentence in **Guideline 3**, above). The language situation in the Bajuni area of southern Somali has changed radically over the past two decades but not once has any Sprakab report ever discussed this:

**Guideline 2** “The way that people speak has a strong connection with how and where they were socialized: that is, the languages and dialects spoken in the communities in which people grow up and live have a great influence on how they speak”.

All these Sprakab reports I have seen start with the two generalizations.. “with certainty doesn't come from Somali.... with certainty does come from Kenya (or Tanzania)”. But Guideline 4 says, inter alia:

**Guideline 4** “Linguists should have the right and responsibility to qualify the certainty of their assessments, even about the country of socialization. It should be noted that it is rarely possible to be 100% certain of conclusions based on linguistic evidence alone (as

opposed to fingerprint or DNA evidence), so linguistic evidence should always be used in conjunction with other (non-linguistic) evidence. Further, linguists should not be asked to, and should not be willing to, express their certainty in quantitative terms (eg ‘95% certain that person X was socialized in country Y’), but rather in qualitative terms, such as ‘based on the linguistic evidence, it is possible, likely, highly likely, highly unlikely’ that person X was socialized in country Y’. This is because this kind of language analysis does not lend itself to quantitative statistics such as are often found in some others kinds of scientific evidence”.

My general conclusion about Sprakab reports on these refugees runs like this: Lay people, people in the street, can make general and unsupported opinions about language and language use, but linguists are expected to provide technical support for their claims. These Sprakab reports mostly do not do that.

While a few of their claims (usually the minor ones) are true (“speaks Swahili as mother tongue, doesn’t speak Bajuni as such”), I find the rest of their analysis and conclusions brief, careless, lacking in supporting evidence, unreliable, and unconvincing. The few claims that are true are in any case of little consequence as many young ethnic Somali Bajunis today speak either Swahili and no Bajuni or they speak Bajuni-coloured Swahili. I do not think much credence should be attached to this Sprakab analysis. In my opinion, it would be unwise to use it or its conclusions as a basis for deciding that the applicant is not from Somalia.

I have not seen the four reports in this case but have no reason to think they differ from the others.

**24 - 27** I have no objection to keeping the Sprakab employees anonymous but we do need to know more about their qualifications and their sources (see **Guideline 3** above). For example, EXP 249 is said to have published a grammar of Swahili – where is it, what is it called? What have these people published, what have they read?

**43 (second sentence)** All the Bajuni Islands are close to the mainland. Nearly all Bajuni islands villages are on the landward side of the islands, so it is possible to see the mainland. On the island of Koyama are two villages, *Koyamani* and *Gedeni*. The latter is on the landward side so one can see the mainland but the village *Koyamani* is near the east = ocean side, in a hollow, and it is not possible to see the mainland directly without walking a distance. She is from *Koyamani* village (wrongly called *Koyamani Street* in the preceding section, 42). There are no named streets in Bajuni villages.

**44.** Bajuni history is not written down, it is oral, passed down from a few elderly males to others. She is right in saying that she would not know anything about it unless she consulted such a person.

**47.** Contrary to what the elders in the 2000 JFFM report said, most Bajunis do not speak Somali.

**52.** Since the Sprakab linguistic analysis of the Sprakab interview is not reliable, is there a recorded version of the HO interview and has its language been analysed?

**53.** We have no recording either of the court proceedings or of the HO interview so we do not know what dialect/language was used (how can the judges in court or on this report judge that?). Until we do, no linguistic conclusions should be drawn from the HO interview or about language distinctions in the court proceedings. This would include any conclusion about the distinction between Bajuni and Swahili. See remarks in next section but one.

**56, 57.** Many Bajuni and Swahili kinship terms are different. These two sections raise the possibility that the translator (same as interpreter?) was not familiar with Bajuni.

**59.** The camps were a linguistic melting pot. Although we have no recording of language use there, it is very likely that she and other Bajunis used Bajuni among themselves and Swahili to others. As a recent young applicant put it nicely, “When we returned from the camp (to Somalia)...we continued to talk to one another in the Swahili we had adopted at the camp...it became almost a cool thing to do”.

**67.** Bajunis had no access to banks. Traditionally they dug holes and buried their wealth (gold jewellery) in the ground. The location was known to very few people.

**70, 71, 74, 75, 76, 77, 78.** As I understand this, a number of words were put to her by the interviewer in the Sprakab interview, she is asked what they mean, she doesn't answer appropriately, the Sprakab analysis concludes she doesn't know (some) Bajuni words, and finally Ms. Whipple takes her to task. This chain all rests on the initial Sprakab interview. I have heard many such sections in the interviews, I listened to two within the last two weeks, and they often proceed like this. First, the interviewer gives the interviewee a number of Swahili words and asks for the Bajuni equivalents: this usually proceeds fairly flawlessly. Second, interviewer pronounces a number of Bajuni words in what he thinks is the appropriate way, very slowly, drawn out, exaggerated, even grotesque. The result here is less satisfactory – the most common reply is “I don't understand” (even though at others points in the interview the interviewee sometimes uses the words herself). It is one thing for the interviewer to produce Bajuni words, it is another thing to pronounce them in a way that native Bajunis recognize. I don't trust the claims here that she is ignorant of these words.

Of the words given, *jabia*, as far as I know, means ‘rock’, as she claims: *vehundu* means ‘red people’ (not just ‘red’); *mkuru* refers to anyone big in stature, physical or social: and I am not familiar with *ikoto* or *igoto*, and am not able to locate it in any dictionary.

**85, 86.** See above, under **10, 13, 14, 15, 20, (27)**.

**88.** All the many analyses I have seen adduce examples of words, the lowest linguistic form. Fairly few deal with phonology including intonation, morphology, or syntax, and where they do, the analyses usually fail to base conclusion on data (see comments in **10 (last sentence), 13 (last two sentences), 14 (last sentence), 15 (nearly all), etc**, above).

**89 - 90. Degree of certainty.** All the Sprakab reports I have seen use the single term ‘With certainty’, as in ‘language spoken with certainty not in Somalia’, and ‘language spoken with certainty in Kenya (or Tanzania)’

**89, 94.** That sounds like a calm and rational procedure (“discusses...produce a report, giving a judgement (about origin”). The reality is different - I have heard several Sprakab interviews recently in which at the end the interviewer tells his colleague over the phone: “I’ll call you back in three/five minutes with the result”, which is not what (94) ‘run through the recording three times before producing the report’ says.

**93.** The phrase ‘she assured us that her analysts made due allowance for dialect and language mixing’. I have yet to see a single Sprakab report in which this is discussed in terms that professional linguists (sociolinguists) would find acceptable.

**93.** I have listened to some 80 cases and in all the interviewers use Swahili, not Bajuni. Not one ever used Bajuni, because they cannot speak Bajuni. That is the real reason and has nothing to do with using Swahili “because 97% of those claiming to be Bajuni turned out to be from Kenya”. All the interviewers are from central or western Kenya.

**95.** Ms. Fernquist insisted that all the islanders can all understand Swahili. If I understand this correctly, she is saying the refugees speak Bajuni but “understand” Swahili. In no Sprakab report so far have I seen any Sprakab employee admit that any refugee spoke Bajuni. If an individual is bidialectal in A and B, that individual is more likely to use A when addressed in A, and B if in B. If a young Somali Bajuni is addressed in Swahili, the Swahili content of his/her speech is likely to be greater, if addressed in Bajuni then his/her Bajuni content is likely to increase.

**96.** Ms. Fernqvist “did not think there had been much change in Bajuni since the breakdown of the Somali state in 1991”. Oh? The following describes the situation better (from my own standard format):

“In sum, up to twenty years ago, we can be sure that at least the islands were almost 100% monolingual Bajuni-speaking, although male traders and fishermen who travelled to Kismayuu and Kenya would have had some exposure to Swahili. The language situation on the islands has changed dramatically in the last 20 years or so. From listening to many refugee cases, it was clear to me that the Bajuni spoken by young Bajunis (born from the 1980s onward) from the islands was not that of their grandparents or even parents: they speak poor Bajuni but lots of Swahili. Those were my thoughts as I recently communicated with the second source mentioned above, a man who has over 750 hours of experience interviewing Bajunis (Mr. Allen). He confirms that today there is a huge range of Bajuni language ability among those claiming to be Somali Bajunis. At one end of the scale there is more or less full fluency in Bajuni: such individuals tend to be elderly and living on the islands. At the other end of the scale are individuals who speak only Swahili, and no Bajuni: mainly young and living in Kismayuu. In between are individuals who speak a Bajuni-coloured Swahili, Swahili with some Bajuni, mainly vocabulary and common phonetic features, added. He also confirms that the prevalent attitude among young

people is that they prefer Swahili, an international language with prestige and utility, whereas Bajuni has neither so they no longer find it useful. So some younger Somali Bajunis can be characterised as semi-speakers.

The situation has gone from the mid-nineteenth century where the community was more or less completely monolingual in Bajuni, with a very minor Swahili presence, to a situation 150 years later, where Swahili is rapidly taking over and few (any?) fluent Bajuni monolinguals are left in Somalia. Bajuni in Somalia is rapidly becoming an old people's language. Young Bajunis from Somalia today speak the kind of Swahili widely spoken in East Africa, especially along the adjacent coast of Kenya".

See also **112**, where EA19 admits the language might have changed.

**97.** I have read some 80 Sprakab interviews of refugees claiming to be Somali Bajunis. All have said "With certainty not from Somalia". I admit I have no way of knowing how typical they are.

**97.** EA24 or EA14? See 13 and 14 where EA14 is mentioned. Who is from Chovae?

**103.** I cannot judge this unless I see the actual words.

**110.** 'the Kenyan dialect of Bajuni' versus 'the Somali dialect of Bajuni'. For comparative purposes, linguists use a standard list with 100 basic vocabulary words. If the list is filled out for Kenyan then Somali Bajuni, the result is identical – there are no differences between the two. A false distinction. There are minute local differences, but equally there are minute differences between the different islands in Somalia. See also **128** and **129**.

**111.** How can her Bajuni have improved after living three years abroad?

**113.** Bajunis felt threatened at home and thought they would be safe in the camps in Kenya. However, they found that use of Bajuni in the camps soon revealed their identity, so the commonest pattern was they used Bajuni in the family but common denominator Swahili in public. The common language in the camps was Swahili, and the camps were porous, so many inmates could pass out and Swahili-speaking outsiders in. In 1998 Kwa Jomvu was closed, mainly because the Kenyan government was concerned with leakage from the camps into the surrounding area.

**114, 115.** Linguist 01 talks of "the unvoiced /b<sub>0</sub>/ found in the bilabial position". That is phonetic nonsense. No other observer has ever recorded this in over a century. Is 01 then to be believed in **116**?

**117.** "The HO guidance itself made sure (that although) the Sprakab analysis should never be the sole determinant of a nationality question, it was a reliable pointer to the resolution of that question". I beg to differ. See my comments in **10 (last sentence), 13 (last two sentences), 14 (last sentence), 15 (nearly all), etc**, above.

**122.** I agree about the degree of understanding. Of the Bajuni population given, some 3,000 to 4,000 are or were in Somalia, the rest in NE Kenya.

**127.** See my comment above on 97.

**128, 130 Ability in Somali** For several centuries before the 1980's, from at least AD1600, maybe longer, there was a balance between the domains of Somali and Bajuni in southeast Somalia. Ethnic Somalis lived on the mainland and did not venture onto the islands, and most Bajunis were born, lived, and died on their islands<sup>1</sup>. The mainland was mainly Somali-speaking and the Bajuni Islands of Somalia were monolingually Bajuni. A few adult Bajuni males spoke some Swahili and/or Somali as a result of fishing or trading activities. Most islanders were resolutely monolingual – adult Bajunis did and do not care for Somalis or Somali, did and do not speak Somali, did and do want to speak it, and strongly discouraged their children from speaking it. Relations between Bajunis and ethnic Somalis were frosty, to say the least.

This impression of language use was initially based on what I was told thirty years ago by elderly Bajunis, both from northern Kenya and southern Somalia, long before the present chaos. It runs counter to what the British-Danish-Dutch fact-finding commission (2000) was told by a set of Bajuni elders, who said that 'many' Bajunis could speak 'some' Somali. The words 'many' and 'some' here are unquantifiable. I am strongly inclined to pay little heed to the testimony of these elders to this commission<sup>2</sup>.

**131.** "It surprised us to learn that the familiarity of the islanders with Somali ...resulted from forced displacement in the 1970's". It surprised me too. "Forced collectivization of Bajuni fishing operations at that time" (133), yes, but mass acquisition of Somali is doubtful.

**134.** The elders are not right here. Bajuni was and is spoken in a continuous line of coastal settlements from Kismayu in southern Somalia down to the mainland opposite Lamu in northern Kenya. It is the same Bajuni dialect on both sides of the border. The southernmost Bajuni settlement in Somali is Ras Kiamboni. It is possible to walk, and people do regularly, from there

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<sup>1</sup> In the past there were settlements on the mainland coast.

<sup>2</sup> Our opinion is shared by other specialists, e.g. see Prof. Lewis (LSE), giving testimony to an Immigration Appeal Tribunal in 2003 ([www.asylumlaw.org/doc...-somalia.minoritygroups.pdf](http://www.asylumlaw.org/doc...-somalia.minoritygroups.pdf), section 12). He disputed the accuracy of the view expressed in the Fact-Finding Mission report (2000) that all or most Bajuni spoke Somali. He considered that the Bajunis who would speak Somali would be those who had the most interaction with Somalis, in particular those in local political or business roles or elders or leaders of local communities. He could have included young urban Bajunis who grew up in Kismayuu in the last 20 years.

Prof. Lewis lived and worked in Somalia for 50 years, specialises in Somali affairs, speaks fluent Somali, and is regarded as one of the UK's foremost Somali specialists.

It is repeatedly confirmed by the British Home Office COI reports, which over the last few years have all included this sentence: "It was highlighted in the JFFMR 2004 (pp. 37-38) that the island-based populations tended not to be able to speak Somali due to their social isolation from the mainland." Most Bajunis live or lived on the islands.



to Ishakani, the most northerly in Kenya, in a couple of hours (see the map, *Ubajunini*, in Nurse 2010a).

135. **The Nofali clan.** The standard reference work on the Bajunis, their society, clans, and history is Grottanelli (1955). Grottanelli wrote long before any of the current chaos. He is quite specific about the Nofali being the original and the largest clan in Koyamani, so this is significant. The HO report does not seem to refer to Grottanelli. The appellant will not have read a book in Italian written fifty years ago, so it is significant that the appellant names the Nofali clan specifically.

132, 133 and elsewhere. For comments on the 2000 report, see Nurse 2010a.

140. Professor Nurse would be happy to attend, if funds can be found for his airfare.

145. See comment on 67, above.

146. See comment on 44, above. She is right. She is not a Somali and although clans exist among the Bajunis they play little role. Bajunis do not need to understand their clan history to function in society.

147. In this regard though not in others, I believe the 2000 report. Some fishermen were taken to the mainland to train Somalis in fishing. It doesn't follow that their whole families went, too.

150, 151, 152. (150) See 52, 53 and 70, 71, 74, 75, 76, 77, 78 above. In any case, there is no hard and fast line these days between Bajuni and Swahili among Somali Bajunis today. There are ethnic Bajunis from Somali today who speak no Bajuni, sad but true.

153. That "the appellant is not truthful and not Bajuni" depends on 145 to 152. I find 145 – 152 to be unreliable.

157. "In most contested cases it supports the applicants". See comment in 97, above.

159. In all the cases I have seen only one category, "With certainty", used. See **Guideline 4**, in **10 (last sentence)**, **13 (last two sentences)**, **14 (last sentence)**, **15 (nearly all)**, etc, above.

160, sentences 3, 4, 5 sound good but do not, in my experience, correspond to what Sprakab analysts actually do in Bajuni cases. As the judges say, Sprakab's methodology is the major weakness.

I would also add that Sprakab's techniques in the interviews leave much to be desired. I am able to discuss this in more detail if required (see Nurse 2010c).

161. 'Distinctive speech patterns are much harder to copy and even harder to abandon'. Yes. Most Sprakab reports that I have read on these alleged Bajunis make claims about intonation and

accent. In not a single report have I seen a single concrete example of how Bajuni intonation = accent differs from that in Swahili, so the claims are unsupported assertions.

**165.** I agree that deficiencies in interview technique do not necessarily lead to an analysis being wrong. However, I would make two points. One is that interviewers are supposed to conduct interviews in the interviewee's dialect/language – Sprakab's interviews of these refugees never do this. The other is that although most interviews last between 23 and 30 minutes, the length of useful speech by the interviewee available for linguistic analysis is much shorter, less than half that time, typically 8-12 minutes – a sample barely adequate. Mr. Allen's interviews last three hours.

**171.** I agree fully but I do not think Sprakab's analyses are adequate.

## References

- Arends, J, J. Blommaert, C. Corcoran, S. Dicker, D. Eades, and 14 others. 2004. Guidelines for the Use of Language Analysis in Relation to Questions of National Origin in Refugee Cases, *The International Journal of Speech, Language and the Law: Forensic Linguistics* 11,2: 179-266. Also <http://privatewww.essex.ac.uk/~patrickp/language-origin-refugees.pdf>.
- Grottanelli, V.L. 1955. *Pescatori Dell'Oceano Indiano*. Rome. Edizioni Cremonese.
- Nurse, D. 2011a, *Bajuni database*. Online at [http://www.ucs.mun.ca/~dnurse/bajuni\\_db.html](http://www.ucs.mun.ca/~dnurse/bajuni_db.html)
- 2011b. *Review of the Bajuni sections of the 2000 JFFM report*. See *Bajuni Refugees*, at <http://www.ucs.mun.ca/~dnurse/bajunirefugees.html>.
- 2010a. *Sprakab overview (interviews)*. See *Bajuni Refugees*, at <http://www.ucs.mun.ca/~dnurse/bajunirefugees.html>
- & T.J. Hinnebusch. 1993. *Swahili and Sabaki, A Linguistic History*. Berkeley. University of California Press.

Victoria, 6 February 2011

## **My CV in brief**

### **Region of origin**

- Europe (England)

### **Languages**

- English, French, German, Spanish (some), Swahili (including Bajuni). ). As a result of 8+ years in Tanzania and 3+ years in Kenya, I am familiar with varieties of Swahili in both countries.

### **Universities from which the expert graduated**

- Manchester, UC Berkeley, Dar es Salaam

### **Level of education**

- PhD

### **Employment**

- 40 years of teaching and research in linguistics departments on three continents
- formerly Professor, now Professor Emeritus
- Fellow of the Royal Society of Canada.

### **Fields of interest and/or research of the expert:**

- African languages, East African languages, Bantu languages
- Swahili and its varieties, including Bajuni
- language contact

### **Research experience**

- 11 years' field work/research experience in East Africa. This had two main foci:
- (i) a survey of 110 languages, mainly Bantu, and
- (ii) a detailed investigation of the primary (coastal) dialects of Swahili, from Mozambique up to southern Somalia, including Bajuni.

### **Duration of experience and/or stay in the region**

- 12 years in East Africa
- 8+ teaching at the University of Dar es Salaam (Tanzania)
- 3+ at Kenyatta University College (Kenya)

### **Publications**

10 books, 5 with major publishers, and 80+ chapters and articles. They cover (East African) language classification, description, analysis, contact, and history. Two books cover Swahili (language, people), one centres on Kilimanjaro, and two deal with African languages in general.

**LADO experience**

- Since 2004
- 100+ cases up to the date of this CV.
- This covers refugees in seven countries and includes work for “both sides”.