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THE IRANIAN CONSTITUTION¹

December 30, 1906

In the name of God the all-Merciful!

WHEREAS by our Firman of the 6th August, 1906, we commanded the constitution of a National Assembly for the progress and welfare of the State and nation, the strengthening of the foundations of the Kingdom, and the carrying out of the laws of Islam; and whereas, in accordance with the clause by which it is provided that, as each individual member of the State has a right to take part in the superintendence and decision of public affairs, we therefore have permitted the election and appointment of deputies on behalf of the nation; and whereas the National Assembly has been opened through our gracious benevolence, we have decreed the following articles of constitutional regulations for the National Assembly, including the duties and business of the Assembly and its limitations and relations toward government departments.

Concerning the Institution of the Assembly

Art. 1. The National Assembly has been instituted in accordance with the Imperial Firman of the 6th August, 1906.

Art. 2. The National Assembly is the representative of the whole Iranian nation, associated in political and economic affairs.

Art. 3. The National Assembly is composed of members elected at Teheran and in the provinces, and the place of their meeting is at Teheran.

Art. 4. The number of deputies for Teheran and the provinces is at present, in accordance with a separate election regulation, 160 persons, and, if necessary, may be increased to 200.

Art. 5. The deputies are elected for two whole years, and this period begins from the day on which all the provincial deputies assemble at Teheran. After the lapse of two years, deputies must be again elected, and the people are at liberty to re-elect members if they are pleased with them.

Art. 6. The Teheran deputies have the option of instituting the Assembly and starting discussion and debates. Their decisions by majority during the absence of the provincial deputies will be valid, and are to be carried out.

Art. 7. When debates are started, at least two-thirds of the members must be present, and when questions are put to the vote, three-quarters of the members must be present. A majority is obtained when more than half of the members present give their votes.

Art. 8. The time of recess and of sitting of the National Assembly are to be fixed by the Assembly itself, according to the internal regulations. After the summer recess the Assembly must again sit and begin its labors on the 6th October, the anniversary of the first opening of the Assembly.

Art. 9. The National Assembly may convene extraordinary sittings during the recess.

¹ See translation in 101 British and Foreign State Papers, 527, revised in the light of a translation supplied by the Iranian Embassy in Washington, October, 1947.

Art. 10. When the Assembly opens, an address must be submitted to His Imperial Majesty in reply to a speech from the throne.

Art. 11. As soon as members of the National Assembly join they must take the following oath and sign it:

The Oath

We who have signed below invite God to be our witness, and we take oath by the Koran that, so long as the rights of the Assembly and the members of the Assembly are protected and carried out in accordance with these regulations, we will carry out the duties entrusted to us, as well as possible, with the greatest sincerity and straightforwardness, and to our best ability, and we will be true and faithful to our just Sovereign, and will not be traitors to the foundations of sovereignty or the rights of the nation, and we will have no other object but the advantage and the interests of the government and nation of Persia.

Art. 12. No person will, by any excuse whatever, have the right to proceed against any member of the Assembly. Should by chance one of the members be guilty of a public offense or crime, and should he be caught in the act of committing the offence, the carrying out of punishment must still be with the knowledge of the Assembly.

Art. 13. In order that the result of the discussions of the National Assembly should be carried out, their proceedings must be public. Newspaper reporters and the public have the right to be present and to hear, in accordance with the internal regulations, but without the right of speaking. The newspapers may print all the debates of the Assembly without altering their meaning, so that the public should be aware of all their proceedings, and anyone who has suggestions to make should be able to do so in the papers, and so that no matter should be hidden from anyone. Therefore all newspapers, as long as their publications are not contrary to any of the fundamental principles of the nation or the State, are empowered to print matters of public utility as well as the debates of the Assembly, and the observations of the people on those debates. Should anyone publish an untrue report on those debates with personal motives, or make a libel, he will be liable to an enquiry, proceedings, and punishment.

Art. 14. The National Assembly, in accordance with a separate regulation entitled the internal regulation, will regulate its own personal affairs such as the election of a president, a vice-president, secretaries, and other members, as well as the debates, etc.

Respecting the Duties of the Assembly, its Limitations and Rights

Art. 15. The National Assembly has the right to discuss truthfully and sincerely all matters it considers to be desirable in the interests of the State and nation to investigate; and, subject to the approval of a majority, to submit them, in the enjoyment of the utmost safety and confidence, with the approval of the Senate, to His Imperial Majesty the Shah, through the first person of the government, for His Majesty's signature, and to be then put into execution.

Art. 16. In general all laws necessary for the strengthening of the government and kingdom, and the regulation of state affairs, and for the constitution of Ministries, must receive the sanction of the National Assembly.

Art. 17. The necessary bills for making new laws, or for the alteration, amplification, or cancellation of existing laws, will, when desirable, be prepared by the National Assembly to be submitted to His Imperial Majesty the Shah for signature with the approval of the Senate, and to be then put into execution.

Art. 18. The regulation of financial matters, the modification of the budget, the alteration of the arrangement of taxation, the refusal or acceptance of impositions, as well as the inspections which will be undertaken by the government, will be done with the approval of the Assembly.

Art. 19. The Assembly, after approval by the Senate, shall have the right to request the government to put into effect any decisions taken to regulate and amend fiscal matters and to facilitate relations with the government authorities in the provinces.

Art. 20. The budget of each ministry must be finished for the succeeding year in the last half of each year, and must be ready fifteen days before the 20th March.

Art. 21. Should it be necessary with regard to the constitutional laws of the ministries to make a new law, or to alter or cancel existing laws, it will be done with the consent of the National Assembly, whether its necessity be first pointed out by the Assembly or by the responsible minister.

Art. 22. Whenever a part of the revenue or property of the government or State is to be sold, or a change of frontier or border becomes necessary, it will be done with the approval of the National Assembly.

Art. 23. Without the approval of the National Assembly, no concession whatever for the formation of companies or associations shall be granted by the government.

Art. 24. The conclusion of treaties and agreements and the concession of commercial, industrial, agricultural or other monopolies must be authorized by the National Assembly. Treaties which it may be in the interest of the government or nation to keep secret are excepted.

Art. 25. All government loans of any nature whatsoever, whether internal or foreign, will be made with the knowledge and approval of the National Assembly.

Art. 26. The construction of railways or roads, whether the cost be defrayed by the government, by associations or companies, whether native or foreign, can only be undertaken with the approval of the National Assembly.

Art. 27. Should the Assembly find in any place a fault in the laws or an irregularity in their fulfilment, it will draw the attention of the responsible minister to the same, and he will have to give the necessary explanations.

Art. 28. Should a minister, in contravention of one of the laws which have received the imperial sanction, by misrepresentations obtain the issue of a written or verbal order from His Imperial Majesty the Shah, and excuse himself thereby for his delay and negligence, he will by law be responsible to His Imperial Majesty the Shah.

Art. 29. If a minister in any matter or matters should not be able to justify his actions in accordance with the laws approved by His Imperial Majesty, and if it should be apparent that he has broken the law and transgressed the stipulated limitations, the Assembly will petition His Imperial Majesty for his dismissal, and when his fault has been determined by the courts of justice, he will not again be allowed to serve the government.

Art. 30. The National Assembly has the right, whenever it considers it desirable, to make petitions direct to His Imperial Majesty by the means of a body composed of the president and six members elected by the deputies. The time for the audience must be arranged for through the minister of court.

Art. 31. The ministers have the right to be present at the sittings of the National Assembly and to sit in the place set apart for them, and to hear the debates of the Assembly; and should they think it necessary, they may ask the president for permission to speak and give the necessary explanations for the discussion and investigation of affairs.

Respecting the Presentation of Proposals to the National Assembly

Art. 32. Any individual member of the public may make a statement of his case, or complaints or criticisms, to the office of the Assembly, and if the matter concerns the Assembly itself, a satisfactory answer will be given to him; but should the matter concern one of the ministries, it will be sent to that ministry for investigation, and in order that a satisfactory answer be given.

Art. 33. New laws which are necessary will be prepared at the responsible ministries, and will be presented to the National Assembly by the responsible minister or by the Prime Minister, and after receiving the approval of the Assembly will receive His Imperial Majesty's sign-manual and be put into execution.

Art. 34. The president of the Assembly can, if necessary, of his own initiative or by the desire of ten members of the Assembly, or of a minister, form a secret committee, without the presence of newspaper reporters or spectators, composed of a number of persons chosen from among the members of the Assembly, which the other members of the Assembly will not have the right to attend. The result of the deliberations of the secret committee can, however, only be put into execution when the secret committee, in the presence of three-quarters of the persons elected, accept the point at issue by a majority of votes, and if the matter be not passed by the secret committee, it will not be stated in the Assembly, but will remain secret.

Art. 35. Should the secret committee be instituted by the president of the Assembly, it has the right to inform the public of any parts of the debate it thinks fit, but if the secret committee is instituted by a minister, the publication of the debate can only be subject to that minister's permission.

Art. 36. Any one of the ministers may withdraw at any stage of its progress any matter put before the Assembly by him, excepting when his statement is called forth by the initiative of the Assembly, in which case the withdrawal of the subject must be subject to the agreement of the Assembly.

Art. 37. Should the bill of any minister not be passed, it will be returned with the observations of the Assembly. The responsible minister can, after refusing or accepting the criticisms of the Assembly, send it to the Assembly a second time.

Art. 38. The members of the National Assembly must definitely and explicitly either refuse or accept the points at issue, and no one will have the right to influence them in giving their decisions. A refusal or acceptance on the part of members of the Assembly must be made in such a manner that the newspaper reporters and spectators may be able to ob-

serve it—that is to say, their decision must be made by visible signs, such as blue and white cards, or the like.

Presentation of Proposals on the Part of the Assembly

Art. 39. Whenever a proposal is brought up by a member of the Assembly, it will only be subject to debate when at least fifteen members of the Assembly approve of its discussion, in which case the matter at issue will be submitted in writing to the president, who has the right to give it to the committee of investigation.

Art. 40. At the time of debate and inquiry into a matter, as above stated in Article 39, whether by the Assembly or by the committee of investigation, should the matter have reference to one of the responsible ministries, the Assembly must notify the responsible minister, so that if possible he should attend in person or send his representative in order that the discussion should take place in the presence of the minister or his representative. A copy of the statement and its appendices must be sent from ten days to a month beforehand, with the exception of urgent matters, to the responsible minister. The day on which the debate will take place must likewise be previously determined. After an investigation of the case in the presence of the responsible minister, in the event of the Assembly approving by a majority of votes, the statement will be formally written and delivered to the responsible minister in order that he should take the necessary steps.

Art. 41. In case a responsible minister on grounds of expediency is not in accord with the Assembly in a matter raised by it, he must adduce his proofs and convince the Assembly.

Art. 42. In any case concerning which the National Assembly desires explanations from a responsible minister, the latter is obliged to supply an answer, and this answer must not, without an excuse, be delayed beyond a reasonable time, with the exception of secret matters, the secrecy of which for a stipulated period is desirable in the interests of the government and nation. After the expiration of the stipulated time, the responsible minister is obliged to state the circumstances of the case to the Assembly.

Respecting the Conditions of the Institution of the Senate

Art. 43. Another assembly, called the Senate, will be constituted, composed of sixty members, whose sittings will coincide, after its constitution, with those of the National Assembly.

Art. 44. The regulations of the Senate must receive the approval of the National Assembly.

Art. 45. The members of the Senate will be chosen from among the enlightened, intelligent, orthodox, and respectable persons of the State; thirty persons nominated by His Imperial Majesty, of whom fifteen shall be from Teheran and fifteen from the provinces; and thirty persons elected by the nation, fifteen from Teheran and fifteen from the provinces.

Art. 46. After the constitution of the Senate all affairs must receive the approval of both assemblies. If those affairs are initiated by the Senate or by the body of ministers, they must first be determined in the Senate and passed by a majority, and then be sent to the National Assembly for approval; but affairs initiated in the National Assembly will, on the contrary, pass from that assembly to the Senate, with the exception of

financial matters, which will be the prerogative of the National Assembly, and the Senate will be informed of the arrangements made by the Assembly regarding these affairs in order that the Senate should make its observations on the same to the National Assembly, which is, however, at liberty, after the necessary investigations, either to accept or to refuse the proposals of the Senate.

Art. 47. So long as the Senate is not constituted, affairs will require only the approval of the National Assembly and the sign-manual of His Imperial Majesty to be put into execution.

Art. 48. Whenever a proposal initiated by a minister is, after having been passed by the Senate, referred to the National Assembly and not accepted, and in the event of the matter being an important one, a third assembly, composed of an equal number of members of both assemblies, elected by each, will be constituted to inquire into the subject at issue. The result of the deliberations of this assembly will be read to the National Assembly. If an understanding is not reached, a report of the matter will be submitted to His Imperial Majesty the Shah. Should His Imperial Majesty confirm the decision of the National Assembly, it will be put into execution; but should His Imperial Majesty not confirm it, His Imperial Majesty will command that the question should be debated and investigated afresh. If still a settlement is not arrived at, and if the Senate by a majority of two-thirds votes for the dissolution of the National Assembly, and if the body of ministers separately recommends the dissolution of the National Assembly, His Imperial Majesty the Shah's rescript dissolving the National Assembly will be issued, and His Imperial Majesty will in the same rescript command that fresh elections should take place; the people will have the right to elect the former deputies.

Art. 49. The new Teheran deputies must assemble within one month and the provincial deputies within three months. As soon as the Teheran deputies are ready, the Assembly will open and commence its labors, but they will not discuss the points at issue until the provincial deputies arrive. If, with all the members present, a full majority vote in the same sense as before, His Imperial Majesty will approve the decision of the National Assembly and will command that it be put into execution.

Art. 50. During each term of election—that is to say, during two years—a general election will not be called more than once.

Art. 51. It is decreed that the Sovereign who succeeds us should protect these limitations and Articles, which aim at the strengthening of the State and of the foundations of the Kingdom, and the protection of justice and contentment of the nation which we have decreed and put into execution, and which they must look upon as their duty to fulfill.

In the month of Zilkade the unclean, 1324.

O God the Almighty!

The Constitutional Laws of the National Assembly and the Senate, containing 51 Articles, are correct.

14th of the month of Zilkade, 1324 (December 30, 1906).

In the handwriting of Muzaffer-ed-Din Shah:

It is correct.

(L.S.) VALLIAHD (MOHAMMED ALI SHAH).

(L.S.) MUSHIR-ED-DOWLEH (THE GRAND VIZIER).