Ethiopian Constitution of 1931

Established in the reign of

His Majesty Hail`e Sellassi´e I 16th July 1931

Chapter I

The Ethiopian Empire and the Succession to the Throne

Art. 1. The territory of Ethiopia, in its entirety, is, from one end to the other, subject to the government of His Majesty the Emperor. All the natives of Ethiopia, subjects of the empire, form together the Ethiopian Empire.

Art. 2. The imperial government assures the union of the territory, of the nation and of the law of Ethiopia.

Art. 3. The law determines that the imperial dignity shall remain perpetually attached to the line of His Majesty Haile Selassie I, descendant of King Sahle Selassie, whose line descends without interruption from the dynasty of Menelik I, son of King Solomon of Jerusalem and the Queen of Ethiopia, known as the Queen of Sheba.

Art. 4. The throne and the crown of the empire shall be transmitted to the descendants of the Emperor pursuant to the law of the imperial house.

Art. 5. By virtue of his imperial blood, as well as by the anointing which he has received, the person of the Emperor is sacred, his dignity is inviolable and his power indisputable. He is consequently entitled to all the honors due to him in accordance with tradition and the present Constitution. The law decrees that anyone so bold as to seek to injure His Majesty the Emperor will be punished.

Chapter II

The Powers and Prerogatives of the Emperor

Art. 6. In the Ethiopian Empire supreme power rests in the hands of the Emperor. He ensures the exercise thereof in conformity with the established law.

Art. 7. The Emperor of Ethiopia will institute the Chamber of the Senate (Yeheggue Mewossegna Meker Beth) and the Chamber of Deputies (Yeheggue Memriya Meker Beth). The laws prepared by those chambers become executory by imperial promulgation.

Art. 8. It is the Emperor’s right to convene the deliberative chambers and to declare the opening and close of their sessions. He may also order their convocation before or after the usual time.

Art. 9. When the chambers are not sitting, the Emperor has the right in case of necessity to promulgate decrees taking the place of laws, so as to maintain order and avert public dangers. The law determines that these decrees shall in due course be presented to the chambers at their first subsequent meeting, and that they shall be abrogated for the future if the chambers do not approve of them.

Art. 10. The Emperor shall give the necessary orders to ensure the execution of the laws in force, according to the letter and the spirit thereof, for the maintenance of public order and for the development of the prosperity of the nation.

Art. 11. The Emperor shall decide the organization and regulation of all administrative departments. It is the Emperor's right to appoint and dismiss officers in the Army as well as civil officials, and to decide their respective functions and salaries.

Art. 12. The right of declaring war and concluding peace is legally reserved to the Emperor.

Art. 13. It is the Emperor's right to decide what armed forces shall be maintained, both in time of peace and in time of war.

Art. 14. The Emperor has legally the right to negotiate and sign all kinds of treaties.

Art. 15. The Emperor has the right to confer the title of prince and other honors, to establish personal estates (reste-guelt), and to institute new orders.

Art. 16. The Emperor has the right to grant pardons, commute penalties, and to reinstate.

Art. 17. If the Emperor is incapable, either by reason of age or sickness, of dealing with the a airs of State, a regent of the empire may be appointed, pursuant to the law of the imperial house, in order to exercise the supreme power on the Emperor's behalf.

Chapter III

The Rights Recognized by the Emperor as Belonging to the Nation, and the Duties Incumbent on the Nation

Art. 18. The law specifies the requisite conditions for the status of Ethiopian subjects.

Art. 19. All Ethiopian subjects, provided that they comply with the conditions laid down by law and the decrees promulgated by the Emperor, may be appointed officers in the army or civil officials, or to any other posts or offices in the service of the State.

Art. 20. All members of the Ethiopian army owe absolute loyalty and obedience to the Emperor, in conformity with the provisions of the law.

Art. 21. The nation is bound to pay legal taxes.

Art. 22. Within the limits laid down by the law, Ethiopian subjects have the right to pass freely from one place to the other.

Art. 23. No Ethiopian subject may be arrested, sentenced, or imprisoned except in pursuance of the law.

Art. 24. No Ethiopian subject may, against his will, be deprived of his right to be tried by a legally established court.

Art. 25. Except in cases provided for by law, no domiciliary searches may be made.

Art. 26. Except in cases provided by the law, no one shall have the right to violate the secrecy of the correspondence of Ethiopian subjects.

Art. 27. Except in cases of public necessity determined by the law, no one shall have the right to deprive an Ethiopian subject of any movable or landed property which he owns.

Art. 28. All Ethiopian subjects have the right to present to the Government petitions in legal form.

Art. 29. The provisions of the present chapter shall in no way limit the measures which the Emperor, by virtue of his supreme power, may take in the event of war or public misfortunes menacing the interests of the nation.

Chapter IV

The Deliberative Chambers of the Empire

Art. 30. The deliberative chambers of the empire are the two following: a. The first: Chamber of the Senate, b. The second: Chamber of Deputies.

Art. 31. The members of the Senate shall be appointed by His Majesty the Emperor from among the dignitaries (Mekuanent) who have for a long time served his empire as princes or ministers, judges or army leaders.

Art. 32. As a temporary measure until the people are capable of electing them themselves, the members of the Chamber of Deputies shall be chosen by the dignitaries (Mekuanent) and the local chiefs (Shumoch).

Art. 33. A person who has been appointed a member of the Senate may not, during the same parliamentary session, become a member of the Chamber of Deputies, and a person who has been chosen as a member of the Chamber of Deputies may not, during the same parliamentary session, become a member of the Senate.

Art. 34. No law shall be put into force without having been discussed by the chambers and having received the confirmation of the Emperor.

Art. 35. The members of the Chamber of Deputies are legally bound to receive and discuss proposals transmitted to them by the ministers of the various departments. However, when the deputies have an idea which might be of use to the empire or to the people, the law reserves to them the right of communicating it to the Emperor through their president, and the chamber shall discuss the subject if the Emperor consents thereto.

Art. 36. Each of the two chambers shall have the right to express separately its opinion to His Majesty the Emperor on a question relating to legislation or on any other matter whatsoever. If however the Emperor does not accept this opinion, the chambers may not reconsider the question in the same parliamentary session.

Art. 37. The two chambers shall be convened annually and shall sit for six months. If need be, the Emperor may prolong a session.

Art. 38. The chambers may be convened in extraordinary session, should the necessity arise. In such case, it is for the Emperor to fix the duration of such session.

Art. 39. The opening and closing, and the duration of sessions and recesses shall be fixed identically in respect of the two Chambers. If the Chamber of Deputies is dissolved, the Senate will adjourn its session until later.

Art. 40. If the Emperor avails himself of his right to dissolve the Chamber of Deputies completely, he will arrange for a new Chamber to meet within four months.

Art. 41. Neither of the Chambers shall commence its deliberations or undertake a debate or a vote without two-thirds of its members being present.

Art. 42. If during the deliberations of the Chambers the votes are equally divided, the opinion of the group to which the President of the Chamber shall have adhered shall prevail.

Art. 43. The President of the Chamber will announce in advance whether the question forming the subject matter of the deliberations is of a public or of a secret nature.

If after a question has been declared to be secret, a member of the chamber makes it known to the public either in a speech, or by the press, or by writings or in any other way, he shall be punished according to the provisions of penal law.

Art. 44. The Emperor will establish in the form of a law the standing orders of the Senate and the Chamber of Deputies.

Art. 45. Except in cases of crime, judgment whereof cannot be deferred, no member of the Chamber of Deputies can be prosecuted at law while a parliamentary session is in progress.

Art. 46. If after deliberating an important matter, the two Chambers come to different conclusions, the Emperor, having received written statements of their conflicting opinions, will examine the reasons for their disagreement, and having come to a conclusion in the matter will

seek a compromise likely to bring them to a final agreement, by selecting what he considers best in the two different conclusions.

In the event of it being impossible to reconcile the opinions of the two Chambers, the Emperor legally has the right of selecting and promulgating the opinion of one or of adjourning the matter.

Art. 47. Without first obtaining the consent of the Emperor, the Chambers may not call upon Ministers to assist at their deliberations. In the same way Ministers may not assist at meetings of the Chambers and take part in their deliberations, without first obtaining the consent of His Majesty.

Chapter V

The Ministers of the Empire

Art. 48. Ministers shall submit in writing to the Emperor their opinions on matters relating to their respective departments, and they are responsible for such opinions. Laws and decrees and all other acts emanating from the Emperor touching matters of State shall bear the imperial signature; then the keeper of the seal (Tsahafi Teezaz) shall notify them under his signature to the appropriate minister.

Art. 49. If the Emperor asks the advice of his ministers on an important governmental question, they shall deliberate it together according to the regulations before submitting their opinion.

Chapter VI

Jurisdiction

Art. 50. Judges, sitting regularly, shall administer justice in accordance with the laws in the name of His Majesty the Emperor. The organization of the courts shall be regulated by law.

Art. 51. Judges will be chosen from men who have experience in legal matters.

Art. 52. Judges will sit in public. In cases which might affect public order or endanger public morals, they may sit, according to the law, in camera.

Art. 53. The jurisdiction of each court shall be fixed by law.

Art. 54. Special courts shall judge all matters relating to administrative affairs, which are withdrawn from the jurisdiction of other courts.

Chapter VII

The Budget of the Imperial Government

Art. 55. The law lays down that the receipts of the government treasury, of whatever nature they may be, shall only be expended in conformity with the annual budget fixing the sums to be at the disposition of each ministry. The annual budget shall be framed on the basis proposed by the minister of finance during deliberations in the Chamber of Deputies and in the Senate, whose resolutions shall be submitted for the approval of the Emperor.

Given at Addis Ababa, on the 9 Hamlie in the Year of Grace 1923 (16th Juli 1931).