

The Imperial Constitutions of the Empire of Ethiopia

PRE-1931, & THE 1931 IMPERIAL CONSTITUTION

Before 1931, the Ethiopian Empire had no formal written constitution. For centuries, customary and religious laws served as the constitution of the ancient monarchy. The Fitha Negest (Justice of Kings) was a volume that dealt with the function of the various parts of society, including the monarch and religious authorities, and the traditions and rules that they should adhere to. It was used as the source of authority in legal, ceremonial, religious, Imperial court and customary matters. Following the coronation of Emperor Haile Selassie in November of 1930, the new monarch set up a constitutional commission to draft the first formal written constitution. The constitution was drafted by Bejirond Tekle Hawariyat Tekle Mariam, a Russian educated intellectual of some considerable political sophistication. He was greatly assisted by Blatangueta Hiruy Welde Selassie, a person of equal intellectuallity to Bejirond Tekle Hawariyat, but the product of the traditional church schools of Ethiopia. Blatangueta Hiruy had visited Japan, and had been greatly impressed by that Empire's path towards modernity and development while retaining it's traditional values. Thus, the 1931 Imperial Constitution of Ethiopia was greatly influenced by the Meiji Constitution of Imperial Japan. The text of this 1931 Constitution will be included here soon.

THE 1955 REVISED CONSTITUTION

Below is the text of the entirety of the Imperial Constitution on 1955 promulgated on the occasion of the Silver Jubilee of Emperor Haile Selassie, as well as the Proclamation of the Emperor putting it into effect.

PROCLAMATION PROMULGATING THE REVISED CONSTITUTION OF THE EMPIRE OF ETHIOPIA

CONQUERING LION OF THE TRIBE OF JUDAH HAILE SELASSIE I ELECT OF GOD, EMPEROR OF ETHIOPIA

WHEREAS, twenty-four years ago, at the beginning of Our Reign, We granted to Our faithful subjects and proclaimed a Constitution for the Empire of Ethiopia; and WHEREAS, AMIGHTY GOD, THE SOURCE OF ALL BENEFITS, has strengthened and inspired Us to lead Our beloved People, during Our Reign, through the greatest of trials and hardships, to an era of great progress in all fields; and WHEREAS, being desirous of consolidating the progress achieved and of laying a solid basis for the happiness and prosperity of the present and future generations of Our People, We have prepared a Revised Constitution for Our Empire after many years of searching study and reflection; and WHEREAS, Our Parliament, after due examination and deliberation has submitted to Us its approval of this Revised Constitution; NOW THEREFORE, WE, HAILE SELASSIE I, EMPEROR OF ETHIOPIA, do, on the occasion of the Twenty-Fifth Anniversary of Our Coronation, hereby proclaim and place into force and effect as of to-day, the Revised Constitution of the Empire of Ethiopia for the benefit, welfare and progress of Our beloved People. GIVEN in Our Imperial Capital, on this the 24th day of Tekemt, 1948 (Ethiopian Calandar), and on the Twenty-Fifth Anniversary of Our Coronation.

THE ETHIOPIAN EMPIRE AND THE SUCCESSION TO THE THRONE

CHAPTER I

ARTICLE 1

The Empire of Ethiopia comprises all the territories, including the islands and the territorial waters, under the sovereignty of the Ethiopian Crown. Its sovereignty and territory are indivisible. Its territories and the sovereign rights therein are inalienable. All Ethiopian subjects, whether living within or without the Empire, constitute the Ethiopian people.

ARTICLE 2

The Imperial dignity shall remain perpetually attached to the line of Haile Selassie I, descendant of King Sahle Selassie, whose line descends without interruption from the dynasty of Menelik I, son of the Queen of Ethiopia, the Queen of Sheba, and King Solomon of Jerusalem.

ARTICLE 3

The succession to the Throne and Crown of the Empire by the descendants of the Emperor and the exercise of the powers of Regency shall be determined as hereinafter provided.

ARTICLE 4

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 Powers indisputable. He is consequently entitled to all the honors due to Him in accordance with tradition and the present Constitution. Any one so bold as to seek to injure the Emperor will be punished.

ARTICLE 5

The order of succession shall be lineal, and only male, born in lawful wedlock, may succeed male; the nearest line shall pass before the more remote, and the elder in the line before the

younger. Conformity with the provisions of this Article and the following Articles 6 ï¿½ 16, a special law shall determine the order of, and the qualification for, the succession.

ARTICLE 6
Among those entitled to the succession shall be reckoned also the son unborn, who shall immediately take his proper place in the line of succession the moment he is born into the world.

ARTICLE 7
In the event that, at the time of His succession to the Throne and Crown, the Emperor shall have attained the age of eighteen years, He shall, on the day determined by Him, but in any event not later than one year after His succession to the Crown, be anointed and crowned as Emperor, the provisions and details of the Coronation being determined in the Coronation Ceremonial of the Ethiopian Orthodox Church of 2nd November, 1930.

ARTICLE 8
Regency shall exist in the event that the Emperor is unable to exercise the Imperial Office whether by reason of minority, absence from the Empire, or by reason of serious illness as determined by the Crown Council. In such cases the Regency shall exercise in the name of the Emperor all the powers and prerogatives of the Crown, except that the Regency shall have no power to grant the title of Prince, and shall have caretaker powers only as regards the properties of the Crown and of the Emperor. Regency shall automatically terminate upon the cessation as regards the Emperor, of the conditions having given rise to the Regency, in accordance with the provisions of the present article. Regency shall be exercised respectively in the situations as provided for in Article 9 and 11, by the person or by the Council as provided for in Articles 10 and 11.

ARTICLE 9
In the event that the Emperor or in the event that the Crown Prince of the Heir Presumptive, in the situations provided for in Article 11, shall not have attained the age of eighteen years, the Regency shall be exercised by the Council of Regency as provided for in Article 11.

ARTICLE 10
The Council of Regency shall consist of the Empress Mother, the two descendants of the line of Sahle Sellassie most nearly related to the Emperor, as determined by the Crown Council, having reached the age of eighteen and being of sound mind, the Patriarch, the Prime Minister, the President of the Senate and the President of the Chamber of Deputies. The President of the Council of Regency shall be the Empress Mother, or, in Her absence, the Prime Minister. No decisions of the Council of Regency shall be taken except by a majority vote of two-thirds of the Members thereof.

ARTICLE 11
Regency shall be exercised by the Crown Prince or the Heir Presumptive, as the case may be, in case of the serious illness, or absence of the Emperor from the Empire. However, in the event that the Crown Prince or the Heir Presumptive, as the case may be, himself shall be subject to serious illness, or shall be absent from the Empire, or shall not have attained his eighteenth year, the Regency shall be exercised by the Council of Regency, which shall automatically relinquish

its functions to the Crown Prince of the Heir Presumptive, as the case may be, upon the cessation of any such disability of the Crown Prince or the Heir Presumptive, as the case may be. Serious illness of the Crown Prince or the Heir Presumptive, as the case may be, shall be determined by the Crown Council.

ARTICLE 12

Upon the birth of the Crown Prince, the Emperor shall designate the members of the Council of Guardianship to be convened and to assume its responsibilities only in the event of a Regency. The mother of the Crown Prince shall be ex-officio a member of such Council. The Council of Guardianship shall receive in trust for the Crown Prince one-third of the annual income and revenues received by the predecessor of the Crown Prince who has become Emperor, in conformity with the provisions of Article 19(c).

ARTICLE 13

(A) In the event that the Emperor shall at any time have no male descendant or no male descendant capable of meeting the requirements for succession to the Throne, He shall, after having previously consulted the Crown Council, publicly designate an Heir Presumptive from among His nearest male relatives, a direct descendant of Sahle Selassie, meeting the requirements for succession to the Throne. (B) The determination as to the qualifications for succession shall be made by the Emperor, after having previously consulted the Crown Council. (C) In case of determination that a male descendant is incapable of meeting the requirements for succession, such determination shall operate to exclude such male descendant in favor of the next male descendant. The designation of an Heir Presumptive shall become inoperative upon the subsequent birth of a male descendant. (D) In the case of the minority of the Emperor, the designation of an Heir Presumptive shall, in accordance with the provisions of the Present article, be effected by the Council of Regency. However, at the time of His Coronation, and any time thereafter, the Emperor shall be free to designate another Heir Presumptive in replacement of the Heir Presumptive designated by the Council of Regency or previously, by Himself.

ARTICLE 14

Throughout His minority the place of residence of the Emperor shall be the Imperial Palace. Absence therefrom for travel or for educational purposes may be authorized by law. Upon attaining the age of twelve years, the Emperor may make official appearances attended by the Council of Regency, the Princes, the ï¿½Balabatsï¿½ (nobility), and the Dignitaries (Mekuanent).

ARTICLE 15

Any member of the Imperial Family, who, being eligible for the succession, marries a foreigner or who marries without the consent of the Emperor, of the Regent, or of the Council of Regency, as the case may be, shall forfeit all Imperial prerogatives for himself and his descendants.

ARTICLE 16

The Imperial Family shall include all direct lineal ascendants and descendants, together with their spouses, of the Emperor, with the exception of those who have not complied with the provisions of Article 15, or who are not of the Ethiopian Orthodox Faith.

ARTICLE 17
The status, position, duties, responsibilities, privileges, emoluments, travels abroad and deportment of the Princes and of members of the Imperial Family shall be considered by the Crown Council from time to time and their recommendations thereon shall be communicated to the Emperor for further action.

ARTICLE 18
Upon the death of the Emperor there shall be a period of full national mourning of three months followed by a period of half-mourning of six months, and upon the death of the Empress there shall be a period of full national mourning of two months followed by a period of half-mourning of four months. The Emperor shall proclaim lesser periods of full and half national mourning upon the deaths of other members of the Imperial Family except that no period of national mourning may cause to be postponed a Coronation more than one year from the date of the succession to the Crown of the Emperor or of His attaining the age of eighteen. In the event that the Coronation takes place during a period of full or half mourning, such period of mourning shall be terminated seven days before the Coronation.

ARTICLE 19
(A) The regalia of the Crown including all regalia of the Empress and of the Crown Prince are inalienable as belonging to the Empire. (B) From the date of the proclamation of the present Constitution, all realty registered in the name of the Crown (Bete Mengist) are held in trust for the Crown under the guardianship of the Emperor and are inalienable. (C) It is the Emperorï¿½s right to administer all of the inalienable properties of the Crown and all profits and revenues therefrom for the benefit of the Crown and the Empire; and to receive and administer an annual appropriation, as provided by law, from the Imperial Treasury which shall, with the aforesaid profits and revenues, be adequate for the fulfillment of His functions under the present Constitution. In case of a Regency, the civil list shall be annually determined by law. (D) All properties held in the names of the Emperor or members of the Imperial Family are private property and, as such, are under the same regime as that applicable to all properties of nationals of the Empire. (E) The Emperorï¿½s Court shall be under His direction and He may make such arrangements as He thinks appropriate. He may, at will, appoint to, or dismiss from all posts at His Court, such persons as He shall see fit.

ARTICLE 20
Upon the establishment of a Council of Regency, each member thereof shall take, in the presence of the Emperor, the following oath which shall be administered by the Patriarch: In the name of the Almighty, and as a member of the Council of Regency, I hereby swear to defend with all my power the rights, privileges and inheritance of His Majesty the Emperor so long as I shall remain a member of the Council of Regency; that I will at all times respect and defend the Constitution; and that in all my actions and conduct, as member of that Council, I will ever be motivated by respect for the Constitution and the Firm resolve of protecting the rights, privileges and inheritance Of His Majesty the Emperor so that they may be intact at the Moment when He shall be anointed and crowned Emperor of Ethiopia. So help me God. The Patriarch shall himself take the same oath.

ARTICLE 21

On the occasion of His Coronation, the Emperor shall take the following oath: In the name of Almighty God, We the Emperor of Ethiopia swear that We will uphold and defend the Constitution of the Empire; that We will govern Our subjects with patience and devotion for their general welfare and in accordance with the Constitution and the laws; and We will faithfully defend, with all the means in Our power, the integrity and territory of Our Empire; that We will faithfully see to the impartial execution of all laws approved by Parliament and proclaimed by Us; that We profess and will defend the Holy Orthodox Faith based on the doctrines of St. Mark of Alexandria, professed in Ethiopia since the Holy Emperors Abreha and Atsbiha; that We will ever promote the spiritual and Material welfare and advancement of Our subjects; that, with the Aid of the Almighty, We will faithfully execute the promises which We have here undertaken. So help Us God.

ARTICLE 22
On the occasion of the Coronation of the Emperor, if over twelve years of age, the Crown Prince or the Heir Presumptive, as the case may be, ail members of the Crown Council and all members of Parliament shall individually take an oath of homage and fidelity to the Emperor.

ARTICLE 23
In pursuance of the requirements of Article 22, the Crown Prince of the Heir Presumptive, as the case may be, shall take the following oath: In the name of the Almighty, I hereby swear that I will faithfully observe all the precepts and directions of my August Father (Sovereign in the case of an Heir Presumptive) and will ever strive to respect His wishes and seek not after that which is not given to me, and be not as impatient as Adonias or as daring as Abeselom; that I will ever profess and defend the faith of our Orthodox Church. I swear that, with the assistance of the Almighty, I will faithfully execute the promises which I have here undertaken, So help me God. In the even that the aforesaid oath shall not have been taken on the occasion of the Coronation either by the Crown Prince or by the Heir Presumptive, as the case may be, it shall be taken before the Emperor by the Crown Prince or the Heir Presumptive, as the case may be, upon attaining the age of eighteen.

ARTICLE 24
In pursuance of the requirements of Article 22, the members of the Parliament shall take the following oath: In the name of the Almighty, I hereby swear allegiance and fidelity to my Sovereign, His Imperial Majesty. and that I will, as a member of Parliament, faithfully respect the laws and Constitution of the Empire, and that I will disclose no secret or confidential information revealed to me in connection with my official duties and position. So help me God.

ARTICLE 25
In pursuance of the requirements of Article 22, the members of the Crown Council shall take the following oath: In the name of the Almighty, I hereby swear allegiance and fidelity to my Sovereign, His Imperial Majesty. and that I will, as member of Parliament, faithfully respect the laws and Constitution of the Empire, and that I will disclose no secret or confidential information revealed to me in connection with my official duties and position. So help me God.

THE POWERS AND PREROGATIVES OF THE EMPEROR

CHAPTER II

ARTICLE 26
The Sovereignty of the Empire is vested in the Emperor and the supreme authority over all the affairs of the Empire is exercised by Him as the Head of the State, in the manner provided for in the present Constitution.

ARTICLE 27
The Emperor determines the organization, powers and duties of all Ministries, executive departments and the administration of the Government and appoints, promotes, transfers, suspends and dismisses the officials of the same.

ARTICLE 28
The Emperor appoints Mayors of the municipalities referred to in Article 129 of the present Constitution from three candidates presented in each case by the Municipal Council thereof.

ARTICLE 29
The Emperor reserves the right, with the advice and consent of Parliament, to declare war. He, further, reserves the right to decide what armed forces shall be maintained both in time of peace and in time of war. As Commander-in-Chief of the Armed Forces, He has the right to organize and commend the said Forces; to commission and to confer military rank upon the officers of the said Forces; and to promote, transfer, or dismiss any of the said officers. He has, further, the right to declare a state of siege, martial law, or a national emergency, and to take such measures as are necessary to meat a threat to the defense or integrity of the Empire and to assure its defense and integrity.

ARTICLE 30
The Emperor exercises the supreme direction of the foreign relations of the Empire. The Emperor accredits and receives Ambassadors, Ministers and Missions; He alone has the right to settle disputes with foreign powers by adjudication and other peaceful means and provides for the realization of the ends of security and common defense. He alone, has the right to ratify, on behalf of Ethiopia, treaties and other international agreements, and to determine which treaties and international agreements shall be subject to ratification before becoming binding upon the Empire. However, all treaties of peace and all treaties and international agreements involving a modification of the territory of the Empire or of sovereignty or jurisdiction over any part of such territory, or laying a burden on Ethiopian subjects personally, or modifying legislation in existence, or requiring expenditures of state funds, or involving loans or monopolies shall, before becoming binding upon the Empire, and the inhabitants thereof, be laid before Parliament and if both Houses of Parliament shall approve the same in accordance with the provisions of Article 88-90 inclusive of the present Constitution, shall then be submitted to the Emperor for ratification.

ARTICLE 31
(A) The Emperor alone confers and withdraws the title of Prince and other honors, and institutes new orders. (B) Without His special leave, no Ethiopian subject and no foreign national in any

Government service in the Empire may accept any honour, insignia of orders, dignity or title of or from a foreign government. The granting of any title, honour or order may exempt no one from the common duties and burdens of the subjects, nor may it carry with it any preferential admission to the offices of the State. (C) Officials who are released from office with assurances of Imperial favor, retain the title and rank of the office they have filled. (D) He also makes grants from abandoned properties, and properties in escheat for the purpose of recompensing faithful service to the Crown.

ARTICLE 32
The Emperor has the right to coin, print and issue money.

ARTICLE 33
The Emperor has the right to convene the annual sessions of the deliberative Chambers and to convoke extraordinary sessions thereof. At the opening of each session of the Chambers, He may present or cause to be presented a speech from the Throne concerning the legislative program recommended by Him, He has the right to postpone the opening of and to suspend, for not more than thirty days, and to extend any session of Parliament. He has the right to dissolve the Chambers or either of them by an order, providing at the same time, for the appointment of a new Senate or the election of a new Chamber of Deputies, or both, as the case may be, and for the convocation of the Chambers for a session within four months from the date of the Order.

ARTICLE 34
In accordance with the provisions of Article 86, 88, 91 and 92 of the present Constitution, the Emperor has the right to initiate legislation and to originate other resolutions and to proclaim all laws, after the same have been passed by Parliament.

ARTICLE 35
The Emperor has the right and the duty to maintain justice through the courts; and the right to grant pardons and amnesties and to commute penalties.

ARTICLE 36
The Emperor as sovereign has the duty to take all measures that may be necessary to ensure, at all times, the defense and integrity of the Empire; the safety and welfare of its inhabitants, including their enjoyment of the human rights and fundamental liberties recognized in the present Constitution; and the protection of all His subjects and their rights and interests abroad. Subject to the other provisions of this Constitution, He has the rights and powers necessary for the accomplishment of the ends set out in the present Article.

RIGHTS AND DUTIES OF THE PEOPLE
CHAPTER III

ARTICLE 37
No one shall be denied the equal protection of the laws.

ARTICLE 38

There shall be no discrimination among Ethiopian subjects with respect to the enjoyment of all civil rights.

ARTICLE 39
The law shall determine the conditions of acquisition and loss of Ethiopian nationality and of Ethiopian citizenship.

ARTICLE 40
There shall be no interference with the exercise, in accordance with the law, of the rites of any religion or creed by residents of the Empire, provided that such rites are not utilized for political purposes or prejudicial to public order or morality.

ARTICLE 41
Freedom of speech and of the press is guaranteed throughout the Empire in accordance with the law.

ARTICLE 42
Correspondence shall be subject to no censorship, except in time of declared national emergency.

ARTICLE 43
No one within the Empire may be deprived of life, liberty or property without due process of law.

ARTICLE 44
Everyone has the right, within the limits of the law, to own and dispose of property. No one may be deprived of his property except upon a finding by ministerial order issues pursuant to the requirements of a special expropriation law enacted in accordance with the provisions of Article 88, 89 and 90 of the present Constitution, and except upon payment of just compensation determined in the absence of agreement, by judicial procedures established by law. Said ministerial order, to be effective, shall be approved by the Council of Ministers and published in the Negarit Gazeta.

ARTICLE 45
Ethiopian subjects shall have the right in accordance with the conditions prescribed by law, to assemble peaceably and without arms.

ARTICLE 46
Freedom of travel within the Empire and to change domicile therein is assured to all subjects of the Empire, in accordance with the law.

ARTICLE 47
Every Ethiopian subjects has the right to engage in any occupation and to form or join occupational associations, in accordance with the law.

ARTICLE 48

The Ethiopian family, as the source of the maintenance and development of the Empire and the primary basis of education and social harmony, is under special protection of the law.

ARTICLE 49
No Ethiopian subject may be banished from the Empire.

ARTICLE 50
No Ethiopian subject may be extradited to a foreign country. No other person shall be extradited except as provided by international agreement.

ARTICLE 51
No one may be arrested without a warrant issued by a court, except in case of flagrant or serious violation of the law in force. Every arrested person shall be brought before the judicial authority within forty-eight hours of his arrest. However, if the arrest takes place in a locality which is removed from the court by a distance which can be traversed only on foot in not less than 48 hours, the court shall have discretion to extend the period of 48 hours. The period of detention shall be reckoned as a part of the term of imprisonment imposed by sentence. No one shall be held in prison awaiting trial on a criminal charge the sole penalty of which is a fine.

ARTICLE 52
In all criminal prosecutions the accused, duly submitting to the court, shall have the right to a speedy trial and to be confronted with the witnesses against him, to have compulsory process is accordance with the law, for obtaining witnesses in his favor at the expense of the Government and to have the assistance of a counsel for his defense, who, if the accused is unable to obtain the same by his own funds, shall be assigned and provided to the accused by the court.

ARTICLE 53
No person accused of and arrested for a crime shall be presumed guilty until so proved.

ARTICLE 54
Punishment is personal. No one shall be punished except in accordance with law and after conviction of an offence committed by him.

ARTICLE 55
No one shall be punished for any offence which has not been declared by law to be punishable before the commission of such offence, or shall suffer any punishment.

ARTICLE 56
No one shall be punished twice for the same offence.

ARTICLE 57
No one shall be subjected to cruel and inhuman punishment.

ARTICLE 58
No one shall be imprisoned for debt, except in case of legally proved fraud or of refusal either, to pay moneys or property adjudged by the court to have been taken in violation of the law, or to

pay a fine, or to fulfill legal obligations of maintenance; this provision shall not have the effect of absolving the debtors obligation.

ARTICLE 59
No sentence of death shall be executed unless it be confirmed by the Emperor.

ARTICLE 60
Confiscation of property as a penalty shall not be imposed except in cases of treason against the Emperor or the Empire as defined by law; sequestration of property as penalty shall not be imposed except in cases of property belonging to persons residing abroad and conspiring against or engaging in deliberately hostile acts against the Emperor or the Empire as defined by law. Attachment proceedings covering the whole or part of the property of a person made under judicial authority to cover payment of civil liability, or arising out of the commission of an offence or to meet taxes or fines, shall not be deemed a confiscation of property.

ARTICLE 61
All persons and all private domiciles shall be exempt from unlawful searches and seizures.

ARTICLE 62
(A) In accordance with tradition and the provisions of Article 4 of this Constitution no one shall have the right to bring suit against the Emperor. (B) Any resident of the Empire may bring suit in the Courts of Ethiopia against the Government, or any Ministry, Department, Agency or instrumentality thereof, for wrongful acts resulting in substantial damage. In the event that the courts shall find that such suit has been brought maliciously or without foundation, the Government, or any Ministry, Department, Agency, instrumentality, or official thereof against whom or which such suit was brought, shall have a right of action against such resident for malicious or unfounded suit, and the court shall in such cases decree remedies or penalties in accordance with the law.

ARTICLE 63
Everyone in the Empire shall have the right to present petitions to the Emperor in accordance with the law.

ARTICLE 64
Everyone in the Empire has the duty to respect and obey the Constitution, laws, decrees, orders or regulations of the Empire. Ethiopian subjects, in addition, owe loyalty to the Emperor and the Empire, and have the duty of defending the Emperor and the Empire against all enemies, foreign and domestic; to perform public services, including military service, when called upon to do so; and to exercise the right of suffrage which is conferred upon them by the Constitution.

ARTICLE 65
Respect for the rights and freedom of others and the requirements of public order and the general welfare shall alone justify any limitations upon the rights guaranteed in the foregoing articles of the present chapter.

THE MINISTERS OF THE EMPIRE

CHAPTER IV

ARTICLE 66
The Emperor has the right to select, appoint and dismiss the Prime Minister and all other Ministers and Vice Ministers each of whom shall, before entering upon his functions, take before the Emperor the following oath of fidelity to Hi Majesty and the Constitution: In the name of the Almighty I hereby swear allegiance and fidelity to my Sovereign His Imperial Majesty and that, as member of the Council of Ministers, I will faithfully place above all else the interests and welfare of Ethiopia and of its Sovereign; that I will, at all times, faithfully respect the laws and Constitution of the Empire, and that I will disclose no secret of confidential information revealed to me in connection with my official duties and position. So help me God.The appointment, promotion, transfer, suspension, retirement, dismissal and discipline of all other Government officials and employees shall be governed by regulations made by the Council of Ministers and approved and proclaimed by the Emperor.

ARTICLE 67
Princes eligible for the Crown shall not be appointed Ministers in the Council of Ministers. No one whose parents were not Ethiopian subjects at the time of his birth shall be appointed a Minister.

ARTICLE 68
Each Minister shall be individually responsible to the Emperor and to the State for the discharge of the duties of his respective Ministry, including the execution of laws and decrees concerning that Ministry.

ARTICLE 69
The Ministers shall form collectively the Council of Ministers and shall be responsible to the Emperor for all advice and recommendations given Him in Council. The rules of procedure of the Council shall be drawn up by the Ministers in Council and submitted to His Majesty for approval.

ARTICLE 70
The Emperor may in such instances as He deems appropriate, convene the Crown Council which shall consist of the Patriarch, such Princes, Ministers, and Dignitaries as may be designated by Him, and the President of the Senate. The Crown Council shall be presided over by the Emperor or by a member designated by Him.

ARTICLE 71
The Ministers shall discuss in Council and through the Prime Minister submit to the Emperor all matters of policy therein discussed. In all cases in which legislation is deemed to be necessary or appropriate, the decisions made in Council and approved by the Emperor shall be communicated by the Prime Minister to Parliament in the form of proposals for legislation.

ARTICLE 72
The Prime Minister shall present to Parliament proposals of legislation made by the Council of Ministers and approved by the Emperor. He shall also present to the Emperor the proposals of legislation approved by Parliament and the decrees proposed by the Council of Ministers. He shall have the right to attend any meeting of either Chamber of Parliament, or any joint meeting of the Chambers, or any meeting of any committee of either Chamber, and to speak at such meetings on any question under discussion. He shall be obliged to attend personally, or by his deputy, either Chamber when his presence is requested by majority vote of the members thereof and to answer verbally or in writing questions concerning his office

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ARTICLE 73
The Ministers shall have the right to attend any meeting of either Chamber of Parliament, or any joint meeting of the Chambers or any meeting of any committee of either Chamber, and to speak at such meetings on any question concerning the conduct of their Ministries; and they shall be obliged in person, or by their deputies, to answer verbally or in writing questions concerning the legislation to be enacted.

ARTICLE 74
No Minister, nor any person in a position with or in service of the Government may: (A) for remuneration, compensation or benefit of financial value engage in any activity or accept a position in or with any enterprise or organization in which there is no governmental participation; (B) enter into or be a party to any contract or other arrangement with any governmental organization in the Empire awarding, permitting or recognizing any concession or monopolistic or other exclusive privilege in the nature of a concession or monopoly; (C) however, such Minister or person shall be free to manage and develop his properties so long as their management or development is not prejudicial to or inconsistent with the performance of his duties.

ARTICLE 75
The Ministers including the Prime Minister may be tried only before the Supreme Imperial Court upon charges of offences as determined by the law, committed in connection with their official functions. Such prosecution may be initiated either by order of the Emperor or by a majority vote of both Houses of Parliament. A special prosecutor shall be appointed to that and conformably to the orders of the Emperor

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THE LEGISLATIVE CHAMBERS

CHAPTER V

Section I Provisions Applicable to both Chambers.

ARTICLE 76
The Parliament shall be composed of a Chamber of Deputies and a Senate. No one can be simultaneously a member of both the Chamber of Deputies and the Senate. The two Chambers shall meet together at the beginning and at the end of each session; in the circumstances set

fourth in Articles 90 and 91; upon the call of the Emperor; and upon such other occasions as may be determined by the Chambers. The President of the Senate shall preside at all joint meetings of the Chambers.

ARTICLE 77

The regular sessions of Parliament shall convene on the twenty-third day of the month of Tekemt of each year in the capital of the Empire and shall continue to the first day of the month of Sene (8 June). Until a new Parliament shall be elected and convened in accordance with the present Constitution and the electoral law to be enacted, the two Chambers of Parliament, as heretofor constituted, shall continue to sit and shall, in accordance with the provisions and procedures established in Chapter V of the present Constitution, exercise the prerogatives and functions and fulfill the responsibilities provided for in respect of Parliament. The first election to the Chamber of Deputies shall be completed within two years from the entry in force of the present Constitution and in accordance with the provisions of the electoral law.

ARTICLE 78

No meeting of either Chamber of Parliament shall be closed to the public except upon request by the Prime Minister or upon a decision by a majority vote of the Chamber of Deputies or the Senate, as the case may be, to that effect. No joint meeting of the Chambers shall be closed to the public except upon request by the Prime Minister or a decision by the majority of each of the Chambers to that effect. If after a question has been declared to be a secret, a member of either 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 Previsions of Penal Law.

ARTICLE 79

Neither of the Chambers shall commence its deliberations on the first day of any session without the presence of two-thirds of its members nor continue its deliberations nor take any vote on any succeeding day of any session without the presence of a majority of its members. At joint meetings of the Chambers the presence of a majority of the members of each Chamber shall be required for deliberations and voting.

ARTICLE 80

If the number of Deputies and of Senators prescribed in Article 79 is not present on the day designated for the convening of Parliament or if, thereafter, either of the Chambers or the Chambers in joint meeting cannot continue its deliberations of vote for lack of the required attendance, the members present shall take such measures as may be authorized in the rules of procedure of the respective Chambers to compel attendance of a sufficient number of the absent members and their respective Presidents.

ARTICLE 81

Each deputy or senator before taking his seat in the Chamber to which he has been elected, or appointed, shall take before the Emperor, or if desired by Him before the President of the Legislative Chamber concerned, an oath of loyalty to the Emperor and to the laws of the Empire and will perform his duties conscientiously and without fear or favor.

ARTICLE 82

Each Chamber shall determine its own rules of procedure and internal discipline.

ARTICLE 83
Members of Parliament shall receive salaries determined by law. Any law increasing the salaries of Members of Parliament shall be effective only from the date of the election of the next Parliament.

ARTICLE 84
No action or charge may be brought against any member of Parliament or against any Minister appearing by right or upon the invitation of either Chamber for words uttered or written statements submitted by him at any meeting of either Chamber, or any joint meeting of the Chambers, or any meeting of any Committee of either Chamber. Nevertheless, every member of each Chamber of Parliament shall be obliged to respect all rules of order, conduct and procedure adopted by such Chamber for the transaction of its business and shall be subject to disciplinary action on the part of such Chamber for violation of such rules. No action or charges may be brought against any person or any newspaper for publication, by or under the authority of Parliament or of either Chamber thereof, as the case may be, of any report, paper, votes, or proceedings of Parliament or either Chamber thereof, as the case may be.

ARTICLE 85
No member of Parliament, during a session thereof, may be arrested, or detained, or summoned to answer a criminal charge unless the permission of the Chamber of which he is a member be obtained or he be arrested in flagrante delicto; a comparable immunity does not apply to civil cases.

ARTICLE 86
Laws may be proposed to either, or both Chambers of Parliament: (A) by the Emperor, or (B) by ten or more members of either Chamber of Parliament, except that any proposal involving an increase in governmental expenditures or a new or increased tax shall first be presented to the Chamber of Deputies.

ARTICLE 87
All matters in either Chamber or in joint meeting of the Chambers shall be determined by a vote of the majority of the members present, except as provided in Article 131. In event of an equal division of votes, the presiding offices shall have a casting vote.

ARTICLE 88
Every proposal of legislation approved by one Chamber of Parliament shall be immediately forwarded through the President thereof to the other Chamber. If it is approved by the other without amendments within a period of two months, it shall be promptly communicated through the Prime Minister to the Emperor and either shall be promulgated as law, or shall be returned by the Emperor to the Chambers with His observations thereon, or with a new proposal of legislation as provided in Article 91. All laws duly approved by both Chambers of Parliament shall be forwarded to the Emperor through the Prime Minister by the Presidents of the Chamber of Deputies or the Senate. In the event that such law shall receive the approval or signature of the Emperor, it shall be published by the Minister of the Pen in the Negarit Gazeta, with recital of

the affixing of the Signature and the Great Seal of the Emperor. All Imperial decrees and all ministerial decrees and orders shall be published in the Negarit Gazeta.

ARTICLE 89
If a proposal of legislation approved by one Chamber is not finally acted upon by the other within the aforesaid period of two months, the Chambers shall meet together to discuss the said proposal. If the proposal is approved in such joint meeting, with or without amendments, within 30 days, it shall be communicated by the Emperor for action in accordance with Article 88.

ARTICLE 90
If within the aforesaid period of two months a proposal of legislation by one Chamber is approved by the other with amendments, the said proposal shall be returned to the first Chamber for further consideration. If upon such further consideration, it is approved within 30 days, by the first Chamber, with said amendments, it shall be communicated to the Emperor for action in accordance with Article 88. If within 30 days the amendments are not accepted by the first Chamber, the Chambers shall thereupon meet together to discuss the proposal. If in such joint meeting the proposal is approved with or without amendments, within 30 days, it shall thereupon be communicated to the Emperor for action in accordance with Article 88.

ARTICLE 91
If a proposal of legislation approved by one of the Chambers is rejected by the other within two months after its communication to the other, as provided in Article 88, or if a proposal of legislation is not approved, with or without amendments, after discussion in joint meeting, as provided in Article 89 and 90, full reports on the situation shall be promptly communicated to the Emperor by the Presidents of both Chambers of Parliament, through the Prime Minister, and the Emperor may, thereupon, cause to be transmitted to both Chambers of Parliament His observations in regard to such reports and such proposal of legislation, or cause to be transmitted to the Chambers a proposal of legislation on the same subject.

ARTICLE 92
In cases of emergency that arise when the Chambers are not sitting, the Emperor may proclaim decrees consistent with the Constitution which shall have the force of law upon the publication in the Negarit Gazeta pending a decision on the same by Parliament. To that end, the text of each such decree shall be transmitted for consideration to both Chambers of Parliament at their first meeting following each such Proclamation. In the event that, conformably to the provisions of Article 88, 89 or 90, of the present Constitution, Parliament shall approve such decrees, they shall continue in force and shall become law upon publication in the Negarit Gazeta of said approval. In the event that Parliament shall disapprove any such decrees, each such decree shall cease to have force and effect upon the publication in the Negarit Gazeta of such disapproval.

Section II The Chamber of Deputies

ARTICLE 93
The entire territory of the Empire as defined in Article 1 of the Constitution shall be divided into electoral districts containing as nearly as possible two hundred thousand inhabitants. The

location and limits of each electoral district shall be determined by law and each such district shall be as regular in shape as circumstances permit. In addition, each town with a population exceeding thirty thousand inhabitants shall be entitled to one Deputy and an additional deputy for each fifty thousand inhabitants in excess of thirty thousand.

ARTICLE 94
Each electoral district shall be represented by two Deputies.

ARTICLE 95
All Ethiopian subjects by birth of twenty-one years of age or more who are regularly domiciled or habitually present in any electoral district and who possess the qualifications required by the electoral law, shall have the right to vote in such electoral district for the candidates from such district as members of the Chamber of Deputies. The system of voting shall be secret and direct. Details of procedure shall be prescribed by law.

ARTICLE 96
To be eligible as a Deputy, a person must be by birth an Ethiopian subject who: (A) has reached the age of twenty-five years; (B) is a bona fide resident and owner of property in his electoral district to the extend required by the electoral law; (C) is not disqualified under any provision of the electoral law.

ARTICLE 97
Deputies shall be elected for terms of four years and shall be eligible for re-election subject to their continued possession of the qualifications set forth in Article 96.

ARTICLE 98
Vacancies that may occur in the membership of the Chamber of Deputies shall be filled as provided in the electoral law.

ARTICLE 99
The President and two Vice Presidents of the Chamber of Deputies shall be elected each year from and by the members of the Chamber.

ARTICLE 100
The Chamber of Deputies shall be sole judge of the qualifications and elections of its members.

Section III ï¿½ The Senate
ARTICLE 101
The Senate shall consist of the Senators appointed by the Emperor for six years.

ARTICLE 102
The Senate shall be composed of a number of persons, not exceeding one-half of the total number of Deputies, to be chosen by the Emperor from among those who have, by their acts, secured the confidence and esteem of the people, and from among those who have served their country and government with distinction.

ARTICLE 103
To be eligible for appointment as a member of the Senate a person must be by birth an Ethiopian subject who: (A) has reached the age of thirty-five years; (B) is a Prince or other Dignitary, or a former high Government official, or other person generally esteemed for his character, judgment and public service; and (C) is not disqualified under any provisions of the electoral law.

ARTICLE 104
The Senators first appointed by the Emperor as provided in Article 101 shall, immediately after their first meeting, be divided into three equal groups. The Senators of the first group shall be succeeded at the end of the second year by Senators appointed in accordance with the provisions of Article 101, those of the second group at the end of the fourth year, and those of the third group at the end of the sixth year, so that one-third be succeeded every second year.

ARTICLE 105
Senators shall be eligible fro re-appointment subject to their continued possession of the qualifications set forth in Article 103.

ARTICLE 106
Vacancies in the membership of the Senate shall be filled by appointments in the manner provided in Article 101.

ARTICLE 107
The President and the two Vice Presidents of the Senate shall be appointed each year by the Emperor from among the Senators.

THE JUDICIAL POWERS

CHAPTER VI

ARTICLE 108
The judicial power shall be vested in the Courts established by law and shall be exercised by the Courts in accordance with the law and in the name of the Emperor. Except in situations declared in conformity with the provisions of Article 29 of the present Constitution, no person, except those in active military service, may be subject to trial by military courts.

ARTICLE 109
There shall be a Supreme Imperial Court and such other courts as may be authorized or established by law. The jurisdiction of each court shall be established by law.

ARTICLE 110
The judges shall be independent in conducting trials and giving judgments in accordance with the law. In the administration of justice, they submit to no other authority than that of the law.

ARTICLE 111

The judges shall be appointed by the Emperor. They shall be of the highest character and reputation and shall be experienced and skilled in the law which they may be called upon to apply. Their nomination. Appointment, promotion, removal, transfer and retirement shall be determined by special law governing the Judiciary.

ARTICLE 112
Judges shall sit in public, except that in cases which might endanger public order or affect public morals they may sit in camera.

FINANCE

CHAPTER VII

ARTICLE 113
No tax, duty, impost or exercise shall be imposed, increased, reduced or abolished except by law. No exemption from payment of any tax, duty, impost or exercise imposed by law shall be granted except as authorized by law.

ARTICLE 114
None of the public revenues shall be expended except as authorized by law.

ARTICLE 115
The fiscal year shall be fixed by special law. The Council of Ministers shall, each year, with the approval of the Emperor, and in accordance with the requirements of the law, present to Parliament a draft of a law for the approval of the budget of the following year, which budget shall accompany the said draft of the law.

ARTICLE 116
Each of the Chambers of Parliament shall examine the said budget in detail and vote on it item by item. Parliament shall under no circumstances increase the total sum set down in the budget for expenditures. The allowances for unforeseen expenses in the said budget shall be fixed by Parliament. Parliament shall complete the budget vote for submission to the Emperor, at least one month before the beginning of the new fiscal year.

ARTICLE 117
If the draft of law presented as provided in Article 116 has not been approved by Parliament and proclaimed as law before the beginning of the fiscal year, the budget of the previous year shall continue in force until a new budget law has been proclaimed.

ARTICLE 118
If additional funds are urgently required in the course of any fiscal year, the Minister or Ministers concerned shall present a supplementary budget to the Council of Ministers, who, with the approval of the Emperor may present an appropriate draft of law to the Chamber of Deputies.

ARTICLE 119

No loan, or pledge, guaranty or collateral therefore may be contracted for, within or without the Empire, by any governmental organization within the Empire, except as authorized by law, duly adopted in accordance with the provisions of Article 88, 89 or 90 of the present Constitution.

ARTICLE 120
Within four months after the end of the fiscal year the Council of Ministers shall present to the Emperor and to Parliament a detailed report on the receipts and expenditures of the said year. The report shall be immediately referred to the Auditor General, who shall, within three months, present his comments thereon to the Emperor and to Parliament.

ARTICLE 121
There shall be an Auditor General who shall be appointed by the Emperor. He shall be a person who is known to be of the highest character, as well as to possess the requisite technical capacity. His functions shall be defined by law. They shall include the auditing of the accounts of all Ministries, departments and agencies of the Government, and the making of periodic reports to the Emperor and to Parliament on the fiscal operations of the Government. The Auditor General shall at all times be entitles to have access to all books and records relating to the said accounts.

GENERAL PROVISIONS

CHAPTER VIII

ARTICLE 122
The present revised Constitution, together with those international treaties, conventions and obligations to which Ethiopian shall be party, shall be the supreme law of the Empire, and all future legislation, decrees, orders, judgments, decisions and acts inconsistent therewith shall be null and void.

ARTICLE 123
The city of Addis Ababa is the capital of the Empire.

ARTICLE 124
The Flag of the Empire consists of three horizontal bands, the uppermast green, the middle yellow and the nethermost red, in such details as determined by law.

ARTICLE 125
The official language of the Empire is Amharic.

ARTICLE 126
The Ethiopian Orthodox Church, founded in the fourth century, on the doctrines of St. Mark, is the Established Church of the Empire and is, as such, supported by the State. The Emperor shall always profess the Ethiopian Orthodox Faith. The name of the Emperor shall be mentioned in all religious services.

ARTICLE 127
The organization and secular administration of the Established Church shall be governed by law. The Patriarch and Bishops shall be elected by the ecclesiastical electoral college consisting of representatives of the clergy and of the laity of the Ethiopian Orthodox Church. The spiritual consecration shall be performed according to the Canonical Law subject to the approval of the Emperor of their election and appointment. The Emperor has the right to promulgate the decrees, edicts, and public regulations for the Church, except those concerning monastic life and other spiritual administrations.

ARTICLE 128
No one shall utilize religious activities or organizations for commercial purposes except as authorized by law.

ARTICLE 129
Subject to the conditions established by legislation duly adopted in accordance with the provisions of Articles 88, 89, or 90 of the present Constitution, all towns shall be incorporated by Charters established in accordance with such legislation, and municipal councils shall be established respectively in municipalities of the Empire.

ARTICLE 130
(A) The natural resources of, and in the sub-soil of the Empire including those beneath its waters, are State Domain. (B) The natural resources in the waters, forests, land, air, lakes, rivers and ports of the Empire are sacred trust for the benefit of present and succeeding generations of the Ethiopian people. The conservation of the said resources is essential for the preservation of the Empire. The Imperial Ethiopian Government shall accordingly take all such measures as may be necessary and proper, in conformity with the Constitution, for the conservation of said resources. (C) None of the said resources shall be exploited by any person, natural or juridical, in violation of the principles of conservation established by Imperial Law. (D) All property not held and possessed in the name of any person natural or juridical, including all land in escheat, and all abandoned properties, whether real or personal, as well as all products of the sub-soil, all forests and all grazing lands, water courses, lakes and territorial waters are State Domain.

ARTICLE 131
The Constitution may be amended by an identical Joint Resolution adopted by three-fourths of the members of each Chamber in two separate sessions of Parliament and proclaimed with the approval and authority of the Emperor.

Given at Addis Ababa this Twenty-fourth day of Tekemt 1948 (4th November 1955)



Special thanks to Mr.Edward L. King and the Freedom Broadcasting Network for providing this website with a complete copy of the Revised Imperial Constitution of 1955.