

The Constitution of the Syrian Kingdom

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Chapter 1 General Provisions

1. The Arab Kingdom of Syria is a civil representative monarchy. Its capital is Damascus and the religion of its King is Islam.
2. The Syrian Kingdom is composed of provinces that belong to an indivisible political union.
3. The official language in all of the Syrian Kingdom is Arabic.

Chapter 2 The King and His Prerogatives

4. The throne of the Syrian Kingdom belongs to and shall pass to the eldest in line among the sons of King Faisal I. Following this principle, if a King has no son, the throne shall pass to the eldest of his nearest male blood relatives. If there are no male bloodline descendants of Faisal, then the Congress shall elect, by a two-thirds majority, a King descended from the dynasty of King Hussein I of the Hijaz. The throne shall then pass to heirs of the King on the same principle as for Faisal I.
5. The King assumes the throne at the age of eighteen. Should the throne pass to an heir who has not reached this age, the Congress shall elect, by an absolute majority vote, a Regent who shall rule the kingdom in the name of the King. The Regent must not be from the military. He must swear an oath of respect for divine laws, of loyalty to the nation and the King, and of adherence to the Constitution.
6. When he assumes the throne, the King must swear before the Congress an oath of respect for the divine laws and of loyalty to the nation and adherence to the Constitution.
7. The King is respected and he is not responsible. [I think this means he is above the law, cannot be accused of a crime or brought to trial.]
8. The King is the commander in chief. He declares war, concludes peace, and signs treaties on condition that he submit them to the Congress for approval. He also has the power to declare a general amnesty, after obtaining the approval of the Congress. He appoints the prime minister and approves the formation of the Cabinet, and accepts its resignation. He sends ambassadors to foreign nations and accepts their ambassadors. He approves laws and regulations and grants a special pardon or reduces the sentences of the condemned. He opens the Congress and adjourns it according to Article [left blank]. He has the right to call the Congress to an extraordinary session and to prolong the duration of its sessions when necessary. He can dissolve the

Representative Assembly according to Article [left blank]. The currency is issued in his name, and he can award medals, set military ranks, and grant royal offices according to special legislation.

Chapter 3 Individual and Collective Rights

9. The designation "Syrian" is applied to every individual among the people of the Syrian Arab Kingdom. Syrian citizenship can be acquired and forfeited according to conditions set by the law on nationalities.

10. Syrians are equal before the law in rights and duties.

11. Personal freedom is guaranteed against all encroachments. No one shall be arrested except for reasons and in circumstances provided by law.

12. It is forbidden to torture or inflict injury on anyone for any reason.

13. It is forbidden to infringe upon the freedom of belief or religion or to ban religious ceremonies of any confession, unless they disturb the public order or offend other rites and religions.

14. Oversight of Sharia courts and religious councils that administer personal status laws and the management of public [Waqf] endowments shall be administered under laws issued by the Congress.

15. Inhabitants have the right to submit their private and public complaints, as individuals or collectively, to official authorities and to their representative councils.

16. Associations, meetings, and companies may be organized freely within the limits of laws set by the Congress.

17. All residences are inviolable. They cannot be entered except in cases provided by the law.

18. The property of individuals and legal personalities is protected by the law. The government cannot expropriate the property of an owner except in the public interest and after the payment of an indemnity in accordance with special regulations.

19. Publication is free within the limits of the law and cannot be inspected or verified before publishing.

20. The basis of education in public and private schools in all provinces of Syria must be the same, resting on national principles.

21. Elementary education is obligatory. It is free in public schools.

22. Private schools may be freely established, within the limits of special laws issued by the Congress.

23. It is forbidden to compel anyone to pay any sum of money in the form of tax, fees, aid, or anything else, unless the obligation is based on an article of law.
24. Forced labor and confiscation are prohibited.
25. It is forbidden to try anyone except in courts established by law.
26. Administrative exile is completely forbidden.

Chapter 4 The Syrian National Government [The Cabinet]

27. The national government for the Syrian provinces shall consist of a Cabinet, which is responsible for its actions before the National Representative Assembly.
28. The Prime Minister shall elect the ministers and submit their names to the King.
29. Upon its formation, every Cabinet must present its plans to the National Representative Assembly.
30. Every minister is responsible for his ministry before the National Representative Assembly.
31. No law or resolution can be issued unless it is signed by the Prime Minister and the minister entrusted with its execution, and approved by the King.
32. Royal decrees must be signed by the Prime Minister and the minister entrusted with their execution.
33. It is forbidden for any member of the royal family to be a member of the Cabinet.
34. The military, navy, foreign affairs, postal and telegraph service, customs, public telephone lines, railways, ports, lighthouses, mines, minting of currency, issue of stamps and banknotes, establishment of the national bank, manufacture of arms, war matériel, and explosives, and the construction of public roads are all exclusively within the competence of the national government.
35. The national government establishes, funds, and administers higher colleges of arts and sciences. It supervises the unified basis of education throughout the Kingdom.
36. The national government standardizes weights and measures and the units of currency on the basis of the decimal system. It also fixes rates of exchange for foreign currencies in all regions of the Kingdom.
37. The revenues from the farming of state-owned domains and property, public forests, customs, public telephones, the telegraph, postal service, and state banks are assigned to the national budget, as are all taxes on camels and sheep, monopolies, concessions, alcohol, mines, ports, lighthouses, stamps, quarantines, ships, fishing, explosives, and railways. Exempt are tax revenues from the Hijaz Railway and its branches, which are part of the Muslim [Waqf] endowments.

38. The national government may not sell or lease public domains except according to a special law that shall protect the interests first of farmers and then of provinces.

39. If the Kingdom confronts danger or conditions that threaten public security during a period when the Congress is in recess, and if there is insufficient time to convene it to enact the necessary laws, then the Cabinet shall take the necessary decisions and enact them by a law approved by the King. These decisions must be submitted to Congress at its next meeting.

40. In the case of revolt in any part of the Kingdom, or if the government enters a war or declares a general mobilization, the national government shall proclaim martial law in accordance with special laws promulgated by the Congress, on condition that martial law apply only in the region under revolt.

41. Every minister has the right to attend, whenever he wishes, the deliberations of the Senate and the Representative Assembly. And he has the right to speak.

42. Every minister must respond to the summons of either the Senate or the Representative Assembly and reply to its inquiries addressed to him either in person or through a delegate chosen from among his department heads. He must provide the Senate or Assembly with all requested information on any matter that pertains to the functioning of his ministry.

43. If a minister is summoned to the Representative Assembly for questioning on an issue, and if he does not receive majority support, then he will lose his post. If the Prime Minister loses his post, the whole Cabinet will fall with him. The minister and the Cabinet may request a postponement of their response.

44. If five or more representatives file a complaint on a matter against the Cabinet or a minister concerning an action within their responsibility, and should two-thirds of the Assembly approve the conduct of an inquiry on the matter, then the Assembly shall entrust it to a commission drawn by lots. This commission will conduct an investigation, summon the minister or ministers involved, collect their explanations on the matter, and then submit its decision to the Assembly. If a two-thirds majority agrees on the need for a trial, the case shall be forwarded to the Supreme Court. A special law shall be issued on the trial procedures to be followed.

45. Should the Representative Assembly decide to put a Cabinet or one of its ministers on trial, the latter loses his portfolio.

46. No distinction shall be made between a minister and another citizen regarding ordinary crimes, private rights, or financial obligations. In such a case, the minister shall stand trial in the ordinary courts.

Chapter 5 The Congress

47. The Congress consists of two chambers, the Senate and the Representative Assembly.

48. The Congress convenes on the first of September each year. Its session lasts four months and, according to need, may be prolonged and convoked outside its official term.

49. The King opens the Congress with a royal speech – including all important political and administrative events that have occurred during the annual recess and on measures required in the coming year – in the presence of the two chambers and entire Cabinet.

50. The Senate and Representative Assembly must issue special rules on their administrative function and internal deliberations. Each year they must elect, from among their members, a president and two vice presidents, as well as clerks and an administrative committee, in accordance with the aforementioned rules.

51. The Senate and Assembly must each verify proof of election of its members, accept their resignation, and dismiss those who should be legally removed.

52. All deliberations must be public. A secret session may be convened upon the suggestion of ten members or by demand of the Cabinet, provided that a majority of the Chamber approves.

53. The members of the two chambers are free in the expression of their ideas and remarks in the Chamber. None of them may be held responsible for expressing themselves, on condition that they do not violate the internal rules of the Chamber.

54. Neither Chamber may begin deliberations if more than half of its members are not present. Resolutions shall be taken by majority vote of those attending the session, except in matters requiring the approval of a two-thirds majority.

55. Members vote on resolutions by name or by way of a special signal or by hidden opinion [secret ballot]. The last requires majority approval.

56. If a Senator or Representative is accused of treason, and two-thirds of the members of his Chamber agree to try him, he shall then be referred to the Supreme Court.

57. No Senator or Representative may be arrested or tried for an ordinary crime during the Chamber's session unless two-thirds of the members of his Chamber agree. An exception is made when the member is caught by eyewitnesses in the crime. In this case, the Chamber to which he belongs must be informed immediately.

58. A Senator or Representative may not undertake business for the central government, a local government, or municipalities. Nor shall he enter into any commitments or accept any privileges for himself or in collaboration with others.

59. All Senators, Representatives, and Ministers have the right to propose any bill of laws they want. They can also propose the amendment of existing laws. Laws proposed

for approval or amendment must be reviewed first by the Representative Assembly and then by the Senate.

60. The civil, penal, and commercial codes; laws on public health; rights of authors; patent rights; the press; official and private education; meetings; societies; emigration; insurance; nationality; units of weights, measures, dimensions, and currency; and labor laws as well as the laws related to the national government shall be promulgated by the Congress and enforceable in all sectors.

61. If the Representative Assembly adopts a law and submits it to the Senate which amends it and sends it back to the Assembly, but the Assembly persists in its first opinion and the Senate does also the same, in this case the law should be sent back again to the Assembly. If the Assembly rejects the amendments, then a commission composed of equal numbers of both bodies shall be formed in order to settle the difference. In case it cannot, the resolution of the Assembly becomes enforceable, provided that it is approved by its two-thirds majority. However, in the case of the Syrian budget law, the Senate can send it back only once. If the Assembly persists in its original opinion, its decision becomes enforceable.

62. The Constitution cannot be revised unless two-thirds of the members of both chambers agree that it is necessary. In such a case, the chambers shall meet in a joint session to decide on revisions by an absolute majority vote.

63. Laws approved by both the Senate and the Assembly are submitted to the King for his approval and his order to implement them. If this is done within one month, the laws become definitive and enforceable. Otherwise, they are returned to the Assembly with an explanation of revisions requested for a second time. As for laws declared urgent, the time allowed for approval or return is just one week. When laws are returned, the Senate or the Assembly shall review them a second time. After the second review, they shall be approved by the King, who will order their implementation within the designated time.

64. Only members have the right to speak in the two chambers except for Ministers or their deputies.

Chapter 5a The Senate

65. Representative assemblies in each province elect Senators: one Senator for every four Representatives in the National Assembly. The King appoints half as many Senators as there are elected ones.

66. If the number of Representatives in the National Assembly cannot be divided evenly by four, then the number is rounded up. This determines the number elected by the provincial representative assembly. Likewise, if the number elected to the Senate from the provinces cannot be divided evenly by two, then the number appointed by the King is determined after rounding up.

67. The number of Senators elected from the minority [groups] shall be one-fourth of the number of Representatives elected from the entire Kingdom to the National Assembly: that is, calculated according to the number assigned for each province. The Congress shall pass a special law setting out the procedures for electing minority Senators, and their number for each province. The same proportion of minority Senators shall be appointed by the King.

68. The term of office for a Senator is nine years. One-third of the Senators shall be renewed every three years. The designation of the first and second third to be renewed during the first six years shall be drawn by lot. The first third to be renewed shall be excluded from the second round of lots. The final third shall consist of Senators who have completed their full term. They may be renewed. A Senator whose term expires, or to whom the lot falls, shall be eligible for reelection.

69. If the lot falls to Senators appointed by the King, then the latter shall nominate their replacements. If it falls to elected Senators, then their provinces shall elect their replacements.

70. Membership in the Senate cannot be combined with another post, except in the Cabinet.

71. The following conditions apply to membership in the Senate: a. The Senator must be a Syrian of at least forty years of age who has not been convicted of an offense or been bankrupt, unless he has been rehabilitated. He cannot have been deprived of his civil rights. b. He must have previously served in high office – administrative, military, political, or judicial – or have been a Representative who has been reelected, or be known for his knowledge or virtue.

72. If a Senator dies or resigns, or if he loses membership in the Senate for other reasons, then, if he was elected, his provincial assembly shall elect his replacement. If he was appointed, then the King shall appoint his replacement. The term of the replacement shall expire with that of his predecessor.

Chapter 5b The Representative Assembly

73. Members of the Representative Assembly shall be elected by secret ballot in two stages.

74. National elections for the Representative Assembly take place once every four years, beginning on June 1 and ending in mid-August.

75. The term of the Representative is four years. He may be reelected when his term expires.

76. The term of a Representative lasts until the next elections are completed.

77. Elections are free and the government cannot intervene in them or obstruct them.

78. Every Syrian who has attained twenty years of age and has not forfeited his civil rights shall have the right to cast a vote as a first-degree voter.

79. Every Syrian who has reached the age of thirty may be elected as a Representative, provided that he has not forfeited his civil rights and is not bankrupt.

80. Soldiers on active duty shall not participate in elections. Those on leave from military duty who have returned to their electoral districts may participate.

81. A civil servant cannot run for office or be elected as Representative of the district where he is employed, unless he has resigned at least two months before the electoral process begins.

82. Leaders of the military, their generals, and officers who are on active duty shall not vote or be elected as Representatives unless they resign from the military ranks before the beginning of the electoral process.

83. A single person may not be both a Representative and a civil servant, except in the Cabinet.

84. The same person may not be both a Representative and a Senator.

85. Each Representative is considered a Representative of all Syrians.

86. One Representative shall be elected for every forty thousand Syrian inhabitants. [In districts with a lower population, only those with a minimum of twenty thousand will be taken into consideration.]

87. Every district (Misriyah) is considered an electoral precinct. Any district with fewer than forty thousand inhabitants but not less than twenty thousand, may elect one representative. Districts with fewer than twenty thousand shall be attached to the nearest other district.

88. For minorities, each province shall be considered a single electoral precinct, on condition that it has no fewer than thirty thousand inhabitants. Below that figure, the lowest fraction to be taken into consideration is fifteen thousand.

89. Every two hundred first-degree voters shall have the right to elect a second-degree voter. Below that figure, the lowest to be taken into consideration shall be one hundred.

90. Districts shall be divided into electoral precincts on condition that the number of voters of the first degree in each precinct be no less than two hundred.

91. A special law shall be promulgated to establish procedures for the conduct of elections, as well as other related issues, regarding minority representatives.

92. If a Representative dies, resigns, or leaves office, then the second-degree voters of his precinct shall elect another. The term of the new Representative shall complete the term of his predecessor.

93. in case of a conflict between the Representative Assembly and the Cabinet, and if the latter did not get approval from the former, then the Cabinet shall fall. If the new Cabinet upholds the policy of its predecessor, then the conflict is transferred to the Senate. If the Senate supports the Assembly, the Cabinet must comply. If the Senate does not support the Assembly, then the King has the right to dissolve the Assembly, provided that elections be held and the new Assembly convene within three months. If the new Assembly upholds the decision of its predecessor, then its decision shall prevail.

94. The term of the new Assembly, reelected in accordance with Article ninety-four [note: 93 after Article 3 was dropped after July 1920], shall be four full years. Not included in the four-year term is the session held after its election in order to complete the annual meeting, during which the preceding Assembly was dissolved.

95. Every Representative shall have the right to demand formation of a committee of Representatives to investigate any incidents that have taken place in a ministry, precinct, or district. If the request is accepted by majority, a committee shall be formed and present the results of its investigation to the Assembly. It does not have the right to intervene in executive affairs [of the ministry].

Chapter 6 The Supreme Court

96. The Supreme Court shall convene as necessary by the King's decree and shall be composed of sixteen members, half of them from the Senate and half of them from among the judges of the cassation courts. They shall be chosen by lot from their respective institutions.

97. The Supreme Court shall be divided into two parts. The arraignment division shall be composed of seven members, of whom four are Senators and three are judges from the courts of cassation and appeal. They shall be chosen by lot from the sixteen members. The second division shall be a tribunal composed of the remaining nine members.

98. An indictment must be approved by at least five members of the arraignment division. A judgment [qarar al-hukm] must be approved by at least six members of the tribunal division.

99. Verdicts of the Supreme Court are final. They are to be enforced according to existing law.

Chapter 7 Finance

100. Each year, the government is obliged to submit its budget for the coming year to the Representative Assembly, at the beginning of its annual meeting.

101. The general budget shall be a law that explains annual revenues and expenditures in a general manner, divided into articles with subsections on its

implementation. The legal articles shall be scrutinized, article by article, by the Representative Assembly. The budget should be verified and approved chapter by chapter.

102. The government must not exceed the approved budget limits except for reasons of emergency requiring extra-budgetary expenditures while the Assembly is on recess. In such cases, the government is permitted to manage and spend the extra-budgetary funds in a manner approved by the King, on condition that this decision be submitted to the Assembly when it reconvenes.

103. Approval of every annual budget is effective only for that year. If the Assembly is dissolved before the budget is approved, then the government may, by the King's decree, follow the previous budget until the Assembly reconvenes.

104. Each year, the government must submit to the Representative Assembly a final accounting for the previous year. This accounting must include revenues and expenditures arranged according to the articles and chapters set out in the budget.

Chapter 8 The Auditing Department

105. The Auditing Department shall consist of a president and four members nominated by the Cabinet and approved by the Representative Assembly. The King shall then ratify their appointments, which are lifetime. They may not be replaced or removed except by approval of two-thirds of members present in the Assembly session and of the King. If, during the exercise of their duties, they commit an infraction that requires them to be brought to trial, then they shall be tried by the Supreme Court upon the approval of two-thirds of the representatives present in the Assembly session.

106. The Auditing Department shall examine the government's annual budget and the records of the accountants. It shall also oversee implementation of the general budget and submit an annual report at the Assembly's first session. The report shall explain the results of its oversight and inspection that year. It shall also submit a report to the Cabinet every three months on the financial situation, with copies sent to the Representative Assembly.

107. The organization of this department's offices and the qualifications required of its employees, their attributes, and the regulations pertaining to them shall be subject to a special law.

Chapter 9 The Civil Service

108. Employees of the civil service shall be chosen on the basis of Syrian nationality, competence, and merit.

109. National laws shall be promulgated to define the positions of civil servants, their ranks, procedures for their hiring and promotion, and the extent of their responsibilities.

110. In the exercise of his duties, each civil servant shall be responsible for his actions in accordance with the laws and regulations in effect.

111. No civil servant may be dismissed or replaced except for reasons specified by laws and regulations.

112. A civil servant must obey the orders of his superior in all matters that do not violate laws or regulations in effect.

Chapter 10 The Courts

113. The courts are independent and protected from all external encroachment.

114. The courts shall be constituted and ranked, and their functions and powers shall be defined, under a special law that covers all provinces.

115. Judges shall be elected and appointed, their ranks and qualifications determined, and procedures for promoting and punishment defined under a special law that covers all provinces.

116. Judges shall not be dismissed or censured except by judgment of a court.

117. Trials shall be public except where the law permits them to be held in secret.

118. Everyone has the right to defend himself in court through legal means.

119. Lawsuits between governmental departments and individuals must be presented in public courts.

120. No courts shall be constituted outside the legal court system; nor shall committees with judicial power be constituted except when stipulated by law.

121. No judge may combine his duties with those of another official position.

Chapter 11 The Provinces

122. The internal administration of the provinces shall be based on the principle of decentralization, except in general issues that fall within the jurisdiction of the national government, as declared in the articles of this Constitution.

123. Each province shall have a Representative Assembly that verifies its budget and passes laws and local regulations according to its needs. This Provincial Representative Assembly shall also oversee the work of its government. But it has no right to pass laws that violate the text of the Basic Law or the national laws that the Congress has the right to make. ???

124. Provincial boundaries shall be set on the following basis: A province shall not be less than 25,000 square kilometers in area or hold fewer than 500,000 inhabitants. Its natural and economic links shall be taken into consideration.

125. Elections for Provincial Representative Assemblies shall be conducted in one stage. The qualifications of first electors and Representatives, defined in Articles 78 and 79 of this Law, shall be applied in electing representatives of Provincial Assemblies, except for the provincial Representative's age. His minimum age shall be 25 years.

126. The term for a Representative to a Provincial Assembly shall be two years. He remains a Representative until new elections are held, and he can be reelected.

127. One Representative for every 20,000 inhabitants of the province shall be elected to the Provincial Assembly. The lowest fraction below this standard is 10,000.

128. The number of Representatives for minorities in Provincial Assemblies shall be determined as a proportion of their population in the province; for every 15,000 there will be one Representative. The minimum population shall be 7,500.

129. The provinces shall pass electoral laws for their Representative Assemblies.

130. Elections for Provincial Representative Assemblies begin on July 1 every other year. They convene on September 1 each year for a term of two months. This may be extended if proposed by the Governor or by seven Provincial Representatives and if two-thirds of members present in the session approve.

131. Laws passed by Provincial Representative Assemblies shall be submitted by the Governor to the King for approval and implementation, on condition that the King approves them and returns them to the province within one month.

132. If laws submitted by the provinces are returned without the King's approval on the grounds that they violate the Basic Law (Constitution) or national laws, then the Provincial Representative Assembly shall review them again. If the Provincial Assembly insists upon the original version, and if it is still not approved [by the King], then the Senate shall issue a final ruling on it, on condition that the second submission for approval be made within two weeks. Regarding the budget law, the first submission must be approved or returned [by the King] within two weeks. The second submission must be ruled on by the Senate. Its ruling shall be final, on condition that it is referred to the Senate within one week.

133 Provincial Representative Assemblies shall issue their internal laws. Each year they shall each elect their president, two vice presidents, clerks, and an administrative staff.

134 Provinces shall be ruled by a Governor appointed by the King, on condition that he is an Arab Syrian who holds the same attributes as those required for Senators.

135 The Governor shall appoint the directors of the main departments of provincial government, excepting those linked to the national government, as set out in Article [left blank] of this Law. He shall confirm civil servants nominated according to specified regulations. He also has the right to supervise departments linked to the national government.

136. The Governor shall be authorized to administer the affairs of the province, to implement its budget, and to enforce its laws.

137. Each year, the Governor shall submit to the Provincial Representative Assembly a general report regarding the actions undertaken by the provincial government during the previous year and actions planned for the following year. He shall also submit a copy of this report to the national government.

138. In the case of conflict between the Governor and the Provincial Representative Assembly, the issue shall be peremptorily ruled upon by the Senate. Its decision shall be final. If it sees fit, the Senate has the power to recommend the Governor's dismissal.

139. If, in the exercise of his duties, the Governor General commits an act that requires putting him on trial, then he must be tried by the Supreme Court.

140. Both the Governor General and provincial Representatives shall have the right to propose draft laws to the Provincial Representative Assembly.

141. Any seven Provincial Representatives may request the formation of a commission of inquiry concerning a significant act that occurred in any government department or in any part of the province. If their request is accepted by the majority, then such a commission shall be formed and shall begin its work. It shall submit the conclusions of its inquiry to the Provincial Assembly., but it shall not have the power to undertake executive measures.

142. If a member of the Provincial Representative Assembly is accused of national treason, and if one-third of the Provincial Assembly's members agree that he must be brought to trial, then he shall be tried by the Supreme Court.

143. Provinces have the right to organize courts of all types and degrees, according to a special law, as set out in Article 120.

144. Provinces are divided administratively into regions [Mutassarifiyahs] and districts [Mudiriyahs]. The National Assembly shall issue a law for each of them, defining their [local] departments and attributes and addressing the organization of villages, the mayors, and their functions.

Chapter 12 General Articles

145. The National Assembly shall issue a law on how to administer the tribes and how to resolve differences that arise among them.

146. Each province shall issue a law to organize its municipalities on an electoral basis and to define their attributes and functions.

147. Current laws remain in force until amended or replaced.