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CONSTITUTION of the EGYPTIAN ARAB REPUBLIC¹

September 11, 1971

CHAPTER I

THE STATE

Art. 1. The Egyptian Arab Republic is a democratic, socialist State based on the alliance of the working powers of the people.

The Egyptian people are part of the Arab nation and work toward its total unity.

Art. 2. Islam is the religion of the State and Arabic its official language; the principles of Islamic jurisprudence constitute a principal source of legislation.

Art. 3. Sovereignty belongs to the people who are the sole source of power. The people shall exercise this sovereignty, shall protect and safeguard national unity in the manner established by the Constitution.

Art. 4. The economic foundation of the State is the socialist system based on sufficiency and justice in such a manner as to prevent any form of exploitation and to eliminate the gaps between the classes.

Art. 5. The Arabic Socialist Union is the political organization which represents, by its formations based upon the principle of democracy, the alliance of the working forces, which includes peasants, workers, soldiers, intellectuals and all who contribute to the resources of the nation. It is the instrument of this alliance in order to deepen democratic and socialist values, the pursuit of national action in different spheres, and the direction of this national action toward its objectives.

The Arabic Socialist Union asserts the authority of the alliance of the working forces of the people by means of political action exercised by its organizations among the masses and within the different organs having responsibility for national action.

¹ *La Constitution Permanente de la République Arabe d'Égypte.* Ministry of Culture and Information. Cairo September 1971. Supplied by the Ministry of Foreign Affairs in March 1972. Translated by the Editor. Ed.

The organic statute of the Arabic Socialist Union establishes the conditions of admission into its midst, its different organizations and the guarantees for the exercise of their activity according to a democratic system, and the manner by which workers and peasants are represented thereon in a proportion of at least 50 per cent.

Art. 6. Egyptian nationality shall be determined by law.

CHAPTER II

BASIC CONSTITUENTS OF THE SOCIETY

TITLE I. THE SOCIAL AND MORAL STRUCTURES

Art. 7. Social solidarity is the basis of the community.

Art. 8. The State guarantees equal opportunity to all citizens.

Art. 9. The family is the basis of the society, founded on religion, morality and patriotism.

The State shall watch over the preservation of the authentic character of the Egyptian family, the values and traditions which it represents, the affirmation and development of this character in its relations within the Egyptian community.

Art. 10. The State guarantees protection to maternity and to childhood, watches over childhood and youth and ensures them appropriate conditions for the development of their vocations.

Art. 11. The State ensures to women the means to reconcile her duties toward the family with her work in the community, her equality with men in the political, social, cultural and economic domains without prejudice to the provisions of Islamic law.

Art. 12. Society undertakes to protect morality, to protect and strengthen the authentic Egyptian traditions. It shall watch over the maintenance of a high level of religious education, the moral and patriotic values of the historic patrimony of the people, scientific realities, socialist behavior and public habits, within the limits of the law.

The State undertakes to apply these principles and to strengthen them.

Art. 13. Work is a right, a duty and an honor guaranteed by the State.

Exceptional workers shall be the subject of special appreciation by the State and society.

It is forbidden to impose by force any work whatsoever upon citizens except by law, and for the purpose of carrying out a public service with a just payment.

Art. 14. Public duties are a right of citizens and a responsibility for those who undertake them in the service of the people.

The State shall ensure the protection of its officials in the exercise of their duty in the service of the interests of the people.

Except in cases provided by the law, they may not be dismissed by other than disciplinary methods.

Art. 15. Former combatants, those wounded in the war or as a result of the war, the wives and children of martyrs shall have priority in the opportunities for work in accordance with the law.

Art. 16. The State shall guarantee the cultural, social and health services and shall ensure that the villages in particular receive them in a regular fashion and in sufficient amount to raise their living level.

Art. 17. The State shall insure to all citizens the services of social and health insurance, sickness, old age and unemployment pensions in accordance with the law.

Art. 18. Education is a right guaranteed by the State. It is obligatory in the primary grades. The State shall work so as to extend this obligation to the higher grades.

The State shall supervise all education and shall ensure the independence of the universities and of the centers of scientific research in such a manner as to reconcile education with the needs of society and production.

Art. 19. Religious education is the principal subject in the programs of general education.

Art. 20. Education is free in State educational establishments at all its levels.

Art. 21. The eradication of illiteracy is a national duty for the realization of which all the powers of the people must be mobilized.

Art. 22. The creation of civilian ranks is forbidden.

TITLE II. ECONOMIC STRUCTURES

Art. 23. The national economy shall be organized in accordance with a general plan of development which shall guarantee the increase of national revenue, its just distribution, raising of the standard of living, the elimination of unemployment, increasing the opportunities of work, the establishment of a relationship between production and wages, a guaranteed minimum wage and the establishment of a maximum wage which shall lessen the gap between incomes.

Art. 24. The people control all the means of production and direct the surplus in accordance with the development plan laid down by the State.

Art. 25. Every citizen shall have a portion of the national revenue determined by law according to his work or his unexploited property.

Art. 26. Workers shall participate in the management and the benefits of enterprises. They undertake to develop production and to execute the plan within their unities of production in accordance with the law. The preservation of the instruments of production is a national duty.

The workers shall be represented within the councils of administration of the units of the public sector in a proportion of at least 50% of the

number of their members. The State shall, by a law, guarantee to small farmers and small artisans a representation of 80% in the councils of administration of agricultural co-operative societies and industrial co-operative societies.

Art. 27. The beneficiaries shall participate in the administration of public service utilities and shall ensure their supervision in accordance with the law.

Art. 28. The State shall protect co-operative establishments in all their forms and shall encourage artisan industries, in such a manner as to promote production and increase their revenue.

The State shall work for the consolidation of agricultural co-operatives according to modern scientific standards.

Art. 29. Property is subject to the control of the people and protected by the State. There shall be three categories of property: public property, co-operative property and private property.

Art. 30. Public property is the property of the people; it shall be reinforced by the continual consolidation of the public sector which directs progress in all spheres and assumes the principal responsibility for the development plan.

Art. 31. Co-operative property is that of the co-operative societies; it is protected by law which shall ensure its auto-administration.

Art. 32. Private property is represented by non-exploiting capital; laws shall regulate its social function in the service of the national economy and within the framework of the development plan without either deviation or exploitation. The method of exploitation of private property must not controvert the public interest of the people.

Art. 33. State property is inviolable; its protection and its consolidation is a duty of each citizen in accordance with the law, inasmuch as it constitutes an addition to the strength of the nation, a basis for the socialist system and a source of well-being for the people.

Art. 34. Private property is inviolable and may not be expropriated except in the cases provided by by law and by virtue of a judicial decision. It may only be expropriated for reasons of public utility and following upon an indemnity according to the law. The right of inheritance is guaranteed.

Art. 35. Nationalization may not be decided except for reasons of public interest in accordance with the law and following indemnisation.

Art. 36. General confiscation of property is forbidden. Individual confiscation may only take place by a judicial decision.

Art. 37. The law shall determine the maximum extent of agricultural property, in such a manner as to protect the agricultural peasant and worker against exploitation, and to affirm the alliance of the working powers of the people at the level of the village.

Art. 38. The tax system shall be based upon social justice.

Art. 39. Saving is a national duty protected, organized and encouraged by the State.

TITLE III. LIBERTIES, RIGHTS AND PUBLIC DUTIES

Art. 40. Citizens are equal before the law. They have equal rights and public duties without distinction of race, origin, language, religion or creed.

Art. 41. Personal liberty is a natural right; it is inviolable. Except in cases of *flagrante delicto* no one may be arrested, searched, detained, deprived of his liberty or forbidden to travel except by virtue of an order required for the needs of a judicial inquiry and the protection of the security of the society. Such an order shall be issued by the competent judge or the Prosecutor-General, in accordance with the provisions of the law.

The duration of preventive detention shall be fixed by law.

Art. 42. Any citizen arrested, detained, or whose liberty has been restricted, must be treated in a manner which protects his human dignity. It is forbidden to mistreat him physically or morally, or to detain him elsewhere than in the places subject to the laws concerning prisons. Any declaration which has been made under the pressures described above or under the threat of such pressures shall be null and void.

Art. 43. It is forbidden to carry out any scientific or medical experiment on any one whatsoever, without his free consent.

Art. 44. The domicile is inviolable. No domiciliar visit may be carried out except by judicial order giving the reasons therefore in accordance with the provisions of the law.

Art. 45. The private life of citizens is inviolable and protected by law. Correspondence, dispatches, telephone conversations and other methods of communication are inviolable and their secrecy is guaranteed. They may neither be forbidden nor censured except by virtue of a reasoned judicial order for a determined period in accordance with the provisions of the law.

Art. 46. The State shall guarantee freedom of belief and freedom to exercise religion.

Art. 47. Freedom of opinion is guaranteed. Any one shall have the right to express his opinion and to propagate it by word, writing, image, or by any other means of expression within the limits of the law.

Auto-criticism and constructive criticism guarantee the security of the national edifice.

Art. 48. Freedom of the press, of printing, of publication and of other means of information is guaranteed.

The censorship of newspapers is forbidden.

Warnings, suspension and suppression of newspapers by administrative means are forbidden. However, exceptionally, in cases of emergency or in time war, it is permitted to apply to newspapers, printed matter and other

means of information, a limited censorship concerning questions relating to general security or the objectives of public security, in accordance with the law.

Art. 49. The State guarantees to citizens the freedom of scientific research and literary, artistic and cultural innovation and insures the means necessary to encourage this.

Art. 50. It is not permitted either to forbid or to require a citizen to live in a particular place, except in the cases provided by law.

Art. 51. No citizen may be expelled from the country, nor prevented from returning to it.

Art. 52. Citizens have the right to emigrate permanently or temporarily abroad. This right shall be organized by law, together with the measures and conditions of emigration and departure from the country.

Art. 53. The State grants the right of political asylum to any foreigner who has been persecuted for having defended the interests of the people or the rights of man, peace or justice.

The extradition of political refugees is forbidden.

Art. 54. Citizens have the right to assemble peacefully without arms and without notice. Security agents do not have the right to attend private assemblies.

Public meetings, parades, and assemblies shall be authorized within the limits of the law.

Art. 55. Citizens have the right to form associations in the manner prescribed by law. However, it is forbidden to form associations whose activities are contrary to the regime of society, or that have a secret or military character.

Art. 56. The creation of trade unions and federations on a democratic basis is a right guaranteed by law. Trade unions have a legal personality. The participation of the trade unions and federations in the execution of plans, social programs, raising the level of aptitude, strengthening socialist behaviour among their members and the protection of their funds shall be organized by law.

The trade unions shall require accounts from their members on their conduct and activities, according to charters of moral honor, and to defend the rights and liberties of the members, in accordance with the law.

Art. 57. Any infringement of personal liberty, private life of citizens or the other rights and liberties guaranteed by the Constitution and the laws, is a crime to which the statute of limitations whether in criminal or civil matters shall not apply.

Art. 58. The defense of the country and its territory is a sacred duty and military service is obligatory in accordance with the law.

Art. 59. The protection and strengthening of the socialist achievements is a national duty.

Art. 60. The preservation of the national unity and State secrets is the duty of all citizens.

Art. 61. Payment of taxes and public charges is a duty in accordance with the law.

Art. 62. The citizen has the right of election, the right to be a candidate and to express his opinion in the course of referenda, in accordance with the provisions of the law. Participation in public life is a national duty.

Art. 63. Every citizen has the right to address the public authorities in writing and over his signature. Only organizations and legal persons may address the public authorities in the name of collective bodies.

TITLE IV. SOVEREIGNTY OF THE LAW

Art. 64. The sovereignty of the law is the foundation of the power of the State.

Art. 65. The State is subject to the law. The independence of the courts and the immunity of judges are the two fundamental guarantees for the protection of the rights and liberties.

Art. 66. Penalties are personal. There may be no crime and no penalty except by law. Penalties may be inflicted only by judicial sentence and may only be applied to infractions committed subsequent to the date of entry into force of the relative law.

Art. 67. Every accused person shall be considered innocent until his guilt has been proved by legal judgement which has guaranteed him the right of defense. Every person accused of a crime must be assisted by a lawyer to arrange his defense.

Art. 68. Recourse to justice is an inviolable right guaranteed to all. Every citizen has the right to have recourse to his natural judge. The State shall ensure access to the judicial authorities to the accused and shall expedite their trial.

Laws may not make provisions of such a nature as to exempt from judicial censure any administrative act or decision.

Art. 69. The right of personal defense or of defense by attorney is guaranteed. The law shall provide it for those who lack the financial means or the capacity to have recourse to justice and to defend their rights.

Art. 70. Except in the cases prescribed by law no penal action may be inaugurated other than by order from a judicial authority.

Art. 71. Any person who has been arrested or detained must be immediately informed of the reasons for his arrest or detention. He has the right to communicate with whomever he considers he should inform of his state, or to be assisted by him in the manner prescribed by law. He must be notified without delay of the accusations against him. He has the right, as anyone has the right, to complain before the courts of the measures taken restricting his liberty. The right of complaint shall be organized by law in such a manner that a decision must be reached thereupon within a fixed time limit after which, if there has been no decision, the person shall be set at liberty.

Art. 72. Decisions shall be rendered and executed in the name of the people. Failure to execute them or any obstacles placed before their execution by the competent public officials are crimes subject to the law. In such cases the party which has received the favorable judgement may introduce a criminal action directly before the competent court.

TITLE V. THE SYSTEM OF GOVERNMENT

The Head of State

Art. 73. The Head of State is the President of the Republic. He shall watch over the affirmation of the sovereignty of the people, respect of the Constitution, sovereignty of the law, protection of national unity and socialist acquisitions.

He shall determine the limits between the powers in such a manner as to permit them to assume their role in national action.

Art. 74. In case of danger threatening national unity or the security of the country, or impeding the state institutions from fulfilling their constitutional role, the President of the Republic may take the urgent measures necessary to meet such a danger. In such a case he shall address a message to the people and shall proceed to a referendum on the measures which he has taken within sixty days.

Art. 75. The President of the Republic must be Egyptian, of an Egyptian father and mother, must be in full possession of his civil and political rights and must have reached at least forty years of age according to the Gregorian calendar.

Art. 76. The People's Assembly shall nominate the President of the Republic. The nomination shall be referred to the people for a plebiscite.

The nomination to the post of President of the Republic shall be made in the National Assembly upon the proposal of at least one third of its members.

The candidate who wins two thirds of the votes of the Assembly members shall be referred to the people for a plebiscite. If none of the candidates obtains the said majority the nomination process shall be repeated two days after the first vote. The candidate winning the votes of an absolute majority of the Assembly members shall be referred to the citizens for a plebiscite.

The candidate who obtains an absolute majority of the votes cast in the plebiscite shall be considered President of the Republic. If the candidate does not obtain this majority, the Assembly shall nominate another candidate and the same procedure shall be followed.

Art. 77. The term of office of the President of the Republic is of six years, calculated according to the Gregorian calendar from the date of proclamation of the results of the referendum.

The President of the Republic may be re-elected for a new uninterrupted term of six years.

Art. 78. The procedure for the choice of a new President of the Republic must be undertaken sixty days before the expiration of the term of office of the incumbent President. The new President must be appointed at least one week before this time limit expires. If this time limit expires without a new President being appointed, for whatever reason, the former President shall continue to carry out the duties of the Presidency until the appointment of his successor.

Art. 79. The President of the Republic shall take the following oath before the People's Assembly before taking office:

"I swear in the name of the Almighty God to loyally uphold the republican system, to respect the Constitution and the laws, to watch over the interests of the people and to safeguard the independence of the country and the security of its territories."

Art. 80. The salary of the President of the Republic shall be fixed by law. Changes in this salary shall not be applicable during the term of the incumbent President.

The President of the Republic may receive no other form of remuneration.

Art. 81. The President of the Republic, during his term of office may not exercise any profession, nor any commercial, financial or industrial activity, nor may he acquire or lease any state property, nor may he sell or exchange any of his property to the State.

Art. 82. Should the President be prevented from exercising his office for whatever reason, he may delegate his powers to the Vice-President of the Republic.

Art. 83. Should the President of the Republic resign he shall address his letter of resignation to the People's Assembly.

Art. 84. Should the post of President of the Republic be vacant or should he be permanently incapable of exercising its functions, the Presidency shall be provisionally confided to the President of the People's Assembly, or if the Assembly is dissolved, to the President of the High Constitutional Court, on condition that neither of the two may submit his candidacy to the Presidency.

The People's Assembly shall proclaim the vacancy in the post of President of the Republic.

The choice of a new President of the Republic must take place within a time limit of not more than sixty days from the date of the when the vacancy has been proclaimed.

Art. 85. The charge of high treason or any criminal charge directed against the President of the Republic shall require a motion by at least one third of the members of the People's Assembly. No indictment shall be issued unless it is adopted by a majority of two thirds of the members of the Assembly.

The President shall be suspended from the exercise of his functions as from the issue of the indictment; the Vice-President of the Republic shall assume his functions until a judgement has been reached.

The President of the Republic shall be tried by a special Court whose composition, procedure and penalties applicable shall be determined by law. In case of condemnation he shall be dismissed from his office without prejudice to any other penalties that may be decided.

CHAPTER III

THE LEGISLATIVE POWER

The People's Assembly

Art. 86. The People's Assembly shall exercise the Legislative Power. It shall approve the general policy of the State as well as the general plan of economic and social development, and the general budget of the State. It shall supervise Government acts in accordance with the Constitution.

Art. 87. The electoral circumscriptions shall be determined by law according to the subdivisions of the State, as shall also be determined the number of members elected to the People's Assembly, which number may not be less than 350 half of whom at least must be elected from among the workers and peasants, by secret direct ballot.

The definition of worker and peasant shall be established by law.

The President of the Republic may appoint to the People's Assembly not more than ten members.

Art. 88. The conditions to be fulfilled by members of the People's Assembly, and the provisions concerning elections and referenda shall be determined by law. Voting must take place under the control of members of the judiciary.

Art. 89. Workers in State service or in the public sector may submit their candidacy to the People's Assembly. Except as determined by law, members of the People's Assembly must devote themselves entirely to their office. Their work or the position which they occupy shall be retained for them in accordance with provisions of the law.

Art. 90. Before taking office, the members of the People's Assembly shall take the following oath:

"I swear in the name of Almighty God to preserve the security of the State and the republican system, to watch over the interests of the people and to respect the Constitution and the laws."

Art. 91. Members of the People's Assembly shall receive an indemnity to be fixed by law.

Art. 92. The term of the People's Assembly is five years, calculated according to the Gregorian calendar, from the date of its first meeting.

Elections for renewing the Assembly shall take place during the sixty days preceding the end of its term.

Art. 93. The Assembly shall have the power to rule on the validity of the mandate of its members. The Court of Cassation shall be competent to investigate accusations of invalidity presented to the Assembly and referred to it by the President of the Assembly. Such accusations must be submitted to the Court of Cassation within a time limit of fifteen days from the date the Assembly has taken cognizance of them. The Court of Cassation's investigation must terminate within 90 days from the date of submission.

The results of the investigation and the opinion of the Court shall be submitted to the Assembly so that the latter may rule upon the accusations of invalidity within 60 days following the date these results are submitted to the Assembly.

A mandate may be considered null only as a result of a two-thirds vote of the members of the Assembly.

Art. 94. Should a member's seat be vacant, his successor shall be elected or appointed within 60 days following the date when the Assembly was informed of the vacancy.

The term of the new member shall complete the term of his predecessor.

Art. 95. No member of the Assembly may, during the period of his mandate, purchase or rent any state property, nor lease or sell to the State or barter with it any part of his property, nor may he enter into a contract with the State in its capacity as concessionaire, supplier or entrepreneur.

Art. 96. No member of the Assembly may be deprived of his mandate except by decision of a two-thirds majority of the Assembly, and this on the grounds of loss of confidence or respect, the violation of the member's mandate, the loss of the status as a worker or farmer upon which he was elected, or if he has failed in the obligations of his mandate.

Art. 97. The People's Assembly alone may accept resignations of its members.

Art. 98. Members of the People's Assembly may not be disturbed for the ideas and opinion which they express in the performance of their work within the Assembly or its commissions.

Art. 99. Except in cases of *flagrante delicto*, no member of the Assembly may be subject to criminal prosecution except with the prior authorization of the Assembly.

During the period between sessions this authorization must be requested from the President of the Assembly.

The Assembly must be immediately notified at its first meeting of any measures taken in this connection.

Art. 100. The seat of the People's Assembly shall be Cairo. The Assembly may, in exceptional circumstances, hold its meetings in another city at the request of the President of the Republic or of the majority of the Assembly.

Meeting of the People's Assembly elsewhere than in the seat decided shall be illegal and any decisions taken in such meetings shall be null and void.

Art. 101. The President of the Republic shall convoke the People's Assembly in ordinary annual session before the second Thursday of November. If the Assembly has not been convoked it shall meet upon the date provided by the Constitution. The duration of an ordinary session shall be at least seven months.

The President of the Republic shall be proclaim the closure of the ordinary session of the Assembly. The ordinary session may not be closed before the Assembly has voted the general budget of the State.

Art. 102. The President of the Republic shall convoke the People's Assembly in extraordinary session in cases of need or upon a motion signed by a majority of the members of the Assembly.

The President of the Republic shall proclaim closure of the extraordinary session.

Art. 103. During the first meeting of the ordinary annual session, the Assembly shall elect its President and two Vice-Presidents for the duration of the session. In case the seat of the one is vacant, the Assembly shall elect his replacement until the end of his term.

Art. 104. The People's Assembly shall draw up its rules of procedure to organize the method of its work and the exercise of its powers.

Art. 105. The Assembly alone shall be empowered to maintain order in its midst. This function shall be assumed by the President of the Assembly.

Art. 106. Meetings of the People's Assembly shall be public.

The Assembly may not meet in closed session, except at the request of its President or twenty at least of its members. The Assembly shall then decide whether the discussion of the question submitted to it must take place in public or in closed session.

Art. 107. Meetings of the Assembly shall be valid only if the majority of its members are present. The Assembly shall take its decisions by an absolute majority of the members present, except in cases which require a special majority. Bills shall be voted article by article. In case of a tie, a bill shall be considered rejected.

Art. 108. The President of the Republic may in cases of need and in exceptional circumstances, by virtue of powers conferred upon him by the People's Assembly by a majority of two thirds of its members, issue decrees with the force of law. These powers must be conferred for a determined period and must indicate the purposes and bases of the decrees. Such decrees must be submitted to the People's Assembly during its first meeting after the expiration of the time limit for exceptional powers. Should such decrees not be submitted to the Assembly or should they be submitted and rejected, they shall cease to have the force of law.

Art. 109. The President of the Republic and each member of the Assembly shall have the right to initiate laws.

Art. 110. All bills submitted must be sent to one of the commissions of the Assembly for examination and reporting upon it. However, bills presented by members of the People's Assembly may not be sent to the commissions before they have been examined by a special commission to decide on their submission to the Assembly, and after the Assembly itself has ruled on the matter.

Art. 111. Any bill presented by one of the members and rejected by the Assembly may not be submitted again during the same session.

Art. 112. The President of the Republic shall have the right to promulgate laws or to veto them.

Art. 113. If the President of the Republic vetoes a bill adopted by the Assembly, he shall return it to the Assembly within thirty days from the date it was submitted to him.

Should the bill not be returned to the Assembly within this time limit, it shall be considered as a law and so promulgated. If it is returned to the Assembly within the time limit above, and again approved by a majority of two thirds of its members, it shall be considered as a law and so promulgated.

Art. 114. The People's Assembly shall approve the general plan of economic and social development. The method of preparation of this plan and its presentation to the People's Assembly shall be determined by law.

Art. 115. The general budget of the State must be submitted to the People's Assembly at least two months before the beginning of the financial year. The budget shall be executory only after approval by the Assembly.

The Budget shall be voted title by title and promulgated by a law. The People's Assembly may not amend the budget except with the agreement of the Government.

If the new budget has not been voted before the beginning of the financial year, the old budget shall be applied until the vote has been taken place.

The method of preparation of the budget and the dates of the financial year shall be fixed by law.

Art. 116. Any transfer of credits from one title to another of the general budget must be approved by the People's Assembly, as well as any expense not provided thereon and exceeding its provision. Transfers and expenses in excess must be the subject of a law.

Art. 117. The provisions of the budgets and accounts of public organs and institutions shall be determined by law.

Art. 118. The definitive account of the State budget must be submitted to the People's Assembly within not more than a year from the date of expiration of the financial year. It shall be voted article by article and promulgated by law.

The annual report of the Central Commission of Accounts and its observations must be submitted to the People's Assembly.

The Assembly may ask the Central Commission of Accounts for any other information or reports.

Art. 119. The establishment of public taxes, their modification or their abolition may be decided only by law.

Noone may be exempted from taxes except as provided by law.

Noone may be submitted to taxes or duties other than as provided by law.

Art. 120. The fundamental rules for collecting the taxes and the methods of their application shall be determined by law.

Art. 121. The executive power may not contract loans nor undertake any project which might be a charge on the State Treasury except with the agreement of the People's Assembly.

Art. 122. The system for the granting of salaries, pensions, indemnities, subsidies, and rewards by the State Treasury shall be established by law. Exceptional cases and the authorities responsible for applying them shall be determined by law.

Art. 123. The rules and procedures concerning the granting of concessions for exploiting national resources and the public services shall be determined by law. Cases where public property may be freely disposed of, or where the State may dispose of its movable property, as well as the procedures to be followed, shall also be determined by law.

Art. 124. Every member of the People's Assembly shall be entitled to address questions to the President of the Council of Ministers, or to one of his substitutes, to the Ministers or their substitutes, concerning matters within their jurisdiction.

The President of the Council of Ministers or his substitutes, the Ministers or their representatives, shall answer the questions put to them by members.

Members may withdraw at any moment their question but may not change its import during the same questions debate.

Art. 125. Every member of the People's Assembly shall be entitled to address interpellations to the President of the Council of Ministers or to his substitutes, to the Ministers or to their substitutes, to ask for an account of the affairs falling within their jurisdiction.

Debate on an interpellation shall take place at least seven days after its presentation except in cases of urgency so judged by the Assembly and with the Governments consent.

Art. 126. The Ministers shall be responsible to the People's Assembly for the general policy of the State. Each minister shall be responsible for the affairs of his department.

The People's Assembly may withdraw its confidence from one of the substitutes of the President of the Council of Ministers or from one of the Ministers or his substitutes. The question of confidence may only be put after interpellation and upon a motion deposited by one tenth of the members of the Assembly.

The Assembly may not decide upon such a motion until three days after the date of its presentation.

Withdrawal of confidence must be passed by majority of members of the Assembly.

Art. 127. The People's Assembly may, at the request of one tenth of its members, question the responsibility of the President of the Council of Ministers. A decision on this subject must be taken by a majority of the members of the Assembly.

Such a decision may be taken only after an interpellation addressed to the Government and not less than three days after the motion has been presented.

Where the question of responsibility is established, the Assembly shall prepare a report for submission to the President of the Republic, containing the considerations involved and its opinion and reasons.

The President of the Republic may return this report to the Assembly within a time limit of six days. If the Assembly adopts the report a second time, the President of the Republic may submit the conflict between the Assembly and the Government within thirty days from the date of the last vote by the Assembly to a referendum. In this case, the Assembly session shall be suspended.

If the results of referendum are favorable to the Government, the Assembly shall be considered dissolved. In the contrary case, the President of the Republic shall accept the resignation of the Government.

Art. 128. If the Assembly withdraws its confidence from a Vice-Prime Minister, from a Minister or his substitute, he must resign his office.

The President of the Council of Ministers, when his responsibility has been established by the People's Assembly, shall present his resignation to the President of the Republic.

Art. 129. A debate upon a general question in order to obtain clarifications upon a Minister's policy may be requested by not less than twenty members of the People's Assembly.

Art. 130. The members of the Assembly may express their wishes concerning questions of a general nature to the President of the Council of Ministers, to a Vice-Prime Minister or to one of Ministers.

Art. 131. The People's Assembly may establish a special commission, or entrust one of its own commissions to examine the activities of a State administration, a public organization, an executive or administrative body, or any public project in order to satisfy itself as to the facts and to communicate to the Assembly the real state of the finances, the administrative and the economic conditions there prevailing, or to proceed to an inquiry on any point connected with the above.

Such a commission, in order to accomplish its task, shall collect proofs and shall request a hearing with those it deems necessary. The executive and administrative organs shall be obliged, to accede to its request and to place at its disposition documents, evidence and other items.

Art. 132. The President of the Republic shall inaugurate the ordinary session of the People's Assembly by a speech exposing the general policy of the State. He shall also have the right to refer to other subjects before the Assembly.

The People's Assembly may discuss the President's message.

Art. 133. The President of the Council of Ministers, after the formation of his Government, shall present its program upon the occasion of the inauguration of the ordinary session of the People's Assembly.

The People's Assembly shall debate the program.

Art. 134. The President of the Council of Ministers, his substitutes, the Ministers and their substitutes may be members of the People's Assembly. Those who are not members of the People's Assembly may attend its meetings and the meetings of its commissions.

Art. 135. The President of the Council of Ministers and the Ministers must be heard by the People's Assembly and its commissions whenever they so request. They may be assisted by high officials of their choice. Only Ministers who are members of the Assembly may take part in voting.

Art. 136. The President of the Republic may not dissolve the People's Assembly except in case of necessity and after a people's referendum. In such a case the President of the Republic shall issue a decree suspending the meetings of the Assembly and fixing the referendum within a time limit of thirty days. If the dissolution is approved by an absolute majority of the votes, the President of the Republic shall promulgate a decree to this effect.

CHAPTER IV

THE EXECUTIVE POWER

TITLE I. THE PRESIDENT OF THE REPUBLIC

Art. 137. The President of the Republic shall assume the executive power and exercise it in the manner stipulated in the Constitution.

Art. 138. The President of the Republic shall draw up, in accord with the Council of Ministers, the general policy of the State, they shall both watch over its implementation in the manner prescribed by the Constitution.

Art. 139. The President of the Republic shall appoint one or more Vice-Presidents, shall lay down their duties and shall dismiss them.

The procedure covering responsibility of the President of the Republic shall apply to the Vice-Presidents.

Art. 140. Before exercising his functions, the Vice-President of the Republic shall take the following oath:

"I swear before Almighty God loyally to uphold the republican system,

to respect the Constitution and the laws, fully to look after the interests of the people, and to safeguard the independence of the country and the security of its territory.”

Art. 141. The President of the Republic shall appoint the President of the Council of Ministers, the Vice-Prime Ministers, the Ministers and their substitutes and shall dismiss them.

Art. 142. The President of the Republic shall have the right to call a meeting of the Council of Ministers, to attend its meetings and to preside over the meetings which he attends. He shall also have the right to ask the Ministers to present reports to him.

Art. 143. The President of the Republic shall appoint civilian and military officials, diplomatic representatives, and shall dismiss them from their duties in the manner provided by law.

The diplomatic representatives of foreign powers shall be accredited to him.

Art. 144. The President of the Republic shall promulgate the necessary regulations for the implementation of the laws in such a manner as neither to modify them nor hinder nor prevent their implementation. He shall have the right to delegate to others the power to issue such regulations. The laws shall specify which authorities are responsible for issuing the orders necessary to their implementation.

Art. 145. The President of the Republic shall promulgate police regulations.

Art. 146. The President of the Republic shall promulgate the decrees necessary for the creation and the organization of public services and administrations.

Art. 147. If events occur during the time when the People’s Assembly is not in session which require the taking of urgent measures which cannot suffer delay, the President of the Republic may issue in this respect decrees having the force of law.

Such decrees must be submitted to the People’s Assembly within fifteen days from the date of their issue if the Assembly is in session, and at the first meeting of the Assembly if it has been dissolved or its sessions have been suspended. If they are not so submitted, their legal force shall disappear with retroactive effect without need for the issue of a specific decision. But if they are submitted and are not ratified by the Assembly then their legal force shall disappear retroactively unless the Assembly approves their execution in the preceding period or decides to rule otherwise concerning them.

Art. 148. The President of the Republic shall proclaim the state of emergency in the manner prescribed by law. Such a declaration must be submitted to the People’s Assembly within the subsequent thirty days for their decision.

In case of dissolution of the People’s Assembly, the question shall be submitted to the first meeting of the new Assembly.

The state of emergency must, in any case, be declared for a determined period of time which may not be prolonged except with the consent of the National Assembly.

Art. 149. The President of the Republic shall exercise the right of pardon or of commutation of sentence.

A general amnesty must be the subject of a law.

Art. 150. The President of the Republic shall be the Commander-in-Chief of the Armed Forces. He shall declare war after the approval of the People's Assembly.

Art. 151. The President of the Republic shall conclude treaties and shall communicate them to the People's Assembly accompanied with suitable comments. Such treaties shall have the force of law after their conclusion, ratification and publication according to the established procedures.

However, peace treaties, treaties of alliance, commercial and maritime treaties, and all treaties which involve modification of the territory of the State, or concern its sovereign rights, or which lay upon the Treasury of the State charges not provided for in the budget, must receive the approval of the People's Assembly.

Art. 152. The President of the Republic may consult the people on important questions relating to the higher interests of the country.

TITLE II. THE GOVERNMENT

Art. 153. The government is the supreme executive and administrative body of the State. It shall be composed of the President of the Council of Ministers, the Vice-Premiers, the Ministers and their substitutes.

The President of the Council of Ministers shall supervise the acts of the government.

Art. 154. A Minister or substitute Minister must be Egyptian, at least thirty-five years of age according to the Gregorian calendar, and must enjoy all civil and political rights.

Art. 155. The members of a Ministry shall take the following oath before the President of the Republic before taking up their duties:

"I swear by Almighty God loyally to uphold the republican system, to respect the Constitution and the laws fully to watch over the interests of the people and to safeguard the independence of the country and the integrity of its territory."

Art. 156. The Council of Ministers shall exercise the following prerogatives in particular:

(a) To draw up the general policy of the State and supervise its execution, in agreement with the President of the Republic, according to republican laws and decrees.

(b) To direct, coordinate and oversee the work of Ministries and the

administrations depending upon them, of public organs and bodies;

- (c) To issue administrative and executive decisions in accordance with the laws and decrees and supervise their execution;
- (d) To prepare bills and decrees;
- (e) To prepare the general budget of the State;
- (f) To prepare the draft general plan of the State;
- (g) To conclude and grant loans according to the provisions of the Constitution;
- (h) To supervise the implementation of laws, maintain the security of the State and protect the rights of the citizens and the interests of the State.

Art. 157. Ministers shall be the supreme administrative head of their Ministries. They shall draw up the policy of the Ministry within the limits of the general policy of the State and shall be responsible for its execution.

Art. 158. Ministers may not, during their term of office, exercise any liberal profession, commercial, financial or industrial activity, nor buy or rent any state property, nor lease or sell or barter with the State any property.

Art. 159. The President of the Republic and the People's Assembly shall have the right to accuse a Minister before the courts for any crimes committed by him during the exercise of his functions.

Indictment of a Minister by the People's Assembly shall take place by a motion presented by one fifth at least of its members. The indictment must be voted by a majority of two thirds of the members of the Assembly.

Art. 160. The Minister accused shall be suspended from his duties until his case has been decided. Prosecution of a Minister shall not be prevented by his relinquishing his duties.

Laws shall stipulate the authority competent to judge Ministers, the procedure, the guarantees and the penalties.

These provisions shall be applicable to Vice-Ministers.

TITLE III. LOCAL ADMINISTRATION

Art. 161. The Egyptian Arab Republic shall be divided into several administrative units which shall have legal personality and which consist of the governorships, the cities and the villages. Other administrative units having legal personality may be formed if required by the public interest.

Art. 162. The local People's Councils shall be set up progressively at the level of the administrative units by secret direct ballot. Half the members of the People's Councils at least must represent the workers and peasants. The progressive transfer of power to these Councils shall be guaranteed by law. The Presidents and Vice-Presidents of these Councils shall be chosen for among their members by election.

Art. 163. The method for the formation of the local People's Councils, their attributes, their financial resources, the guarantees of their members, their relations with the People's Assembly and the government, their role in the preparation and execution of the development plan and in the control of different activities shall be determined by law.

TITLE IV. THE SPECIALIZED NATIONAL COUNCILS

Art. 164. Specialized Councils shall be set up at a national level to cooperate in drawing up the general policy of the State within the areas of national activity. These Councils shall be responsible to the President of the Republic. The composition of each of these Councils and its powers shall be determined by decree by the President of the Republic.

CHAPTER V

THE JUDICIAL POWER

Art. 165. The Judicial Power is independent. It is exercised by the courts of different degrees which shall issue their judgements in accordance with the law.

Art. 166. The judges are independent and are subject only to the authority of the law. No authority may intervene in trials and in affairs of justice.

Art. 167. The judicial organs, their attributes, the methods of their composition, as well as the conditions and procedure for nomination and transfer of their members shall be determined by law.

Art. 168. The judges shall have permanent tenure. The procedure by which their responsibility may be questioned in a disciplinary fashion shall be determined by law.

Art. 169. Proceeding before the courts shall be public, unless the court decides for reasons of public security or morality to hold closed sessions. In any case the judgement must be delivered in open court.

Art. 170. The people shall participate in the administration of justice in the manner and within the limits provided by law.

Art. 171. The tribunals for the security of the State shall be organized by a law which shall determine their powers and the conditions required of those who administer justice therein.

Art. 172. The Council of State is an independent judicial organ. It shall be responsible for ruling on administrative differences and disciplinary matters. Its power shall be determined by law.

Art. 173. A High Council, presided over by the President of the Republic, shall supervise the judicial organs. The method of composition of this Council, its powers and its rules of procedure shall be determined by

law. It shall be consulted concerning bills for legislation concerning the affairs of judicial organs.

CHAPTER VI

THE HIGH CONSTITUTIONAL COURT

Art. 174. The High Constitutional Court is an independent and autonomous judicial organ of the Egyptian Arab Republic. Its seat is in Cairo.

Art. 175. The High Constitutional Court shall have the exclusive judicial review of the constitutionality of laws and regulations and the interpretation of legislative texts in the manner provided by law.

The other powers of the Court and the procedure to be followed before it shall be determined by law.

Art. 176. The composition of the High Constitutional Court, the conditions required of its members, their rights and immunities shall be determined by law.

Art. 177. The members of the High Constitutional Court shall have permanent tenure. The Court shall be empowered to demand accounts from its members in the manner provided by law.

Art. 178. Judgements rendered by the High Constitutional Court on questions of a constitutional nature, and decisions concerning the interpretation of legislative texts shall be published in the official Journal. The effects of a judgement on the unconstitutionality of a legislative text shall be determined by law.

CHAPTER VII

THE SOCIALIST ATTORNEY GENERAL

Art. 179. The Socialist Attorney General shall be responsible for the measures to be taken to guarantee the rights of the people, the security of the society and its political system, and to safeguard socialist achievements and socialist behaviour. His other powers shall be determined by law. In the exercise of its powers, he shall be under the supervision of the People's Assembly, in the manner provided by law.

CHAPTER VIII

THE ARMED FORCES AND THE COUNCIL OF NATIONAL DEFENSE

Art. 180. The Armed Forces belong to the people and only the State shall have the right to establish them. Their mission shall be to defend the

country and the security of its territory, to protect socialist achievements gained by the people's struggle. No group or body may set up military or paramilitary formations.

The conditions of service and promotion of members of the Armed Forces shall be determined by law.

Art. 181. General mobilization shall be decreed in accordance with the law.

Art. 182. A Council called the "Council of National Defense" shall be set up and presided over by the President of the Republic. It shall be responsible for examining questions relating to the means of ensuring the security of the country. Its other powers shall be determined by law.

Art. 183. Military justice and its powers within the limits of the principles set out in the Constitution shall be organized by law.

CHAPTER IX

THE POLICE

Art. 184. The police is an established civilian corps. Its supreme Head is the President of the Republic. The Police shall exercise its duties in the service of the people, shall assure the security and tranquility of citizens, shall watch over preserving order, security and morality, and shall carry out the duties laid upon it by laws and regulations in the manner provided by law.

CHAPTER X

GENERAL AND TRANSITIONAL PROVISIONS

Art. 185. The capital of the Egyptian Arab Republic is Cairo.

Art. 186. The colors of the Egyptian flag and the provisions relating thereto, as well as the State emblem and the provisions relating to it, shall be determined by law.

Art. 187. Legal provisions shall apply only to acts taking place after the date of their entry into effect, and may not have retroactive effect. A law may, however, provide otherwise, except in criminal matters, with the approval of the majority of the members of the People's Assembly.

Art. 188. Laws shall be published in the Official Journal within two weeks from the date of their promulgation. They shall enter into force one month after the day following the date of their publication unless another time limit has been fixed.

Art. 189. The President of the Republic and the People's Assembly may request amendment of one or more articles of the Constitution. A request for amendment must indicate the article to be amended and the reasons for

such amendment. If such a request emanates from the People's Assembly, it must be signed by at least one third of its members.

In any case, the Assembly shall discuss the principle of amendment and shall decide upon the principle by majority of its members. If it rejects the amendment, a request for amendment of the same articles may not be made before one year has elapsed from the date of rejection.

If the People's Assembly approves the principle of the amendment, discussion of the articles whose amendment is requested shall take place in the Assembly two months after the date of this approval. If two thirds of the members of the Assembly approve the amendment, it shall be submitted to referendum of the people. If the people approve the amendment it shall enter into force upon the date of proclamation of the results of referendum.

Art. 190. The term of the President of the Republic shall expire at the end of six years from the date of proclamation of his election to the office of President of the United Arab Republic.

Art. 191. All the provisions contained in the laws and regulations issued before the promulgation of this Constitution shall be valid and remain into force. They may, however, be abrogated or modified in accordance with the rules and procedures established by the Constitution.

Art. 192. The High Court shall exercise its powers, as determined by the law creating it, until the High Constitutional Court has been set up.

Art. 193. This Constitution shall enter into force on the date of proclamation of its approval by the people in the referendum.

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