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THE CONSTITUTION OF THE REPUBLIC OF TURKEY

I

General Provisions

ARTICLE 1. The Turkish State is a Republic.

ARTICLE 2. The official language is Turkish; the capital is the City of Angora.*

ARTICLE 3. All power, without reserve, belongs to the nation.

ARTICLE 4. The Grand National Assembly of Turkey, being the true representative of the nation, exercises the power in its name.

ARTICLE 5. Legislative competence and the executive power are placed and expressed in the Grand National Assembly.

ARTICLE 6. The Assembly exercises the legislative power directly.

ARTICLE 7. The Assembly exercises the executive power through the President of the Republic and a Council of Ministers named by him.

The Assembly may at any time direct or change the ministry.

ARTICLE 8. Justice is rendered in the name of the Nation, in conformity with its principles and laws, by independent courts.

II

Legislative Power

ARTICLE 9. The Grand National Assembly of Turkey is composed of Deputies elected by the Nation in accordance with the electoral laws.

*The original Constitution included here the statement: "The religion of the Turkish State is Islam," but this was removed by Amendment in 1928.

The Grand
National
Assembly

ARTICLE 10. All Turks, of masculine sex, eighteen years of age and over have the right to vote for deputies. (a) Suffrage

ARTICLE 11. All Turks, of masculine sex, thirty years of age and over are eligible to be elected deputies. (b) Qualifications

ARTICLE 12. The following classes of individuals may not be elected to the Grand National Assembly: those in the official service of a foreign power; those who have been convicted of stealing, forgery, abuse of confidence, fraudulent bankruptcy; persons claiming a foreign nationality, those who have been deprived of their civic rights; those who are unable to read and write Turkish.

ARTICLE 13. The election of deputies to the Grand National Assembly, is held once every four years. Deputies are eligible for re-election. The Assembly whose term expires continues to function until the new Assembly meets. (c) Election

In case it is impossible to proceed with new elections, the powers of the assembly are prolonged one year.

The deputies are the representatives not only of the districts that elected them, but of the entire nation.

ARTICLE 14. The Grand National Assembly reunites each year, without convocation, on the 1st day of November. The Assembly, in order to permit its members to travel about the Country, to exercise their administrative rights, to hold investigations, and to rest, may interrupt its work for a period not to exceed six months per year. (d) Sessions

ARTICLE 15. The right to initiate laws belongs to the deputies and to the Council of Ministers.

ARTICLE 16. All deputies, before taking their seats in the Assembly must subscribe to the following oath: "I swear on my honor not to undertake anything that may be contrary to the welfare and health of the Fatherland or of the Nation, nor to the unconditional, unreserved sovereignty of the people, and to remain faithful to the principles of the Republic." Oath

ARTICLE 17. No deputy shall be held responsible for (f) Privileges

his votes, his opinions, or his declarations within the Assembly—His votes, opinions and declarations may be quoted outside of the Assembly.

The preliminary hearing, arrest, or judgment of a deputy accused of a misdemeanor, before or after his election, may not take place unless approved by the Assembly. Cases of *flagrante delicto* are excepted, but in such an event the office of the Assembly must be immediately notified.

The execution of a judgment pronounced against a deputy before or after his election is suspended until the expiration of his term.

ARTICLE 18. The annual compensation of deputies shall be fixed by law.

(g) Procedure ARTICLE 19. The Assembly may be convoked during parliamentary recess if the President of the Republic or the President of the Assembly judge it necessary. It may also be convoked by its President if one-fifth of its members so demand.

ARTICLE 20. The deliberations of the Assembly are published *in extenso*; but the Assembly may, by its own rules, resolve itself into a secret committee. The Publication of deliberations while in secret depends upon the decision of the Assembly.

ARTICLE 21. The Assembly shall adopt its own rules of procedure.

ARTICLE 22. Questions, interpellations, and parliamentary investigations coming within the competence of the assembly and the procedure relative thereto shall be determined by the Assembly's rules.

(h) Officers ARTICLE 23. No deputy may, while serving in that capacity, hold any other office in the State.

ARTICLE 24. Each year, on the first of November, the Grand National Assembly of Turkey in full session elects for one year one president (chairman) and 3 vice-presidents.

ARTICLE 25. If the Assembly decides by a majority vote of all of its members to dissolve itself and proceed with new elections, the next legislature shall convene the following month of November.

(i) Dissolu-
tion

Sessions held before the month of November are considered extraordinary sessions.

ARTICLE 26. The Grand National Assembly has the following exclusive powers: to elaborate, modify, pass, and to nullify laws; to conclude conventions, treaties, and treaties of peace with foreign powers; to declare war; to examine and vote the National budget and examine the accounts of the State; to coin money; to confirm or annul contracts relative to monopolies, concessions and loans; to accord amnesty (individual or general); to commute sentences; to postpone the execution of judicial instructions and the execution of the condemned; to order the execution of capital sentences pronounced by the courts.

(j) Powers

ARTICLE 27. If a deputy is accused of high treason or of corruption committed during his term of office, the National Assembly shall decide his guilt or innocence while in full session, by a majority vote, two-thirds of the members being present. If a deputy is found guilty of one of the crimes mentioned in Article 12, he shall thereby have forfeited his office.

ARTICLE 28. Any deputy, who for legal reasons is deemed to have forfeited his office, or who without leave or acceptable excuse fails to attend sittings of the Assembly for a period of two months, or who accepts another office of the State, shall thereby lose his office.

ARTICLE 29. When deputies lose their offices for any reasons listed above or die while in office, other deputies shall be elected to replace them.

ARTICLE 30. The Grand National Assembly shall organize and direct its police through its President.

III

Executive Power

President
(a) Election
and Term

ARTICLE 31. The President of the Republic of Turkey is elected for the duration of each legislature by the Grand National Assembly in regular session and by the members thereof. The powers of the President continue until the election of his successor. The outgoing President is eligible for re-election.

ARTICLE 32. The President of the Republic is the Chief Executive of the State. In this capacity, he presides over the Assembly in certain special ceremonies and over the Council of Ministers when such procedure seems necessary. During his term of office, the President may not take part in the deliberations or the voting of the National Assembly.

(b) Replace-
ment

ARTICLE 33. If the President is hindered from fulfilling his duties on account of sickness or absence from the State, or if, on account of death, resignation, or other cause, the presidency of the Republic becomes vacant, the President of the Assembly shall, for the time being, carry on the functions of the President of the Republic.

ARTICLE 34. If the presidency becomes vacant while the National Assembly is in session, it shall proceed to elect a new president of the Republic. If the Assembly is not in session, its President shall convoke it immediately, and it will then proceed to the election of the President of the Republic.

If the term of the Assembly shall have expired, or if the Assembly has dissolved itself and ordered a new election, then the new Assembly shall elect the President.

(c) Duties

ARTICLE 35. The President of the Republic promulgates and publishes all laws within ten days after they have been passed by the National Assembly. With the exception of constitutional laws and the budget, if the President con-

siders it unwise to promulgate a law, he must, within ten days, return it with his objections to the Assembly for a second consideration. If the law is repassed by the Assembly, the President must promulgate it.

ARTICLE 36. Each year, in November, the President of the Republic presents a message before the National Assembly or has it read by the Prime Minister setting forth a summary of the work undertaken by the government in the year just passed, and making such recommendations as he deems useful for the current year.

ARTICLE 37. The President of the Republic names the diplomatic representatives of the Turkish Republic to foreign countries, and receives the representatives of these States.

ARTICLE 38. The President of the Republic, after his election, shall subscribe to the following oath in the presence of the National Assembly: "I swear on my honor, as President of the Republic, to respect the laws of the Republic and the principle of sovereignty of the people, to defend them, to work faithfully with all my strength for the happiness of the Turkish people, to avoid with all my power any danger that may menace the Turkish State, to hold high and firmly the glory and honor of Turkey, and to consecrate myself without reserve to the duties I have assumed."

(d) Oath

ARTICLE 39. All decisions of the President of the Republic must be counter-signed by the President of the Council of Ministers, and by the Minister of the department affected.

(e) Counter-Signature of Acts

ARTICLE 40. The supreme command of the army is one of the attributes of the Grand National Assembly, and is represented in this capacity by the President of the Republic. In times of peace the command of military forces is exercised by the State-Major General, and in times of war by such person as may be appointed by the President

of the Republic on the recommendation of the Council of Ministers.

(f) Responsi-
bility

ARTICLE 41. The President of the Republic is responsible before the Grand National Assembly in case of high treason.

Responsibility for presidential decisions is shared, in accordance with Article 39, by the President of the Council of Ministers and the other Minister who has counter-signed the acts. Concerning the private acts of the President of the Republic, the provisions of Article 17 relative to parliamentary inviolability shall govern.

ARTICLE 42. The President of the Republic may, on the proposal of the government, and for reasons such as permanent illness or old age, pardon or commute sentences pronounced by the courts.

He cannot use this power to liberate a minister who has been condemned after having been impeached by the National Assembly.

ARTICLE 43. The civil list of the President of the Republic is fixed by special law.

Ministry

(a) Selection

ARTICLE 44. The President of the Council of Ministers is named by the President of the Republic and chosen from among the members of the Assembly.

(b) Approval

The other ministers are chosen by the President of the Council of Ministers from among the members of the Assembly, and after having received the approval of the President of the Republic, the full Council of Ministers shall present itself to the National Assembly.

If the National Assembly is not in session, the presentation of the Council of Ministers takes place at the next meeting.

During the first week after the installation, the Council of Ministers shall announce its policies and demand the confidence of the National Assembly.

ARTICLE 45. The ministers form the Council of Minis-

ters under the presidency of the President of the Council of Ministers.

ARTICLE 46. The Council of Ministers is responsible collectively for the general policies of the government. Each one of the ministers is individually responsible for his acts and those of his subordinates.

(c) Responsibility

ARTICLE 47. The attributions and responsibilities of the ministers are determined by special law.

ARTICLE 48. The number of ministers is determined by law.

ARTICLE 49. If a minister is on vacation or should be absent for any other reason, another member of the Council of Ministers shall be chosen to replace him temporarily. No minister shall assume, even temporarily, the duties of more than one other minister at the same time.

(d) Replacement

ARTICLE 50. The decision of the Grand National Assembly to send a minister before the High Court of Justice for trial automatically revokes his appointment.

ARTICLE 51. A Council of State shall be constituted whose mission it shall be to decide administrative controversies, to render advice on projects of law that will be presented for examination by the government, as well as on contracts, and to fulfil the functions that will be attributed to it by law. The President and members of the Council of State are elected by the Grand National Assembly and chosen from among persons having exercised important functions or having distinguished themselves by their capacity and experience in their chosen field.

Council of State

ARTICLE 52. In order to determine the method of applying laws, the Council of Ministers shall, without adding any new dispositions, elaborate all necessary rulings and submit them for examination to the Council of State. These rules go into effect after having been signed and promulgated by the President of the Republic.

In case such rules are considered by the Council of State

as contrary to the spirit of the law, they shall be referred to the Grand Assembly for final decision.

IV

Judicial Power

Courts **ARTICLE 53.** Organizations of the courts, their attributions, and their competence, shall be determined by law.

ARTICLE 54. In carrying out court procedure and in the pronouncing of judgments, the judges are independent; they are not subject to any outside influence, and must follow strictly the established laws.

Neither the Grand National Assembly, nor the Council of Ministers have the right to modify in any way or to postpone the decisions of the courts, nor to oppose the execution of their decisions.

Judges **ARTICLE 55.** Magistrates cannot be recalled except in conformity with the procedure established by law.

ARTICLE 56. The qualifications, rights, and attributions of judges, their compensation, as well as conditions of nomination and of dismissal shall be determined by special law.

ARTICLE 57. Magistrates may not exercise any public or private function beyond the attributions conferred upon them by law.

Procedure **ARTICLE 58.** Court procedure is public. Only under conditions set forth in the Code of Procedure may a court decide to hold session behind closed doors.

ARTICLE 59. Every one is free before the court to use all legal means that he deems necessary for the defence of his rights.

ARTICLE 60. No court may refuse to hear a case that comes within its competence, but may refer to the proper court such cases as do not come under its jurisdiction.

The Supreme Court

ARTICLE 61. The Supreme Court is constituted to judge acts committed by the ministers, presidents, members of the Council of State, members of the Court of Cassation, and the prosecuting attorney of this court.

ARTICLE 62. The Supreme Court is composed of 21 judges of which 11 shall be taken from among the presidents and members of the Court of Cassation, and 10 from among those of the Council of State. They are elected by secret ballot on an absolute majority of those present in the General Assembly of the body to which they belong.

These 21 judges choose from their own number, by secret ballot and by an absolute majority, one president and one vice-president.

ARTICLE 63. In actual session, the Supreme Court is composed of a president and 14 judges, and shall render decisions by a majority vote.

The other six members serve as deputy judges to replace, in case of need, the judges that may be absent. The President and Vice-President hear all cases. The six deputy judges are chosen each time by lot; three from the Court of Cassation, and three from the Council of State.

ARTICLE 64. The position of the prosecuting attorney for the Supreme Court is filled by the general prosecutor of the Court of Cassation.

ARTICLE 65. The decisions of the Supreme Court are final.

ARTICLE 66. The Supreme Court renders decisions conforming with existing laws.

ARTICLE 67. The Supreme Court meets when necessary, by decision of the Grand National Assembly of Turkey.

V

Public Rights of Turks

Liberties

ARTICLE 68. All Turks are born and live free.

Liberty consists of being able to do anything that does not interfere with the rights of others. Individual liberty is a natural right and has for limits the rights of others. These limits can only be determined by law.

ARTICLE 69. All Turks are equal before the law and are, without exception, obliged to respect it.

All privileges of caste, of class, and of family or person are suppressed and forbidden.

Natural Rights

ARTICLE 70. Natural rights of Turks include: inviolability of person, liberty of conscience, of thought, of speech, of publication, of travel, of contract, of work, of possession, the liberty of association and assembly, and to form commercial societies.

ARTICLE 71. Life, property, and the honor of the home are guaranteed against violation.

ARTICLE 72. No one can be arrested or held except for reasons prescribed by law.

ARTICLE 73. Torturing, violence, the confiscation of property, and extortion are forbidden.

ARTICLE 74. No one's personal property may be requisitioned except for public use, and for which just payment must be made in advance.

With the exception of demands for money or service that may be imposed under extraordinary circumstances by virtue of a special law, no sacrifice may be required from any one.

ARTICLE 75. No one may be molested because of his religious beliefs, or his philosophical convictions. All rites that are not contrary to public order, good behavior, or laws, are permitted.

ARTICLE 76. Except under circumstances and conditions

provided for by law, no one can enter another's domicile nor search his person.

ARTICLE 77. The press is free, within the limits of the law, and cannot be placed under any control or censorship.

Free Press

ARTICLE 78. Except during periods of mobilization, state of siege, or after measures have been adopted to stop the spread of epidemics no restrictions may be placed on transportation.

Other Rights

ARTICLE 79. The regulation of rights to contract, to work, to possess, to assemble, and to organize are determined by law.

ARTICLE 80. Instruction of all kinds is free and under the supervision of the State.

ARTICLE 81. Papers, letters, and objects of all kinds placed in the postal department may not be opened except when authorized by a competent judge or by the decision of a court; the privacy of telegraphic and telephonic correspondence is also inviolable.

ARTICLE 82. All Turks may, either individually or collectively, petition the competent authorities of the Grand National Assembly regarding acts affecting them personally or touching public interest that seem to them contrary to law. Reply to individual complaints must be given in writing to the person concerned.

ARTICLE 83. No one may be brought before a court other than the one assigned to him by law.

ARTICLE 84. The people share in the general expenses of the State through taxation. It will be contrary to this principle, consequently, for any person or organization to collect any tax, assessment, or tithe.

Taxes

ARTICLE 85. Taxes cannot be levied except by law. Until the laws may have determined the taxes of the State, the provincial and municipal administrations will continue as heretofore to collect them.

ARTICLE 86. In case of war, threat of war, insurrection,

War

or attempted violence against the Republic, the Council of Ministers may, for a period not exceeding one month, proclaim a state of general or partial siege, advising immediately for confirmation the Grand National Assembly. The Assembly may, according to circumstances, prolong or reduce the period of siege. If the Assembly is not in session, it shall be immediately convoked. The duration of the state of siege depends upon the action of the Assembly.

The state of siege shall include the restriction or temporary suspension of the inviolability of persons, homes, the liberty of the press, of correspondence, of assembly, and of organization.

A special law shall determine the method of application of the state of siege, the special measures that should be adopted; it will indicate as well under what conditions the inviolability of liberties will be restricted or suspended in time of war.

Education

ARTICLE 87. Primary instruction is obligatory for all Turks; it is given without charge in the schools of the State.

Nationality

ARTICLE 88. From the standpoint of nationality, all inhabitants of Turkey, without distinction as to religion or race, are eligible to become Turks.

A Turk is an individual born in Turkey or in a foreign country of a Turkish father; one who is born in Turkey of a foreign father, who resides till his majority in Turkey and then officially chooses the Turkish nationality; one who conforming to the law on nationalization becomes a Turk. Turkish citizenship may be forfeited in special cases determined by law.

VI

Miscellaneous Provisions

Local
Govern-
ment

ARTICLE 89. Geographically, and for economic reasons, Turkey is divided into Vilayets (provinces), the Vilayets into Kazas (counties), the Kazas into Nahies (admin-

istrative cantons), and the Nahies shall include small cities, bergs, and villages.

ARTICLE 90. The vilayets, the large cities, the small cities or bergs, and the villages possess the quality of *personnes juridiques*.

ARTICLE 91. The affairs of the vilayets are administered following the principle of decentralization and the separation of powers.

ARTICLE 92. Any Turk enjoying his political rights may be employed in the service of the State, according to his aptitude and capacity.

ARTICLE 93. Generally speaking, the qualifications, rights, attributions, and salaries of State employees, the conditions of nomination, removal and advancement are determined by special law.

ARTICLE 94. The responsibility of employees for their illegal acts is not avoided because of orders from superiors.

Finance

ARTICLE 95. In order that the budget law may be passed by the beginning of the financial year (March 1), the budget bill must be presented to the Assembly not later than the 1st of November preceding.

Budget

ARTICLE 96. No expenditure may be made from the Treasury that has not been provided for in the budget.

ARTICLE 97. The budget law provides for the finances of one year.

ARTICLE 98. Laws regulating the accounts of departments shall require a list of all receipts and disbursements of those departments. The total amount of these various laws must correspond exactly to the total budget law.

ARTICLE 99. The bill accounting for the receipts and disbursements of a department must be presented to the National Assembly not later than the 1st of November of the second year after the period concluded.

ARTICLE 100. A special Court of Accounts dependent

on the Grand National Assembly and charged with the verification of the receipts and disbursements of the State, shall be provided for by special law.

ARTICLE 101. The Court of Accounts shall present to the National Assembly its report on each budget law within six months following the transmission of such laws to the Assembly by the Minister of Finance.

Laws and Amendments

Constitutional Amendments

ARTICLE 102. The present constitution may be amended in the following manner:

On a proposal signed by one-third, at least, of the members of the Assembly;

The proposal may be adopted by a majority vote with two-thirds of the Assembly present.

No proposal may be made in an effort to change Article 1 of the Constitution relative to the form of government.

ARTICLE 103. No article of the Constitution can for any reason be set aside or suspended.

No law can be put in effect that conflicts with the Constitution.

ARTICLE 104. The Constitution of 1293 (1876) and its amendments, as well as the Constitution of January 20, 1337 (1921) with its modifications, are abrogated.

ARTICLE 105. The present Constitution shall become effective the day of its publication.

Provisional Article

The law of December 19, 1339 (1923) relative to the conditions affecting officers of the army that have been elected to the Grand National Assembly of Turkey, shall remain temporarily in force.

CHAPTER XII.

YUGOSLAVIA

By Royal Decree of October 3, 1929, the Kingdom of Serbs, Croats, and Slovenes had its name changed to the "Kingdom of Yugoslavia." This new post-war state includes within its boundaries seven distinct ex-kingdoms or provinces: Serbia, Montenegro, Bosnia, Herzegovina, Dalmatia, Carniola, and Croatia-Slavonia. United in race (for Yugoslav means Southern Slav) and practically so in language, these people have had considerable difficulty since their union due to religious differences and the clash of economic interests. Their political experiences, too, have been so varied as to develop divergent attitudes in administrative policies, with the result that in January 1929 King Alexander issued a manifesto abrogating the Constitution of 1921 and establishing a royal dictatorship. We will trace very briefly the major historical developments in the several states.

Serbia.

The Turkish conquests of Serbia during the fourteenth and fifteenth centuries brought that fertile country completely under the control of the Porte. This supremacy of the Sultan was maintained until the beginning of the eighteenth century when, in 1718, the greater part of Serbia was transferred to Austria. Twenty-one years later the fate of war was more favorable to the Turks and by the Treaty of Belgrade (1739) Serbia was restored to Turkey. In 1804 the first serious armed resistance to Turkish domination was led by Kara George. Russia joined against the Turks in 1806, but the entire war program came to a close in 1812 under the menace of a Napoleonic invasion. Serbia secured

local autonomy when peace was made. Milosch Obrenovitch, a co-leader in the first revolt, was named by the Sultan to be Veliki Knez and later became Supreme Knez of most of Serbia. Milosch led the second revolt that, after the Treaty of Adrianople (1829), brought complete domestic autonomy to Serbia. By the Congress of Berlin (1878) her full independence was recognized by the Porte. A constitution, approved later, gave Serbia a single house legislature of 120 members, ninety of which were elected by a liberal franchise and the balance were appointed by the King. This assembly was called the Skupstina. In 1912 the Balkan wars involved Serbia in two costly struggles so that when the Austrian Archduke was assassinated in Sarajevo (June 28, 1914) and Austria presented her the "ten impossible demands," she was in no position to offer great military resistance.

Montenegro.

The state of Montenegro, before the World War, was the legal successor to the old Serbian province of Zeta. It was ruled by Serbian princes without serious foreign intervention until the fourteenth century when the Turks opened a series of attacks and massacres that did not end until the Congress of Berlin recognized the independence of this little state. In 1697 Danilo Petrovich-Njegus was elected ruler, and it was under Danilo that the headship of the Church was incorporated with the powers of the crown. Since the Bishop-Prince could not marry, the succession passed from uncle to nephew. This condition continued down to 1851 when Prince Danilo, who succeeded Peter II, obtained the consent of his people to marry and thereby relinquished the ecclesiastical duties of his office. Although complete independence from the Porte was gained in the victory over the Turks at Grahovo (1858), the Turkish armies

were back four years later with a force of over 200,000 men. The issue was not definitely settled until 1878.

In 1905 another constitution was granted by Nicholas to replace the almost worthless document accorded in 1868. The Skupstina which met in 1906 showed sympathies towards a union with Serbia and was forthwith dissolved. (The Skupstina as it was organized contained 76 members, 14 of which were named by the Prince). It happened that King Peter of Serbia was the son-in-law of Nicholas of Montenegro, and a struggle for leadership of the Southern Slav peoples continued between these two men all during the Balkan uprisings. In the closing days of the World War Nicholas fled when charges of treason were hurled at him. He was deposed in 1918.

Bosnia and Herzegovinia.

Bosnia, the largest of these two provinces, was conquered by the Hungarians in the twelfth century and remained an integral part of the Kingdom of Hungary until 1463 when the Turks completed their capture of this humbled territory. For over four hundred years Bosnia remained under Turkish rule until the revolutions of 1875 (more fully described under "Turkey") resulted in its being passed over to Austria for "occupation and administration." During this long period of Moslem domination, Bosnia had not been accorded any degree of autonomous government. And the official annexation to the Austrian Empire in 1908 would have provoked another outbreak of the Slavs but for the recommendation of the major powers that they remain quiet. A Constitution was granted by Austria in 1910 which gave considerable autonomy in local affairs but was followed so soon by the Balkan and World Wars that its importance is negligible.

Herzegovinia belonged to Serbia until 1325 when the

Ban of Bosnia, a vassal of the King of Hungary, conquered the province. Religious wars separated the two in the middle of the fifteenth century; then in 1482 Turkey took possession of and kept it until 1878. As in Bosnia, the history of those four hundred years consisted, for Herzegovina, of just so many visits of the tax-collectors; it was a period that found no expression in political activity until the revolts of the nineteenth century. Herzegovina was delivered to Austrian supervision in 1878 and finally became a part of the Empire in 1908. It, too, was given a constitution in 1910.

Dalmatia.

The early history of Dalmatia reflects the interest of the Venetians in and finally their invasion of this eastern coastland of the Adriatic. The rule of Venice was interrupted by Hungary in the twelfth century and while the Turks were conquering the other Balkan provinces, Dalmatia was added to the list of the Porte's European possessions. By 1718, however, Turkey ceded the whole of Dalmatia to the Republic of Venice, and when the Venetian Republic fell this coveted coastline was given to Austria (1797). From that time until the collapse of the House of Hapsburg, except while a part of Napoleon's short-lived kingdom of Italy, Dalmatia belonged to the Austro-Hungarian Empire.

Carniola.

In 1364 Carniola became an hereditary duchy and was attached to the Austrian Empire. Here, the Slovenes gradually became masters under such local autonomy as was accorded, and later were considerably favored under the ministry of Taaffe.

Croatia-Slavonia.

Both these two distinctly Southern-Slav states were incorporated in the Kingdom of Hungary early in the twelfth century. Then came the Turkish invasion and subjection to the Porte until the beginning of the eighteenth century when Hungary succeeded in recovering part of her lost provinces. In the later and more modern history of Hungary we find the Croats and Slavonians in the rôles of oppressed minorities with the Magyars dominating. Their places in the events of 1848 and 1867 are recorded in history and reflect the growing political character of the nationalistic idea.

The Yugoslav Movement.

During the World War agitation increased in the oppressed and conquered territories for a new and independent Southern-Slav State. Cooperation between the different elements was made possible by the Russian Revolution which removed the Russian influence that had always stood for the creation of at least two Yugoslav states. The result was that in July 1917, the Pact of Corfu was prepared and signed by representatives of the exiled Serbian Government and other states under Austrian rule. This pact provided for "the union of the Serbs, Croats, and Slovenes in a single, free, and independent kingdom, on a constitutional and democratic basis, under the Karageorgevitch dynasty."

After the armistice, while the delegates were assembled in Paris to prepare the terms of peace, recognition of the new state was accorded by the major powers. The following year elections for a Constituent Assembly were held and in December 1920 that body met. The sixty-second meeting, held June 28, 1921, adopted the constitution as prepared and amended by the Assembly and its committees, and it was promulgated by the King on the same day.

The Constitution of 1921.

This constitution established a limited monarchy with Peter Karageorgevitch as King. The King was chief of the executive power. He named the ministry, declared war if the country had been attacked, made peace, pardoned offenders of the state, was Commander-in-Chief of all armed forces; but in every act his orders must be counter-signed by the proper minister who assumed responsibility therefor. If he dissolved the National Assembly, he must call for a new election within three months.

The National Assembly (Skupstina) was composed of 315 deputies elected by universal male suffrage on the basis of one representative for every 40,000 inhabitants. (Women suffrage was left to be decided later). The term of the Assembly was four years. All laws must be examined by a competent commission before discussion in the Skupstina. Ministers were responsible to both the King and the Assembly. Constitutionally, the Skupstina was expected to meet annually on October 20th unless called into extraordinary session before that time.

Events of 1929.

On January 6, 1929, the constitution of 1921 was abrogated by a royal decree. This decree was accompanied by another one that proclaimed the King as the sole source of all authority: executive, legislative, and judicial. Since that time, the Croats have been particularly active in an effort to organize an independent state of their own. The King under the present dictatorship is assisted by a ministry appointed and removable by himself.

MANIFEST FROM THE KING TO THE SERB-
CROAT-SLOVENE NATION, OF
JANUARY 6, 1929

To my dear people; to all Serbs, Croats, and Slovenes:

The greatest interests of the people and of the State, as well as of their future, command me to address myself, as the sovereign and a son of the country, directly to the people, and to tell them openly and sincerely that which my conscience and my love for the Fatherland impose on me.

The time has come where there cannot and must not be any intermediary between the people and their king.

In the course of many efforts and much patience that I have applied in the execution of my high functions, my soul has been torn by the lamentations of our hard working and patriotic but exhausted masses who have felt, naturally enough and for a long time, that we could not continue in the ways we have been following.

My expectations, as well as those of the people, that our domestic policy would bring about order and stability at home have not been realized.

Parliamentary procedure and political life in general have become more and more negative while the people of the state have suffered.

All the useful institutions of the State, their progress and the development of all our national life are thereby placed in danger. Such an unhappy political state within the country is not only prejudicial to internal development and to progress, but also seriously reflects on our foreign prestige and credit.

Parliamentary government, that was a tradition with my honored father, is still my ideal. Blind political passions, however, have begun to abuse it in such a measure that it has become an obstacle to all profitable work within the

state. Regrettable quarrels and other events in the Skupstina have broken the confidence of the people in that institution. Cooperation in even the most ordinary matters between the parties and individuals has become absolutely impossible.

Far from reinforcing the spirit of national unity within the state, parliamentary government, such as it is, has begun to provoke a spiritual disorganization and national disunion.

My sacred duty is to safeguard by all means the national unity and the state. I have decided to fulfil this obligation, thoroughly and without hesitation. To maintain the union of the people and to safeguard the unity of the state is the highest ideal of my reign—that must also be the highest law for both you and me.

This action is imposed upon me by my responsibility to the people and to History, by love for my country and by a pious gratefulness for the innumerable and precious victims that have succumbed for this ideal.

To try to rectify the present situation by a change of ministries as has been the policy until now, or to call new elections, would be to lose valuable time in vain attempts such as we have experienced in recent years.

We must find new methods of working and try other ways.

I am convinced that in this grave moment all Serbs, Croats, and Slovenes will understand these sincere words of their King and will help me faithfully in my future efforts that will strive only and in the quickest way possible to realize the institution of an administration and a State organization that will respond better to the general needs of the people and to the interests of the State.

Consequently, I have resolved and decided that the Constitution of the Kingdom of the Serbs, Croats, and Slovenes

of June 28, 1921 is no longer in effect. All the laws of the country will remain in effect unless suppressed by my orders. If needed, new laws will be promulgated in the future in the same manner.

The Skupstina elected September 11, 1927 is dissolved.

In communicating this decision to my people, I command that the authorities of the State conform themselves to it, and I command to all and every one to obey and respect it.

Signed,
Alexander.

LAW REGARDING THE ROYAL POWER AND THE SUPREME ADMINISTRATION OF THE STATE, JANUARY 6, 1929

ARTICLE 1. The Kingdom of Serbs, Croats, and Slovenes is an hereditary monarchy.

ARTICLE 2. The King is the possessor of all power in the country. He decrees and promulgates all laws, names all employees of the State, and confers all military grades in the army. The King is the supreme head of all military functions. He confers orders and other distinctions.

ARTICLE 3. The King has the power of amnesty for all offences. Amnesty may be accorded before the opening, during, or after trial by the courts. Amnesty may be granted generally or to individuals. The King has the right to pardon. He may cancel, reduce, or modify the sentence pronounced.

ARTICLE 4. The King represents the State in all foreign relationships. The King declares war and makes peace.

ARTICLE 5. The King and the heir to the throne become of age at the age of eighteen years.

ARTICLE 6. The person of the King is inviolable. He cannot be made accountable for his deeds nor have proceedings brought against him.

Complete
Sovereignty
of King
(a) Powers

(b) Person

(c) Succession **ARTICLE 7.** King Alexander I Karageorgevitch reigns in the Kingdom of Serbs, Croats, and Slovenes. Succession falls to the first-born male issue of a legitimate marriage. If the King has no male successor, he will name his successor from a related branch of the family.

ARTICLE 8. The royal house is composed of the Queen married to the King, their living progenitors in direct line with their wives, the living descendants with their wives, the brothers of the King with their descendants and their wives, the sisters of the King and all the feminine descendants until they are married, the uncle of the King—Prince Arsene, Prince Paul with his wife and their descendants, including their feminine descendants until their marriage.

(d) Replace-
ment

ARTICLE 9. The King resides permanently within the country. If it becomes necessary for him to absent himself from the country for a time, the heir to the throne shall replace him by right. If the heir is under age or is unable, the King shall be replaced by the Council of Ministers. The replacement will be effected according to the terms of the royal instructions. The same dispositions are applicable in case of illness, if this illness does not carry with it permanent incapacity.

ARTICLE 10. The royal power is exercised by a regency during the minority of the King or during a mental or physical illness that makes him incapable of exercising the royal power permanently.

ARTICLE 11. The power of the regency belongs to the heir to the throne if he is of age. If he is a minor, or has some mental or physical illness, the royal power will be exercised by the regency. The council of regents will be composed of three regents named by special decision or in the will of the King. At the same time, the King will name a substitute for each regent. If one of the regents is tempo-

rarily absent or hindered, the royal power will be exercised by the other two regents. The vacant place will be occupied by his substitute.

ARTICLE 12. The regents will supervise the education of the minor King. The property of the minor King will be managed by administrators appointed in the royal will. If the King has not named such administrators, they will be named by the regents.

ARTICLE 13. In case of the death or abdication of the King, the heir to the throne, if he is of age, receives immediately the power and announces it by proclamation to the people.

ARTICLE 14. The civil list of the King is fixed by law.

ARTICLE 15. The King names the President of the Council of Ministers and the Ministers who are responsible directly to the King and act in accordance with his instructions in the different branches of administration of the State. The number of ministers is fixed by the King. Before assuming their duties, the ministers must swear loyalty to the King.

Ministerial
Responsi-
bility

ARTICLE 16. The ministers are responsible *vis-a-vis* the King. The ministers may be indicted by the King.

ARTICLE 17. The ministers are judged by a tribunal of the State. The tribunal of the State is composed of three counselors of the State and three judges of the Court of Cassation. The President of the Court of Cassation presides over the tribunal of the State. Detailed orders regarding ministerial responsibility will be taken up in a special law.

Tribunal of
State

ARTICLE 18. The King decrees and promulgates the laws by decrees reproducing the text of the law itself. The decree is counter-signed by the President of the Council of Ministers, by the Minister of Justice, and by the Minister

Laws

affected. The Minister of Justice affixes the Seal of the State and assures the publication of the law in the Official Journal. The law receives obligatory force fifteen days after its publication in the Official Journal, unless the law disposes otherwise.

Administra-
tion

ARTICLE 19. The administrative power is exercised by the ministers for the different branches of the administration, conforming to royal instructions.

Justice

ARTICLE 20. The Judiciary power is exercised throughout the country in the name of the King.

ARTICLE 21. The present law goes into effect and will receive obligatory force after its publication in the Official Journal. The President of the Council of Ministers will supervise its execution.

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