

The Ottoman Constitution

(23 December 1876)

The Ottoman Empire

Art. 1. The Ottoman Empire comprises present territory and possessions, and semi-dependent provinces. It forms an indivisible whole, from which no portion can be detached under any pretext whatever.

Art. 2. Istanbul is the capital of the Ottoman Empire. This city possesses no privilege or immunity peculiar to itself over the other towns of the empire.

Sultan, “Supreme Caliph”

Art. 3. The Ottoman sovereignty, which which includes in the person of the Sovereign the Supreme Caliphate of Islam, belongs to the eldest Prince of the House of Osman, in accordance with the rules established ab antiquo.

Art. 4. His Majesty the Sultan, under the title of “Supreme Caliph,” is the protector of the Muslim religion. He is the sovereign and padişah (emperor) of all the Ottomans.

Art. 5. His Majesty the Sultan is irresponsible; his person is sacred.

Art. 6. The liberty of the members of the Imperial Ottoman Dynasty, their property, real and personal, and their civil list during their lifetime, are under the guarantee of all.

Sovereign Rights of the Sultan

Art. 7. Among the sovereign rights of His Majesty the Sultan are the following prerogatives:
- He makes and cancels the appointments of ministers; he confers the grades, functions and insignia of his orders, and confers investiture on the chiefs of the privileged provinces, according to forms determined by the privileges granted them; he has the coining of money; his name is pronounced in the mosques during public prayer; he concludes treaties with the powers; he declares war and makes peace; he commands both land and sea forces; he directs military movements; he carries out the provisions of the Şeriat (the sacred law), and of the other laws; he sees to the administration of public measures; he respites or commutes sentences pronounced by the criminal courts; he summons and prorogues the General Assembly; he dissolves, if deems it necessary, the Chamber of Deputies, provided he directs the election of the new members.

Public Rights of the Ottomans

Personal Liberties

Art. 8. All subjects of the empire are called Ottomans, without distinction whatever faith they profess; the status of an Ottoman is acquired and lost according to conditions specified by law.

Art. 9. Every Ottoman enjoys personal liberty on condition of non interfering with the liberty of others.

Art. 10. Personal liberty is wholly inviolable. No one can suffer punishment, under any pretext whatsoever, except in cases determined by law, and according to the forms prescribed by it.

Religion

Art. 11. Islam is the state religion. But, while maintaining this principle, the state will protect the free exercise of faiths professed in the Empire, and uphold the religious privileges granted to various bodies, on condition of public order and morality not being interfered with.

The Press

Art. 12. The press is free, within limits imposed by law.

Art. 13. Ottomans have the power of forming commercial companies, industrial or agricultural, within limits imposed by law and statute.

Right of Petition

Art 14. One or more persons of ottoman nationality have the right of presenting petitions in the proper quarter relating to the breaking of law and regulation, done either to their own or public detriment, and may likewise present in protest signed petitions to the General Ottoman Assembly, complaining of the conduct of state servants and functionaries.

Education

Art. 15. Education is free. Every Ottoman can attend public or private instructions on condition of conforming to the law.

Schools

Art. 16. All schools are under state supervision. Proper means will be devised for harmonizing and regulating the instruction given to all the Ottomans, but without interfering with the religious education in the various districts.

Equality before the Law, Public Offices

Art. 17. All Ottomans are equal in the eyes of the law. They have the same rights, and owe the same duties towards their country, without prejudice to religion.

Art. 18. Eligibility to public office is conditional on a knowledge of Turkish, which is the official language of the State.

Art. 19. All Ottomans are admitted to public offices, according to their fitness, merit, and ability.

Taxes

Art. 20. The assessment and distribution of the taxes are to be in proportion to the fortune of each taxpayer, in conformity with the laws and special regulations.

Property

Art 21. Property, real and personal, of lawful title, is guaranteed. There can be no dispossession, except on good public cause shown, and subject to the previous payment, according to law of the value of the property in question.

Inviolability of Domicile

Art. 22. The domicile is inviolable. The authorities cannot break into any dwelling except in cases prescribed by law.

Tribunals

Art. 23. No one is bound to appear before any other than a competent tribunal, according to statutory form of procedure.

Property. Forced Labour. Contributions in Time of War

Art. 24. Confiscation of property, forced labour (“corvée”), and taking temporary possession of property are prohibited. Nevertheless, contributions lawfully levied in time of war, and measures rendered necessary by the exigencies of war, are exempt from this provision.

Taxes and Imports

Art. 25. No sum of money can be exacted under the name of a tax or impost, or under any other title whatever, except by virtue of law.

Torture and Inquisition

Art. 26. Torture and inquisition, under any form, are wholly and absolutely forbidden.

Ministers of the Crown

Art. 27. His Majesty may appoint as Grand Vizier and Şeyhü'l-İslam whomsoever he confides in, and thinks right to nominate to those posts.

The other ministers are appointed by Imperial Decree (İrade)

Art. 28. The Council of Ministers meets under the presidency of the Grand Vizier.

All weighty state affairs, whether domestic or foreign, come within the competency of the Council of Ministers. Those of their measures, which must be submitted for the approval of His Majesty, are made law by Imperial Decree

Art. 29. Each head of department, within the limits of his powers, carries out the measures, which appertain to his Department. In matters without this limit he must have recourse to the Grand Vizier.

The Grand Vizier takes action on the measures presented to him by the heads of departments, either by referring them, if need be, to the Cabinet, and then presenting them for the Imperial sanction; or, on the other hand, by deciding on them himself, and referring them to the decision of His Majesty the Sultan.

Special enactments will, in the case of each department, determine under which of the preceding heads the various business is to be distributed.

Art. 30. The ministers are responsible for decisions or acts under their management.

Art. 31. If one or more members of the Chamber of Deputies wish to lodge a complaint against any Minister, by reason of his responsibility, and with reference to matters within the Province of the Chamber, the petition and complaint must be handed to the President, who will refer it within three days to the Committee appointed by the rules of the House to investigate the charge, and determine whether it be right to submit the same to the decision of the Chamber. When the necessary investigation has taken place, and explanations have been laid before them by the Minister interested, the decision of the Committee will be taken by the vote of the majority. If the Committee advise that the complaint be laid before the Chamber, their report containing this decision is to be read at a public sitting, and the Chamber, after hearing the explanations of the accused Minister who shall be summoned to appear, or of his representative, will vote on the question at issue, a majority of two-thirds being requisite for a decision. In the event of the adoption

of Committee's Report, an address praying for the trial of the Minister is to be transmitted to the Grand Vizier, who will submit it for the sanction of His Majesty the Sultan, and remit it to the High Court by virtue of an Imperial Irade.

Art. 32. A special law will settle the forms of procedure to be followed for the trial of Ministers.

Art. 33. There shall be no distinction between Ministers and private individuals in respect of private suits, which do not relate to their functions. Causes of such nature are to be referred to the ordinary Tribunals.

Art. 34. The Minister whose trial has been decreed by the Chamber of Accusation of the High Court is to be suspended from his functions until he has been acquitted of the charges brought against him.

Art. 35. In the event of the Chamber of Deputies throwing out a Bill, and assigning its reasons therefor, upon the adoption of which Bill the Minister is of opinion he ought to insist, His Majesty the Sultan, in the exercise of his sovereignty, orders either a change of Ministers or a dissolution of the Chamber, subject to the re-election of Deputies within the period appointed by the law.

Art. 36. In case of urgent necessity, if the General Assembly be not in session, the Minister may adopt measures to protect the State against danger or to preserve the public safety.

These measures, sanctioned by an Imperial Irade, have provisionally the force of law if they be not contrary to the Constitution. They must be submitted to the General Assembly immediately upon its meeting.

Art. 37. Each Minister has the right to be present at the sittings of the Senate and of the Chamber of Deputies, or to be represented there by one of the chief officials of his Department.

He has also a right to be heard before any member of the Chamber who may have leave to speak.

Art. 38. When, in consequence of a decision adopted by a majority of votes, a Minister is requested to appear in the Chamber to give explanations, he is bound to reply to the questions addressed to him either by appearing there in person or by delegating this duty to one of the heads of his Department.

He has, nevertheless, the right to postpone his reply, if he shall deem it necessary to do so, by assuming the responsibility for such postponement.

Art. 39. All appointments to various public functions shall be made in conformity with the regulations which shall determine the conditions of merit and capacity required for admission to employment under the state. No functionary appointed under these conditions can be dismissed or transferred; unless it can be proved that his conduct legally justified such removal; unless he shall have resigned, or unless his retirement is considered indispensable by the government.

Officials who may have given proof of good conduct and uprightness, as well as those whom the Government may have thought it indispensable to place on half-pay, shall have a right either to promotion, or to a pension, or to half-pay, according to the terms which will be laid down in a special regulation.

Art. 40. The duties of the several offices will be settled by special regulations. Each functionary is responsible within the limit of his duties.

Art. 41. Every functionary is bound to pay respect to his superior, but obedience is only due to orders given within the limits defined by the law. In respect of acts contrary to law, the fact of having obeyed a superior will not relieve the official who has carried them out from responsibility.

The General Assembly

Art. 42. The General Assembly is composed of two chambers: the Chamber of Notables or Senate, and the Chamber of Deputies.

Art. 43. The two chambers will meet on the 1st of November of each year, the opening to take place by imperial decree (irade), the closing, fixed for the following 1st March, also to take place following an imperial decree. Neither of the two chambers can meet while the other chamber is not sitting.

Art. 44. His Majesty the Sultan according to the exigencies of circumstances, may anticipate the date of the opening or may abridge or prolong the session.

Art. 45. The opening of the session shall take place in the presence of His Majesty the Sultan, either in person or represented by the Grand Vizier, and in the presence of the Ministers and the Members of the two Chambers.

An Imperial Speech will be read, giving an account of the internal position of the Empire and the state of its foreign relations during the past year, and setting forth the measures the adoption of which for the following year is deemed to be necessary.

Art 46. All the members of the General Assembly shall take an oath of fidelity to His Majesty the Sultan and to the country, shall bind themselves to observe the Constitution, to perform the duties entrusted to them, and to abstain from all acts opposed to those duties.

This oath shall be taken by new members at the opening of the Session in the presence of the Grand Vizier, and after the opening in the presence of their respective Presidents and at a public sitting of the Chamber of which they are members.

Art. 47. Members of the General Assembly are free to express their opinions and to vote as they like.

They cannot be bound by conditions or promises, nor influenced by threats. They cannot be prosecuted for opinions or votes delivered in the course of debate, unless they have contravened the Standing Orders of the Chamber, when they are amenable to the provisions of the regulations in force.

Art. 48. Any member of the General Assembly who, by an absolute majority of two-thirds of the Chamber of which he is a member, is accused of treason, or attempting to violate the Constitution, or of peculation (“concession”), or has been condemned to imprisonment or exile, loses his status as Senator or Deputy.

He will be tried and sentence passed by the competent tribunal.

Art. 49. Every member of the General Assembly must vote in person. He can refrain from voting.

Art. 50. No one can at the same time be a member of both Chambers.

Art. 51. No business can be done in either of the Chambers unless one member more than the majority of the Chamber be present.

Except in cases where a majority of two-thirds is requisite, all resolutions must be carried by an absolute majority of members present.

When the votes are equally divided, the President shall have the casting vote.

Art. 52. All private petitions presented to either Chamber shall be rejected if in the course of inquiry it should be shown that the petitioner did not apply in the first instance to the public officers concerned, or to their superior officers.

Art. 53. The initiative of bringing forward a bill or altering an existing law lies with the Ministry.

The Senate and Chamber of Deputies may also originate a new law, or the modification of an existing one, with reference to matters within their own province. In the latter case, the demand is submitted by the Grand Vizier to His Majesty the Sultan, and, if occasion requires, the Council of State is empowered by an Imperial Decree to prepare the proposed Project of Law, aided by information and details from the proper quarter.

Art. 54. Drafts of Bills elaborated by the Council of State are in the first instance laid before the Chamber of Deputies, and after that before the Senate. Though passing both Chambers, no Bill will become law until it has been sanctioned by the Imperial İrade. No draft Bill, once thrown by either of the Chambers, can be brought forward a second time in the course of the same session.

Art. 55. A Bill is not regarded as carried if it has not been successively passed both by the Chamber of Deputies and the Senate by a majority of votes, voting article by article, and if the whole Bill has not been voted by a majority in each of the two Chambers.

Art. 56. With the exception of the Ministers, of their deputies, and the functionaries summoned by a special call, no one can be introduced in either Chamber, nor allowed to make any communication whatever, whether he present himself in his own name or as the representative of a body.

Art. 57. The debates of the Chambers are conducted in the Turkish language. The Bills are printed and circulated before the day fixed upon for discussion.

Art. 58. The votes are given at the call of the House (“par appel nominal”), by show of hands or by ballot. The vote by ballot is subject to the decision of a majority of the members present.

Art. 59. The maintenance of order in each Chamber is entrusted to its President.

Senate.

Art. 60. The President and members of the Senate are nominated directly by His Majesty the Sultan. The number of senators cannot exceed a third of the members of the Chamber of Deputies.

Art. 61. To be nominated a senator it is necessary to have shown by one’s acts that one is worthy of public confidence, or to have rendered signal services to the State, and to be, at least, forty years of age.

Art. 62. The senators are nominated for life.

The rank of senator may be conferred on persons “en disponibilité,” having exercised the functions of Minister, Governor-General (vali), Commandant of Corps d’Armée, Judge, Ambassador or Minister Plenipotentiary, Patriarch, Grand Rabbi, General of Division of armies by land or sea (“terre et de mer”), an generally on persons combining the requisite conditions.

Members of the Senate, called at their request to other functions, lose the position as senator.

Art. 63. The stipend of senators is fixed at 10.000 piastres per month.

A senator receiving from the Treasury salary or pay in any other capacity is entitled only to the difference if the sum is below 10.000 piastres. If the sum is equal to or above the pay of senator, he continues to receive it.

Art. 64. The Senate examines the Bills or Budget transmitted to it by the Chamber of Deputies. If in the course of the examination of a Bill the Senate finds a provision contrary to the sovereign rights of the Sultan, to liberty, the Constitution, the territorial integrity of the Empire, the internal security of the country, to the interests of the defence of the country, or to morality, it rejects it definitely by a vote, assigning its reasons; or it sends it back, accompanied by its observations, to the Chamber of Deputies, demanding that it should be amended or modified in the sense of those observations.

Bills adopted by the Senate are invested with its approval, and are transmitted to the Grand Vizier.

The Senate examines the petitions presented to it; transmits to the Grand Vizier such as it thinks deserving of reference, accompanying them with its observations.

Chamber of Deputies

Art. 65. The number of deputies is fixed at one deputy for every 50.000 males belonging to the Ottoman nationality.

Art. 66. The election is held by secret ballot. The mode of election will be determined by a special law.

Art. 67. The mission of deputy is incompatible with public functions, except those of ministers. Any other public functionary elected deputy is free to accept or refuse; but, in case of acceptance, he must resign his functions.

Art. 68. The following are ineligible as deputies:

1. Those who do not belong to the Ottoman nationality;
2. Those who, by virtue of the special regulation in force, enjoy immunities attached to the foreign service to which they belong;
3. Those not understanding Turkish;
4. Those not turned thirty years of age;
5. Persons attached to the service of a private individual;
6. Bankrupts not rehabilitated;
7. Those notoriously in disrepute for their conduct;
8. Persons visited with judicial interdiction, as long as that interdiction is not raised;
9. Those not enjoying their civil rights;
10. Those who lay claim to a foreign nationality. After the expiration of the first period of four years, one of the conditions of eligibility will be ability to read Turkish and, as far as possible, to write in that language.

Art. 69. General elections of deputies are held every four years. The commission of every deputy lasts only four years, but he is re-eligible.

Art. 70. The general elections commence at the latest four months before the 1st of November, which is the date fixed for the meeting of the Chamber.

Art. 71. Every member of the Chamber of deputies represents the whole body of Ottomans, and not exclusively the circumscription which has elected him.

Art. 72. The electors are bound to choose their deputies from among the inhabitants of the province to which they belong.

Art. 73. In case of the dissolution of the Chamber by Imperial İrade, the general elections are to commence in such times as that the Chamber may meet again at the latest within six months of the date of the dissolution.

Art. 74. In the case of death, judicial interdiction, prolonged absence, loss of the office of Deputy resulting from a condemnation or from the acceptance of public functions, a substitute shall be elected in conformity with the prescriptions of the electoral law, and in such time as that the new deputy will be able to exercise his mandate at the latest in the following session.

Art. 75. The mandate of deputies elected to vacant places only lasts till the following election.

Art. 76. The Treasury will allot to each deputy 20.000 piastres Per session and the expense of this journeys. The amount of these expenses will be established conformably with the provisions of the regulations dealing with the repayment of travelling expenses incurred by civil functionaries of the State, and will be calculated on the basis of a monthly salary of 5.000 piastres.

Art. 77. The President and the two vice-presidents of Deputies are selected by His Majesty the Sultan from a list of nine candidates elected by the Chamber by a majority of votes, three for the Presidency, three for the first vice-presidency, and three for the second vice-presidency. The appointment of the president and vice-presidents is made by Imperial İrade.

Art. 78. The sittings of the Chamber of deputies are public.

At the same time the Chamber may form itself into secret committee if the proposition is made by the ministers, or by the president, or by fifteen members, and that proposition is voted in secret committee.

Art. 79. No deputy can, during the session, be arrested or prosecuted, except in case of flagrant delinquency, unless a majority of the Chamber grant an authorization to prosecute.

Art. 80. The Chamber of deputies discusses the Bills submitted to it.

It adopts, amends, or rejects the provisions affecting finance or the Constitution.

It examines in detail the general expenditure of the State comprised in the Budget, and settles the amount with the Ministers.

It likewise determines, in accord with the Ministers, the nature, amount, and mode of assessment and collection of the receipts destined to meet the expenditure.

The Law Courts

Art 81. The judges nominated in conformity with the special law on this subject and furnished with the patent of investiture are irremovable, but they can resign.

The promotion of Judges, their displacement, superannuation, and revocation, in case of judicial condemnation, are subject to the provisions of the same law.

That law fixes the conditions and qualities requisite for exercising the functions of judge or the other functions of a judicial order.

Art. 82. The sittings of all tribunals are public

The publication of judgments is authorized

Nevertheless, in cases specified by law, the tribunal may sit with closed doors.

Art. 83. Any person may, in the interest of his defence, make use before the tribunal of the means permitted by the law.

Art. 84. No tribunal can, under any pretext, refuse to judge an affair within its competency.

It cannot either arrest or adjourn judgment after having commenced the examination or instruction, unless the plaintiff desists.

Nevertheless, in penal matters the public prosecution continues to be carried on conformably to law, even in case the plaintiff has desisted.

Art. 85. Every affair is judged by the tribunal to whose province it belongs. Suits between individuals and the State are within the competency of the ordinary tribunals.

Art. 86. No interference is to be attempted with the tribunals.

Art. 87. Affairs touching the Şeriat are tried by the tribunals of the Şeriat. The judgment of civil affairs appertains to the civil tribunals.

Art. 88. The various categories of tribunals, their competency, functions, and the emoluments of the judges are settled by law.

Art. 89. Apart from the ordinary tribunals, there cannot, under any title whatever, be formed extraordinary tribunals or commissions to judge certain special cases.

Nevertheless, arbitration and the nomination of a “muvella” (judge delegate) are sanctioned in the forms established by law.

Art. 90. No judge can combine his functions with other functions paid by the State.

Art. 91. Public prosecutors will be appointed, charged with acting on behalf of the public. Their functions and grades will be fixed by law.

High Court of Justice

Art. 92. The High Court is formed of thirty members, of whom ten are Senators, ten Councilors of State, and ten chosen among the presidents and members of the Court of Cassation and Court of Appeal.

All the members are nominated by lot.

The High Court is convoked, when necessary, by Imperial İrade, and assembles in the Senate building.

Its functions consist in trying the ministers, the president, and the members of the Court of Cassation, and all other persons accused of treason or attempts against the safety of the State.

Art. 93. The High Court is composed of two chambers; the Chamber of Accusation and the Chamber of Judgment.

The former is formed of nine members, nominated by lot among the members of the High Court, three of them being senators, three councilors of State, and three members of the Court of Cassation or Court of Appeal.

Art. 94. The decision of sending before the Chamber of Judgement is pronounced by the Chamber of Accusation by a majority of two-thirds of its members. The members belonging of the Chamber of Accusation cannot take part in the deliberations of the Chamber of Judgment.

Art. 95. The Chamber of Judgement is formed of twenty-one members, seven of whom are senators, seven members state councilors, and seven members of the Court of Cassation or Court of Appeal. It judges the cases that are sent to it by the Chamber of accusation by a majority of two-thirds of its members, and conformably to the laws in operation.

Its decisions are not susceptible either of appeal or of recourse to Cassation.

Finance

Art. 96. Taxes to the profit of the State can only be established, assessed, or collected in virtue of a law.

Art. 97. The Budget is the law which contains the estimates of the receipts and expenses of the State.

Taxes to the profit of the State are governed by that law as to their assessment, their distribution, and collection.

Art. 98. The examination and the vote by the General Assembly of the budget bill is carried through article by article. The tabular statements to be annexed, comprising the details of the receipts and expenditure, are to be divided into sections, chapters, and articles, according to the model defined by the regulations.

These tables are voted by chapters.

Art. 99. The Bill of the budget is submitted to the Chamber of Deputies immediately after the opening of the session, in order to make its execution possible from the commencement of the year to which it applies.

Art. 100. No extra budgetary expense can be defrayed out of the State funds except by virtue of a law.

Art. 101. In the case of urgency caused by extraordinary circumstances, the Ministers may, if the General Assembly is not sitting, create by an Imperial Ārade the necessary resources, and defray expenses not provided for in the budget, on the condition of immediately laying a bill on the subject before the Assembly at the opening of the next session.

Art. 102. The budget is voted for one year, and has only legal force for the year to which it refers.

At the same time, if, in consequence of exceptional circumstances, the Chamber of Deputies is dissolved before the budget is voted, the Minister may, by a Decree issued in virtue of an Imperial Ārade, apply the budget of the preceding year till the next session, but the application of this provisional budget shall never extent beyond the term of one year.

Art. 103. The law definitely settling the Budget indicates the amount of receipts collected and payments made out of the revenue and expenditure of the year to which it relates. Its form and provisions must be the same as those of the budget.

Art. 104. The definitive bill is submitted to the Chamber of Deputies at latest within four months from the end of the year to which it relates.

Art. 105. A Court of Accounts shall be created charged with the examination of the operations of the finance functionaries, as also of the annual accounts drawn up by the various ministerial departments.

It will yearly address to the Chamber of Deputies a special report stating the results of its labors, accompanied by its observations.

At the end of every quarter it will present to the Sultan, through the Grand Vizier, a report containing the explanation of the financial situation.

Art. 106. The Court of Accounts shall be composed of twelve irremovable members, nominated by Imperial İrade.

None of them can be revoked unless the explanatory proposition for his dismissal be approved by a decision of the majority of the Chamber of Deputies.

Art. 107. The conditions and qualities required of members of the Court of Accounts, the details of their functions, the rules applicable in case of resignation, replacement, promotion, and superannuation, as well as the organization of its bureaus, shall be determined by a special law.

Provincial Administration

Art. 108. The administration of provinces shall be based on the principle of decentralization.

The details of this organization shall be fixed by a law.

Art. 109. A special law will settle on wider bases the election of the administrative councils of provinces (vilayet), districts (sancak), and cantons (kaza), as also of the Council General, which meets annually in the chief town of each province.

Art. 110. The functions of the Provincial Council-General shall be fixed by the same special law, and shall comprise:

The right of deliberating on matters of public utility, such as the establishment of means of communication, the organization of "caisses de crédit agricole," the development of manufactures, commerce, and agriculture, and the diffusion of education.

The right of applying to the competent authorities for the redress of acts committed in contravention of the laws and regulations as regards assessment or collection of taxes or any other matter.

Art. 111. There shall be in every canton a Council appertaining to each of the different confessions. This Council will be charged with controlling:

1. The administration of the revenues of the real property of pious foundations (vakıf), the special destination of which is fixed by the express provisions of the founders or by custom.

2. The employment of funds or properties assigned by testamentary provision to acts of charity or beneficence.

3. The administration of funds for orphans, in conformity with the special regulation governing the matter.

Each Council shall be composed of members elected by the community it represents, conformably to special rules to be established. These Councils will be subordinated to the local authorities and the Councils General of provinces.

Art. 112. Municipal business will be administered in Istanbul and in the provinces by elected municipal councils.

The organization of the municipal councils, their functions, and the mode of election of their members, will be determined by a special law.

Various Provisions

Art. 113. In the case of the perpetration of acts, or the appearance of indications of a nature to presage disturbance at any point on the territory of the Empire, the Imperial Government has the right to proclaim a state of siege there.

The state of siege consists in the temporary suspension of the civil laws.

The mode of administration of localities under a state of siege will be regulated by a special law.

His Majesty the Sultan has the exclusive right of expelling from the territory of the Empire those who, in consequence of trustworthy information obtained by the police, are recognized as dangerous to the safety of the State.

Art. 114. Primary education will be obligatory on all Ottomans. The details of application will be fixed by a special law.

Art. 115. No provision of the constitution can, under any pretext whatsoever, be suspended or neglected.

Art. 116. In case of duly proved necessity, the Constitution may be modified in some of its provisions. This modification is subordinated to the following conditions:

Every proposal of modification, whether presented by the Minister or by either of the two Chambers, must be, in the first instance, submitted to the deliberations of the Chamber of Deputies.

If the proposition is approved by two-thirds of the members of the Chamber it shall be forwarded to the Senate.

In case the Senate also adopts the proposed modification by a two-thirds majority, it shall be submitted for the sanction of His majesty the Sultan.

If it is sanctioned by Imperial İrade, it shall have force of law.

Articles of the Constitution, which it is proposed to modify, remain in force, until the modification, after having been voted by the Chambers, shall have been sanctioned by Imperial İrade.

Art. 117. The Court of Cassation will interpret the civil and penal laws; the Council of State administrative laws; and the Senate the articles of the Constitution.

Art. 118. All the provisions of the laws, regulations, usages, and customs now in force shall continue to be applied, so long as they shall not have been modified or abrogated by other laws and regulations.

Art. 119. The preliminary order of 28th October 1876, concerning the General Assembly, will cease to have effect from the end of the first session.

Revised Articles of the 1876 Constitution, August 1909

Art. 3. The Imperial Ottoman sovereignty, which carries with it the Supreme Caliphate of Islam, falls to the eldest Prince of the House of Osman, according to the rule established *ab antiquo*. On his accession the Sultan shall swear before Parliament, or if Parliament is not sitting, at its first meeting, to respect the visions of the Şeriat (canon law) and the Constitution, and to be loyal to the country and the nation.

Art. 7. Among the sacred prerogatives of the Sultan are the following:

The mention of his name in prayers; the minting of money; the granting of high public offices and titles, according to the law *ad hoc*; the conferring of orders; the selection and appointment of the Grand Vizier and the Şeyhülislam; the confirmation in their offices of the members of the Cabinet formed and proposed by the Grand Vizier, and, if need arise, the dismissal and replacement of Ministers according to established practice; the approval of putting into force of general laws; the drawing up of regulations concerning the workings of Government departments and the method of administering the laws; the initiative in all kinds of legislation; the maintenance and execution of the canon and civil laws; the appointment of persons to the privileged provinces according to the terms of their privileges; the command of the military and naval forces; the declaration of war and the making of peace; the reduction and remission of sentences passed by penal Courts; the granting of a general amnesty with the approval of Parliament; the opening and closing of the parliamentary sessions; the summoning of Parliament before its time in extraordinary circumstances; the dissolution of the Chamber of Deputies if necessary, with the consent of the Senate, on condition that elections take place and the Chamber assembles within three months; and the conclusion of Treaties in general. Only, the consent of Parliament is required for the conclusion of Treaties which concern peace, commerce, the abandonment or annexation of territory, or the fundamental or personal rights of Ottoman subjects, or which involve expenditure on the part of the State. In case of a change of Cabinet while Parliament is not sitting, the responsibility arising out of the change rests upon the new Cabinet.

Art. 27. Just as His Imperial Majesty the Sultan entrusts the posts of Grand Vizier and Şeyhülislam to men in whom he has confidence, so the other Ministers, who are approved and proposed by the Grand Vizier entrusted with the formation of the Cabinet, are confirmed in their offices by Imperial Irade.

Art. 28. The Council of Ministers shall meet under the presidency of the Grand Vizier. It shall deal with affairs of importance, both home and foreign. Such of its decisions as need the Imperial assent shall be put into force by Imperial Irade.

Art. 30. Ministers shall be responsible to the Chamber of Deputies collectively for the general policy of the Government and personally for the affairs of their respective departments. Decisions which need the Imperial sanction shall only become valid if signed by the Grand Vizier and the Minister concerned, who thus accept responsibility, and countersigned by the Sultan. Decisions arrived at by the Council of Ministers shall bear the signatures of all the Ministers, and in cases where the Imperial assent is necessary, these signatures shall be headed by that of His Imperial Majesty the Sultan.

Art. 41. Both houses of Parliament shall meet without being summoned on the 1st (14th) November of every year.

Art. 44. If need arises His Imperial Majesty the Sultan may open Parliament before the specified time, either on his own initiative or on application from an absolute majority of the members. He may also prolong the session either in virtue of a decision of Parliament or on his own initiative.

Art. 54. Bills become law after being examined and accepted by the Chamber of Deputies and the senate, and sanctioned by Imperial İrade. Bills submitted for the Imperial sanction must either receive that sanction within two months or be returned for re-examination. If a bill sent back to be discussed again is to be accepted, it must be voted by a two-thirds majority. Bills, which are voted urgent, must either be sanctioned or be returned within ten days.

Art. 120. Ottomans enjoy the right of assembly, on the condition that they obey the law on the subject.

The societies are forbidden which aim at injuring the territorial integrity of the Ottoman Empire, changing the form of the Constitution or of the government, acting contrary to the provisions of the Constitution, or bringing about a separation between the various Ottoman elements, or which are contrary to public morals.

The formation of secret societies in general is also forbidden.