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CONSTITUTIONS of NATIONS

The first compilation in the English language of the texts of the
constitutions of the various nations of the world, together
with summaries, annotations, bibliographies,
and comparative tables

VOLUME I

AFGHANISTAN to FINLAND

by

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sons in excess of a multiple of 200,000.¹ They must possess qualifications specified in the Constitution.² Each provincial council names at least three senators.³ A number of senators equal to one-half of the number of members of the House of Representatives is elected directly by the people.⁴ A certain number of senators are elected directly by the state itself.⁵ The Senate is entirely renewed every four years.⁶

EXECUTIVE DEPARTMENT

The King is an hereditary monarch with provision that in default of descendants, the King may name his successor with the consent of the Houses.⁷ He exercises both executive powers and certain legislative powers.⁸ Decrees of the King require the countersignature of a minister.⁹ Ministers are chosen and may be dismissed by the King.¹⁰ They have no votes in the parliament unless they are members of it, but have access to either house and are entitled to be heard upon request and may be summoned to appear.¹¹

JUDICIAL DEPARTMENT

Judicial power is vested by the Constitution in a Court of Cassation which does "not consider questions of fact except in the trial of ministers" and which decides all "conflicts of jurisdiction" of other courts. The Constitution prohibits the establishment of any "commissions or extraordinary tribunals."¹² Authoritative interpretation of the laws, however, belongs to the legislative power.¹³ A special "court of accounts" is provided for, for the settlement of accounts of all persons accountable to the public treasury.¹⁴ Higher judicial officers are appointed by the King from lists supplied to the courts and the provincial councils or Senate.¹⁷

AREA, POPULATION, LANGUAGE

Belgium has an area of 11,775 square miles, and a population of about 4,000,000. The languages spoken are French and Flemish.

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| st., Art. 53 (2). | ² Id., Art. 56, 56A. | ³ Id., Art. 53 (2). |
| Art. 54. | ⁴ Id., Art. 53 (3). | ⁵ Id., Art. 55. |
| Art. 61. | | |
| Art. 26. | While the King has power to make regulations and decrees for the execution of the laws, this in practice has become a legislative activity. | |
| Art. 64. | | |
| Art. 65. | In practice ministers keep their posts as long as they enjoy the confidence and support of a majority of the two Houses. | |
| Art. 88. | ¹² Id., Art. 95. | ¹³ Id., Art. 106. |
| Art. 94. | ¹⁴ Id., Art. 28. | ¹⁶ Id., Art. 116. |
| Art. 99. | | |

CONSTITUTION OF BELGIUM

February 7, 1831¹
(With Amendments)

TITLE I

THE TERRITORY AND ITS DIVISIONS

- Art. 1.² Belgium is divided into provinces.
These provinces are: Antwerp, Brabant, West Flanders, East Flanders, Hainaut, Liège, Limbourg, Luxembourg, Namur.
If there should be occasion for it, the territory may be divided by law into a greater number of provinces.
The colonies, possessions beyond the sea, or protectorates which Belgium may acquire shall be governed by special laws. The Belgian forces required for their defense shall be recruited only by voluntary enlistment.
Art. 2. Subdivisions of the provinces shall not be made except by law.
Art. 3. The boundaries of the state, of the provinces, and of the communes shall not be changed or rectified except by law.

TITLE II

BELGIAN CITIZENS AND THEIR RIGHTS

- Art. 4. Belgian nationality is acquired, retained, and lost according to regulations established by the civil law.
The present Constitution and the other laws relating to political rights determine what other conditions are necessary for the exercise of these rights.
Art. 5. Naturalization is granted by the legislative power.
Full naturalization alone admits foreigners to equality with Belgians in the exercise of political rights.
Art. 6. There shall be no distinction of classes³ in the state.
All Belgians are equal before the law; they alone are admissible to civil and military offices, with such exceptions as may be established by law for particular cases.
Art. 7. Individual liberty is guaranteed.
No one may be prosecuted except in cases provided for by law and in the form therein prescribed.
Except when one is taken in the commission of an offense, no one may be arrested without a warrant issued by a magistrate, notice of which

¹ French text in Dareste, *Les Constitutions Modernes*, Vol. 1, p. 349.

² As amended September 7, 1893. The boundaries of the Kingdom of Belgium were fixed by the treaty of April 19, 1839. The provision regarding colonies was introduced in 1893 to give the government power to administer the Congo Free State when it should become a Belgian possession.

³ The French text, "Il n'y a dans l'Etat aucune distinction d'ordres," applies to the old divisions of the State into three orders: nobility, clergy, and tiers état.

must be given at the time of arrest, or at the latest within twenty-four hours thereafter.

Art. 8. No person shall be removed against his will from the jurisdiction of the judge to whom the law assigns him.

Art. 9. No penalty shall be established or enforced except by virtue of a law.

Art. 10. The private domicile is inviolable; no search of premises shall take place except in the cases provided for by law and according to the form therein prescribed.

Art. 11. No one may be deprived of his property except for a public purpose and according to the forms established by law, and in consideration of a just compensation previously determined.

Art. 12. Punishment by confiscation of property shall not be established.

Art. 13. Total deprivation of civil rights (*mort civile*) is abolished and shall not be reestablished.

Art. 14. Religious liberty and the freedom of public worship, as well as free expression of opinion in all matters, are guaranteed with the reservation of power to suppress offenses committed in the use of these liberties.

Art. 15. No one shall be compelled to join in any manner whatever in the forms and ceremonies of any religious worship, nor to observe its days of rest.

Art. 16. The state shall not interfere either in the appointment or in the installation of the ministers of any religious denomination whatever, nor shall it forbid them to correspond with their superiors or to publish their proceedings, subject, in the latter case, to the ordinary responsibility of the press and of publication.

Civil marriage shall always precede the religious ceremony, except in cases to be established by law if found necessary.

Art. 17. Private instruction shall not be restricted; all measures interfering with it are forbidden; the repression of offenses shall be regulated by law.

Public instruction given at the expense of the state shall likewise be regulated by law.

Art. 18. The press is free; no censorship shall ever be established; no security shall be exacted of writers, publishers, or printers.¹

In case the writer is known and is a resident of Belgium, the publisher, printer, or distributor shall not be prosecuted.

Art. 19. Belgians have the right, without previous authorization, to assemble peaceably and without arms, conforming themselves to the laws which regulate the exercise of this right.

This provision does not apply to assemblies in the open air, which remain entirely under the police laws.

Art. 20. Belgians have the right of association; this right shall not be restricted by any preventive measure.

Art. 21. Anyone has the right to address petitions to the public authorities, signed by one or more persons.

Legally organized bodies alone have the right to petition under a collective name.

Art. 22. The privacy of correspondence is inviolable. The law shall determine who are the agents responsible for the violation of the secrecy of letters entrusted to the post.

Art. 23. The use of the languages spoken in Belgium is optional. This matter may be regulated only by law and only for acts of public authority and for judicial proceedings.¹

Art. 24. No previous authorization is necessary to bring action against public officials for the acts of their administration, except as provided for ministers.²

TITLE III

CONCERNING POWER

Art. 25. All powers emanate from the people. They shall be exercised in the manner established by the Constitution.

Art. 26. The legislative power shall be exercised collectively by the King, the House of Representatives, and the Senate.³

Art. 27. Each of the three branches of the legislative power shall have the right of initiative.

(Nevertheless, all laws relating to the revenues or expenditures of the state or to the army contingent must be voted first by the House of Representatives).⁴

Art. 28. The authoritative interpretation of the laws shall belong only to the legislative power.

Art. 29. The executive power is vested in the King, subject to the regulations of the Constitution.

Art. 30. The judicial power shall be exercised by the courts and the tribunals.

Decrees and judgments shall be executed in the name of the King.

Art. 31. Exclusively communal or provincial affairs shall be regulated by the communal or provincial councils, according to the principles established by the Constitution.

CHAPTER I

THE HOUSES

Art. 32. The members of the two houses shall represent the nation, and not the province alone, nor the subdivision of the province which elected them.

Art. 33. The sessions of the houses shall be public. Nevertheless, each house may resolve itself into a secret committee upon the demand of its president or of ten members.

It shall then decide by vote of an absolute majority whether the session shall be resumed in public upon the same subject.

¹ Laws and royal decrees are published in French in the *Moniteur*; the French text is the only official text. Flemish may be used in some official documents (see Dareste, op. cit., p. 77, note 1).

² See below, Articles 63, 90, and 134.

³ This article was proposed for revision in 1921, but was left unchanged.

⁴ Stricker, art. 10, 1921.