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RECENT CONSTITUTIONAL CHANGES IN IRAN

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ON February 24 the Shah received in audience the Prime Minister, several elder statesmen, and representatives of the Majlis factions. He stressed the unsatisfactory state of affairs and said that the Majlis had done nothing to improve it—it had not even passed a budget for the last five years. The Shah had spoken against this on several occasions, but he now laid his finger on what he felt to be the root cause—the fact that the Constitution had been drafted with intentional gaps which gave the Legislature excessive powers against the executive. This unbalance of power must now be rectified and the head of the state must have the power to dissolve the Legislature and order new elections. The Shah had therefore decided, after consulting those architects of the Constitution who were still alive and who were present at this moment, to convoke a Constituent Assembly. His object in doing so was twofold: to enable them to amend the Constitution and Article 48 of the Fundamental laws which concerns disagreement between the two Houses; dissolution of the Majlis and fresh elections. Furthermore, if the Majlis did not succeed in passing the Senate Bill and in approving a new electoral law based on the principles of liberty and democracy which would limit the duration of the elections throughout the country to a period of one month, these two matters would be submitted to the Constituent Assembly.

This pronouncement of the Shah was reported to the Majlis and discussed by them in a secret session, as a result of which the Prime Minister reported to the Shah on February 27 that the deputies were in favour of his proposed course of action. The firman for the holding of elections for the Constituent Assembly was issued on the following day, February 28. The elections took place in the first week of April and each constituency elected twice the number of deputies sent to the Majlis. The Constituent Assembly was opened by the Shah on April 21 in the Great Hall of the Ministry of Justice, Tehran. The Assembly continued its labours until May 8, on which date it approved by virtually unanimous votes two measures—one a new Article to the Constitution establishing the procedure whereby the Constitution is to be amended, and the other a revised version of Article 48 of the Constitution which deals with the method of dissolution.

The new Article provides for the convocation of a Constituent Assembly in the event of the Majlis and the Senate voting separately by a two-thirds majority in favour of such a step and of that recommendation being confirmed by the Shah. The membership of the Constituent Assembly is to be equal to that of the Majlis and the Senate combined, and its election will be conducted in accordance with a law to be approved by both Chambers. Its competence will be limited by specific terms of reference. The new Article also provides that the new Majlis and the Senate, as soon as they are constituted, shall undertake the revision of Articles 4 to 8 of the Constitution, which deal with the size and life of the Majlis and with the

quorum rule. The new Chambers will also undertake the revision of Article 49 of the Supplementary Laws as soon as they are formed. This Article as at present drafted renders it impossible for the Shah to prevent the enforcement of Majlis decisions. It may therefore be assumed that in its revised form it will give His Majesty the power to exercise the right of veto in some form.

Article 48, as amended, empowers the Shah to dissolve the two Chambers separately or together, subject to stating the reason for such a dissolution, and simultaneously ordering new elections so that the new Chamber or Chambers may convene within a period of three months. The new Chamber or Chambers cannot be dissolved for the same reason as their predecessors.

In the event, it was not necessary for the Constituent Assembly to concern itself with the Senate Bill, as the Majlis passed it on May 4. Some Government amendments to the Senate Law were later introduced but have not yet been finally approved. The Imperial firman for the Senate elections was issued on June 15, and it seems likely that a Senate will meet for the first time in history about the same time as the sixteenth Majlis is due to meet—*i.e.*, in the late summer of this year.



