

Woman, Life, Liberty
Proposed Drafts of Two Constitutions for Free Iran
A Gift to the great People of Iran

Authors of this proposals are a group of thinkers who love Iran and Iranians. We are not affiliated with any political party, religious group, or any other organization; have no desire to seek any office in the future government of Iran; and do not wish to interject our personal opinions.

We humbly suggest a choice between either a Republic system of government, or a Constitutional Monarchy be made by the great people of Iran in a free and transparent referendum.

We have studied, analyzed, and borrowed from constitutions of 16 countries: Australia, Japan, Singapore, India, Switzerland, Sweden, Belgium, Denmark, Finland, France, Tunisia, Morocco, Canada, United States, Costa Rica, and Brazil. We are eternally grateful to all these nations.

A draft of the Constitution for each form of government both in Farsi and English, is hereby submitted to the people of Iran.

Respectfully submitted on behalf of the group,

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Preamble

We, the men and women of the ancient land of Iran/Persia, being endowed with humanistic characteristics of our seven-thousand-year ancestral inheritance; having respect for the religion of Islam and all divine religions, but emphasizing that no religious establishment of any faith and their members, either in clergy or civilian attire, should be involved in making and/or enforcing any laws; aspiring to make our country the epicenter of peace and amity of the world, do hereby establish this Constitution the law of the land based on fundamental Human Rights, regardless of race, ethnicity, gender, religion, national or social origin, birth, political or other status with the right to life, liberty and security; freedom of thought, conscience and religion; freedom of expression; freedom of peaceful assembly and association, the right to free education and health; freedom of travel and work/employment; equal rights before the law as well as equal protection by the law; protection against being subjected to torture or to cruel, inhuman or degrading treatment or punishment.

We, the Iranian people, acting through our duly elected representatives in the Constitutional Assembly, determined that we shall secure for ourselves and that of future generations, the fruits of peaceful cooperation with all nations and the blessings of liberty throughout this land, do proclaim that sovereign power resides with the people and do firmly establish this Constitution. Government is a sacred trust of the people, the authority for which is derived from the people, the powers of which are exercised by the representatives of the people, and the benefits of which are enjoyed by the people. This is a universal principle of humankind upon which this Constitution is founded. We reject and revoke all constitutions, laws, ordinances, and rescripts in conflict herewith.

Draft for a Constitutional Monarchy System

Article 1. The unifying language of Iran shall be Farsi, but languages spoken by various ethnic groups of Iran such as, but not limited to, Azari, Khuzestani Arabic, Balochi, Gilaki, Kurdish, Lori, Mazandarani, Turkoman, etc. may be taught at provincial level provisions of which may be chosen by each province.

Article 2. The Flag of Iran shall be tri-color comprising equal horizontal bands of green, white, and red, with the lion and sun or sheer-o-khorshid in center of the white band.

Each province may choose its own flag. The Iranian National Flag shall be hoisted first and lowered last when flown with other flags.

The Head of Country/Monarch

Article 3. The Monarch shall be the symbol of the country and of the unity of the people, deriving his/her position from the will of the people with whom resides sovereign power.

Article 4. The King or Queen who occupies the throne of Iran in accordance with the Royal House Law passed by the Parliament, shall be the ceremonial head of the country. The provisions of this Instrument of Government which relate to the King shall apply to the Queen if the Queen is Head of the country.

Article 5. The Monarch shall perform only such acts in matters of the country as are provided for in this Constitution and s/he shall not have powers related to government.

1. The monarch may delegate the performance of his/her acts in matters of the country as may be provided by law.

Article 6. When, in accordance with the Royal House Law, a Regency is established, the Regent shall perform his/her acts in matters of the country in the Monarch's name.

Article 7. The Monarch shall appoint the Prime Minister as designated by the Parliament.

Article 8. The Monarch, with the advice and approval of the Cabinet, shall perform the following acts in matters of the country on behalf of the people:

1. Promulgation of amendments of the constitution, laws, cabinet orders and treaties.
2. Convocation of the Parliament.
3. Dissolution of the House of Representatives. The Monarch may dissolve the House of Representatives with the advice and approval of the Prime Minister as head of the Cabinet. The Prime Minister shall call for elections within 40 days of the dissolution.
4. Proclamation of general election of members of the Parliament.
5. Attestation of the appointment and dismissal of Ministers of Cabinet and other officials as provided for by law.
6. Attestation of credentials of Ambassadors and Ministers.
7. Attestation of general and special amnesty, commutation of punishment, reprieve, and restoration of rights.
8. Awarding of honors/medals.
9. Attestation of instruments of ratification and other diplomatic documents as provided for by law.
10. Receiving foreign ambassadors, ministers, and guests.
11. Performance of ceremonial functions.

Article 9. No property can be given to, or received without just compensation by, the Royal House, including but not limited to all his/her children, siblings, uncles and aunts, nor can any gifts be made therefrom, without the authorization of the Parliament.

Article 10. The King/Queen opens the first session of the Parliament.

Article 11. The King/Queen shall be kept informed by the Prime Minister concerning the affairs of the country.

Article 12. The King/Queen may not at the same time be a minister, or a member of the parliament, or hold any military position.

Article 13. The King/Queen shall consult the Prime Minister before undertaking travel abroad.

Article 14. The King/Queen shall represent Iran on foreign trips.

Article 15. The King/Queen shall receive the Head of State of other countries.

Article 16. If, by reason of ill health, foreign travel or for any other cause, the King/Queen is unable to perform his/her duties, a member of the Royal House under the valid order of succession shall assume and perform the duties of Head of the country in the capacity of Regent ad interim.

Article 17. Should the Royal House become extinct, the parliament appoints a Regent to perform the duties of Head of the country until further notice. The parliament appoints a Deputy Regent at the same time. The same applies if the King/Queen dies or abdicates and the heir to the throne has not yet attained the age of eighteen (18).

Article 18. If the King/Queen has been continuously unable or failed for six (6) months from performing his/her duties, the Prime minister shall notify the matter to the Parliament. The parliament determines whether the King/Queen shall be deemed to have abdicated.

Article 19. The Parliament may appoint a person to serve as Regent ad interim under a government order when no one competent in the line of succession is in a position to serve. The head of the Senate, serves as Regent ad interim under a government order when no other competent person is in a position to serve.

Article 20. The King/Queen cannot be prosecuted for his/her actions. Neither can a Regent be prosecuted for his/her actions as Head of the country.

Article 21. The King/Queen shall be the commander in chief of Iran's armed forces.

Article 22. The King/Queen shall at all times uphold the constitution of Iran.

Article 23. The Act of Succession

1. The Act of Succession shall be regulated/set by the parliament. The Act regulates the order in which descendants of the present King succeed to the throne.
2. Iran shall have a fair Act of Succession and both male and female descendants have the right to succeed to the throne.
3. Older children of the king/queen and the descendants of older children take priority over younger children and the descendants of younger children.
4. Only children born in wedlock may inherit the Throne.
5. Only the descendants of the king/queen may inherit the Throne.
6. The offspring of an approved marriage must be brought up within Iran.
7. A prince or princess in the line of succession shall uphold the constitution of Iran.
8. A prince or princess may not marry and remain in the line of succession without having received consent, upon application of the Monarch, from the parliament.
9. A prince or princess is prevented from becoming monarch of another country, either by election or marriage, without the consent of the Monarch and the parliament.
10. If any of these provisions are violated: all rights of succession for the person concerned and all descendants shall be lost.

Rights and Duties of the People

Article 24. Voting eligibility: All Iranian citizens who have attained the age of eighteen (18) who do not have felony convictions shall be eligible to vote.

Article 25. The conditions necessary for being an Iranian national shall be determined by law.

Article 26. People shall not be prevented from enjoying any of the fundamental human rights. These fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights.

Article 27. The freedoms and rights guaranteed to the people by this Constitution shall be maintained by the constant endeavor of the people, who shall refrain from any abuse of these freedoms and rights and shall always be responsible for utilizing them for the public welfare.

Article 28. All people shall be respected as individuals. Their right to life, privacy, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be the supreme consideration in legislation and in other governmental affairs.

Article 29. All people are equal under the law and there shall be no discrimination regardless of race, ethnicity, gender, religion, national or social origin, birth, political or other status.

1. Nepotism shall be forbidden.
2. Lobbying for any type of compensation shall be prohibited.

Article 30. People have the inalienable right to choose their public officials and to dismiss them.

1. All public officials are servants of and collectively responsible to the whole country and not of any group thereof.
2. Universal adult suffrage is guaranteed with regard to the election of public officials.
3. In all elections, secrecy of the ballot shall not be violated. A voter shall not be answerable, publicly or privately, for the choice s/he has made.

Article 31. Every person shall have the right of peaceful petition for the redress of damage, for the removal of public officials, for the enactment, repeal or amendment of laws, ordinances or regulations and for other matters; nor shall any person be in any way discriminated against for sponsoring such a petition.

Article 32. Every person may sue for redress as provided by law from the State or a public entity, in case s/he has suffered damage through illegal act of any public official.

Article 33. No person shall be held in bondage of any kind. Involuntary servitude, except as punishment for crime, is prohibited.

Article 34. Freedom of thought and conscience shall not be violated.

Article 35. Freedom of religion is guaranteed to all.

1. No religious organization, establishment, entity, group, society, endowment, or any other form, shall receive any privileges from the government, nor exercise any political authority in the affairs of the country.
2. No person shall be compelled to take part in any religious act, celebration, rite or practice.

3. The government and its organs shall refrain from religious education or any other religious activity.

Article 36. Freedom of assembly and association as well as all forms of expression such as spoken, print, electronic, social media, etc. are guaranteed.

1. No censorship shall be maintained, nor shall the secrecy of any means of communication be violated.

Article 37. Every person shall have freedom to choose and change his/her residence and to choose his/her occupation.

1. Freedom of all persons to move to a foreign country and to divest themselves of their nationality shall be inviolate.

Article 38. Press/Media freedom is guaranteed.

1. Parliament shall make no law diminishing the freedom of speech, or of the press/media.
2. Government shall not control any media (written, spoken or digital such as social media)
3. The Media is not entitled to treatment different in kind from the treatment to which any other member of the public may be subjected. Free speech and free media do not give an individual or the media any immunity from liability for libel or slander.

Article 39. Academic freedom is guaranteed.

Article 40. Marriage shall be based only on the mutual consent of both sexes and it shall be maintained through mutual cooperation with the equal rights of husband and wife as a basis.

1. With regard to the choice of spouse, property rights, inheritance, choice of domicile, divorce and other matters pertaining to marriage and family,

laws shall be enacted from the standpoint of individual dignity and the essential equality of the sexes.

Article 41. All people shall have the right to receive an equal education.

1. All people shall be obligated to have all boys and girls under their protection receive ordinary education as provided for by law. Such compulsory education shall be free.

Article 42. All people shall have the right and the obligation to work.

1. Standards for wages, hours, rest and other working conditions shall be fixed by law.
2. Children shall not be exploited.

Article 43. The right to own or to hold property is inviolable.

1. Natural resources are owned by Iran and cannot be sold to foreign entities/individuals. Foreign Investments shall be regulated by law.
2. Property rights shall be defined by law, in conformity with the public welfare.
3. Private property may be taken for public use upon just compensation therefor.

Article 44. The people shall be liable to taxation as provided by law.

Article 45. No person shall be deprived of life or liberty, nor shall any other criminal penalty be imposed, except according to procedures established by law.

Article 46. No person shall be denied the right of access to the courts.

Article 47. No person shall be apprehended except upon warrant issued by a competent judicial officer which specifies the offense with which the person is charged, unless s/he is apprehended while the offense is being committed.

Article 48. No person shall be arrested or detained without being at once informed of the charges against him/her or without the immediate privilege of counsel; nor shall s/he be detained without adequate cause; and upon demand of any person such cause must be immediately shown in open court in his/her presence and the presence of his/her counsel.

Article 49. The privilege of the Writ of Habeas Corpus (the right protecting against unlawful and indefinite imprisonment) shall not be suspended, unless in cases of Rebellion or Invasion the public safety may require it.

Article 50. The right of all persons to be secure in their homes, papers, electronic and digital effects against entries, searches and seizures shall not be impaired except upon warrant issued for adequate cause and particularly describing the place and belongings to be searched and things to be seized.

1. Each search or seizure shall be made upon separate warrant issued by a competent judicial officer.

Article 51. Infliction of torture by any public officer and cruel punishments is absolutely forbidden.

Article 52. In all criminal cases the accused shall enjoy the right to a speedy and public jury trial by an impartial court.

1. S/he shall be permitted full opportunity to examine all witnesses and evidence, and shall have the right of compulsory process for obtaining witnesses on his/her behalf at public expense.
2. At all times the accused shall have the assistance of competent counsel who shall, if the accused is financially unable to secure the

same by their own efforts, be assigned to their use by the government.

Article 53. No person shall be compelled to testify against himself/herself.

1. Confession made under compulsion, torture or threat, or after prolonged arrest or detention shall not be admitted in evidence.
2. No person shall be convicted or punished in cases where the only proof against him/her is their own confession.

Article 54. Any person, in case s/he is acquitted after s/he has been arrested or detained, may sue the government for redress as provided by law.

The Parliament

Article 55. The Parliament shall consist of two Chambers, namely the House of Representatives and the Senate.

Article 56. The Parliament shall be the highest organ of the country power, and shall be the sole law-making organ of Iran.

Article 57. Both chambers of the Parliament shall consist of elected members, representative of all the people.

1. The number of the members of the Senate shall be sixty-two (62), two from each province, and each Senator shall have one Vote.
2. Any change in the number and geographical borders of Provinces shall be approved by two thirds majority vote of the totality of the members of both the House of Representative and the Senate.
3. Notwithstanding the number of Provinces, the number of Senators elected in each Provenience shall be no more, or less than two (2).
4. The number of members of House of Representatives shall be one (1) representative for each three-hundred thousand (300,000) residents in

each province. There should be a minimum of one (1) representative for each province in cases where number of residents of the province is below three-hundred thousand (300,000).

Article 58. Men and women Citizens of Iran, regardless of race, ethnicity, gender, religion, national or social origin, birth, political or other status at the time of the Adoption of this Constitution, who have attained age of thirty (30) for senate and twenty five (25) for house of representative, do not have any felony convictions, are not currently serving in any branch of the military, armed forces, intelligence strata, and been resident of Iran for a minimum of ten consecutive years immediately prior to the election, shall be eligible to run for the senate and the house respectively.

The clergy, either in clergy or civilian attire, of any religion shall be excluded from running for the parliament.

1. Fixed election dates to be determined by law.

Article 59. The term of office of members of the House of Representatives shall be three (3) years. No elected representative shall serve more than two terms, a total of six (6) years.

Article 60. The term of office of members of the Senate shall be six (6) years, with staggered elections into two (2) cycles. The rationale to establish a staggered system of election is to ensure a smooth transition in the Senate.

1. In the initial election for the Senate, a total of thirty-one (31) Senators (the highest vote getter in each province) would be elected to serve for six (6) years.
2. The second highest vote getter in each province, a total of thirty-one (31) Senators, would be elected for a three (3) year term. Thereafter, the highest vote getters shall be elected for a term of six (6) years, as well. This way, half ($\frac{1}{2}$) of the Senate would be up for elections every three (3) years. The date of Senate elections shall coincide with the day of elections for the House of Representatives.
3. No member of the Senate shall serve more than a total of twelve (12) years.

4. Members of both Chambers shall receive appropriate annual payment from the national treasury in accordance with law.
5. Upon expiration of the terms of service, each member of the parliament, shall be entitled to a pension/retirement the amount of which shall be fifty percent (50%) of their last base salary multiplied by the number of his/her years of service.
6. Members of the parliament are equal to the general public. There shall be no exemptions for the members of the parliament from laws, rules, or regulations including benefits and entitlements such as pension, health insurance, etc.

Article 61. Electoral districts, method of voting and other matters pertaining to the method of election of members of both Chambers shall be fixed by law.

Article 62. No person shall be permitted to be a member of both Chambers simultaneously.

1. No elected member of the House or Senate shall serve in any governmental entity as long as s/he is in office.
2. Elected members of the House of Representatives and the Senate must be inhabitants of their respective Provinces.

Article 63. Members of the House and the Senate shall not be held liable outside the Parliament for speeches, debates or votes cast inside the Parliament.

Article 64. An ordinary session of the Parliament shall be convened concurrently once per year.

Article 65. If the House of Representatives is dissolved, there must be a general election of members of the House of Representatives within forty (40) days from the date of dissolution, and the Parliament must be convened within thirty (30) days from the date of the election.

1. When the House of Representatives is dissolved, the Senate must convene a national emergency session within ten (10) days.

Article 66. Each House shall judge disputes related to qualifications of its members. However, in order to deny a seat to any member, a resolution must be passed by a majority of two-thirds or more of the totality of the members.

Article 67. Business cannot be transacted in the House and the Senate unless a minimum of sixty percent (60%) of total membership is present at all times.

1. All matters shall be decided, in the House and Senate, by at least sixty percent (60%) of total members, except as elsewhere provided in the Constitution.
2. In case of a tie vote in the Senate (31-31), the vice President shall cast a tie-breaking vote.

Article 68. Deliberation in the House and Senate shall be public. However, a secret meeting may be held where two-thirds of all members passes a resolution therefor.

1. House and Senate shall keep a record of proceedings. This record shall be published and given general circulation, excepting such parts of proceedings of secret session as may be deemed to require secrecy.
2. Votes of members on any matter shall be recorded in the minutes.

Article 69. The House and Senate shall select its own President and other officials.

1. The House and Senate shall establish its rules pertaining to meetings, proceedings and internal discipline, and may punish members for disorderly conduct. However, in order to expel a member, a majority of two-thirds or more of the totality of members must pass a resolution thereon.

Article 70. A bill becomes a law on passage by both the House of Representatives and the Senate, and signature of the King/Queen.

Article 71. All bills approved by both the House and the Senate, sent by the Senate to the office of the King/Queen to be signed within ten (10) days, shall become law once signed by the King/Queen.

1. If a bill is vetoed by the King/Queen within ten (10) days from its receipt, and returned with his/her objections to the House or Senate in which it was originated for its reconsideration, the veto can be overridden by two thirds majority vote of the totality of the members of both the House of representative and the Senate.
2. If any Bill is not returned by the King/Queen within ten days (Fridays excepted) after it has been presented to him/her, the bill shall be a Law, in like manner as if s/he had signed it, unless the Parliament by their Adjournment prevents its return, in which case it shall not be a Law.

Article 72. International treaties must be ratified by the Senate, and signed by the King/Queen in order to be considered valid.

Article 73. The House and the Senate may conduct investigations in relation to government, and may demand the presence and testimony of witnesses, and the production of records.

Article 74. The King/Queen may, at any time, appear in either the House of Representatives or the Senate for the purpose of speaking on bills.

Powers of the Parliament

Article 75. The Parliament shall have Power to:

1. Lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of Iran; but all duties, imposts and excises shall be uniform throughout the country;
2. To borrow Money on the credit of Iran;
3. To regulate Commerce with foreign Nations, and among the Provinces;
4. To establish a uniform Rule of Naturalization, and uniform laws on the subject of Bankruptcies throughout Iran;
5. To print money, coin, regulate the value thereof, and of foreign coins, and fix the Standard of Weights and Measures;
6. To provide for the punishment of counterfeiting the Securities and current coins and currency of Iran;
7. To establish efficient procedures and regulations for the Post Office;
8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;
9. To constitute Tribunals lower than the Supreme Court;
10. To define and punish piracies and felonies committed on the high seas, and offenses against the Law of Nations;
11. To declare war;
12. To make all Laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the Government of Iran, or in any department or Office thereof.
13. Enact laws with appropriate punishment for commercial false advertising as well as false claims in political advertising and campaigns that mislead the citizenry by virtue of obfuscating the truth through using evasive, unclear, or obscure language and or imagery in telling of the facts.

14. The Prime Minister of Iran shall have the responsibility of casting a tie-breaking vote in the Senate only when the votes in the Senate are equally divided.
15. The House of Representatives shall have the sole Power of Impeachment of the Prime Minister.
16. Matters relating to impeachment of the judges shall be provided by law
17. Only the Parliament has the authority to remove a judge. This is done through a vote of impeachment by the house and a trial and conviction by the Senate.
18. The Prime Minister and all civil officers of Iran shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.
19. Impeachment inquiry begins in the Judiciary Committee of the House of Representatives. That committee holds hearings, takes evidence, and hears testimony of witnesses concerning matters relevant to the inquiry. There will also be a Minority Counsel who serves the interest of the party not controlling Parliament.
20. Witnesses are interrogated by the Committee Counsel, the Minority Counsel, and each of the members of the House Judiciary Committee. The Committee formulates Articles of Impeachment which could contain multiple counts. The Committee votes on the Articles of Impeachment and the results of the vote are reported to the House as a whole. The matter is then referred to the whole House which debates the matter and votes on the Articles of Impeachment, which may or may not be changed. If the Articles of Impeachment are approved by two thirds of the entire house, the matter is sent to the Senate for trial.

Impeachment Trials

Article 76. The trial in the Senate is handled by “Managers” from the House of Representatives with the assistance of attorneys employed for the prosecution of the impeachment case. The Senate, as a whole, sits as a jury. The Senate would then debate the matter, and vote, each individual Senator voting whether to convict the Prime Minister and remove him/her from office, or against conviction. If more than two-thirds of the Senators in totality vote to convict, the Prime Minister would be removed from office. A Senator who abstained from voting but was present would in effect be voting against conviction.

1. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on Oath or affirmation. When the Prime Minister of Iran is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the totality of members.
2. Judgement in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit but the party convicted shall nevertheless be liable and subject to indictment, trial, judgement and punishment, according to law.

Powers Denied Parliament

Article 77. No Bill of Attainder or ex post facto law shall be passed.

1. No Preference shall be given by any regulation of commerce or revenue to the ports of one Province over those of another; nor shall vessels bound to, or from, one Province, be obliged to enter, clear, or pay duties in another.
2. No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published annually.

3. No Person holding governmental offices, shall accept any present, emolument, office, or title, of any kind whatsoever.

Eligibility to Hold the Office of Prime Minister

Article 78. Men and women citizens of Iran regardless of race, ethnicity, gender, religion, national or social origin, birth, political or other status at the time of adoption of this Constitution, who have attained age thirty-five (35), do not have any felony conviction, are not currently serving in any branch of the military, armed forces, intelligence strata, and have been resident of Iran for a minimum of ten (10) consecutive years immediately prior to the election, shall be eligible to the Office of Prime Minister. The clergy of any religion, either in clergy or civilian attire, shall be excluded from running for the Office of Prime Minister.

1. The term of the office of Prime Minister is six (6) years with a maximum of two (2) terms, whether consecutive or not.
2. Fixed election dates to be determined by law.
3. The Prime Minister shall receive, at regular stated intervals, adequate compensation the amount of which shall be determined by law.
4. Upon expiration of the terms of service, the Prime Minister shall be entitled to a pension/retirement the amount of which shall be fifty percent (50%) of his/her last base salary multiplied by the number of his/her years of service.

Duties of Prime Minister

Article 79. The Prime Minister shall:

1. Represent our nation in talks with foreign countries.
2. Enforce the laws that Parliament passes.
3. Propose bills to the Parliament for their consideration and approval.
4. Recognize foreign countries.

5. Nominate Cabinet members and other high officials for the approval of the Senate.
6. Appoint ambassadors with the consent of the Senate.
7. Represent the best interests of all the people.

The Cabinet

Article 80. Executive power shall be vested in the Cabinet.

Article 81. The Cabinet shall consist of the Prime Minister, who shall be its head. The Prime Minister must send his/her cabinet nominees to the Senate for its approval.

1. The Prime Minister and the majority of the cabinet members must be civilians.
2. The Cabinet, in the exercise of executive power, shall be collectively responsible to the Parliament.
3. The Prime Minister may remove the Ministers of his /her cabinet as s/he chooses.

Article 82. When there is a vacancy in the post of Prime Minister, the Parliament shall appoint a replacement within ten (10) days.

Article 83. The Prime Minister, representing the cabinet, submits bills, reports on general national affairs and foreign relations to the Parliament and exercises control and supervision over various administrative branches. The Prime Minister shall appear at the joint session of parliament on an annual basis and present his/her plans for the following year.

Article 84. The Cabinet, in addition to other general administrative functions, shall perform the following functions:

1. Administer the law faithfully, conduct affairs of state,
2. Administer the civil service, in accordance with standards established by law.
3. Prepare the budget, and present it to the Parliament annually for their approval.
4. Enact cabinet orders in order to execute the provisions of this Constitution and of the law. However, it cannot include penal provisions in such cabinet orders unless authorized by such law.

Article 85. Ministers of the cabinet, during their tenure of office, shall not be subject to legal action without the consent of the parliament. However, the right to take that action is not impaired hereby.

The Judiciary

Article 86. The whole judicial power is vested in a Supreme Court and in such lower courts as are established by law.

1. No extraordinary tribunal shall be established, nor shall any organ or agency of the Executive branch be given final judicial power.
2. All judges shall be independent in the exercise of their conscience and shall be bound only by this Constitution and the laws.

The Supreme Court

Article 87. The Supreme Court is the highest tribunal in the nation for all cases and controversies arising under the Constitution or the laws of the country.

1. As the final arbiter of the law, the Court is charged with ensuring the Iranian people the promise of equal justice under law and, thereby, also functions as guardian and interpreter of the Constitution.

2. The Supreme Court is the court of last resort with power to determine the constitutionality of any law, order, regulation or official act.
3. The Supreme Court consists of one Chief Justice and eight Associate Justices. The Chief Justice shall be elected by two third majority of the entire Supreme Court Justices.
4. The number of the members of the Supreme Court can only be changed by a three fourth (75%) majority of the totality of the Senate.
5. Power to nominate the Justices is vested in the King/Queen of Iran, and appointments are made with the confirmation of three fourth (75%) of the entirety of the Senate.

Article 88. Judges shall not be removed except by impeachment unless judicially declared mentally or physically incompetent to perform official duties.

1. No disciplinary action against judges shall be administered by any executive organ or agency.
2. The impeachment process shall be the same process articulated in the Article pertaining to the Prime Minister impeachment.
3. The judges of the Supreme Court shall be retired upon the attainment of the age eighty (80).

Article 89. Judges of the Federal Courts shall be appointed by the King/Queen with the confirmation by a three-fourth (75%) majority of the totality of the Senate.

1. The Senate shall have no more than twelve (12) months to confirm, otherwise the nominee shall be appointed by the King/Queen to the related office.
2. All judges shall hold office for a term of ten (10) years with privilege of reappointment, provided that they shall be retired upon the attainment of the age eighty (80).
3. The Supreme Court Justices as well as the Judges of the Federal Courts shall receive, at regular stated intervals,

adequate compensation which shall not be decreased during their terms of office.

4. At the end of their service, the Supreme Court Justices as well as the Federal Court Judges shall be entitled to a pension/retirement for the rest of their lives, the amount of which shall be fifty percent (50%) of their last salary.

Finance

Article 90. The power to administer national finances shall be exercised as the Parliament shall determine.

Article 91. The budget must first be submitted to the House of Representatives by the Prime Minister.

1. Upon consideration of the budget, when the Senate makes a decision different from that of the House of Representatives, it must be sent back to the House of Representatives until an agreement can be reached from both the House and the Senate.

Article 92. No new taxes shall be imposed or existing ones modified except by law or under such conditions as law may prescribe.

Article 93. No money shall be expended, nor shall the country obligate itself, except as authorized by the Parliament.

Article 94. In order to provide for unforeseen deficiencies in the budget, a reserve fund may be authorized by the Parliament to be expended upon the responsibility of the Cabinet.

1. The Cabinet must get subsequent approval of the Parliament for all payments from the reserve fund.

Article 95. No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association, endowment, or for any charitable, educational or benevolent enterprises not under the control of public authority.

1. No budgetary item approved by the parliament shall be expended for any purpose other than what it was specifically approved for. Any surplus or unused portion of the budget for a specific item shall be returned to the parliament for re-appropriation.

Article 96. Final accounts of the expenditures and revenues of the country shall be audited annually by a Board of Audit and submitted by the Cabinet to the Parliament, together with the statement of audit, during the fiscal year immediately following the period covered.

1. The organization and competency of the Board of Audit shall be determined by law.

Article 97. At regular intervals, and at least annually, the Cabinet shall report to the Parliament and the people on the state of national finances.

Province/local Self-Government

Article 98. Regulations concerning organization and operations of provincial public entities shall be fixed by law in accordance with the principle of local governance.

Article 99. Provincial public entities shall establish assemblies as their deliberative organs, such as provincial House and Senate.

1. All provincial legislative, judiciary, and executive branch members shall be elected in accordance with this Constitution by direct popular vote within their provinces.

Article 100. Provincial public entities shall have the right to manage their property, affairs and administration and to enact their own regulations within law.

Powers Denied to Provinces

Article 101. No Province shall enter into any treaty, alliance, or confederation; print money; emit bills of credit; make anything but currency in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

1. No province shall, without the consent of the Parliament, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any Province on imports or exports, shall be for the use of the Treasury of Iran; and all such laws shall be subject to the revision and control of the Parliament.
2. No Province shall, without the consent of Parliament, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another Province, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

Amendments

Article 102. Amendments to this Constitution shall be initiated by the Parliament, through a concurring vote of three fourths (75%) or more of totality of the members of the House and the Senate, shall thereupon be submitted to all provinces for ratification, which shall require the affirmative

vote of three fourths (75%) of totality of provinces, at a special referendum in accordance with the Constitution.

1. Amendments when so ratified shall immediately be promulgated by the King/Queen in the name of the people, as an integral part of this Constitution.

Supreme Law

Article 103. This Constitution shall be the supreme law of the nation of Iran and no law, ordinance, rescript or other act of government or part thereof, contrary to the provisions hereof, shall have any legal force or validity.

1. All international treaties shall be in conformity with this Constitution, otherwise the newly elected government shall reconsider it.

Article 104. The King/Queen, members of the Royal Family, the Prime Minister as well as members of the Cabinet, members of the Parliament, judges, and all other public officials have the obligation to respect and uphold this Constitution.

Supplementary Provisions

Article 105. This Constitution shall be enforced immediately by the caretaker government.

1. The enactment of laws necessary for enforcement of this Constitution, the election of members of the Senate and the House of Representatives, and the procedure for the convocation of the Parliament and other preparatory procedures necessary for the enforcement of this Constitution may be executed within 6 months by the caretaker government.

End of draft.

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