

## MODERN CONSTITUTIONS

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A Collection of the Fundamental Laws of  
Twenty-two of the Most Important Countries  
of the World, with Historical and  
Bibliographical Notes

by  
Walter Fairleigh Dodd

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WALTER FAIRLEIGH DODD

VOLUME I

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## PREFACE

The study of comparative constitutional law deservedly occupies an important position in the colleges and universities of the United States. The extensive use of the works of Wilson, Burgess, Goodnow, and Lowell attests the general and growing interest in this field. Although constitutions in no case represent the complete political organization of a state, they may, with convenience, be made the basis of study; they furnish the best framework about which the student may complete his knowledge of governmental organization. It is the purpose of this collection to furnish constitutional texts for use in courses on the subject of comparative constitutional law; although this is its primary object, it is hoped that the work may also be of use to lawyers and public men.

In view of the main purpose of this collection only the most important constitutions have been included. The constitutions of Portugal and Denmark may be considered of less importance than the others, but it has been thought well to include them. Great Britain is excluded because English national institutions are only to a small extent embodied in constitutional documents, and these documents are readily accessible to American students. Because of its easy accessibility in other publications, the United States constitution might well have been excluded from a collection intended largely for American students, but it may be of convenience to students in other English-speaking countries.

Much has been written about the desirability of a student's using documents in the original language, but whatever may be the theoretical basis for this position, it remains true that even an advanced student cannot be expected to know all of the languages of the original constitutions. The editor thinks that if sufficient care be taken material from any language may be translated into clear and intelligible English, without a wide departure from the original. Each text here printed has, after translation, been submitted to a competent person for careful

revision. In so far as possible the constitutions have been rendered into the technical language of political science. Translations may easily be criticized, and it is not expected that those here given will escape criticism, but care has been taken in each case to obtain accuracy and clearness.

The attempt has been made to give the constitutions as in force at the end of the year 1906; in the case of Austria, however, it has been possible to give the text of the constitutional amendments of January 26, 1907, and notes have been inserted of more recent changes of electoral qualifications in Norway, Spain, Sweden, and Russia. In fact notes have been made of all constitutional changes known to have taken place during 1907. In many cases it is difficult to discover when constitutional changes are made, but all available sources of information have been used, and it is believed that no recent amendments have been missed.

Notes to the constitutions have been given sparingly, and have been confined almost entirely to information regarding amendments, to election laws, and to other matters absolutely necessary for the understanding of the text. For the historical introductions it may perhaps be possible to claim only the merit of brevity; they do not, and, within the limits necessary for them, could not furnish the historical foundation necessary for the understanding of existing constitutions; they may serve to refresh the memory of those who have already had adequate historical training.

In the bibliographies critical lists have been given of the most important authorities. It is fully realized that the standard of importance is largely a relative one, and that the selection of titles may be open to criticism. In some cases the bibliographies are confessedly incomplete because the editor has been unable to obtain information regarding the constitutional literature; this is especially true with respect to Russia, Portugal, Brazil, and Chile. For certain countries it is easily possible to name one or more books as the most important, but for Switzerland, France, Germany, the United States, and for certain other countries one must choose from such a mass of important literature that a select list of references will always be open to just criticism.

However, a select bibliography, although open to objections, is of more value than an indiscriminate list of books.

In the revision of the translations assistance has been received from many friends. Acknowledgments are especially due to the following gentlemen: Mr. C. K. Jones, of the Library of Congress, and Mr. James A. Robertson, of Madison, Wisconsin, for the revision of the translations from the Spanish language; Mr. S. Gurgel do Amaral, First Secretary of the Brazilian Embassy at Washington, for revision of the Brazilian and Portuguese constitutions; Mr. J. Dieserud, of the Library of Congress, for assistance in the translation and revision of the constitutions of Denmark, Norway, and Sweden; Mr. A. Fanti, for the revision of the Italian constitution; and Dr. W. F. Koenig, for the revision of the constitution of the Netherlands. These gentlemen and others are in large part responsible for any merit which this work may possess. The editor assumes full responsibility for all errors.

W. F. DODD

WASHINGTON, D. C.

May 23, 1908

#### NOTE

Wherever possible brackets [ ] have been used to indicate additions made to the texts of constitutions by means of amendments. The parentheses ( ) have been used infrequently, either to inclose clauses or phrases which are placed within the parentheses in the original text, or to inclose a word from the original language when it is thought proper to give such a word in the text of the translation.

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