

## **Draft CONSTITUTION For The Colonial Planet LIBERTY:**

This constitution defines the government for rational beings living in a society where the only purpose of the government is the establishment and preservation of individual freedom for the citizens of that society. Citizens are defined as those members of society who have signed the Citizen's Contract agreeing to be bound by the terms of the Constitution. Given its purpose, the government is limited to two functions: defense against external enemies and operation of a civil and criminal justice system where offenses are judged solely on physical evidence and Basic Principles stated in the Constitution. The government has no rights and no groups of individuals have rights, only individual citizens have rights under this Constitution.

### Basic Principles:

- 1) Man, as referenced in this document, is a rational being of either sex of the species Homo Sapiens. Synonyms for man used in this document are individual and person.
- 2) Reason is man's only means of dealing with his environment and his fellow man.
- 3) Each individual is the sole owner of his own life, which includes both body and mind.
- 4) No individual has any unconditional claim on the life or property of another.
- 5) Each individual has unrestricted ownership of physical or intellectual property that he creates by his labor or acquires by trade.
- 6) Transfer of ownership of physical or intellectual property is only valid based on the mutual consent of seller and buyer where there is no fraud, threat of force, or use of force.
- 7) Happiness, as referenced in this document, is the pursuit of rational self-interest and personal satisfaction and is an individual's primary reason for living.
- 8) Each person has the right to seek his own happiness in any way that does not involve the use of fraud, threats of force, or physical force against other persons or their property.
- 9) No person may initiate the use of force except in self-defense. Force in this context is defined as physical assault or the threat of physical assault against another person or another person's property.
- 10) Each person has the right to use reasonable and proportionate force to defend himself, his family and friends, and his property.
- 11) The individual does not cede the sole use of force to the central government.
- 12) The government's reason for existence and its only purpose is to provide support to the individual when he is unable to fully provide for his own defense, either against external enemies or against internal criminal or civil violations of the Basic Principles of the Constitution.

### Articles:

- 1) The Constitution is a contract between free citizens defining the terms for their mutual defense against external or internal forces. It is not a "living document". It

may not be amended and is not subject to “interpretation”. Any function or power not specifically stated and granted to the government by this Constitution does not exist.

- 2) The government will consist of four branches:
  1. Executive – President and Vice-President
  2. Oversight – The Governing Council
  3. Military – Defense Force
  4. Judicial – Justice System
  
- 3) No branch of the government will make laws or control any aspect of the life of the ordinary citizen or assume any functions other than those specifically stated in this Constitution. To be completely clear and to cite one example only, this means that the government will have no role in regulating or controlling the economy, including but not limited to banking, trade, money, and any other aspect of free commerce.
- 4) The President will be the civilian executive in charge of the military and responsible for conducting foreign policy, making treaties with foreign governments, and making the decision to use military force in any situation where there isn't time to consult with the Governing Council. The President will be elected by the Governing Council and will be limited to a total of two four-year terms in office.
- 5) The Vice-President will be the assistant to the President and will replace the President in the event of the President's death or inability to continue his duties. The Vice-President will be appointed by the President, subject to the approval of the majority of the Governing Council.
- 6) The Governing Council will be an elected body responsible for oversight of the military and the judiciary.
- 7) The functions of the Governing Council will be:
  1. to elect the President,
  2. to approve or deny the President's choice for Vice-President,
  3. to declare war,
  4. to authorize limited military actions recommended by the President,
  5. to provide advice and consent for treaties with foreign governments,
  6. to approve the government's annual operating budget,
  7. to resolve disputed legal decisions by appointing a judge and jury from among the members of the Council.
  
- 8) Members of the Governing Council must be citizens and will be limited to one term of five years. No one can serve on this body who has not reached the age of 60 years and who has not honorably served either in the military or as a judge. Council members will be subject to strict and thorough auditing of their personal finances before, during, and after their service to attempt to reduce fraud and bribery. Council members convicted of fraud or bribery will be removed from office.
  
- 9) Candidates for election by a given district must have a different background (either military or judicial) in alternate election cycles with the purpose of keeping an equal mix of military and judicial backgrounds in the Governing Council as a whole. When a district has no candidates willing or able to serve, that district will go without representation until a qualified candidate is found and elected.

- 10) Federal judges will be term-limited to five years, and no one may be elected a judge who has worked as an attorney or who has not reached the age of 50 years. The function of a judge in the legal system will be to supervise the trial process and to ensure the proper conduct of the jury and of the lawyers for both the defense and the prosecution. Judges will be subject to strict and thorough auditing of their personal finances before, during, and after their service to attempt to reduce fraud and bribery. Judges convicted of fraud or bribery will be removed from office.
- 11) A citizen is any person who has signed the Citizen's Contract agreeing to be bound by terms of the Constitution.
- 12) Any natural or adopted minor children (under the age of 18 years and who have not signed the Citizen's Contract) of a citizen are the responsibility of that citizen and are provisionally bound by the Constitution until they either sign the Citizen's Contract or reach the age of 18 years.
- 13) All natural or adoptive parents (citizens or non-citizens) of minor children are equally responsible for the care of said children, including providing physical protection, emotional support, food, clothing, shelter, education, and medical treatment. Parents are also responsible for legal costs and restitution for any crimes committed by their minor children.
- 14) Except for restitution, minor children will be treated as adult citizens in all criminal and civil cases.
- 15) Every citizen will pay a flat tax for an equal share in the cost of maintaining the government. These costs will include salaries of government officials, the cost of maintaining the military, and the cost of maintaining the judiciary. Government officials, members of the military, and judges will not be excluded from paying the tax.
- 16) To eliminate "free riders", non-citizens who own real property will be required to pay the flat tax of citizenship or their real property will be forfeit. Forfeited property will be sold at auction, and the proceeds less tax due and auction expenses will be paid to the former owner.
- 17) Except for times of war or other emergency that affects all citizens equally, the government's operating budget may not increase more than 5% in any year.
- 18) Every citizen who is not in arrears on the tax of citizenship will have the right to vote for one member of the Governing Council who will represent the geographical district where the citizen has lived for at least one year prior to the election.
- 19) Every citizen who is not in arrears on the tax of citizenship will have the right to vote for judges who will perform their duties in the citizen's electoral district.
- 20) The primary goal of the justice system is to provide justice for all parties. It is not about "gaming the system" or winning cases at any cost.
- 21) Justice consists of reasonable and proportionate restitution or restoration of lost property or value. Where this is not possible, then justice consists of insuring that the crime will not be repeated. Justice will not be used as punishment and imprisonment will not be used as a form of restitution. Restitution or restoration will be the preferred form of justice. Flogging for assault will be proportionate to the non-permanent physical injuries received by the plaintiff. Penalties for the following crimes may include, subject to the discretion of the jury:
  - a. Murder – exile or death

- b. Rape – exile or death
  - c. Assault – flogging, restitution, exile, or death
  - d. Theft – restitution, exile, or death.
- 22) A jury of twelve citizens will be selected to decide each judicial case. Only the jury will determine verdicts and penalties.
  - 23) Only citizens who are not in arrears on the tax of citizenship may consent to serve on a jury. Once having served on a jury, a citizen will not be eligible to serve again until every other eligible citizen has accepted or declined the opportunity to serve.
  - 24) Both criminal and civil judicial cases will be based only on one or more stated violations of the Basic Principles defined in the Constitution, and each case will be decided solely on its specifics and not on general statutes, prior precedents, or any other considerations.
  - 25) The legal costs (attorneys and court costs) of each criminal and civil suit will be paid by the losing party.
  - 26) Attorneys, both for the prosecution and for the defense, will be held responsible for their conduct. They will be prosecuted for knowingly withholding information or for distorting the jury's perception of the facts in a given case. The role of the attorneys for both prosecution and defense is to provide evidence for the specific case and arguments as they relate to the Basic Principles, not to "win" the case by fraud.
  - 27) The military is forbidden to take any action against any citizen except when a citizen is actively aiding a foreign enemy in attacking or preparing to attack the country or its citizens. The country in this context is defined as any part of the physical property owned by any citizen.
  - 28) The government is forbidden to form any type of police force. Localities may form police forces as they see fit for the investigation of alleged crimes and for the apprehension of accused individuals. Neither the government nor localities may regulate or restrict individual citizens or firms from providing these services. Anyone providing these services is fully bound by all aspects of the Constitution. Anyone being investigated for an alleged crime has the full rights of citizenship until proven guilty in a court of law.
  - 29) Neither guilds, unions, professional organizations, nor any other group may regulate or restrict any individual's right to work in any occupation.

Citizen's Contract:

I, \_\_\_\_\_, have read the Constitution aloud before the below listed and testifying witnesses. I accept and agree to be bound by all aspects of the Constitution, including its Basic Principles and its Articles.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Witnesses:

1) Name: \_\_\_\_\_ Signed: \_\_\_\_\_

2) Name: \_\_\_\_\_ Signed: \_\_\_\_\_