



# Anarchicon

Anarchic Constitution

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## **Introduction**

Most historic attempts of social revolution and systemic change, originally aimed at creating a better society based on human rights, civil rights and social justice, have eventually developed or transmuted into another form of hierarchy and injustice, statism and capitalism, or religious darkness. The main reason for this human misfortune is the very natural fact that new social order can only be created with the available knowledge and prevalent paradigm of the time. Particularly important in this context are the dominant notions of the large masses of the population. For building a good society, knowledge is required about what it is and how it can be done. The more coherent and cogent such a concept of a new society is, the easier will everyone understand it, and the chances of sustainable success will increase accordingly.

An efficient method for solving this problem may be to formulate a concise program based on the vast knowledge accumulated during centuries of social anarchist movement, and to make it available and easily accessible to the public. One possible approach to this aim is to create a constitution, i.e. basic laws of the new society. This is what I have done here: I have developed a draft constitution, a proposal.

It took me one year from the general conception to the first version of this constitution. It has been a slow process. Ideas had to mature into concrete articles, and various sources had to be checked and compared. While writing *Anarchicon*, the biggest challenge for me has been to implement the powerful theory and ideas of social anarchy in a realistic, practical and workable model of a large, modern society. This constitution is by no means perfect or final. It will always need improvements in parallel with our growing knowledge about freedom, social justice, local conditions and practical experience.

All defects of human societies can not be automatically or immediately corrected by adopting this constitution, of course, but the worst social illnesses of all times: classes, state, capitalism and religion, will be cured. The social classes, state and capitalism will be abolished and replaced by direct democracy, while the tyranny of religion will be ended by freedom of thought and secularism. Empowered by this victory over hierarchy and injustice, humans will be able to democratically and effectively solve the rest of their problems.

This constitution of a free and just society, or perhaps some better variation of it, has a potential to become a reality through direct democracy, and I believe that this will happen in the near future. My motive for creating this constitution is to make my personal contribution to the struggle of humanity for making this world a better place to live. My vision is a united world with this constitution.

I gratefully welcome any constructive criticism, comment and suggestion for improving *Anarchicon*.

With deep gratitude I give credit to all those numerous people who's writings, activities and comments have made it possible for me to complete this constitution. My special thanks go to people involved in anarchism, direct democracy and social justice, by theory and practise, from whom I have learned a lot. They are too many to mention here all by name. I am also humbly thankful to you, the reader who cares about true freedom and true democracy.

## **Section 1. This Constitution**

Article 1.1 This Constitution is the supreme law of the Federation, always applicable and binding for everyone and everywhere within the Federation.

1.2 This Constitution declares and guarantees anarchy, i.e. a free, just and peaceful society based on the fundamental principles and values of freedom, equality, solidarity, democracy and secularism. This Constitution also declares certain human rights, civil rights, responsibilities, obligations, prohibitions, and other rules for optimal functioning of the good society.

1.3 This Constitution is the binding agreement of the highest level between all citizens of the Federation, achieved and maintained through democratic process. This Constitution is the foundation upon which individuals, groups, organizations and the entire society live and develop.

1.4 Under no circumstances shall this Constitution or its articles be breached, suspended, cancelled or overruled. There is no exception from this article even for a state of emergency of any kind or under occupation, coercion or control by any entity or foreign power.

1.5 This Constitution shall only be amended in times of peace, and never during a state of emergency of any kind or under occupation, coercion or control by any entity or foreign power.

1.6 In case of any possible inconsistency, divergence or conflict between the parts of this Constitution, the following sections have supremacy over the rest of this Constitution:

- a) Section 1. This Constitution
- b) Section 2. Life
- c) Section 3. Freedom
- d) Section 4. Equality
- e) Section 5. Solidarity
- f) Section 6. Democracy
- g) Section 7. Secularism
- h) Section 8. Civil Rights
- i) Section 9. Children
- j) Section 10. Family and Kinship

1.7 This Constitution can be changed, and sections or articles added to, only by the following procedure with the required majority rates:

- a) Referendum by direct participation of all citizens of 18 years of age and older, with one vote and equal voting power for every individual;
- b) Required majority of the entire citizenry of the Federation for the proposal;
- c) Required majority of the total number of regions in the Federation for the proposal, with required majority of the citizenry in each of those regions for the proposal [C1.7c];
- d) For sections 1 to 10 of this Constitution the required majority is 3/4 absolute majority;
- e) For sections 11 and onward of this Constitution the required majority is 2/3 absolute majority;
- f) For adding sections to this Constitution the required majority is 2/3 absolute majority;
- g) For Constitutional Comments of this Constitution the required majority is absolute majority.

1.8 Laws created under this Constitution by autonomous and competent administrative divisions of the Federation are in the following referred to as “laws”. Relevant articles of this Constitution stipulate which administrative divisions have right to create their own laws under this Constitution.

1.9 This Constitution has always supremacy everywhere in the Federation over any internal or external law, policy, resolution, decision or agreement.

1.10 The order of supremacy of laws, decisions and agreements in the society is as follows, presented with decreasing order of supremacy, where (a) has the highest supremacy:

- a) Constitution;
- b) Laws;
- c) Public policies and resolutions, court verdicts;
- d) Council decisions;
- e) Other decisions and agreements.

1.11 Any court decision shall be made by a competent court strictly in accordance with laws under this Constitution. Relevant public policies and resolutions shall have significance for court hearings only in the sense that courts shall take these into consideration in making their decisions, while court decisions can only be challenged by appeal in the court system.

1.12 External, e.g. international, interfederal and global agreements and conventions, shall acquire the status of law only upon their democratic ratification by the citizenry through referendum. If changes to this Constitution and laws are needed as a consequence of the ratification, such changes shall be proposed by the Referendum Council.

## **2. Life**

- 2.1 Every human being has right to life and dignity.
- 2.2 No one has right to take the life of another human being.
- 2.3 No one has right to violate the dignity of a human being.
- 2.4 Death penalty is prohibited.
- 2.5 Abortion shall be regulated by law under this Constitution.

### **3. Freedom**

3.1 Every human being has right to maximum freedom.

3.2 Freedom of human being.

- a) Freedom of human being is the situation when the human has the ability, resources and power to live, think, feel, communicate and act according to one's own individual will in equality and solidarity with all other humans without infringing anyone's freedom, in conditions not enforced by and not enforcing upon others, without submitting to and without imposing upon others any real or imaginary, earthly or heavenly, natural or supernatural hierarchy, authority, will or power.
- b) Freedom of human being is the life with direct democratic participation in the society, without any ruler, monarch, judge, state or government, any parliament, party, politician, representative or proxy, any classes or casts, any capitalist, owner or boss, any clergy, priest or prophet, any ideology, institution or system of unfreedom, any authoritarian or heteronomous tradition, any moralism, dogma or delusion: religion, cult, faith, belief, superstition, witchcraft, sorcery, deism, spiritualism, astrology, worship, holiness, god, satan, messiah, angel, ghost, spirit or soul, without being subjected to and without subjecting others to violence, force, coercion, restraint, intimidation, domination, manipulation, addiction, control, censorship, discrimination, oppression, ownership, market, exploitation, deprivation or harm.
- c) Thus, freedom of human being is the freedom of sovereign social being, as a natural fusion of positive liberty and negative liberty within balanced relations between humans, which is only possible in stateless, classless, egalitarian, secular and solidary society based on equal rights, conditions, opportunities and decision-making power for everyone, direct democracy in legal, political, economic, social and all other domains of life, self-management, individual and collective autonomy and decentralized-horizontal federation.
- d) Human life in dignity, true justice and stable peace can not be realized unless everyone becomes free.
- e) At any time and place, human being is free only to the degree by which one's life corresponds to this definition of freedom.
- f) One of the aims of this Constitution is to secure every human being's right to maximum freedom. [C3.2f]

## **4. Equality**

4.1 Every human being has right to equality.

4.2 Equality means equal rights, responsibilities, obligations, conditions and opportunities for all human beings regardless of race, colour, ethnicity, gender, sexuality, belief, culture, language, political or other opinion, national or social origin, birth, property or status. Equality implies, among other things, the right of every human being to:

- a) Direct democratic participation, information, equal voting and decision-making power in creating and amending the Constitution, laws, policies and resolutions, electing delegates for councils, and making other decisions which affect that individual;
- b) Equality before this Constitution and laws;
- c) Equal political, social and economic power;
- d) Equal right and share in ownership and control of the means of production, distribution and exchange, land, natural resources, infrastructure and all other economic resources;
- e) Equal access to the highest quality education, healthcare, childcare, eldercare, retirement and other social services and benefits.

## **5. Solidarity**

5.1 Solidarity is one of the necessary conditions for free, just and peaceful society. Solidarity implies, among other things:

- Respect by every human being for the life, dignity, freedom and rights of others;
- Respect for everyone's right to equal and direct democratic participation;
- Diversity and tolerance;
- Cooperation and mutual help;
- Sympathy and empathy.

Solidarity is the humanistic basis of social behaviour.

5.2 Solidarity, together with other humanistic values of freedom, equality, democracy and secularism, shall be an inherent part of all teaching and education of every member of the society from early age.

## **6. Democracy**

6.1 Democracy is the basic principle of organization and functioning of the society.

6.2 Democracy means direct democracy. [C6.2] Democracy is a system based on equal rights, responsibilities, obligations, conditions, opportunities and decision-making power for every member of the society in political, economic, social and all other domains of life, without representatives, with agreed majority rate or consensus. The ultimate and supreme power in the society rests always with the assembly and referendum of the citizenry, who make decisions by the principles of direct democracy.

6.3 Democracy is based on the power of the majority balanced by the rights of the minorities and individuals guaranteed by this Constitution and laws. Democratic decisions express the will of the majority, but human rights, civil rights and minority rights shall always be respected. If necessary and possible, special solutions and compromises for satisfying the minority needs shall be strived in the spirit of solidarity.

6.4 Democratic decision-making.

- a) Democratic decision-making implies relevant, true, sufficient, clear and timely information, democratically created propositions, due deliberation by all participants before voting, and everyone's participation in voting with equal voting power with the principle of one person - one vote.
- b) When voting for this Constitution, laws, policies, resolutions, court decisions and other democratic decisions, every person votes directly as an individual, with the principle of one person - one vote.

6.5 The Federation is a federal demos, i.e. democratic society organized as communities united by a decentralized-horizontal federation, self-governed by the rule of law made by referendum. Demos is anarchic, secular, non-capitalist and stateless - it is not a state and is not controlled by a state or any other form of hierarchy.

6.6 In the polity, democracy implies the right of every individual to directly and equally participate in decision-making for:

- a) Constitution (creating and changing);
- b) Laws (creating and changing);
- c) Policies (creating and changing);
- d) Resolutions (creating and annulling);
- e) Interfederal, international and global agreements (ratifying and annulling);
- f) Membership of the federation in interfederal, international, global organizations (ratifying and annulling);
- g) Major internal and external issues of the federation (deciding);
- h) Any engagement of military power and declaration of war (deciding), except the cases of defence urgency when the Federation, its citizens or this Constitution are under attack or serious threat or in danger, when the Federal Council of delegates or its competent sub-committee can make a decision to engage.

6.7 In the economy, democracy implies:

- a) Common, collective and equal ownership and control of all productive and other economic resources by all the members of the society;
- b) Enterprises organized as cooperatives with democratic self-management;
- c) Economic coordination through decentralized-horizontal federation;

d) Public budgets, taxes and duties democratically decided by all the members of the society.

6.8 In the social domain, democracy implies the right of every individual to directly participate in decision-making in:

- a) Councils (as delegates);
- b) Courts (as jurors);
- c) Communities;
- d) Schools;
- e) Workplaces;
- f) Other organizations.

6.9 For preparing and conducting referendums and elections, Referendum Councils shall be created. The task of Referendum Councils is to supervise and ensure the democratic process, information, discussion, proposition, voting and closure in assemblies, referendums, councils, elections and recalls of delegates.

6.10 For administrative tasks, Administrative Councils shall be created, made up of recallable, democratically elected delegates. The task of Administrative Councils is coordination, monitoring and supervision of implementation of democratic decisions, public services, projects and institutions, including healthcare, education, defence, police, foreign relations and others, according to the policies and resolutions democratically made by the citizenry.

6.11 All decisions made by any referendum, council or court, workplace or other organization, and policies and resolutions made by the citizenry, shall be in accordance with this Constitution and the applicable laws.

6.12 Councils have no legislative powers. Councils shall not make or change this Constitution, laws, policies, resolutions, or ratify international agreements. Councils shall not make decisions which can act as de-facto laws.

6.13 In cases when potential decisions of councils might not be entirely based on the existing laws, policies and resolutions, the cases shall be presented to the public for democratically creating relevant laws, policies and resolutions before the councils can act by these. Councils shall never alter, override or replace the democratic will of the citizenry, but shall only work for implementing it.

6.14 A council shall elect among its delegates committees dedicated to specific areas of responsibilities.

6.15 A delegate is not a representative, thus a delegate shall not make decisions, vote or act independently from or on behalf of its constituency, but only and strictly in accordance with the policies and resolutions decided by its constituency.

6.16 It is prohibited for political parties and religious organizations to promote or elect delegates. Delegates shall not represent, promote, or act in the interest of political parties or religious organizations.

6.17 Lobbyism and other systems of undue influence by parties or other special interests on democratic decision-making are prohibited.

6.18 Control, monopolization, dominance, centralization, concentration or disproportionate influence on mass media by any individual, group, party, company, other organization or entity is prohibited.

6.19 Democratic decisions shall be made according to the following majority rates and rules:

- a) Consensus: all the eligible voters, including all those present and absent, voting and not voting, i.e. unanimous decision;
- b) Absolute majority: more than half of all the eligible voters;
- c) Simple majority: more than half of actually given votes, i.e. of all ballots cast;
- d) Absolute supermajority: more than minimum absolute majority, e.g. 2/3 absolute majority;
- e) Simple supermajority: more than minimum simple majority, e.g. 2/3 simple majority;
- f) Plurality: relative majority, i.e. more votes given for one proposition than for any other option;
- g) Quorum present: the minimum number of voters required to be present for making a valid decision;
- h) Quorum voted: the minimum number of voters required to have voted for making a valid decision;
- i) Other majority rates and voting systems as defined by this Constitution and laws.

## **7. Secularism**

7.1 The society is secular.

7.2 Secularism implies that this Constitution, laws and public institutions shall be completely separated from religion. Political, social, economic, educational, legal, constitutional and institutional authority of all forms of organized religion, superstition or spiritualism, of all forms of organized worship of anything natural or supernatural, is hereby abolished. An individual's possible inclination to religion, or religious, superstitious or spiritual concepts shall be reserved to the private sphere.

7.3 Secular values shall be a fundamental principle in all education.

7.4 Every human being has right to freedom of personal religion, and religious, superstitious, spiritual or other beliefs.

7.5 Every human being has right to abandon, renounce, denounce or change the religion, or religious, superstitious, spiritual or other beliefs that the person has previously held.

7.6 Every human being has right to freedom from religion, and religious, superstitious, spiritual and other beliefs.

7.7 It is prohibited for anyone to impose religion, superstition, spiritualism or other beliefs or worship on others.

7.8 It is prohibited for anyone to promote or impose religious teaching, education, indoctrination, influence, identity, brand, symbols or cloths on children.

7.9 It is prohibited for religious groups, organizations and other religious entities of any kind to:

- a) Make propositions for, or participate in making or changing this Constitution, laws, policies, resolutions or court decisions;
- b) Promote or elect delegates to councils or members to juries;
- c) Own or control mass media, productive or other economic resources.

7.10 Religious groups, organizations and entities.

A religious group, organization or entity is one identified, characterized, united or organized by religion, cult, faith, belief, superstition, witchcraft, sorcery, deism, spiritualism, astrology, worship, holiness, god, satan, messiah, angel, ghost, spirit or soul. For example: groups identified as Jews, Christians, Muslims and their various branches and sects are religious groups.

7.11 Religious buildings and structures.

- a) It is prohibited to construct or use for religious purposes any building, structure or object which dominates the landscape or disturbs the environment by its location, size, shape, style, colour, noise, function or activities.
- b) It is prohibited to deliberately destroy historical, architectural and other cultural monuments, e.g. the buildings of churches, mosques and temples;
- c) Existing buildings, structures and objects, and their function and activities, if these are already being used for religious purposes at the time of the first adoption of this Constitution, can be modified for eliminating the dominance and disturbance they cause, in compliance with the requirement 7.10a, e.g. by removing Islamic minarets and Christian bell towers and abolishing the related noisy, loud or disturbing prayers and bell ringing.

7.12 It is prohibited for any person to wear any cloth or other material covering all or part of a person's face in public spaces, institutions and offices [C7.12], with the following exceptions:

- a) Administrative Councils can suspend this prohibition for special occasions, including carnivals and other festivities where masks are traditionally used;
- b) Persons who need to wear protective cloth or other material covering their face for reasons of their own or public safety as a necessary part of conducting their lawful service, can do so when performing their duty;
- c) Medical reasons.

## **8. Civil Rights**

8.1 Every human being has right to recognition always and everywhere as person before the law.

8.2 Every person has right to security and freedom from arbitrary or unreasonable arrest, detention or exile.

8.3 Every person has right to privacy and freedom from arbitrary or unreasonable surveillance, searches, seizures, and interference with the person's correspondence and other communication.

8.4 Every person has right to integrity, and freedom from arbitrary or unreasonable interference with the person's life, body, family and home, and from violations of the person's honour and reputation.

8.5 Every person has right to freedom of information.

8.6 Every person has right to freedom of thought and opinion.

8.7 Freedom of expression.

- a) Every person has right to freedom of expression.
- b) Freedom of expression shall not be exercised by or for infringing the rights and freedoms of others, or violating the fundamental principles and values of freedom, equality, solidarity, democracy and secularism.

8.8 Every person has right to criticize anyone and anything.

8.9 Every person has right to assembly, association and organization.

8.10 Every person has right to organize and take part in demonstrations.

8.11 Every person has right to organize and take part in strikes.

8.12 No one shall be compelled to take part in any assembly, association, organization, demonstration or strike.

8.13 Personal property.

- a) Every person has right to own personal property. Every owner of personal property has an exclusive right to control, use, exchange, sell, alter or dispose of its personal property within lawful limitations.
- b) Personal property is not private property, private capital or private business, all of which are prohibited. Personal property is personal possession, which can not be used for employment of others, exploitation or any other form of capitalism.
- c) No one has right to take anyone's personal property without the owner's consent.
- d) It is prohibited to take personal property for public use without just compensation.
- e) A person can be deprived of personal property only by a court decision as a lawful, justified and proportional measure for serving justice. No one shall be arbitrarily or unreasonably deprived of personal property.

8.14 No one shall be held responsible for any crime unless proven guilty in court by due process of law.

8.15 Every person has right to an effective remedy by competent entities for acts violating any rights of that person.

8.16 Under no circumstances shall any person be subjected to torture, physical or psychological harm, or cruel, inhuman or degrading treatment or punishment. There is no exception from this rule even for serving justice against crime.

8.17 No citizen or other lawful resident of the Federation shall be extradited to any foreign entity unless all of the following requirements are fully satisfied:

- a) Extradition treaty with the foreign entity;
- b) Extradition requisition from a competent organ of the foreign entity;
- c) The reason for extradition is a criminal charge;
- d) A competent committee of the Federal Administrative Council has received and evaluated the documented reason for extradition, and has found the documentation sufficient and satisfactory;
- e) A competent regional court where the person is residing, has received and evaluated the documented reason for extradition and has conducted a preliminary hearing with the person, and has found the reason for extradition lawful, valid and satisfactory;
- f) The extradition will not result in death penalty, torture, physical or psychological harm, or cruel, inhuman or degrading treatment of the person, or unfair trial;
- g) The extradition does not violate this Constitution and the laws of the Federation;
- h) The extradition does not violate the applicable policies and resolutions;
- i) The extradition does not violate the fundamental principles and values of freedom, equality, solidarity, democracy and secularism;
- j) Federal Administrative Council makes a decision to extradite the person;
- k) If the person appeals the decision of the Federal Administrative Council, the person has right to use all possibilities for appeal in the federal court system.

8.18 Asylum for foreign subjects.

- a) A foreign subject can be granted asylum in the Federation as protection from political persecution. The decision about asylum shall be made by the Federal Administrative Council or a Regional Administrative Council.
- b) Asylum shall not be granted to a person who is violating, or is engaged in activities which violate, this Constitution, laws or the fundamental principles and values of freedom, equality, solidarity, democracy and secularism.

## **9. Children**

9.1 A child is a person under 18 years of age, which is the minimum age for adulthood.

9.2 A minor is a child under 10 years of age.

9.3 With the specific exceptions and additions for children declared by this Constitution, children have the same rights, responsibilities and obligations as adults.

9.4 A child, because of its physical and mental immaturity relative to an adult, does not have full individual autonomy of action and decision-making. Lawfully defined or appointed adult caregivers, including parents or social workers, have authority to make certain necessary decisions and appropriate representation for the child, depending on the circumstances. Caregivers' authority shall always serve the child's best.

9.5 Provision.

Every child has right to:

- a) Safe and healthy life and environment;
- b) Lawfully defined or appointed adult caregivers;
- c) Home;
- d) Adequate food and balanced diet;
- e) Adequate clothing;
- f) Play;
- g) Life in appropriate, stable and the least restrictive situation possible;
- h) Regular medical and dental care, and any necessary mental health services;
- i) Schooling and other needed developmental and educational services.

9.6 Protection of children.

Every child has right to:

- a) Protection and care;
- b) Protection from physical, mental and emotional abuse, neglect, cruelty or other maltreatment;
- c) Protection from discrimination, exploitation and child labour;
- d) Freedom from religious imposition, teaching, branding, baptism, initiation, indoctrination, propaganda and intimidation;
- e) Due process for children involved in the criminal justice system, and effective services for prevention of juvenile delinquency and rehabilitation of affected children.

9.7 Children before birth.

Every unborn child, i.e. child before birth, during mother's pregnancy, has right to protection and care.

9.8 Protection of children.

It is prohibited to:

- a) Incarcerate a minor;
- b) Recruit or use a child for military service;
- c) Engage a child under 14 years of age in occupation, employment or labour;
- d) Engage a child of 14 years of age or older in occupation, employment or labour which may compromise his/her health, education, or physical, mental or moral development;
- e) Engage a child of 14 years of age or older in occupation, employment or labour without lawful contract;

- f) Expose a child to corporal punishment;
- g) Engage a child under 16 years of age in marriage, cohabitation or sexual activity;
- h) Buy, sell, borrow or traffic a child;
- i) Perform genital mutilation or inflict other injury on a child for any reason [C9.8i];
- j) Expose a child to, engage into, or impose upon a child any religion, or religious, superstitious or spiritual concepts, practices, propaganda or fear.

#### 9.9 Empowerment and participation.

Every child has right to:

- a) Gradually increasing self-authority of action and decision-making after minor age, in accordance with the evolving capacities of the child, in parallel with decreasing authority of caregivers, in an age-dependent manner, till full citizen's autonomy at transition to adulthood;
- b) Adequate participation in communities, programs and services, especially those related to children.

#### 9.10 Upbringing, socialization, teaching and education of children.

- a) Children shall be brought up, socialized, taught and educated in the spirit of freedom, equality, solidarity, democracy and secularism, as well as understanding, tolerance, cooperation, friendship, social justice, peace and ecological balance, in full consciousness that their energy and talents should be devoted to the service of the society and fellow human beings;
- b) The society shall protect children from practices which may foster statism, capitalism, religion or other forms of unfreedom, injustice and violence.

## **10. Family and Kinship**

10.1 Every adult person has right, without discrimination, regardless of race, colour, ethnicity, gender, sexuality, belief, culture, language, political or other opinion, national or social origin, birth, property or status, to freely choose and participate in any form and size of voluntary, personal relationship with other persons, e.g. partnership, cohabitation or other forms of family, which can be entered into only with the free and full consent of the involved parties.

10.2 All persons within any partnership, cohabitation or other forms of family have equal rights, responsibilities and obligations during and at the dissolution of such relations.

10.3 Persons in close kinship are spouses, cohabitants, partners, parents and children, grandparents and grandchildren, siblings, cousins, nephews, nieces, aunts, uncles, in-laws, and other relatives by marriage, partnership, cohabitation or other forms of family.

10.4 Persons in close kinship shall not be elected or appointed to, or serve as officials in, any public service:

- a) in the same office at the same time, or
- b) successively in the same position, or
- c) if their kinship relations can create conflict of interests or jeopardise their integrity or their public function.

## **11. Education**

11.1 Education shall be aimed at enlightenment and empowerment of every human being within society, based on humanistic values and the principles of freedom, equality, solidarity, democracy and secularism. Education shall contribute to developing social justice, diversity and tolerance, free and strong character of individual and social cooperation, independent, rational, critical, analytic and creative thinking, intelligent communication, holistic and ecological sense.

11.2 All education and occupational training at any level and subject shall be freely available to every person, depending upon the individual's choice and abilities, regardless of race, colour, ethnicity, gender, sexuality, belief, culture, language, political or other opinion, national or social origin, birth, property or status, or age.

11.3 Every child from 6 to 16 years of age has right and obligation to free, secular education in a public school.

11.4 Decisions in any educational organization that affect students shall be made jointly and democratically, e.g. by the general assembly of teachers and students (and parents, if students are under 18 years of age).

## **12. Assembly**

12.1 General Assembly is the highest decision-making entity within every organization. General Assembly includes all members of an organization [C12.1].

- a) School Assembly is the highest decision-making entity in every educational organization. School Assembly includes all students (and parents, if students are under 18 years of age), teachers and other employees in an educational organization.
- b) Workplace Assembly is the highest decision-making entity in every workplace. Workplace Assembly includes all employees in a workplace.
- c) Service Assembly is the highest decision-making entity in every police and defence force, except operational, strategic and tactical decisions which shall be made by appropriate officers and management in such organizations. Service Assembly shall elect officers and managers. Service Assembly includes all employees, soldiers and officers of a police and defence organization.
- d) Community Assembly is the highest decision-making entity in every geographic, cultural and functional community. Community Assembly includes all eligible members in a community.
- e) The highest decision-making entity in the Federation is the assembly of its entire citizenry, which shall make decisions through referendum among all citizens.

12.2 Decision-making in assemblies shall be done by referendum of its members in accordance with the principles of democracy. All members in assembly have equal rights for receiving information, making propositions, participating in discussions and voting.

12.3 Every assembly shall elect its own Referendum Council and Administrative Council.

- a) The responsibility of Referendum Council is to ensure the democratic process, including information, discussion and voting in assembly, referendums, and election of the Administrative Council.
- b) The responsibility of Administrative Council is the coordination, monitoring and supervision of implementation of assembly decisions.

## **13. Referendum**

13.1 Referendum is the democratic process for making collective decisions through direct voting. Referendum of the Federation includes all of its citizens.

13.2 Referendum shall be used for:

- a) Constitution (creating and changing);
- b) Laws (creating and changing);
- c) Policies (creating and changing);
- d) Resolutions (creating and annulling);
- e) Interfederal / international / global agreements (ratifying and annulling);
- f) Membership of the federation in interfederal / international / global organizations (ratifying and annulling);
- g) Major internal and external issues of the federation (deciding);
- h) Application of military power and declaration of war, except cases of defence urgency when the federation is attacked (deciding).

13.3 Referendum can be initiated by any of the following entities:

- a) Referendum Council, by absolute majority of its delegates;
- b) Community initiative, endorsed by at least 10% of the number of administrative divisions under the jurisdiction of the referendum in question, decided either through referendums in each of those administrative divisions with absolute majority or by Referendum Councils with absolute majority of delegates in each council;
- c) Citizens' initiative.

13.4 Citizens' Initiative for a referendum shall be endorsed by at least:

- a) The lowest number of 100 000 or 10% of all citizens eligible to vote in the federation for federal referendum;
- b) The lowest number of 50 000 or 10% of all citizens eligible to vote in a region for regional referendum;
- c) The lowest number of 25 000 or 10% of all citizens eligible to vote in a county for county referendum;
- d) The lowest number of 10 000 or 10% of all citizens eligible to vote in a commune for communal referendum;
- e) The lowest number of 1 000 or 10% of all citizens eligible to vote in a district for district referendum;
- f) The lowest number of 100 or 10% of all citizens eligible to vote in a neighbourhood for neighbourhood referendum.

13.5 The entity which initiates a referendum has right to formulate the proposal that will be set for voting. The Referendum Council has right to make necessary formal changes to the proposal without altering its essence. In case of disagreement between the initiating entity and Referendum Council concerning the formulation of the proposal, the proposal shall be set for voting as formulated by the initiating entity, presented to the voters together with Referendum Council's comments and alternative.

13.6 Decisions by referendum shall be made with the majority rates specified by this Constitution and laws for those particular categories of decisions. Other decisions by referendum, for which a majority rate is not specified by this Constitution or laws, shall be made with the majority rate and quorum as decided by Referendum Council or a dedicated referendum.

13.7 Prior to voting, every referendum shall provide relevant, timely, sufficient and equal information to all voters, as well as sufficient time, space and opportunity for due deliberations.

13.8 All mass media shall provide fairly equal access, time and opportunity to all groups of opinions.

13.9 Referendum Council is responsible for preparing and conducting referendums.

## **14. Referendum Council**

14.1 Referendum Council is responsible for ensuring the constitutional and democratic process in the society, and due information, discussion, proposition, voting and closure in assemblies, referendums, elections and recalls.

14.2 Every administrative division shall have its Referendum Council, which shall be responsible within its jurisdiction:

- a) Federal Referendum Council has jurisdiction in the Federation;
- b) Regional Referendum Council has jurisdiction in its region;
- c) County Referendum Council has jurisdiction in its county;
- d) Communal Referendum Council has jurisdiction in its commune;
- e) District Referendum Council has jurisdiction in its district;
- f) Neighbourhood Referendum Council has jurisdiction in its neighbourhood.

14.3 Decisions of Referendum Council are binding within its jurisdiction for Administrative Council and all other public institutions, organizations, services and their branches and representations abroad.

14.4 Only citizens of 30 years of age or older can be elected as delegates in Referendum Councils.

14.5 Referendum Council delegates shall be elected for a period of 2 years. The number of terms for any delegate in the same council shall be limited by 2 consecutive terms, and 3 terms in delegate's lifetime.

14.6 Delegates to every Referendum Council shall be elected from the following groups of communities:

- a) One-third of the delegates shall be elected directly among all the citizenry of the relevant constituency for that council;
- b) One-third of the delegates shall be elected from administrative divisions of the jurisdiction of that council;
- c) One-third of the delegates shall be elected from functional, social and cultural communities within the jurisdiction of that council, e.g. cultural and ethnic groups, workplaces, student organizations, labour unions, consumer and other organizations.

14.7 Referendum Council delegates shall be elected by lottery among candidates who have each received at least the lowest number of 10 000 votes or 10% of the votes of all eligible voters in their respective constituency. Every vote for a candidate is entered in the lottery as one ticket for that candidate. Candidates with more votes will thus have higher probability of being elected. Every citizen can give only one vote to only one candidate. There shall be at least 3 candidates for an election of one delegate.

14.8 Referendum Councils shall consist of the following minimum number of delegates or more:

- a) Federal Referendum Council: 381 delegates;
- b) Regional Referendum Council: 141 delegates;
- c) County Referendum Council: 81 delegates;
- d) Communal Referendum Council: 51 delegates;
- e) District Referendum Council: 21 delegates;
- f) Neighbourhood Referendum Council: 9 delegates.

14.9 Any Referendum Council delegate can be recalled by its constituency. A recall shall be effective immediately upon a decision by an absolute majority in a recalling referendum among the constituency of that delegate. A referendum for recall can be initiated by at least the lowest number of 10 000 votes or 10% of the votes of all eligible voters in the constituency of that delegate. The recalled delegate shall be replaced by a new delegate from the same constituency through normal election procedure.

14.10 Referendum Council shall among its delegates elect a Secretary for official representation of the Council, a Speaker for managing the order during Referendum Council assemblies, and other officials as deemed necessary by the Council.

- a) Council officials shall be elected by lottery among its candidates who have each received at least the lowest number of 10 votes or 10% of the votes of all Council delegates. Every vote for a candidate is entered in the lottery as one ticket for that candidate. Candidates with more votes will thus have higher probability of being elected. Every delegate can give only one vote to only one candidate. There shall be at least 3 candidates for an election of one official.
- b) All officials of Referendum Council shall act strictly in accordance with the mandate issued to them by the Council, and Council's other decisions.
- c) Referendum Council shall decide what categories of decisions made by its officials need a subsequent ratification by the Council Assembly before such decisions will become valid.
- d) A Council official can be dismissed by the Council. A dismissal shall be effective immediately upon a decision by an absolute majority among the Council delegates. A vote of no confidence can be initiated by a motion of at least 10% of all the Council delegates. The dismissed official shall be replaced by a new delegate from the Council through normal procedure for electing Council officials. The dismissed official can continue its function as Council delegate.

14.11 The highest decision-making entity in every Referendum Council is the general assembly of all its delegates, with 80% quorum present.

14.12 Delegates have right and obligation to vote and make decisions as necessary for performing their social service in accordance with this Constitution, laws, their mandates, and policies and resolutions of their constituencies.

14.13 A delegate is responsible to his/her constituency for promoting and implementing its policies. A delegate shall not be a member of any political party, religious organization, or other organization, entity or agreement which requires the delegate to act, make decisions or vote in the Council according to aims, loyalties or obligations other than the public policies and resolutions of the delegate's entire constituency.

14.14 Delegates have neither special privileges nor immunity from law.

14.15 Delegates are accountable to people who have elected them, and shall be checked through their regular reports to their constituency, face-to-face meetings and open public sessions with their constituency, and public scrutiny.

14.16 Information detailing all council decisions, voting of delegates, and information about all advisers to delegates, shall be open to public.

14.17 Lobbyism to Referendum Council is prohibited.

14.18 Referendum Councils and delegates shall not receive any direct or indirect remuneration, contribution, reward, benefit, privilege or favour from anyone, except what is lawfully provided to them for their function according to this Constitution, laws and applicable policies.

14.19 Delegates shall not have any association, connection, relation, role, situation or history which can create conflict of interests or jeopardise their public function or their integrity.

14.20 No one with criminal record shall be a delegate.

14.21 Referendum Council shall among its delegates elect committees dedicated to specific areas of responsibilities.

- a) A committee shall have odd number of members, at least 5.
- b) The highest decision-making entity within a committee is the assembly of its committee member-delegates, with 80% quorum present.
- c) A Committee member can be dismissed by the Council. A dismissal shall be effective immediately upon a decision by an absolute majority among all the Council delegates. A vote of no confidence can be initiated by a motion of at least 10% of all the Council delegates. The dismissed member of a Committee shall be replaced by a new delegate from the Council through normal procedure for electing Committee members. The dismissed member of a Committee can continue its function as Council delegate.

14.22 Every Committee shall among its member-delegates elect a Secretary for official representation of the Committee, a Speaker for managing the order during Committee assemblies, and other officials as deemed necessary by the Referendum Council.

- a) Committee officials shall be elected by lottery among its candidates who have each received at least the lowest number of 2 votes or 10% of the votes of all Committee members. Every vote for a candidate is entered in the lottery as one ticket for that candidate. Candidates with more votes will thus have higher probability of being elected. Every member of a Committee can give only one vote to only one candidate. There shall be at least 3 candidates for an election of a committee official.
- b) All officials of a Committee shall act strictly in accordance with the mandate issued to them by the Referendum Council.
- c) Referendum Council shall decide what categories of decisions made by Committee officials need a subsequent ratification by the Committee Assembly or Referendum Council Assembly before such decisions will become valid.
- d) A Committee official can be dismissed by the Committee or the Referendum Council. A dismissal shall be effective immediately upon a decision by an absolute majority among the Committee members, or upon a decision by an absolute majority among all the Council delegates. A vote of no confidence can be initiated by a motion of at least 10% of the members of the Committee or at least 10% of all the Council delegates. The dismissed Committee official shall be replaced by a new delegate from the Committee through normal procedure for electing Committee officials. The dismissed Committee official can continue its function as Committee member.

14.23 Propositions for voting in Referendum Council can be initiated by a Committee or by at least 10% of all the Council delegates.

14.24 Referendum Councils have no legislative powers. Referendum Councils shall not make decisions which can cancel, override, replace, change or add any article in this Constitution and laws, public policies or resolutions, or which can act as de-facto laws.

14.25 Referendum Council's decisions within its responsibilities are binding for Administrative Councils in its jurisdiction. In case of a conflict between decisions of Referendum Council and Administrative Council in the same administrative division, or conflicting interpretations of Referendum Council's decision, Referendum Council can call a referendum in its jurisdiction for resolving the conflicting issue. The outcome of the referendum shall be binding for all parties involved.

## **15. Administrative Council**

15.1 Administrative Council is responsible for ensuring the implementation of laws, policies, resolutions and other democratic decisions, and for coordination, monitoring and supervision of all public institutions, organizations and services, including but not limited to healthcare, education, police, defence and foreign relations.

15.2 Every administrative division shall have its Administrative Council, which will be responsible within its jurisdiction:

- a) Federal Administrative Council has jurisdiction in the Federation;
- b) Regional Administrative Council has jurisdiction in its region;
- c) County Administrative Council has jurisdiction in its county;
- d) Communal Administrative Council has jurisdiction in its commune;
- e) District Administrative Council has jurisdiction in its district;
- f) Neighbourhood Administrative Council has jurisdiction in its neighbourhood.

15.3 Decisions of Administrative Council are binding within its jurisdiction for all public institutions, organizations, services, and for their branches and representations abroad, except the Referendum Council.

15.4 Only citizens of 30 years of age or older can be elected as delegates in Administrative Councils.

15.5 Administrative Council delegates shall be elected for a period of 2 years, 1 year after Referendum Council elections. The number of terms for any delegate in the same council shall be limited by 2 consecutive terms, and 3 terms in delegate's lifetime.

15.6 Delegates to every Administrative Council shall be elected from the following groups of communities:

- a) One-third of the delegates shall be elected directly among all the citizenry of the relevant constituency for that council;
- b) One-third of the delegates shall be elected from administrative divisions of the jurisdiction of that council;
- c) One-third of the delegates shall be elected from functional, social and cultural communities within the jurisdiction of that council, e.g. cultural and ethnic groups, workplaces, student organizations, labour unions, consumer and other organizations.

15.7 Administrative Council delegates shall be elected by lottery among candidates who have each received at least the lowest number of 10 000 votes or 10% of the votes of all eligible voters in their respective constituency. Every vote for a candidate is entered in the lottery as one ticket for that candidate. Candidates with more votes will thus have higher probability of being elected. Every citizen can give only one vote to only one candidate. There shall be at least 3 candidates for an election of one delegate.

15.8 Administrative Councils shall consist of the following minimum number of delegates or more:

- a) Federal Administrative Council: 381 delegates;
- b) Regional Administrative Council: 141 delegates;
- c) County Administrative Council: 81 delegates;
- d) Communal Administrative Council: 51 delegates;
- e) District Administrative Council: 21 delegates;
- f) Neighbourhood Administrative Council: 9 delegates.

15.9 Any Administrative Council delegate can be recalled by its constituency. A recall shall be effective immediately upon a decision by an absolute majority in a recalling referendum among the constituency of that delegate. A referendum for recall can be initiated by at least the lowest number of 10 000 votes or 10% of the votes of all eligible voters in the constituency of that delegate. The recalled delegate shall be replaced by a new delegate from the same constituency through normal election procedure.

15.10 Administrative Council shall among its delegates elect a Secretary for official representation of the Council, a Speaker for managing the order during Administrative Council assemblies, and other officials as deemed necessary by the Council.

- a) Council officials shall be elected by lottery among its candidates who have each received at least the lowest number of 10 votes or 10% of the votes of all Council delegates. Every vote for a candidate is entered in the lottery as one ticket for that candidate. Candidates with more votes will thus have higher probability of being elected. Every delegate can give only one vote to only one candidate. There shall be at least 3 candidates for an election of one official.
- b) All officials of Administrative Council shall act strictly in accordance with the mandate issued to them by the Council, and Council's other decisions.
- c) Administrative Council shall decide what categories of decisions made by its officials need a subsequent ratification by the Council Assembly before such decisions become valid.
- d) A Council official can be dismissed by the Council. A dismissal shall be effective immediately upon a decision by a simple majority and 80% quorum voted among the Council delegates. A vote of no confidence can be initiated by a motion of at least 10% of all the Council delegates. The dismissed official shall be replaced by a new delegate from the Council through normal procedure for electing Council officials. The dismissed official can continue its function as Council delegate.

15.11 The highest decision-making entity in every Administrative Council is the general assembly of all its delegates, with 80% quorum present.

15.12 Delegates have right and obligation to vote and make decisions as necessary for performing their social service in accordance with the constitution, laws, their mandates, and policies and resolutions of their constituencies.

15.13 A delegate is responsible to his/her constituency for promoting and implementing its policies. A delegate shall not be a member of any political party, religious organization, or other organization, entity or agreement which requires the delegate to act, make decisions or vote in the Council according to aims, loyalties or obligations other than the public policies and resolutions of the delegate's entire constituency.

15.14 Delegates have neither special privileges nor immunity from law.

15.15 Delegates are accountable to people who have elected them, and shall be checked through their regular reports to their constituency, face-to-face meetings and open public sessions with their constituency, and public scrutiny.

15.16 Information detailing all council decisions, voting of delegates, and all kinds of advisers, shall be open to public.

15.17 Lobbyism to Administrative Council is prohibited.

15.18 Administrative Councils and delegates shall not receive any direct or indirect remuneration, contribution, reward, benefit, privilege or favour from anyone, except what is lawfully provided to them for their function according to this Constitution, laws and applicable policies.

15.19 Delegates shall not have any association, connection, relation, role or situation which can create conflict of interests or jeopardise their public function or their integrity.

15.20 No one with criminal record shall be a delegate.

15.21 Administrative Council shall among its delegates elect committees dedicated to specific areas of responsibilities.

- a) A committee shall have odd number of members, at least 5.
- b) The highest decision-making entity within a committee is the assembly of its committee member-delegates, with 80% quorum present.
- c) A Committee member can be dismissed by the Council. A dismissal shall be effective immediately upon a decision by an absolute majority among all the Council delegates. A vote of no confidence can be initiated by a motion of at least 10% of all the Council delegates. The dismissed member of a Committee shall be replaced by a new delegate from the Council through normal procedure for electing Committee members. The dismissed member of a Committee can continue its function as Council delegate.

15.22 Every Committee shall among its member-delegates elect a Secretary for official representation of the Committee, a Speaker for managing the order during Committee assemblies, and other officials as deemed necessary by the Administrative Council.

- a) Committee officials shall be elected by lottery among its candidates who have each received at least the lowest number of 2 votes or 10% of the votes of all Committee members. Every vote for a candidate is entered in the lottery as one ticket for that candidate. Candidates with more votes will thus have higher probability of being elected. Every member of a Committee can give only one vote to only one candidate. There shall be at least 3 candidates for an election of one committee official.
- b) All officials of a Committee shall act strictly in accordance with the mandate issued to them by the Administrative Council.
- c) Administrative Council shall decide what categories of decisions made by Committee officials need a subsequent ratification by the Committee Assembly or Administrative Council Assembly before such decisions will become valid.
- d) A Committee official can be dismissed by the Committee or the Administrative Council. A dismissal shall be effective immediately upon a decision by an absolute majority among the Committee members, or upon a decision by an absolute majority among all the Council delegates. A vote of no confidence can be initiated by a motion of at least 10% of the members of the Committee or at least 10% of all the Council delegates. The dismissed Committee official shall be replaced by a new delegate from the Committee through normal procedure for electing Committee officials. The dismissed Committee official can continue its function as Committee member.

15.23 Propositions for voting in Administrative Council can be initiated by a Committee or by at least 10% of all the Council delegates.

15.24 Administrative Councils have no legislative powers. Administrative Councils shall not make decisions which can cancel, override, replace, change or add any article in this Constitution and laws, public policies or resolutions, or which can act as de-facto laws.

## **16. Law**

16.1 Lawmaking is an exclusive and unalienable right of the entire citizenry through referendum in the Federation or a region where the law has its jurisdiction.

16.2 Laws can be created and changed only in accordance with this Constitution, through referendum, by direct participation of all citizens of 18 years of age and older, by absolute majority among all citizens eligible to vote in legislative referendum in the area where the laws are applicable, either in the entire Federation or a Region.

16.3 Federal and regional laws.

- a) Federal laws are applicable and binding for everyone and everywhere in the Federation, except the cases when regional laws have superiority, as stipulated below.
- b) Every Region of the federation has right to make its own laws.
- c) Regional laws are applicable and binding for everyone and everywhere in the Region.
- d) When there is no regional law covering a particular matter in a region, the Federal law on that matter is automatically applicable in that region.
- e) When there are federal and regional laws covering the same matter in a region, the regional law on that matter has superiority in the region, except the following areas of law, for which the Federal laws have superiority everywhere in the Federation: federal referendum, defence, foreign relations, inter-regional relations, and other federal matters as explicitly stipulated by this Constitution.

16.4 Federal laws can be created and changed only in accordance with this Constitution, by the following procedure, with the required majority rates:

- a) Federal referendum by direct participation of all citizens of 18 years of age and older, with one vote and equal voting power for every individual;
- b) Absolute majority of the entire citizenry of the Federation for the proposal, and
- c) Absolute majority of the total number of regions in the Federation for the proposal, with absolute majority of the citizenry in each of those regions for the proposal.

16.5 Regional laws can be created and changed only in accordance with this Constitution, by the following procedure, with the required majority rates:

- a) Regional referendum by direct participation of all citizens of 18 years of age and older, with one vote and equal voting power for every individual;
- b) Absolute majority of the entire citizenry of the region for the proposal, and
- c) Absolute majority of the total number of counties in the region for the proposal, with absolute majority of the citizenry in each of those counties for the proposal.

16.6 Drafts and propositions for federal laws can be initiated by any of the following entities:

- a) Federal Referendum Council by absolute majority of its members;
- b) Regions' Initiative endorsed by at least 10% of the number of regions in the Federation, decided in each of those regions either through regional referendum with absolute majority or by Regional Referendum Council with absolute majority of delegates in each council;
- c) Citizens' initiative by at least the lowest number of 100 000 or 10% of all citizens of the federation eligible to vote in legislative referendum.

16.7 Drafts and propositions for regional laws can be initiated by any of the following entities:

- a) Regional Referendum Council by absolute majority of its members;

- b) Counties' Initiative endorsed by at least 10% of the number of counties in the Region, decided in each of those counties either through county referendum with absolute majority or by County Referendum Council with absolute majority of delegates in each council;
- c) Citizens' initiative by at least the lowest number of 50 000 or 10% of all citizens in a region eligible to vote in legislative referendum.

16.8 The entity which initiates a law referendum has right to formulate the draft that will be set for voting. The Referendum Council which is responsible for the referendum has right to make only necessary formal changes to the draft without altering its essence. In case of disagreement between the initiating entity and the Referendum Council concerning the formulation of the draft, the draft shall be set for voting as formulated by the initiating entity, presented to the voters together with the Referendum Council's comments and alternative.

## **17. Policies and Resolutions**

17.1 Making public policies and adopting public resolutions are the exclusive and unalienable rights of the entire citizenry through referendum.

17.2 Policies can only be created and changed, and resolutions can only be adopted and annulled in accordance with this Constitution and laws through referendum by direct participation of all citizens of 18 years of age and older, by absolute majority among all citizens eligible to vote in referendum.

17.3 Policies and resolutions are applicable and binding for everyone and everywhere within the jurisdiction of the referendum, including all councils and courts.

17.4 Drafts of policies and resolutions for voting in referendum can be initiated by any of the following entities:

- a) Referendum Council by absolute majority of its members;
- b) Citizens' initiative by at least the lowest number of 50 000 or 10% of all citizens eligible to vote in the jurisdiction of the referendum.

17.5 The entity which initiates policy or resolution referendum has right to formulate the draft that will be set for voting. The Referendum Council has right to make only necessary formal changes to the draft without altering its essence. In case of disagreement between the initiating entity and Referendum Council concerning the formulation of the draft, the draft shall be set for voting as formulated by the initiating entity, presented to the voters together with Referendum Council's comments and alternative.

## **18. Court**

18.1 Court is a public assembly with authority to administer justice and resolve conflicts based on the law.

18.2 The order of supremacy of courts is as follows, presented with decreasing order of supremacy, where (a) has the highest supremacy:

- a) Supreme Court;
- b) Court of Appeal;
- c) First Level Court.

18.3 Courts can be criminal or civil. There shall not be any other kind of court, e.g. military or constitutional court.

18.4 Criminal courts consist of the following official parties:

- a) Parts in a case;
- b) Prosecuting attorney;
- c) Defence attorney;
- d) Court Counsellor;
- e) Jury.

18.5 Jury has the highest authority within any court and shall make the verdicts and all other official court decisions.

18.6 Court Counsellor functions as adviser for the jury and coordinator for the court process.

18.7 Jury shall consist of the following number of members:

- a) 37 persons in the Supreme Court;
- b) 23 persons in the Court of Appeal;
- c) 13 persons in the First Level Court.

18.8 The following number of jurors shall have official qualifications for practicing law:

- a) At least 19 members of the Supreme Court Jury;
- b) At least 12 members of the Appeal Court Jury.

18.9 Jurors shall be elected by lottery among citizens with the following age conditions:

- a) 40 years of age or older for the Supreme Court;
- b) 30 years of age or older for the Court of Appeal;
- c) 25 years of age or older for the First Level Court.

18.10 Jurors shall be elected for the following term:

- a) In Supreme Court: the longest term of 2 years or until an ongoing case is completed, but maximum 4 years;
- b) In Court of Appeal: the longest term of 2 years or until an ongoing case is completed, but maximum 4 years;
- c) In First Level Court: for each case.

18.11 Jury elections shall be organized to create a jury fairly representative for all social categories among the citizenry.

18.12 Jury's decision shall not be conditioned, distracted or influenced by anyone or anything except this Constitution and the laws, facts presented in due process in court, jury's due deliberation and jurors' personal judgment.

18.13 Jurors shall be impartial, without any direct relation to the parties in the case.

18.14 No one with criminal record shall be a juror.

18.15 Jurors and other officials in court shall not receive any direct or indirect remuneration, contribution, reward, benefit, privilege or favour from anyone, except resources provided to them for their function according to the constitution and laws.

18.16 Jurors and other officials in court shall not have any association, connection, relation, role or situation which can create conflict of interests or jeopardise their public function or their integrity.

18.17 Jury shall make its decisions with the following majority rate:

- a) Consensus for establishing criminal guilt;
- b) Absolute majority in other cases.

18.18 Higher level courts have right to hear cases completed in lower level courts based on appeal, and make decisions which may uphold, cancel or override decisions of lower level courts.

18.19 Courts have no legislative powers. Courts shall not make, change or cancel the Constitution, laws, policies, resolutions, or ratify international agreements. Courts shall not rule any law unconstitutional. Courts shall not make decisions which can act as de-facto laws.

18.20 Courts in the Federation can prosecute:

- a) Any person, organization or other entity for crimes committed in the Federation;
- b) Any citizen of the Federation for crimes committed abroad;
- c) Any organization or other entity licensed and registered in the Federation for crimes committed abroad;
- d) Any person, organization or other entity for crimes against peace, war crimes, crimes against humanity, genocide and ecocide committed abroad.

18.21 Information detailing all court decisions shall be open to public.

## **19. Justice Against Crime**

19.1 Everyone is innocent unless proven guilty in court by due process of law.

19.2 Everyone has right to fair and public hearing by an independent and impartial court with all the guarantees necessary for the person's defence in any case against that person.

19.3 The aim of criminal justice is not punishment, but:

- a) Rendering criminals harmless if necessary;
- b) Helping and protecting the victims;
- c) Protecting the society;
- d) Treatment of consequences, fx. expropriation of criminal gains, compensation, restitution, restoration, reparation, indemnification;
- e) Analysis and treatment of causes;
- f) Correction, rehabilitation and socialization of criminals;
- g) Measures for preventing similar crimes from occurring in the future.

19.4 No person shall be subjected to incarceration unless it is decided in court by due process of law, as a justified and proportional measure. Incarceration shall not be used as punishment, but for serving justice, only in cases when it is necessary for:

- a) Protecting the society;
- b) Investigating crime;
- c) Conducting court hearings;
- d) Correction and rehabilitation of criminals;
- e) Treatment of consequences of a crime, fx. expropriation of criminal gains, compensation, restitution, restoration, reparation and indemnification.

19.5 Maximum duration of incarceration.

- a) A convicted criminal serving a justice program can be released from incarceration only when it is considered no longer dangerous for the society, in accordance with the applicable law and a verdict of a court jury based on evaluation of each case for possible release.
- b) The longest justice program and the maximum duration of incarceration shall be the convicted criminal's life time, used only for the gravest crimes and the most dangerous criminals, in accordance with the applicable law and a verdict of a court jury.

19.6 A court jury has right to suspend any or all of the following civil rights of a convicted criminal for a period of time, if it is a justified and reasonable measure as part of a justice program, as stipulated in the verdict by the court jury, in accordance with this Constitution, laws, public policies and resolutions:

- a) Freedom of movement (the limitation of space for movement by incarceration shall not be to such a degree that it will cause harm or health hazard to the person);
- b) Freedom of information;
- c) Freedom of communication;
- d) Privacy;
- e) Voting in referendums and elections.

19.7 Whenever possible and reasonable, the partial or full compensation, restitution, restoration, reparation and indemnification for a crime may be done at the expense of the convicted criminal's economic resources or through the work of the convicted criminal during incarceration or under lawful control, in accordance with the related court decision.

19.8 The police has right to incarcerate a person for up to 24 hours without a charge, if the person is a crime suspect and the incarceration is a justified and proportional measure for investigating or preventing crime.

19.9 An incarcerated or charged person has right to a civilian, independent attorney of the person's own choice.

19.10 Incarceration for longer than 24 hours shall only be used if it is decided in court by due process of law, and if it is a justified and proportional measure for any of the following reasons:

- a) Investigating crime;
- b) Preparing trial;
- c) Conducting trial;
- d) Court verdict after trial.

19.11 It is an obligation of the society, as a final stage in rehabilitation programs for lawbreakers, to provide economic, social, political and other help as needed to persons who have served justice for their crimes, in order to re-establish their normal life in the society.

19.12 No one shall be tried twice for the same crime on the same set of facts.

19.13 The police or other entities of the criminal justice system shall under no circumstances deliberately provoke a crime.

19.14 The lowest criminal age is 10 years. No person below 10 years of age shall be subjected to criminal trial.

## **20. Police**

20.1 Police is a public entity responsible for enforcing this Constitution and laws, public policies and resolutions, decisions of courts and councils, and public safety.

20.2 The task of the police is to:

- a) Protect and serve the society;
- b) Arrest criminals;
- c) Investigate crime;
- d) Contribute to preventing crime;
- e) Secure law and order.

20.3 Police is directly responsible to Administrative Council and shall operate under its control. The Administrative Council has right to approve, appoint and dismiss the top level police officers in accordance with the Police Charter.

20.4 Police shall be staffed, organized, educated, trained and equipped adequately for performing its task.

20.5 Police Charter shall specify the main principles of organization, functions, activities, obligations and rights of the police, including its duties during a state of emergency. Police Charter shall be in accordance with this Constitution and laws, public policies and resolutions, decisions in courts, and decisions of Administrative Council. Police Charter shall be approved by the Administrative Council.

20.6 The internal organization of the police shall be in accordance with the principles of democracy, except operational situations, when hierarchy of command can be employed according to the Police Charter.

20.7 No one with criminal record shall work in police.

## **21. Defence**

21.1 Defence Forces are a public entity responsible for security and defence of this Constitution, the Federation and its citizens.

21.2 The task of the Defence Forces is to:

- a) Defend this Constitution;
- b) Defend the Federation and its citizens from attacks, dangers and threats.

21.3 Defence Forces are directly responsible to Federal Administrative Council and shall operate under its control. The Federal Administrative Council has right to approve, appoint and dismiss the top level Defence Forces officers in accordance with the Defence Forces Charter.

21.4 Defence Forces shall be staffed, organized, educated, trained and equipped adequately for performing their task.

21.5 The internal organization of the Defence Forces shall be in accordance with the principles of democracy, while a hierarchy of command can be employed according to the Defence Forces Charter.

21.6 Defence Forces Charter shall specify the main principles of organization, functions, activities, obligations and rights of the Defence Forces, including their duties in a state of emergency. Defence Forces Charter shall be in accordance with this Constitution and laws, public policies and resolutions, decisions in courts, and decisions of Federal Administrative Council. Defence Forces Charter shall be approved by the Federal Administrative Council.

21.7 Every citizen of 18 years of age or older shall be conscripted to service for 12 months in Defence Forces, Civil Defence or Social Services. It is an obligation of every conscript to serve according to the best of one's ability.

21.8 At any given time, at least 2/3 of Defence Forces personnel shall serve by conscription, while the rest of the personnel can be in professional service in the forces.

21.9 It is prohibited for Defence Forces to engage in unlawful activities, unprovoked aggression, occupation or colonization. [C21.9]

21.10 It is prohibited to directly or indirectly sell, give or otherwise provide weapons, ammunition, other military material, technology or services to anyone or any entity who is waging an illegal war, war of aggression, occupation, annexation, colonialism, terrorism or other violation of human rights. [C21.10]

21.11 Engagement of Defence Forces shall in advance be approved through referendum by direct participation of all citizens of 18 years of age and older, with equal voting power for every individual, by 2/3 absolute majority, except the cases of defence urgency if the Federation, its citizens or this Constitution are under attack, serious threat or in danger, when the Federal Administrative Council can decide to engage.

## **22. State of Emergency**

22.1 State of emergency is a declaration by a Federal or Regional Administrative Council in case of defence urgency, war, siege, natural or other disaster, epidemic, mass panic, civil unrest, danger for public safety or other serious crisis which is not possible to resolve for the best of public interest within normal conditions.

22.2 State of emergency can be declared only if and when it is necessary as an act of the last resort for conducting justified and reasonable extraordinary measures for restoring public safety and normal functioning of the society under this Constitution.

22.3 State of emergency is valid only within the administrative division of the council which has declared it.

- a) Regional Administrative Council has right to declare state of emergency in its region;
- b) Federal Administrative Council has right to declare state of emergency in the Federal Territory or in the entire Federation.

22.4 The operative management for conducting the measures in state of emergency rests with the dedicated committee of the Administrative Council which has declared the state of emergency. The committee for state of emergency is responsible to the Administrative Council during the state of emergency, as well as before and after it.

22.5 State of emergency shall be declared with clearly specified reason, aim, time, space and measures.

22.6 State of emergency can impose temporary obligations on the public and organizations, and temporary limitations on their actions and movements in the area of emergency, with the exception of the following entities, which always have right to normal functioning:

- a) Regional Administrative Council;
- b) Regional Referendum Council;
- c) Federal Administrative Council;
- d) Federal Referendum Council.

22.7 It is prohibited to make any changes or additions to this Constitution and laws, or adopt new laws during state of emergency.

22.8 State of emergency can be cancelled at any time by:

- a) Regional Administrative Council in its region;
- b) Regional Referendum Council in its region;
- c) Regional referendum in its region;
- d) Federal Administrative Council in the Federal Territory or the entire Federation;
- e) Federal Referendum Council in the Federal Territory or the entire Federation;
- f) Federal Referendum in the Federal Territory or the entire Federation.

22.9 Declaring unnecessary, unjustified or unreasonable state of emergency, abusing extraordinary powers by state of emergency, violating human rights or civil rights, or prolonging state of emergency beyond reasonably necessary time, is a grave federal criminal offence.

## **23. Economy**

23.1 Economy is the domain of activities for satisfaction of the population's needs for resources, products and services in a sustainable, ethical and ecological way in accordance with the fundamental principles and values of freedom, equality, solidarity, democracy and secularism.

23.2 Social ownership and control of economic resources.

All economic resources, including space, land, sea, air and other natural resources, productive resources, resources of strategic importance for the society, infrastructure, buildings and business companies shall be owned and controlled collectively by the entire citizenry.

23.3 Public administration of social ownership and control of economic resources shall be realized by Administrative Councils in their respective jurisdictions.

23.4 Plans and budgets.

- a) Allocation of resources for products and services shall be decided by the citizenry through decentralized, democratic planning, coordinated and administered by Administrative Councils.
- b) Any system of taxation, planning, budgeting and allocation of resources shall have high efficiency and minimal bureaucracy.
- c) The public budget shall include education, healthcare, childcare, eldercare, defence, police, councils, courts and other public services, projects and resources.
- d) Drafts of public budget shall be presented by Administrative Council for discussion and voting in referendums.

23.5 Drafts of all public budgets and taxes shall be presented by Administrative Councils to the citizenry for consideration and deliberation. Any public budget and tax shall become valid only upon ratification by referendum.

23.6 Consumers' free choice of products and services can be realized through their direct participation in planning and their use of personalized vouchers in socialist exchange. The latter is a system of distribution, exchange and consumer choice, without the defects inherent to markets.

23.7 All economic enterprises, including business companies, shall be organized in one of the following ways:

- a) Self-employment in personal company;
- b) Democratic worker cooperative.

23.8 Personal company is an enterprise with a single employee, i.e. the self-employed person, who also is the single owner of the personal company.

- a) Personal company can own, control and utilize only the personal property of the self-employed person;
- b) Personal company shall not own, control or utilize private property or other forms of capitalism;
- c) Personal company shall not monopolize, centralize or concentrate resources, wealth or power;
- d) Personal company shall not own or control any public or strategic resource or mass media;
- e) Personal company shall not employ others than the self-employed person;
- f) Personal company is allowed only if the self-employed person is able to work for, operate and manage the enterprise alone;

- g) Any enterprise where more than one person is needed shall be organized as a democratic worker cooperative.

23.9 Worker cooperatives shall organize and operate according to the principles of democracy and self-management. The general assembly of employees is the highest decision-making entity within a worker cooperative. All employees of a cooperative shall have equal voting power in the general assembly: one person - one vote.

23.10 The owner, i.e. the society, shall license and lease-free enterprises to their users, i.e. employees, for certain conditions and time. The society has always the ultimate power of the overall control over enterprises, while employees shall exercise the strategic and operational management of the enterprises and the resources allocated to them. Licensing of enterprises, their control, supervision, and allocation of resources to them shall be realized by Administrative Councils according to public policies and resolutions as democratically decided by the citizenry.

23.11 Every economic enterprise shall have a board of directors. The mission of the board of directors is supervision, control and direction of the enterprise. The board of directors is responsible to the administrative council. 2/3 of the directors of every board shall be appointed by the relevant administrative councils which have jurisdiction in the area where the enterprise is licensed, registered or operating. No one shall be a director simultaneously for more than 3 enterprises, or for any number of enterprises more than one if the combined total number of employees exceeds 100 persons. Elected delegates from the Enterprise Council, i.e. employees of the cooperative, shall participate in the board of directors of their enterprise, comprising 1/3 of the directors of that board.

23.12 Every economic enterprise shall have an Enterprise Council consisting of elected, recallable delegates among the employees, for coordination and management of implementation of decisions of the board of directors and the general assembly of employees.

23.13 Every citizen has right and obligation to contribute to the economy according to the best of personal ability.

23.14 Every citizen shall have an income of personalized vouchers equal to the sum of the following:

- a) Citizen's salary, designed for meeting the basic needs of citizens, paid regularly and equally to every citizen;
- b) Remuneration for work according to duration, effort and sacrifice.

23.15 Citizen's salary shall be defined by the citizenry through annual referendum depending upon socio-economic considerations. Citizen's salary shall equal the maximum possible amount in terms of economic viability.

23.16 Resources, products and services for consumption shall be defined in the following categories:

1. Free consumption according to need;
2. Consumption according to contribution, realized through remuneration for work and consumption by payment with vouchers.

23.17 Categories of resources, products and services shall be defined by the citizenry through annual referendums.

- a) Category 1 shall initially include home, water, basic food, education, healthcare, childcare, eldercare, public transport.

- b) In parallel with positive development of the economy, category 1) shall include increasingly larger share of resources, products and services, depending upon economic viability, ecological feasibility and social consciousness.

23.18 The long term vision for the economy includes a system based on contribution by every individual according to ability and free consumption of all resources, products and services according to need.

23.19 For communities of 100 000 persons or larger, preconditions shall be created for economic self-reliance (not self-sufficiency), viability and sustainability, avoiding dependency on excessive help, debt, loans or consumerism.

23.20 It is prohibited to create or utilize capitalism [C23.20], or private or state ownership or control of any economic resource or business.

23.21 It is prohibited to create or utilize any economic concept, model or system which can cause or exploit:

- a) Large inequality of income or wealth;
- b) Inequality of economic rights, opportunities or conditions;
- c) Political or social inequality;
- d) Economic, political or social hierarchy, classes or casts;
- e) Monopolization, centralization or concentration of resources, wealth or power;
- f) Domination, exploitation or destructive competition;
- g) Egocentrism, greed or consumerism;
- h) Speculation or gambling;
- i) Growth imperative or unsustainable growth;
- j) Economic bubbles;
- k) Wastefulness or destructiveness;
- l) Harm to people, society or ecology;
- m) Militarism, imperialism or colonialism;
- n) Any violation of the fundamental principles and values of freedom, equality, solidarity, democracy and secularism.

23.22 All councils, other institutions and organizations have an obligation to actively work for preventing and eliminating all the possible problems described in articles 23.20 and 23.21.

## **24. Mass Media**

24.1 Mass media is the collective term for mass-information resources, infrastructure, products, services, channels, outlets, companies and entities involved in creation, storage, publication, distribution, transmission and communication of information reaching large masses of the population.

24.2 Mass media shall serve to inform and enlighten the population, provide means for public information, mass-communication, debate, cultural development and entertainment, in accordance with the fundamental principles and values of freedom, equality, solidarity, democracy and secularism.

24.3 Mass media shall provide fairly equal access, time and opportunity for mass-information and communication to all groups of opinions.

24.4 Mass media shall be owned and controlled collectively by the entire citizenry.

24.5 Ownership, control, monopolization, centralization, concentration, dominance or disproportionate influence on mass media by any individual, group, party, company, other organization or entity is prohibited.

24.6 It is prohibited to use mass media for:

- a) Commercial advertising or consumerism;
- b) Political or other propaganda;
- c) Disinformation or manipulation;
- d) Promoting or serving social, political or economic hierarchy, statism, capitalism, militarism, imperialism, colonialism, racism, fascism, nationalism, Nazism, Zionism, ethnocentrism, tribalism, sexism, egocentrism, religion, violence, hate or fear.

24.7 Regional and Federal Referendum Councils are responsible for monitoring and supervision of mass media for their compliance with the applicable requirements of this Constitution, laws, public policies and resolutions.

## **25. Ecology**

25.1 Ecology in the context of this Constitution is the ecosystem including human beings, other animals, organisms, plants, their environment and their relationship.

25.2 All economic, social and other human activity shall include considerations of ecological consequences.

25.3 It is an obligation of the society and every individual to ensure short and long term natural sustainability, clean environment and ecological balance.

## **26. Citizenship**

26.1 Citizenship means being citizen of the Federation. All citizens are equal before this Constitution and laws, and have the same rights, responsibilities, obligations, conditions and opportunities regardless of race, colour, ethnicity, gender, sexuality, belief, culture, language, political or other opinion, national or social origin, birth, property or status.

26.2 Every citizen has right to:

- a) Reside and move anywhere within the Federation without any immigration restriction or requirement;
- b) Leave and return to the Federation;
- c) Be represented, protected and assisted abroad by the Federation;
- d) Seek and enjoy abroad asylum from danger, persecution, discrimination or other unlawful act, treatment or punishment.

26.3 Every citizen has right, responsibility and obligation to:

- a) Learn, understand, respect and be loyal to this Constitution and the fundamental principles and values of freedom, equality, solidarity, democracy and secularism;
- b) Participate in the society according to this Constitution and laws;
- c) Perform one's duties when elected into a jury or council;
- d) Contribute to the economy according to the best of one's ability;
- e) Work towards the improvement of the community and the life of all citizens.

26.4 Citizenship can be granted in any of the following ways:

- a) A child is automatically granted citizenship at birth if both parents are citizens of the Federation at the time of the child's birth, regardless of the place of child's birth. If the child is born to a single parent, it is automatically granted citizenship at birth if the parent is citizen of the Federation at the time of the child's birth, regardless of the place of child's birth. The child's record of birth abroad shall be registered with a Federal consulate or embassy before it can become a proof of citizenship.
- b) A child is automatically granted citizenship at birth if at least one parent is citizen of the Federation at the time of the child's birth, and the child is born in the Federation.
- c) A child can be granted citizenship by a Jury in court, based on application from the citizen parent, if only one of the parents is citizen of the Federation at the time of the child's birth, and the child is born abroad. The child's record of birth abroad shall be registered with a Federal consulate or embassy before the application of citizenship is filed.
- d) A child can be granted citizenship by a Jury in court, based on application from the citizen parent, if the child is lawfully adopted by a parent who is citizen of the Federation at the time of adoption.
- e) A child can be granted citizenship by a Jury in court, based on application on behalf of the child from the child's citizen parent or citizen guardian who has lawful and physical custody of the child, if the child has been lawful and physical permanent resident in the Federation for at least 5 years prior to the application, and the child is currently residing in the Federation.
- f) Citizenship can be granted by a Jury in court to a non-citizen person of 18 years of age or older if the person passes the Citizenship Test, which includes all of the following requirements: 1) the person has applied for citizenship of the Federation, 2) has been lawful and physical permanent resident in the Federation for at least 5 years prior to the application, 3) passes a test of satisfactory knowledge of the official language of the Federation, 4) passes a test of satisfactory knowledge of this Constitution, 5) takes an Oath of Citizenship before a Jury in court. Other requirements can be added to the Citizenship Test by law.

26.5 Every citizen shall take an Oath of Citizenship, regardless of how the citizenship is granted. Persons who are granted citizenship at birth or during childhood shall take an Oath of Citizenship immediately upon reaching 18 years of age. Persons who apply for citizenship when they are 18 years of age or older, shall take an Oath of Citizenship before the citizenship is granted to them.

26.6 Oath of Citizenship is a personal, solemn and formal declaration confirming that the person:

- a) Has knowledge of, respect for and loyalty to this Constitution and the fundamental principles and values of freedom, equality, solidarity, democracy and secularism;
- b) Accepts all the rights, responsibilities and obligations which follow with the citizenship of the Federation;
- c) Has allegiance to the Federation.

26.7 Multiple citizenship.

Multiple citizenship means that a person is a citizen of more than one country. In principle, multiple citizenship is unacceptable for the citizens of the Federation, but there can be exceptions for special cases as stipulated in the following. A person who applies for citizenship in the Federation shall renounce any other citizenship. Exemptions from this requirement can be made for persons who apply for citizenship in the Federation in cases when:

- a) It is legally or practically impossible for the person to be released from citizenship in the former home country;
- b) The person's application to the former home country for release from citizenship has been rejected;
- c) The person's former home country sets unreasonably difficult conditions for release;
- d) For reasons of personal safety, the person should not be required to contact the former home country in order to apply for release;
- e) The applicant for citizenship of the Federation is a child.

26.8 Loss of citizenship.

- a) No person shall be arbitrarily or unreasonably deprived of citizenship.
- b) A person shall automatically lose the citizenship of the Federation if the person has obtained citizenship of another country by the person's application, notification, confirmation, consent or acceptance.
- c) The citizenship of the Federation shall not be lost for a person who has been automatically granted citizenship of another country without the person's application, notification, confirmation, consent or acceptance.
- d) A person can be released from the citizenship of the Federation based on an application from the person, if the person has another citizenship or needs to be released from the citizenship of the Federation in order to accept another citizenship, and if it will be unreasonable to deny the release.
- e) A person can lose the citizenship of the Federation by a decision of Jury in court, if the person has another citizenship and is permanently residing abroad for at least 5 years. The person shall be duly notified and given opportunity to defend his/her case in the court before a decision is made. The parties have right to appeal the decision of the court. A decision of revocation of citizenship shall not be effectuated while an appeal is in progress. A person shall not lose the citizenship of the Federation for the reason of having another citizenship and permanently residing abroad for at least 5 years if 1) the citizen of the Federation has applied for retention of the citizenship of the Federation, and the application is still in progress, 2) or the person is residing abroad in official service of the Federation or any organization or entity of the Federation.

- f) The citizenship of the Federation can be revoked by Jury in court if the citizenship has been granted based on misleading, incorrect or incomplete information which had a considerable significance for the decision.

## **27. Language**

27.1 The official language of the Federation is [the language].

27.2 The official language of the Federation shall be the language of this Constitution, and the common language for all federal communication, documentation and agreements.

27.3 The official language of the Federation shall be taught to all children of school age.

27.4 The official language of the Federation shall be part of the Citizenship Test for persons who apply for citizenship of the Federation.

27.5 Every region can have and use its own official language, in addition to the official language of the Federation. Regional official language can be used as the language of the regional law.

27.6 Every person and community can have and use their own native language, in addition to the official language.

## **28. Federal Sovereignty**

28.1 The Federation is sovereign. Any external or foreign entity, authority or power is invalid and void within the Federation.

28.2 An international law in the Federation, external agreement with the Federation or membership of the Federation in an organization can become valid only if and when ratified by Federal Referendum.

28.3 An external entity, e.g. foreign embassy or international organization, can be established or operate in the Federation only if and when licensed by the Federal Administrative Council or Regional Administrative Council, according to the conditions and time stipulated by the license. Any such license can be suspended or revoked by the council that has issued the license, if the terms of the license are broken by the licensee.

## **29. Administrative Divisions in the Federation**

29.1 The Federation has the following administrative divisions:

- a) Neighbourhood;
- b) District;
- c) Commune;
- d) County;
- e) Region;
- f) Federation.

29.2 A neighbourhood is the community with the smallest size. A district is a larger community, consisting of neighbourhoods. A commune consists of districts, and so on.

29.3 The Federation consists of all the regions in the Federation and the Federal Territory.

29.4 Every administrative division shall have its own Referendum, Referendum Council and Administrative Council.

29.5 An administrative division can be created, and the status of an existing one can be changed, only by referendum with all of the following requirements satisfied:

- a) 2/3 absolute majority of the entire citizenry of that administrative division for the proposal;
- b) Absolute majority of the entire citizenry of the larger administrative division, which includes that administrative division as its part, for the proposal.

29.6 [This article shall define the regions of the Federation].

## **30. Federal Territory**

30.1 A dedicated territory shall be allocated as Federal Territory for accommodating federal institutions, including:

- a) Federal Referendum Council;
- b) Federal Administrative Council;
- c) Federal Courts;
- d) Federal Department of Police;
- e) Federal Department of Defence;
- f) Other federal institutions.

30.2 Federal Territory has the same administrative status as a Region.

## **31. Relations Between Administrative Divisions**

31.1 Relations between administrative divisions in the Federation shall be based on the principles of local and collective autonomy, and democratic, decentralized-horizontal federation.

31.2 All smaller administrative divisions of the same level within a larger administrative division have equal powers. For example, all districts in a commune have equal power - no district has more power than any other district in that commune.

31.3 Any administrative division has right to make public policies, resolutions and other decisions by referendum, valid and enforceable within its jurisdiction in that administrative division, under this Constitution and applicable laws.

31.4 In case of a conflict between decisions of different councils, it shall be resolved in the following manner [C31.4]:

- a) The councils involved in a dispute shall jointly arrange discussions and negotiations on the conflicting issue, aimed at finding a solution acceptable for all parties involved. If this will not lead to a solution, then;
- b) Referendum Council of the higher level shall call a referendum in its jurisdiction, which includes administrative divisions of the involved councils, for resolving the conflicting issue. The outcome of the referendum shall be binding for all parties involved.

31.5 In case of a conflict between policies, resolutions or other decisions by referendums in different administrative divisions, it shall be resolved in the following manner:

- a) The Referendum Councils of the administrative divisions involved in a conflicting issue shall jointly arrange discussions and negotiations on the conflicting issue, aimed at finding a solution acceptable for all parties involved. If a joint solution is found, it shall be ratified by referendums in the respective communities. However, if this will not lead to a solution, then;
- b) Referendum Council of the higher level shall call a referendum in its jurisdiction, which includes the involved administrative divisions, for resolving the conflicting issue. The outcome of the referendum shall be binding for all parties involved.

## **32. Accession and Secession**

32.1 Accession of a new community into the Federation shall be valid only if it is approved according to all of the following requirements:

- a) A democratic council of the applicant community approves the application to the Federation for accession with 2/3 absolute majority among the council delegates;
- b) The Regional Administrative Council of the region in the Federation, where the new community is intended to join, approves the application from the applicant community with 2/3 absolute majority among the council delegates;
- c) The Federal Administrative Council approves the application from the applicant community with 2/3 absolute majority among the council delegates;
- d) A referendum in the applicant community ratifies the final agreement with the Federation for accession with absolute majority;
- e) A referendum in the region in the Federation, where the new community is intended to join, ratifies the final agreement with the new community for accession with absolute majority.

32.2 Secession of a community from the Federation shall be valid only if it is approved according to all of the following requirements:

- a) The Administrative Council of the community approves the application to the Federation for secession with 2/3 absolute majority among the council delegates;
- b) The Regional Administrative Council of the region in the Federation, where the community is currently a member, approves the application from the community with absolute majority among the council delegates;
- c) The Federal Administrative Council approves the application from the new community with absolute majority among the council delegates;
- d) A referendum in the community ratifies the final agreement with the Federation for secession with absolute majority;
- e) A referendum in the region in the Federation, where the community is currently a member, ratifies the final agreement with the community for secession with absolute majority.

## **33. Foreign Relations**

33.1 Foreign relations of the Federation shall serve the following aims:

- a) Security and prosperity of the Federation and its citizens;
- b) Peace and cooperation;
- c) Universal respect for human rights based on the fundamental principles and values of freedom, equality, solidarity, democracy and secularism;
- d) Global natural sustainability, clean environment and ecological balance.

33.2 Federal Administrative Council shall be the official representative of the Federation abroad. Federal Administrative Council shall administer foreign relations, federal embassies and missions in foreign countries and international organizations.

## **34. Borders**

34.1 [This article shall define the geographic-political borders of the Federation].

## **Constitutional Comments**

C1.7c The requirement for double majority, i.e. majority of the number of regions in addition to majority of all the citizens of the Federation, is a preventive and balancing measure for securing democracy and protecting minorities from undue or persisting domination by a definite and stable majority, fx. ethnic or cultural. The principle of double or balanced majority is used also in some other articles of this Constitution, fx. lawmaking.

C3.2f The following list presents some of the ideologies, institutions and systems of unfreedom which are incompatible and irreconcilable with freedom and democracy:

- Belief in authority, real or imaginary, earthly or heavenly, natural or supernatural;
- Heteronomy;
- Hierarchy;
- Social, political or economic inequality, classes, casts, economic inheritance;
- Submission to any authoritarian or heteronomous tradition, any moralism, dogma or delusion: religion, cult, faith, belief, superstition, witchcraft, sorcery, deism, spiritualism, astrology, holiness, god, satan, messiah, angel, ghost, spirit or soul, worship of anything natural or supernatural;
- Priesthood and prophets;
- Cult of leader, cult of personality, cult of celebrity, cult of stars, cult of winners and losers, cult of experts, elitism;
- Subjection to violence, force, coercion, restraint, intimidation, domination, manipulation, addiction, control, censorship, discrimination, oppression, ownership, market, exploitation, deprivation or harm;
- Human trafficking, serfdom, slavery, debt-serfdom, debt-slavery, wage slavery, child labour, child abuse;
- Racism, supremacism;
- Fascism, Nazism, neo-Fascism, neo-Nazism;
- Egocentrism;
- Ethnocentrism, tribalism, clanism, e.g. Judaism, Zionism, Pan-Germanism, Pan-Turkism;
- Nationalism;
- Xenophobic, chauvinistic or jingoist patriotism;
- Imperialism, e.g. US-UK-Jewish, NATO and Russian empires;
- Colonialism;
- Militarism;
- Terrorism, i.e. deliberate intimidation, harm or killing of innocent people, civilians or non-combatants, e.g. state terrorism;
- Torture;
- Capitalism, owner or boss;
- Market economy, free market, market fundamentalism;
- Ruler, monarch, judge, state or government;
- False democracy, i.e. representative government, parliament, political party, politician, representative and proxy;
- Dictatorship of the proletariat, vanguard party (with a program to take or centralize power in the society), centralization, revolutionary state, assembly or council with power to make laws and policies on behalf of the population, state or private ownership or control of economic resources;
- Media owned or controlled by state, capitalists or clergy;
- Moralism;

- Homophobia, androgynophobia, transphobia, disablism;
- Sexism, e.g. feminism, matriarchy, masculism, patriarchy, sexual discrimination;
- Authoritarian family, forced marriage, marriage as mechanism of trade, domination, abuse or enslavement (especially of women and children), marriage of children, and marriage imposed, registered or controlled by state, religious or other entity, are all various forms of unfreedom related to the tradition and institution of family;
- Genital mutilation or other harm, especially of children and women, for religious or other reasons;
- Damage to natural environment, cruelty to animals;
- Gerontocracy, i.e. rule by elders;
- Mobocracy, criminal gangs, proarchy gangland, football hooliganism, neighbourhood banditry, narco-cartels;
- Piracy, fx. Jewish military pirates off Gaza shores in Palestinian and international waters;
- Mafia;
- Concept of sin;
- Concept of punishment.

C6.2 There is only one kind of true democracy: direct democracy. Political systems based on false democracy with political parties and professional politicians, elected parliament or representative government, and other elected organs of centralized power and the state, are simply various forms of oligarchy or other concepts of the ruling class and hierarchy.

C7.12 This prohibition includes, but is not limited to, Islamic religious veils. Burka and niqab are examples of such veils, symbolizing enslavement, oppression or control over women, and violation of the principles and values of freedom, equality, solidarity, democracy and secularism.

C9.8i An example of genital mutilation of children for religious reasons is the injury which has traditionally been inflicted upon children in certain primitive cultures, fx. among Muslims, Jews and African tribes. This tradition is a savage violation of human rights, and children shall be protected from such harm and brutality.

C12.1 There is a distinction between an assembly and a council. An assembly is a group of persons in a community gathered together for discussions and decision-making, where all the members of the community are present as direct participants in the assembly. A council is a group of elected delegates from a community or communities, and thereby an organ for coordination through confederation. Both an assembly and a council make their decisions through direct democracy among their respective participants.

C21.9 Examples of unlawful and criminal aggression, war, occupation, colonisation, terrorism and genocide are those conducted by the US, NATO, Australian and their client states' military forces in Iraq since 1991 and Afghanistan since 2001, US aggression and embargo against Cuba since 1960, Israeli military forces in Palestine since 1948, China in Tibet since 1950, Russia against Chechnya since 1994, and Georgia against Abkhazia and South Ossetia since early 1990s.

C21.10 See C21.9

C23.20 Capitalism is an economic system with monopolization, centralization or concentration of economic resources and power in the hands of a minority, the elite, the ruling class. Inherent features of capitalism are private or state ownership or control of capital, state power, market, growth doctrine, as well as profit, interest and rent. Capitalism is based on exploitation of humans by humans. Its main social and economic characteristics are theft, greed, egoism and consumerism. Capitalism causes inequality and injustice, classes and hierarchy, competition, domination and

exploitation, crisis, conflict, violence and war, and environmental destruction. Capitalists, i.e. private or state owners of capital, steal the wealth of the society through monopolization, centralization or concentration of resources, exploitation of employees, market power and other crimes. Capitalism is organized crime, a form of institutionalized parasitism, exploitation and plunder. Capitalism is incompatible and irreconcilable with freedom and democracy.

C31.4 For example, in case of a conflict between decisions of Regional Administrative Council and County Administrative Council, it shall be resolved in the following manner:

- a) Regional Administrative Council and County Administrative Council involved in a dispute shall jointly arrange discussions and negotiations on the conflicting issue, aimed at finding a solution acceptable for all parties involved. If this will not lead to a solution, then;
- b) Regional Referendum Council shall call a referendum in the region for resolving the conflicting issue. The outcome of the referendum shall be binding for all parties involved.

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