



Basic User Requirements for a modern Federal Constitution

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1. Premises

1.1 Purpose of this paper

The purpose of this paper is to provide a list of very basic requirements for a modern Federal Constitution.

1.2 Structure of this paper

The paper is organized in two main sections:

- This section, providing general information to use the paper
- The Requirements section, collecting requirements

1.3 Proposed methodology

1.3.1 Procedure

The following steps procedure is proposed:

- 1) Discussion and approval of requirements for a modern federal constitution
- 2) Read and comment existing constitutions, versus our requirements
- 3) Try to compose a draft constitution

No time limits nor time goals are proposed.

The discussion group will periodically assess if the work is producing useful materials or we will be wasting our time, and accordingly decide.

1.3.2 Structure of the requirements section

The requirements section is organized to provide a viable tool for discussion, amendment, changes management.

The sections are the following five:

Section 1 – Input Materials (IM)

Section 2 – Philosophies (PH)

Section 3 – Purposes of a modern Constitution (CP)

Section 4 – Structure of a modern Constitution (CS)

Section 5 – Contents of a modern Constitution (CC)



1.3.3 Requirements coding

Each requirement has a heading row, coded in order to facilitate the reference in the discussion:

- 1) Requirement Identifier, composed by:
 - Root = CUR = Constitution User Requirements
 - Type = section acronym = IM, PH, CP, CS, CC
 - Progressive number, with room enough to add requirements in the middle without renumbering all.
- 2) Requirement title, between brackets: <Title>
- 3) Requirement authors, between brackets: <Author, Author>

1.3.4 Discussion and voting

All participants to the discussion group are kindly requested to do one or more of the following actions:

- 1) Vote on each requirement, according to the following method:
 - a. VOK = Very OK
 - b. OK = OK
 - c. NOK = NOT OK, to be changed
 - d. VNOK = Drop this requirement
- 2) Write comments and/or change proposals on single requirements
- 3) Write additional requirements, to be inserted (please indicate where, even also by writing the Identifier, with proper type and number).

1.3.5 Traceability

When comments or added requirements refer to papers, documents, constitutions, books or any other writings, please indicate clearly the title, author(s) and all the other news that can help to quickly find the referred writing.

1.3.6 Participants

No formalities are required to participate to the discussion group.

Just send an email with "European Constitution Forum" in the subject to info@tdf.it .



2. Requirements

2.1 Section 1 - Input Materials

CUR.IM.01000 <Background><P. Collins>

A new constitution should take, as background, the best existing constitutions.

CUR.IM.01010 <Father documents><A. Autino>

A new constitution draft should not be undertaken before a discussion on the user requirements of a constitution.

Such a discussion should be dealt with the sovereign citizens, as large as possible.

The user requirements document should then be the main father document of the Constitution, helping authors to respect the will and indications of the sovereign citizens.

2.2 Section 2 - Philosophies

CUR.PH.02000 <References><A. Autino>

Abstract references to ideologies, religions or philosophies are of no use in a modern constitution. On the contrary, the reference, for instance, to specific "religious roots" could push segments of citizens to feel the constitution not as their own one.

CUR.PH.02010 <Position of Constitution in the legislation tree><A. Autino>

The Constitution shall be the father of all the other legal codes and documents.

Thus the Constitution shall be fully self-consistent, and shall not be impacted by changes occurred in other documents or codes.

CUR.PH.02020 <Other references><A. Autino>

Reference in the Constitution to external documents can be made only to very general and over-national charts, e.g. the Human Rights one.

CUR.PH.02030 <Ethics><A. Autino>

Some concret ethic principles should be inserted, does not matter from which philosophic thought they are taken.

CUR.PH.02040 < Modern Humanist Thought ><P. Collins, A. Autino>

Some new-humanist / astronautic-humanist concepts should be inserted in the constitution draft.



2.3 Section 3 – Purposes of a modern Constitution

CUR.CP.03000 <Purpose of Government><K. Larsen>

The source of all political power is the people. Thus, the purpose of government is to serve the people, not the reverse.

CUR.CP.03010 <Purpose of Constitution><A. Autino>

The Constitution shall serve to:

- (i) organizing state and government according to the people will and decision;
- (ii) giving to the people tools to check, during the life of state and government, if they work properly;
- (iii) giving to the people tools to recover mistakes and to continuously improve the state' structures, to better fit the people' requirements.

CUR.CP.03020 <Use of Constitution><A. Autino>

The Constitution shall be usable first of all by sovereign citizens, without any help by constitution experts.

CUR.CP.03030 <Equal voice of individuals><K. Larsen>

Constitution shall provide a fair and workable system for making group decisions in which every individual has an equal voice.

CUR.CP.03040 <Universal Character of the Constitution><K. Larsen>

The European Constitution could be so big and so open to potentially provide room for all of humanity under its protective umbrella.

2.4 Section 4 – Structure of a modern Constitution

CUR.CS.04000 <Usability><A. Autino>

The Constitution shall be a well structured document, with a powerful and really informative index.

CUR.CS.04010 <Structure and Articles Numeration><A. Autino>

The whole text shall be divided in sections.

The articles shall be numbered in a plain and sequential mode, in order to favour an easy reference to articles, even by the simplest people.

CUR.CS.04020 <Languages><A. Autino>

The only requirement, to use Constitution, shall be the capability to read own mother language.

The Constitution shall be produced in all the languages of the countries member of the Union.

Particular attention shall be paid, in order to assure that none different interpretation was possible, due to different languages versions.

**CUR.CS.04030 <Dimension of the Constitution><A. Autino>**

Length shall not exceed 50 A4 pages. Maximum number of articles shall not exceed 100.

CUR.CS.04040 <Articles simplicity><A. Autino>

Text of each article shall be as shortest as possible.

The text of each article shall be as much as possible self-consistent.

Each article shall develop one only concept or criteria, or a small number of coherent statements.

CUR.CS.04050 <Amendments><A. Autino>

Constitution articles shall be organized in a way such to allow the easy introduction of amendments to articles and rework.

2.5 Section 5 – Contents of a modern Constitution**CUR.CC.05000 <What the Constitution should contain – main sections><A. Autino>**

The constitution should contain the following 5 sections:

- 1) Premises
- 2) State, Government, Politics and Direct Democracy
- 3) Economy
- 4) Education and Scientific Research
- 5) Justice

CUR.CC.05010 <What the Constitution should contain – main sections><K. Larsen>

The constitution shall also contain the following sections:

- 1) Protection of sovereignty of member nations
- 2) Issues only changeable by a new constitutional assembly
- 3) Rights of accused criminals
- 4) Right of single nations to separate from the Union
- 5) Control of member countries.
- 6) Functions of the Union.

CUR.CC.05020 <Contents – Premises><A. Autino>

Scope, purpose and users of the Constitution.

Who and how can change the constitution (articles and sections can have different change procedures).

**CUR.CC.05030 <Contents – Direct Democracy><A. Autino>**

State, Government, Politics and Direct Democracy:

- 1) Form of state and government: a glass house, under full control of sovereign citizens
- 2) List of rights and powers that the sovereign citizens make over to the central and local government services
- 3) Criteria for election and revocation of the servers, organization of permanent structures to be used by sovereign citizens to lead the government
- 4) Criteria of information to the public about politic events and discussion
- 5) Tools to be used by sovereign citizens to control the work of the servers, and to correct the wrong proceedings

CUR.CC.05040 <Contents – Economy><A. Autino>

- 1) Basic principles of an ethics of the free market
- 2) Statements in defence of free enterprises' rights
- 3) Statements in defence of dependent workers' rights
- 4) Commitment to economic growth
- 5) General long term economic development strategical lines (i.e. opening of the space frontier)
- 6) How to turn into account the terrestrial human patrimony
- 7) List of public administration matters (i.e. education, sanity, public transports, scientific research) and criteria of balance transparency
- 8) Criteria for lobbying among private industry and public administration

CUR.CC.05050 <Contents – Education and Science><A. Autino>

Education and Scientific Research:

- 1) List of education matters to be surely present in education systems
- 2) Statements in defense of the scientific culture
- 3) Criteria to organize scientific research institutes, public balance transparency criteria

CUR.CC.05060 <Contents – Justice><A. Autino>

- 1) List of the constitutionally forbidden activities
- 2) Statements in defense of human rights and equal rights of all terrestrials

CUR.CC.05100 <Contents – Justice: rights of accused><K. Larsen>

Rights of accused criminals (see the American Bill of Rights)

CUR.CC.05110 <Contents – member nations sovereignty><K. Larsen>

Protection of sovereignty of member nations

- 1) a system for protecting the sovereignty of the member nations over matters strictly within their jurisdiction.
- 2) a specific list of powers surrendered by the nations to the union, with the understanding that everything else is left to the member countries and the people (US Tenth Amendment).

**CUR.CC.05120 <Contents – protection of the Constitution><K. Larsen>**

Issues only changeable by a new constitutional assembly, and not by governments. (e.g. statements for individual freedoms, freedom of religious and ideological creeds, etc...).

CUR.CC.05130 <Contents – right of secession><K. Larsen>

Right of single nations to separate from the Union: e.g. ask the people of each country to vote once every 4 years whether or not to remain with the union.

CUR.CC.05140 <Contents – defense of the rights of member countries citizens><K. Larsen>

Control of member countries, by the Union's government, if they respect or not the rights of their citizens: expulsion of the countries that don't respect the rights of citizens.

CUR.CC.05150 <Contents – functions of the Union><K. Larsen>

Three main functions:

- 1) Provide for mutual defense from an external enemy,
- 2) Provide peaceful resolutions for disputes among member nations, and
- 3) protect individuals from local tyranny.

Other services, such as a common system of weights and measures and a common currency, are secondary, less important functions.

CUR.CC.05200 <What the Constitution should not contain><A. Autino>

The constitution shall not contain the following items:

- 1) References to current political situation
- 2) References to laws or complex codes, external to the Constitution
- 3) Lists of "allowed rights" (all the not forbidden activities are part of the citizen's powers and rights)