

THE RECONSTITUTION
of
THE UNITED STATES OF AMERICA

A renewal of our commitment to the fundamental principles of the U.S. Constitution (1789, rev. 1992), including amendments to be adopted via an Article V Convention in the formation of “a more perfect union.”

INTERAMBLE

Government Of, By, and For The People; Restoring Trust & Legitimacy

We the People of the United States of America, in order to form a more perfect Union, and to restore the integrity and legitimacy of our Government, declare that the time has come to reaffirm our shared purpose as a Nation, and to reimagine and recreate the systems, institutions, and processes that shape how we live together. With the understanding that change is inevitable, and with respect and appreciation for our ancestors in all their imperfection and diversity, we accept responsibility for continuously improving our democracy, so that we may embody our shared ideals and create a sustainable path for future generations.

The possibilities and potential of our Nation are limited only by our vision and cooperation. In an era of increasing social complexity, cultural diversity, and technological unpredictability, our ability to communicate, collaborate, and foster harmony as a People is of the utmost importance. We must strengthen our civic bonds and honor each other as individuals who take part in a shared humanity, and we must find new ways to protect and preserve the abundance of resources and wealth that we inherit and create together. We must find ways to enact laws, policies, and social agreements that honor our sacred individuality while cultivating our solidarity. We must establish new forms of economics and governance that embody our shared American values as proud allies of the World, in alignment with our responsibilities as stewards of a precious planet.

Therefore, in order to ensure our individual, social, and ecological flourishing, and to enshrine and harmonize the ideals of liberty, peace, and equality under the law, we present these Amendments to the Constitution of the United States of America.

28TH AMENDMENT (RC.1)

Principled Power & Politics; Proportional Influence & Authority

SECTION 1

Free & Fair Public Elections; Equal Access & Influence

CLAUSE 1. To ensure free and fair elections, Congress and the States shall regulate and set reasonable limits on the raising and spending of money by candidates and others so that no person or entity gains unreasonable access to, or influence upon any public election, and so that all citizens have equal opportunity to influence such elections.¹

CLAUSE 2. Contributions to balloted campaigns, or organizations that substantially advocate for specific balloted campaigns², shall be limited to persons eligible to vote in that campaign's relevant election.³

CLAUSE 3. This section shall not be construed to grant Congress or the States the power to abridge the freedom of speech, or the press.⁴

SECTION 2

Autonomous & Accountable Legislative Processes; Full Transparency & Integrity

CLAUSE 1. To balance autonomy and accountability in the legislative branch, Congress and the States shall regulate and set reasonable limits on lobbying efforts by former public officials and employees so that no person or entity gains unreasonable access to, or influence upon any legislative or quasi-legislative process, and so that such processes are equally accountable to all citizens.⁵

¹ This power is intended to remove the limitation formerly imposed upon Congress by *Citizens United v. Federal Election Commission*, 558 U.S. 310, in which campaign finance reform was determined to be a violation of free speech as guaranteed under the First Amendment.

² Balloted campaigns include, but are not limited to: (i) candidates for public office; (ii) initiatives; (iii) referendums; and (iv) recalls. The term "substantial advocacy" permits courts to expand the definition of "express advocacy" (see *Buckley v. Valeo*) for balloted campaigns, so long as such determinations are accompanied, in writing, by demonstrable reasoned elaboration and empathic consideration.

³ The limitations inherently prohibited from unduly influencing public elections include, but are not limited to: (i) artificial entities, such as for-profit corporations; (ii) citizens falling outside of the jurisdiction of a given election; and (iii) foreign influence. This both ensures that elected officials truly represent the people that elected them, and ends wasteful campaign fundraising arms races. By reducing the importance of money in politics, elected officials can consequently focus more of their time, energy, and resources on being effective policymakers and advocates for their constituents.

⁴ However, the reach of such speech, or press, may be limited in furtherance of Clause 1 of this section, subject to an affordance of due process.

⁵ This would address the "revolving door" problem, by which people who work in government go back and forth between the public and private sector. They use their connections and knowledge to get jobs in the private sector, often as lobbyists or consultants. This can create a conflict of interest, because they may be more concerned with advancing their own career than with serving the public.

CLAUSE 2. Public officials and public employees shall be prohibited from using their public office to disproportionately benefit themselves, their spouse, children, employer or entities with which they have certain business interests, while in office, during employment, or henceforth.⁶

CLAUSE 3. Legislative and quasi-legislative processes shall include secret ballot procedures, when appropriate, as shall be defined in parliamentary rules established by Congress and the States so that both accountability and autonomy are balanced in checking against disproportionate influence by individual persons, entities, or groups of persons or entities.⁷

CLAUSE 4. All impeachment, removal, and recall proceedings shall be conducted as secret ballots, overseen by the Supreme Court for purposes of legitimacy, so that autonomy is protected in checking against public abandonment of rationality.⁸

SECTION 3

Apolitical & Rotational Judicial System; Limited Terms & Tenure

CLAUSE 1. To ensure a depoliticized and rotational judicial system, Congress and the States shall regulate and set reasonable limits on the term and tenure of judicial positions, except as defined in Clause 3, so that no individual person obtains unreasonable access to, or influence upon, the quantity and longevity of decisions that establish lasting precedent.⁹

CLAUSE 2. The role of the Supreme Court shall be limited to resolving disputes that implicate Constitutional rights, powers, or other nonpolitical enumerations thereof.¹⁰

CLAUSE 3. The tenure of the Justices of the Supreme Court shall be limited to a single term of 18 years in which one Justice is rotated out every 2 non-election years.¹¹

SECTION 4

Conditional & Circumstantial Executive Authority; Provisional Powers & Elasticity

⁶ This addresses the reverse revolving door by which officials in the public sector are rewarded for their loyalty to private sector interests after the fact, with lucrative and powerful in-house positions. For example, an FDA official who approved a special label indicating that a specific brand's opioid was "less likely to be abused" soon after left the FDA and received an in-house role at that same brand.

⁷ For example, Congress may determine, as necessary when members may not vote their conscience due to fear of violent or punitive retaliation, that autonomy must prevail over transparency. In addition, the principle of autonomy may be determined to prevail over transparency while crafting and amending legislation in order to prevent the accumulation of pork, insertion of loopholes, policy dilution and quid pro quo logrolling, but that transparency should prevail over autonomy for final votes on passage brought before the entire chamber. Congress may also determine that the judiciary shall oversee the counting of secret ballots to ensure integrity and public legitimacy.

⁸ This clause is intended to provide Congress with autonomy from local constituent reprimand in times necessary to protect Constitutional norms from authoritarian personalities enabled by majoritarian tyranny.

⁹ This provides Congress and the States with the power to define term limits, or other limitations, upon federal or state judicial positions other than the Supreme Court, which is explicitly defined in Clause 3.

¹⁰ This clause expresses a strict interpretation of the political question doctrine.

¹¹ Non-election years shall be interpreted to include years in which "off-cycle" special elections occur.

CLAUSE 1. To ensure conditional and circumstantial executive powers, Congress and the States shall regulate and set reasonable limits on the elastic¹² powers of executive offices and agencies so that no administration, or series of administrations, gains an unreasonable concentration of power and irreversible centralized authority disproportionate to the necessary and proper capabilities required in order to faithfully execute the laws.¹³

CLAUSE 2. Congress and the States shall have the power to delegate legislative processes to executive agencies or other commissions¹⁴ that retain independence¹⁵ from the Office of the President or the Offices of State Governors, or to those quasi-legislative agencies.

CLAUSE 3. This section shall not be construed to grant Congress or the States the power to abridge the unified military power granted by the Commander in Chief Clause,¹⁶ however, Congress and the States shall limit the pardon power in furtherance of Clause 1 of this section, and may limit executive control of specified administrative agencies in furtherance of Clause 2.

¹² The term “elastic” is intended to mandate that circumstantial limitations be defined (conditional powers) by Congress for any new provision of power, in contrast to the expansive function (unconditional powers) of the elastic principle implied by the “necessary and proper” clause that governs the growth of Congressional powers over time (see Article I, Section 8, Clause 18).

¹³ If there is a mechanism in place that automatically begins to reverse any expansions of executive power, then there is less risk of an abuse of power occurring. Additionally, this system may be more palatable to those who are leery of giving the executive branch too much power, as it provides a built-in check on their authority.

¹⁴ This power is intended to remove the limitation formerly imposed upon Congress by the nondelegation doctrine.

¹⁵ This allowance of independence is intended to check the strength of a unitary executive.

¹⁶ This establishes a clear chain of command and ensures that military decisions are made in a timely and efficient manner, ensuring that the armed forces are used in a way that is consistent with the country's national security interests.

29TH AMENDMENT (RC.2)

Representative People & Peoples; Deliberative Presentation & Assemblies

SECTION 1

Directed & Deliberative Citizen Conventions; Informed Participation & Presentation

CLAUSE 1. To reinvigorate civic engagement and restore faith in our representative form of government, The People of a jurisdiction shall have the power to petition that jurisdiction, as reasonably defined by the jurisdiction,¹⁷ to fund independent and temporary¹⁸ Citizen Conventions¹⁹ which shall have the power to present, upon due information and deliberation, a directive to the representatives elected by those people.

CLAUSE 2. Citizen Conventions shall be formed at any time upon citizen initiative and approval by public ballot, so long as the proponents define a specific purpose²⁰ for the Citizen Convention to deliberate on.

CLAUSE 3. Citizen Conventions shall by default, be composed of at least 12, but not more than 24 citizens, selected at random, controlled for demographics, as specified by the jurisdiction.²¹

CLAUSE 4. Selected Citizens of Citizen Conventions shall have the right to refuse their selection, however Citizens shall be reasonably compensated by the jurisdiction per diem, and employers shall be prohibited from terminating employment or withholding wages on the basis of a leave of absence due to participation, and, upon completing the Citizen Convention shall receive a stipend as defined by the jurisdiction.²²

CLAUSE 5. Independent Administrators selected to facilitate information and deliberation sessions during the Citizen Convention shall be appointed by a local or adjacent nonpartisan agency of facilitators.²³

¹⁷ Legislative bodies at all jurisdictional levels (e.g., local, state, federal) are required to specify rules governing a petition's requirements to be considered via a public ballot, and such rules must be enacted in good faith compliance with the purposes of this Amendment.

¹⁸ Once the specific purpose, as defined in Clause 2, is deliberated upon and a report or directive presented, the body is to automatically and formally dissolve.

¹⁹ A more participatory system of deliberative democracy would help to: (i) ensure that all voices are heard and that decisions are made based on reasoned debate and discussion; (ii) create a more representative government, one that is more responsive to the needs and concerns of ordinary citizens; and (iii) promote a more constructive and civil political discourse, one that is focused on finding common ground; and (iv) develop a more engaged body politic and increased interest in civic service.

²⁰ The scope of this purpose is intended to be narrow to ensure the Citizen Convention deliberations remain focused and maintain integrity divorced from issue bargaining.

²¹ Jurisdictions shall define the size of their Citizen Conventions within the range specified so long as their composition accurately represents the diversity of the population of that jurisdiction.

²² This is necessary to ensure all citizens have an equal opportunity to participate, regardless of socioeconomic position, and consequently, preserves the representative aims of Citizen Conventions.

²³ This independence is important to allow Citizen Conventions to flourish as a new check and balance within the separation of powers.

CLAUSE 6. For the purpose of expressing the joint deliberations and determinations of the Selected Citizens, Citizen Conventions shall elect, by secret ranked-choice ballot, in the form of a single transferable vote, a citizen of exceptional character, the Convention Speaker, to work independently, or in collaboration with a committee of their choosing, on a presentation of the results of the Citizen Convention's deliberations,²⁴ including a formal directive²⁵ when applicable, to the legislative body of the relevant jurisdiction.

CLAUSE 7. All local, state and federal ballot initiatives, referendums, and recalls must proceed through Citizen Conventions prior to gaining eligibility to be presented to the People via ballot or a Legislative body via directive.²⁶

SECTION 2

Efficient & Effective Executive Administration; Selection Process & Management

CLAUSE 1. To ensure the separation of powers and the efficient assembly of Citizen Conventions, Citizen Convention petitions shall be received by the executive, or an agency dedicated thereof,²⁷ of the relevant jurisdiction.

CLAUSE 2. The Executive shall effectively manage the random selection process, as specified by Clause 3 of Section 1 of this Amendment, in order to generate the body and provide the funding by which a Citizen Convention can proceed independently of government facilitation or intervention.²⁸

SECTION 3

Renewed & Redirected Listening Legislatures; Entrusted Delegates & Representation

CLAUSE 1. To reclaim public trust and demonstrate the listening of the legislature, the largest chamber of each Legislative body shall, in a timely manner, receive Convention Speakers as co-sponsors of legislation driven by their formal directives.²⁹

²⁴ In this way, Citizen Conventions are endowed with the same freedom and responsibility of self-governance and self-organization that we expect from government more broadly.

²⁵ These directives will be considered by the legislature according to Section 3.

²⁶ In order to ensure that all ballot initiatives, referendums, and recalls, are independent and free of undue influence, the Citizen Convention process is intended to improve the quality of the outcomes of these direct democratic processes.

²⁷ The executive may choose to create an agency dedicated to the rulemaking and administration of Citizen Conventions.

²⁸ The only involvement by another branch of government is the administrative function of creating the body of the Citizens Convention, in adherence to a clear and non-interfering randomness principle.

²⁹ This establishes the relationship between Citizens Conventions and a given legislature and reinforces their separation.

CLAUSE 2. Legislation derived from Citizen Conventions shall be considered independently of other legislative proposals and issues and shall not be combined with such other proposals for purposes of any legislative or parliamentary process.³⁰

CLAUSE 3. Upon adopting legislation derived from Citizen Conventions, a report shall be published by the Convention Speaker and other committee members that clearly expresses the original directive, the adopted legislation, the gaps therein, and shall include reasoned elaboration of the process and results with multiple abstracted versions in order to achieve simplicity for various audiences.³¹

SECTION 4

Assembly of Shared Interests; Tricameralism & Noncontiguous Representation

CLAUSE 1. To rejuvenate a responsive, efficient and effective legislature, to protect the emerging shared interests of critical and clearly measurable transdistrictional communities, and to provide balanced representation thereof regardless of population proportionality, the Congress of the United States, which currently consists of a Senate and House of Representatives, shall henceforth also consist of an Assembly of Shared Interests.³²

CLAUSE 2. The Assembly of Shared Interests shall be composed of twenty-seven at-large delegates, which shall be elected transdistrictionally, in order to provide one delegate for each of three populations of three classifications each: population density, wealth, and income³³; high, medium, and low. The population density, net worth, and income criteria for purposes of this Clause shall reflect the three tertiles of each measure, as measured every 10 years alongside the United States Census.³⁴

CLAUSE 3. All acts of Congress that previously required agreement of both the House of Representatives and the Senate may hereafter proceed upon agreement by any two of the tricameral Congressional chambers.³⁵

³⁰ In order to continue to maintain the integrity of the specific purpose of the Citizen Convention, the legislature must abide by the same “specific purpose” principle that the Citizen Convention is assembled upon.

³¹ Since the directive and legislation resulting from a properly informed body may diverge widely from popular surface-level sentiments, it is imperative that the process and reasoning is transparent for public acceptance and legitimacy, it is equally imperative that such process and reasoning is understandable by all of the people who will be bound by its results.

³² Similarly to the Great Compromise of 1787 which gave adequate representation to divergent interests along the political fault lines of the times (population size and states rights), this Second Great Compromise is intended to ensure equal representation along the new political fault lines (population density and socioeconomic status).

³³ Wealth and income are considered as separate socioeconomic factors as they can represent very diverse contexts (e.g., intergenerational wealth, capital, and labor).

³⁴ Congress may continually reconsider the identification and categories of such shared interests, as implied by the Amendment process provided by Article V.

³⁵ Since the logjam of Congressional inaction is a primary reason for low public approval ratings, providing an additional avenue for legislative action is intended to allow for swift legislative action while maintaining steadiness by requiring that those actions still be passed by a supermajority of the legislative chambers.

CLAUSE 4. The Assembly of Shared Interests shall hereafter assume all powers and duties of the Senate, and the Senate shall hereafter assume the same powers and duties as the House of Representatives.³⁶

SECTION 5

Reflective & Nested Self-Determination; Efficient Distributions & Elections

CLAUSE 1. To preserve and protect the diversity of traditions, heritages and cultures of communities and States within a federal system, governed by the United States Constitution, the liberty of self-determination shall not be abridged further than required to ensure the shared values and understandings herein remain unalienated.³⁷

CLAUSE 2. For purposes of all elections, excluding the Assembly of Shared Interests, each electoral district shall be composed of contiguous and compact territory and shall be so constituted to minimize the efficiency gap, and shall be reapportioned every ten years alongside the United States Census.³⁸

CLAUSE 3. Public elections shall be conducted by ranked-choice voting, according to the principle of a single transferable vote, under which each voter shall rank the candidates for the office in the order of the voter's preference, and for which no ballot shall reference any affiliations of candidates, including political party.³⁹

CLAUSE 4. No form of party primary election shall be administered, funded, or recognized by any government or public agency.⁴⁰

CLAUSE 5. All legislative bodies shall be prohibited from using or referring to political parties or other factional affiliations in any parliamentary rules nor in conducting any of its business, including but not limited to, setting agendas, determining committee membership, filling positions of leadership, and reaching power-sharing agreements.⁴¹

³⁶ As the new smallest chamber of Congress, and most representative of the division of ideological interests, the Assembly of Shared Interests takes on the roles of Congress that require expedited and decisive deliberations.

³⁷ Expanding state rights to include community rights and individual rights ensures that widely shared ideals and principles are clear and agreed to, while the devil of the details is handled sensitively by the communities and individuals intended to enact and embody them.

³⁸ Gerrymandering is antidemocratic and anti-Republican and is an antagonizing force that transcends politics, and so requires explicit prohibition.

³⁹ Perhaps one of the most important clauses of The Reconstitution, ranked choice voting would have been nearly impossible to administer until recent times, however it would have addressed many of the factionalist concerns of the Founders as discussed in the Federalist papers (e.g., Federalist No 10), would empower independent candidates by assuaging the voters' concerns of a wasted vote, would enable voters to express the intensity of their preferences, and would act as a failsafe against gerrymandering workarounds.

⁴⁰ In order to deemphasize partisanship in government, we must separate the central mechanism of party politics – primaries – from the domain of government entirely.

⁴¹ Political parties are not mentioned in the Constitution, but their inevitability has weaved itself into the fabric of parliamentary rules as feared by the Founders, to the detriment of their deliberative hosts.

SECTION 6

Checked & Balanced Judicial Oversight; Purposive Neutrality & Reinforcement

CLAUSE 1. To enforce principles of due process and preserve checks and balances, the Judicial body of a relevant jurisdiction shall have the express power of oversight of the selection, generation, proceedings, and legislative outcomes of Citizen Conventions, and shall preserve the integrity of the purposes of this Amendment as expressed herein.⁴²

CLAUSE 2. To reinforce the aforementioned principles of presentation and representation, the judiciary shall have the express power and duty to ensure the will of the People is afforded due process and acted upon.⁴³

⁴² The express purpose of the judiciary for purposes of Amendment 2 is to ensure the purpose of Citizen Conventions is actualized, and consequently the implicit purpose of the judiciary more generally is to actualize the purpose of the ideals expressed within the Constitution and Reconstitution.

⁴³ Due process and the right to be heard is the fundamental and definitional principle of a Constitutional democracy.

30TH AMENDMENT (RC.3)

Corporate Personhood & Public Citizenship; Legal Duties & Responsibilities

SECTION 1

Corporate Personhood & Fiduciary Duties; Public Accountability & Shareholder Value

CLAUSE 1. To ensure that corporate personhood enriches, empowers and acts in service of the health, prosperity and well-being of natural persons,⁴⁴ artificial legal persons⁴⁵ shall have legal duties equal to those expected of natural citizens, and shall be held accountable to these standards by the People for the People.⁴⁶

CLAUSE 2. Artificial legal persons shall balance acting in the best interest of all persons, communities, and resources materially affected by its conduct, including but not limited to, its shareholders, workforce, customers, and the People at large.⁴⁷

CLAUSE 3. Congress shall not impose a tax on dividend income greater than capital gains.⁴⁸

CLAUSE 4. Artificial legal persons and their directors, officers, and agents, who act in good faith,⁴⁹ in accordance with this Section, shall be deemed to have fulfilled their duty and shall not be held liable for monetary damages for any action or inaction in the course of performing their duties.

SECTION 2

Corporate Citizenship & Integrative Bargaining; Shareholder & Stakeholder Powers

CLAUSE 1. To form a more perfect market based upon balanced and integrative bargaining power,⁵⁰ artificial legal persons of a certain size or public significance, as specified by Congress,

⁴⁴ Natural persons are meant to denote individual human beings.

⁴⁵ Artificial legal persons are meant to denote public or private organizations.

⁴⁶ Corporate personhood is acknowledged as an important legal construct with great power, which must therefore be checked by standards of accountability and balanced by responsibilities of conscience.

⁴⁷ Constituency statutes are already enacted in more than half of U.S. states and are intended to give directors of corporations the discretion to balance the interests of stakeholders, rather than have to solely focus on maximizing shareholder value in a way that could damage the long-term sustainability of the enterprise.

⁴⁸ This ends the preferential tax treatment of capital gains as the primary mechanism of capturing returns on investments, which is critical to establishing a less volatile economy and more sustainable growth. This is important for a variety of common investor profiles. For example, during an economic downturn, the advice of “holding” through a recession sounds reasonable, but if a senior citizen living off a retirement portfolio must continuously sell their holdings in order to cover the cost of living. A more stable economy with sustainable, continuous, predictable returns is critical since this kind of timing matters on an individual level. It also lowers the return on short-term speculative investment with little economic productive value.

⁴⁹ Good faith is already a central duty of the doctrine of contract law, and so it shall also be the central duty of the doctrine of the social contract governing the dealings of artificial legal persons.

⁵⁰ Collective bargaining and unions have proven critical to reducing asymmetries that otherwise distort free labor markets and drive inequality feedback loops. As entities external to the organization(s) being bargained with, unions provide an adversarial-based balance. A more integrated and internalized form of collective bargaining would prevent disruptive disputes and institutionalize the balance these entities provide – a more perfect market.

shall be declared corporate citizens,⁵¹ which shall be governed by an adapted set of democratic principles and processes, as specified hereafter.⁵²

CLAUSE 2. One-half of the directors of a corporate citizen shall be elected by its employees, and the remaining directors shall be elected by its shareholders, both using an election process by secret ranked-choice ballot, in the form of a single transferable vote.⁵³

CLAUSE 3. Congress shall directly, or indirectly, specify penalties for corporate citizens in violation of this Section.

SECTION 3

Externalities & Triple-Bottom Lines; Extended Responsibility & Full Costs

CLAUSE 1. To integrate full costs, extend responsibility, balance rent capture, and improve sustainable outcomes, Congress shall periodically quantify and impose taxes upon, directly or indirectly by delegation, corporate citizens who take extractions from, or export externalities to, the commons of the People, in accordance with principles of due process and minimization of regulatory inefficiencies.⁵⁴

CLAUSE 2. The executive may enforce these taxes by imposing fines of monetary value greater than a tax evaded and proportional to the cost of ignoring the impact upon the commons and in excess of the profits accrued by doing so.⁵⁵

CLAUSE 3. Congress shall establish an independent commission dedicated to the continuous evaluation of the regulatory processes and structures required to efficiently and equitably carry out the purpose of this Section.

CLAUSE 3. The federal judiciary shall adjudicate any disputes arising between the U.S. government and a corporate citizen for purposes of this Section, and shall favor solutions of the least burdensome administrative costs in causes related to Clause 1, and shall favor good faith efforts in causes related to Clause 2.⁵⁶

⁵¹ Corporate citizens would obtain a national charter from an executive agency as determined by Congress.

⁵² In the 21st century and a global economy, corporations of a certain size and public significance have a quasi-public duty to internalize democratic principles in order to check and balance against a wide range internalities and externalities.

⁵³ Co-determination is an economic and political innovation being successfully implemented in democracies across the world and would only be bolstered by incorporating other political innovations of the time, such as ranked choice voting, and single transferable votes.

⁵⁴ Markets become more perfect as information becomes more perfect and triple bottom lines provide greater transparency into the full costs of producing goods and services.

⁵⁵ When violating laws becomes less expensive than compliance with the law, the rule of law itself is eroded. Generally such outcomes are indicative of undue influence upon how these laws are drafted and/or enforced.

⁵⁶ In acknowledgement that quantifying qualitative costs can be complex, imprecise and imperfect, administrative efficiency can be used by courts to provide legitimacy to full cost estimations, and a good faith standard can be used by courts to determine enforcement.

SECTION 4

Global Competition & International Trade; Capital Flight & Human Dignity

CLAUSE 1. To remain globally competitive while raising our own standards for artificial legal persons, the executive branch shall institute border adjustment taxes to offset hidden externalities, created by noncooperation amongst foreign corporations, states, or nations.

CLAUSE 2. Corporate citizens that comply with this Amendment 30 (RC.3), shall receive an annual dividend from tariffs collected in accordance with Clause 1 of this Section, in proportion to their reported taxable income.⁵⁷

CLAUSE 3. The executive branch shall impose taxes on corporations that take advantage of international minimum wages that do not reasonably comport with United States federal minimum wage laws,⁵⁸ and such taxes shall contribute to any foreign aid contributed to that state or nation.⁵⁹

⁵⁷ Corporate citizens who act in compliance with their duties to the People are rewarded with the penalties upon those in violation which creates a competitive incentive structure that drives shared compliance, while the principle of reward proportionality incentivizes more accurate filing of taxable income.

⁵⁸ Reasonable comportment requires an analysis of relative standard of living expectations.

⁵⁹ This win-win-win scenario drives a race to the top whereby foreign wages are raised, foreign safety nets are generated, or new jobs are created in the domestic economy.

31ST AMENDMENT (RC.4)

Personal Sovereignty & Media Manipulation; Information Privacy & Public Spaces

SECTION 1

Personal Sovereignty & Public Spaces; Public Sanctity & Commercial Promotion

CLAUSE 1. To promote freedom of thought and freedom from influence, private organizations and commercial entities shall not infringe on personal sovereignty of mind⁶⁰ within the sanctity of public spaces⁶¹ and shall be prohibited from paid-for use of any public space for a primary purpose of promotion, publicity, or profit, unless such activity has cultural value or is in the public interest,⁶² as determined by the executive of the relevant jurisdiction.

CLAUSE 2. Public spaces shall be defined to include any public property reserved for the enjoyment of the People, including but not limited to, parks, beaches, streets, highways, other areas of public access or recreation, and public analog or digital broadcast spaces reserved for a free and true press, as defined in Section 3 of this Amendment.

SECTION 2

Personal Sovereignty & Private Information; Individual Privacy & Data Collection

CLAUSE 1. To preserve natural expectations of privacy,⁶³ personal sovereignty within private physical spaces⁶⁴ shall be protected from search, seizure, and monitoring for all private, commercial or governmental purposes.⁶⁵

⁶⁰ "Personal sovereignty of mind" refers to the right of every individual to think and believe as they see fit, free from undue influence or coercion from external forces. This includes the right to seek and receive information from diverse sources, and to form one's own opinions and beliefs without interference or manipulation.

⁶¹ The sanctity of public spaces means that these spaces are to be used for the benefit of all individuals, and not just for the profit or promotion of private organizations or commercial entities. This includes ensuring that these spaces are safe and welcoming for all, and that they are not used to unduly influence or manipulate the thoughts and beliefs of those who use them.

⁶² These activities serve a valuable purpose for society as a whole, and should not be restricted simply because they are being carried out by private organizations or commercial entities. Examples of this kind of activity include educational programming, news media, and art displays.

⁶³ "Natural expectations of privacy" refers to the reasonable expectation that one's personal information will not be collected or monitored without their consent. This includes, but is not limited to, biometric data, communication data, and behavioral data.

⁶⁴ The application of Section 2 is limited to private physical spaces in order to protect the personal sovereignty of individuals within those spaces. This is because private physical spaces are generally seen as places where one can expect a higher level of privacy than in public spaces.

⁶⁵ Some examples of commercial or government behaviors that would be prohibited include searching private physical spaces without a warrant, collecting communications data from private physical spaces without consent, and monitoring behavior in private physical spaces without consent.

CLAUSE 2. The personal sovereignty of biometric or psychometric data shall not be collected from any space, private or public, without the express consent of the individual,⁶⁶ unless such collection serves a law enforcement purpose aligned to principles of due process.⁶⁷

CLAUSE 3. When accessed from within the sanctity of private physical spaces,⁶⁸ the tracking or collection of communications and behavior must be expressly consented to by the individual subjected to such monitoring.⁶⁹

CLAUSE 4. For public spaces, and for digital spaces that acquire the status of public utility,⁷⁰ access to such spaces shall not be conditioned on the express consent required by Clauses 2 and 3,⁷¹ and such express consent shall not be coerced by other undue methods.⁷²

SECTION 3

True Press & Public Information; Truthful Intent & Civic Impact

CLAUSE 1. To protect not only a free press, but also to ensure a true press,⁷³ platforms for, and members of, the press may be afforded protections beyond the freedom of ordinary speech insofar as they act in the public interest, guided by truthful intent and toward civic impact, and in which service to the People supersedes profit motives or other pecuniary interests.⁷⁴

⁶⁶ Biometric and psychometric data are types of data that can be collected about an individual that can be used to uniquely identify that individual. As such, this type of data is considered to be highly sensitive and should only be collected with the express consent of the individual in question, regardless of where it is collected.

⁶⁷ One way to ensure that law enforcement does not abuse the potential exemption would be to require that they obtain a warrant before collecting any data from public places. This would ensure that law enforcement is only collecting data that is relevant to an ongoing investigation and would help to prevent them from engaging in fishing expeditions.

⁶⁸ The "sanctity of private physical spaces" refers to the general belief that private physical spaces are places where one can expect a higher level of privacy than in public spaces. This includes, but is not limited to, homes, hotel rooms, offices, and vehicles.

⁶⁹ Some examples of how an individual might provide express consent to monitoring include: agreeing to have their communications data collected as part of a terms of service agreement, agreeing to have their behavior monitored as part of a workplace security protocol, or voluntarily sharing biometric data with a government entity.

⁷⁰ Some examples of digital spaces that could acquire the status of public utility include social media websites, search engines, and news websites.

⁷¹ This clause compels public utilities to allow access to their spaces without requiring the express consent of individuals. This is important because it ensures that everyone has equal access to these spaces, regardless of whether or not they are willing or able to provide their consent.

⁷² Some examples of possible undue methods include threatening to withhold access to the space unless consent is given, offering financial incentives in exchange for consent, and making it difficult or impossible to access the space without first giving consent.

⁷³ The First Amendment to the United States Constitution protects the right to freedom of expression from government interference. It prohibits any laws that would restrict the press or other forms of expression. However, in recent years there has been an increased concern over "fake news" and other forms of misinformation being spread through traditional media outlets and social media platforms.

⁷⁴ The current environment of misinformation and "fake news" has led to a deterioration of trust in traditional media outlets and social media platforms. This has in turn led to increased polarization and divisiveness within American society. By enshrining the value of a "true press" into law, we would hope to increase communication and understanding between people, while also holding journalists and news organizations accountable for the accuracy of their reporting.

CLAUSE 2. Platforms that provide individuals with extended reach⁷⁵ may be afforded special immunities to defamatory claims,⁷⁶ so long as such platforms are moderated by an independent nonprofit nongovernmental entity⁷⁷ without any reasonable suspicion of self-dealing or conflicts of interest.

CLAUSE 3. The moderating entity specified in Clause 2 shall conform to methodical standards of a mass decentralized peer review system that ensures timely and transparent self-correction of misinformation.⁷⁸

SECTION 4

Public Platforms & Social Media; Authentic Communication & Social Trust

CLAUSE 1. To provide reliable methods of authenticated communication, and accountability for the full protections of free speech, Congress shall have the power to establish digital platforms for public discourse where digital identities must be authenticated by official proof associated with an individual's singular physical identity.⁷⁹

⁷⁵ By affording social media platforms special immunities to defamatory claims, Congress aims to ensure that these platforms can continue to serve as valuable public spaces for open dialogue and exchange of ideas. However, this does not exclude the possibility of cable news networks or print journalism from being covered as such a platform. While these platforms may have different business models than social media platforms, they still provide individuals with extended reach and therefore may be afforded special immunities to defamatory claims.

⁷⁶ Section 230 of the Communications Decency Act protects online platforms from being liable for user-generated content. However, it has also been criticized for giving these platforms too much power and not holding them accountable for their actions (or lack thereof). By extending the reach of this protection to all platform providers moderated by an independent nonprofit entity, it incentivizes engagement with such entities which both protects those entities while also holding them accountable to providing users with a more reliable method of communication.

⁷⁷ Given the current public distrust of big government, big media, and big tech, it is important to ensure that any moderating entity specified is independent of both.

⁷⁸ For example, in order for Wikipedia to remain a reliable source of information, it has implemented several mechanisms to self-correct misinformation. In order for this process to be effective, it is essential that all members of the platform have access to clear and comprehensible rules regarding neutrality, attribution, and original research. Additionally, it is important that there are well-defined roles and hierarchies for posting, editing, moderating, and administrating in order to ensure that everyone knows their place within the system. Furthermore, complete transparency into all aspects of the platform and its processes is crucial in order for users to trust that the system is working as intended. Finally, enforcement mechanisms must be in place in order to ensure compliance with the rules and regulations governing the platform.

⁷⁹ It is possible to provide higher degrees of free speech in digital spaces where there is also greater identity transparency in order to ensure that people are accountable for their speech. The emergence of deepfakes and the metaverse make this even more important because it will be even easier for people to create fake identities and to impersonate others online, which could lead to serious harassment and other problems if people are not held accountable for their speech.

CLAUSE 2. Congress and the States shall have the power to regulate operators of digital public discourse algorithms in order to cultivate mutual respect, improve social trust,⁸⁰ and fulfill the ideals elaborated in the Interamble.⁸¹

⁸⁰ This should generally not require banning individual users or censoring individual content, which would implicate free speech concerns. Instead, it requires platforms to give preferential treatment to content that promotes social trust and respect for others. This strikes a reasonable balance between the competing concerns of free speech and the need to regulate public discourse in order to promote a healthy democracy. Possible forms of oversight and enforcement to ensure the success in achieving the mentioned aims while balancing against any free speech concerns include: (i) establishing or repurposing an existing government agency or independent commission with the mandate to oversee compliance with the regulation; (ii) requiring platforms to regularly report on their compliance with the regulation; (iii) authorizing private individuals or groups to bring lawsuits against platforms that violate the regulation; and/or (iv) imposing financial penalties or other sanctions on platforms that violate the regulation.

⁸¹ There is a tension between the ideals of liberty and equality, on the one hand, and order and hierarchy, on the other. In order to realize the former, it is sometimes necessary to temporarily embrace the latter. For example, in order to prevent violence or protect vulnerable members of society, it may be necessary to restrict certain kinds of speech or limit access to certain kinds of information. Similarly, in order to ensure that platforms for public discourse are used responsibly and in ways that promote social trust and respect for others, it may be necessary to regulate their content and operation. However, such regulation must be carefully tailored so as not to excessively burden free speech or unduly restrict access to information.

32ND AMENDMENT (RC.5)

Social Values & Economic Value; Administrative Efficiency & Incentive Alignment

SECTION 1

Purposive Spending, Subsidies & Taxes; Perfecting Markets & Entrepreneurial Economics

CLAUSE 1. To form more perfect markets,⁸² reduce wasteful spending, and safeguard an entrepreneurial economy,⁸³ taxation, subsidization, and spending for purposes other than the purposes of the Clauses of this Section shall be prohibited.⁸⁴

CLAUSE 2. Government agencies shall have the power to fund public works, projects or policies that are in the public interest, as determined by Congress or the States.

CLAUSE 3. Government agencies shall have the power to subsidize or tax any sectors, industries, economic activity, or businesses, in order to balance against anti-competitive advantages attained by achieving economies of scale, network effects, or other benefits of market entrenchment, as determined by Congress or the States.⁸⁵

CLAUSE 4. Government agencies shall have the power to regulate, compete with, or grant antitrust exemptions to specific industries determined to be public utilities, as defined by Congress or the States, in order to ensure the People are the sole beneficiaries of economies of scale and network effects applied to inelastic goods and services.

CLAUSE 5. Government agencies shall have the power to subsidize or tax specific goods, economic activity, or businesses, in order to ease economic volatility during times of imminent or ongoing technological unemployment or other transition, as determined by Congress or the States.

CLAUSE 6. Government agencies shall have the power to subsidize or tax specific goods, economic activity, or businesses, in order to ensure accurate triple bottom lines, as defined in Amendment 3, as determined by Congress or the States.

⁸² The term "more perfect markets" is a value statement that reflects the Constitution's commitment to creating conditions under which free and fair competition can flourish. It is an acknowledgment that, while markets are not perfect, they can be made more perfect through policy choices that promote market efficiency and transparency.

⁸³ This spirit of entrepreneurship is a defining feature of the American Dream and land of opportunity – where people from all walks of life have the chance to start their own businesses and achieve success through hard work, determination, and innovation.

⁸⁴ The explicit delineation of the purposes for which taxation, subsidization, and spending may be used serves several interrelated functions. First, it provides much-needed clarity regarding the legitimate scope of government action in this arena. Second, by enumerating the specific goals that may be pursued through taxation, subsidy, and spending, it acts as a check on the expansion of government power under the Commerce Clause. Finally, it helps to ensure that resources are used efficiently and effectively, by limiting expenditures to those areas where they can realistically be expected to achieve their stated objectives.

⁸⁵ By ensuring that businesses do not gain an unfair advantage over their competitors, this helps to create conditions under which free market principles can flourish.

CLAUSE 7. Government agencies shall have the power to subsidize wages that provide a distinct, articulable, and substantial social well-being, as determined by Congress, the States, and local jurisdictions.⁸⁶

CLAUSE 8. The President, and the executive of any State or local jurisdiction, shall have the power to veto, on a line-item basis,⁸⁷ any form of government spending, subsidy, or tax, enacted on the basis of Clauses 2 through 7 of this Section.

SECTION 2

Taxpayer Fairness & Net Income; Standard Deductions & Living Wages

CLAUSE 1. In order to ensure that personal taxable income represents a fair and accurate estimation of net income,⁸⁸ the standard deduction available to taxpayers shall be equal to the living wage in the jurisdiction in which they reside.

CLAUSE 2. Rates of taxation on income, as determined by Congress or the States, may vary by level of income, but shall be uniform regardless of the source of that income, including, but not limited to, wages and capital gains.⁸⁹

CLAUSE 3. The Department of the Treasury shall have the power to determine the living wage for each jurisdiction, and shall have the responsibility to reassess these determinations every 2 years, and such reassessments shall be triple-locked⁹⁰ to the highest of: (i) inflation; (ii) the Consumer Price Index; (iii) or any other metric considered by the Department.

SECTION 3

Unpaid Caregivers & Good Samaritans; Special Deductions & Community Service

CLAUSE 1. In order to both encourage, and ensure the celebration of, charitable acts, volunteer work, caregiving services, good Samaritan behavior, and general community service, special

⁸⁶ In order to ensure that the economy is working for the People as much as the People are working for the economy, it is the role of government to ensure that the economic value associated with the People's time and labor is reasonably related to the social values the People hold dear and the aspirational ideals articulated in both the Preamble of the Constitution and the Interamble herein. Subsidization of certain professions – such as teachers, caretakers, and first responders – will help ensure that essential workers are properly compensated, incentivized and nurtured.

⁸⁷ A line-item veto is a powerful tool that allows the executive to strike down specific line items in spending bills, without vetoing the entire bill. This can be useful in situations where the executive believes that certain spending is wasteful or unnecessary, but does not want to veto the entire bill.

⁸⁸ While businesses are able to deduct their costs of doing business from their gross revenue to calculate taxable income, the standard deduction was devised with the intention of providing a similar mechanism for individuals and families to deduct their costs of living. This deduction has not kept pace with actual costs of living, nor has the calculation of the poverty line upon which it often points to for justification.

⁸⁹ This means that all taxpayers must pay the same tax rate on their incomes, regardless of how they earn it. This uniformity requirement ensures that everyone is treated fairly and equally under the tax laws. It also prevents wealthy taxpayers from using loopholes to reduce their tax burden.

⁹⁰ Triple-locking refers to the rules by which an amount must be increased over time.

deductions shall be provided, in addition to the standard deduction, for hours spent dedicated to serving the general welfare of people and the People.

CLAUSE 2. Hours spent shall be deductible at the rate of minimum wage in the jurisdiction in which the service took place.

CLAUSE 3. AmeriCorps shall via its own designated chartering procedures, provide organizations with the ability to certify such service hours, which individuals can maintain as evidence of such service for tax filing purposes.

CLAUSE 4. Congress shall have the power to designate an alternative agency, process, or rules by which Clause 3 above is implemented and overseen.

SECTION 4

Civil Servants & Public Pay; Competitive Compensation & Leveled Labor

CLAUSE 1. To encourage civil service, ensure compensatory competitiveness with private industry, and retain expertise within government,⁹¹ compensation of civil service shall be reevaluated and enacted every four years, within 90 days of the inauguration of the President, by a Compensation Committee of nine members, two of which shall be chosen by each of the House of Representatives, the Senate, and the Assembly of Shared Interests, and three of which shall be chosen by the President.⁹²

CLAUSE 2. Compensation for civil service, as determined by the Compensation Committee, shall consider competitiveness within the overall labor market to attract capable candidates, a discount to ensure candidate dedication, and shall consist of a simple and transparent wage to preserve legitimacy.

⁹¹ The brain drain is the loss of skilled workers from a particular area or sector. In this instance, it refers to the loss of skilled workers from the public sector to the private sector. This can happen when public servants are not adequately compensated for their work, leading them to seek employment in the private sector where they can earn more money.

⁹² There are a number of reasons why it is politically challenging for government to adjust compensation for government officials and public servants, including (i) any increase in compensation would need to be funded by taxpayers, which could be unpopular with voters who may see it as a waste of money; and (ii) there is the risk that increases in compensation could be used by opponents of the government to paint those in power as corrupt and self-dealing.

33RD AMENDMENT (RC.6)

Inheritance Rights & Economic Preconditions; Natural Resources & Public Domains

SECTION 1

Inheritance Rights & Minimum Income; Intergenerational Wealth & Economic Preconditions

CLAUSE 1. To ensure that each generation is bestowed with an increasing abundance of shared opportunity and wealth, and that each generation is entrusted with the responsibility of protecting, growing, and returning the abundance of which they have been endowed, intergenerational wealth shall be conveyed to all citizens as their share of local, state and national resources.⁹³

CLAUSE 2. Inheritance rights shall be defined to include the conveyance of wealth to specific benefactors through traditional wills, trusts, gifts, and estates, and also through a minimum income equally distributed to all citizens from Universal Shared Inheritance funds created at local, state, and federal scales.⁹⁴

CLAUSE 3. The Universal Shared Inheritance funds shall be funded by revenues derived from renting, licensing, or taxing resources that have been removed from the common shared inheritance of the natural world and the history of human achievement, including but not limited to, land, natural resources, radio spectrums, airspace, and insurance windfalls,⁹⁵ as defined, priced and reasonably administrable by Congress or any delegated agency or committee thereof.

CLAUSE 4. Minimum income as distributed from the Universal Shared Inheritance funds shall be determined by Congress, the States, and local jurisdictions, on an annual basis during the regular budgetary process, and shall meet the economic preconditions⁹⁶ of citizens to secure and improve themselves and their socioeconomic circumstances.

⁹³ The smallest scale would include intergenerational wealth sharing amongst individuals and families, while larger scales would include intergenerational wealth sharing within local communities, states and the nation as a whole.

⁹⁴ While traditional inheritance rights are granted to individuals by virtue of their familial or social relationships, and are typically passed down through wills, trusts, estates, or gifts, Universal Shared Inheritance funds are public trusts that provides a minimum income to all citizens, regardless of their familial or social status, justified by the bonds of citizenship and shared humanity.

⁹⁵ Insurance is a way of pooling resources so that people can share the risks of unforeseen events. When an insurer has a windfall, it means that the pool of resources has grown larger than necessary to cover the risks that have been incurred. This excess can and should be used to benefit the policyholders, who are the ones who have contributed to the pool in the first place. Redistributing insurance windfalls ensures that everyone can share in the benefits of being insured, and it helps to ensure that everyone has access to quality coverage.

⁹⁶ All citizens are deserving of a minimum income that provides the economic preconditions for a good life, regardless of their familial or social status, if we are to also expect all citizens' to be bound by a social contract that precedes their mutual assent.

34TH AMENDMENT (RC.7)

Fundamental Ideals & Civic Privileges; Equal Rights & Civil Benefits

SECTION 1

Sovereign Security & Self-Defense; Relative Rights & Harm Reduction

CLAUSE 1. In order to secure the natural state of personal sovereignty⁹⁷ while ensuring the responsibilities that each citizen has in relation to others, it is established that individual rights and liberties may only be limited and circumscribed in accordance with a known or anticipated impact on the security or well-being of others.⁹⁸

CLAUSE 2. In order to sustain the fundamental rights of sovereignty and security, all persons shall be equally ensured the right to self-defense⁹⁹ in the furtherance of satisfactorily protecting oneself, reinforcing mutual security, and preserving the peace.¹⁰⁰

CLAUSE 3. To ensure that our judicial system is effective in securing the fundamental rights of diverse individuals, judicial decisions regarding the conflicting rights and responsibilities of individual citizens must demonstrate recognition and understanding of all relevant perspectives and considerations, and will adjudicate decisions based on an integrated understanding of the rights and responsibilities of all parties,¹⁰¹ in light of the express stated purpose or implied legislative intent of the statute or Constitutional principle.¹⁰²

SECTION 2

Securing Liberties & Inalienable Import; Civic Privileges & Equal Conditions

⁹⁷ Personal sovereignty is the natural right of every human being to have dominion over his or her own body and life. This includes the right to live free from interference by others, and the right to make decisions about one's own health, education, and welfare.

⁹⁸ An individual's rights and liberties can only be restricted in ways that are necessary to prevent harm to others. For example, if one person's speech might incite violence against another person, then their negative liberty to free speech can be restricted in order to ensure the other's security. In the words of Oliver Wendell Holmes: "The right to swing my fist ends where the other man's nose begins."

⁹⁹ The right to self-defense is fundamental because it guarantees all other rights. For example, the right to life would be meaningless if there were no way to defend against those who would take it away. The same is true of the rights to liberty and property.

¹⁰⁰ It is a vital function of government to protect its citizens from harm. The right to self-defense is a fundamental right, and as such, it should be treated with care and respect. However, the unregulated exercise of this right can pose a serious threat to public safety. Therefore, it is necessary for the government to place some restrictions on how and when individuals can use force in self-defense. For example, individuals may be prohibited from possession of weapons of mass destruction or casualty.

¹⁰¹ Judicial decisions should include a reasoned elaboration to demonstrate that all arguments were empathically considered, sufficiently weighed, and necessarily, to certify due process and procedural justice

¹⁰² The purposivist approach takes into account the intent of the legislature by emphasizing the importance of context and understanding the underlying purpose of a legal provision. This is important because it allows for a more faithful interpretation of the law.

CLAUSE 1. To sustain the fundamental ideal of liberty, each human person shall be equally bestowed under the law with equally conditioned liberties of varying degrees of import and inalienability.¹⁰³

CLAUSE 2. Inalienable human rights are the rights to freely think, speak, petition, protest, associate, assemble, and exercise faith, regardless of age, naturalization, citizenship, or criminal conviction.¹⁰⁴

CLAUSE 3. Civic rights include the rights to vote or run for public office, regardless of criminal conviction or naturalization, but individuals may be excluded on the basis of age or citizenship.¹⁰⁵

CLAUSE 4. Individual privileges, such as the privilege to engage in special activities related to use of powerful technologies or substances¹⁰⁶ that may enhance but do not exclude the possibility of human flourishing,¹⁰⁷ include, but are not limited to, all activities that require licenses to demonstrate adequate responsibility of competence and character, as defined by Congress or the States.

CLAUSE 5. Liberties may only be granted or revoked upon equal conditions except with respect to age, naturalization, citizenship, or criminal conviction, and must always comply with due process of law.

SECTION 3

Equal Benefits & Civil Society; Implying Assent & Providing Opportunity

CLAUSE 1. To sustain the fundamental ideal of equality, each citizen shall be equally provided for under the law with benefits, in exchange for accepting a preexistent rule of law,¹⁰⁸ and as needed to thrive within a contemporaneous civil society.¹⁰⁹

¹⁰³There are two main types of rights: negative rights and positive rights. Negative rights are those that protect the individual from interference by the state or others. Examples include the right to life, liberty, and property. Positive rights, on the other hand, impose obligations on others to take action in order to benefit the individual who holds them. Examples of positive rights include the right to education and healthcare.

¹⁰⁴ These are human rights because they are necessary for people to be able to live their lives with dignity and autonomy.

¹⁰⁵ Inalienable human rights are inherent in both citizens and noncitizens, but civic rights are reserved for independent citizens only.

¹⁰⁶ These are conditional and revocable privileges that implicate the potential for intentional, negligent, or reckless use. Examples include the right to obtain a driver's license, practice medicine, or own a gun.

¹⁰⁷ Privileges that allow for "the possibility of human flourishing" are important to protect because they help ensure that individuals can pursue their own happiness and well-being. These privileges allow individuals to engage in activities that they believe will make them happy and fulfilled, without interference from the government or other individuals. This freedom is essential for ensuring that individuals can live lives that are meaningful and fulfilling to them.

¹⁰⁸ Individuals are presumed to assent to a social contract at birth, and to respect the rights of others. In return, they are entitled to the benefits that come from living in a just society, such as protection from violence, access to education and healthcare.

¹⁰⁹ This concept is important because it ensures that everyone has the opportunity to thrive within society. It also helps to create a level playing field so that everyone has a fair chance at success.

CLAUSE 2. The fundamental benefits include the prerequisites to human flourishing contemporaneous to the expectations of the era,¹¹⁰ including but not limited to, the right to adequate education, medical care, housing, access to public utilities and common carriers, food, clothing, and social security.¹¹¹

CLAUSE 3. No person shall have these fundamental benefits deprived without due process, and the equal protection of the law.¹¹²

¹¹⁰ The expectations of what people need in order to pursue happiness change over time, so it is important for the government to provide benefits that match those changing needs.

¹¹¹ The benefit of these rights may be sufficiently and indirectly conferred by distributions from Universal Shared Inheritance funds, as established in Amendment 33, if the amount of such distributions are sufficient to meet the prerequisite criteria as defined.

¹¹² This formalizes the fundamental importance of equal protection as an aspect of due process.

35TH AMENDMENT (RC.8)

Civic Responsibility & Criminal Justice; Public Education & Restorative Rehabilitation

SECTION 1

Civic Responsibility & Culpability Capability; Prehabilitative Education & Full Citizenship

CLAUSE 1. To imbue the prerequisite understanding of the norms by which citizens are bound, and to enable the embodiment of civic responsibility through sound mind and honorable character, all citizens shall be granted the privilege of public education¹¹³ as a form of civic preparation from 18 months of age until 18 years of age.¹¹⁴

CLAUSE 2. Public education shall train all students in the necessary skills and understandings¹¹⁵ expected of and required for a strong democratic civil society,¹¹⁶ and a free and just economy.¹¹⁷

CLAUSE 3. In the furtherance of the purposes of this Section, all citizens shall have the privilege of access to continued education¹¹⁸ and mental health professionals,¹¹⁹ throughout the entirety of their life.

¹¹³ In exchange for the expectation that people follow the law, it is the law's responsibility to ensure that people understand the law and are capable of complying with it.

¹¹⁴ Education should, at a minimum, provide access to basic literacy and mathematics skills, knowledge of physical and mental health, understanding of the scientific method, and research skills in order to facilitate self-learning. Moral reasoning processes should be imbued without being influenced by substantive content, along with digital, informational, and media literacy skills which have become prerequisites to functioning and flourishing in the 21st century.

¹¹⁵ Societies have a responsibility to ensure that all members have access to education so that they can realize their full potential and participate fully in civic life. Education is critical to ensuring security at various scales in order to equip citizens to make informed decisions and navigate complex social, economic, and political landscapes. For example, education can promote security at an individual level by teaching people about personal finance and financial literacy. This can help individuals make more informed decisions about how to save and invest their money, which can lead to greater financial stability and security. At a societal level, education can help reduce crime rates by teaching young people about the consequences of criminal activity and providing them with alternatives to illegal activity. At a national level, education can promote security by preparing individuals for productive citizenship and helping them develop the skills necessary to contribute to society in positive ways. At an international level, education can promote security by preparing individuals to be global citizens and by helping them develop the skills necessary to participate in a global economy. Additionally, education can help reduce conflict by teaching people about the importance of tolerance and respect for differences.

¹¹⁶ Education should also provide opportunities, such as Americorps, for young people to develop transversal skills by working together on projects that benefit their communities and they can use throughout their lives to positively impact their community, their country, and humanity across the world. These opportunities could be a condition of graduation from secondary education.

¹¹⁷ Education is the foundation of a just economy because it provides equality of opportunity and empowers people to participate fully in the economy.

¹¹⁸ In an era of accelerating technological advancement and consequent economic disrupt, it is incumbent upon a nation to invest in providing continued education and job training programs to all citizens so that they can adapt to changing technologies and industries.

¹¹⁹ There is no true security without mental health security. Mental health insecurity can have far-reaching consequences, impacting not just individuals but also families, communities, and entire nations. When people do not have access to mental healthcare, they are more likely to experience unemployment, poverty, homelessness, and incarceration. They are also more likely at risk for chronic physical illnesses like heart disease and diabetes. Without mental health security, it is impossible to achieve true security at any scale.

CLAUSE 4. Persons who do not fulfill the civic duties associated with the privileges specified in this Section may have their full citizenship withheld until such duties are fulfilled for purposes of Amendment 34, Section 2, Clause 5.¹²⁰

CLAUSE 5. Persons seeking naturalization after 18 years of age may receive full citizenship for purposes of Amendment 34, Section 2, Clause 5 upon demonstrating the equivalent embodiment of civic responsibility,¹²¹ as intended by this Section, as designed and administered by an independent commission established by Congress and dedicated to the continuous evaluation of the evaluative process in carrying out the purpose of this Section.

SECTION 2

Criminal Justice & Restoring Integrity; Redemptive Rehabilitation & Preventing Recidivism

CLAUSE 1. To maintain the integrity of the rule of law while promoting the ideal of justice,¹²² sentencing of criminal convictions shall opt for redemptive, restitutive, and restorative rehabilitation whenever possible,¹²³ and the civic privileges specified in Amendment 34, Section 2 shall only be revoked to the extent necessary to prevent a likelihood of recidivism,¹²⁴ especially in cases of endangerment to self or others.

CLAUSE 2. Penalties that serve a deterrent purpose shall be limited to the minimum level needed to achieve their deterrent effect.¹²⁵

¹²⁰ Minors are not yet full citizens because they have not yet reached the age of majority and are therefore not able to vote or participate in other aspects of civic life. Additionally, minors generally have fewer legal rights than adults do, and are subject to different laws and regulations. There are a few justifications for this limitation. First, minors are not considered to be as capable as adults when it comes to making decisions and understanding the consequences of their actions. This is why they are not allowed to vote or enter into contracts. Second, minors are still developing physically, emotionally, and mentally, and thus need special protections. For example, they may require supervision and guidance in order to stay safe, and they may not be able to fully understand or appreciate the severity of certain legal penalties.

¹²¹ Some possible ways in which immigrant adults might demonstrate their fitness for full citizenship status could include completing a period of residency in the country, passing a citizenship test, or participating in other forms of civic engagement.

¹²² In order to achieve this balance, the central goal of criminal justice should be to ensure public safety and prevent crime. To accomplish this, the criminal justice system should focus on rehabilitation and reintegration, rather than retribution.

¹²³ There are many ways criminals can repay their debts to society, other than retribution. For example, they can perform community service or pay restitution to their victims. In order to make our communities safer and reduce the overall amount of crime, the criminal justice system should focus on preventing crime and rehabilitating criminals, rather than simply punishing them for purposes of retribution. For example, many people who are released from prison find it very difficult to find jobs and housing, which makes it more likely that they will re-offend.

¹²⁴ For example, the state already has the power to revoke driver's licenses for repeat offenders of DUI laws. This power could be applied more broadly, but only to the extent necessary to achieve the central goal of criminal justice – ensuring public safety and preventing crime.

¹²⁵ For example, many current deterrence mechanisms, such as mandatory minimum sentencing laws, strike at those whose crimes are least responsive to any deterrent effect. The best evidence we have today about serious crime in this country indicates very clearly what causes violent crime: drug abuse, economic inequality, inadequate funding for education, and public health. This clause relieves Congress of the need to respond with zealously to public outrage, for political or emotional reasons.

CLAUSE 3. Mandatory sentencing shall not be imposed by the legislature upon the judiciary, and all matters of sentencing shall be left to the discretion of the judiciary according to principles of due process to be administered according to the specifics of each case before it.¹²⁶

CLAUSE 4. First responders¹²⁷ shall be sufficiently specialized and diversified¹²⁸ to ensure a proportionate and differentiated response¹²⁹ to issues related to public safety, and to be worthy of public reverence.¹³⁰

CLAUSE 5. Rehabilitation shall be administered by a local or adjacent nongovernmental agency that specializes in rehabilitative, restorative, and transformative justice.¹³¹

CLAUSE 6. No person shall be detained or incarcerated, unless the person is charged with committing a violent crime or the person presents a substantial danger of causing physical or economic, or psychological harm to themselves or others,¹³² or presents with enough power to be deemed a significant flight risk without significant loss to self.¹³³

CLAUSE 7. The criminal justice system shall be adequately funded, staffed, trained, and sufficiently specialized and diversified for differentiated handling, to ensure the health, safety, and potential for redemption and rehabilitation amongst detained or incarcerated persons,¹³⁴ and no centers of detention shall be private entities, nor operating for-profit.¹³⁵

¹²⁶ Mandatory minimum sentencing laws violate the Constitutional separation of powers because they impose upon the discretion of an independent judiciary's ability to tailor sentences to fit the individual offender's culpability or the specific facts of the offense. They also have no demonstrated impact whatsoever on reducing or preventing others from committing crimes, and discredit the broader criminal justice system by resulting in blatantly unfair and disproportionate punishments.

¹²⁷ For example, law enforcement officers, fire fighters, ambulatory workers, and paramedics.

¹²⁸ Specialization would allow for the emergence of new first responder roles, such as social workers.

¹²⁹ This would allow first responders to more effectively respond to a variety of situations. For example, traffic law enforcement, homelessness, substance abuse, and domestic violence all require different expertise.

¹³⁰ This would also improve public confidence in law enforcement by demonstrating that their safety is being taken seriously and that those who are responsible for their safety are properly trained and prepared, and that enforcement of the law by physical force is only used as a last resort.

¹³¹ The criminal justice system is often not: (i) designed to address the needs of victims and survivors of crime; (ii) equipped to provide services that address the root causes of crime, such as poverty or substance abuse; (iii) responsive to the diverse needs of diverse communities, which are divergently impacted by crime; and (iv) transparent or accountable to the public.

¹³² For example, domestic violence, stock market manipulation and online harassment are all forms of harm that the criminal justice system is responsible for preventing between arrest and conviction. However, detention or incarceration is a very serious deprivation of liberty. It deprives people of their fundamental right to freedom and autonomy. Therefore, it should only be used as a last resort, when there is no other way to protect the community from harm. Additionally, we should remember that many people who are charged with crimes are innocent until proven guilty, and that bail is often set at an unrealistically high amount, which means that even if someone is innocent, they may still be unable to afford bail and be forced to remain in detention which may cause them to lose their job or home while awaiting trial – which can cause great injustice.

¹³³ For example, white-collar criminals may present a greater flight risk while awaiting trial if they are facing lengthy prison sentences and have the financial resources to flee.

¹³⁴ If the law restricts and individual's liberties via incarceration, then it is the law's responsibilities to ensure other rights are protected – including, but not limited to, physical and mental health, and the ability to reintegrate with society upon release.

¹³⁵ Private prisons often put profit above safety and rehabilitation, which can lead to substandard conditions for prisoners. Additionally, they can create an incentive to keep people incarcerated longer than necessary in order to maximize profits. They are also often less transparent than public prisons, making it more difficult to hold them accountable for abuses.

36TH AMENDMENT (RC.9)

Foreign Relations & International Diplomacy; Sovereign Continuity & Accrued Wisdom

SECTION 1

International Peacekeeping & Foreign Intervention; Humanitarian Aid & Conflict Resolution

CLAUSE 1. To promote peace at all scales, respect expectations of sovereignty, encourage humanitarian outcomes, and lead by example, international diplomacy and negotiation shall always take precedence over conflict, violence and coercion.¹³⁶

CLAUSE 2. Foreign intervention, when of the utmost necessity,¹³⁷ shall first appeal to civilian communities¹³⁸ by providing the assistance necessary for sustenance and education,¹³⁹ before resorting to the application of economic sanctions that directly or indirectly harm the general public, the manipulation of internal political processes, the support of armed resistance, or the use of military force.¹⁴⁰

CLAUSE 3. The use of unilateral or narrow multilateral military force is permissible only in circumstances of substantial imminent threats to national security.¹⁴¹

CLAUSE 4. The use of a broad multilateral military force is permissible only as needed to preempt substantial threats to national, international, or humanitarian security.¹⁴²

¹³⁶ There are many reasons why diplomacy and negotiation should always take precedence over violence and coercion. First, diplomacy and negotiation are less likely to lead to escalation than violence and coercion. Second, diplomacy and negotiation allow for a greater understanding of the other side's perspective, which can help create a more durable peace. Third, diplomacy and negotiation respect the sovereignty of all states, while violence and coercion often do not. Finally, leading by example through diplomatic channels can encourage other states to follow suit in their own foreign affairs.

¹³⁷ In an increasingly interconnected and interdependent world with myriad weapons of mass destruction and the widely accessible opportunity to cause devastation via cyber warfare, it is more important than ever to pursue peace first and avoid rapid and unpredictable escalations.

¹³⁸ It is both more effective and just to appeal to the people of a nation directly, through providing humanitarian assistance and supporting education and other basic needs, than it is to use military force or economic sanctions that tend to harm civilians more than they do government leaders or combatants. The Marshall Plan was an extremely successful example of this approach, which provided massive economic assistance to Western European countries in order to help them rebuild their economies. This not only helped those countries recover from the war, but also strengthened them politically and economically, making them much less likely to fall under the influence of emerging authoritarian regimes.

¹³⁹ This is intentionally specific to ensure that the assistance provided reaches real civilian communities. When providing direct monetary foreign aid, it can be difficult to ensure that the money is actually spent on necessary goods and services, and not siphoned off by corrupt government officials or wasted on unnecessary luxuries. Furthermore, too much foreign aid can create dependency, leading a nation to become reliant on outside assistance instead of developing its own economy. This also ensure foreign aid can isn't used as a political tool to try and influence the internal politics of the recipient nation.

¹⁴⁰ This type of prioritized approach will help ensure that any foreigners who do need to intervene in a situation are doing so in a way that is ultimately beneficial to those affected – both domestic and abroad.

¹⁴¹ Responses to threats should be directly related to the level and scope of that threat. Unilateral military force is reserved for extremes – high threat levels with a narrow scope of national security.

¹⁴² Multilateral military force, on the other hand, can be used for lower threat levels with a broader scope that includes preempting humanitarian crises and threats to international security. The requirement for buy-in from a broad coalition ensures that military force is used with responsible restraint in this wider range of scenarios with a lower threat threshold. These criterion also provides the international stage with more visibility and certainty which reduces the risk of miscalculation, and consequently, promotes international stability.

SECTION 2

Sovereign Continuity & Former Presidents; Unanimous Override & The Wisdom Council

CLAUSE 1. To provide the President with alternative channels to flexibly manage security threats and uncertainty, balance such flexibility with internal checks that balance a strong unitary executive branch, and provide sovereign continuity in foreign relations, The Wisdom Council shall be composed of all living former Presidents who have not been removed from office, unless that former President chooses to temporarily exempt themselves in order to retain the right to run for the same or other office in the future.

CLAUSE 2. The Wisdom Council shall receive regular briefings on international security and diplomacy from the President, the President's Cabinet, and the Joint Chiefs.

CLAUSE 3. The Wisdom Council shall be the sole holders of the power, by unanimous agreement, to deem or pre-deem¹⁴³ that a threat is substantial and imminent for purposes of Section 1, Clause 3, or that a substantial threat to national, international or humanitarian security exists for purposes of Section 1, Clause 4, however if a member of the Wisdom Council is incapacitated or unreachable, they shall be excluded as a requirement for purposes of unanimity.¹⁴⁴

CLAUSE 4. The President shall only have the power to withdraw the United States from international treaties upon the advice and consent of a supermajority of The Wisdom Council.¹⁴⁵

SECTION 3

International Complexity & Simultaneous Policy; Positive Sums & Dilemma Resolution

¹⁴³ Pre-deeming would be accomplished by defining more specific and temporary parameters.

¹⁴⁴ Former Presidents who have relinquished the right to run for office again are not beholden to politicized incentive structures, such as protecting their popularity or campaign interests. Consequently, they can offer more impartial advice based solely on what they believe to be in the best interest of the country. In combination with their incomparable wealth of experience and institutional knowledge, they can provide sage advice on issues with the dangerous potential for disastrous consequences.

¹⁴⁵ Foreign policy should be relatively consistent in order to maintain credibility with other nations. If commitments can be rescinded with each new administration, this generates a lack of integrity which renders international agreements weightless. The Wisdom Council would ensure our foreign policy has greater continuity, our commitments have integrity, and, consequently, that the international order has greater stability.

CLAUSE 1. To overcome dilemmas¹⁴⁶ of international scale and complexity, and encourage positive-sum outcomes, Congress and the States shall have the power to condition legislation upon reciprocated legislation by a subset of the international community.¹⁴⁷

CLAUSE 2. Conditional legislation as enacted under Clause 1 of this Section shall only be revocable upon the consent of a supermajority of The Wisdom Council, in accordance with Clause 4 of Section 2.

¹⁴⁶ Game theoretic dilemmas that implicate simultaneous policy issues like the first-mover problem and prisoners' dilemma can be ameliorated by establishing "side bets." A side bet is a type of agreement between two parties where each agrees to take a certain action if the other party also takes that same action. In essence, it is a way to commit both parties to taking a certain course of action, with the understanding that both will benefit if they do so. For example, in order to encourage other nations to reduce their greenhouse gas emissions, Congress could pass legislation that establishes a side bet: if any nation reduces its emissions by a certain percentage, then the United States will also reduce its emissions by an equivalent percentage. This type of arrangement would give each nation an incentive to take action, knowing that it would be benefitting from the promised action of the United States (guaranteed by internally binding legislation). This would center the United States as the clear leader on the international stage that consistently drives international policy by being the "first-mover" that continuously resolves the "first-mover problem" – both benefiting itself and the broader international community.

¹⁴⁷ This power would enable Congress and the States to work together to establish common goals and objectives, and then identify and encourage those nations that are best positioned to help achieve these objectives.

37TH AMENDMENT (RC.10)

Constitution and Reconstitution; Responsive Reform and Purposive Principles

SECTION 1

We the People; In Order to Form a More Perfect Union

CLAUSE 1. To acknowledge our humility as imperfect beings creating an imperfect artifact, we embrace further iteration by entrusting the future, with the future, in achieving and actualizing the values and ideals articulated and elaborated in this Constitution, as amended and reconstituted.¹⁴⁸

CLAUSE 2. Section V of the Constitution, governing the Amendment Process, shall be revised¹⁴⁹ to begin: “The Congress, whenever two-thirds of two of the tricameral Chambers shall deem it necessary, shall propose Amendments to this Constitution...” in order to reinvigorate the strength of this Constitution by affording the necessary liberty to the People to adapt to the needs of subsequent eras with unknown challenges and unforeseeable complexity.¹⁵⁰

CLAUSE 3. As required to carry out related duties, all public officials, judges, agencies, branches, and citizens¹⁵¹ shall strive to understand each Clause of this Constitution in light of the spirit of its Section,¹⁵² each Section in light of the spirit of its Amendment,¹⁵³ and each Amendment in light of the spirit of this Constitution¹⁵⁴ as a diaphanous whole.¹⁵⁵

¹⁴⁸ In the words of Thomas Jefferson: "I am not an advocate for frequent changes in laws and Constitutions. But laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy as civil society to remain ever under the regimen of their barbarous ancestors."

¹⁴⁹ Antonin Scalia, the intellectual anchor of originalism, textualism, and conservatism on the Supreme Court for three decades, suggested this revision was worthy of a Constitutional Amendment: "I think the only provision I would amend is the amendment provision. I figured out one-time what percentage of the population could prevent an amendment to the Constitution and if you take a bare majority in the smallest states by population, I think something less than 2% of the people can prevent a constitutional amendment. It ought to be hard, but it shouldn't be that hard."

¹⁵⁰ As James Madison proposed: "That there be prefixed to the Constitution a declaration... That the people have an indubitable, unalienable, and indefeasible right to reform or change their Government, whenever it be found adverse or inadequate to the purposes of its institution."

¹⁵¹ Any person or entity that is a party to, and bound by, this social contract.

¹⁵² We seek the spirit of the Constitution in order to establish a shared understanding based on explicit shared values expressed through clear purpose statements at the outset of each Section in this Reconstitution.

¹⁵³ Explicitly emphasized through the subtitles of each Amendment and its associated Sections.

¹⁵⁴ Explicitly articulated and clarified in the Preamble of the Constitution, and the Interamble herein.

¹⁵⁵ When we apply diaphaneity to Constitutional interpretation, we are trying to see through the words on the page to the deeper meaning that lies beneath.