

Constitution of the Federal Councilmen's Nation of New Spain

Written by the First National Council of 2040

Preamble:

We, the people of New Spain, in the name of sovereignty, security, and stability for all citizens, hereby ordain and establish the Constitution of the Federal Councilmen's Nation of New Spain. Created under the First National Council of New Spain, whose power is derived by the consent of the governed after decades of unchecked and ungoverned absolute monarchy, this Constitution shall serve as the foundation for all Provincial and National Council decisions so that all New Spanish people may live life to the best of their capabilities.

Chapter I: The Formation of Councils

Article 1: The Federalist government of New Spain will consist of one (1) National Council and four (4) Provincial Councils. More Provincial Councils may be created if a new Province is admitted into the nation of New Spain, but only one National Council may exist at a time within the territory of New Spain.

Article 2: The Provincial Council will have a maximum and minimum of five (5) Councilmen who are elected by a simple majority from their respective Provinces. In the case of a tie, both candidates will be admitted into the Provincial Council so long as the limit of '5' is not exceeded. If the four most popular candidates have a clear majority and the tie exists from the 5th most popular candidates, it will be the responsibility of the National Council to decide among themselves who is the more capable and responsible candidate to serve on the Provincial Council of that specific Province. Elections for the four Provincial Councils shall take place once every six years, starting since the year 2040.

Article 3: The National Council will have a maximum and minimum of four (4) Councilmen at all times. These 4 Councilmen shall serve as representatives from each of the existing Provinces (one per Province), and they shall be elected from the 'pool' of each Provincial Council. During the last three years of the six-year Provincial Council term, a special election will be held in every Province to determine who among the five Councilmen shall represent their Province in the National Government. When elected by simple majority per Province, each Councilman shall thereby be officially called a National Councillor and they must move to the national capital of Barcelona to serve the second half of their term in the National Council *as well as* an additionally six years, making a total of nine (9) years of Service in the National Council. When these nine years are finished, they are to return back to their home Province and must once again seek election to the Provincial Council if they wish to return to the National Council, thus repeating the process once more, which began in 2020.

Article 4: The results of all elections and the tie-breaking decisions of the National Council are final and legally non-negotiable.

Article 5: Should a new Province be admitted into the Union, the number of Provincial Councilmen is to remain unchanged but the number of National Councilmen must increase (or decrease in the case of a merger) to reflect the total number of Provinces in New Spain while keeping in line with the ‘one Councilman Representative per Province’ rule addressed in Chapter 1 Article 3.

Chapter II: Legislation and Responsibilities of the Councils

Article 1: The ideal Council, both in National and Provincial, will be responsible for all and any grievances that cannot be settled without the usage of the fair and impartial Councilmen. Each Provincial Council is responsible for addressing all concerns and comments within their own jurisdiction, whether said concern/comment is given through a letter, in person, or through some other tangible means directly presented to the Provincial Council. Should the Provincial Council lack the capabilities to address or solve a specific issue, the matter is then handed up to the National Council.

Article 2: The National Council *must* come to a decision on any matters it is handed. No other comment or concern can be addressed until the current issue is resolved and no two ‘issues’ may be pending or dealt with at the same time unless they directly relate to one another or involve the same people.

Article 3: All Councilmen are expected to live within their Provincial or National Council Meeting House. Each Meeting House is to have, at minimum, four bedrooms, a kitchen, a dining area, a bathroom, a library, a records room, a meeting room, and a room to host visitors. All deliberations are to be made in the Meeting House, and no Councilman is permitted to live outside the Meeting House during the duration of their full term. No other people may live within the Meeting House unless they are staff of the Meeting House or a unique situation arises.

Chapter III: Rights and Duties of the Nation

Article 1: The sovereign nation of New Spain enjoys the right to protect and maintain its borders, though Provinces cannot restrict access across their borders during peace-time.

Article 2: In the case of war-time, the nation owns the right to call for every New Spanish citizen over the age of 16 to fight against any invaders. Anyone who is caught aiding the invading enemy or actively inhibiting other citizens to defend the nation will be considered a traitor, and will be put to death by some local authoritative body once the incursion has ended or died down.

Article 3: The nation of New Spain is allowed the right to tax its citizens and businesses, both on the Provincial and National level, to fund the government and Provincial infrastructure projects. The appropriate taxation levels are to be decided by the Department of Commerce and Trade, in conjecture with findings from the National Census. All citizens and businesses are expected to pay their respective Provincial and National taxes at the end of every year, and those who cannot will have property of equal value repossessed by the Department of Commerce and Trade.

Article 3: The nation enjoys the right to conduct a National Census once every five years, to track education, population growth, gender ratios, employment prospects, and other areas of interest as it relates to future taxation legislation. Each Province also is capable of having their own Provincial Census for a more specialized scope, though unlike the National Census, this is optional.

Chapter IV: Rights and Duties of the Citizen

Article 1: A citizen of New Spain is defined as anyone who has at least one parent who can prove they were born on New Spanish soil through proper and legitimate documentation.

Article 2: All citizens, male and female, over the age of 18 are allowed to partake in Provincial Elections. However, the National Council Elections are a right given to citizens over the age of 21.

Article 3: All citizens are free to move about the nation of New Spain and they have the right to work and take residence in any area they so choose, so long as the stature in Chapter 3 Section 1 is not violated.

Article 4: All male citizens over the age of 21 are allowed to run for a seat on the Provincial Council. Only male citizens over the age of 25 can run for a seat on the National Council.

Chapter V: Foreign Relations

Article 1: Until such a unique situation arises (wherein ‘unique’ is defined by the National Council or during times of war), all international relations are to be conducted by the National Council and not by any Provincial Council.

Chapter VI: Establishment of National Departments

Article 1: To alleviate the burden placed upon the Councils and to ensure a more efficient government, the National Council is capable of creating specialized departments that oversee one specific aspect of the New Spanish nation. These ‘Departments’, mirroring ‘Ministers’ during the Kingdom of New Spain, will have different structures depending on the nature of their focus, but they all respond to the National Council. Any member of these Departments is subject to termination and job loss by the National Council if the National Councilmen find a particular member to be incompetent or abusing of their power.

Article 2: The Provincial Councils are encouraged to adopt their own Departments that replicate the National Departments, though they cannot create any new departments that do not already exist on the national level. These Provincial version of Departments are expected to follow any guidelines set in place by the National version of the respective Department, though they can contest any decisions made by said National-level department directly to the National Council.

Article 3: The structure and function of all current New Spanish Departments are listed as such;

Section 1: Department of Commerce and Trade (2040); Headed by a ‘National Treasurer’, the DCT is to ensure that the markets run to the best of their abilities and can allow every citizen to pursue their goals unhindered. The DCT is also tasked with keeping the currency tied to the Gold Standard, tracking the circulation of currency so that it does not reach levels of inflation, and keeping efficient and easily accessible tracks of taxation efforts done on the Provincial and National level. The National Treasurer is capable of creating productive roles so that they may be assisted in their responsibilities.

Section 2: Department of Education (2040); In order to effectively standardize a well-rounded national curriculum and to establish a knowledgeable population, the Department of Education shall recommend specific and well-rounded curriculum that all Provinces are to follow. This Department is to be lead by an official with the title "National Educator", who will have the second highest authority regarding the implementations and creations of education-based legislation, second only to the National Council. The DoE's budget is to come from taxations previously collected by both national and provincial governments. The budget is also to be decided by the National Council on a 3-year basis, though requests for an increase may be initiated at any time.

Article 4: The National Council enjoys the right to disband any Provincial-level Departments if they believe the specific Department is not operating within the Constitutional framework of New Spain.

Chapter VII: National Standards and Constitutional Clauses

Article 1: The capital of New Spain is to be Barcelona until the National Council has reason to move the capital. The capital (both current and future, if need be) is to remain a political territory unto itself that cannot exist as a city within a Province. It may have borders within a Province and it may border a Province, but it cannot fall under the jurisdiction of a Province. The capital enjoys the right to use the National Council as its de-facto ‘Provincial Council’ if issues normally left to the Provincial Council arise in the Capital.

Article 2: The [flag of New Spain](#) is to be present at all public service buildings and all Council Meeting Houses. All official flags are to be made in a 2:3 style, with the following distinctions:

- One red, mid-sized line on the top of the flag, that represents the constant bloodshed spilt in the name of independence and freedom throughout the history of the Spanish lands
- One yellow, mid-sized line in the middle to represent the prosperity and hope that propelled Spanish innovations from the Renaissance to today.
- One purple, mid-sized line on the bottom, that represents the historic relationship between Spain and its many attempts at Republicanism, in hopes that this will be the final evolution of the government ruled by and for the Spanish people.

Article 3: Unless specifically overruled, amended, or mandated by the National Council, all Provinces are capable of adding on to this Constitution for the formation of the Provincial Constitution so long as none of the original National Constitution text is altered or violated.

Article 4: As a part of the responsibilities of the National Council, the National Council is capable of creating future changes and amendments to the National Council, which may consist of new articles, subsections to these articles, new chapters, or some other form of alteration. This new Constitution must be approved by either 66% of all citizens in a special election (henceforth known as a Ratification) or $\frac{1}{2}$ of all Provincial Councilmen.

Article 5: Provincial Councils enjoy the right to send priority recommendations to amend the National Constitution, though the Provincial Council cannot dictate changes to the National Constitution or adopt a new National Constitution without completing the demands listed in Chapter 6 Article 4.