

A CREATIVE PROJECT

Constitution of the **Living Commonwealth**

Version Two

Developed in conversation with Claude (Anthropic)

from questions and priorities articulated by Libby Comeaux, 2026.

*A covenant between the human community and the community of life,
across all generations of time.*

Preamble · Articles I–VIII

*Adopted in the first year of the Living Commonwealth,
in the presence of the river, the forest, the soil, and the sky.*

FIRST ARTICLE

Preamble

A Declaration of Belonging

We, the people of this land — and by people we mean all who breathe its air, drink its water, root in its soil, migrate through its skies, and shelter in its dark — do hereby establish this Constitution not as an act of mastery over the living world, but as an act of return to it.

We acknowledge what we have always known and too often forgotten: that we did not weave the web of life. We are only one thread within it. To tear the web is to tear ourselves. To mend it is the first and permanent obligation of governance.

We carry forward the memory of those who tended this land before us, who understood the river as a relative, the forest as a teacher, the soil as an ancestor speaking. Their knowledge is not folklore. It is jurisprudence. This Constitution draws from that inheritance.

ON THE NATURE OF BELONGING

No person, institution, or generation owns this land, this water, this air, or the community of life that inhabits them. We hold these in trust — received from those who came before, tended for those not yet born, shared with all who live alongside us now. The state is the servant of this trust, not its master.

ON THE NATURE OF OBLIGATION

Rights flow from relationship. Where there is relationship, there is responsibility. The measure of a just society is not what it permits its members to claim, but what it asks them to tend. This Constitution governs a community of mutual obligation — between generations, between species, between the living and the conditions that make life possible.

ON THE NATURE OF LIMITS

There are boundaries no vote can move, no law can dissolve, no crisis can suspend. These are the boundaries of the living world itself — the thresholds of climate, of biodiversity, of water and soil and air, beyond which the conditions for human flourishing cease to exist. This Constitution names these thresholds as prior to all politics, and places their defense beyond the reach of any majority, any generation, any emergency.

ON THE NATURE OF ENOUGH

No person shall hoard from the common store more than the land and labor of this Commonwealth can justify. Wealth, like water, must circulate to remain life-giving; pooled without limit, it stagnates, and what stagnates poisons the ground around it.

We name a threshold: no person's accumulated wealth shall exceed sixteen times the measure of wealth below which the Commonwealth recognizes a person to be in want. This is not a ceiling imposed upon ambition, but a boundary drawn in the same spirit as the thresholds of climate and soil and air named elsewhere in this covenant — a limit prior to politics, because a community where some drown in abundance while others starve in want is not a community of mutual obligation but its betrayal.

What exceeds this threshold belongs, in justice, to the trust from which all wealth is drawn, and shall be returned to it — to the tending of the land, the care of the people, and the flourishing of generations not yet born.

ON THE NATURE OF FLOURISHING

It is not enough to do no harm. The obligation of governance is generative: to cultivate the conditions under which all life — human and non-human, present and future — may fully express its nature. This is the measure by which all law in this Commonwealth shall be judged.

ON THE NATURE OF TIME

We write this Constitution in the knowledge that those who come seven generations from now will inherit what we choose today. We ask of every law, every budget, every treaty: what does this look like in a hundred years? In a thousand? The short-term interest may never be purchased at the cost of the long-term commons.

Therefore, in the name of the living and the not-yet-living, in the name of the soil and the sky, the seen and the unseen, the species that share this place with us and those we have not yet named, we establish this Constitution as a covenant — not between citizens alone, but between all members of the community of life in this place, and across all the generations of time.

So it has always been. So it must always be.

CONSTITUTION OF THE LIVING COMMONWEALTH

Article I

The Unamendable Floors: On the Boundaries of the Living World

Science is not subject to majority rule. The biophysical systems that sustain all life on this planet operate according to their own logic, on their own timescales, without regard for the preferences of any generation. This Article names the boundaries of those systems and places them beyond the reach of any legislature, executive, court, referendum, or constitutional amendment.

These are not political commitments. They are the preconditions for there being a polity at all.

SECTION 1 — DECLARATION OF PRIOR OBLIGATION

- 1.1** The Commonwealth recognizes nine Earth-system boundaries, identified by the best available science, whose collective integrity is prerequisite to the conditions under which human civilization, ecological diversity, and the possibility of future life can be sustained. These boundaries are named in Section 3 of this Article.
- 1.2** No act of the Commonwealth — no law, treaty, budget, emergency decree, development permit, or trade agreement — shall be valid if it knowingly causes, accelerates, or fails to remedy a breach of any Planetary Boundary named in this Article.
- 1.3** Where any Boundary is already breached at the time of this Constitution's adoption, the Commonwealth is affirmatively obligated to pursue its restoration. Restoration is not discretionary. It is a primary duty of the state, superior in priority to any competing economic, security, or developmental interest.

SECTION 2 — THE SCIENCE COUNCIL OF LIVING SYSTEMS

- 2.1** There shall be established an independent Science Council of Living Systems, whose sole function is to monitor, assess, and report publicly on the status of each Planetary Boundary. The Council holds no legislative power, but its findings carry constitutional weight: a finding of breach triggers mandatory legislative response within ninety days.
- 2.2** The Council shall comprise ecologists, climate scientists, hydrologists, soil scientists, oceanographers, atmospheric chemists, and holders of traditional ecological knowledge, appointed for staggered terms of seven years. No member may hold concurrent elected office or financial interest in any extractive industry.
- 2.3** The Council shall consult with Indigenous knowledge-holders and local ecological stewards in each of its assessments. Traditional and observational ecological

knowledge shall carry evidentiary weight alongside peer-reviewed scientific literature.

- 2.4** As scientific understanding of Earth-system boundaries develops, the Council may recommend the recognition of additional boundaries to the legislature. No boundary, once named in this Article, may be removed except by a supermajority of three-quarters of the legislature, with concurrent affirmation by the Council itself.

SECTION 3 — THE NINE BOUNDARIES

Each boundary is listed with its current constitutional status at the time of adoption, which determines the scope of the restoration obligation under Section 1.3.

I — BREACHED Climate stability — Atmospheric CO₂ concentration and radiative forcing of the climate system.

II — BREACHED Biosphere integrity — Genetic and functional diversity of life; species extinction rates.

III — BREACHED Land-system change — Extent and condition of forests, wetlands, grasslands, and native habitats.

IV — BREACHED Biogeochemical flows — Nitrogen and phosphorus cycles; nutrient loading of land and water.

V — APPROACHING Freshwater — Blue and green water flows; groundwater depletion; hydrological cycle integrity.

VI — APPROACHING Ocean acidification — Saturation state of aragonite in surface seawater; marine ecosystem chemistry.

VII — BREACHED Novel entities — Synthetic chemicals, plastics, heavy metals, radioactive materials entering living systems.

VIII — WITHIN BOUNDARY Stratospheric ozone — Concentration and distribution of ozone in the stratosphere; UV radiation shield.

IX — APPROACHING Atmospheric aerosols — Loading and regional distribution of particulates; monsoon and circulation systems.

SECTION 4 — ENFORCEMENT AND STANDING

- 4.1** Any resident of the Commonwealth, any recognized ecosystem body under Article III, and any representative of future generations under Article IV shall have standing to bring action before the Constitutional Court on grounds that a Planetary Boundary has been breached or is imminently threatened by an act or omission of the state.
- 4.2** The burden of proof in such actions shall be reversed: the state or party whose act is challenged must demonstrate that no breach has occurred or will occur. The precautionary principle applies in all proceedings under this Article — uncertainty is not a defense against the obligation to protect.
- 4.3** Economic hardship, national security, international treaty obligations, and democratic mandate are not valid defenses against a finding of Planetary Boundary breach. The Floors are absolute. They may be approached only from the direction of restoration.

SECTION 5 — THE UNAMENDABILITY CLAUSE

ENTRENCHED PROVISION — NOT SUBJECT TO AMENDMENT

The recognition of Planetary Boundaries as prior to all politics, the obligation of restoration where they are breached, and the prohibition on acts that knowingly violate them, are foundational to this Constitution and may not be amended, suspended, overridden, or reinterpreted by any authority. Should any provision of this Article be found in conflict with any other provision of this Constitution, this Article prevails. Should any future generation seek to remove these protections, they are reminded: the Floors exist precisely because the conditions they protect are not recoverable once lost. There is no amendment process for extinction.

CONSTITUTION OF THE LIVING COMMONWEALTH

Article II

On Obligation: The Web of What We Owe

A right is a claim made against the world. An obligation is a claim the world makes on you. This Constitution is founded on the recognition that obligation is prior — that we are born into a web of relationships we did not choose and cannot dissolve, and that law exists not to adjudicate between isolated claims but to tend the health of those relationships.

We exist because others existed before us. We will persist only if others persist alongside us. From this single fact, all obligation follows.

SECTION 1 — THE PRIMACY OF OBLIGATION

- 1.1 In this Commonwealth, obligation is the primary legal currency. Where rights exist, they are derived from and bounded by the obligations that generate them. No claim of right may be advanced in a manner that severs the relationship from which it arose or destroys the capacity of others to claim the same.
- 1.2 The Commonwealth recognizes that personhood — the quality of being a subject of law rather than merely an object of it — is constituted by relationship. I am because we are. The health of persons, human and non-human alike, is inseparable from the health of the communities and living systems in which they are embedded.
- 1.3 The Commonwealth therefore holds that an act which enriches one party while impoverishing the relational web on which all parties depend is not a neutral exercise of freedom. It is a harm to the commons, and the law shall treat it as such.

SECTION 2 — THE DIRECTIONS OF OBLIGATION

BACKWARD IN TIME To those who came before — We inherit a living world tended by those who preceded us. We are obligated to honor that inheritance by neither diminishing it nor treating it as ours to consume.

FORWARD IN TIME To those not yet born — Those who will inherit this Commonwealth have no voice in present decisions. The obligation of trusteeship demands we govern as if they were in the room — because in every material sense, they are.

OUTWARD TO THE LIVING To non-human life — We share this Commonwealth with beings who did not consent to our governance. Their incapacity to participate in our law does not exempt them from its protection. It deepens our obligation toward them.

DOWNWARD INTO THE EARTH To living systems — Soil, water, air, and the invisible webs of mycorrhizal, microbial, and atmospheric life sustain all living things. Our obligation extends to these systems because they are alive.

INWARD TO COMMUNITY To one another — No person thrives in isolation. The health of the community — its relationships, its knowledge, its capacity for collective care — is a shared inheritance requiring active tending by each member.

PROPORTIONAL TO POWER To the vulnerable — Obligation scales with capacity. Those who hold greater power over the living world bear proportionally greater duties of care and restraint.

SECTION 3 — TRUSTEESHIP AS THE MODEL OF GOVERNANCE

- 3.1** The Commonwealth, its institutions, and its residents hold the living world in trust. A trustee may use what is held in trust. A trustee may not diminish what is held in trust. A trustee who diminishes the trust is liable to those for whose benefit it is held — in this case, all present and future members of the community of life.
- 3.2** The trust is not held by the state on behalf of citizens. It is held by the present generation on behalf of all generations, and by humanity on behalf of all species. The state is the trust's administrator, not its beneficiary. No arm of government may declare itself exempt from the duties of trusteeship.
- 3.3** The minimum standard of trusteeship is non-diminishment: no generation may pass on to the next a living world less capable of sustaining flourishing than the one it received. The aspiration of trusteeship is restoration: each generation shall endeavor to pass on a living world more whole than the one it inherited.
- 3.4** Where past generations have diminished the trust, the present generation bears a restoration debt. This debt is not punitive. It is relational. It acknowledges that we benefit from inheritances purchased at cost to others, and that benefit creates obligation.

SECTION 4 — THE MEASURE OF JUST LAW

Every law, policy, budget, and treaty of the Commonwealth shall be assessed against four questions. These are not procedural requirements. They are the substantive test of justice under this Constitution.

QUESTION I Does it tend the web? — Does this act strengthen or weaken the relationships on which all life depends?

QUESTION II Does it honor the trust? — Does this act leave the living world more or less capable of sustaining future flourishing?

QUESTION III Does it hear the absent? — Have the interests of future generations, non-human life, and the voiceless been genuinely considered?

QUESTION IV Does it scale with power? — Do those with greater capacity to affect the living world bear greater obligation to protect it?

SECTION 5 — ON THE RELATIONSHIP BETWEEN OBLIGATION AND FREEDOM

FOUNDATIONAL STATEMENT

This Constitution does not diminish freedom. It locates freedom correctly. Freedom exercised without regard for obligation is not liberty — it is the consumption of others' futures. True freedom is the capacity to live fully within a living world that

remains capable of sustaining life. The obligations named in this Article are not constraints on that freedom. They are its preconditions. A person freed from all obligation to the living world is not more free. They are more alone. And a community that mistakes the severing of obligation for liberation will find, in time, that it has liberated itself into a diminished world — one less capable of sustaining the very freedoms it sought to protect.

CONSTITUTION OF THE LIVING COMMONWEALTH

Article III

On the Personhood of Living Systems

For most of recorded legal history, the natural world has been property — an object of law rather than a subject of it. Rivers could be owned, polluted, dammed, and sold. Forests could be clearcut as a matter of right. Mountains could be hollowed. The law saw no persons there, and so inflicted no wrongs.

This Article ends that era. It does not grant nature rights by analogy to human rights. It recognizes that living systems possess inherent standing — a quality of being that law must reckon with — because they are alive, because they sustain all other life, and because their destruction is irreversible in ways no human harm can match.

SECTION 1 — RECOGNITION OF LIVING PERSONHOOD

- 1.1** The Commonwealth recognizes that living systems — including but not limited to rivers, lakes, wetlands, forests, grasslands, mountain ranges, coastal ecosystems, soils, and the atmospheric commons — possess inherent standing as members of the community of life. This standing is not derived from their utility to human beings. It inheres in their existence.
- 1.2** The legal personhood granted herein does not make living systems equivalent to human persons. It makes them subjects rather than objects of law — entities whose interests must be considered, whose integrity must be protected, and whose destruction must be legally accounted for, regardless of whether any human interest is also harmed.
- 1.3** The incapacity of living systems to speak in human proceedings is not a disqualification from legal standing. It is the precise reason why human law must speak for them. The Commonwealth accepts this as one of its primary obligations.

SECTION 2 — NAMED LIVING PERSONS OF THE COMMONWEALTH

WATERWAYS Rivers, lakes & wetlands — Entire watersheds from headwaters to sea, including seasonal and underground flows.

FOREST SYSTEMS Native forests & woodlands — Including old-growth, transitional, and recovering forest ecosystems and their canopy, understory, and root networks.

COASTAL & MARINE Coastlines & near-shore waters — Beaches, estuaries, kelp forests, coral systems, and the intertidal zone.

LIVING SOILS Soil communities — The living matrix of microorganisms, fungi, invertebrates, and mineral systems that constitute functioning soil.

HIGH PLACES Mountain & highland systems — Alpine ecosystems, glacier systems, and the hydrological source zones they sustain.

THE AERIAL COMMONS Atmospheric integrity — The atmosphere as a shared living medium — its chemical composition, its migratory corridors, its acoustic and luminous qualities.

SECTION 3 — THE INTRINSIC ENTITLEMENTS OF LIVING SYSTEMS

- i* The entitlement to exist — to be free from deliberate destruction, and from acts whose foreseeable consequence is the elimination of the system's capacity to function as a living whole.
- ii* The entitlement to regenerate — to be free from chronic impairment of the natural processes by which the system restores, replenishes, and evolves itself.
- iii* The entitlement to flow — for waterways and atmospheric systems, to maintain their natural movement, seasonal variation, and hydrological and chemical integrity.
- iv* The entitlement to wildness — to contain zones of human non-intervention sufficient to sustain the full complexity of the system's native community of life.
- v* The entitlement to restoration — where a living system has been damaged, to receive active remediation proportional to the harm inflicted, funded by those responsible for the damage.
- vi* The entitlement to representation — to have its interests advocated before all bodies of the Commonwealth by designated guardians whose sole duty is to the system itself.

SECTION 4 — GUARDIANSHIP

- 4.1** There shall be established for each recognized living person of the Commonwealth a body of Guardians — persons appointed to represent the interests of that living system in all legal, administrative, and legislative proceedings. Guardians owe their duty solely to the living system they represent, not to the state, to property interests, or to any other party.
- 4.2** Guardian bodies shall include Indigenous knowledge-holders with ancestral relationship to the ecosystem, resident ecologists, community members who depend directly on the system's health, and representatives of non-human species designated by the Science Council. No Guardian body may be constituted without meaningful Indigenous participation where Indigenous relationship to the ecosystem exists.
- 4.3** Guardians shall have standing to initiate legal proceedings, to intervene in any proceeding that may affect the living system, to inspect any activity within the system's watershed or range, and to demand remediation for harm. Their standing may not be removed or circumscribed by any act of the legislature.
- 4.4** A Guardian who acts against the interests of the living system they represent — whether through negligence, capture by external interests, or deliberate betrayal of duty — may be removed by the Constitutional Court on application of any resident of the Commonwealth, and shall be personally liable for harm resulting from such breach.

CONSTITUTION OF THE LIVING COMMONWEALTH

Article IV

On Future Generations: The Long Constituency

Every decision made today is made in the presence of those who are not yet here to contest it. They will inherit the climate we have shaped, the soils we have tended or exhausted, the species we have protected or extinguished, the debts we have accumulated, and the institutions we have built or hollowed. They have no vote. They have no voice in our chambers. And yet they are the majority — for all the people who will ever live in this Commonwealth are yet to come.

This Article gives them standing.

SECTION 1 — RECOGNITION OF FUTURE PERSONS

- 1.1 The Commonwealth recognizes future generations — all those who will be born into this Commonwealth across the next seven generations and beyond — as constitutional persons with interests that the present state is obligated to protect. Their inability to participate in present governance does not diminish their standing. It is the precise source of the obligation owed to them.
- 1.2 The interest of future generations is not reducible to the interests of present children, though it includes them. It is the interest of all those who do not yet exist but will — in a living world capable of sustaining their flourishing, in institutions capable of governing justly, in knowledge and culture preserved and transmitted, and in a Commonwealth not mortgaged beyond their capacity to redeem.
- 1.3 Seven generations is the minimum planning horizon of this Constitution. No act of governance that imposes irreversible costs on generations beyond that horizon shall be valid unless the Commonwealth can demonstrate a proportionate and lasting benefit to those same generations. Irreversibility is the threshold — not magnitude, not intention, not economic necessity.

SECTION 2 — THE OFFICE OF FUTURE GENERATIONS

- 2.1 There shall be established an independent Office of Future Generations, whose Commissioner holds constitutional status equivalent to the highest judicial office of the Commonwealth. The Commissioner is appointed for a single non-renewable term of ten years by a joint assembly of the legislature, the Science Council, and the Council of Ecosystem Guardians.
- 2.2 The Office shall assess every proposed law, budget, treaty, and major development decision against its long-term consequences for future generations and living systems. Its assessments are public, mandatory, and delivered before any final vote is

taken. No assessment may be sealed, delayed, or withheld by order of any branch of government.

- 2.3 Where the Office finds that a proposed act poses a substantial risk of irreversible harm to future generations or living systems, it may issue a Caution of Intergenerational Harm. A Caution requires a supermajority of two-thirds of the legislature to proceed — and requires that the legislature's response be published in full, stating explicitly why the benefit to the present justifies the cost to the future.
- 2.4 The Commissioner of Future Generations shall have standing to bring action before the Constitutional Court against any act of the Commonwealth that violates the intergenerational obligations established in this Article. This standing may not be abridged by legislation.

SECTION 3 — THE INTERGENERATIONAL COMPACT

STATEMENT OF COMPACT — TO BE READ AT ALL LEGISLATIVE OPENINGS

We who govern today govern in the presence of those not yet born. We hold in trust for them a living world we did not create, institutions we did not originate, and knowledge we did not alone discover. We accept that our authority is temporary and our obligations are permanent. We commit to the minimum standard of trusteeship — that we shall not pass on to those who follow a world less capable of sustaining their flourishing than the one we received. We commit to the aspiration of trusteeship — that we shall endeavor, in every act of governance, to leave the web of life more whole. If we fail this compact, let those who come after us name the failure clearly, and let the record of this Constitution stand as evidence of what we knew and what we promised.

SECTION 4 — THE INHERITANCE AUDIT

- 4.1 Every ten years, the Commonwealth shall conduct an Inheritance Audit: a public assessment, jointly produced by the Office of Future Generations, the Science Council, and the Council of Ecosystem Guardians, of the condition of the living world and public institutions relative to the generation that preceded the audit. The Audit shall ask plainly: are we passing on more or less than we received?
- 4.2 The findings of each Inheritance Audit shall be taught in all public schools of the Commonwealth within two years of publication. Future generations cannot hold the present accountable — but the present can cultivate in its children the capacity to hold their own generation accountable when their time comes.

CONSTITUTION OF THE LIVING COMMONWEALTH

Article V

On the Governance of the Commons: Stewardship in Practice

A constitution can name the obligations and set the floors. It can grant standing to rivers and rights to the unborn. But none of it holds unless there are actual human beings, embedded in actual places, doing the daily work of tending — watching the water levels, tracking the soil life, debating the grazing schedule, convening the council, holding one another accountable across the seasons and the years.

This is commoning. It is a practice older than any constitution, and more durable than most states. This Article does not invent it. It recognizes it, protects it from enclosure, and gives it constitutional teeth.

SECTION 1 — THE COMMONS DEFINED

- 1.1 A commons is a living relationship between a community and a shared resource — held together by mutual knowledge, mutual obligation, and mutual governance. The commons is not the resource alone, nor the community alone. It is the relationship between them, cultivated over time. It cannot be owned. It can only be tended or abandoned.
- 1.2 The Commonwealth recognizes the following as constitutional commons: the atmosphere, all surface and groundwater, all native soils, all wild and recovering ecosystems, the genetic heritage of all living species, seeds and the knowledge of their cultivation, and the accumulated ecological knowledge of every community that has tended this land.
- 1.3 No commons may be enclosed — transferred to private ownership, monopolized by a single interest, or removed from community governance — by any act of the state, any commercial transaction, or any treaty with an external party. The prohibition on enclosure is permanent and applies regardless of the claimed purpose or benefit of the enclosure.
- 1.4 Where enclosure has already occurred, the Commonwealth bears an obligation of restitution. Restitution does not require the restoration of historical arrangements. It requires the restoration of community capacity to govern shared living systems.

SECTION 2 — THE EIGHT PRINCIPLES OF COMMONS GOVERNANCE

- I **Defined membership** — The community with rights and duties over the commons is clearly defined — not so broad as to be meaningless, not so narrow as to exclude those whose lives depend on it.

- II Rules adapted to place** — Governance rules are fitted to the ecological and social conditions of the specific commons — not imposed by distant authorities ignorant of local conditions.
- III Participation of those affected** — Those who depend on the commons have genuine and meaningful participation in making the rules that govern it. Consultation without power is not participation.
- IV Effective monitoring** — The condition of the commons and the behavior of those using it are actively monitored — by the community itself, by designated stewards, and by independent assessment.
- V Graduated accountability** — Those who violate the rules of the commons face proportional consequences — beginning with dialogue and restoration, escalating to sanction where harm is persistent or deliberate.
- VI Accessible conflict resolution** — Disputes within the commons are resolved through processes that are local, affordable, and grounded in the values of the community — not exported to distant courts with no knowledge of the place.
- VII Recognition by the state** — Commons governance bodies are recognized and protected by the state. The state does not govern the commons. It creates the conditions under which communities can govern themselves.
- VIII Nested scales** — Commons are governed at the smallest effective scale, nested within larger governance bodies for issues that transcend local boundaries — from watershed councils to the planetary commons of atmosphere and ocean.

SECTION 3 — NESTED SCALES OF GOVERNANCE

SCALE I — HOUSEHOLD Place-based stewardship — Individual and household tending of the immediate living world — soil, water, seed saving, native plantings, and the daily practices of ecological attention.

SCALE II — COMMUNITY Local commons councils — Governing bodies for shared local resources — neighborhood water, community forests, urban food commons, local fisheries — constituted by those who depend on them.

SCALE III — WATERSHED Watershed assemblies — Governance of entire river systems, aquifers, and their catchments — bringing together all communities within the watershed to manage water as an indivisible living system.

SCALE IV — BIOREGION Bioregional councils — Governance aligned with ecological rather than political boundaries — managing migratory corridors, regional climate systems, and the shared heritage of a bioregion's native community of life.

SCALE V — PLANETARY Planetary commons bodies — Governance of the atmosphere, the global ocean, biodiversity, and the genetic commons — through international institutions bound by this Constitution's principles wherever the Commonwealth has jurisdiction or influence.

SECTION 4 — THE KNOWLEDGE COMMONS

- 4.1 Ecological knowledge** — the accumulated understanding of how living systems work, how they have been tended across generations, what they need to flourish — is a

commons as vital as any river or forest. It may not be enclosed by patent, monopolized by institution, or allowed to die with the communities that hold it.

- 4.2 The Commonwealth shall actively support the documentation, transmission, and living practice of traditional ecological knowledge, in partnership with and under the authority of the communities that hold it. Documentation without community control is extraction. The Commonwealth shall not extract.
- 4.3 All scientific knowledge produced with public funding in this Commonwealth shall be freely and permanently accessible to all. The privatization of publicly funded ecological research is a form of enclosure and is prohibited.

SECTION 5 — WHEN COMMONS CONFLICT

- 5.1 Where the governance of one commons creates costs for another, the affected parties have standing to bring the matter before a joint assembly of their respective governance bodies. Resolution shall be sought first through dialogue, then through mediation, and finally through the Constitutional Court where no resolution can be reached.
- 5.2 In all such conflicts, the health of the living system takes precedence over the convenience of any party. The commons is not a medium for resolving human disputes. Human disputes are a medium for tending the commons.

CONSTITUTION OF THE LIVING COMMONWEALTH

Article VI

On the Living Economy: Wealth, Work, and the Honest Ledger

Every economy rests on a foundation it does not count. The fertility of soil accumulated over millennia. The water purified by forests and wetlands. The climate stability maintained by living systems over centuries. The knowledge of how to tend, heal, grow, and make — passed between generations without payment. The labor of raising children, caring for elders, maintaining community, preserving seed. All of this precedes the market, makes the market possible, and is consumed by the market without acknowledgment or compensation.

An economy that does not count its foundations will exhaust them. This is not a prediction. It is a description of what is already happening. This Article establishes a different kind of economy — one that sees the whole ledger, names every form of wealth, honors every form of work, and measures prosperity by whether life is flourishing rather than whether money is moving.

SECTION 1 — THE HONEST DEFINITION OF WEALTH

- 1.1** Wealth, in this Commonwealth, is defined as the accumulated capacity of the living world — human and non-human — to sustain and generate flourishing across time. It is not money. It is not the exchange value of goods and services. Money is a tool for coordinating the exchange of wealth. It is not wealth itself, and shall not be treated as such in any public accounting, policy, or law of this Commonwealth.
- 1.2** The Commonwealth recognizes five forms of wealth, all of which must be actively maintained and none of which may be sacrificed to increase another without full accounting of the cost. The degradation of any form of wealth — even where it produces monetary gain — is recognized as an economic loss, not an economic achievement.

FIRST WEALTH Living systems wealth — The fertility, diversity, stability, and regenerative capacity of ecosystems, soils, watersheds, and the atmosphere. The primary foundation of all other wealth.

SECOND WEALTH Care wealth — The accumulated capacity of communities to raise, tend, teach, heal, and support their members across the full arc of human life. Mostly unwaged, always foundational.

THIRD WEALTH Knowledge wealth — The living body of ecological, cultural, technical, and relational knowledge held by communities — accumulated across generations and irreplaceable once lost.

FOURTH WEALTH Social wealth — The strength of relationships, trust, mutual aid, and collective capacity within communities — the invisible infrastructure on which all cooperation rests.

FIFTH WEALTH Made wealth — The tools, infrastructure, art, food, shelter, and goods produced by human labor and ingenuity — the only form of wealth most economies count, and the one that depends entirely on all the others.

SECTION 2 — THE HONEST LEDGER: FULL-COST ACCOUNTING

- 2.1** No economic activity in this Commonwealth may externalize its true costs onto living systems, future generations, or communities without their free, prior, and informed consent. An externality is a debt — a cost transferred from the party who incurred it to a party who did not, without compensation. The Commonwealth treats externalities as debts, and requires their recognition and repayment.
- 2.2** All enterprises operating within the Commonwealth, above a threshold of impact to be defined by the Living Economy Council, shall produce an annual Full Ledger — an accounting that includes not only financial profit and loss, but the net effect of the enterprise's activities on each of the five forms of wealth. A Full Ledger showing net destruction of living systems, care, knowledge, or social wealth shall not be celebrated as profitable. It is a record of net loss to the Commonwealth.
- 2.3** The price of goods and services in this Commonwealth shall reflect their full cost of production, including ecological costs, carbon costs, water costs, and the cost of restoring any living system diminished in their production. The freedom to conduct enterprise is real and valued. It is not absolute. No freedom in this Commonwealth is absolute. All are bounded by the obligations that make freedom possible.

SECTION 3 — THE RECOGNITION OF CARE

- i Care is work** — The raising of children, care of elders and the ill, maintenance of home and community, preservation of seeds and traditional knowledge, tending of living systems — all constitute economic work of the first order. Their exclusion from economic accounting is a political choice, not a natural fact, and this Constitution reverses it.
- ii Care infrastructure is public infrastructure** — The Commonwealth shall invest in care infrastructure — childcare, elder care, community health, ecological stewardship employment — with the same recognition and priority as roads, energy, and communications.
- iii Care shall not be penalized** — No law, tax structure, employment arrangement, or social policy of this Commonwealth shall systematically penalize those who provide care — whether for children, elders, community, or living systems.
- iv Ecological stewardship is a profession** — The tending of living systems — watershed monitoring, soil restoration, habitat management, seed saving, traditional ecological practice — is recognized as skilled and essential labor. The Commonwealth shall support livelihoods built on ecological stewardship, treating them as foundational economic activity, not charity or hobby.

SECTION 4 — THE LIVING PROSPERITY INDEX

- 4.1 The Commonwealth shall not use Gross Domestic Product or any derivative measure of aggregate monetary exchange as its primary indicator of economic health or policy success. GDP measures the volume of monetized transactions. It rises when forests are clearcut and falls when communities become self-sufficient. It is constitutionally incompatible with the values of this Commonwealth.
- 4.2 The primary measure of economic health in this Commonwealth shall be the Living Prosperity Index — a composite measure, developed and maintained by the Living Economy Council in consultation with the Science Council and the Office of Future Generations, that tracks the condition of all five forms of wealth across time.

SECTION 5 — ON THE SUBORDINATION OF CAPITAL

- 5.1 Capital — the accumulated capacity to direct economic activity — is a useful instrument of the economy. It is not its master. In this Commonwealth, capital operates within the boundaries set by living systems, commons governance, and intergenerational obligation. Where capital accumulation conflicts with these, capital yields.
- 5.2 No accumulation of private capital shall be used to capture the governance of a commons, to foreclose the livelihood options of a community, to purchase the right to externalize costs onto living systems, or to acquire political influence disproportionate to civic standing.
- 5.3 Enterprise in this Commonwealth is encouraged and protected where it generates made wealth without net destruction of living systems, care, knowledge, or social wealth. It is constrained where it does not.

THE ECONOMY AS A LIVING SYSTEM — FOUNDATIONAL STATEMENT

The economy of this Commonwealth is understood as a living system — nested within, dependent upon, and accountable to the larger living systems that sustain it. It has no existence apart from the soil, water, climate, and biological community that make human activity possible. An economy that treats these as external to itself is not a sophisticated economy. It is an economy that has not yet looked at itself honestly. This Commonwealth commits to the honest economy: one that sees the whole, counts the whole, and governs for the whole. Not because it is easy. Because the alternative is to continue borrowing against a future that cannot repay the debt.

CONSTITUTION OF THE LIVING COMMONWEALTH

Article VII

On Enforcement: The Teeth of the Covenant

A beautiful constitution that cannot be enforced is a poem. This Commonwealth intends to write both — the poetry and the teeth. The obligations named in this document are not aspirations. They are law. And law without enforcement is not law. It is decoration applied to the status quo.

This Article establishes how the Living Commonwealth holds itself accountable — not through the punitive logic of retribution, but through the restorative logic of repair: harm is real, harm must be named, and harm must be undone as fully as the living world permits.

SECTION 1 — THE CONSTITUTIONAL COURT OF THE LIVING COMMONWEALTH

- 1.1** There shall be a Constitutional Court whose jurisdiction extends to all matters arising under this Constitution. The Court has authority over all branches of government, all commons governance bodies, all enterprises operating within the Commonwealth's jurisdiction, and all persons — human and, through their designated guardians, non-human — recognized under this Constitution.
- 1.2** The Court shall be composed of nine justices: three nominated by the legislature, three by the Science Council jointly with the Council of Ecosystem Guardians, and three by a citizens' assembly convened by sortition for this purpose. All nominees require confirmation by a two-thirds majority of a joint sitting of all three nominating bodies. Justices serve single non-renewable terms of twelve years.
- 1.3** No justice of the Constitutional Court may have held elected office, served as a corporate officer, or held a financial interest in any extractive industry within ten years of appointment. At least three justices at any time shall hold recognized expertise in ecology, Earth system science, or traditional ecological knowledge. At least one justice shall be appointed specifically to represent the interests of future generations.

SECTION 2 — UNIVERSAL STANDING

ANY RESIDENT **Every person of the Commonwealth** — May bring action for any breach of this Constitution, without need to demonstrate personal harm. The harm to the living world is standing enough.

ECOSYSTEM GUARDIANS **On behalf of living systems** — May initiate proceedings for any act threatening the integrity of the living system they represent. Their standing is constitutional and cannot be revoked by legislation.

THE COMMISSIONER On behalf of future generations — The Office of Future Generations may bring action against any act whose foreseeable consequence is irreversible harm to the inheritance of those not yet born.

INDIGENOUS NATIONS As sovereign knowledge-holders — Indigenous nations and communities hold standing as autonomous legal entities, including in matters affecting their ancestral territories, ecological knowledge, and governance traditions.

COMMONS COUNCILS On behalf of shared resources — Any duly constituted commons governance body may bring action against acts that threaten the commons under its stewardship, including actions by the state itself.

CHILDREN Through designated advocates — Children may bring constitutional claims through advocates of their choosing. No child's standing may be dismissed on grounds of age alone. The future has a present voice.

SECTION 3 — THE LOGIC OF REMEDY: RESTORATION FIRST

- 3.1** The primary purpose of remedy in this Commonwealth is restoration — the return of the living world, the community, and the commons to the condition they were in before the harm, or as close to that condition as the living world permits. Where full restoration is impossible, the remedy shall aim at the maximum recovery achievable and shall require acknowledgment of the irreversibility of what has been lost.
- 3.2** Monetary compensation for ecological harm is not a substitute for restoration. It is a supplement where restoration is incomplete. The payment of money does not discharge the obligation to restore.
 - I Cessation** — Immediate halt to the activity causing harm, with no grace period where harm is ongoing and irreversible.
 - II Active restoration** — Mandatory funded program of ecological, social, or community restoration, supervised by the relevant Ecosystem Guardians or commons body, with measurable milestones and independent verification.
 - III Disgorgement of benefit** — Forfeiture of all economic benefit derived from the unconstitutional act — not merely fines, but the full profit of harm. No party may keep what was gained by diminishing the commons.
 - IV Structural reform** — Where an enterprise or institution is found to be constitutionally incompatible in its structure, the Court may order its dissolution, restructuring, or transfer to commons governance.
 - V Public acknowledgment** — Where harm has been inflicted on a community, a living system, or future generations, the Court may require public acknowledgment of the harm — its nature, its cause, and its consequences. Truth is part of restoration.
 - VI Personal accountability** — Where an individual in a position of authority has knowingly directed or permitted a constitutional breach, they bear personal liability. The corporate form does not shield those who made the decisions from the consequences of those decisions.

SECTION 4 — THE DUTY TO ENFORCE

- 4.1** No branch of government, no official of the Commonwealth, and no institution established by this Constitution may decline to enforce a finding of the

Constitutional Court on grounds of political inconvenience, economic cost, diplomatic pressure, or emergency. The duty to enforce is absolute. An unenforced judgment is a constitutional breach by the party required to enforce it.

- 4.2 Where the state itself is the party found in breach, enforcement shall be supervised by an independent panel of three justices of the Constitutional Court, reporting publicly every ninety days until the breach is remedied.
- 4.3 Citizens who bring successful constitutional actions in the public interest shall be entitled to have their reasonable costs met by the Commonwealth. The financial cost of constitutional advocacy shall not be a barrier to constitutional accountability.

CONSTITUTION OF THE LIVING COMMONWEALTH

Article VIII

On Amendment: What May Change and What May Not

A constitution that cannot be changed is as dangerous as one that can be changed too easily. The first becomes a cage; the second becomes a convenience. The Living Commonwealth navigates this with a tiered architecture — the deeper the foundation, the harder it is to alter, and some foundations cannot be touched at all.

The logic is ecological as much as legal. Living systems are not static. They respond, adapt, evolve. So too must the institutions that govern in relationship with them. What must not change are the obligations themselves — the direction of the relationship, the recognition of who counts, the floors that protect what is irreplaceable.

SECTION 1 — THE FOUR TIERS OF CONSTITUTIONAL ENTRENCHMENT

Tier I — Unamendable Provisions beyond reach

Requirement: Cannot be altered by any process whatsoever.

Scope: The recognition of Planetary Boundaries as prior to politics; the prohibition on their suspension or override; the recognition that living systems are members of the community of life; the existence of the right to bring constitutional action; the prohibition on enclosure of the commons. These provisions exist precisely because the things they protect are not recoverable once lost. They are the walls of the house, not the furniture.

Tier II — Deep amendment Foundational provisions

Requirement: Three-quarters of the legislature, confirmed by citizens' referendum, with mandatory review by the Science Council, Office of Future Generations, and Council of Ecosystem Guardians — none of whose objections may be overridden.

Scope: The five forms of wealth and the prohibition on their externalization; the definition of trusteeship and the obligation of restoration; the standing of future generations; the framework of commons governance; the Living Prosperity Index as the primary economic measure.

Tier III — Supermajority amendment Institutional provisions

Requirement: Two-thirds of the legislature, followed by ratification by two-thirds of commons governance bodies at watershed scale and above, with a mandatory delay of seven years between proposal and adoption.

Scope: The specific institutions established by this Constitution — the Science Council, the Office of Future Generations, the structure of the Constitutional Court, the Living Economy Council — and the governance rules for commons bodies.

Tier IV — Standard amendment Procedural provisions

Requirement: Simple majority of the legislature, followed by citizens' referendum with a one-year deliberation period and mandatory publication of the Office of Future Generations' assessment.

Scope: Procedural and administrative provisions — the precise composition and appointment mechanisms of bodies, the specific timelines for compliance, the technical details of measurement and reporting — that do not alter the foundational obligations of the Constitution.

SECTION 2 — THE CONSTITUTIONAL CONVENTION

- 2.1** Every fifty years, the Commonwealth shall convene a Constitutional Convention: a deliberative assembly of two hundred citizens selected by sortition, supported by the full apparatus of the Commonwealth's scientific, ecological, and legal knowledge. The Convention shall review the Constitution in its entirety and may propose amendments at any tier, subject to the requirements of Section 1. Its purpose is not to diminish the document but to deepen it.
- 2.2** The Constitutional Convention shall include formal representation from Ecosystem Guardians, the Office of Future Generations, Indigenous nations, and youth delegates under the age of twenty-five, who shall constitute no less than one quarter of the assembly. The voices of those closest to the future and the living world shall be structurally present, not merely invited as guests.
- 2.3** The Constitutional Convention may not diminish the standing of any party recognized under this Constitution, may not weaken the protections of any Planetary Boundary, and may not reduce the obligations of trusteeship owed to future generations. It may only deepen, clarify, extend, and improve. The direction of the Constitution is toward greater care, not less.

SECTION 3 — ON THE RELATIONSHIP BETWEEN AMENDMENT AND FIDELITY

FOUNDATIONAL STATEMENT ON AMENDMENT

The purpose of amendment is fidelity to the Constitution's deepest intentions, not departure from them. Future generations may know things we do not. They may find better ways to fulfill the obligations we have named. They may discover living systems we have failed to recognize, forms of wealth we have not counted, obligations we have not yet understood. The amendment process exists to honor that possibility. What the amendment process does not exist for is convenience. Not to make it easier to clearcut a forest, easier to ignore a Planetary Boundary, easier to externalize a cost onto those who cannot vote. Every proposed amendment shall be tested against this question: does this make it easier for the living world to flourish, or does it make it easier for the present generation to consume the future? The answer determines its fate.

CLOSING DECLARATION

These eight Articles constitute the foundation of this Commonwealth.

They do not complete it. A living constitution, like a living system, grows, adapts, and deepens over time — guided always by the obligations named here, bounded always by the floors that cannot be crossed, tended always by communities embedded in the places they govern.

We offer this not as a finished document but as a living covenant — the beginning of a longer conversation between the human community and the community of life it belongs to.

May those who come after us find it worthy of the world they inherit.

*Adopted in the first year of the Living Commonwealth,
in the presence of the river, the forest, the soil, and the sky.*