

Constitution of the Aytian Federal Republic

Preamble

This constitution is the social compact which we citizens of Aytos and the Republic freely and voluntarily agree to join and to be governed by.

It is our common belief that each person has a natural right to life, liberty, property, and safety, and that the best guarantor of these rights is a just government formed by the mutual assent of its citizens. Therefore to accomplish the goal of providing and protecting for ourselves these basic rights, we hereby form this Republic and impute to it sovereignty over our homelands according to the terms herein.

I. Citizenship and Rights

1. In principle, any person willing to freely and voluntarily join this social compact, agreeing to submit to its laws and requirements in order to benefit from its services and protections, should be entitled to live within the Republic as a citizen. Citizenship shall therefore be granted based on positive assessment of an applicant's bona fide intention to live in a State or territory of Aytos and to uphold the sovereignty of the Republic and its institutions.
 - 1.1. The Ministry of Interior and each State government must require agreement to the following Aytos Loyalty Pledge as a precondition of citizenship:

“I now solemnly pledge the following, on penalty of dishonor, infamy, and loss of civil rights within the Aytian Federal Republic, its territories, and its member States:

I shall neither grieve nor commit unlawful acts of violence against the Republic, its States, or their residents,

I shall recognise, uphold and defend the Constitution of the Republic as sovereign within its States and territories,

And I shall not attempt to subvert or overthrow the Republic through violence or treachery, nor shall I conspire with others to do so.”
 - 1.2. All Federated States must require primary residency within that State as a precondition of State citizenship.
 - 1.2.1. Since a person's primary residency can only be located in in one place, dual citizenship with a foreign state is only possible if that foreign state does not also require primary residency for citizenship.
 - 1.2.2. Since each State requires primary residency for citizenship, no person may hold citizenship in more than one State at a time.

- 1.3. Every person who is a citizen of a Federated State, as defined in that State's Charter or constitution, shall be automatically considered to be a citizen of the Republic.
 - 1.4. Every legal resident of an unincorporated Federal territory may apply to the Aytos Ministry of Interior for citizenship in the Republic. In the absence of a specific policy from the Federal Parliament, the Ministry shall default to granting citizenship to unincorporated territory residents according to the same criteria by which City of Aytos citizenship is granted to City of Aytos residents.
2. Since the primary purpose of the Republic is to safeguard and guarantee the natural rights of its citizens, no agent of any State or Federal government shall be permitted to violate any part of this section, all other laws notwithstanding.
 - 2.1. Citizens of the Republic shall have the right to representation in their government, a right which is afforded through proportional representation in the Aytos Federal Parliament. Therefore no citizen may ever be denied the right to vote in a Federal Parliament election.
 - 2.2. Citizens of the Republic shall have an absolute and unabridged right to engage in political speech.
 - 2.3. Citizens of the Republic shall have the right to freely associate, therefore none may be denied the right to form a political party or an association of common interests.
 - 2.4. Citizens of the Republic have the right to security of their persons and their personal property within the States and territories of Aytos. This is a positive right that must be provided by the action of the Federal Government.
 - 2.4.1. The Federal Government shall bear primary responsibility to create effective systems of internal security and criminal law enforcement and justice for the Republic.
 - 2.4.2. The Federal Government shall bear primary responsibility to provide security externally through negotiations and treaties with entities outside the Republic. As such, the Federal Government has the ability to negotiate and enter external treaties and commitments on behalf of the Republic, and to void or veto any external treaty or agreement of an individual State which might undermine the Republic's unified external security posture.
 - 2.5. Citizens of the Republic accused of crimes have the rights of habeus corpus, due process of law, and a speedy trial.
 - 2.5.1. No security or law enforcement agency in the Republic may hold a citizen's pearl for more than 24 hours without making a post on /r/CivcraftAytos notifying the public of the arrest and asking victims to post formal charges and claims.
 - 2.5.2. No law enforcement agency in the Republic may hold a citizen's pearl for more than 72 hours unless formal criminal charges and accompanying claims have been

brought, initiating a criminal judicial process.

- 2.5.3. No state of Aytos shall have authority to prosecute a citizen for a crime that has no unsatisfied victims. Private damage settlements made freely and without duress or coercion shall preempt criminal judicial processes.
- 2.5.4. All criminal judicial processes must presume innocence in the absence of proof, must afford the defense the opportunity to testify, and may not permit a participant other than the defense to delay any single step of the overall process by more than 48 hours.
- 2.5.5. Citizens convicted of crimes have the right to protection from unreasonable punishments. In no case shall a court order a citizen to pay reparations that exceed 200% of the damages done to a victim, and in no case shall a citizen be required to pay court or administrative fees that exceed the greater of two (2) diamonds or 50% of the total reparations amount.
- 2.6. Citizens of the Republic have the right to usage and access to all public infrastructure, amenities and services provided by the Federal Government.
- 2.7. Any violation of this article or any transgression against the natural rights of a citizen of the Republic by either the Federal Government or the local government of a Federated State shall be grounds for a citizen to bring suit against that government in the Supreme Court.

II. The Aytos Federal Supreme Court

1. Judges

- 1.1. As the final court of appeals and the ultimate guardian of the institutions of the Republic, the Supreme Court must have at all times an independent and apolitical character. As such, Federal Supreme Court Judges shall be appointed for life by the Federal Parliament in accordance with Article III, Section 4.1.
- 1.2. At any time, the longest consecutively serving Judge on the Court shall be considered Chief Judge, unless they decline the position allowing it to pass to the next Judge in order. The Chief Judge shall also serve as Justice Minister for Aytos.
- 1.3. A Judge should resign if they go inactive. If they don't, the Chief Judge should notify Parliament of the situation so that they may take steps to replace that Judge.

2. Scope of Authority

- 2.1. The Supreme Court may convene to hear a case upon the petition of any citizen of the Republic who claims aggrievement by an illegal law or action of an Aytos government entity. The Chief Judge shall select three of the four Judges to hear each such case.
- 2.2. Pursuant to judging a case, the Supreme Court may independently interpret any question

of Aytos law. Based on its own legal findings, the Supreme Court may issue a judgment overturning any illegal law or action of Parliament or the government, or any judgment of a lower court found to be in error, in whole or in part, both retroactively and proactively.

- 2.3. Pursuant to judging a case, the Supreme Court may investigate any alleged illegal actions of the government. The Supreme Court may issue injunctions against any government ministry while an investigation is in progress, and may issue orders to, or judgments or sanctions against any ministry or agent of the government found to have acted illegally.
- 2.4. All findings, injunctions, orders, judgments, and sanctions of the Supreme Court pursuant to the resolution of a grievance shall be absolute, and may only be rescinded by appeal to the Supreme Court itself.

III. The Aytos Federal Parliament

1. Powers of Parliament

- 1.1. The Parliament is the means by which all citizens are afforded representation in the government. As such, it is the primary authority in Aytos, subject only to this constitution and to legal findings of the Supreme Court.
- 1.2. The Federal Parliament shall govern Aytos by passing acts of law, by creating Ministries of the Government through acts of law, and by appointing a Prime Minister to lead the Cabinet and the Government.
- 1.3. The Parliament alone may confirm the Republic's entry into any treaty or binding agreement with an external or foreign entity.
- 1.4. The Parliament may amend any part of this Constitution by a two-thirds vote.

2. Parliament Seat Allocation

- 2.1. The Aytos Ministry of Interior shall certify election results and determine the Members of Parliament in accordance with this section.
- 2.2. Each Federated State (see article V) shall be granted one local seat per every nine (9) citizens within its borders who cast valid votes during the most recent election, rounded to the nearest integer. Each State shall appoint members to its local seats according to the rules of its State Charter and its constitution.
- 2.3. In addition to the local seats, the Parliament shall have a number of balancing seats that is equal to ~~the number of local seats minus one~~ **either the number of local seats minus one, or three minus the number of local seats, whichever is larger**. These balancing seats shall be filled based on the results of a national election in which each citizen votes for their preferred party using a single transferable vote with the Droop quota. Balancing seats shall be allocated by party so as to bring the overall composition of the entire Parliament as close as possible to proportional representation of the national popular vote by party preference.

3. Dissolution of Parliament

- 3.1. The Parliament may dissolve itself through a simple majority vote in favor of a No Confidence motion.
- 3.2. The Parliament may be dissolved by a citizens' initiative of No Confidence. A thread must be created on /r/civcraftaytos, and a number of citizens equal to half the valid poll in the previous election must explicitly indicate support of the initiative for its success.
- 3.3. Upon passage of a No Confidence motion or initiative, or upon the admission of a new State to the Republic, the Parliament shall be immediately dissolved and the Ministry of the Interior must hold national elections within ten (10) days.

4. Duties of the Parliament

- 4.1. The Parliament is required to make appointments to the Aytos Supreme Court as needed in order to maintain four Judges on the court at all times. A Judicial appointment must be approved by two-thirds of the Parliament. A sitting Judge may resign at will, but may only be involuntarily dismissed by a two-thirds vote of Parliament.
- 4.2. Each new Parliament must appoint a Prime Minister to lead the government. Until a new Prime Minister is appointed, the previous Prime Minister shall remain in power along with the previous Cabinet.
- 4.3. When Parliament passes an act appointing a Prime Minister, they are permitted to include within that act the requirement to appoint specific persons to lead specific Ministries of the government.
- 4.4. If Parliament appoints a Judge or Prime Minister who declines the position or the conditions attached to the appointment, the act of appointment shall be void.
- 4.5. Nothing in this constitution shall be construed as prohibiting one person from being elected or appointed to multiple offices at the same time.

IV. The Aytos Cabinet

1. The Prime Minister

- 1.1. The Prime Minister is responsible to oversee the Cabinet (the heads of each government ministry) and all operations of the government, in accordance with laws and policies set by Parliament.
- 1.2. Upon taking office, the Prime Minister may appoint new ministers in accordance with all applicable portions of this article.
 - 1.2.1. Members of the previous Cabinet shall remain in charge of their respective

ministries until the Prime Minister appoints a replacement.

1.2.2. The Prime Minister may appoint anyone they choose to serve in the cabinet, unless the Parliament has specifically imposed requirements within the act of the Prime Minister's appointment in accordance with Article III, Section 2.3.

1.3. If any Cabinet Member resigns, the Prime Minister must appoint a replacement.

1.4. In the event that a Cabinet Member is visibly derelict in their responsibilities the Prime Minister may immediately replace them without a new act of Parliament, the original appointment act of Parliament notwithstanding.

1.5. If a Prime Minister resigns and succession has not been established by any existing law, the Parliament must drop all other business and hold an emergency session to appoint a temporary Prime Minister from among the Cabinet. Within ten days of the resignation, the Ministry of Interior must hold new elections for Parliament.

2. Ministries of the Government

2.1. The **Ministry of Interior** shall at all times be headed by a Minister of Interior, a member of the Cabinet.

2.1.1. The Ministry of Interior shall maintain a database of each citizen and the reported location of their primary residence. The Ministry of Interior shall have authority to conduct residency audits in cases where fraud is suspected, and may revoke citizenship in a case of voter fraud or any other violation of the Loyalty Pledge.

2.1.2. The Ministry of Interior shall register and determine eligibility of all candidates and political parties in Aytos, and shall administrate all national elections, all City of Aytos elections, and all required referendum votes in States and territories of the Republic.

2.1.3. The Ministry shall bear primary responsibility for surveying the boundaries of the Republic, its territories, and its States.

2.2. The **Ministry of Exchequer** shall bear primary responsibility for safeguarding government funds and disbursing them to other ministries in accordance with Parliament's instructions.

2.3. The **City Planning Ministry** shall bear primary responsibility for managing plots and constructing public works in the City of Aytos, and administering the City in accordance with article V section 2.6 and all applicable Aytos City Codes.

2.4. The responsibilities of the Federal government of article I section 2.3 shall be distributed to ministries as follows:

2.4.1. The **Ministry of Justice** shall bear primary responsibility for providing a justice system handling both civil and criminal litigation within jurisdictions of the Republic. Unlike the other cabinet positions which are appointed by the Prime

Minister, the Ministry of Justice shall be headed at all times by the Chief Judge of the Federal Supreme Court as Justice Minister.

2.4.2. The **Ministry of Peace** shall bear primary responsibility for providing internal security and law enforcement within Aytos. If a Peace Minister is not appointed, the Prime Minister shall lead the Ministry directly.

2.4.3. The **Foreign Ministry** shall bear primary responsibility for providing external security through foreign negotiations and treaties.

2.4.3.1. While the Foreign Ministry may negotiate and forge external treaties or agreements, these must be confirmed by an act of Parliament to become binding on the Republic.

2.4.3.2. If a Foreign Minister is not appointed, the Prime Minister shall lead the Foreign Ministry directly.

2.5. The Prime Minister may assign all remaining roles of the government to existing cabinet members as needed.

V. Federated States

1. Admission of new States

1.1. A State may be admitted to the Republic, or "federated", through the enactment of a State Charter. To be enacted, a State Charter must be approved by the Aytos Ministry of the Interior, ratified by a two-thirds referendum of the residents of the proposed state's territory, and enacted by a two-thirds vote of the Aytos Federal Parliament.

1.2. Once enacted, a State Charter shall be considered as equal in authority to the Aytos Federal Constitution, and it may only be repealed or amended by a two-thirds vote of the Aytos Parliament together with a ratifying act of that State's government.

1.3. When considering a new Federal Charter, the Ministry of Interior shall verify that it meets all the following requirements before granting approval:

1.3.1. A State Charter must either contain or else identify the constitution of the State's government, and this constitution must be clear and unambiguous so as to avoid the possibility of a constitutional crisis within that State.

1.3.2. The State's constitution must define the territory of the proposed State, and these territory borders must be verifiable by the Ministry of Interior as intact and not under dispute with a rival state or state-like entity.

1.3.3. The State's constitution must give a clear definition of State citizenship, and this definition must include both being a resident of the State's territory and having taken the Aytos Loyalty Pledge.

1.3.4. The State's constitution must recognise the sovereignty of this, the Aytos Federal

Constitution, and must cede to the Aytos Federal Government the powers enumerated to it herein.

- 1.3.5. The State's constitution must designate a single person at all times to serve as an official liaison to Aytos from the State Government, and must provide for the election or appointment of seats to the Aytos Parliament at the time of national elections in accordance with Article III Section 2.2.

2. Charter of the City of Aytos

- 2.1. The City of Aytos is the founding State and the Capitol of the Republic. Its territory comprises the entire landmass of the island located at (-3600, -3300), together with the two immigrant isles to the east and any future expansion areas that shall be annexed to the City with the assent of the Federal Parliament.
 - 2.2. Immigrants to the City of Aytos must acquire citizenship through application to the Aytos Ministry of Interior and fulfilment of whatever requirements that Ministry directs. In no case may a person be granted City of Aytos citizenship without having resided on the island for a minimum of three weeks and having agreed to the Aytos Loyalty Pledge.
 - 2.3. The City of Aytos shall determine its local Federal Parliament seats by elections held concurrently with the Federal elections. City of Aytos elections shall be administered by the Aytos Ministry of Interior, and winners shall be determined using the single transferable vote method with the Droop quota. A description and an example of this voting method may be found at the following link:
http://en.wikipedia.org/wiki/Droop_quota#An_example_of_use_in_STV
 - 2.4. The local legislative authority within the City of Aytos shall be the Aytos City Council, a body which shall at all times consist of the subset of the Federal Parliament that includes only the City of Aytos's locally elected members and the national "balancing seat" members. Acts of the City Council shall only apply within the City.
 - 2.5. The City of Aytos shall be administered directly by the Prime Minister and Cabinet of the Republic, but in doing so they shall be required to adhere to all codes and policies set by the Aytos City Council.
 - 2.6. The City Council may appoint at will a City Liaison per 1.3.5. However if a specific appointment is not made the Aytos Prime Minister shall be considered City Liaison by default.
 - 2.7. All domestic policies and codes in place for the City of Aytos at the time of the adoption of this Charter, whether having been enacted by the Aytos Council or by the Second Aytos Provisional Parliament, shall be considered as a part of the Aytos City Code until and unless they are specifically repealed, amended, or superseded by an act of the City Council.
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Amendment I

Paragraph III.2.3 of the constitution shall be amended as follows:

The language "the number of local seats minus one" shall be stricken and replaced with the language "either the number of local seats minus one, or three minus the number of local seats, whichever is larger".
