

Constitution of the Pirate Party of the United States

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PREAMBLE

We, the Pirates of the United States of America hereby unite in common purpose to promote open culture and oppose monopolies; to protect individual privacy; to put people before corporations; to support open and transparent government based on solid evidence and reasoning; to guarantee equality to all people; and to organize ourselves according to our shared values.

For our values, we have been derided as “pirates”. For our hope that every person may be free to access all of human knowledge, we have been called “pirates”. For our belief that one need not ask permission to participate in governance, industry, culture, and other aspects of society, we have been called “pirates”. For our insistence that citizens should not be surveilled and distrusted as if they are criminals, we have been called “pirates”. For our rejection of authority and profit-seeking when it does not serve the common good of all people, we have been called “pirates”.

We reclaim this label of “pirate” and abjure its derogatory, incendiary implication. We are Pirates. We stand for the liberty, equality, and solidarity of all human beings, and against all threats they may face.

We are Pirates, and we hereby establish the Pirate Party of the United States of America.

ARTICLE I: Pirate Party of the United States of America

Section 1: Name

This Constitution shall govern the association known as the **Pirate Party of the United States of America**, hereinafter referred to as the **Party**.

Section 2: Mission

The Party shall:

- A. Give voice to the Core Values of the Party.
- B. Adopt and promote statements of policy which implement these Core Values.
- C. Nominate and assist in the election of Pirate candidates for the offices of President and

Vice President of the United States, and support Party and Party-endorsed candidates for public office.

- D. Promote the growth of state and local Pirate Parties, and assist in their activities.
- E. Engage in any other activities incidental or related to the above.

Section 3: Core Values

We, the Pirates of the United States of America, form the Party on the basis of the following

Core Values:

- A. We stand for open culture. No one should have the power to prevent the free exchange and expression of ideas, tools, or works.
- B. We stand for transparency and openness. Government activities should not be hidden from the public.
- C. We stand for individual privacy. The amount of oppression in a society is inversely proportional to its privacy protections. Individuals must be free to make personal decisions that do not harm another person.
- D. We are anti-monopoly. No monopoly should be able to prevent works, tools, or ideas from: being freely used, expressed, exchanged, recombined, or taught; nor to violate individual privacy or human rights. A creator's right to be compensated for their work or idea is only acceptable within these limitations.
- E. We stand for individuals over institutions. Universal human rights apply only to human beings, and not to corporations, limited liability organizations, or other group entities.
- F. We are a post-ideological meritocracy. Policy and decision-making must be based on evidence and scientific reasoning. The approach that works best, or the person who does the best job, must be chosen over the alternatives. Where possible, we avoid making decisions or selecting leaders based on tradition, popularity, authority or ideology.
- G. We are egalitarian. We believe in equality and a level playing field. We accept input from all sources, and we value all people equally.
- H. We actively practice these values. We hold ourselves accountable for our own adherence to these principles.

ARTICLE II: Pirate National Committee

Section 1: Purpose

- A. The fundamental purpose of the Pirate National Committee, hereinafter referred to as the **PNC**, is to serve as the governing and organizing body for the Party.
- B. The PNC shall adopt the most open, inclusive and egalitarian procedures and technologies available for running the Party's web presence, for collaboration, and for conducting its own meetings.

Section 2: Written Policies

The PNC shall maintain written procedural and operational policies external to this Constitution, hereinafter referred to as the **Bylaws**, which it can adopt by a simple majority vote, and which will cover operational and procedural details, subject to the powers delegated to it by the Constitution but not appropriate for inclusion in the Constitution itself.

Section 3: Platforms

- A. The PNC may adopt such optional platforms and policies as it sees fit by a majority vote. It may further enhance these mandatory platforms with optional positions by a simple majority vote.
- B. None of the PNC's optional platforms or positions shall be imposed on member states or individual members. Party members are free to disagree with optional platforms and policies.

Section 4: No Confidence Measure

- A. At any time during a PNC meeting, any Member State's Representative or acting Representative may call for a vote of No Confidence on the grounds that the PNC's processes are fundamentally unfair or fatally flawed, and that new Officers are needed. Once seconded, there shall not be a delay of more than 30 minutes in voting on such a motion, and it requires a $\frac{2}{3}$ majority to pass.
- B. If a No Confidence measure passes, then the following sequence of events shall occur:
 - i. The terms of all PNC Officers shall end immediately.
 - ii. The Representative who motioned for the No Confidence measure shall act as Temporary Captain, and the Representative who seconded it shall act as Temporary First Officer and Quartermaster.
 - iii. The Temporary Officers shall immediately facilitate the selection of new permanent Officers.
 - iv. No other motion shall come before the PNC until new Officers are selected.

ARTICLE III: Membership

Section 1: Composition

The PNC shall be composed of:

- A. The Officers set forth in Art. IV, hereinafter referred to as **Officers**.
- B. At least two delegates from each State Pirate Party which meets the qualifications set forth in Art. III §2, hereinafter referred to as **Representatives**. A State which sends Representatives to the PNC shall be considered a **Member State** with **Representation**

in the PNC for the purposes of this document.

- C. At least one delegate from each State Pirate Party which does not yet meet the qualifications set forth in Art. III §2, hereinafter referred to as **Observers**. A State which sends Observers to the PNC shall be considered an **Observer State** for the purposes of this document.
- D. At least one delegate from each Subcommittee formed by the PNC as set forth in Art. V, hereinafter referred to as **Subcommittee Liaisons**.

Section 2: State Eligibility

In order to be eligible to send Representatives to the PNC, a state must:

- A. Be home to a Pirate Party which is actively attempting to grow.
- B. Adhere to the Core Values.
- C. Appoint one Primary Representative and at least one Alternate Representative, both of whom must be active members of the state's Pirate Party.
- D. Regularly send a Representative to attend PNC meetings.
- E. Maintain an active web presence with an easy method of contact by prospective members.
- F. Apply for Representation, as set forth in Art. III §3.
- G. Meet **all** of the criteria set forth in the preceding subsections, with no exceptions.

Section 3: Representation

The process by which states may apply for Representation in the PNC is as follows:

- A. The **Applicant State** shall ask a current Representative in the PNC to be a **Sponsor** for their application.
- B. At a PNC meeting, the Sponsor shall move to grant Representation to the Applicant State, which shall pass by majority vote. At least one prospective Representative from the Applicant State shall attend this meeting.
- C. If the motion passes, the prospective Representatives from the Applicant State shall be declared Representatives to the PNC. The Applicant State shall be declared a Member State of the PNC.
- D. If the motion does not pass, the prospective Representative(s) from the Applicant State shall be declared to be Observer(s), and the Applicant State an Observer State. The Applicant State shall be informed by the PNC what actions it must take to be eligible for Representation.
- E. At the PNC's discretion, an Observer State may be granted a Probationary Membership, as set forth in Art. III §4, by a majority vote.
- F. Alternatively to Art. III §3B, the Sponsor may move to declare the prospective Representative(s) of the Applicant State to be declared Observer(s), in the event that the Sponsor does not believe that the Applicant State is eligible for Member State status.

Section 4: Probation

A State may be declared, by majority vote of the PNC, a **Probationary State** if any of the following conditions are met:

- A. No Representative from the Pirate Party of the State attends two consecutive PNC meetings, or:
- B. If the Pirate Party of the State no longer meets the requirements set forth in Art. III §2.

The following subsections describe the Probationary process:

- C. The status of Probationary State shall persist for a minimum of one month.
- D. After this month, the PNC shall review whether or not the Pirate Party of the Probationary Member State meets the requirements set forth in Art. III §2.
- E. If the PNC finds that the Pirate Party of the Probationary State meets the requirements set forth in Art. III §2, the Probationary State shall be declared a Member State. Otherwise, the Probationary State shall be declared an Observer State.
- F. In the event that the Pirate Party of the Probationary State has been dissolved, has become inactive, or is otherwise uncontactable, the PNC may use its discretion to eject the Probationary State from the PNC instead of declaring it to be an Observer as per Art. III §4E.

Special cases:

- G. At any time throughout the probationary period, the Representatives of the Probationary State may voluntarily declare their state to be an Observer, ending the Probationary process.
- H. If the Pirate Party of a State does not adhere to the Core Values, the PNC shall not put the State on Probation but shall eject it by a ¾ majority vote.

Section 5: Voting Rights

- A. Officers and Subcommittee Liaisons shall not participate in PNC votes, unless the Officer or Subcommittee Liaison in question is also acting as a State Representative.
- B. All other PNC participants shall vote according to the Bylaws.

Section 6: Registration of Representatives

All primary or alternate Representatives of each Member or Observer state must be registered with the Captain or Quartermaster.

ARTICLE IV: Officers

Section 1: Positions

The PNC shall be facilitated by the following Officers:

- A. The **Captain** or Chairperson, who shall manage all administration and operations of the

PNC, act as the chairperson and spokesperson of the Party, and facilitate PNC meetings.

- B. The **First Officer** or Vice-Chair, who shall assist the Captain in managing the administration and operations of the PNC, and conduct business on behalf of the Captain or the Quartermaster in the event that the Captain is absent or incapacitated.
- C. The **Quartermaster** or Secretary, who shall keep records of the minutes and logs for meetings, tally votes, and maintain a database of the members who compose the PNC as set forth in Art. III §1.

Section 2: Eligibility

- A. To be eligible to hold one of the positions set forth in Art. IV §1, a candidate must be an active member of a Pirate Party based in a Member State of the PNC.
- B. To be eligible to hold the position of Captain set forth in Art. IV §1A, a candidate must not be a Representative of a Member State, or must abdicate the role of Representative upon election as Captain.

Section 3: Nomination

To nominate a Candidate for one of the positions set forth in Art. IV §1:

- A. The prospective Candidate may nominate himself or herself, and a Representative or Officer must second this nomination; or:
- B. A Representative or Officer may nominate the prospective Candidate, and the prospective Candidate must accept this nomination.

After nomination:

- C. A Candidate may withdraw their candidacy at any time before the election.

Section 4: Election

Election of Officers shall occur:

- A. For all Officer positions, once every year at the Annual Meeting set forth in Art. VI §2.
- B. For an Officer position which is vacated out of schedule, as soon after the vacation as possible.

The election procedure for an Officer position shall be as follows:

- C. Officers shall be elected by Schulze Method via silent ballot.
- D. Representatives to the PNC shall be eligible to vote in the election.
- E. Prior to the election, the PNC shall elect an Election Committee of at least three persons to supervise the silent ballot, and to independently calculate the results.

ARTICLE V: Subcommittees

Section 1: Purpose, Membership, and Operations

- A. A **Subcommittee** shall be a working group formed by act of the PNC to achieve a specified purpose.
- B. A Subcommittee shall be composed of active members of any Pirate Party located in a Member State or Observer State.
- C. Upon a Subcommittee's creation by the PNC, the PNC shall delegate one or more of its members to act as Subcommittee Liaison to the PNC.
- D. The PNC may specify the operating procedures of a Subcommittee and any criteria for its membership not otherwise specified in this Constitution. Any operating procedures or membership criteria not specified by the PNC shall be determined by the members of the Subcommittee.

Section 2: Creation and Dissolution

- A. The PNC can create Subcommittees as it sees fit by a simple majority vote.
- B. The PNC can disband Subcommittees by a $\frac{2}{3}$ majority vote.

ARTICLE VI: Meetings

Section 1: PNC Meeting

- A. The PNC shall meet as frequently as its members shall decide, but not less than once per year.
- B. The PNC shall use the most effective and most inclusive collaboration tools available to meet and vote on decisions.
- C. The Captain shall act as facilitator, with the First Officer serving as backup and the Quartermaster as second backup.
- D. A quorum shall be 50% of all states, Probationary states, and Observer states, where Member states are counted as one and Probationary and Observer states are counted as one-half.
- E. The PNC meeting will end with a passed motion to adjourn.
- F. The PNC shall maintain written rules and policies to govern the conduct of the PNC meetings and other formal meetings of the Party.

Section 2: Building State Parties

- A. The Party shall hold such meetings and/or social gatherings as may be needed to build the membership of the party at a state and local level.
- B. The Party shall use all means at its disposal to provide support to such groups as shall arise at a state level, as well as locally, nationally and internationally to support this goal of facilitating the creation of State Parties in all 50 States and every US Territory.

ARTICLE VII: Amendment and Ratification

- A. In general, this Constitution can be amended by a $\frac{2}{3}$ supermajority vote of the PNC. Initial ratification requires the same majority vote of the temporary PNC. The exception is that a $\frac{3}{4}$ vote of the PNC is required to ratify each individual Core Value, to amend or remove existing Core Values, or to add new Core Values.
- B. Following ratification by the PNC, this initial Constitution or any amendment to it must be ratified by $\frac{2}{3}$ of State Parties using their own internal ratification procedures. The votes of Pirate Parties located in Observer States and Probationary States are not counted for Constitutional ratification or amendment.