

CONSTITUTION OF THE PRINCIPALITY OF NEW UTOPIA

PREAMBLE TO CONSTITUTION

We the Citizens of New Utopia, in the exercise of our own sovereignty and desirous of the greatest possible degree of liberty and independence, in order to form a more perfect government, establish justice, insure domestic tranquillity and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the Principality of New Utopia.

ARTICLE 1. SOVEREIGNTY OF NEW UTOPIA

Section 1.1. Name. The official name of this state shall be The Principality of New Utopia.

Section 1.2. Founding Principles. New Utopia is founded on the principles of respect, liberty, equality, justice, the defense of human rights, the promotion and maintenance of individual dignity, individual responsibility, the Rule of Law, and specifically that no individual has the right to initiate the use of physical force against another. To this end, there should be a separation of church and state, a separation of economics and state, a separation of education and state, and to the greatest extent reasonably possible, a free economy not a command economy.

Section 1.2.1. This principle shall not be construed to prohibit either the use of force to enforce orders of court or the enforcement of any law.

Section 1.2.2. This principle shall not be construed to prohibit either the use of force for self-defense or the pre-emptive use of force in the face of a threat.

Section 1.3. Political System. The Principality of New Utopia shall be a Constitutional Monarchy.

Section 1.4. Official Language. English is the official language of the Principality of New Utopia.

Section 1.5. Application of Law. This Constitution shall be binding upon the state as well as upon citizens and visitors.

Section 1.5.1. Every law, regulation, or resolution having the force of law, shall contain a concise and definite statement of the constitutional authority relied upon for the enactment of each portion of that Act.

Section 1.5.2. Every law, regulation or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

Section 1.6. The Hierarchy of Law. This Constitution is the supreme law of the Principality. All other laws shall be in the following hierarchy:

Section 1.6.1. Treaties with other nations. If a treaty conflicts with this Constitution, this Constitution shall govern.

Section 1.6.2. Statutes of the Principality. If a statute conflicts with a treaty, the treaty shall govern. If a statute conflicts with another statute, the latest in time shall govern.

Section 1.6.3. Regulations Having Force of Law. If a regulation conflicts with a statute, the statute shall govern. If a regulation conflicts with another regulation, the latest in time shall govern.

Section 1.7. Interpretation of Constitution. Only the courts can determine if a law, regulation or resolution with the force of law, or a treaty conforms to provisions of this Constitution.

Section 1.7.1. If a law, regulation or resolution with the force of law, or a treaty conforms to provisions of this Constitution, it is valid and enforceable.

Section 1.7.2. If a law, regulation or resolution with the force of law, or a treaty does not conform to provisions of this Constitution, it is not valid and unenforceable.

ARTICLE 2: RIGHTS AND FREEDOMS OF INDIVIDUALS

Preamble. The Principality of New Utopia recognizes the principles of equality, accountability of all people for their actions, including public and governmental

institutions, and the right of all citizens to life, liberty, and the pursuit of happiness and prosperity. The Principality of New Utopia recognizes human dignity to be inalienable and therefore seeks to maintain and guarantee the inviolable rights of the individual, which constitute the foundation of political order, peace, and justice.

Section 2.1. Enumerated Rights. The enumeration of rights herein shall be construed as illustrative, not exhaustive. Any right not explicitly or by implication ceded to the state is retained by the individual.

Section 2.2. Right to be Equal Before the Law. No court or government agent shall be permitted to discriminate against any citizen on the basis of birth, sex, origin, religious belief or lack thereof, or ethnic background.

Section 2.2.1. A person shall have no standing to sue unless legally in the country.

Section 2.2.2. A person in the process of committing a crime shall have no standing to sue for injuries sustained during the perpetration of the crime.

Section 2.3. Right to Freedom. No public authority shall create conditions that substantially abridge the equality or liberty of citizens, except where such individuals are held awaiting trial or have been convicted of a crime and whose civil rights have not been restored.

Section 2.4. Right to Freedom of Speech. No law shall substantially abridge expression, communication, or exchange of information. Censorship or any other means of ideological control by force of law is prohibited.

Section 2.5. Right to Freedom of Assembly. The right of citizens to assemble for any lawful purpose shall not be abridged, except to the extent necessary in order to prevent excessive infringement upon the free movement of goods or people, personal injury, or property damage.

Section 2.6. Right to Freedom of Association. The right to associate for lawful purposes, and to create and maintain managerial, professional, or trade associations shall not be abridged.

Section 2.7. Right to Petition. Any citizen, or resident alien with a direct interest in a matter, shall have the right to petition public authorities.

Section 2.8. Right to Freedom of Religion. All people within the jurisdiction of New Utopia have the freedom to manifest one's religion or beliefs, subject only to such

limitations as are reasonably necessary to maintain public safety, order, and health, and for the protection of the fundamental rights and freedoms of others. The government shall not establish an official religion, nor require any person to disclose his or her religion or religious beliefs or the lack thereof. There shall be a complete separation of state and church.

Section 2.9. Right to Human Dignity. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Section 2.10. Right to Due Process of Law. No person shall be deprived of life, liberty, or property except on such grounds and in accordance with such procedures as are established by this Constitution and the laws duly passed in accordance with it.

Section 2.10.1. Executive detention shall take no longer than such time as is reasonably necessary in order to carry out those inquiries necessary to determine whether probable cause exists. In all cases, the detained person shall be brought before a judge within 72 hours of being brought into custody.

Section 2.10.2. The law shall establish a procedure in order that the detained person will be informed of the charges against him or her, and that the Court may determine the lawfulness of the detention. The law shall establish a procedure to restore any fundamental rights compromised by the detention of a person.

Section 2.10.3. No one shall be held criminally or administratively liable for any act or omission that was lawful at the time the act or omission occurred.

Section 2.10.4. No bill of attainder shall be passed.

Section 2.10.5. No civil forfeiture law shall be passed.

Section 2.10.6. No person shall twice be put in jeopardy of life, limb, or deprivation of property for the same offense.

Section 2.10.7. No one shall be forced to testify against himself in a criminal or administrative proceeding. No one shall be held criminally or civilly liable on the basis of witness testimony without opportunity to cross-examine the witness.

Section 2.10.8. All persons have the right to trial and to have a ruling founded in the law and to a trial with due process before an impartial tribunal. Any person accused of a crime shall have the right to a jury trial. In criminal cases, the accused shall have the right to counsel and a prompt, public trial.

Section 2.10.9. The privilege of the writ of habeas corpus shall not be suspended; unless when in cases of rebellion or invasion, the public safety may require it, in which event, it shall be suspended only during the time of the rebellion or invasion and in no event longer than six months.

Section 2.11. Right to Privacy and Security. Each person has the right to the expectation of privacy of communication within a dwelling or other premises, except upon court order. The right of all people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated.

Section 2.11.1. No government agent may enter a dwelling or any other premises against the will of the owner unless pursuant to a lawful warrant, issued upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Section 2.11.2. The right to financial and banking secrecy shall be protected by law, and disclosure only permitted to the extent necessary to protect litigants from prejudice, or upon a court order determining the existence of probable cause that a crime has been committed and that the ordered degree of financial disclosure will more likely than not aid in bringing further crime to light or bringing the perpetrator of the crime to justice.

Section 2.12. Right to Protection from Extradition. No act committed on foreign soil shall be prosecuted in New Utopia, unless the act substantially abridges the rights or privileges of a citizen of New Utopia or compromises the integrity of the Government. No citizen of New Utopia shall be extradited for a crime unless the act or acts of which a person is accused constitutes a felony as defined by the law of New Utopia.

Section 2.13. Right to Property and Earnings. No tax shall be assessed based upon income, wages, earnings, profits or property holdings.

Section 2.14. Taking of Property. Except as provided in Section 2.11, no one shall be deprived of property for public use without just compensation. No one shall otherwise be deprived of property or, in the case of criminal or civil penalties, without due process of law.

Section 2.14.1. Except for punitive damages, no judgment or verdict in a civil proceeding shall exceed three times the monetary damages actually suffered by the party seeking damages.

Section 2.14.2. Punitive damages in a civil proceeding shall not exceed six times the money damages actually suffered by the party seeking damages. In all cases in which punitive damages are awarded, the trial court shall set for the specific conduct of the defendant intended to cause the harm suffered or the conduct which a reasonable citizen of the Principality of New Utopia would know would cause the harm actually suffered.

Section 2.15. Right to Work. No person shall be denied the opportunity to obtain or retain employment because of non-membership in a labor organization, nor shall the state or any subdivision thereof, or any corporation, individual or association of any kind enter into any agreement, written or oral, which excludes any person from employment or continuation of employment because of non-membership in a labor organization.

ARTICLE 3. THE SOVEREIGN

Section 3.1. The Prince or Princess. The monarch shall be known as the Prince or Princess, and is the symbol and guarantor of the security, continuity, and independence of New Utopia.

Section 3.2. Duties of the Reigning Prince or Princess. The Principality as an institution predates the formation of New Utopia. The selection of this form of government is based on the historical stability, as well as its ability to provide continuity, create an atmosphere of security, and safeguard the wealth of its citizens, residents, and visitors from taxation except as provided in Section 4.5.5. The reigning monarch shall arbitrate and moderate the functioning of other public authorities and institutions, including, but not limited to, the following:

Section 3.2.1. Shall keep himself or herself informed of

affairs of state by consulting regularly with his or her staff, as well as with members of the Board of Governors.

Section 3.2.2. Shall appoint the holders of the offices of state and government designated in this Constitution.

Section 3.2.3. The reigning monarch shall appoint and accredit diplomatic representatives to foreign states, and shall receive credentials of foreign representatives.

Section 3.3. Powers and Privileges of the Reigning Monarch. The reigning monarch may exercise prerogatives of the sovereign, including, but not limited to the following powers and Privileges:

Section 3.3.1. The reigning monarch may bestow titles and honors for exceptional deeds or services beneficial to the Principality or to the Crown.

Section 3.3.2. The reigning monarch may appoint and remove members of the Board of Governors and inferior officers in accordance with Article 4 of this Constitution.

Section 3.3.3. The reigning monarch may express approval or disapproval of proposed treaties, and may bargain the terms contained therein, pending ratification by a two-thirds vote of the Board of Governors.

Section 3.3.4. Shall have the power to coin money and determine the value thereof.

Section 3.3.5. Shall have the power to take necessary steps to provide for the common defense.

Section 3.3.6. Shall be immune from suit, except to the extent that a suit is brought for the purpose of enforcing terms of this Constitution.

Section 3.3.7. To grant pardons.

Section 3.4. Succession of Throne. The throne shall be inherited as follows:

Section 3.4.1. By Prince Lazarus' co-sovereign, Princess Maureen Howard Long, if she survives him; thereafter by

their son, Crown Prince John Howard Long; and thereafter by the descendants of Prince Lazarus or Princess Maureen.

Section 3.4.2. On the demise or resignation of a reigning monarch the throne shall pass to a son or daughter, with a preference for the eldest over younger sons or daughters.

Section 3.4.3. Where one of the monarch's children has died the issue of the deceased shall take his place in accordance with the lineal descent and the rules provided in Section 3.4.1 and 3.4.2.

Section 3.4.4. On the demise of a monarch who has left no issue entitled to succeed to the throne, the throne shall pass to his brother or sister. Where the monarch has one or more brothers or sisters, or where any of his brothers or sisters have died, the rules of Sections 3.4.2 and 3.4.3 shall apply correspondingly.

Section 3.4.5. Where there is no person entitled to succeed to the throne under the rules of Sections 3.4.2, 3.4.3, or 3.4.4, the throne shall pass to the then nearest collateral line of the descendants of Prince Lazarus with preference for the elder and issue of the elder over the younger as laid down in the immediately preceding sections.

Section 3.4.6. If the monarch's designated successor is younger than eighteen years of age at the time of the monarch's death or resignation, the person next in line to the throne who is at least eighteen years of age shall rule in the stead of the designated successor until such time as the designated successor attains the age of eighteen years.

ARTICLE 4. THE BOARD OF GOVERNORS

Preamble. The Board of Governors shall be responsible for carrying out the functions of government. Individual members of the Board of Governors shall be responsible for their respective departments, and, in that function, report directly to the reigning monarch or to such person as the reigning monarch may designate.

Section 4.1. Composition. The Board of Governors shall consist of the following members, who may be referred to as Governors: Minister of Foreign Affairs, Minister

of Finance, Minister of Corporations, Minister of Transportation, Attorney General, Minister of the Interior, Minister of Public Safety, Minister of Tourism and Minister of Information.

Section 4.2. Appointment of Governors. The reigning monarch may, at his or her discretion, elevate other offices to the Board of Governors, or remove an office from service on the Board. In no event, however, shall the Board of Governors consist of less than six or more than twelve persons. In no event shall the Minister of Foreign Affairs, Minister of Finance, Minister of Corporations, Attorney General, or Minister of the Interior cease to be eligible to serve on the Board of Governors.

Section 4.3. Removal of Governors. The reigning monarch may, at any time, remove any individual from his or her post. Titles bestowed for service or deed, however, shall remain with the holder unless revoked due to commission of treason or a felony.

Section 4.4. Legislation. The Board of Governors shall legislate and adopt laws, regulations or resolutions with the force of law, consistent with this Constitution. Any legislation so approved shall be submitted to the reigning monarch for approval. Should the reigning monarch submit notice of disapproval of the legislation within ten days of its passage, the Board of Governors shall again vote on the legislation after a period of ten or more days has elapsed after such notification. Should the Board of Governors approve the legislation a second time, the legislation shall become law notwithstanding the reigning monarch's opposition.

Section 4.4.1. The Board of Governors shall provide for the promulgation of all laws adopted. It is the affirmative duty of each member of the Board of Governors to seek laws that are objectively derived, formulated, enacted, applied and enforced.

Section 4.4.1.1. An affirmative vote of two-thirds of the Board of Governors shall be required to adopt any law, regulation or resolution with the force of law.

Section 4.4.1.2. No law shall take effect until such date as provided in the legislation, and in no case except a bona fide emergency shall any law take effect until a period of ten days elapses after promulgation. Promulgation shall take place by such method appointed by law.

Section 4.5. Powers of the Board of Governors. The Board of Governors shall have the power to:

Section 4.5.1. Provide for the protection and management of land, water, flora, and fauna to the extent that such legislation remains consistent with this Constitution.

Section 4.5.2. Establish building codes and zoning regulations to the extent necessary to protect citizens and visitors from physical danger or property damage, to promote property value, commerce, and tourism, and to the extent necessary to implement Section 4.5.1.

Section 4.5.3. Create and maintain essential public services. The Board of Governors may authorize and implement the sale or delegation and conditions upon the sale or delegation of any public service.

Section 4.5.4. To license or maintain or sell under such conditions as it deems appropriate media of any and every kind, including, but not limited to radio, television, and telephone communication.

Section 4.5.5. To establish import taxes, stamp duties, and user fees otherwise consistent with Section 2.14 of this Constitution, and provide for collection and disbursement of such import taxes, duties, and fees.

Section 4.5.5.1. There shall be no exemptions for any person, religion, charity, or other entity however designated.

Section 4.5.5.2. All such taxes, duties, and fees levied upon tangible goods shall apply equally to all tangible goods.

Section 4.5.5.3. The disbursement of such import taxes, duties and fees shall not act as an instrument of social policy. Specifically, no law shall take from some persons assets that belong to them and transfer those assets to other persons to whom they do not belong. All disbursements shall be for the goods and

services sold to the government.

Section 4.5.6. Borrow funds on the credit of the Principality of New Utopia, and to provide for the repayment of borrowed funds from the treasury.

Section 4.5.7. Define and set punishments for crimes to the extent that such power is consistent with other provisions of this Constitution.

Section 4.5.7.1. No act shall be designated a felony unless it is inherently and essentially evil, that is, immoral in its nature and injurious in its consequences or not stating the truth when under penalty of perjury.

Section 4.5.7.2. No act between consenting adults in private shall be a crime.

Section 4.5.8. The Board of Governors may provide for the establishment of inferior offices.

Section 4.5.9. Upon request of the Reigning Monarch, the Board of Governors may, to the extent consistent with other provisions of this Constitution, take necessary steps to promote and protect the health, safety, and welfare of citizens.

Section 4.5.10. Establish and provide funds for the monarch, the upkeep and operation of the palace, and other government owned properties.

Section 4.6. Budgets. The Board of Governors should establish their budgets, each of which shall be approved by at least two-thirds of the Board of Governors.

Section 4.7. Duties of Governors. Each Governor shall organize and administrate those departments or agencies to which the individual Governor is assigned by the reigning monarch.

ARTICLE 5. THE JUDICIARY

Section 5.1. Adjudicative Power. Adjudicative power shall be vested in an independent judiciary.

Section 5.2. Powers of Judiciary. The Judiciary shall be vested with both Law and Equity powers, and shall decide all cases in controversy and criminal prosecutions.

Section 5.3. Court System. The Judiciary shall consist of a High Court and such inferior courts as the Board of Governors shall establish.

Section 5.4. Compensation of Judges. All judges shall be paid compensation from the public treasury.

Section 5.5. Appointment of Judges. All judges, regardless of rank, shall be appointed by the reigning monarch with the approval of a majority of the Board of Governors and shall serve, during good behavior, for six-year renewable terms. In cases of initial appointments of judges of any court, judges may be appointed for terms of less than six years, at the discretion of the reigning monarch, for the purpose of promoting continuity by staggering the terms of judges sitting on the same or parallel courts.

Section 5.6. Composition of the High Court. Not less than three and no more than seven Justices shall sit on the High Court. In no instance shall a case before the High Court be heard by less than three Justices, except with the consent of all parties.

Section 5.7. Jurisdiction and Duties of the High Court. The High Court shall have original jurisdiction over all cases involving disputes with Governors, Ministers, the reigning monarch, or departments of government regarding their respective responsibilities and powers under this Constitution.

Section 5.7.1. The High Court shall have either original or elective appellate jurisdiction, as established by law, over any case arising under this Constitution.

Section 5.7.2. The High Court may elect to take appellate jurisdiction over any case in controversy or criminal prosecution.

Section 5.7.3. It shall be within the discretion of the High Court to hear any case filed in any court where there has been an alleged infringement or imminent infringement of any right guaranteed under Article 2 of this Constitution, regardless of whether such a case would be designated a

“case in controversy.”

Section 5.7.4. The High Court shall be responsible for administrative, procedural, and ethical oversight of all lower courts.

Section 5.7.5. Decisions of the High Court shall be final and binding on all parties, except in such instances where the High Court may elect to rehear a case, or, in criminal and administrative cases, where the reigning monarch may elect to grant a Royal Pardon.

ARTICLE 6. CITIZENSHIP

Section 6.1. Naturally Born. Any natural person born to at least one parent who at time of the child’s birth is a citizen of New Utopia shall be, upon proper registration, considered a Citizen of New Utopia for any and every purpose, unless and until such citizenship status is lost in accordance with another provision of this Constitution.

Section 6.2. Naturalized. Any person, upon proper request or application, so decreed by the reigning Prince or by such person or department so delegated by the Prince, shall be considered a Citizen of New Utopia for any and every purpose, unless and until such citizenship status is lost in accordance with another provision of this Constitution.

Section 6.3. Dual Citizenship. The Principality of New Utopia recognizes dual citizenship. The acquisition or retention of citizenship of a country other than New Utopia shall be permitted within the reasonable discretion of the Prince.

Section 6.4. Loss of Citizenship Status. The status of Citizen of New Utopia, once acquired, may only be lost as a result of an act of treason against the Principality of New Utopia, voluntary and conscious renunciation of citizenship, or conviction of a felony as defined by the laws of New Utopia.

Section 6.5. Loss of Civil Rights. A person convicted of treason or a felony as defined by the laws of New Utopia shall forfeit their civil rights and may have the civil rights restored upon completion of the judgment imposed by the court.

ARTICLE 7. AMENDMENTS

Section 7.1. Amendments. The right to initiate amendments to this Constitution lies with members of the Board of Governors.

Section 7.2. Required Vote of Board of Governors. Amendments to Articles 1, 3, 4 and 5 of this Constitution shall require the approval of three-fourths of members of the Board of Governors, and must be signed by the reigning monarch.

Section 7.3. Required Vote of Citizens. Amendments which modify or impair any right retained by the citizens under Article 2 must, in addition to satisfying the requirements set forth in Section 7.2, be approved by at least two-thirds of those resident citizens who have attained at least the age of 18 and choose to participate in a convention or vote on the issue. Procedures for the convention or vote may be set by the Board of Governors, but shall not infringe upon the principle of one person one vote, and shall protect the right of all interested resident-citizens to participate. In accordance with the foregoing values, principles, and provisions, we the undersigned do hereby ordain and approve this Constitution.

Effective the 20th day of July 1999.

H.R.M. Prince Lazarus

H.R.M. Princess Maureen

John Howard Long

Ronald Kimball

T.M (Bud) Skillern

Michael McDonnough

Matt Kristof

Richard W. Morris

Jeffrey Schott

Jay Hopcus
