

PROPOSED CONSTITUTION



CONFEDERATE STATES OF AMERICA

*"I'll tip my hat to the new constitution,
Take a bow for the new revolution,
Smile and grin at the change all around,
Pick up my guitar and play, just like yesterday,
And then I'll get on my knees and pray
We don't get fooled again."
– The Who*

The following is a draft of a new constitution for a new, free and prosperous Confederate States of America. It keeps the best – and omits the worst – aspects of both the United States Constitution and the original CSA Constitution, and features many additions and revisions, inspired by the accumulation of government power which has shackled the American people in chains since the USA changed from a republic to an empire in 1865.

The following text conventions are followed throughout this document:

- **Text in blue** indicates provisions from the original CSA Constitution.
- **Text in green** indicates USA Constitutional amendments.
- **Text in purple** indicates contributions from others.
- **Text in red** indicates my own writing.
- **Text in orange** denotes Internet hyperlinks. Click and go!

I have extensively annotated this draft constitution, crediting the work of others where appropriate. Just click on the yellow “comic strip balloons” to read the comments. This PDF feature replaces hard-to-read endnotes and footnotes.

In writing this document, I am deeply indebted to the writers of both the USA and the original CSA Constitution (for laying the groundwork); to James Langcuster (whose essay “[In Defense of the Montgomery Constitution](#)” was the inspiration for this undertaking); to the writers of Texas Constitution 2000; to [Liz Michael](#), author of [her own CSA Constitution](#); to Ron Holland, whose “[Dixie-Style Dream](#)” pointed me to the Swiss Constitution; to Charles Adams, who brilliantly documents the case for the original secession in his book *When in the Course of Human Events*; to Thomas Paine, Ayn Rand, Robert A. Heinlein, [Lew Rockwell](#), [Ron Paul](#) and many others for their writings on limited government, citizenship and personal responsibility; and to many Southern patriots (too numerous to name here) for their comments and suggestions. **Yours are also welcomed and solicited**; after all, this was typed in Microsoft Word 95 and Open Office Writer, not chiseled in stone!

David Haines
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Preamble

We, the citizens of the Confederate States, in convention assembled and with each state acting in its sovereign and independent character, in order to form a limited federal government, restore the rule of law, protect our unalienable rights, insure domestic tranquility, secure our borders, promote economic prosperity, secure the blessings of liberty to ourselves and our posterity -- and invoking the favor and guidance of Almighty God -- do ordain and establish this Constitution for the Confederate States of America.

Article I

Section 1. All federal legislative powers herein granted shall be vested in a Congress of the Confederate States, which shall consist of a Senate and a House of Delegates.

Section 2. The House of Delegates shall consist of members chosen every second year by the citizens of the several states.

To be eligible to serve as a Delegate, a person must be at least thirty-five years of age, for seven years a citizen of the Confederate States, and for two years an inhabitant of that state in which he shall be chosen. No person shall be chosen as a Delegate more than six times.

Delegates shall be apportioned among the several states according to their respective numbers, which shall be determined by counting the whole number of citizens. The actual census shall be made within two years after the first meeting of the Congress, and within every subsequent term of ten years, such census to be used for no other purpose. The number of Delegates shall not exceed one for every three hundred thousand, but each state shall have at least one Delegate; and until such census shall be made, each state shall choose the same number of Delegates as it last enjoyed in the United States House of Representatives. Any portion of a state joining this Confederacy shall choose a pro rata share of Delegates based on the last United States census.

In states choosing two or more Delegates, the number of citizens in each district shall not deviate more than three percent from the mean.

When vacancies occur in the Delegation from any state, the governor thereof shall issue writs of election to fill such vacancies.

The House of Delegates shall choose their Speaker and other officers, and shall have the sole power of impeachment; except:

- a majority of the state legislatures may impeach if the House of Delegates declines to do so, or may submit additional articles of impeachment;
- three-fourths of the state legislatures may remove a person from office directly; and
- any judicial or other federal officer, acting solely within the limits of any state, may be impeached by a vote of two-thirds of each branch of the legislature thereof.

Section 3. The Senate shall consist of three Senators from each state, chosen by the legislatures thereof, for six years; and each Senator shall have one vote.

Immediately after assembling in consequence of the first election, they shall be divided equally into three classes, with each state having one Senator in each class. The seats of the Senators of the first class shall be vacated after two years, of the second class after four years, and of the third class after six years, so that one-third are chosen every second year. Each Senator shall be chosen at the last regular session preceding the commencement of that term.

If a Senator's office is vacated for any reason during the recess of his state's legislature, the governor thereof shall make a temporary appointment until the next meeting of the legislature, which shall then fill such vacancy.

To be eligible to serve as a Senator, a person must meet all of the requirements for serving as President of the Confederate States as listed in Article II, Section 2, and must be for five years an inhabitant of that state for which he shall be chosen. No person shall be chosen as a Senator more than twice.

The Senate shall choose their officers, including their Speaker and Speaker *pro tempore*, neither of whom shall be a resident of the same state as the President of the Confederate States. No person shall hold the office of Speaker or Speaker *pro tempore* for more than two consecutive years.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be under oath or affirmation. When the President of the Confederate States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold any federal office; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

Section 4. The times, places and manner of holding elections for Senators and Delegates shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

No person shall serve as a Senator or Delegate who has been an attorney or member of the bar during the preceding five years, is related by blood or marriage to any federal employee or officer, or has been convicted of a felony crime.

No person's combined tenure in the House of Delegates and Senate shall exceed twelve years.

The Congress shall assemble at least once, but no more than four times, in every calendar year, and the first meeting shall be on the third day of January, unless they shall by law appoint a different day. The total of all sessions shall not exceed 90 days.

Section 5. Each chamber shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each chamber may provide.

Each chamber may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each chamber shall keep a journal of its proceedings, and at least weekly publish the same, excepting such parts as may in the judgment of two-thirds of its members require secrecy; and the yeas and nays of the members of either chamber on any question shall, at the desire of one-tenth of those present, be entered on the journal.

Neither chamber, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that where the two chambers shall be sitting.

Section 6. The Senators and Delegates shall receive a compensation for their services, to be ascertained by law, and paid out of the federal Treasury; but no law varying such compensation shall take effect, until an election of Delegates shall have intervened. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance

at the session of their respective chambers, and in going to and returning from the same; and for any speech or debate in either chamber, they shall not be questioned in any other place.

No Senator or Delegate shall, during the time for which he was elected, be appointed to any federal civil office which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any federal office shall be a member of either chamber during his continuance in office.

A member of either chamber shall, upon conviction of a felony, be removed from office and disqualified from holding any other federal office.

Section 7. All bills for raising revenue shall originate in the House of Delegates, but the Senate may propose or concur with amendments as on other bills.

All bills appropriating money shall specify the exact amount of each appropriation, and the purposes for which it is made; and Congress shall grant no extra compensation to any public contractor, officer, agent or servant, after such contract shall have been made or such service rendered.

Every bill or resolution shall relate to one subject, which shall be expressed in its title, and shall cite the specific provision(s) of this Constitution to which it applies.

No person or institution shall be exempted from the provisions of any law.

No government under this Constitution shall pay any wage, salary or other emolument to any person other than a citizen of this Confederacy.

Every bill which passes the House of Delegates and the Senate shall, before it becomes a law, be presented to the President of the Confederate States. If he approve he shall sign it, but if not he shall return it **in whole or in part**, with his objections, to that chamber in which it originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that chamber agree to pass the bill **or part thereof**, it shall be sent, together with the objections, to the other chamber, where it shall likewise be reconsidered, and if approved by two-thirds of that chamber, it shall become a law. But in all such cases the votes of both chambers shall be determined by yeas and nays, and the names of the persons voting for and against the bill **or part thereof** shall be entered on the journal of each chamber respectively. If any bill is not returned by the President within ten days after being presented to him, the same shall be a law, in like manner as if he had signed it, unless Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Delegates may be necessary (except on a question of adjournment) shall be presented to the President of the Confederate States; and before the same shall take effect, shall be approved by him, or if disapproved by him, shall be re-passed by two-thirds of the Senate and House of Delegates, according to the rules and limitations prescribed in the case of a bill.

A state may render any federal law, other than those involving the generation of revenue, null and void within its borders:

- by a vote of two-thirds of the legislature, assembled in joint session for that purpose; or
- by a vote of two-thirds of a convention assembled for that purpose.

In either case, such nullification shall also be ratified by a majority of voting citizens.

Section 8. The Congress shall have power:

- to lay and collect taxes, duties, imposts and excises, **to perform the duties of the federal government enumerated hereunder**; but all duties, imposts and excises shall be uniform throughout the Confederate States;

- to borrow money on the credit of the federal government, **provided two-thirds of both chambers concur; but all principal and interest must be fully repaid within three years;**
- to regulate commerce with foreign nations, and **to insure the unhindered flow of commerce** among the several states;
- to establish uniform laws of **citizenship, immigration and** naturalization;
- to establish uniform laws on the subject of bankruptcies throughout the Confederate States, **but no law shall discharge any debt contracted before the passage of the same;**
- to coin money, regulate the value thereof, and fix the standard of weights and measures;
- to provide for the punishment of counterfeiting the federal securities and currency;
- to establish post offices and post-roads, **but no post office shall enjoy the exclusive right to any type of mail or parcel delivery, and all expenses of each post office shall, within seven years after the ratification of this Constitution, be paid out of its own revenue;**
- to grant patents **for non-renewable terms not to exceed twenty years;**
- to grant copyrights **for non-renewable terms not to exceed thirty years or the author's lifetime, whichever is less;**
- to establish federal tribunals inferior to the Supreme Court;
- to define and punish piracies and felonies committed **in international waters and airspace,** and offenses against the law of nations;
- to declare war, **provided three-fourths of the members in joint session assembled concur;**
- to grant letters of marque and reprisal, and make rules governing captures;
- to raise and support land and air defense forces, but no appropriation of money to that use shall be for a longer term than **eighteen months;**
- to provide and maintain a navy, **coast guard and border patrol;**
- to make rules **for the government and regulation of the military forces;**
- to provide for calling forth the militia to execute the laws of the Confederacy, suppress insurrections and repel invasions;
- to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in federal service, reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress; and
- to exercise exclusive legislation in all cases whatsoever, over such district (not exceeding **fifteen kilometers** square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the federal government, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings.

Section 9. The use of any military personnel or material to enforce any civilian laws, or to train or equip any civilian law enforcement agency, is hereby forbidden; and Congress is required to pass such laws as shall effectively prevent the same.

Congress shall not:

- suspend the privilege of the writ of *habeas corpus*, unless when in cases of rebellion or invasion the public safety may require it, **and then only if three-fourths of both chambers concur;**
- grant any gift, subsidy, bounty, or other assistance from the federal Treasury to any person, group or institution, except for the capture of fugitives from justice;
- operate or support any educational institutions other than the military academies;
- make or receive any payment, either in cash or in kind, to or from any foreign government, except as compensation for goods purchased or services rendered;



- mandate a minimum or maximum wage or salary for any persons other than military personnel and other federal employees; nor



- lay any new tax, or increase any existing tax, unless two-thirds of both chambers approve; and no such tax or increase shall take effect before the start of the next calendar year.

Congress shall not, under any circumstances:

- pass any *ex post facto* law or bill of attainder;
- lay any tax or duty on articles exported from any state;



- lay any *ad valorem* or other tax on real estate or other personal property;



- pass any law imposing any obligation against any state;

- alter the conditions or duration of any patent or copyright after granting the same;



- disburse any money from the federal Treasury into the treasury of any state, county or other jurisdiction;

- ration any item or service, nor regulate the price thereof;



- charter, establish or license any central bank;

- authorize the conscription of any person into military or civilian federal service;



- subscribe to, or have interest in, more than one-half percent of the stock or debt of any company, corporation or association (such interest being solely invested in the federal pension fund), nor assume, guarantee or insure the debt thereof;



- insure any private property; nor

- be a party to, or interested in, any work of internal improvement, nor be engaged in carrying out any such work.

Any tax (whether federal, state or local) laid on motor fuels shall be used exclusively for the construction and maintenance of roads, bridges, and related structures.



No tariff, tax or duty laid on articles imported from any foreign nation shall exceed that of the exporting nation.

No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.

Any tax on incomes shall be subject to the following restrictions:



- Only one rate shall be levied, which shall not exceed five percent;

- no tax shall be collected prior to the date it becomes due and payable;

- no person's total tax liability in any calendar year shall exceed two thousand dollars, except in time of war as declared by Congress;



- the initial exemptions shall be twenty thousand dollars on earned income and ten thousand dollars on investment income, and shall be adjusted annually thereafter to compensate for inflation; and



- no tax shall be levied on inheritances, the sale of assets, income earned outside the Confederate States, business income, or income derived from the debt of any government except the federal government.

No money shall be drawn from the Treasury, but in consequence of appropriations made by law and approved by two-thirds of both chambers of Congress, unless requested by the President or the head of an executive agency; and a regular statement and account of the receipts and expenditures of all public money shall be published at least monthly.

No title of nobility shall be granted by the federal government; and no person holding any office thereunder shall, without the consent of Congress, accept any present, emolument, office, or title, of any kind whatever, from any king, prince or foreign state.

Section 10. No state shall, under any circumstances:

- enter into any treaty, alliance, or confederation;
- grant letters of marque and reprisal;
- coin money or emit bills of credit;
- make anything but gold and silver coin a tender in payment of debts;
- pass any *ex post facto* law or bill of attainder;
- pass any law impairing the obligation of contracts;
- grant any title of nobility;
- suspend the privilege of the writ of *habeas corpus*;
- lay any tax on articles imported from any other state, on income derived from the debt of the federal government, or on the income or other property of nonresidents;
- subscribe to, or have interest in, more than one-half percent of the stock or debt of any company, corporation or association (such interest being solely invested in the pension fund of the state), nor assume, guarantee or insure the debt thereof;
- insure any private property;
- ration any item or service, nor regulate the price thereof;
- use the federal census for any purpose other than the apportionment of representative bodies therein; nor
- conduct its own census for any purpose whatever.





No state shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all such duties and imposts shall be for the use of the federal Treasury; and all such laws shall be subject to the revision and control of Congress.


No state shall, without the consent of Congress, lay any duty of tonnage, **except on seagoing vessels for the improvement of its rivers and harbors navigated by the same; but no such duty shall conflict with any treaty of this Confederacy with foreign nations; and any surplus revenue thus derived shall, after such improvements are made, be paid into the federal Treasury.**


No state shall, without the consent of Congress, keep troops or ships of war in time of peace, enter into any agreement or compact with another state or a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay. **But when a river or lake divides or flows through two or more states, they may enter into compacts with each other to improve the navigation thereof.**


Article II

 *Section 1.* All federal executive powers herein granted shall be vested in a President of the Confederate States. He shall hold his office for a term of six years, and be elected as follows:

 Each state shall appoint, in such manner as the legislature thereof may direct, three at-large electors plus one elector for each House of Delegates district; but no member of Congress, or person holding any other federal office, shall be appointed an elector.


 The electors shall be chosen on the first Saturday in November, and Congress may determine the day on which they shall give their votes, which shall be the same throughout the Confederate States, but in no case more than twenty-one days after they are chosen. Congress also shall by law prescribe the procedure under which their votes shall be counted.

 All at-large electors shall vote for the person receiving the most citizen votes statewide. Each other elector shall vote for the person receiving the most citizen votes in the House of Delegates district for which he was appointed. If no person achieves a majority of all votes cast, the electors shall in seven days vote without restriction for one of the two persons previously having the highest number of votes, and the person receiving the majority of this subsequent vote shall be elected.


 A state's legislature may direct an elector's vote in cases of clear electoral fraud, provided two-thirds of the members in joint session assembled concur. Such direction shall not be subject to judicial review.


Section 2. To be eligible for the office of President, a person must:

- be a natural born citizen, or a citizen of the Confederate States at the time of the adoption of this Constitution;
- be at least forty-five years of age, and for fourteen years a resident within the Confederate States;
- not have been an attorney or member of the bar during the preceding ten years; and
- not have been convicted of a felony crime.

 No person shall serve more than one term as President, and no person who serves or acts as President for more than half of a term to which some other person was elected President, shall serve an additional term.

Section 3. The President's term shall end at noon on the tenth day of January.

 If the President-elect dies before the beginning of his term, the Speaker of the Senate shall become President. If a President is not chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, then the Speaker of the Senate shall act as President until a President shall have qualified.

 *Section 4.* Upon the removal of the President from office or upon his death or resignation, the Speaker of the Senate shall become President for the remainder of that term, but shall not stand for election to the subsequent term.

Whenever the President transmits to the Speakers of both chambers of Congress his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, the Speaker of the Senate shall discharge the same as Acting President.

Whenever a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the Speakers of both chambers of

Congress their written declaration that the President is unable to discharge the powers and duties of his office, the Speaker of the Senate shall immediately assume the same as Acting President.

Thereafter, when the President transmits to the Speaker of the House of Delegates and the Speaker *pro tempore* of the Senate his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Speaker of the Senate and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the Speaker of the House of Delegates and the Speaker *pro tempore* of the Senate their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both chambers that the President is unable to discharge the powers and duties of his office, the Speaker of the Senate shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

Section 5. The President shall at stated times receive for his services a compensation, which shall not be changed during his term; and he shall not receive within that period any other emolument from the federal government, or from any state government.

Before assuming his office, the President shall take the following oath or affirmation:

"I, (full name), being fully aware of the consequences of exceeding the authority of my office, and being a citizen of the Confederate States of America holding allegiance to no other nation, do solemnly swear (or affirm) that I will adhere to the constitution of the Confederacy in its entirety, and will perform the functions of the office of President of the Confederate States to the best of my abilities."

Section 6. The President shall be Commander-in-Chief of the federal military forces, and of the militia of the several states, when called into the actual service of the Confederacy. But unless

Congress has made a declaration of war:

- no ground forces shall deploy to any foreign nation or territory;
- no naval or air forces shall deploy more than 500 kilometers beyond the shores of this Confederacy; and
- no militia shall deploy outside their home state without the consent of the governors involved as well as of the Congress.

In addition, no militia shall deploy outside this Confederacy for any reason whatever.

He may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for federal offenses, except in cases of impeachment. But the Congress may, if two-thirds of both chambers concur, nullify any reprieve or pardon.

He shall issue such orders as, in his judgment, may be necessary for the efficient and competent administration of executive departments and agencies; but no order shall alter the function of the same, nor enlarge its authority or powers, without the consent of two-thirds of both chambers of Congress.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other federal officers, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

He shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session; **but no person rejected by the Senate shall be re-appointed to the same office during their ensuing recess.**

Section 7. In addition, the President shall:


- **annually** give to the Congress, **in joint session assembled**, information of the state of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient;
- on extraordinary occasions, convene both chambers, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper;
- receive ambassadors and other public ministers;
- take care that the laws be faithfully executed, and
- commission all federal officers.


Section 8. The President and all civil federal officers shall be removed from office on impeachment for, and conviction of, high crimes and misdemeanors **including but not limited to:**

- treason **or sedition**;
- bribery **or extortion**;
- **perjury, jury tampering or other judicial malfeasance**;
- **exceeding or abusing the powers, duties or authority of his office**; or
- **personal conduct unbecoming of his office.**



Article III

 *Section 1.* All federal judicial powers herein granted shall be vested in one Supreme Court of no more than nine members including a Chief Justice, and in such inferior courts as Congress may from time to time ordain and establish. All federal judges shall hold their offices for a term of ten years, and shall at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

 Terms of Supreme Court judges, and judges of any appellate court which Congress may establish, shall expire at intervals of four years. All other judges shall be divided as equally as may be into ten classes, so that ten percent of their terms shall expire each year.



To serve as a federal judge, a person must:

- be at least forty years of age;
- be for fifteen years a citizen and resident of the Confederate States;
- for ten years be a member of the bar, and
- not have been convicted of a felony crime.


No judge shall be nominated to the Supreme Court more than twice, nor to the same lower court more than once; but no nomination to fill a vacancy of four years' duration or less shall count against either limit.

Section 2. The judicial power shall extend to all cases in law and equity, arising under this Constitution, the federal laws, and treaties made, or which shall be made, under their authority;

- to all cases affecting ambassadors, other public ministers and consuls;
- to all cases of admiralty and maritime jurisdiction;
- to controversies between two or more states, or where the federal government is a party;
- to controversies between a state and citizens of another state where the state is plaintiff;
- to controversies between citizens claiming lands under grants of different states; and
- to controversies between a state or the citizens thereof, and foreign states, citizens or subjects, but no state shall be sued by citizens or subjects of any foreign state.

 In all cases affecting ambassadors, other public ministers and consuls, cases in which a law or regulation is alleged to be in violation of this Constitution, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as Congress shall make. 

Trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as Congress may by law direct.

 *Section 3.* No federal judge shall base any part of any ruling or decision on the laws, statutes or other governing documents of any foreign nation. Any judge so doing shall be removed from office and further sanctioned as under Section 4 below.



Section 4. A decision of the Supreme Court shall be rendered null and void if two-thirds of both chambers of Congress, or two-thirds of the state legislatures, determine the same to be in violation of this Constitution.

A judge of the Supreme Court, having voted in favor of two such nullified decisions during the same term, shall be removed from office. Likewise, a judge of an inferior court shall be removed from office upon having two rulings ultimately reversed on appeal, or nullified by Congress or the several states. Any judge so removed shall also be permanently disbarred and disqualified from holding any federal or state office.

Section 5. Treason against the Confederate States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, **conclusive forensic evidence**, or on confession in open court.

The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attained.

Article IV



Section 1. All sections of this article shall be binding against all governments under this Constitution; but only the third section shall apply to persons present in this Confederacy in violation of the laws thereof.



Section 2. No law shall abridge the freedom of production and trade.



The right of persons who have reached the age of eighteen years to enter into contracts, seek or provide private employment, and engage in lawful commerce or trade, shall not be denied or abridged on account of race, creed, color, age or sex; nor shall any person or group receive preferential treatment on such basis, or any other.



No person shall be compelled to join any union, guild, or other organization as a requirement or condition of employment.



No financial institution shall, without the consent of the account holder, release information pertaining to that account to any other person.



Each person's inherent right of liberty, which is the unrestrained exercise of free will, shall never be infringed unless the exercise thereof violates the rights of any other person.



Section 3. Neither slavery nor involuntary servitude, except as punishment for a crime whereof the party shall have been duly convicted, shall exist.



Section 4. Each person's life, labor, ideas, thoughts, and possessions which he has lawfully created or acquired shall be his property. Each person shall have the inherent right of the ownership, non-coercive acquisition, use and sale of private property.



Private property shall not be taken for public use, nor its use restricted or value reduced by law, regulation or other government action, without just compensation; and shall not be taken for other than public use under any circumstances whatever.



Section 5. No law shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage, or traditions on any public property, including schools, shall not be infringed. No law shall require any person to join in prayer or other religious activity, prescribe prayers in any public school, deny equal access to a service on the basis of religion, or discriminate against any religion in any other manner.



Section 6. No law shall abridge the freedom of speech, the press or any other form of communication; or the right of the people peaceably to associate or assemble, and to petition the government for a redress of grievances.



Section 7. The right to defend one's life, liberty and property, or that of a third party, by any means necessary (including the use of deadly force) being fundamental, and the ability to alter or abolish a government being necessary for the preservation of liberty, the right of the people, collectively and individually, to keep and bear arms, whether openly or concealed, shall not be infringed. But no person convicted of a felony crime shall enjoy the same, unless granted clemency by the governor of his state.



No person, having used any manner of force in the legitimate defense of life, liberty or property, or to resist unlawful arrest, shall face any criminal or civil penalty for his action.
No citizen shall be required to register any weapon with any government agency.

Section 8. No military personnel shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.



Section 9. The right of the people to be secure in their persons, homes, vehicles, communications, papers, and effects, against unwarranted intrusions of personal privacy and unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.



No citizen shall, unless under criminal investigation, be subject to any kind of overt or covert surveillance; and all such surveillance shall be conducted under warrant as described above.

No person shall be compelled to identify himself or provide any other information to any law enforcement personnel, unless under suspicion of having committed a crime.



Section 10. No child shall be compelled to attend any public or private school, nor shall the duties and authority of any parent or legal guardian be abridged except in cases of criminal conduct; and in all such cases the protections of Sections 11, 12 and 14 hereunder shall apply.

Section 11. No person shall:

- be held to answer for any crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces, or in the militia, when in actual service in time of war or public danger;
- be retried for the same offense after acquittal, either in the same or any other court;
- be compelled in any criminal case to be a witness against himself or his spouse; nor
- be deprived of life, liberty, or property without due process of law.



Section 12. In all criminal prosecutions, the accused shall enjoy the right:

- to a speedy and public trial, by an impartial jury of the state and district wherein the crime was committed, which shall have been previously ascertained by law;
- to be informed of the nature and cause of the accusation;
- to confront the witnesses against him and rebut their testimony;
- to have the assistance of counsel for his defense, who shall be entitled to resources equal to those of the prosecution, and with whom all communications shall be confidential; and
- to be presumed innocent of any charge unless proven guilty beyond a reasonable doubt.



No seizure of property not admitted as evidence shall occur, nor shall permanent forfeiture of property occur without the conviction of the owner.



If for any reason the accused is not convicted, the government shall reimburse all of his legal expenses.

No evidence seized in violation of Section 9 of this article, nor any hearsay testimony, shall be presented in any prosecution.

Section 13. In suits at common law:

- where the value in controversy shall exceed one thousand dollars, the right of trial by jury shall be preserved;
- no fact tried by a jury shall be otherwise re-examined in any court of the Confederacy, than according to the rules of the common law;
- the prevailing party shall have all legal expenses reimbursed by the opposing party;
- no person shall be compelled to be a witness against his spouse; and
- only compensatory damages shall be awarded.

No suit shall be initiated against any person, group or institution regarding the established use of a legal product; nor shall any class-action suit be initiated.

Section 14. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

No punishment for any crime shall be increased or aggravated, based on the thoughts or emotions of the offender at the time the crime was committed.

Section 15. The suffrage of citizens of the Confederate States, who have reached the age of eighteen years, shall not be denied or abridged for any reason listed in the second paragraph of Section 2 of this article; but no person of foreign birth, other than a naturalized citizen of the Confederate States, shall vote for any officer, civil or political, state or federal.

To be eligible to vote in any federal election or referendum, a citizen must:

- not have received for one year any wage, salary or other emolument (except military) from the federal Treasury;
- not be under judgment of the bankruptcy laws of the Confederate States;
- not have been convicted of a felony crime, unless the President of the Confederate States or the governor of the state wherein the citizen resides shall waive this provision; and
- pay a voluntary capitation, proportional to the expenditure from the federal Treasury in the preceding fiscal year. Congress shall establish the amount of capitation, which shall not exceed one dollar for each billion dollars of federal expenditure, nor be less than ten dollars. Any federal income tax paid shall be credited against this capitation.

Each state may impose restrictions on the suffrage of its citizens, including additional capitation, which do not conflict with this section.

Section 16. The enumeration in this Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article V

Section 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

No government under this Constitution shall conduct its elections, or other official business, in any language other than English.

Section 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states, and shall have the right of transit and sojourn in any state with their personal property; and the right of property shall not be thereby infringed or impaired.

A person charged in any state with treason, felony, or other crime, who shall flee from justice and be captured in another state, shall on demand of the governor of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime, unless the person shall be charged in the capturing state with a more serious crime.

Unless sentenced to death for a capital crime, a non-citizen shall, upon conviction of a felony, be declared *persona non grata* and permanently expelled from this Confederacy.

Section 3. New states may be admitted into this Confederacy by a vote of two-thirds of both chambers of Congress; but no new state shall be formed within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of Congress. Also, any admission shall be ratified by three-fifths of the citizens of the territory in question. Immediately upon admission, all provisions of this Constitution, and all federal laws enacted thereunder, shall apply.

Congress may expel a state from this Confederacy by a vote of three-fourths of both chambers, the Senators and Delegates of the state in question having no vote.

A state may secede from this Confederacy by a vote of two-thirds of the legislature thereof, in joint session assembled.

Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the federal government; and nothing in this Constitution shall be so construed as to prejudice any claims of the federal government, or of any particular state government.

If the seat of the federal government is established by territorial cession under Article I, Section 8, any person residing therein shall remain a legal resident of his home state and shall exercise his suffrage only in that state.

Section 4. Any property within the borders of states admitted into this Confederacy, or ratifying this Constitution, belonging to the federal government of any other nation, shall upon the admission of said state, be immediately ceded to that state; and the states shall reserve what property they need for their administration, and auction the remainder to citizens of the state in such manner as the legislature shall determine.

Any property within the borders of states admitted into this Confederacy, or ratifying this Constitution, being held by any government as an Indian reservation on behalf of native tribes, shall upon the admission of said state into this Confederacy, be immediately ceded to the full ownership of the tribes for which it is held. Such tribes may, upon a vote of all their members:

- continue under the jurisdiction of the state in which they lie;
- petition the Congress to be admitted as a separate state; or
- secede from this Confederacy and become a sovereign nation not subject to the jurisdiction or laws thereof, notwithstanding any other provisions herein.

The federal and state governments shall honor lease agreements made by the governments of any foreign nation, provided national security is not compromised thereby.

Section 5. The federal government shall guarantee to every state in this Confederacy a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the governor (when the legislature is not in session) against domestic violence.



Section 6. No federal law enforcement agent, or other civilian employee, shall carry any weapon when on duty in any state, without the consent of that state's governor.

No person, having held a civilian office of profit or trust under a foreign government, shall, commencing seven years after ratification of this Constitution, hold such office under the federal government, or any state government.

Article VI

Section 1. Amendments to this Constitution, which must pertain to a single subject and must not mandate the expenditure of funds from any governmental treasury, may be proposed:

- by two-thirds of both chambers of Congress;
- by convention called at the request of any four state legislatures; or
- upon the request of ten percent of the citizens of each state registered to vote under Article IV, Section 15.

Section 2. Such amendments shall be deemed valid, to all intents and purposes, as part of this Constitution, upon ratification by:

- a majority of voting citizens, and
- three-fourths of the several states, the result of the popular vote in each state determining its approval or rejection.

Section 3. Congress shall set the time for voting on any amendment, which must be within 180 days of submission to the several states under Section 1.

Only one amendment shall be submitted in any calendar year; and no amendment, having been rejected, shall be re-considered for a period of forty years.

Section 4. No amendment shall alter the following, unless ratified by two-thirds of voting citizens and by every state:

- any section of this article, Article IV, Article VII or Article VIII;
- the eighth, ninth or tenth section of Article I;
- the first section of Article II; or
- any section setting qualifications for, or limiting the terms of, federal officers.

Section 5. Except on a vote of expulsion under Article V, Section 3, no state shall, without its consent, be deprived of its equal suffrage in the Senate.



Article VII

Section 1. The following shall be submitted within 120 days to the vote of both the people and the several states:

- any treaty placing this Confederacy into an organization for collective security or a supranational community;
- acts of Congress creating new federal departments or agencies; and
- acts of Congress regarding the composition or jurisdiction of the federal courts.

Section 2. The following shall be submitted within 120 days to popular vote at the request of five percent of the citizens of each state, or at the request of any five state legislatures:


- acts of Congress involving taxation;
- acts of Congress authorizing the expenditure of more than ten billion dollars from the Treasury;
- acts of Congress affecting foreign trade; and
- executive orders approved by Congress.


Section 3. Proposals submitted under Section 1 shall be accepted if both the majority of voters and the majority of the several states approve them, the result of the popular vote in each state determining its approval or rejection. No such proposal, having been rejected, shall be re-submitted for a period of forty years.

Proposals submitted under Section 2 shall be accepted if the majority of voters approve them. No such proposal, having been rejected, shall be re-submitted for a period of twenty years.


Only citizens registered and eligible to vote under Article IV, Section 15 shall petition for, or vote in, any federal referendum.

Article VIII

 *Section 1.* An agency of the United States, operating within a state admitted into this Confederacy or ratifying this Constitution, shall upon the admission of said state, be immediately assumed by the federal government if it be judged as conducting duties mandated under this Constitution; but any agency not so judged shall be dissolved, and the federal government shall not assume any of the debts or obligations of the United States or any other foreign nation.

 *Section 2.* This Constitution, and the federal laws which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the federal government, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding. **But no treaty shall place this Confederacy into any international or supranational organization for purposes other than trade or commerce, nor bind the same into any military alliance except during time of war or imminent invasion. Also, the Senate shall consider no treaty that would be of unlimited duration or may not be terminated.**


Section 3. No military personnel shall be placed under the command of any supranational agency or organization, or of any foreign military force, for any reason whatever.


 No foreign military personnel shall be stationed within the Confederate States, unless the same have been invaded or are in imminent danger of invasion.

No supranational agency or organization, of which this Confederacy is not a member, shall engage in any activity nor station any personnel therein.


No citizen of this Confederacy shall be delivered up to any foreign nation to answer charges before any supranational judicial authority, nor compelled to testify before the same.

Section 4. No government under this Constitution shall suspend any part thereof nor impose emergency powers, neither in time of war nor for any other reason.


 No government under this Constitution shall suspend any election under its laws except in case of natural disaster or act of war; but no suspension shall exceed fourteen days, and no elected officer's term of service shall be extended for any reason whatever.

 **Nothing in this Constitution shall be construed as binding against any entities except the governments thereunder, and the agencies of those governments.**

Section 5. The Senators and Delegates before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both state and federal, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any **government** office or public trust.

 **All qualifications for federal office listed in this Constitution shall be subject to independent verification.**

Section 6. Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Constitution expressly delegated to the federal government in Congress assembled.

 **The powers not delegated to the federal government by this Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.**

Article IX

The ratification of the conventions of **eight states** shall be sufficient for the establishment of this Constitution between the states so ratifying the same. **Immediately upon such establishment:**

- **all laws, regulations, treaties and other acts of the United States or any other foreign nation shall be null and void;**
- **all state and local constitutional provisions, laws, and other acts in conflict with this Constitution shall be null and void;**
- **all adult residents choosing not to become citizens of this Confederacy, or ineligible for the same, shall be classified as resident aliens, subject to deportation under Article V, Section 2, subject to all immigration and naturalization laws which Congress shall enact, and ineligible for suffrage under Article IV, Section 15;**
- **all children of resident alien(s) born in any state within this Confederacy shall, upon reaching the age of twenty years, become eligible to apply for citizenship without regard to either parent's status; and**
- **any provisional federal government within this Confederacy shall be dissolved.**

Last revision: July 3, 2009

Appendix A

State Sovereignty

Restoring state sovereignty was near the top of my priorities in drafting this constitution, second only to strengthening the Bill of Rights. Here is a quick summary of how this goal has been accomplished. (NOTE: The same text color conventions apply as in the document itself.)

Art.	Sect.	
I	2	State legislatures may <i>impeach</i> certain federal officers. (Two-thirds of the federal Senate still required to convict.)
I	2	State legislatures may directly impeach or remove from office.
I	3	Control of the Senate returned to the state legislatures.
I	3	Three Senators per state instead of two.
I	7	States may nullify most federal laws.
I	9	Military prohibited from enforcing civilian law (<i>Posse Comitatus Act</i>)
I	9	Federal funding of public schools forbidden.
I	9	Federal mandates against the states forbidden..
I	9	Federal payments to state or local governments forbidden.
I	10	States may form compacts to improve navigation of waterways.
II	4	Speaker of Senate fills Presidential vacancy.
II	6	President may not circumvent Senate rejections on recess appointments.
III	2	States may not be sued in federal court, or by foreigners in any court.
III	4	State legislatures may nullify unconstitutional Supreme Court decisions. (This power shared with Congress)
IV	15	States may impose their own voting restrictions on top of the federal restrictions (except those expressly forbidden).
V	3	Right of secession confirmed.
V	6	Federal lawmen may not be armed while on duty without the governor's permission.
VI	1	State legislatures may initiate amendment process.
VI	4	Certain sections of Constitution given additional protection from alteration.
VII	2	State legislatures may initiate federal referendum under certain conditions.
VIII	6	Self-explanatory.

Appendix B

Welfare & Democracy

"A democracy cannot exist as a permanent form of government. It can only exist until the majority of the people discover they can vote themselves money from the public treasury. From then on, the majority will vote for the candidate promising the most benefits from the public treasury, with the result that democracy always collapses of loose fiscal policy and is always replaced by a dictatorship." -- Alexander Tyler

"The average age of the world's great civilizations has been two hundred years. These nations have progressed through the following sequence: from bondage to spiritual faith; from spiritual faith to great courage; from great courage to liberty; from liberty to abundance; from abundance to selfishness; from selfishness to complacency; from complacency to apathy; from apathy to dependency; from dependency back again to bondage." -- Alexander Tyler

In order to prevent the new CSA from falling into the same traps of democracy and welfare statism that Tyler described above (and thereby avoiding downturn from liberty & abundance described in the 2nd Tyler quote), the following safeguards have been placed in this constitution. The reader will note some repetitions from Appendix A; that's because some provisions have multiple benefits! (NOTE: The same text color conventions apply as in the document itself.)

Art.	Sect.	
I	3	Senate appointed by state legislatures rather than popular vote.
I	7	Restrictions on federal contracts & other payments.
I	8	Postal system must become self-sufficient; mail monopoly abolished.
I	8	"Commerce clause" rewritten to reflect original intent.
I	9	Nearly all federal gifts, subsidies, bounties, etc. forbidden.
I	9	Federal funding of public schools forbidden.
I	9	Federal mandates against the states forbidden..
I	9	Federal payments to state or local governments forbidden.
I	10	States may not tax non-residents or out-of-state purchases.
I	10	States may not circumvent federal census restrictions by holding their own census.
IV	10	Compulsory school attendance laws forbidden.
IV	15	Restrictions on the franchise.
VI	1	Amendments may not require governmental expenditures.

Appendix C

TO HELL WITH WAR!

So proclaimed Marine Corps Maj. Gen. **Smedley Butler**, twice awarded the Medal of Honor. After World War I he came to realize that for most of his 33 years in uniform he had been . . .

. . . a high class muscle man for Big Business, for Wall Street and the bankers. In short, I was a racketeer, a gangster for capitalism. . . Looking back on it, I might have given Al Capone a few hints. The best he could do was to operate his racket in three districts. I operated on three continents.

In 1935 he wrote his famous book *War is a Racket*, which concluded with the exhortation that is the title of this appendix. In it, he exposed the “military-industrial complex” more than 25 years before **Eisenhower coined the phrase**. The “warfare state,” even more than the welfare state, is what ultimately bankrupted the United States, both financially and morally. To crush this infernal system once and for all in the CSA (and prevent it from ever being resurrected), the following safeguards – which also address the Founding Fathers' abhorrence of a peacetime standing army – have been established in this constitution. As in the other appendices, the same text conventions apply.

Art.	Sect.	
I	7	Extra payments to federal contractors forbidden.
I	8	Restrictions on federal borrowing power.
I	8	3/4 majority of Congress required to declare war.
I	8	18-month limit on funding for army and air force.
I	9	Conscription forbidden.
II	6	Foreign deployment forbidden except in wartime.
II	6	Restrictions on peacetime deployment of federal military forces.
II	6	Restrictions on deployment of militia.
VII	1	Security treaties subject to referendum.
VIII	2	Restrictions on allowable treaties.
VIII	3	Foreign command over military forbidden.
VIII	4	Assumption of emergency powers forbidden (war or no war).

Appendix D

Impeachment; the Vice-Presidency Abolished

US President George W. Bush's utter contempt for what remains of the Constitution, coupled with his countless usurpations and abuses of power, resulted in several calls for his impeachment over the years. Even if by some miracle he had been both impeached and convicted, his replacement would have been the even more evil Dick Cheney. It does no good to get rid of the puppet when the puppeteer waits in the wings!

To prevent this from happening in the CSA (and to further strengthen the principle of state sovereignty), the state legislatures have been empowered to impeach the President (either independently or in concert with the House of Delegates) and remove him from office directly without going through the impeachment process.

John Nance Garner of Texas, who served as Vice-President of the United States during Franklin D. Roosevelt's first two terms, famously said the office wasn't "**worth a bucket of warm spit.**" (What he actually said was even worse; that's the G-rated version!) Since the VP's job description consists of nothing more than 1) presiding over the Senate, and 2) acting as the President's emergency replacement, I am not about to contradict a fellow Texan. And given the predicament of evil succeeding evil as described above, it's an office the CSA can do without.

The House of Delegates appoints one of its own as presiding officer (Speaker); the Senate can easily do the same. This person would be first in line to finish the term of a President who dies or is removed from office. The advantages of this system include the following:

- With the Senate again under control of the state legislatures, state sovereignty over the federal government is further enhanced.
- The President cannot choose – either directly or indirectly -- his potential successor.
- Since the Speaker of the Senate cannot immediately succeed himself after serving as interim President, no incumbent has an inside track in the next election.
- A presidential candidate must run on his own merits, rather than using his running mate to garner votes he otherwise wouldn't get.
- Presidential campaign expenses will drop by as much as 50%.