

GRANITE STATE REPORT

The Constitution of the United States of America

A Proposed Renewal for the Living Generation

A COMPLETE PROPOSED REDRAFT · TWELVE ARTICLES
WRITTEN FOR PUBLIC DEBATE AHEAD OF NEW HAMPSHIRE'S 2032
CONSTITUTIONAL-CONVENTION BALLOT QUESTION

Dexter Dow

Editor, Granite State Report · Northfield, New Hampshire

This is a work of constitutional design and public argument. It is not current law, not a filing, and not a bill before any legislature. The Constitution now in force is the document ratified in 1788 and amended since. This draft is written to be debated, revised, and — only if a generation so chose — ratified.

PREAMBLE

We the People of the United States, the living generation now charged with our own self-government, hold these truths to be the ground of all lawful authority: that power belongs to the people and is only ever lent to those who govern; that each person carries equal worth and equal dignity that no majority and no official may erase; and that a constitution is not a relic to be worshipped but a working instrument that each generation has the duty to examine, to improve, and to make its own.

We have inherited a republic of great achievement and deep flaws. We honor what was built and we refuse to be governed by the dead hand of arrangements that no longer serve a free people. To secure our liberty, to make our government answerable, to give every person a real and equal voice, to protect the vulnerable, to steward the country and the planet for those not yet born, and to bind ourselves and our successors to renew this compact rather than to freeze it, we ordain and establish this Constitution of the United States of America.

ARTICLE I — FOUNDATIONAL PRINCIPLES

Section 1. Sovereignty of the People.

All governing authority derives from the people. Officials hold power as a public trust, exercise it only on the people's behalf, and remain answerable to the people at all times. No person and no office stands above this Constitution or above the law.

Section 2. Supremacy and Scope.

This Constitution is the supreme law of the United States. Every law, treaty, regulation, order, and act of any official at any level of government is subordinate to it and is void to the extent it conflicts with it.

Section 3. The Rule of Law and Equality Before It.

The same law governs the governed and the governing. Every person is entitled to the equal protection of the law and to equal treatment by it. No one may be punished except under a law in force at the time of the act, applied through fair procedure.

Section 4. Separation and Limitation of Powers.

The powers of government are divided among a legislature, an executive, and a judiciary, each independent within its sphere and each a check upon the others. No branch may absorb the core functions of another. Power is granted to be limited, and every grant of power in this Constitution carries with it the limits this Constitution sets.

Section 5. Democratic Legitimacy.

Government rests on the consent of the governed, expressed through free, fair, frequent, and secret elections open to all citizens of voting age. No authority is legitimate that is not, directly or through accountable representatives, traceable to that consent.

Section 6. Neutrality of the State in Matters of Conscience.

The government shall neither establish nor favor any religion or system of belief, nor penalize any person for their beliefs or lack of belief. Public authority is exercised on secular grounds open to reason and shared by all, and never as the instrument of any creed.

Section 7. The Principle of Generational Renewal.

This Constitution belongs to the living. It binds those now governed because they may revise it, and it commits every generation to examine and renew it through the procedures of Article XI. The duty of renewal, and the people's standing right to alter or replace their government, are permanent features of this compact and may not be removed.

ARTICLE II — DECLARATION OF RIGHTS

The rights set out here are inherent, not granted by government. Their listing is not exhaustive, and the people retain other rights not named. Government bears the burden of justifying any limit on a right.

Section 1. Equality and Non-Discrimination.

Every person is equal before the law and entitled to its equal protection and equal benefit. No law or official act may discriminate against any person on the basis of race, color, ethnicity, national or social origin, sex, gender, sexual orientation, pregnancy, disability, age, religion or belief, language, or economic condition. This guarantee does not forbid measures designed to remedy past or present disadvantage.

Section 2. Human Dignity, Life, Liberty, and Security.

Every person has the right to life, to liberty, and to security of the person. No one may be subjected to slavery, servitude, forced labor, torture, or cruel, inhuman, or degrading treatment or punishment. Human dignity is inviolable and is the foundation of every right in this Article.

Section 3. Due Process.

No person may be deprived of life, liberty, or property except through fair procedure under law, including notice, a hearing before an impartial tribunal, and a meaningful opportunity to be heard. Punishment without trial, indefinite detention without charge, and the use of secret evidence against a person are prohibited.

Section 4. Freedom of Conscience, Thought, and Religion.

Every person has the right to hold and to change their beliefs, religious or otherwise, and to practice or abstain from any religion, alone or with others, in private or in public. No one may be compelled to profess a belief or to support a religion.

Section 5. Freedom of Expression.

Every person has the right to seek, hold, and share opinions, ideas, and information of any kind, in any medium. There shall be no prior restraint on expression and no punishment of expression except where it directly incites imminent violence, constitutes a true threat, or causes a defined and serious harm that no lesser measure can prevent. The expression of unpopular, offensive, or dissenting views is fully protected.

Section 6. Freedom of the Press.

A free and independent press is essential to self-government and is protected as a structural check on power. Government shall not license, censor, or retaliate against the press, nor compel journalists to disclose their sources except by court order on a showing of overriding necessity that cannot otherwise be met. The protections of this Section extend to every person who gathers or publishes information for the public, in any medium, and are not limited to any class or profession.

Section 7. Freedom of Assembly, Association, and Petition.

Every person has the right to assemble peacefully, to associate freely with others, to form and join organizations including labor unions and political parties, and to petition the government and demand a response. No one may be compelled to join an association or punished for lawful membership in one.

Section 8. Privacy and Data Rights.

Every person has the right to privacy in their body, home, communications, movements, associations, and personal data. Government may search, seize, intercept, or surveil only on a particularized warrant issued by a judge upon probable cause, describing what is sought, except in narrowly defined emergencies subject to prompt judicial review. Mass or suspicionless surveillance of the population is prohibited. Every person has the right to know what data government and large private entities hold about them, to correct it, and to limit its collection, retention, sale, and use. Personal data may not be used to profile, score, or penalize a person without lawful authority and meaningful safeguards.

Section 9. Bodily Autonomy.

Every person has the right to make decisions about their own body and medical care, free from coercion. Government may regulate only to protect health and safety through the least restrictive means, and may not subject a person to medical or bodily intervention without informed consent except where another person's life is at immediate risk and the law expressly so provides.

Section 10. Rights of Persons Accused of Crime.

A person accused of a crime is presumed innocent until proven guilty beyond a reasonable doubt. Every such person has the right to be informed of the charges; to a speedy and public trial before an impartial jury; to confront the evidence and witnesses against them; to compel evidence in their favor; to remain

silent without that silence being used against them; to competent counsel provided at public expense if they cannot afford it; to reasonable bail; to be free from double jeopardy for the same offense; and to challenge any detention before a court without delay. Evidence obtained in violation of this Constitution may not be used against the accused.

Section 11. Proportionate Punishment.

Punishment must be proportionate to the offense. Cruel, degrading, and excessive punishments are prohibited. No person may be sentenced to death. Incarceration shall serve the lawful ends of public safety, deterrence, and rehabilitation, and shall preserve the dignity and basic rights of the incarcerated.

Section 12. Property.

Every person has the right to own property and to be secure in it. Property may be taken for a genuine public purpose only under law and only with just compensation paid in advance where practicable. The right of property does not place wealth beyond the reach of fair taxation or reasonable regulation in the public interest.

Section 13. The Right to Vote and to Participate.

Every citizen of voting age has the right to vote and to stand for office. This right is affirmative and may not be denied or abridged. It is the duty of government to register eligible voters, to make voting accessible, and to remove obstacles to the equal exercise of the franchise. The administration of this right is governed by Article III.

Section 14. Education.

Every person has the right to free public education through the secondary level and to access to higher and vocational education without barriers of wealth. Government shall provide and adequately fund education of sufficient quality to prepare each person for participation in civic and economic life.

Section 15. Health, Subsistence, and Security.

Every person has the right of access to necessary health care, to adequate food, clean water, and shelter, and to security in old age, illness, disability, and involuntary unemployment. Government shall progressively realize these rights to the maximum of its available resources, through means it determines, and shall not act to deprive any person of an existing measure of these protections without sufficient justification.

Section 16. Labor.

Every person has the right to work freely chosen, to just and safe conditions, to fair remuneration, to organize and bargain collectively, and to withhold labor. Forced labor and exploitative child labor are prohibited.

Section 17. A Healthy Environment.

Every person, including those not yet born, has the right to a clean, healthy, and sustainable environment. The natural resources and ecological systems of the country are held in trust by government for present and future generations. Government has a continuing duty to protect the environment, to prevent and remedy ecological harm, and to act to mitigate threats to the climate and the conditions of life.

Section 18. Rights of the Child.

In every action concerning a child, the best interests of the child are a primary consideration. Every child has the right to a name, a nationality, protection from abuse, neglect, and exploitation, and the care necessary for their development.

Section 19. Emerging Technology and Automated Decision-Making.

Where government uses automated or algorithmic systems to make or substantially inform a decision affecting a person's rights, benefits, liberty, or legal standing, that person has the right to be told that such a system was used, to an explanation of the basis for the decision, to meaningful human review, and to challenge the decision. Systems that government uses to exercise public authority over persons shall be open to examination sufficient to test them for accuracy and bias. The exercise of fundamental governmental authority, and ultimate accountability for it, shall remain with human officials answerable under this Constitution.

Section 20. Access to Justice.

Every person has the right of access to independent courts to vindicate their rights, and the right to legal assistance, provided at public expense where the person cannot afford it and a fundamental interest such as liberty, the care of a child, or the loss of a home is at stake.

Section 21. Limitation of Rights.

A right in this Article may be limited only by a law that serves a legitimate and substantial public aim, that is rationally connected to that aim, that impairs the right no more than necessary, and whose benefit is proportionate to the cost to the right. The burden of justifying a limitation rests on the government.

Section 22. Rights That May Never Be Suspended.

No emergency, war, or claim of necessity may justify the suspension of the following: the right to life; freedom from torture and from cruel, inhuman, or degrading treatment; freedom from slavery and forced labor; freedom of conscience and belief; the prohibition of punishment without trial; the right to challenge a detention before a court; and the prohibition of discrimination on the grounds named in Section 1. These rights are non-derogable.

ARTICLE III — CITIZENSHIP, ELECTIONS, AND POLITICAL EQUALITY

Section 1. Citizenship.

Every person born in the United States and subject to its jurisdiction, and every person born to a citizen, is a citizen. Citizenship may also be acquired by naturalization under general laws that are fair and non-discriminatory. No citizen may be deprived of citizenship against their will except for naturalization obtained by fraud.

Section 2. Universal Suffrage.

Every citizen who has reached the age of majority has the right to vote. Government shall provide automatic and secure registration of eligible voters, accessible polling and voting methods, and sufficient time and means to vote. Disenfranchisement as a punishment is prohibited; a citizen retains the right to vote regardless of conviction or incarceration.

Section 3. Free and Fair Elections.

Elections shall be free, fair, frequent, secret, and competitive. The drawing of districts, the administration of elections, and the counting of votes shall be conducted by independent, nonpartisan bodies insulated from control by any candidate, party, or branch of government. Results shall be verifiable through transparent procedures and routine audits.

Section 4. Fair Representation.

Legislative elections shall be conducted by methods that produce representation reflecting the votes cast, through proportional representation, multi-member districts with ranked choice, or equivalent means, so far as practicable. Executive offices filled by a single person shall be elected by a method requiring majority support, including ranked choice with instant runoff where no candidate first secures a majority.

Section 5. Districting.

Where districts are used, they shall be drawn by an independent commission according to neutral criteria, including equal population, contiguity, respect for communities, and competitiveness, and without favor to any party, candidate, or incumbent. The drawing of districts to entrench political advantage is prohibited.

Section 6. Money in Politics.

The financing of campaigns and of political activity is subject to regulation in the public interest. Government shall provide for the public financing of elections sufficient to allow candidates of ordinary means to compete. All political spending and its sources shall be disclosed promptly and publicly. Limits on contributions and on coordinated and concentrated spending are permitted to protect the integrity of elections and the political equality of citizens. For the purposes of political rights, the people are persons; the regulation of the political spending of corporations and other entities is within the power of government.

Section 7. Protection of the Franchise.

The dilution, suppression, or unequal administration of the right to vote is prohibited and shall be subject to prompt judicial remedy. Government bears the burden of justifying any law or practice that burdens the

right to vote.

ARTICLE IV — THE LEGISLATURE

Section 1. Vesting and Structure.

The legislative power of the United States is vested in a Congress consisting of two chambers, the House of the People and the Council of the Republic. A law requires the agreement of both chambers, subject to the procedures of this Article.

Section 2. The House of the People.

The House of the People represents the people directly and is apportioned among the States in proportion to population, with each State guaranteed at least one Representative. The total number of Representatives shall be set by law according to a formula that grows the chamber with the population so that representation remains close to the people, and shall not be frozen to entrench malapportionment. Representatives are elected for terms of four years by the proportional methods of Article III. No person may serve as a Representative for more than three terms.

Section 3. The Council of the Republic.

The Council of the Republic represents the States within the federal union and serves as a chamber of deliberation and review. Seats in the Council are allocated among the States by a formula combining a small equal base for every State with an allocation by population, such that representation is substantially proportional to population while preserving a federal voice for each State, and such that the disparity in representation per person between any two States does not exceed four to one. Members of the Council are elected for terms of six years, staggered so that a portion is chosen at each general election, by the proportional methods of Article III. No person may serve in the Council for more than two terms.

Section 4. Powers of Congress.

Congress has power to make all laws necessary and proper to the general welfare of the United States and to the exercise of the authorities of this Constitution, including the power to:

1. lay and collect fair and, where it chooses, progressive taxes, duties, and imposts;
2. borrow on the credit of the United States and provide for the payment of its debts;
3. regulate commerce among the States, with foreign nations, and across digital and electronic networks;
4. coin and regulate money and provide for a sound and stable currency;
5. establish uniform rules of citizenship, naturalization, and immigration;
6. provide for the common defense and regulate the armed forces, subject to Article IX;

7. protect public health and respond to disease, disaster, and emergency, subject to Article IX;
8. protect the environment, conserve natural resources, and address threats to the climate;
9. regulate communications, technology, data, and the systems on which modern life depends;
10. build and maintain national infrastructure;
11. establish post offices, courts inferior to the Constitutional Court, and the institutions of integrity in Article X;
12. protect the rights declared in Article II by appropriate legislation; and
13. exercise such further powers as are reasonably required to carry out the foregoing, provided that no power of Congress may be used to violate this Constitution.

Section 5. Limits on Congress.

Congress shall pass no bill of attainder, no law punishing conduct after the fact, and no law granting a title of nobility or a privilege of office to any person. Congress shall not suspend the right to challenge a detention before a court except as Article IX permits. Every revenue and spending measure shall originate in and be subject to the open procedures of this Article.

Section 6. Procedure.

Each chamber sets its own rules consistent with this Constitution, provided that no rule may require more than a majority of those present and voting to enact ordinary legislation, to bring a measure to a vote, or to confirm an appointment. Supermajorities are required only where this Constitution expressly so provides. Every vote on the passage of legislation shall be recorded and published. The proceedings, records, and votes of Congress are public, except for narrowly defined matters of security under Article X, and the full text of every measure shall be public for a reasonable period before final passage.

Section 7. Integrity of Members.

Members of Congress serve the public and not themselves. Each member shall disclose their finances and interests publicly, shall not trade on or profit from nonpublic information obtained through office, shall not hold a financial interest that conflicts with their duties, and shall be bound by an enforceable code of ethics. Lobbying of Congress shall be transparent and disclosed.

Section 8. The Executive and Legislation.

A bill passed by both chambers is presented to the President, who within a fixed period shall sign it or return it with objections. A returned bill becomes law if again passed by a majority of each chamber. A bill not returned within the period becomes law. The President may not decline to spend funds that Congress has lawfully appropriated, nor refuse to execute a law in force.

Section 9. Removal of Officials.

Congress may remove the President, the Vice President, judges, and other officers for serious violation of this Constitution, abuse of office, corruption, or other grave misconduct. A charge is brought by a majority of the House of the People and tried by the Council of the Republic, with removal requiring a two-thirds vote of the Council. Removal bars the person from future office and does not shield them from ordinary criminal liability.

ARTICLE V — THE EXECUTIVE

Section 1. The President.

The executive power is vested in a President of the United States, who is head of state and head of government, charged to faithfully execute the laws and bound in all things by this Constitution.

Section 2. Election and Term.

The President is elected directly by the citizens of the United States, by national popular vote conducted through ranked choice with instant runoff so that the President holds a majority of the final count. The President serves a term of four years and may be elected to no more than two terms. A Vice President is elected with the President and succeeds to the office on the death, resignation, removal, or lasting incapacity of the President.

Section 3. Powers and Duties.

The President shall execute the laws, direct the executive departments, conduct foreign relations subject to the checks of this Constitution, command the armed forces subject to Article IX, and report regularly to Congress and the people on the state of the nation. The President exercises only the powers granted by this Constitution and by law, and possesses no inherent power to act against the law or the rights declared in Article II.

Section 4. Appointments.

The President appoints the principal officers of the executive and the judges of the courts, with the confirmation of the Council of the Republic, through a transparent process. Officers serve the public faithfully and may be removed by the President, except that officers charged with functions this Constitution makes independent may be removed only for cause defined by law.

Section 5. The Pardon Power.

The President may grant clemency for offenses against the United States, in writing and with reasons made public. The President may not pardon themselves. The President may not pardon any person for conduct undertaken on the President's behalf, at the President's direction, or to obstruct an investigation of the President. No pardon may issue for conduct connected to an ongoing impeachment of the person granting it.

Section 6. No Immunity from Law.

The President and every official are subject to the criminal and civil law. There is no immunity for criminal conduct committed in or out of office. Such limited immunity as may attach to official acts shall be defined by law, shall be no broader than the lawful conduct of office requires, and shall never shield a crime.

Section 7. Anti-Corruption.

The President, the Vice President, and principal officers shall place their financial interests beyond their own control or influence while in office, shall disclose their finances publicly, and shall accept no payment, benefit, or thing of value from any foreign state or from any private interest seeking to influence them. Violation is grounds for removal and for ordinary liability.

Section 8. Independence of Justice and Other Functions.

Decisions to investigate and prosecute individuals shall be made impartially, on the law and the evidence, and free from political direction by the President or any official, in either the pursuit or the protection of any person. The conduct of elections, the gathering of official statistics, and the governance of the currency shall likewise be insulated by law from political interference. These guarantees protect the public against the use of public power as a weapon.

Section 9. Succession and Incapacity.

The law shall provide an orderly line of succession. Where the President is unable to discharge the office, the Vice President shall act, and a fair procedure established by this Constitution and by law shall determine and review any claim of incapacity, with the matter resolved by Congress where it is disputed.

ARTICLE VI — THE JUDICIARY

Section 1. Vesting.

The judicial power of the United States is vested in a Constitutional Court and in such inferior courts as Congress establishes. The courts are independent, and their independence exists to serve the people and the law, not to place judges beyond accountability.

Section 2. The Constitutional Court.

The Constitutional Court consists of nine justices. Each justice is appointed for a single, nonrenewable term of eighteen years. The terms are staggered so that one term expires every two years, giving each elected President regular appointments and preventing any narrow period from capturing the Court. A justice whose term expires continues only until a successor takes office. Vacancies arising before a term's end are filled for the remainder of that term.

Section 3. Appointment and Qualification.

Justices and judges are nominated by the President and confirmed by the Council of the Republic, following review by an independent nonpartisan body that assesses qualification and integrity. The process and the records of consideration are public.

Section 4. Judicial Power and Review.

The courts decide cases under this Constitution and the laws, and have the power and the duty to declare void any law or official act that violates this Constitution. The Constitutional Court is the final authority on the meaning of this Constitution, subject to the power of the people to amend it under Article XI.

Section 5. Independence and Accountability.

Judges are bound by an enforceable code of judicial ethics. They shall disclose their finances, shall recuse themselves where their impartiality could reasonably be questioned, and shall accept no gift or benefit that could influence them. A judge may be removed only through the procedure of Article IV, Section 9, for the grounds stated there. The compensation of judges may not be reduced during their service.

Section 6. Open Courts.

Court proceedings and decisions are public, and decisions of consequence shall state the reasons for them, except as narrowly required to protect a compelling interest such as the safety of a person or a child.

ARTICLE VII — FEDERALISM AND THE STATES

Section 1. Division of Authority.

Authority is shared between the United States and the States. The States retain all powers not granted to the United States nor denied to them by this Constitution, and they are guaranteed their existence and their republican self-government.

Section 2. Supremacy and the Floor of Rights.

This Constitution and the laws and treaties of the United States made under it are supreme. The rights declared in Article II are a floor. A State may extend greater protection to rights within its borders, but may not provide less, and may not discriminate against persons or deny them the equal protection this Constitution requires.

Section 3. Relations Among the States.

Each State shall give full faith and credit to the public acts and judicial proceedings of every other State, and shall not deny to the residents of other States the privileges it affords its own. Disputes among States are resolved by the courts of the United States.

Section 4. Local Self-Government.

The role of local and tribal governments in the life of the republic is recognized. The relationship of these governments to the States and to the United States is provided for by law, consistent with this Constitution.

ARTICLE VIII — PUBLIC FINANCE

Section 1. The Power of the Purse.

No money is drawn from the public treasury except by appropriation made by law. Every appropriation, and a regular and public accounting of all public revenue and expenditure, shall be available to the people.

Section 2. Fair Taxation.

Taxation shall be fair and may be progressive. No tax may be laid except by law enacted through the open procedures of Article IV. The power to tax does not include the power to punish belief, association, or expression.

Section 3. The Currency and the Central Bank.

The currency and the monetary system are administered by an independent central authority established by law, charged to maintain a sound and stable currency, insulated from political direction in its operations, and accountable to Congress and the people through transparent reporting.

Section 4. Independent Audit.

An independent Comptroller of the United States, appointed for a fixed term and removable only for cause, shall audit the accounts and operations of government, report publicly, and have full access to the records necessary to do so. No part of government is exempt from audit except as Article X narrowly permits for security, and even then subject to oversight.

Section 5. Against Corruption in Finance.

The public funds and credit of the United States shall be used only for public purposes. The diversion of public resources to private benefit, and self-dealing by any official in the handling of public money, are prohibited and are grounds for removal and for ordinary liability.

ARTICLE IX — NATIONAL SECURITY, WAR, AND EMERGENCY POWERS

Section 1. Civilian Control.

The armed forces are at all times subject to civilian authority and to this Constitution. No member of the armed forces owes obedience to an unlawful order, and the obligation of every officer runs to the

Constitution and not to any person.

Section 2. The Power to Make War.

Only Congress may authorize the United States to engage in armed conflict. The President may direct the armed forces to repel an actual or imminent attack, but shall promptly report any such action to Congress and shall cease it unless Congress authorizes its continuation. An authorization to use force shall state its purpose and its limits, shall be limited in time, and shall expire unless renewed.

Section 3. Intelligence and Covert Action.

The agencies of intelligence and any covert action of the United States are subject to law and to continuous oversight by Congress and the courts. Secret action against the rights of persons is prohibited. Surveillance is governed by Article II, Section 8.

Section 4. Emergency Powers.

In a genuine emergency threatening the life of the nation, the President may declare an emergency and exercise such additional powers as a law enacted in advance specifically provides, subject to the following limits, which may not be waived:

1. the declaration shall state its grounds and its scope, and shall be public;
2. the declaration lapses within thirty days unless ratified by a majority of each chamber of Congress, and any continuation requires a renewed vote at intervals no greater than ninety days;
3. emergency powers shall be no greater and last no longer than the emergency requires, and shall be exercised under the supervision of the courts, which remain open;
4. the non-derogable rights of Article II, Section 22 may never be suspended;
5. no election may be postponed or canceled, and no chamber of Congress may be dissolved or prevented from meeting; and
6. no person may be detained indefinitely without charge, and the right to challenge a detention before a court is preserved.

ARTICLE X — INTEGRITY, TRANSPARENCY, AND ACCOUNTABILITY

A government that hides its conduct cannot be governed by the people. Openness is the ordinary condition of public power, and secrecy is the narrow exception that must justify itself.

Section 1. The Right to Know.

Every person has the right of access to the records, meetings, and information of government, on equal terms with every other person. This right does not depend on a person's profession, purpose, or affiliation, and government shall not create classes of requesters with greater or lesser access to public information. Where any cost is charged for fulfilling a request, it shall be reasonable and shall never function to deny access.

Section 2. Open Government.

Government shall conduct the public's business in the open. Meetings at which public bodies deliberate or decide shall be open and noticed in advance. Records shall be kept, preserved, and made available promptly. Government shall publish its data and the information of public concern proactively, in usable form, without waiting to be asked.

Section 3. Limits of Secrecy.

Information may be withheld or classified only where disclosure would cause a specific and serious harm to national security, to an ongoing law-enforcement matter, to personal privacy, or to a comparably weighty interest defined by law. Every withholding shall be justified, shall be no broader than necessary, and shall be subject to challenge before a court that may examine the material itself. Classification shall carry an automatic expiration and shall be reviewed by an independent authority. There shall be no secret law: no rule that binds the public, and no legal interpretation by which government claims authority over persons, may be kept secret.

Section 4. Protection of Those Who Disclose Wrongdoing.

A person who in good faith discloses evidence of illegality, abuse of authority, danger to public health or safety, or corruption is protected from retaliation. The press and those who publish information of public concern are protected under Article II, Section 6, and government shall not punish the publication of truthful information lawfully obtained.

Section 5. Independent Integrity Institutions.

There shall be established by law, with secured independence and fixed terms:

1. an Anti-Corruption Authority empowered to investigate corruption and abuse of office throughout government;
2. one or more Inspectors with authority to examine the operations of government and report publicly; and
3. an Ombudsperson to receive and act on complaints from the public against government.

These institutions shall have access to the records and persons necessary to their work and shall report their findings to the public.

Section 6. Conduct of Officials.

Every official holds a public trust. Officials shall disclose their finances and interests, shall not use office for private gain, shall not accept benefits intended to influence them, and shall comply with enforceable

standards of conduct. The revolving passage between public office and the private interests it regulates shall be subject to disclosure and to reasonable limits set by law.

ARTICLE XI — AMENDMENT AND GENERATIONAL RENEWAL

Section 1. The Living Constitution.

This Constitution may be amended, and is meant to be. It binds the people because they may change it. The procedures of this Article are the lawful and exclusive means of changing it.

Section 2. Ordinary Amendment.

An amendment may be proposed by:

1. a two-thirds vote of each chamber of Congress; or
2. a petition of citizens meeting a threshold set by law sufficient to show broad national support; or
3. a convention called for the purpose under Section 4.

A proposed amendment becomes part of this Constitution when ratified by a majority of citizens voting in a national referendum and by the legislatures or conventions of a majority of the States. An amendment that alters the protections of Article II, the structure of representation, or the procedures of this Article requires ratification by three-fifths in the national referendum.

Section 3. The Generational Review.

Because the earth belongs to the living, this Constitution shall be reviewed and renewed by each generation. Nineteen years after the ratification of this Constitution, and at intervals of nineteen years thereafter, a Constitutional Convention shall be convened automatically to examine the whole of this Constitution and to propose to the people its reaffirmation, its amendment, or its replacement.

Section 4. The Convention.

The Convention shall be composed so as to represent the people faithfully and to resist capture by any faction or interest. A portion of its delegates shall be selected by lot from among the citizens, as a representative assembly of the people, and a portion shall be elected by the proportional methods of Article III. The Convention shall deliberate in the open, shall have the resources and the time to do its work, and shall submit any proposal it adopts to the people. No proposal of the Convention takes effect except by ratification under Section 2 or, for a wholesale replacement, by a majority of three-fifths of citizens voting in a national referendum.

Section 5. Continuity.

This Constitution remains in full force until it is amended, reaffirmed, or replaced through the procedures of this Article. The duty of generational review does not cause this Constitution to lapse, and the republic shall never be left without a constitution in force.

Section 6. What May Not Be Abolished.

No amendment, convention, or referendum may abolish or impair:

1. the sovereignty of the people and their standing right to alter or replace their government;
2. the equal dignity and equal rights of all persons, or the prohibition of discrimination on the grounds named in Article II, Section 1;
3. free, fair, and frequent multiparty elections and the universal right to vote;
4. the rule of law and the independence of the courts;
5. the prohibition of perpetual or unaccountable rule by any person or group; or
6. the principle of generational renewal set out in this Article.

A change purporting to do any of these things is void.

ARTICLE XII — TRANSITION AND RATIFICATION

Section 1. Ratification.

This Constitution takes effect upon its ratification by a majority of citizens voting in a national referendum and by the conventions or legislatures of three-fourths of the States, and upon ratification it replaces the Constitution heretofore in force.

Section 2. Continuity of Law.

The laws, treaties, obligations, and judgments of the United States and of the States in force at ratification remain in force to the extent they are consistent with this Constitution, until amended or repealed. Debts and engagements entered into before ratification are as valid against the United States under this Constitution as before.

Section 3. Transition of Offices.

The persons holding office at ratification continue to serve until offices are filled under this Constitution, according to a schedule established for an orderly transition, so that the functions of government continue without interruption. The first elections and appointments under this Constitution shall be held as soon as practicable.

Section 4. Severability.

If any provision of this Constitution is held to be without effect, the remainder continues in force.

Section 5. The Living Generation.

This Constitution is adopted by the people now living, for themselves and as a trust for those who will come after, in the knowledge that it is not the last word but the present word, and in the expectation that each generation will examine it, improve it, and make it their own.

End of proposed text.