

Preliminary Draft of a World Constitution (1948)

2018 – 1.5

Fogli di lavoro
per il Diritto Internazionale



La Redazione di FLADI-FOGLI DI LAVORO *per il Diritto Internazionale*

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Volume chiuso nel mese di aprile 2018

FOGLI DI LAVORO *per il Diritto Internazionale* è on line
<http://www.lex.unict.it/it/crio/fogli-di-lavoro>

ISSN 1973-3585

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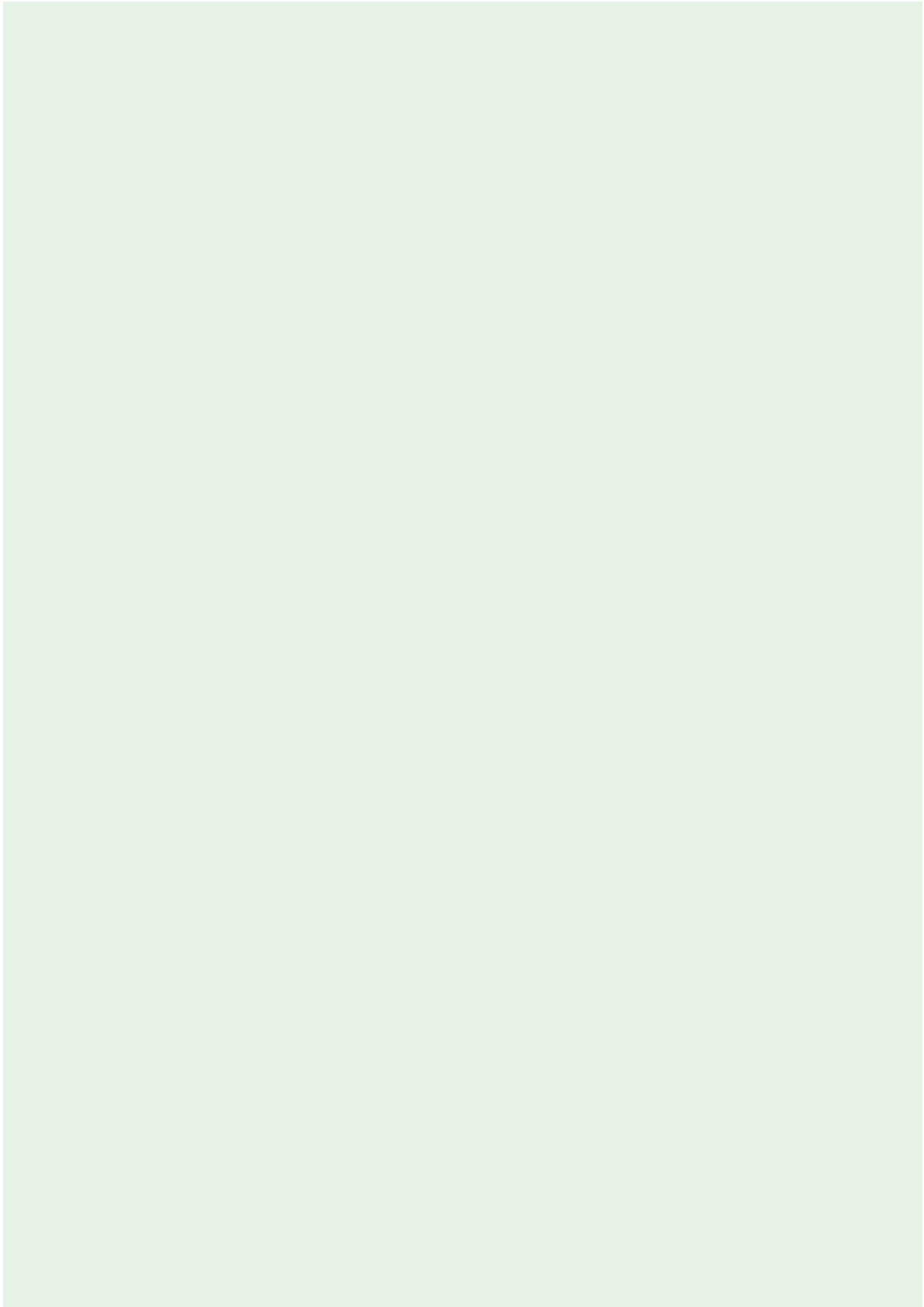
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Pubblichiamo qui di seguito il *Preliminary Draft of a World Constitution* nel testo apparso su *Common Cause* nel marzo 2018.

Esso fu redatto dal *Committee to frame a World Constitution* nell'arco di circa due anni dal novembre 1945 al luglio 1947 composto da Robert M. Hutchins, Giuseppe A. Borgese, Mortimer J. Adler, Stringfellow Barr, Albert Guérard, Harold A. Innis, Erich Kahler, Wilber G. Katz, Charles H. McIlwain, Robert Redfield, Rexford G. Tugwel.

Certo a noi, disincantati osservatori di un'epoca in cui le Nazioni Unite sembrano in costante difficoltà, sotto i colpi del sovranismo imperante, può apparire ridondante e forse ingenuo il progetto di una repubblica mondiale.

Ma certamente non è inutile il confronto con una visione tanto nitida e radicale di problemi che oggi vediamo spesso confusi e complicati dalla stratificazione della storia (Rosario Sapienza)



Preliminary Draft of a World Constitution (1948)

PREAMBLE

The people of the earth having agreed
that the advancement of man
in spiritual excellence and physical welfare
is the common goal of mankind;
that universal peace is the prerequisite
for the pursuit of that goal;
that justice in turn is the prerequisite of peace,
and peace and justice stand or fall together
that iniquity and war inseparably spring
from the competitive anarchy of the national states;
that therefore the age of nations must end,
and the era of humanity begin;
the governments of the nations have decided
to order their separate sovereignties
in one government of justice,
to which they surrender their arms;
and to establish, as they do establish,
this Constitution
as the covenant and fundamental law
of the Federal Republic of the World.

DECLARATION OF DUTIES AND RIGHTS

A. The universal government of justice as covenanted and pledged in this Constitution is founded on the Rights of Man

The principles underlying the Rights of Man are and shall be permanently stated in the Duty of everyone everywhere, whether a citizen sharing in the responsibilities and privileges World Government or a ward and pupil of the World Commonwealth:

- to serve with word and deed, and with productive labor according to his ability, the spiritual and physical advancement the living and of those to come, as the common cause of all generations of men;
- to do unto others as he would like others to do unto him;
- to abstain from violence,
- except for the repulse of violence as commanded or granted under law.

B. In the context therefore of social duty and service, and in conformity with the unwritten law which philosophies and religions alike called the Law of Nature and which the Republic of the World shall strive to see universally written and enforced by positive law:

it shall be the right of everyone everywhere to claim and maintain for himself and his fellowmen:

- release from the bondage of poverty and from the servitude and exploitation of labor, with rewards and security according merit and needs;
- freedom of peaceful assembly and of association, in any creed or party or craft, within the pluralistic unity and purpose the World Republic;
- protection of individuals and groups against subjugation and tyrannical rule, racial or national, doctrinal or cultural, with safeguards for the self-determination of minorities and dissenters;
- and any such other freedoms and franchises as are inherent in man's inalienable claims to life, liberty, and the dignity of the human person, and as the legislators and judges of the World Republic shall express and specify.

C. The four elements of life - earth, water, air, energy - are common property of the human race. The management and use of such portions thereof as are vested in or assigned to particular ownership, private or corporate or national or regional, of definite or indefinite tenure, of individualist or collectivist economy, shall be subordinated in each and all cases to the inherent interest of the common good.

GRANT OF POWERS

1. The jurisdiction of the World Government as embodied in its organs of power shall extend to:

1. The control of the observance of the Constitution in all the component communities and territories of the Federal World Republic, which shall be indivisible and one;
2. The furtherance and progressive fulfillment of the Duties and Rights of Man in the spirit of the foregoing Declaration, with their specific enactment in such fields relations as are described hereinafter (Art. 27 through 33);
3. The maintenance of peace; and to that end the enactment and promulgation of laws which shall be binding upon communities and upon individuals as well,
4. the judgment and settlement of any conflicts among component units, with prohibition of recourse to interstate violence,
5. the supervision of and final decision on any alterations of boundaries between states or unions thereof,
6. the supervision of and final decision on the forming of new states or unions thereof,
7. the administration of such territories as may still be immature for self-government, and the declaration in due time of their eligibility therefor,
8. the intervention in intrastate violence and violations of law which affect world peace and justice,
9. the organization and disposal of federal armed forces,

10. the limitation and control of weapons and of the domestic militias in the several component units of the World Republic;

11. The establishment, in addition to the Special Bodies listed hereinafter (Art. 8 and 9), of such other agencies as may be conducive to the development of the earth's resources and to the advancement of physical and intellectual standards, with such advisory or initiating or arbitrating powers as shall be determined by law;

12. The laying and collecting of federal taxes, and the establishment of a plan and a budget for federal expenditures,

13. the administration of the World Bank and the establishment of suitable world fiscal agencies for the issue of money and the creation and control of credit,

14. the regulation of commerce affected with federal interest,

15. the establishment, regulation, and, where necessary or desirable, the operation of means of transportation and communication which are of federal interest;

16. The supervision and approval of laws concerning emigration and immigration and the movements of peoples,

17. the granting of federal passports;

18. The appropriation, under the right of eminent domain, of such private or public property as may be necessary for federal use, reasonable compensation being made therefor;

19. The legislation over and administration of the territory which shall be chosen as Federal District and of such other territories as may be entrusted directly to the Federal Government.

2. The powers not delegated to the World Government by this Constitution, and not prohibited by it to the several members of the Federal World Republic, shall be reserved to the several states or nations or unions thereof.

THE FEDERAL CONVENTION, THE PRESIDENT, THE LEGISLATURE

3. The sovereignty of the Federal Republic of the World resides in the people of the world. The primary Government shall be vested in:

1. the Federal Convention,
2. the President,
3. the Council and the Special Bodies.
4. the Grand Tribunal, the Supreme Court, and the Tribune of the People,
5. the Chamber of Guardians.

4. The Federal Convention shall consist of delegates elected directly by the people of all states and nations, one delegate for each million of population or fraction thereof above one-half million, with the proviso that the people of any extant state... ranging between 100,000 and 1,000,000, shall be entitled to elect one delegate, but any such state with a population below 100,000 shall be aggregated for federal electoral purposes to the electoral unit closest to its borders.

The delegates to the Federal Convention shall vote as individuals, not as members of national or otherwise collective representations [except as specified hereinafter, Art. 46, paragraph 2, and Art. 47].

The Convention shall meet in May of every third year, for a session of thirty days.

5. The Federal Convention shall subdivide into nine Electoral Colleges according to the nine Societies of kindred nations and cultures, or Regions, wherefrom its members derive their powers, such Regions being:

1. the continent of Europe and its islands outside the Russian area, together with the United Kingdom if the latter so decides, and with such overseas English- or French- or Cape Dutch-speaking communities of the British Commonwealth of Nations or the French Union as decide to associate (this whole area here tentatively denominated Europa);

2. the United States of America, with the United Kingdom if the latter so decides, and such kindred communities of British, or Franco-British, or Dutch-British, or Irish civilization and lineage as decide to associate (Atlantis);
3. Russia, European and Asiatic, with such East-Baltic or South-Danubian nations as associate with Russia (Eurasia);
4. the Near and Middle East, with the states of North Africa, and Pakistan if the latter so decides (Afrasia);
5. Africa, south of the Sahara, with or without the South African Union as the latter may decide;
6. India, with Pakistan if the latter so decides;
7. China, Korea, Japan, with the associate archipelagoes of the North- and Mid-Pacific (Asia Major);
8. Indochina and Indonesia, with Pakistan if the latter so decides, and with such other Mid- and South-Pacific lands and islands as decide to associate (Austrasia);
9. the Western Hemisphere south of the United States (Columbia).

Each Electoral College shall nominate by secret ballot not more than three candidates, regardless of origin, for the office of President of the World Republic. The Federal Convention in plenary meeting, having selected by secret ballot a panel of three candidates from the lists submitted, shall elect by secret ballot one of the three as President, on a majority of two-thirds.

If three consecutive ballots have been indecisive, the candidate with the smallest vote shall be eliminated and between the two remaining candidates a simple majority vote shall be decisive.

6. Each Electoral College shall then nominate by secret and proportional ballot twenty-seven candidates, originating from the respective Electoral Area or Region, for the World Council; proviso that one-third and not more than one-third of the nominees shall not be members of the Federal Convention; and the nine lists having been presented to the Federal Convention, the Federal Convention in plenary meeting shall select by secret and proportional ballot nine Councilmen from each list, with the same proviso as above.

The Federal Convention shall also elect by secret and proportional ballot, on nominations, prior to the opening of Convention, by such organizations of world-

wide importance and lawfully active in more than three Regions as shall be designated [for the first election by the United Nations Assembly and subsequently] by the Council, eighteen additional members, regardless of origin; and the total membership of the World Council shall be thus ninety-nine.

7. The primary power to initiate and enact legislation for the Federal Republic of the World shall be vested in the Council.

The tenure of the Council shall be three years.

The Council shall elect its Chairman, for the whole tenure of three years.

Councilors shall be re-eligible.

8. Within the first three years of World Government the Council and the President shall establish three Special Bodies, namely:

1. a House of Nationalities and States, with representatives from each, for the safeguarding of local institutions and autonomies and the protection of minorities;

2. a Syndical or functional Senate, for the representation of syndicates and unions or occupational associations and any other corporate interests of transnational significance, as well as for mediation or arbitration in non-justiciable issues among such syndicates or unions or other corporate interests;

3. an Institute of Science, Education and Culture;

each of the three bodies with such membership and tenures and consultative or preparatory powers as shall be established by law and with no prejudice to the establishment of other advisory or technical agencies in accordance with the purpose stated hereinbefore (Art. 1, k).

9. Within its first year the World Government shall establish a Special Body, to be named Planning Agency, of twenty-one members appointed by the President, subject to vetoes by two-thirds of the Council, for tenures of twelve years [except that the terms for the initial membership shall be staggered by lot, with one-third of it, seven members, ceasing from office and being replaced every fourth year].

It shall be the function of the Planning Agency to envisage the income of the Federal Government and to prepare programs and budgets for expenditures, both

for current needs and for long-range improvements. These programs and budgets shall be submitted by the President, with his recommendations, to the Council, as provided hereinafter (Art. 13).

Plans for improvement of the world's physical facilities, either public or private, and for the productive exploitation of resources and inventions shall be submitted to the Agency or to such Development Authorities or regional subagencies as it may establish. The Agency shall pass judgment on the social usefulness of such plans.

Members of the Planning Agency shall not be re-eligible nor shall they, during their tenure in the Agency, have membership in any other federal body.

10. The executive power, together with initiating power in federal legislation, shall be vested in the President. His tenure shall be six years.

The President shall not have membership in the Council.

The President shall not be re-eligible. He shall not be eligible to the Tribunal of the People until nine years have elapsed since the expiration of his term.

No two successive Presidents shall originate from the same Region.

11. The President shall appoint a Chancellor. The Chancellor, with the approval of the President, shall appoint the Cabinet.

The Chancellor shall act as the President's representative before the Council in the exercise of legislative initiative. The Chancellor and the Cabinet members shall have at any time the privilege of the floor before the Council.

But no Chancellor or Cabinet member shall have a vote or shall hold membership in the Council, nor, if he was a member of the Council at the moment of his executive appointment, shall he be entitled to resume his seat therein when leaving the executive post unless he be re-elected at a subsequent Convention.

No one shall serve as Chancellor for more than six years, nor as Cabinet member for more than twelve, consecutive or not.

No three Cabinet members at any one time and no two successive Chancellors shall originate from the same Region.

The Council shall have power to interrogate the Chancellor and the Cabinet and to adopt resolutions on their policies.

The Chancellor and the Cabinet shall resign when the President so decides or when a vote of no confidence by the absolute majority of fifty or more of the Council is confirmed by a second such vote; but no second vote shall be taken and held valid if less than three months have elapsed from the first.

12. The sessions of the Council, as well as those of the Grand Tribunal and the Supreme Court, shall be continuous, except for one yearly recess of not more than ten weeks or two such recesses of not more than five weeks each, as the body concerned may decide.

13. The budget of the World Government, upon recommendation by the Planning Agency, shall be presented every three years by the President to the Council, which shall pass it, or reject it in whole titles, by majority vote; the same procedure to apply when at other intervals the President requests additional appropriations or approval of changes.

14. Any legislation of the Council can be vetoed by the President within thirty days of its passage. But the Council can overrule the veto if its new vote, by a majority of two-thirds, finds support, within sixty days of the President's action, in the majority of the Grand Tribunal [and no such support shall be required during the tenure of the first President].

15. The President can be impeached on grounds of treason to the Constitution, or usurpation of power, or felony, or insanity, or other disease impairing permanently his mind.

The vote of impeachment shall be final when three-quarters of the Council and three-quarters of the Grand Tribunal concur and the majority of the Supreme Court validates the legality of the proceedings.

If a President is impeached or resigns or dies in the interval between two sessions of the Federal Convention, the Chairman of the Council shall become Acting President until the new Convention elects a new President; and the Council shall elect a new Chairman.

THE GRAND TRIBUNAL AND THE SUPREME COURT

16. The supreme judiciary power of the World Republic shall be vested in a Grand Tribunal of sixty Justices, with the President of the World Republic as Chief Justice and Chairman, and the Chairman of the Council as Vice-Chairman ex officio.

The President as Chief Justice shall appoint the Justices of the Grand Tribunal and fill the vacancies, subject to vetoes by the Council on majorities of two-thirds. He shall have power to overrule any such veto if he finds support in a two-thirds majority of the Justices in office [except that no such power shall be vested in the first President].

No one, except the Chairman of the Council, shall hold membership at the same time in the Council and the Tribunal; nor shall a Chancellor or Cabinet member hold membership in the Tribunal or be eligible to it until six years have elapsed from the termination of his executive office.

17. The tenure of the Chief Justice and Chairman and of the Vice-Chairman of the Grand Tribunal shall be the time of their tenure of office respectively as President of the World Republic and as Chairman of the Council.

The President shall have power to appoint an Alternate, subject to approval by the Grand Tribunal, for the exercise of such of his functions in the judiciary branch and for such a time within his tenure as he may decide.

The tenures of the sixty Justices shall be fifteen years [except that the terms for the initial membership shall be staggered by lot, with one-fifth of it, twelve Justices, ceasing from office and being replaced every third year].

Justices of the Grand Tribunal shall not be re-eligible, except that a Justice appointed as Chancellor or Cabinet member, having resigned his membership in the Tribunal, shall be re-eligible to it for the unfulfilled portion of his tenure when six years have elapsed from the termination of his executive office.

18. The sixty Justices shall be assigned twelve to each of five Benches:

- the First Bench to deal with constitutional issues between the primary organs and powers of the World Government as well as with all issues and ca-

ses in which the Tribune of the People shall decide to appear in his capacity of World Attorney and defender of the Rights of Man;

- the Second Bench to deal with issues and conflicts between the World Government and any of its component units, whether single states or unions thereof or Regions, as well as with issues and conflicts of component units of the World Republic among themselves;
- the Third Bench to deal with issues and conflicts between the World Government and individual citizens or corporations or unions or any other associations of citizens;
- the Fourth Bench to deal with issues and conflicts among component units, whether single states or unions of states or Regions, and individual citizens or corporations or unions or any other associations of citizens when such issues and conflicts affect the interpretation or enactment of federal law;
- the Fifth Bench to deal with issues and conflicts, when they affect the interpretation and enactment of federal law, either among individual citizens or among corporations, unions, syndicates, or any other collective organizations of citizens and interests.

Each Region shall be represented in each Bench by at least one member and not more than two.

19. The Supreme Court shall be of seven members: five representing one each Bench, with the Chief Justice as their Chairman and the Chairman of the Council as their Vice-Chairman ex officio; and the active membership of the Benches shall thus remain of eleven each.

No two members of the Supreme Court shall originate from the same Region.

The representatives of the Benches in the Supreme Court shall be elected by secret vote of the Grand Tribunal in plenary session, with each Justice casting a ballot for five candidates, one from each Bench, and with those candidates elected who have obtained the largest vote, except that any presumptive electee shall be held ineligible whose assignment to the Court would duplicate the representation therein of any one Region or Bench.

If the first vote fails to fill all seats, the vote shall be repeated according to the same regulations.

The tenures of the members of the Supreme Court shall be: for the Chairman and Vice-Chairman the same as their tenures of office respectively as President of

the World Republic and as Chairman of the Council, and for the other members six years, at the end of which each of the five elected by the Grand Tribunal may be re-elected or shall be restored to the Bench whereof he was the delegate; but no Justice shall sit in the Court beyond his regular term of membership in the Tribunal; and when the latter term expires before the regular six-year term in the Court is completed, or when an elective member of the Court resigns or dies, the Grand Tribunal shall fill the vacancy for the unfulfilled portion of the term by secret partial election in plenary session, with the same proviso as above in regard to the representation of Regions.

Regions which have not been represented in the Supreme Court for two successive six-year terms shall have mandatory precedence in the elections for the third term.

20. The Supreme Court shall distribute the cases among the five Benches of the Grand Tribunal according to competences as specified hereinbefore [Art.18].

Cases where competences overlap or are otherwise doubtful shall be referred to such Bench or Benches jointly as the Supreme Court shall decide.

The Supreme Court shall have power to modify the rules of assignment for the five Benches as specified in Art. 18, subject to approval by the majority of the Council and by a two-thirds majority of the Grand Tribunal concurrently.

21. It shall be the office and function of the Supreme Court to review the decisions of the Benches, within three months of their issuance, said decisions to become effective upon registration by the Court, or, when annulled, to be returned for revision each to the Bench which judged the case, or to another, or to others jointly as the Court may decide; annulment to be pronounced in cases of unfair trial or faulty procedure, and also for reasons of substance when final appeal was filed by the losing party, if the Court at its own discretion choose to take cognizance thereof, or by the Tribune of the People, whose demand shall be mandatory.

22. The Grand Tribunal, with the approval of the Supreme Court, shall establish Lower Federal Courts in such number and places as conditions in the component units of the World Republic shall require, and a Federal Appellate Court in each Region. It shall also determine the rules and competences of such courts, and appoint their officials on the basis of competitive examinations.

23. The President or his Alternate and the Chairman of the Council shall not sit as judges in cases affecting the solution of conflicts between the President and the Council.

The President or Acting President or Alternate, or a Justice or the Chairman of the Council in his capacity of justice, shall not sit as a judge in cases involving his appointment or impeachment or demotion or tenure or in any other way affecting his particular interest.

24. No member of the Council or the Grand Tribunal shall be liable to removal from office until a criminal sentence on charges of felony or grave misdemeanor is final. But he shall be suspended from office, pending last recourse to the Grand Tribunal when a sentence of guilty, issued by a lower court, has been confirmed by a Federal Appellate Court.

The Supreme Court shall pronounce final judgment on the legality of the Proceedings. It shall also pronounce final judgment on the legal validity of elections and appointments to the Council and the Tribunal and to the offices of President and of Tribune of the People.

25. The President in his capacity of World Chief Justice shall have power of pardon over sentences passed under federal law.

THE TRIBUNE OF THE PEOPLE AND THE WORLD LAW

26. The Federal Convention, after electing the Council, shall elect by secret ballot the Tribune of the People as a spokesman for the minorities, this office to be vested in the candidate obtaining the second largest vote among the eligible candidates; ineligible to the office of Tribune being any candidate having also been nominated by any Electoral College for the office of President in the current Convention or having been a President or Acting President or Alternate or a member of the Grand Tribunal at any time in the nine years preceding said Convention or originating from the same Region as the President simultaneously in office.

The Tribune of the People shall not have membership in the Council.

The tenure of the Tribune of the People shall be three years. He shall have power to appoint a Deputy, subject to the same ineligibilities as above, with tenure to expire not later than his own.

He shall not be re-eligible, nor shall he be eligible to the office of President or Alternate or Justice of the Grand Tribunal, until nine years have elapsed from the expiration of his present term.

The Tribune, or his appointed Deputy, shall have the privilege of the floor before the Grand Tribunal and, under such regulations as shall be established by law, before the Supreme Court; but no vote in either; and he shall not be present when a vote is taken.

27. It shall be the office and function of the Tribune of the People to defend the natural and civil rights of individuals and groups against violation or neglect by the World Government or any of its component units; to further and demand, as a World Attorney before the World Republic, the observance of the letter and spirit of this Constitution; and to promote thereby, in the spirit of its Preamble and Declaration of Duties and Rights, the attainment of the goals set to the progress of mankind by the efforts of the ages.

28. No law shall be made or held valid in the World Republic or any of its component units:

1. inflicting or condoning discrimination against race or nation or sex or caste or creed or doctrine; or
2. barring through preferential agreements or coalitions of vested interests the access on equal terms of any state or nation to the raw materials and the sources of energy of the earth; or
3. establishing or tolerating slavery, whether overt or covert, or forced labor, except as equitable expiation endured in state or federal controlled institutions and intended for social service and rehabilitation of convicted criminals; or
4. permitting, whether by direction or indirection, arbitrary seizure or search, or unfair trial, or excessive penalty, or application of ex post facto laws; or

5. abridging in any manner whatsoever, except as a punishment inflicted by law for criminal transgression, the citizen's exercise of such responsibilities and privileges of citizenship as are conferred on him by law; or

6. curtailing the freedom of communication and information, of speech, of the press and of expression by whatever it means, of peaceful assembly, of travel;

paragraphs 5 and 6 to be subject to suspension according to circumstances, universally or locally, in time of emergency imperiling the maintenance and unity of the World Republic; such state of emergency, world-wide or local, to be proposed by the Chamber of Guardians and proclaimed concurrently by a two-thirds majority of the Council and a two-thirds majority of the Grand Tribunal for a period not in excess of six months, to be renewable on expiration with the same procedure for successive periods of six months or less but in no case beyond the date when the time of emergency is proclaimed closed, on the proposal of the Chamber of Guardians by simple majority votes of the Council and of the Grand Tribunal concurrently or, if the Guardians' proposal is deemed unduly delayed, by three-quarters majority votes of the Council and of the Grand Tribunal concurrently.

29. Capital punishment shall not be inflicted under federal law.

30. Old age pensions, unemployment relief, insurance against sickness or accident, just terms of leisure, and protection to maternity and infancy shall be provided according to the varying circumstances of times and places as the local law may direct.

Communities and states unable to provide adequate social security and relief shall be assisted by the Federal Treasury, whose grants or privileged loans shall be administered under federal supervision.

31. Every child from the age of six to the age of twelve shall be entitled to instruction and education at public expense, such primary six-year period to be obligatory and further education to be accessible to all without discrimination of age or sex or race or class or creed.

Communities and states unable to fulfill this obligation shall be assisted by the Federal Treasury with the same proviso as in Art. 30.

32. All property or business whose management and use have acquired the exten-

sion and character of a federal public service, or whereon restrictive trade practices have conferred the character and power of a transnational monopoly, shall become the property of the Federal Government upon payment of a just price as determined by law.

33. Every individual or group or community shall have the right of appeal against unjust application of a law, or against the law itself, gaining access through the inferior courts, local or federal, to the superior and the Grand Tribunal, and securing the counsel and support of the Tribune of the People when the Tribune so decides; and, if a law or statute is found evidently in conflict with the guarantees pledged in the foregoing articles or irreparably in contradiction with the basic principles and intents of the World Republic as stated in the Preamble to this Constitution and in its Declaration of Duties and Rights, the Grand Tribunal shall have power to recommend to the Supreme Court that such law or statute be declared, and the Supreme Court shall have power to declare it, null and void.

34. The Tribune of the People cannot be impeached except on the same grounds and with the same procedure as specified for the President in Art. 15.

If the Tribune of the People is impeached or resigns or dies, his substitute for the unfulfilled portion of his tenure shall be the candidate to the Tribunate who was next in line in the last Federal Convention, with the same provisos in regard to eligibility as in Art. 26, first paragraph.

THE CHAMBER OF GUARDIANS

35. The control and use of the armed forces of the Federal Republic of the World shall be assigned exclusively to a Chamber of Guardians under the chairmanship of the President, in his capacity of Protector of the Peace. The other Guardians shall be six Councilmen elected by the Council and the Grand Tribunal in Congress assembled, for terms of three years. [But the Grand Tribunal shall not participate in the first election.]

One former President shall also sit in the Chamber of Guardians, the sequence to be determined term for term, or, if he resign or die, for the fractional term, according to seniority in the presidential office; he shall have the privilege of the floor in the deliberations of the Chamber, but no vote in its decisions.

Officers holding professional or active rank in the armed forces of the Federal Republic, or in the domestic militia of any component unit thereof, shall not be eligible as Guardians.

36. The election of the six elective Guardians shall be by secret and proportional vote, with each Elector casting a ballot of six names or less; but no three Guardians of the seven, including the President and excluding the ex-President, shall originate from the same Region; and any presumptive electee whose election would contravene this norm shall be declared ineligible and replaced by the candidate fulfilling the norm and having obtained the next largest vote.

Regions which have not been represented among the seven Guardians referred to above for two successive three-year terms shall have mandatory precedences in the subsequent elections; but the Guardian or Guardians originating from a nation or Region where sedition against the World Republic is actual or, according to the majority of the Chamber, imminently expected shall cease from office and be replaced; unless the other Guardians decide unanimously otherwise.

No Guardian can be impeached or in any way suspended or removed from office for any other reason, except on such grounds and with such procedure as specified for the President and the Tribune of the People hereinbefore (Art. 15 and 34), and for the Guardians hereinafter (Art. 38).

If a Guardian resigns or dies or is in any way suspended or removed, his substitute for the unfulfilled portion of the term shall be chosen by partial election, with the same rules and provisos as in the first two paragraphs of this article, each elector casting a ballot of one or more names as the number of vacancies may be.

37. The Chancellor shall have access to the Chamber of Guardians as Deputy of the President whose vote he shall cast by proxy if the President so decides.

38. Appropriations for the budget of Peace and Defense, under control of the Chamber of Guardians, as proposed by the Chamber at the beginning of each term for the whole duration thereof, shall be submitted by the President to the Council, in conformity with Art 13 But if a state of emergency is declared, in the manner and limits as specified hereinbefore (Art. 28, last paragraph), the Chamber shall have power to demand and appropriate such additional funds as the emergency demands, subject to auditing and sanction by the Council when the emergency is closed; whereafter, if sanction is denied, the Guardians responsible shall be liable to

impeachment and prosecution for usurpation of power with the same procedure as specified for the President and the Tribune of the People hereinbefore (Art. 15 and 34).

39. The Chamber shall have power to propose by absolute majority, subject to approval by two-thirds majority votes of the Council and of the Grand Tribunal concurrently, extraordinary powers, world-wide or local, to be conferred on the President beyond those assigned to him by this Constitution, when a state of emergency, as provided in Art. 28, is proclaimed; such powers not to be granted for periods exceeding six months each and to be relinquished before the expiration of any such period as soon as the state of emergency, in conformity with Art. 28, is proclaimed closed.

40. The Chamber of Guardians shall answer interrogations from the Council on its general and administrative directives, but no vote shall be taken after discussion thereof, except as otherwise provided in Art. 28 and 39 and the decisions of the Chamber in matters technical and strategic shall be final, and withheld from publicity when the Chamber so decides.

41. The Chamber of Guardians, assisted by a General Staff and an Institute of Technology whose members it shall appoint, shall determine the technological and the numerical levels that shall be set as limits to the domestic militias of the single communities and states or unions thereof.

Armed forces and the manufacture of armaments beyond the levels thus determined shall be reserved to the World Government.

THE FEDERAL CAPITAL AND FEDERAL LANGUAGE AND STANDARDS

42. Within one year of its foundation the World Republic shall choose a Federal Capital, or a site therefor, with eminent domain over it and an adequate Federal District.

43. Within three years of its foundation the Federal Government shall designate one language, which shall be standard for the formulation and interpretation of the

federal laws; and for analogous purposes, relative to communication, taxation, and finances, it shall establish in its first year a federal unit of currency with a federal system of measures and a federal calendar.

THE AMENDING POWER

44. Amendments to this Constitution, recommended concurrently by a two-thirds majority of the Council and of the Grand Tribunal, shall be in force when approved by a two-thirds majority of the Federal Convention in the Constitutional Session following the recommendation.

Constitutional Sessions, of thirty days or less, as the discussion may require and the majority may decide, shall be held immediately after the ordinary electoral session in the third Federal Convention and thereafter every ninth year.

[But no amendment altering the electoral units as listed in Art. 5, or the assignment to them of seats in the Council and the other Federal bodies, shall be recommended to the first of such Sessions.]