

EXPANDED ANSWER 42A:

THOUGHTS ABOUT THE CONSTITUTION OF INDEPENDENT VIEQUES

Preliminary Goals & Thoughts:

- Democratic system – more like city government or condo association
- More direct than pure representative due to small population
- Electronic systems set up to allow direct voting via internet and public computer systems (or internet devices) made available in government offices
- Single house – council with approximately 15 members elected at large for two year terms – half each year with no term limit
- President elected for one year term by elected council – no term limit
- NO political tickets/parties – everyone independent although no limits on free association
- NO funding or donations of any sort allowed – all campaigning on campaign website provided at no cost
- Individual free speech is a right, but corporations, unions, and associations are not so entitled
- Transparency – sunshine laws and freedom of information – almost everything made available to citizens via open records on the internet – exceptions: employee personal data, employee discipline actions, lawsuits or negotiations in progress, and reasonable security information. All expenses and receipts, pay, fees, etc. available for review on line.
- All government contracts, position openings, and sales (or rents) of government property shall be advertised on THE government on-line site for 30 days minimum except during a declared emergency.
- All RFP's shall first require that the contractor, buyer, etc. be qualified so that only qualified bidders participate; therefore, the lowest (highest) bid is the winner – period. No games. Sealed bid or auction.

PREAMBLE TO THE CONSTITUTION (Some parts based on UN, US, and PR declarations)

We, the people of Independent Vieques, in order to organize ourselves politically on a fully democratic basis, to promote the general welfare, and to secure for ourselves and our posterity the complete enjoyment of human rights, do ordain and establish this Constitution for the republic which, in the exercise of our natural rights, we now create within the international community of nations.

In so doing, we declare:

The democratic system is fundamental to the life of the free Vieques community; The will of the people is the source of public power; The political order is subordinate to the rights of man; And the free participation of the citizen in collective decisions is assured.

We consider as determining factors in our life our wonderful heritage as citizens of the United States of America and the Commonwealth of Puerto Rico. In forming a new Nation, we in no way intend to disregard our past, but enhance our future as a free Country. As such, we

recognize that our new independent status requires surrendering many of the rights and privileges held as a citizen of the US and PR, in order to gain our sovereignty.

While being a part of PR and the US offered us certain important rights and privileges, we were, on the other hand, collectively treated as subjects, a colony of a colony. While we were able to participate in PR democratic elections, due to our small, remote population, and our unique situation, we were never truly represented in any of the decisions that affected our community. We had absolutely no representation in the creation of laws and rules established in the US and imposed upon us. In both governmental relationships, we were governed from outside bodies and had no control of our present or future destiny. Our resultant condition was never the stated intent of the founding fathers of either the US or PR as written in their respective constitutions.

[It became obvious to anyone who thought about government, as created by our respective constitutions, that much of the original intent of the drafters had been subverted. The US Constitution was established to charter a government for multiple semi-autonomous states. Neither the people nor the existing states wished to create a government that would rule heavily over them. The purpose was to define a mechanism under which the states could gain the benefits of working together without the risk of domination by a new entity. Much of the US Constitution is dedicated to limiting the central power of the federal government. However, inch by inch, the Congress and the Executive Branch have expanded the reach far beyond anything imagined. In the last hundred years, the courts have allowed erosion of the protections against such big government to the point where federal laws and rules govern almost all areas of life. The PR Constitution is patterned somewhat after the US but is subservient to it. The end result is over 300 million people living under federal laws over which they have no control or meaningful input. This is not the way the citizens of Independent Vieques wish to live.]

DECLARATION OF HUMAN RIGHTS

Note: This is a pretty straight adaptation of the [Universal Declaration Of Human Rights](http://www.un.org/en/universal-declaration-human-rights/index.html) created by the UN. <http://www.un.org/en/universal-declaration-human-rights/index.html>

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore, the citizens of the Independent Vieques, hereby proclaim this document as the primary guiding Universal Declaration of Human Rights and fully support it with the rule of law.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Every citizen is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, gender preference, birth or other status.

Article 3

Every citizen has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Every citizen has the right to recognition everywhere as a person before the law.

Article 7

All citizens are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Every citizen has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Every citizen is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Every citizen charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.
2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to untrue attacks upon his honor and reputation. Every citizen has the right to the protection of the law against such interference or attacks.

Article 13

1. Every citizen has the right to freedom of movement and residence within the Vieques borders.
2. Every citizen has the right to leave any country, including his own, and to return to his country.

Article 14

1. Every citizen has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Every citizen has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

1. Citizens of full age, without any limitation due to race, gender, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage, and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Every citizen has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Article 18

Every citizen has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance as long as it does not interfere with the rights of others.

Article 19

Every citizen has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Every citizen has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Article 21

1. Every citizen has the right to take part in the government, directly or through freely chosen representatives.
2. Every citizen has the right to equal access to public services.
3. The will of the people shall be the basis of the authority of government; this democratic process is to be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Every citizen, as a member of society, has the right to social security: the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

1. Every citizen has the right to work, to free choice of employment, to just and favorable conditions of work.
2. Every citizen, without any discrimination, has the right to equal pay for equal work.
3. Every citizen who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Every citizen has the right (though not the obligation) to form and to join trade unions for the protection of his interests.

Article 24

Every citizen has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays.

Article 25

Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Every citizen has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.
2. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Every citizen has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
2. Every citizen has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Every citizen is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

1. Every citizen has duties to the community in which alone the free and full development of his personality is possible.
2. In the exercise of his rights and freedoms, every citizen shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.