The Constitution of the

State of Pacem

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First Edition

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Compiled by Nicholas Kaos.

Section 1: Civil rights

Article 1: Civil rights and liberties

Chapter 1: Right to life

- (1) All people are guaranteed the right to live their life.
- (2) No person shall be penalized to execution.
- (3) All people have the right to education.

Chapter 2: Right to dignity and integrity

- (1) No person shall be subject to cruel or unusual punishment, treatment, or any form of torture.
- (2) All people have the right to their physical and mental integrity.
- (3) No person shall be forced to slavery or servitude.
- (4) No person shall be required to perform forced labor.
- (5) No person shall be subject to trafficking.

Chapter 3: Right to privacy

- (1) Personal data shall be protected.
- (2) The private life, family life, and home life of everyone shall be respected.

Chapter 4: Right to expression

- (1) The right to religious belief and expression shall be respected.
- (2) All people have the right to assemble and to protest.
- (3) All people have the right to express their opinion.
- (4) All people have the right to associate themselves with their own ideologies.
- (5) Information shall be free and open to all.
- (6) Academic and scientific freedom shall be respected.

Chapter 5: Right to family

- (1) All people have the right to found a family.
- (2) All people have the right to marry.

(3) All people have the right to be considered for adoption.

Chapter 6: Right to business

- (1) All people have the right to work.
- (2) All have the right to choose their occupation.
- (3) All people have the right to conduct free and fair business.
- (4) All people have the right to fair pay.
- (5) All people have the right to a safe working environment.
- (6) All people have the right to their own personal property.

Chapter 7: Right to equality

- (1) All people are equal before law.
- (2) Cultural diversity shall be respected.
- (3) There shall be no discrimination based on race, sex, gender, sexual orientation, genetic features, ethnicity, birth, religion, nationality, or personal beliefs.

Section 2: General provisions

Article 2: The State

Chapter 8: The State of Pacem

- (1) The State of Pacem is a sovereign state.
- (2) The state is a federal parliamentary constitutional electoral monarchy.
- (3) The state is to be considered to have originally formed on June 6th 2015.

Chapter 9: Symbols of the state

- (1) The flag shall be a black nordic cross atop a thicker golden nordic cross atop a dark blue background with a size ratio of 1:2.
- (2) The coat of arms shall be a quartered shield of red dragons and golden axes, supported by a red dragon and a white dog, and sporting an imperial crown.
- (3) The motto shall be 'tá ainm mór do na haoiseanna', meaning 'a great name for the ages'.
- (4) National symbols may be amended, created, or abolished by decree of the Monarch, by the passage of a bill, by motion in the Senate, or by initiative and referenda.

Chapter 10: Language

- (1) The official language of the state shall be English.
- (2) The official cultural language of the state shall be Latin.

Chapter 11: Citizenship

- (1) Citizens of the state shall be known as Pacemians.
- (2) Those who have either applied for citizenship, a citizen of an annexed nation, married a Pacemian, born to a Pacemian or born on Pacemian territory are Pacemian citizens.
- (3) Those who apply for citizenship or marry a full Pacemian must wait 2 weeks before being able to run for national offices in elections. These citizens are known as provisional citizens.
- (4) Individuals living on territory of the state but are not Pacemian citizens are considered residents of the state and are not granted any rights other than those of Article 1.

Chapter 12: Currency

(1) The Pacemian imperil and the United States dollar shall be considered legal tender within the state.

Article 3: Resistance

Chapter 13: Right to resistance

(1) All Pacemians have the right to resist any attacks on the sovereignty of the state or on the balance of power in the government.

Section 3: Legislative Branch

Article 4: Houses of the legislature

Chapter 14: General provisions

- (1) The legislature of the state is unicameral.
- (2) The sole house of the legislature shall be the Senate.

Article 5: The Senate

Chapter 15: General provisions

- (1) Members of the Senate shall be called Senators.
- (2) Senators gain the titular style "Magister Personae" and retain this title for the entirety of their lives or until revocation by the Monarch.
- (3) One elected Senator may be appointed the Imperial Representative to represent the interests of the Monarch in the Senate.
- (4) All citizens are permitted to view sessions of the Senate.

Chapter 16: Qualifications to be a Senator

- (1) A Senator must be a full Pacemian citizen that has reached thirteen years of age.
- (2) Senators are not required to be a member of a political party.

Chapter 17: Disqualifying a citizen to be a Senator

- (1) A Senator may be disqualified by committing a crime against the state as specified in Section 10, by decree of the Monarch, or by judgement of the courts.
- (2) By decree of the Monarch or by appeal to the courts an individual may be requalified to become a Senator.

Chapter 18: Elections for the Senate

- (1) Senators are to be elected in one nationwide constituency.
- (2) The Monarch shall issue a writ of election every three months which must include the number of seats up for election.
- (3) Elections shall use the single transferable voting system.

Chapter 19: President of the Senate

- (1) The elected members of the Senate shall elect among themselves a speaker of the Senate known as the President of the Senate.
- (2) The President of the Senate shall have the responsibility to schedule sessions of the Senate.

Chapter 20: Removal and resignation of Senators

(1) Senators must bring notice to the State Ministry and to the President of the Senate that they shall be resigning one week prior to their planned resignation.

- (2) If deemed an emergency, a Senator may immediately resign with consent of the President of the Senate.
- (3) Senators may be removed from the Senate by decree of the Monarch, through initiative, or through judgement of the courts.
- (4) Senators are to be immediately removed from office if they are to commit crimes against the state as specified in Section 10.

Chapter 21: Conflict of interests

- (1) Senators must make conflicts of interest clear to the President of the Senate.
- (2) Senators are not permitted to accept donations exceeding \$50 in their capacity as Senator.

Article 6: By-elections

Chapter 22: By-elections

- (1) By-elections shall occur when a Senator is removed from office or resigns.
 - (a) By-elections may also occur when there is a vacancy during a standard election and there is later interest to fill this seat.
- (2) By-elections must occur within one month of the vacancy.
- (3) By-elections shall follow the same electoral procedures as specified in Chapter 18.
- (4) By-elections shall not reset the election cycle.
- (5) By-elections shall not take place if the removal or resignation is in the month prior to the next election, leaving the seat vacant until then.

Article 7: Powers of the Senate

Chapter 23: Power of veto

- (1) The Senate may veto decrees made by the Monarch through motion.
- (2) The Senate may veto military actions made by the Monarch through motion.
- (3) All decrees and military actions vetoed by the Senate must be rectified by the Monarch withing fourteen days.

Chapter 24: Financial powers

- (1) The Senate may pass motions or bills in reference to:
 - (a) the budget;
 - (b) taxation;
 - (c) international and interterritorial trade and commerce;

- (d) tariffs;
- (e) corporations and corporate policy;
- (f) currency; and
- (g) mintage.

Chapter 25: Power of legislative approval

- (1) The Senate may approve diplomatic relations and treaties through motion.
- (2) The Senate may approve the annexation of another nation through motion.
- (3) The Senate may approve of judicial appointments by the Monarch through motion.
- (4) The Senate may approve of interterritorial agreements.

Chapter 26: Power of naturalization

(1) The Senate has the power to legislate on citizenship and the naturalization process.

Chapter 27: Power of internal regulation

- (1) The Senate may legislate the structure of the Senate through amendment to the Constitution.
- (2) The Senate may form committees through motion or legislation to handle specific topics.
- (3) The Senate may regulate the structure of the federal judiciary through amendment to the Constitution.
- (4) The Senate may regulate the structure of the federal executive through amendment to the Constitution.

Article 8: Bills and motions

Chapter 28: General provisions

- (1) Bills are template-based legislation passed by the Senate as laws.
- (2) Motions are legislation presented through a statement to be enacted as law.
- (3) Both bills and motions require $\frac{2}{3}$ of the Senate to pass.
- (4) Any citizen may put forth a motion or bill.

Chapter 29: Amendments to bills

(1) Bills may be amended through amendment bills or through initiative.

Section 4: Executive Branch

Article 9: The Monarchy

Chapter 30: General provisions

- (1) The Monarch is the Head of State of the state.
- (2) The Monarch of the state shall be known as the Emperor/Empress and is an elected office.
- (3) The Monarch shall the title "Their/His/Her Imperial Majesty".
- (4) The seat of the Monarch shall be the City of Netuk as the Earl of Netuk.
 - (a) The title of Emperor of Pacem and Earl of Netuk shall be passed on from the Monarch to their successors.
- (5) The consort of the Emperor/Empress shall be given the title of Grand Prince/-ss of Pacem.
- (6) The Monarch is automatically a member of the Cabinet of the First Minister.

Chapter 31: Succession

- (1) The Monarch of Pacem shall be selected by election.
- (2) Elections shall occur when the Monarch:
 - (a) has been held by a Regent for six months;
 - (b) the Monarch has abdicated; or
 - (c) the Monarch dies.
- (3) The Monarch of Pacem shall make a list of royal houses permitted to run in an election for monarch.
- (4) Each house permitted to put forth a candidate for Monarch shall put forth one candidate for election.
- (5) The election for Monarch shall use instant runoff voting under one national constituency.

Chapter 32: Regency

- (1) The Senate shall elect a Regent to the Monarch following their election based on candidates chosen by both the Senate and the Monarch.
- (2) The Regent shall rule for the Monarch if:
 - (a) the Monarch has yet to reach fifteen years of age; or
 - (b) the Monarch is not sound to rule.
- (3) A Regency may last a maximum of six months before a successional election is required.

Article 10: Powers of the Monarch

Chapter 33: Power to alter succession

- (1) The Monarch may alter their own personal succession.
- (2) The Monarch may alter the royal families allowed in electional succession.

Chapter 34: Power to manage offices

- (1) The Monarch may remove anyone from public office if they are deemed to not be fulfilling their duties sufficiently.
- (2) The Monarch has the power to appoint Justices to the Supreme Court.
- (3) The Monarch has the power to appoint executive officers to lead colonies.

Chapter 35: Peerages and decorations

- (1) The Monarch may grant titles of nobility and titular styles at their will.
- (2) The Monarch may grant awards and decorations at their will.

Chapter 36: Armed Forces

- (1) The Monarch is the Commander-in-Chief of the Armed Forces.
- (2) The Monarch is a permanent member of the Council of Stars.

Chapter 37: Power of executive approval

- (1) The Monarch has the power to approve all appointments made directly by the First Minister.
- (2) The Monarch has the power to grant assent to any bill or motion passed by the Senate.(a) The Monarch must sign any bill passed in the Senate for assent to take place

Article 11: First Minister

Chapter 38: General provisions

(1) The First Minister is the Head of Government of the state.

Chapter 39: Elections of the First Minister

(1) The First Minister is elected by the people every nine months.

- (2) The alternative vote electoral system shall be used in elections.
- (3) The First Minister must choose a running mate during election known as the Minister-at-Arms.

Chapter 40: Removal and resignation of the First Minister

- (1) The First Minister may be removed from office by the Monarch through decree or through initiative.
- (2) The First Minister may at any time and give the State Ministry a one week notice prior to their resignation date.
 - (a) In the event of an emergency, the First Minister may be given approval for immediate resignation by the Monarch.
- (3) All ministers in the Cabinet of the First Minister may choose to stay or resign or be removed with the First Minister.

Chapter 41: Snap elections

- (1) In the event of a vacancy, a writ of election for the office of First Minister may be called by the Monarch.
- (2) The snap election shall use the procedures detailed in Chapter 39.
- (3) The snap election shall reset the election cycle and begin a new nine month term.

Article 11: Powers of the First Minister

Chapter 42: Head of the Cabinet

- (1) The First Minister shall be able to form a Cabinet of ministers and be able to appoint those ministers.
- (2) The First Minister shall be able to organize cabinet meetings.

Chapter 43: Power of approval

- (1) The First Minister has the power to approve all lower-level Cabinet positions.
- (2) The First Minister has the power to give veto any bill or motion passed by the Senate.

Chapter 44: Advisor to the Monarch

(1) The First Minister shall be the primary advisor to the Monarch.

Article 12: The Cabinet

Chapter 45: General provisions

- (1) The Cabinet shall be made up of ministers appointed by the First Minister.
- (2) The Cabinet shall have the power to execute the law in conjunction with their assigned jurisdiction.
- (3) Ministries within the Cabinet may form directorates.
- (4) There shall be two constitutional ministries: the Minister-at-Arms and the State Minister.
- (5) Appointed members of the Cabinet may serve as both ministers and as Senators.

Chapter 46: Minister-at-Arms

- (1) The Minister-at-Arms is the assistant to the First Minister.
- (2) The Minister-at-Arms shall be the acting First Minister when the First Minister is on temporary leave. This may last 3 months before a snap election is to be called.
- (3) The Minister-at-Arms shall be the clerk of the Cabinet and record all Cabinet meetings.

Chapter 47: State Ministers

- (1) The State Minister shall be in-charge of internal affairs under the State Ministry.
- (2) The State Minister has constitutional jurisdiction over:
 - (a) censuses;
 - (b) licenses; and
 - (c) elections.

Chapter 48: Chancellor

(1) The Chancellor shall be in-charge of the Central Bank under the Finance Ministry.

Chapter 49: Defense Minister

- (1) The Defense Minister shall be in-charge of managing the Armed Forces under the Defense Ministry.
- (2) The Defense Minister shall hold a permanent seat on the Council of Stars.

Section 5: Judicial Branch

Article 13: The Court

Chapter 50: General provisions

- (1) All national judicial power is vested in the Supreme Court and any inferior courts established by law, collectively known as "the Courts".
- (2) The Courts and their justices are independent and subject only to the constitution and to the law.
- (3) The Courts shall be comprised of the Chief Justice and Justices appointed by the Monarch.
- (4) The Courts have the responsibility to carry out their duties fairly and unbiased.
- (5) The Courts have the complete power of judicial review.

Article 14: Chief Justice

Chapter 51: General provisions

- (1) The Chief Justice is the head of the Courts.
- (2) The Chief Justice is given the titular style "Magister Jus" for the rest of their life or until revoked by the Monarch.
- (3) The Chief Justice has the powers to appoint Justices to cases throughout the Courts.

Chapter 52: Election of the Chief Justice

- (1) The Chief Justice is an elected position.
- (2) Elections for the Chief Justice are conducted using the instant runoff voting system.

Chapter 53: Resignation and removal of the Chief Justice

- (1) The Chief Justice must submit a one week notice to the First Minister prior to their resignation.
- (2) In an emergency the First Minister may grant immediate resignation.
- (3) A Chief Justice may be removed from office by the Monarch, through being found guilty of the crimes specified in Section 10, or by initiative.

Chapter 54: Snap elections

- (1) Following the removal/resignation of a Chief Justice there is to be an immediate snap election.
- (2) The election shall use the procedures of Chapter 52.

Article 15: District courts

Chapter 55: General provisions

- (1) Districts courts are the lowest in ranking of the national courts.
- (2) There shall be four districts:
 - (a) District A: District courts for dependencies.
 - (b) District B: District courts for city-states.
 - (c) District C: District courts for territories and colonies.
 - (d) District Z: Federal tribunals.
- (3) The district courts have both original and appellate jurisdiction.
- (4) District courts have original jurisdiction on all federal civil, criminal, and constitutional cases excluding those mentioned in Chapter 58 under the original jurisdiction of the Supreme Court.
- (5) District courts have appellate jurisdiction over cases appealed from free territories and colonies or from city-states and dependencies without appellate courts.

Article 16: Supreme Court

Chapter 56: General provisions

- (1) The Supreme Court is the highest court in the state.
- (2) The Surpreme Court is headed by the Chief Justice among a council of up to 3 appointed Justices.
- (3) The Supreme Court makes edicts as a council. A majority of Justices must agree on a subject for an edict to be passed.

Chapter 57: Appellate jurisdictions

(1) The Supreme Court has appellate jurisdiction from all cases appealed from the district courts, as well as from state appellate courts.

Chapter 58: Original juridiction

- (1) The Supreme Court has original jurisdiction in any civil or criminal case including the following officials:
 - (a) the President of the Senate;
 - (b) the First Minister; and
 - (c) The Monarch.
- (2) The Supreme Court also has original jurisdiction over all cases concerning Section 10.

Section 6: Territories

Article 17: General provisions

Chapter 59: Definitions

- (1) Pacem is a federal nation divided into autonomous states and federal districts.
- (2) Territories are defined by being under the jurisdiction of the following national institutions:
 - (a) the Courts;
 - (b) the Armed Forces;
 - (c) the Central Bank; and
 - (d) geopolitical entities of which recognized the Monarch as the sovereign.
- (3) Protectorates are not territories of the state and are sovereign nations only under military protection by the state.
- (4) The national government may not pass laws within a state.
- (5) Treaties between territories are referred to as agreements.

Chapter 60: Territorial order of autonomy

- (1) The territorial order of autonomy, from greatest to least, is as follows:
 - (a) Dependencies;
 - (b) city-states;
 - (c) free territories; and
 - (d) colonies.
- (2) Territories may move to a classification of greater or lower autonomy through internal referendum and approval by the Monarch.

Chapter 61: New territories

(1) Territories may be made through annexation by treaty or by non-militant expansion through claims made by citizens.

Article 18: Territorial divisions

Chapter 62: Dependencies

- (1) Dependencies are territories in which have the most autonomy. They are considered to be a part of the state but are effectively sovereign.
- (2) Dependencies may partake in international relations under the approval of the Senate.
- (3) Dependencies are permitted to have their own military with an Army branch and a Naval branch.
- (4) Dependencies may have their own system of nobility.
- (5) Dependencies may have their own constitution, elected legislature, elected executive, and fully functioning court systems.

Chapter 63: City-States

- (1) City-states may partake in international relations under the approval of the Senate.
- (2) City-states are permitted to have their own military with a singular, general purpose branch.
- (3) City-states may have their own system of nobility.
- (4) City-states may have their own constitution, elected legislature, elected executive, and fully functioning court systems.

Chapter 64: Free Territories

- (1) Free territories may not take part in foreign affairs.
- (2) Free territories may sign agreements for military defense among other territories.
- (3) Free territories are subject to the imperial nobility system.
- (4) Free territories are permitted to have their own charter, elected executive, and non-apellate courts.

Chapter 65: Colonies

- (1) Colonies may not take part in foreign affairs.
- (2) Colonies may sign agreements for military defense among other territories.
- (3) Colonies are subject to the imperial nobility system.

(4) Colonies are permitted to have their own charter, appointed executive, and non-apellate courts.

Section 7: The Economy

Article 19: Legal tender

Chapter 66: Pacemian imperil

- (1) The national currency of the state is the Pacemian imperil.
- (2) The symbol of the imperil shall be I\$.
- (3) The value of the imperil shall be dictated by the Central Bank.

Chapter 67: United states dollar

(1) The United states dollar shall be accepted as legal tender in the state.

Article 20: Central Bank

Chapter 68: General provisions

- (1) The Central Bank is the central economic authority of the state.
- (2) The Central Bank is controlled by a Chancellor, who is appointed jointly by the First Minister and the Monarch.

Chapter 69: Powers of the Central Bank

- (1) The Central Bank has the power to:
 - (a) control interest rates;
 - (b) control circulation;
 - (c) control inflation; and
 - (d) control the value of the imperil.

Section 8: Initiative and referenda

Article 19: Initiative

Chapter 70: Definitions and general provisions

- (1) Initiatives are petitions made by citizens in order to amend legislation in the state.
- (2) Initiatives may be used to amend both the constitution and bills passed in the Senate.
- (3) Initiatives may be used to call for referendums concerning any topic.
- (4) Initiatives may be used to remove any public officer from office.

Chapter 71: Process

(1) There are two types of initiative: general and detailed.

- (a) General initiatives are non-specific initiatives of which require a bill to accomplish the goal specified in the initiative. These are also the initiatives used to call referendums.
- (b) Detailed initiatives are specific in that they detail the amendments they wish to make to legislation.
- (2) Initiatives are to posted publicly for all citizens to support.
- (3) Initiatives require $\frac{1}{2}$ of the state's population to be moved to referendum.

Article 20: Referenda

Chapter 72: Process

- (1) Following a successful initiative the State Ministry shall create a referendum for all citizens to vote concerning the contents of the initiative.
- (2) If a referendum passes, the Cabinet will decide the course of action to take.

Section 9: Armed Forces

Article 21: General provisions

Chapter 73: Definitions

(1) The Armed Forces are the primary military force of the state.

(2) The Armed Forces shall be tasked with the protection of the state, its territories, and its protectorates.

Chapter 74: Organization

- (1) The Armed Forces are divided into three branches:
 - (a) the Army;
 - (b) the Navy; and
 - (c) the Airforce.
- (2) The governing body of the Armed Forces shall be the Council of Stars.

Chapter 75: Council of Stars

- The Council of Stars is comprised of the highest ranking commanding officers of each of the three branches, as well as one seat for the Defense Minister and one seat for the Monarch.
- (2) The Council shall advise the Monarch on military matters.

Article 22: Army

Chapter 76: Organization

- (1) The Army shall be divided into the following divisions:
 - (a) Divisions;
 - (b) Companies; and
 - (c) Squads.
- (2) The Army divisions shall be commanded by these respective officers:
 - (a) Generals;
 - (b) Majors; and
 - (c) Lieutenants.
- (3) There shall be two lower commanding ranks, being Privates and Corporals.
- (4) The highest commanding rank in the Army is the Major General.

Chapter 77: Purpose

- (1) The Army shall primarily serve as an expeditionary force for the state on land.
- (2) The secondary purpose of the Army will be to be deployed in land-based, heavy infantry combat.

Article 23: Navy

Chapter 78: Organization

- (1) The Navy shall be divided into the following divisions:
 - (a) Task Forces;
 - (b) Flotillas; and
 - (c) Fleets.
- (2) The Navy divisions shall be commanded by these respective officers:
 - (a) Commanders;
 - (b) Rear Admirals; and
 - (c) Admirals.
- (3) There shall be two lower commanding ranks, being Seamen and Petty Officers.
- (4) The highest commanding rank in the Army is the Grand Admiral.

Chapter 79: Purpose

- (1) The Navy shall primarily serve as an aquatic expeditionary force for the state.
- (3) The secondary purpose of the Navy will be to be deployed in oceanic-based combat.

Article 24: Airforce

Chapter 80: Organization

- (1) The Navy shall be divided into the following divisions:
 - (a) Squadrons;
 - (b) Wings; and
 - (c) Commands.
- (2) The Navy divisions shall be commanded by these respective officers:
 - (a) Lieutenants;
 - (b) Wing Commanders; and
 - (c) Air Marshals.
- (3) There shall be two lower commanding ranks, being Airmen and Corporals.
- (4) The highest commanding rank in the Army is the Chief Air Marshal.

Chapter 81: Purpose

- (1) The Airforce shall primarily serve as an airborne expeditionary force for the state.
- (2) The secondary purpose of the Airforce will be to be deployed in sky-based combat.

Section 10: Crime against the state

Article 25: Definitions

Chapter 82: Banishment

- (1) Citizens who are found guilty of crimes against the state shall face banishment by the Monarch with approval by the Courts.
- (2) Banishment temporarily revokes the guilty party's citizenship until the banishment is lifted or in certain cases their fine is paid.

Chapter 83: Fines

- (1) Citizens who are found guilty of crimes against the state shall be fined for their crimes.
- (2) Fines shall be paid directly to the Central Bank.
- (3) If a penalty includes both a fine and a banishment, the banishment shall not be lifted until the fine is paid.
 - (a) Banishment cannot be shortened through early fine payment.

Article 26: Crimes against unarmed citizens

Chapter 84: Definitions

- (1) Crimes against unarmed citizens are armed offences against innocent and/or unarmed civilians.
- (2) These are offenses are committed specifically by the Armed Forces.

Chapter 85: Penalties

 The penalties for being found guilty are a minimum of 1 year banishment and a fine of I\$5000 or an equivalent payment.

Article 27: Treason

Chapter 86: Definitions

(1) Treason is defined as betraying the state by supporting another nation's efforts to undermine, take over, or politically influence the state.

Chapter 87: Penalties

- The penalties for being found guilty are a minimum of 6 months banishment and a fine of I\$3500 or an equivalent payment.
- (2) The guilty party shall not be allowed run in any political offices unless granted pardon by the Monarch.

Section 11: Final Provisions

Article 28: Past offices

Chapter 88: Executive positions

(1) Nicholas Kaos shall remain Monarch following passage of this constitution without need for election.

Chapter 89: Senate

(1) The Senators of the Third Senate shall retain their seats until the next election.

Chapter 90: Military

(1) The First Infantry Division of the Army shall remain a division of the Army following the passage of this constitution.

Article 29: Commencement

Chapter 91: Referendum

(1) This constitution may be enacted into law through passage in referendum of which the citizens of the state are open to participate in.

Chapter 92: Past Legislation

- (1) All past legislation shall be considered null.
- (2) The Articles of Establishment are considered null.
- (3) The Monarch may review decrees made prior to this constitution and decide which are constitutional and which are not.