

**THE REGENCY OF UNITED SOCIETIES IN SPACE  
DECLARATION OF EMERGENCE AND CONSITUTION  
AND  
THE REPUBLIC OF SOL  
DECLARATION OF INDEPENDENCE AND CONSTITUTION:  
A COMPARISON OF CHOICES FOR A SPACE-BORNE SOCIETY\***

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## **INTRODUCTION**

### **The Origin For The Republic Of Sol (Ros) Declaration Of Independence And Constitution**

The Republic Of Sol's Constitution had its beginnings when I read THE HIGH FRONTIER by Dr. Gerard O'Neill. Upon completing that book I realized that for the free society that Dr. O'Neill envisioned to become a reality, a foundation of law needed to be in place.

For the protection of those would be governed by this foundation of law it would need to be in place even before one person lived or worked in space full time.

The existing treaties and national space policies are sufficient for what space development and settlement exists now: the International Space Station and the limited orbital habitation of space for short time frames by professional astronauts and scientists.

However, when lift costs become reasonable and true emigration to space begins, existing space treaties will be insufficient for a space-borne society. When groups of everyday people emigrate to space to live and work in space full time, a whole different foundation of law must be in place to protect those who first go there.

Also this foundation must ensure that the freedoms of a solar system wide space-borne society are not impinged upon by the government that is needed to provide the services demanded by such a society.

That is why I prepared a constitution for a hypothetical nation in space, the Republic Of Sol. That nation would be comprised of free orbital space stations and settlements, either on the

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moon, Mars or other extraterrestrial planets or moons. For this constitution, I borrowed extensively from one of the most successful governmental constitutions on the planet: the U. S. Constitution.

The ROS Constitution is a draft document in evolution. What I mean by that is that since it is not ratified by any body of people claiming to be the ROS, it may go through many revisions before it becomes a legitimate constitution governing a free society in space. I envision this taking place at a constitutional convention, once enough interest is shown by concerned parties who might adopt such a constitution.

Until then, it is an intellectual exercise designed to offer an alternative to existing plans for space governance.

### **The Origin For The Rousis Declaration Of Independence And Constitution**

While presenting my hypothetical constitution for the Republic Of Sol at the International Space Development Conference 2002 convention Last May, I became aware of the ROUSIS Constitution.

Initially the first draft of the ROUSIS Constitution was published in the United Societies In Space publication, the Space Governance Journal, in 1999. According to their web-site, The ROUSIS voted their Constitution into existence in its final form (the October 2, 2000 Draft) at the USIS convention in Albuquerque New Mexico the summer of 2000.

Although conceived and considered in at least two USIS conventions, from all indications I have seen from the ROUSIS web-site and publications, the ROUSIS Constitution appears to be a draft document in evolution. I have no knowledge what groups, if any, have ratified the ROUSIS Constitution.

### **WHY COMPARE THE ROUSIS DECLARATION OF EMERGENCE AND CONSTITUTION AND THE ROS DECLARATION OF INDEPENDENCE AND CONSTITUTION?**

At first glance of the ROUSIS document I thought that my efforts might be redundant: it appeared someone else had also seen the need for a foundation for law in space that was designed for space settlers, and had drafted a constitution to meet those needs.

However, upon further review of the ROUSIS document it became readily apparent that that was not the case.

While researching the origins of the ROUSIS Constitution, I also discovered their Declaration Of Emergence. This ROUSIS Declaration Of Emergence will be compared with the ROS Declaration Of Independence. The ROS Declaration was compiled by myself and a fellow student of the U. S. Constitution. We completed it in Early June, borrowing heavily from the United States Declaration Of Independence.

After examining both the ROUSIS and ROS documents it was clear they differed radically from one another. One constitution and declaration was founded on freedom and individual rights, while the other constitution and declaration was founded on governmental control and limited collective rights.

It was then that I had the idea for this presentation, to compare the two views; the ROUSIS Declaration Of Emergence and Constitution and the ROS Declaration Of Independence and Constitution.

Both the ROUSIS and ROS positions were intended for furthering the human exploration and settlement of space.

I thought it would be beneficial for those interested in living and working in space, such as those gathered here at the Mars Society Convention, to examine both views.

Then those most affected by these intents at space governance could decide for themselves, which system they would prefer to live under when we finally arrive in space to stay.

**TABLE 1 Comparison Of Key Points Between The ROUSIS Declaration Of Emergence And The Republic Of Sol Declaration Of Independence.**

ROUSIS Declaration Of Emergence

A declaration in five paragraphs outlining the Regency Of United Societies In Space (ROUSIS) governmental intent for future space-borne societies.

1. Paragraph one of the ROUSIS Declaration of Emergence specifically includes Earthbound people as the entities determining the fate of those humans who emigrate to space permanently.

This allows the Regency to be controlled by those not emigrating to space.

This is a variation of colonialism; where a distant government has authority over those in the settlements.

2. Paragraph two proposes the ROUSIS as the governing body for an emergent space-borne society.

ROS Declaration Of Independence

A Declaration of Independence in a singular paragraph for people of the Earth who are emigrating to space, and intent on self-governance by forming the Republic Of Sol (ROS).

1: The ROS Declaration Of Independence affirms the action and intent to govern is by those emigrating to space, which is not the case with the ROUSIS document.

In my opinion, if one is not living in the same place as those people being governed, one does not have the right to govern those people.

Historically the ROUSIS colonial type of arrangement has lead to rebellion and war.

2: An authoritarian body, such as ROUSIS is described within their constitution, is not an acceptable means of governing a free people.

A Republic, which is the form of government proposed by the ROS Constitution, is the *only* acceptable means of governing a free people.

3. Paragraph three of the ROUSIS Declaration Of Emergence is very similar to the United States Declaration Of Independence.

However, with the additions in paragraphs 1, 2, and 5 to the ROUSIS Declaration Of Emergence present a weaker case for individual rights.

4. Paragraph four of the ROUSIS Declaration Of Emergence reiterates private property rights, which are not precluded by existing and ratified space treaties.

The exception is the moon treaty, which has not been ratified by any space-faring nation.

5. Paragraph five of the ROUSIS Declaration Of Emergence assumes that the people of Earth grant the authority to ROUSIS that ROUSIS appropriates in paragraph 1 and 2 of their Declaration of Emergence and throughout their constitution.

3: It appears this paragraph of the ROUSIS Declaration Of Emergence is taken from the United States Declaration Of Independence, as was the body of the ROS Declaration Of Independence.

As I stated previously, the additions made to the ROUSIS document weaken the rights of the people, whereas the changes made to the original U.S. Declaration Of Independence for the ROS document enhance the rights of the people.

The additions and changes made to the U.S. Declaration Of Independence which found their way into the ROUSIS Declaration Of Emergence make it unacceptable for a free space-borne society.

4: There is no provision to segregate private property rights from "natural and inalienable rights" in the ROS Declaration of Independence.

Private property rights are not precluded within the existing ratified space treaties, and therefore all citizens of the ROS will have private property rights.

5: In the ROS Declaration Of Independence, it is the people emigrating to space claiming the right to govern themselves.

Power comes from the people, not from entities that create themselves and then appropriate such power without authority from the people who are subject to that power.

## **COMAPRISON OF THE ROUSIS (REGENCY) CONSTITUTION AND THE ROS (REPUBLIC) CONSTITUTION.**

In reviewing both documents I found nine key issues where the two documents were in direct contention. I will address these key issues, first from the ROUSIS documents and then the ROS documents.

The point and counter point from the respective constitutions will be listed side by side on the overhead, as I did with the Declarations comparison. Additionally the references to the sections of the relevant documents will be listed at the bottom of each paragraph.

### **TABLE 2 Comparison of Constitutions**

#### The ROUSIS Constitution

1. The ROUSIS is created without the authority of the people. Regents and other officials are not elected by the general populace of the Earth, the general populace of space settlers, or the general populace of future space settlers.

The ROUSIS came into being, along with their authoritarian control of all aspects of any future space-borne society, when voted upon by a self-appointed group that was not elected by any group of people, either Earthbound people or Earthbound people intending to emigrate to space.

ROUSIS Constitution, October 1, 2000  
Draft; Article I, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9; Article II, Sections 1, 2, 4, 7, 8, 9, Section 12, Sub. Paragraphs A, J, K, L, M, P, & Q; Article III, Sections 1,2; Article IV, Section

#### The ROS Constitution

1. The ROS will not officially exist until the people who have emigrated to space or the people who intend to emigrate to space\* ratify the constitution at a constitutional convention made up of those people. (The Mars Society, The L 5 Society, The Artemis Society Intl., The Moon Society, and others.)

Even if ratified by the people who intend to emigrate to space, the ROS will not exist as a governing entity. The ROS will not exist as a governing entity until the first two actual space stations or settlements exist with people living permanently in space, *and* they also ratify the ROS constitution. This prevents any abuse of authority over a future space-borne society by any Earthbound group of people.

ROS Constitution, July 4, 2002 Draft,  
Article VII, Sections 1 through 4.

2; Article V, Sections 1 through 5.2. In a seeming conflict with their Declaration Of Emergence, the ROUSIS Constitution has no provision for private property. All space resources are controlled by ROUSIS. It seems there is a vague plan on how some entities, if they are *approved* by the ROUSIS will be granted long term leases, but no private property is allowed under the ROUSIS. This self-appointed authority over all space resources is done without authorization of the people of Earth who will emigrate to space and live there.

ROUSIS Declaration Of Emergence, Paragraphs 2 and 5; ROUSIS Constitution October 1, 2000 Draft, Preamble; Article I, Sections 6, 8, & 9; Article II, Sections 4, 6, 12-A, D, I, J, M, N, P, Q, S, & T; Article III, Section 5; Article IV, Section 1, 3, 4, & 5.

3. The ROUSIS relies on Earthbound entities, such as various nations military, the UN and other Earthbound entities; for assistance, functions, and authority.

ROUSIS Constitution, October 1, 2000 Draft, Article I, Section 3(former MAP); Article II, Section 4; Article III, Section 5; Article IV, Section 1, 2, & 7.

2. It is my opinion that the exiting ratified space treaties among Earth nations *do not* prohibit the private ownership of space resources. This opinion is shared by Attorney Wayne White and several other space law experts.

These documents, specifically the 1967 Space Treaty, only prohibit *Earthbound nations* from establishing sovereignty over space resources. The ROS, being a *space-borne* nation could support the treaties and have one or more settlements on the moon or Mars and *not* be in violation of the 1967 Space treaty. Since the settlements will be made up of individuals who OWN the property where they live, the colony will not be subject to any Earthbound national sovereignty.

ROS Declaration Of Independence; ROS Constitution, July 4, 2002 Draft, Body of constitution.

3. The ROS will have its own infrastructure to support its citizens. The authorization for the ROS governance will come from its citizens via their elected officials. The ROS Constitution provides safeguards to prevent elected officials from abusing this authority.

ROS Declaration Of Independence; The ROS Constitution, July 4, 2002 Draft, Article I, All Sections; Article II, All Sections.

4. The body of work within the ROUSIS Constitution indicates a foundation and pattern of socialistic governance.

ROUSIS Declaration Of Emergence, Paragraph 2; ROUSIS Constitution, October 1, 2000 Draft, Preamble; Article 1, Sections 1 through 4, & 6 through 9; Article II, Sections 1 through 10, 12-A, B, D, F, I, J, & L through U; Article III, Sections 1 through 4, & 6; Article IV, Sections 5 & 7.

5. The ROUSIS Constitution lacks provisions to limit government.

ROUSIS Constitution, October 1, 2000 Draft, Article I, Sections 1 through 4, and 6 through 9; Article II, Sections 1, 3 through 10, 12-A, B, D, F, I, J, L through U; Article III, Section 1 through 4, and 6; and Article IV, Sections 5 and 7.

6. In the ROUSIS Constitution the Judiciary is not selected by the people or even appointed by the peoples elected representatives. The Judiciary conducts secret proceedings and the rulings/findings are not the result of a trial by jury. In effect, the ROUSIS Judiciary branch is an authoritarian secret tribunal.

ROUSIS Constitution, October 1, 2000 Draft, Article III, All Sections.

7. The ROUSIS constitution establishes a fiat monetary system, with no gold or other value based standard.

ROUSIS Constitution, October 1, 2000 Draft, Article II, Sections 5 and 12-b.

4. The ROS will be a Republic, governed by the people through their elected officials.

ROS Declaration Of Independence; ROS Constitution, July 4, 2002 Draft, Article I, All Sections; Article II, All Sections.

5. The ROS Constitution has numerous provisions to limit government and that government's involvement in the lives of its citizens.

ROS Declaration Of Independence; ROS Constitution, July 4, 2002 Draft, Articles I through VI, All Sections.

6. The ROS Judiciary will be elected by the people and is mandated to use a jury of peers.

ROS Constitution, July 4, 2002 Draft, Article II, Section 9; Article III, All Sections.

7. The ROS will have a gold standard currency as mandated in their Constitution. Historically, gold standard currency prevents inflation and remains stable through economic expansion and recession.

ROS Constitution, July 4, 2002 Draft, Article II, Sections 8, 9, & 10.

8. The ROUSIS Constitution does not provide for the autonomy of space settlers upon arriving in space. All space settlers are subject to the ROUSIS authority. This authority is exercised with out elected representation for the settlers within that government.

ROUSIS Constitution, October 1, 2000 Draft, Preamble; Article I, Sections 1, 2, 3, & 6 through 9; Article II, Sections 1 through 10, 12-A, B, D, F, G, I, J, & L through U.

9. In another seeming conflict with their Declaration Of Emergence, specifically their third paragraph on human rights, the ROUSIS Constitution adopts the United Nations Policy on Human Rights, Articles 1 through 20 inclusive.

In the UN document the rights are given by the governing body (the UN). Rights that are “granted” by a government can be taken away.

ROUSIS Constitution, October 1, 2000 Draft, Article IV, Section 7, Exhibit B.

8. The ROS Constitution guarantees a wide latitude of collective and individual rights for settlements and stations, or groups of space settlers as well as individual settlers in space. The ROS Constitution also guarantees governmental representation of all space settlers in settlements and stations through their elected representatives.

ROS Declaration Of Independence; ROS Constitution, July 4, 2002 Draft, Preamble, Article II, Section 9; Article III, IV, V, 7 VI, All Sections.

9. The United Nations Policy on Human Rights, Articles 1 through 20 inclusive are inferior to the human rights outlined in the United States Constitution and Bill Of Rights because they are “granted” by the UN.

The human rights in the ROS Constitution are based upon the United States Constitution and the Bill Of Rights, which are “natural and inalienable”, thereby not subject to revocation by any government.

ROS Declaration Of Independence; ROS Constitution, July 4, 2002 Draft, Preamble; Articles I & II (specifically Section 9 of Article II); Articles III, IV, V, & VI.

## **SUMMARY OF OPTIONS:**

ROUSIS Offers:

- \* Remote Governance by Earthbound Trusteeship.
- \* Appointed Officials.
- \* Authoritarian Control of Space Resources.
- \* Socialistic Governance.
- \* Unlimited Government.
- \* Secret Tribunal Judiciary.
- \* Fiat Monetary System.
- \* No Autonomy for Space Settlers.
- \* Limited Individual and Collective Rights.

In contrast ROS offers:

- \* Self Governance by Those Living and Working in Space.
- \* Officials Elected by Populace.
- \* Individual Property Rights.
- \* Republic Form of Governance.
- \* Government Limited by Constitution.
- \* Elected Judiciary with Trial by Jury.
- \* Gold Standard Currency.
- \* Autonomy For All Space Settlers.
- \* Broad Individual and Collective Rights.

## CONCLUSION

This comparison is not intended as an attack on the United Societies In Space. On the contrary, I believe the intent of the USIS was admirable.

Mr. O'Donnell and the other authors of the ROUSIS Constitution were sincere in their efforts to draft a constitution that would be a usable framework for space governance and promote the human settlement and development of the solar system.

However, I believe the whole concept of a Regency type of government, even as a trusteeship and limited to a hundred years of existence, is inherently flawed. As a means of governance for the settlers in space the ROUSIS is a risk to the freedom of those who will live and work in space.

With the limited and revocable rights outlined in the UN Policy on Human Rights and without the safeguards of officials elected by the general populace the opportunity for abuse of the system by unscrupulous officials is just too great.

We must remember the reason most humans emigrate to another country. By far, the majority of immigrants leave their homeland for increased economic opportunity and greater personal freedom. I believe that the future immigrants to space will be leaving Earth for the same reasons.

For a future space-borne society comprised of such immigrants, a republic form of governance, as embodied in the ROS Constitution, is far more acceptable.

Such a form of government, with all the safeguards contained in the ROS Declaration Of Independence and Constitution, would guarantee the freedoms that I believe are essential for human beings who are to live and work in space.

Without such freedoms, the hardship of emigrating to space may not be worth it for the large majority of people.

Presently we have two choices:

Limited rights and unlimited government with the ROUSIS or;

Freedom and a limited government with the ROS.

The choice is clear and the choice IS ours.

**APPENDIX 1: ADDENDUM TO MARS SOCIETY CONVENTION PRESENTATION:**

**THE REGENCY OF UNITED SOCIETIES IN SPACE  
DECLARATION OF EMERGENCE AND CONSTITUTION  
AND THE REPUBLIC OF SOL  
DECLARATION OF INDEPENDENCE AND CONSTITUTION:**

**A COMPARISON OF CHOICES FOR A SPACE-BORNE SOCIETY.**

Those of you who attended my presentation at the Mars Society Convention 2002 may notice some discrepancies in this Mars Society publication from my original presentation. In all there are four classes of changes or clarifications I have taken the liberty to include in the Mars Society publication of my presentation.

First, a correction of data from my original notes. In my submission for inclusion in the Mars Society Convention papers, I have corrected the typos that were in my original presentation notes and slides, which now reflect the correct date for the ROUSIS Constitution Draft as October 1, 2000.

Second, the non-inclusion of the ROUSIS documents that were available at the presentation as handouts. The ROUSIS Declaration Of Emergence and Constitution I used in my presentation are copyrighted materials and were clearly marked as such on the handouts. Therefore I did not include them as part of my submission for the Mars Society publication, as I did not obtain permission from ROUSIS to do so.

However, both documents are available from the ROUSIS web site. The ROUSIS Declaration of Emergence is available in PDF format. The ROUSIS Constitution is available in PDF or Word format.

The URL for those documents is:

<http://home.hiwaay.net/~hal5/ROUSIS/drafts/>

Third, I would like to thank Dave Livingston for his insightful and valid critique of the use of the term “colonies” in the Republic Of Sol Declaration Of Independence and Constitution. At my presentation I acknowledged Mr. Livingston’s input as to the inappropriateness of us, as advocates of the human exploration and habitation of space, referring to human presence on Mars or other celestial bodies as colonies.

As stated in my presentation, the whole colonial experience on Earth was largely negative. The United States as a nation revolted two hundred and twenty six years ago in response to the imposition of a fraction of the tax we would consider reasonable in modern times. The amount was not so much in question as the fact that the colonists were not represented in the parliament and had no say in their destiny. Many other colonists suffered far greater hardships than the imposition of a small tax before successfully revolting and overthrowing their colonial overlords.

It is well documented in American writings for the first fifty or so years after the American revolution that we were quite sensitive to any foreign entity referring to us as “colonists” or to our nation as “colonies” after our war for independence. A hundred and fifty or so years later such references are, for most of us, viewed as a slightly comical indication of the British collective psyche’s inability to cope with the loss of the Americas.

However, most former colonies of European nations have not had the time we have had to desensitize themselves to such comments. For many former colonists the memory of the atrocities they experienced from the colonial powers is all too clear and recent.

As advocates for human exploration and habitation of space we must be sensitive to those of our human family who have only recently, in historical terms, shed the shackles of colonialism on our own planet.

In a later conversation with Mr. Livingston, he pointed out that many advocates of the human exploration and habitation of space, who would not dream of using the term Mankind when referring to Humanity, Manpower when referring to the Workforce, or any number of commonly known denigrating terms when referring to people of other than white ethnic background, do not hesitate in referring to human presence on celestial bodies as colonies and those humans as colonists.

The time has come for us, as advocates of the human exploration and habitation of space, to realize the inappropriateness of referring to human habitation of celestial bodies as colonies or those inhabiting those celestial bodies as colonists. Mr. Livingston suggested the more descriptive and appropriate term of settlements and settlers. I concur with his suggestion.

Prior to any subsequent public presentation or publication of the Republic Of Sol concept to any group I will replace all references to “Colony” or “Colonies” in the adapted Republic Of Sol documents with the more appropriate “Settlement” or “Settlements”. I have done this in my presentation notes and in the Republic Of Sol documents contained in this publication.

This change will further clarify the intent of my efforts in presenting this paper, which was: Humans emigrating to space need to be free and independent of any Earthbound government or organization.

The fourth item is not so much a change, but rather an inclusion of my ad lib arguments to a critique of my presentation that occurred while I was speaking. I feel it germane to include this here to give the reader an insight as to how the presentation actually went on that day.

This critique was that the Republic Of Sol Declaration of Independence and Constitution are not an original work and I was a fraud in presenting it at the convention. I would like to correct that misinterpretation and I will attempt to remain as true to my ad lib comments as I can recall.

The Republic Of Sol Declaration Of Independence and Constitution was by no means presented as nor intended to be interpreted as an original work, nor was I intending to defraud anyone.

In my presentation summary given to the Mars Society for publication in the program, I state clearly that the Declaration of Independence and Constitution for the hypothetical space-borne nation of the Republic Of Sol was based on the U. S. Declaration Of Independence and Constitution respectively.

I also state that my role in the preparation of this paper was attempting to adapt the earlier constitution to serve the needs of a space-faring society as envisioned by Dr. Gerard O'Neill in his book, THE HIGH FRONTIER.

I clearly state on the copies that I had available as handouts for my presentation of the Republic Of Sol Declaration of Independence and Constitution, that this paper was adapted from the U. S. Declaration of Independence and Constitution. The United States documents that the Republic Of Sol Declaration of Independence and Constitution were derived from are public domain. I believe that presenting an idea to the convention derived from a public domain source does not constitute fraud, unless one presented it as an original work. This was not the case in my presentation.

I did not state nor mark on the copies that the Republic Of Sol Declaration Of Independence and Constitution were copyrighted material. At no time did I state that I considered my work on adapting the US documents for use by the hypothetical Republic Of Sol as a copyrighted document. As no such copyright announcement was included at the time of original publication and presentation, either written or stated, the entire body of Republic Of Sol documents, including the original and subsequent drafts, are in the public domain according to copyright law.

Finally, although this issue was not raised during my presentation, there is another point I believe to be addressed when discussing space governance.

After my presentation while speaking with numerous other members I was struck by the number of people in the Mars Society who feel analyzing or speculating what type of governance will be needed by future space settlers is a waste of our time. They feel that doing all we can to get to space is of paramount importance and efforts at examining space governance issues are diverting resources from that goal to one not needed immediately. I disagree.

The need to investigate and agree upon a form of governance for us once we are in space is akin to a political preemptive strike, to use an adapted military parlance. The reason I see for this are twofold.

First, in my opinion, which from the convention debate on space governance seems to be shared by Dr. Zubrin and the majority of us there, the only acceptable means of governance for a space-borne society, such as the inhabitants of Mars, is that of a free people. The hypothetical Republic Of Sol is a form of governance that accommodates just such a free space-borne society.

I feel it is essential for those of us who champion the human exploration and habitation of space to advocate a free space-borne society, such as depicted in the hypothetical Republic Of Sol, when attempting to solicit Earthbound governments, corporations, or organizations to assist us in our goals. Although not entirely "geo-politically correct", it is a system that I feel will have the largest

appeal to the majority of people, if not governments of those people. By presenting a free space-borne society as our model and goal we maintain an integrity of purpose when presenting our goals to the leaders of earthbound governments and corporations, which I feel it is imperative when dealing with those entities.

Second, with the present world geo-political system that is in place on earth, we need to communicate positively to the those leaders and decision makers of that system about two factors tied directly to the formation of a space-borne society. Our chances of success as human space exploration and habitation advocates depends greatly upon how well we address those factors in their minds.

The factors are; one, what is the value to earthbound governments and organizations of space habitation and exploration. Two, how will this new space-borne society politically and economically affect existing earthbound governments and organizations.

We need to convince those we ask for funding and help in achieving our goal that the impact to them of such a free space-borne society will be positive. Western governments and corporations are leery of socialistic forms of governance as that ties the resources and potential products they may obtain from space to a system that historically has eroded profit and productivity when attempts have been made to do business with them.

By advocating a free space-borne society, open and available to all who wish to participate in it, it is even possible, although not likely easy, to convince those socialistic or communistic governments and organizations who advocate a more socialistic form of governance for space, that the advantages of a free space-borne society to all humanity and the Earth as a whole, far outweigh the disadvantages.

When I speak of those of us who champion the human exploration and habitation of space I mean *all* organizations, including the L 5 Society, the Altair Group, the Moon Society and other space advocacy groups, not just the Mars Society.

Once we are all on the “same page” and unified in our goals, the governments, corporations, and organizations we depend on to reach our goals will be more likely to see the benefits for them that we already see in the human exploration and habitation of space. If we can make them see those benefits, they will be more likely to help us.

For the many reasons listed in this addendum I feel it is also imperative that the foundation of such a system for a free space-borne society is in some tangible form before one person lives and works full time in space or on the surface of any celestial body. That basically is what I was attempting to provide in drafting the Declaration of Independence and Constitution for the Republic Of Sol.

## **APPENDIX 2: REPUBLIC OF SOL DECLARATION OF INDEPENDENCE AND CONSTITUTION.**

### Notes on the Republic Of Sol Declaration of Independence and Constitution

As noted in my addendum to my presentation, I vowed not to publish nor present the Republic Of Sol Declaration of Independence or Constitution with the words “Colony” or “Colonies” or any reference to them in subsequent presentations or publication.

The following copy of the Republic Of Sol Declaration Of Independence and Constitution presented for publication by the Mars Society differs from the handouts that I had for my presentation at the 2002 convention in only the change from those references from Colony or Colonies to Settlement or Settlements.

This is not done in an attempt to alter the impact or original content of my presentation in any way. It is rather my attempt to further the effort to remove the reference to colonization by advocates of human exploration and habitation of space when referring to human settlements in space.

I believe the continued use of “Colony” or “Colonies” by space exploration and habitation advocates is insensitive to the victims of the brutality that characterized the colonial period of Earth’s history. Also I believe it is politically unwise to use such terms as it is imperative to distance any serious space habitation plans from even the appearance of Earth sovereign nations expanding into space. The terms colony, colonies, and colonization subtly bring that to mind when speaking or writing essays or presentations on human space exploration and habitation.

## Republic Of Sol Declaration Of Independence

October 3, 2002 draft.

We, the people of the Earth who are emigrating to space to live and work in extraterrestrial settlements and stations, hold these truths to be self evident, that all persons are equal; That they are inherently endowed with natural and unalienable rights; That to secure these rights, governments are instituted among the people, deriving just powers from the consent of the governed; That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish that government; And to institute a new government, laying its foundation on such principles and organizing powers in such form, as to them shall seem most likely to effect their safety and happiness; And we solemnly publish and declare, that these united extraterrestrial settlements and stations are, and of right ought to be, free and independent states.

Draft compiled from the U. S. Declaration Of Independence.

Adapted by Brian Gamble and Allen D. Patterson and released to the public domain.

No permission is needed to reproduced the Republic Of Sol Declaration Of Independence without change.

(Republic Of Sol Constitution July 4, 2002 draft presented by Allen D. Patterson at Mars Society Convention, Bolder CO, August 9, 2002.)

# REPUBLIC OF SOL CONSTITUTION

October 3, 2002 Draft

We the people of the Republic Of Sol, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure liberty to ourselves, our descendants, and all future descendants of humanity who desire to live and work in space as permanent residents of extraterrestrial planetary settlements, satellite settlements, free orbiting habitable space stations, and other habitable space stations, do ordain and establish this Constitution for the Republic Of Sol.

Definitions germane to the Republic Of Sol Constitution.

For the purpose of this constitution, people refers to human beings, either naturally conceived, artificially conceived, or a product of cloning and genetic manipulation, but remaining human in characteristics and form. The above defined people are considered people when born, or removed from their womb environment on gestation schedule, or removed from their womb environment ahead of gestation schedule to save their life.

All time references contained herein are in Earth standard time reference. All calendar days and dates are with respect to the Gregorian calendar. All business days exclude Saturdays and Sundays.

## Article I

Section 1. All legislative powers herein granted shall be vested in a Congress of the Republic Of Sol, which shall consist of a Senate and House of Representatives. No legislative power may be delegated to the executive or judicial functions.

Section 2. The House of Representatives shall be composed of members chosen every second year by the people of the several settlements or stations, and the representatives in each settlement or station shall have the qualifications requisite for representatives of the most numerous branch of the settlement or station legislature.

No person shall be a Representative who shall not have attained to the age of eighteen years, and been seven years a citizen of the Republic Of Sol or the settlement or station for which he or she is chosen which has been newly admitted to the Republic Of Sol, and who shall not, when elected, be an inhabitant of that settlement or station in which he or she shall be chosen.

Representatives shall be apportioned among the several settlements or stations which may be included within this union, according to their respective numbers, which shall be determined by

adding to the whole number of people above the age of eighteen. Each Representative shall have one vote.

But when the right to vote at any election for President and Vice President of the Republic Of Sol, Representatives in Congress, the executive and judicial officers of a settlement or station, or the members of the legislature thereof, is denied to any of the inhabitants of such settlement or station, being eighteen years of age, and citizens of the Republic Of Sol, or in any way abridged, except for participation in rebellion, the basis of representation therein shall be reduced in the proportion which the number of such citizens shall bear to the whole number of eighteen years of age in such settlement or station.

The actual Enumeration shall be made within three years after the first meeting of the Congress of the Republic Of Sol, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each settlement or station shall have at least one Representative.

When vacancies happen in the Representation from any settlement or station, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

No person may serve more than five consecutive full terms as a Representative, regardless if the terms are for different settlements or stations.

Section 3. The Senate of the Republic Of Sol shall be composed of two Senators from each settlement or station, chosen by the people of the several settlements or stations every six years, and the Senators for each settlement or station shall have the qualifications requisite for electors of the most numerous branch of the settlement or station legislature; and each Senator shall have one vote.

No person shall be a Senator who shall not have attained to the age of eighteen years, and been seven years a citizen of the Republic Of Sol or the settlement or station for which he or she is chosen which has been newly admitted to the Republic Of Sol, and who shall not, when elected, be an inhabitant of that settlement or station in which he or she shall be chosen.

Immediately after the first election of Senators they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes by lot. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and the third class at the expiration of the sixth year, so that one third may be chosen by the people of the several settlements or stations every second year until the years of election become staggered every two years.

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or militia, under the Republic Of Sol, or under any settlement

or station, who, having previously taken an oath, as a member of Congress, or as an officer of the Republic Of Sol, or as a member of any settlement or station legislature, or as an executive or judicial officer of any settlement or station, to support the Constitution of the Republic Of Sol, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof.

The Vice President of the Republic Of Sol shall be President of the Senate, but shall have no vote, unless the Senate be equally divided.

The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he or she shall exercise the office of President of the Republic Of Sol.

When vacancies happen in the Senate from any settlement or station, the executive authority thereof shall issue writs of election to fill such vacancies.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the Republic Of Sol is tried, the elected Regent Justice shall preside: And no person shall be convicted without the concurrence of two thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the Republic Of Sol: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

No person may serve more than two consecutive full terms as a Senator, regardless if the terms are for different settlements or stations.

Section 4. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each settlement or station by the legislature thereof, to be held so as the newly elected Senator or Representative may participate in the next scheduled meeting of Congress.

The settlement or station constituting the seat of government of the Republic Of Sol shall have one Representative for each thirty thousand people and two Senators, chosen by popular vote of the people on a date selected by Congress.

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January.

Section 5. Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number

may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

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

Each House shall keep a journal of its proceedings, and publish the same on a monthly basis; and the yeas and nays of the members of either House on any question shall be entered on the journal.

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Section 6. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Republic Of Sol. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he or she was elected, be appointed to any civil office under the authority of the Republic Of Sol, which shall have been created, or the emoluments whereof shall have been increased during such time: and no person holding any office under the Republic Of Sol, shall be a member of either House during his continuance in office.

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

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the Republic Of Sol; if he or she approve he or she shall sign it, but if not he or she shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law.

If any bill shall not be returned by the President within ten business days after it shall have been presented to him or her, the same shall be a law, in like manner as if he or she had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

All legislation which places any legal obligation on the people or the government shall have a permanent non-computer record of every legislator's vote.

Each legislator is required to read, in its entirety, any legislation or amendment of such which may place any legal obligation on the people or government before voting in favor of its passage.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the Republic Of Sol; and before the same shall take effect, shall be approved by him or her, or being disapproved by him or her, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Section 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the Republic Of Sol; but all duties, imposts and excises shall be uniform throughout the Republic Of Sol and in no case shall the combined value of any taxes, duties, imposts, or excises levied by the Republic Of Sol exceed five percent of the value of the income, property, or service that is being taxed;

To borrow money on the credit of the Republic Of Sol from a lender whose dealings are consistent with the goals of this Constitution and who is approved by the legislatures of the several settlements or stations;

To regulate commerce with foreign stations and settlements, nations of the Earth, and among the several settlements or stations, and with any sentient species encountered by representatives of the Republic Of Sol with which the Republic has entered into a treaty; however, no private activity whose primary impact is within a settlement or station may be considered as commerce among the several settlements or stations;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the Republic Of Sol;

To coin money, regulate the value thereof reference to a gold standard of Republic Troy ounces that contain thirty grams per ounce, and of foreign coin, and fix the standard of weights and measures as metric;

To provide for the punishment of counterfeiting the securities and current coin of the Republic Of Sol;

To establish postal service and space ports for use by all citizens;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries; including authors and inventors from Earthbound nations subscribing to the Bern convention;

To constitute tribunals, with judges elected by the people, that are subjective to the elected office of Republic Justice;

To define and punish piracies and felonies committed on high space, offenses against the law of Earth nations, and offenses against the law of space settlements and stations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on contended ground of the Earth, international waters, airspace, and free space;

To delegate from the people a space-faring militia and to maintain and supply that militia;

To make rules for the government and regulation of the militia forces;

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel attacks on and invasions of settlements or stations;

To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the Republic Of Sol, reserving to the settlements or stations respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over a space station designated as Sol Station, and the acceptance of Congress, become the seat of the government of the Republic Of Sol, and to exercise like authority over all places purchased by the consent of the legislature of the settlement or station in which the same shall be, for the erection of forts, magazines, arsenals, spaceports, and other needful structures;--And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the Republic Of Sol, or in any department or officer thereof.

Section 9. Congress shall make no law respecting an establishment of an official religion for the Republic Of Sol, or prohibiting the free exercise or absence thereof; or abridging the freedom of speech, or of the press; or concerning abortion of a human pregnancy or the time when a fetus prior to birth becomes a person; or concerning what constitutes pornography; or concerning cloning of human beings; or any law governing growth, importing, or production of any substance any individual may ingest or use as a mind-altering substance; or any law governing sexual relations, be it paid or consensual between people over what ever age an individual settlement or station may adopt for legal majority; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

The rights of individual settlements or stations to establish official religion, creed, or philosophy for their settlement or station shall not be interfered with, provided the restrictions of the official religion, creed, or philosophy does not interfere with any rights of other citizens of the Republic Of Sol as outlined in this constitution.

The rights of individual settlements or stations to establish guidelines for what the people of their settlement or station consider to be appropriate moral action concerning abortion or the time

when a fetus prior to birth becomes a person shall not be interfered with, provided the restrictions of the official consideration of abortion or the time when a fetus prior to birth becomes a person does not interfere with any rights of other citizens of the Republic Of Sol as outlined in this constitution.

The rights of individual settlements or stations to establish guidelines for what the people of their settlement or station consider to be pornography shall not be interfered with, provided the restrictions of the official consideration of pornography does not interfere with any rights of other citizens of the Republic Of Sol outlined in this constitution.

The rights of individual settlements or stations to establish guidelines for what the people of their settlement or station consider proper moral action concerning cloning of human beings shall not be interfered with, provided the restrictions of the official proper moral action concerning cloning of human beings does not interfere with any rights of other citizens of the Republic Of Sol as outlined in this constitution.

The rights of individual settlements or stations to establish guidelines for what the people of their settlement or station consider legal consensual age for sexual relations, or whether or not to allow same gender sexual relations and marriages shall not be interfered with, provided the restrictions of the official legal consensual age for sexual relations or official position on same gender sexual relations and marriages does not interfere with any rights of other citizens of the Republic Of Sol as outlined in this constitution.

A well regulated militia being necessary to the security of a free settlement or station, the right of the people to keep and bear arms, shall not be infringed by either the Republic Of Sol or any settlement or station.

No militia person shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of declared war, but in a manner to be prescribed by law.

The right of the people to be secure in their persons, houses, papers, electronic or other stored data files, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against him or her self, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without critical review by an impartial jury of peers and just compensation; and only a unanimous jury can render a verdict.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of his or her peers of the settlement or station and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against

him or her; to have compulsory process for obtaining witnesses in his or her favor, and to have the assistance of counsel for his or her defense.

Any Judge in a criminal or civil case appearing before a jury shall have the duty to inform the jury of their rights as jurors, which include but are not limited to; to decide the guilt or innocence of the accused party based on evidence and testimony received, to decide whether or not the law that the accused allegedly violated was a just and fair law, to decide if the prosecution or government was biased toward the accused in the prosecution of the case and all juries shall be informed of the penalties a defendant is subject to if convicted.

Voir Dire of prospective jurors by both parties of the case shall be limited to discerning if any prospective juror is biased against either party in the case and shall not include questions concerning religious background, philosophy, financial status, sexual preference, or previous dealings with law enforcement, courts, judges, or attorneys.

Citizens who become convicted felons sacrifice their right to vote and their right bear arms only for the time they are incarcerated or subject to probation or parole and once the citizen has served the time allotted; either incarcerated, in probation or parole, all rights are automatically restored to the citizen without further court, congressional, legislative, or executive action.

In times of war or colonial or station emergencies; incarcerated, probationary, or paroled felons shall be released from the restrictions of their right to vote and right to bear arms to serve in the militia in their assigned capacity.

In suits at common law, where the value in controversy shall exceed the value of one quarter Republic Troy ounce (7.5 grams) of gold, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the Republic Of Sol, than according to the rules of the common law.

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

In all but the most extreme cases of treason or felonies, or when recommended by the Republic Justice and concurred with by two thirds vote of Congress, banishment from all areas of the Republic Of Sol shall be preferred to the death penalty for punishment of high crimes and felonies.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people, and no compelling republic or governmental interest can restrict any of the natural and unalienable rights of the people nor the authority vested in the settlements and stations.

The powers not delegated to the Republic Of Sol by the Constitution, nor prohibited by it to the settlements or stations, are reserved to the settlements or stations respectively, or to the people.

The judicial power of the Republic Of Sol shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the Republic Of Sol by citizens of another settlement or station, or by citizens or subjects of any foreign state.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the Republic Of Sol, or any place subject to their jurisdiction.

The right of citizens of the Republic Of Sol to vote shall not be denied or abridged by the Republic Of Sol or by any settlement or station on account of race, color, on account of sex, sexual preference, previous condition of servitude, or previous resident and citizen status of any Earth bound nation.

No right held by the people of the Republic Of Sol may be taxed, licensed, registered or otherwise restricted nor shall any person need to obtain permission to exercise any right.

All persons born or otherwise removed from their womb environment or naturalized in the Republic Of Sol, and subject to the jurisdiction thereof, are citizens of the Republic Of Sol and of the settlement or station wherein they reside.

No settlement or station shall make or enforce any law which shall abridge the privileges or immunities of citizens of the Republic Of Sol; nor shall any settlement or station deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The migration or importation of such persons as any of the settlements or stations now existing shall think proper to admit, shall not be prohibited by the Congress, the Republic Of Sol.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto Law shall be passed.

No capitation, or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any settlement or station.

No tax shall be levied by the Republic Of Sol on the sales of goods, services, commodities, or property exchanged between citizens of the Republic Of Sol or between citizens of the Republic Of Sol and any Earth bound nation or corporation.

The Congress shall have power to lay and collect taxes on incomes of corporations and individuals, from whatever source derived, without apportionment among the several settlement or stations, and without regard to any census or enumeration; and the total taxation, fees or other

payments directed by law from all governments shall not exceed twenty percent of that annual income.

No capitation, direct tax, duty, excise, fees, or other collection of revenues by the Republic Of Sol may exceed a combined value of five percent of the fair market value, actual value, or appraised value of the income, service, commodity, or property that is being taxed.

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

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of receipts and expenditures of all public money shall be published monthly; and the people are individually entitled to their own wealth, be it personal or real property, or legal tender of the Republic of Sol or any Earth bound nation, or their own wages and income derived in the Republic Of Sol or any Earth bound nation.

No bank or other central financial institution serving the Republic Of Sol as a currency disbursement center or Republic Of Sol gold depository may operate beyond the confines of one settlement or station.

No title of nobility shall be granted by the Republic Of Sol to any individual; and no person holding any office of profit or trust under the Republic Of Sol, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, official representative of any organization, foreign state, non-aligned settlement or station, or any Earthbound government, corporation, or individual.

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until two elections of the Senators or five elections of Representatives affected shall have intervened.

No law extending the elected terms for President, Vice President, Representative, Senator, Republic Counsel, or any Republic Judgeship shall be passed by Congress.

Section 10. No settlement or station shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold coin consistent in weight and value with Republic Of Sol issue gold coinage a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No settlement or station shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing it's inspection laws: and the net produce of all duties and imposts, laid by any settlement or station on imports or exports, shall be for the use of the treasury of the Republic Of Sol; and all such laws shall be subject to the revision and control of the Congress.

No settlement or station shall, without the consent of Congress, lay any duty of tonnage, enter into any agreement or compact with another settlement or station, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## Article II

Section 1. The executive power shall be vested in a President of the Republic Of Sol and shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected, as follows:

Each settlement or station shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;--the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

The Congress may determine the time and the day on which the people shall give their votes; which day shall be the same throughout the Republic Of Sol and in a timely manner to have the newly elected President and Vice President assume their duties as provided by this constitution; and the vote shall be via a physical ballot counted in a free and open manner.

After the fifth election, no person except a natural born citizen, or a citizen of the Republic Of Sol, at the time of the adoption of this Constitution, or a citizen of a new settlement or station, at the time of joining the Republic Of Sol, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of eighteen years, and been seven Years a resident within the Republic Of Sol or the settlement or state that joined the Republic Of Sol.

No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he or she shall have been elected, and he or she shall not receive within that period any other emolument from the Republic Of Sol, or any of the settlements or stations.

Before he or she enter on the execution of his office, he or she shall take the following oath or affirmation:--"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Republic Of Sol, and will to the best of my ability, preserve, protect and defend the Constitution of the Republic Of Sol."

Section 2. The President shall be commander in chief of the militia of the Republic Of Sol, and of the militia of the several states, when called into the actual service of the Republic Of Sol; he or she may require the opinion, in writing, of the principal officer in each of the executive departments of the settlements or stations, upon any subject relating to the duties of their respective offices, and he or she shall have power to grant reprieves and pardons for offenses against the Republic Of Sol, except in cases of impeachment.

He or she shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur and no treaty may restrict any right held by the people nor restrict any authority retained by the settlements and stations; and he or she shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other

public ministers and consuls, and all other officers of the Republic Of Sol, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

Section 3. He or she shall give to the Congress information of the state of the union once a year, and recommend to their consideration such measures as he or she shall judge necessary and expedient; he or she may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he or she may adjourn them to such time as he or she shall think proper; he or she shall receive ambassadors and other public ministers; he or she shall take care that the laws be faithfully executed, and shall commission all the officers of the Republic Of Sol.

Section 4. The President, Vice President and all civil officers of the Republic Of Sol, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

Section 5. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January; and the terms of their successors shall then begin.

Section 6. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 7. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 8. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 9. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section 10. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he or she is unable to discharge the powers and duties of his office, and until he or she transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 11. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he or she shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office.

Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

### Article III

Section 1. The judicial power of the Republic Of Sol, shall be vested in seven Republic Justices, and in lower courts by Republic Judges serving each individual settlement or state with more than thirty thousand residents.

Section 2. The seven Republic Justices be elected upon the formation of the Republic by the people of the several settlements or stations.. The initial seven Republic Justices shall serve

three years for the First Justice and an additional year for each additional Justice until the seventh Justice shall serve ten years. After the first election each Justice shall be chosen every tenth year by the people of the several settlements or stations. The Republic Justices shall select a Chief Justice from the seven elected Justices after the first election and select from the seven elected Justices another Chief Justice every three years after that. No Justice shall serve more than two consecutive terms as Chief Justice.

The Republic Judges of the lower courts shall be chosen every second year by the people of the several settlements or stations. Candidates for Republic Justices and Republic Judges must be a citizen of the Republic Of Sol and need not hold a degree in law, either granted by any institution of higher learning in any settlement or station or any Earthbound nation.

Candidates for Republic Judge in addition to being a citizen of the Republic Of Sol must also be a citizen of the settlement or station the Republic Judge has jurisdiction. Both the Republic Justices and the Republic Judges of the lower courts shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

No person may serve more than two consecutive full terms as Republic Justice.

No person may serve more than two consecutive full terms as Republic Judge, regardless if the terms are for different settlements or stations.

Section 3. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the Republic Of Sol, and treaties made, or which shall be made, under their authority;--to all cases affecting ambassadors, other public ministers and consuls;--to all cases of near and deep space jurisdiction;--to controversies to which the Republic Of Sol shall be a party;--to controversies between two or more settlements or stations; --between a settlement or station and citizens of another settlement or station;--between citizens of different settlements or stations;--between citizens of the same settlement or station claiming property or space under grants of different settlements or stations, and between a settlement or station, or the citizens thereof, and non-aligned settlements or stations or an Earth Based nation or state, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a settlement or station shall be party, the Republic Justices shall have original jurisdiction. In all the other cases before mentioned, the Republic Justices shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury of the accused's peers; and such trial shall be held in the settlement or station where the said crimes shall have been committed; but when not committed within any settlement or station, the trial shall be at such place or places as the Congress may by law have directed; and only a unanimous jury can render a verdict.

Section 4. Treason against the Republic Of Sol, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, including banishment from the Republic or the death penalty, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

#### Article IV

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

Section 2. The citizens of each settlement or station shall be entitled to all privileges and immunities of citizens in the several settlements or stations.

A person charged in any settlement or station with treason against the Republic Of Sol, a Republic Of Sol identified felony or high crime, who shall flee from justice, and be found in another settlement or station, shall on demand of the executive authority of the settlement or station from which he or she fled, be delivered up, to be removed to the settlement or station having jurisdiction of the crime.

Section 3. New settlements or stations may be admitted by the Congress into this union; but no new settlements or stations shall be formed or erected within the jurisdiction of any other settlement or station; nor any settlement or station be formed by the junction of two or more settlements or stations, or parts of settlements or stations, without the consent of the legislatures of the settlements or stations concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the Republic Of Sol; and nothing in this Constitution shall be so construed as to prejudice any claims of the Republic Of Sol, or of any particular settlement or station.

Section 4. The Republic Of Sol shall guarantee to every settlement or station in this union a republican form of government, and shall protect each of them against invasion; and on

application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

## Article V

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several settlements or stations, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several settlements or stations, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to seven years from the adoption of this constitution and no amendment shall in any manner affect any of the clauses in the ninth section of the first article; and that no settlement or station, without its consent, shall be deprived of its equal suffrage in the Senate.

## Article VI

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the Republic Of Sol under this Constitution, as under the Confederation.

This Constitution, and the laws of the Republic Of Sol which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the Republic Of Sol, shall be the supreme law of the land; and the judges in every settlement or station shall be bound thereby, anything in the Constitution or laws of any settlement or station to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several settlement or station legislatures, and all executive and judicial officers, both of the Republic Of Sol and of the several settlement or stations, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the Republic Of Sol.

## Article VII

Section 1. The ratification of the conventions of two settlements or stations, or groups with a stated purpose of intending to build or create a settlement or station in free space, except those settlements or stations maintained by national or international Earth bound nations or groups representing the governments, organizations, or corporations of Earthbound nations intending to

build settlements or stations, shall be sufficient for the establishment of this Constitution between the settlements or stations or the intended settlements or stations so ratifying the same

Section 2. In the event of ratification of this constitution by groups with a stated purpose of intending to build or create a settlement or station in free space while no settlements or stations exist in free space for them to inhabit, no elections of Representatives, Senators, President, Vice President, Republic Counsel, or Republic Judges shall be held until such time as the groups occupy a settlement or station in free space, and the duly elected officers of those groups intending to build or create a settlement or station in free space shall serve as the spokespersons for the Republic Of Sol until such settlements or stations are existent and occupied.

Section 3. In the event of ratification of this constitution by groups with a stated purpose of intending to build or create a settlement or station in free space while no settlements or stations exist in free space for them to inhabit; no capitation, direct tax, duty, excise, fees, or other tax shall be levied nor shall any money, securities, or other revenue raising devices be issued by the Republic Of Sol until such time elections have been held for Representatives, Senators, President, Vice President, Republic Counsel, and Republic Judges and the Congress has convened to address these matters.

Section 4. In the event of ratification of this constitution by groups with a stated purpose of intending to build or create a settlement or station in free space while no settlements or stations exist in free space for them to inhabit; all ratifying parties shall abide by the laws and regulations of their Earthbound resident nations so as not to impugn the reputation of the Republic Of Sol prior to its inception.

Compiled from the U. S. Constitution and Bill Of Rights.

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Edited by Brian Gamble and Allen D. Patterson.

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(Republic Of Sol Constitution July 4, 2002 draft presented by Allen D. Patterson  
at Mars Society Convention, Bolder CO, August 9, 2002.)

### **APPENDIX 3: LOGO FOR THE REPUBLIC OF SOL:**

This presentation was developed from the visual presentation of the Republic Of Sol Constitution at the International Space Development Conference in May of 2002. As such, at various times during the presentation for the Mars Society Convention of 2002, I included the logo I had previously created for the Republic Of Sol Constitution presentation.

The central part of the logo is comprised of an orb with nine triangles arranged in radiating circle about the orb.

The orb, which is golden in the original color presentation, represents our star, Sol, as it is known in Latin.

The nine radiating triangles, which are also golden in the original color presentation, are stylized sun rays that represent the nine known planets of our star system.

Both orb and triangles are set against a black background, which of course represents the blackness of space that our star system resides.

Enclosing the black background area, an inner ring surrounds the circular field of triangles with a larger outer ring around that with a blank field between the rings. In the color version the rings are also gold and field within them is royal blue.

In the blank field are the words "REPUBLIC OF SOL" all in caps arranged with "REPUBLIC" centered at the top and "OF SOL" centered at the bottom. The letters of the words are red in the color version. There are six stars, three to each side, separating the upper word from the lower words in the ring.

The six stars represent the six groups of people that I was aware of that could be looked upon to found the Republic Of Sol; the Mars Society, the L 5 Society, The Artemis Society International, the National Space Society, and the Moon Society. The sixth star represents the vast human population unaffiliated with any space advocacy group who long for something more than this planet can give them. I believe they will eventually be the key to our success in long term human exploration and habitation of space.

There are more space advocacy groups that I was unaware of at the time, but when I created the seal these were primary in my mind and I believed they would be the ones from whom the Republic would arise. In the color version the stars are gold.

I felt this was a simple, yet elegant design for a seal for the hypothetical space-borne nation of the Republic Of Sol. As with the Republic's Declaration of Independence and Constitution, the seal is in the public domain and no permission is needed to reproduced the seal without change.

