



UNITED LIBERTY ALLIANCE

VERENIGDE VRYHEIDS ALLIANSIE

EX UNITATE VIRES

"We are the Architects of our Future"

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A. System of Government

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A01 We want Liberty (Free Society)

FREE SOCIETY	CENTRALLY PLANNED SOCIETY
Birth and Family Status does not limit and individuals potential or status in society	Birth and Family Status dictates to what level an individual may rise eg Monarchy or Central Committee in Communist regime
A free society has a free economy, governed only by market forces. It is characterized by individual planning, entrepreneurial activity, competition and spontaneity. There is rapid wealth creation, and living standards are high	In an unfree society, the economy is centrally planned and people with the ability and resources are compelled by the state to provide the needs of others.
In a free society, social relationships are voluntary and result from free choice and consent.	In an unfree society, relationships between people are regulated.
A free society is based on the rule of law and common law.	In an unfree society on the rule of men and discretionary law.

A03 Federation or Confederacy

From the perspective of the States it could be seen as a Confederacy, but in Theory you could also argue it's a Federation with a limited Central Government.

Don't get hung up on definitions! Focus on who's got the power.

The overriding principals of our government:

1. Maximum devolution of power to individual states
2. Strict limitation of power of the central government

*"Absolute Power
Corrupts Absolutely"*

Power Distribution Principal:

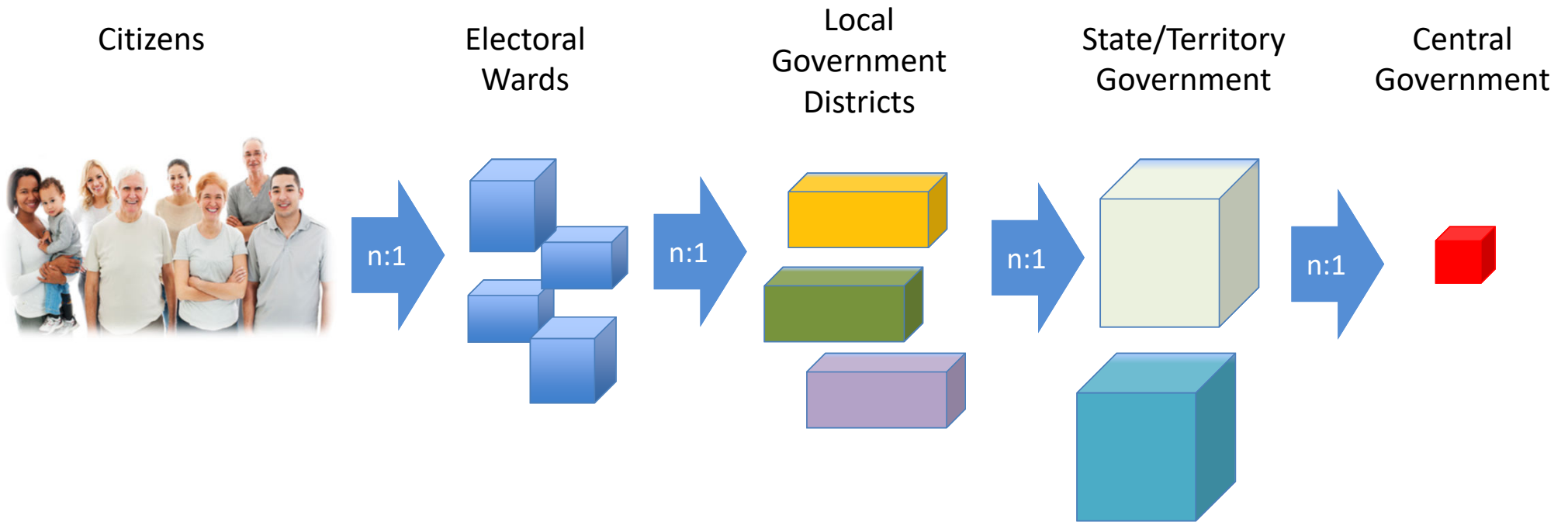
Any powers not granted to Central Government or District Governments vest with the States or the Citizens

A04 Why limit the Power of Central Government?

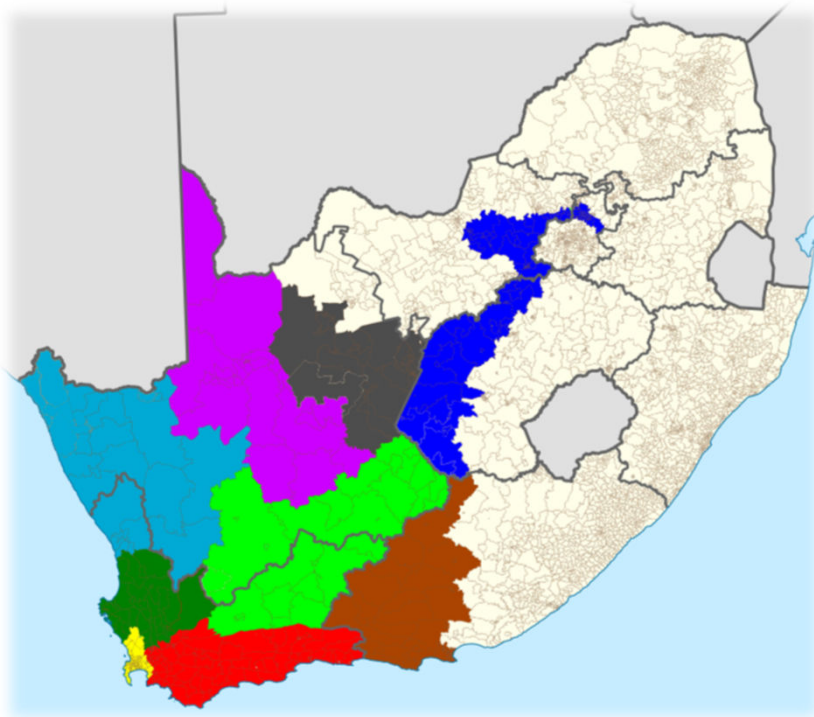
Leon Louw's eleven laws of central government intervention:

1. All interventions are instituted for the benefit of a few at the expense of many.
2. All interventions are declared to be in the public interest.
3. All interventions are easier to introduce than to repeal.
4. All interventions reduce liberty.
5. All interventions produce side-effects contrary to their stated intention.
6. All interventions are rationalized by reference to their supposed benefits and omission of their inevitable costs.
7. All interventions produce an apparent need for more interventions, which have the same effect as the former *ad infinitum*: interventions beget interventions.
8. All interventions increase bureaucracy, red tape, government spending, taxes, corruption, and lobbies for more interventions exponentially.
9. All interventions tend to come from politicians who promised less intervention.
10. All interventions are supported by business people who oppose government interventions except those which they support, which, it turns out, support them.
11. All interventions would be crimes if performed by civilians: thus all interventions are legalized crime.

A05 Levels of Government




A06 The States and Territories




Territory

 Cape Capital Territory

States

 Kxalahari


 Boland

 Griekwaland

 Karoo

 Eastern Cape

 Overberg

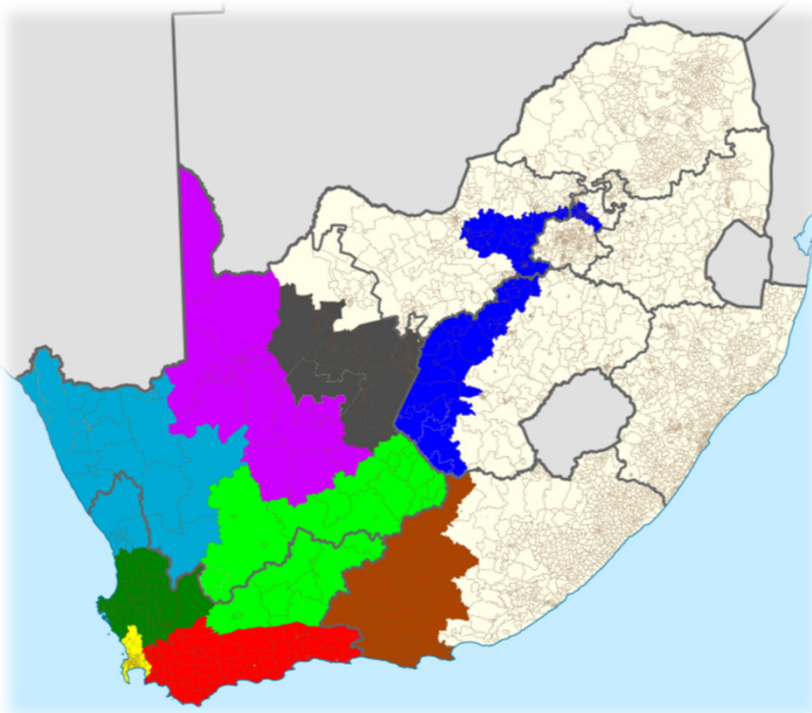
 Namaqualand

 TransOranje


Note: State names are place holders – final names to be determined

A07 The States and Territories (Afrikaans/English First Language Speakers)


Overall Afrikaans/English Speakers represent 2/3 of population




Territory


 Cape Capital Territory (64%)


States

 Northern Cape (85%)


 Northern Free State (84%)

 Free State (56%)

 Western Free State (76%)

 Eastern Cape (66%)

 Orange Free State (78%)

 Western Free State (95%)

 Transvaal (52%)

Source: 2011 Census

A08 Capital Territory vs. States

Cape (Capital Territory) or CCT

- Bounds the national capital of Cape Town
- Is the center of government independent of any state, to prevent any state from gaining an advantage over other states by hosting the seat of Central Government
 - Similar to the Australian Capital Territory (ACT) and Washington D.C. (USA)
- Treated as state but any law can be vetoed by Central Congress, which is not the case for States
- Laws can not be vetoed by Referendum
- Unlike border States, the CCT does not have the power of secession

A09 Demarcation and Electoral Council

- The Council will reside over all demarcation issues and allotment of representation (Electoral Votes).
- Administers and monitoring of all elections (Federal, State and District)
- Each State's Governor will appoint one Judge to Council
- Capital Territory's Governor will appoint two judges
- Term limit of all appointees is 5 years
- Decisions will be made by simple majority

A10 Citizens, Voters and the Right to call a Referendum

Voting

- All voting is compulsory and those who don't vote will be fined (as in done in Australia)
- A Voter may void his ballot by choosing a “none of the above” option

The right to call a referendum

- Ward Matters: 5 000 Registered Votes or 10% can call a referendum
- District Matters: 10 000 Registered Votes or 10% can call a referendum
- State Matters: 10 000 Registered Votes or 10% can call a referendum
- Federal Matters: 100 000 Citizens or 5 States can call a referendum
- A Referendum may not be called on a issue that was put to a referendum in the last 5 years

B. Central Government

1. Central Government Powers
2. Separation of Powers
3. Checks and Balances
4. Legislative – Houses of Congress
5. The Senate
6. The House of Representatives
7. The Executive
8. The Judiciary
9. Remuneration

B01 Central Government Powers

Limited functions:

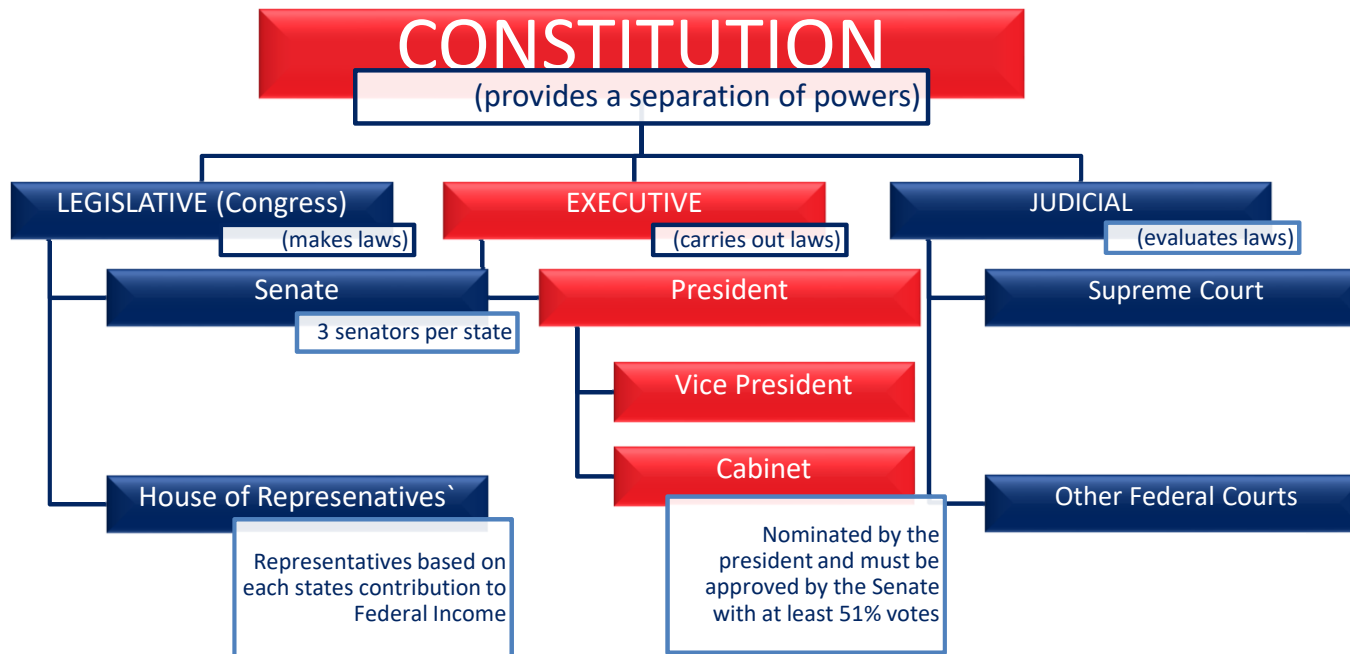
- Foreign Affairs (International Treaties)
- National Finance (Treasury issuing of currency)
- National Defence
- Internal Affairs (Homeland Security, Immigration etc.)
- Police interstate crime (Not possible for States to do)
- Develop and maintain national infrastructure
- Social Security Programs (Central Pension Fund & welfare payments)

Must Balance its Budget
Limitations on borrowing enforced by
the States

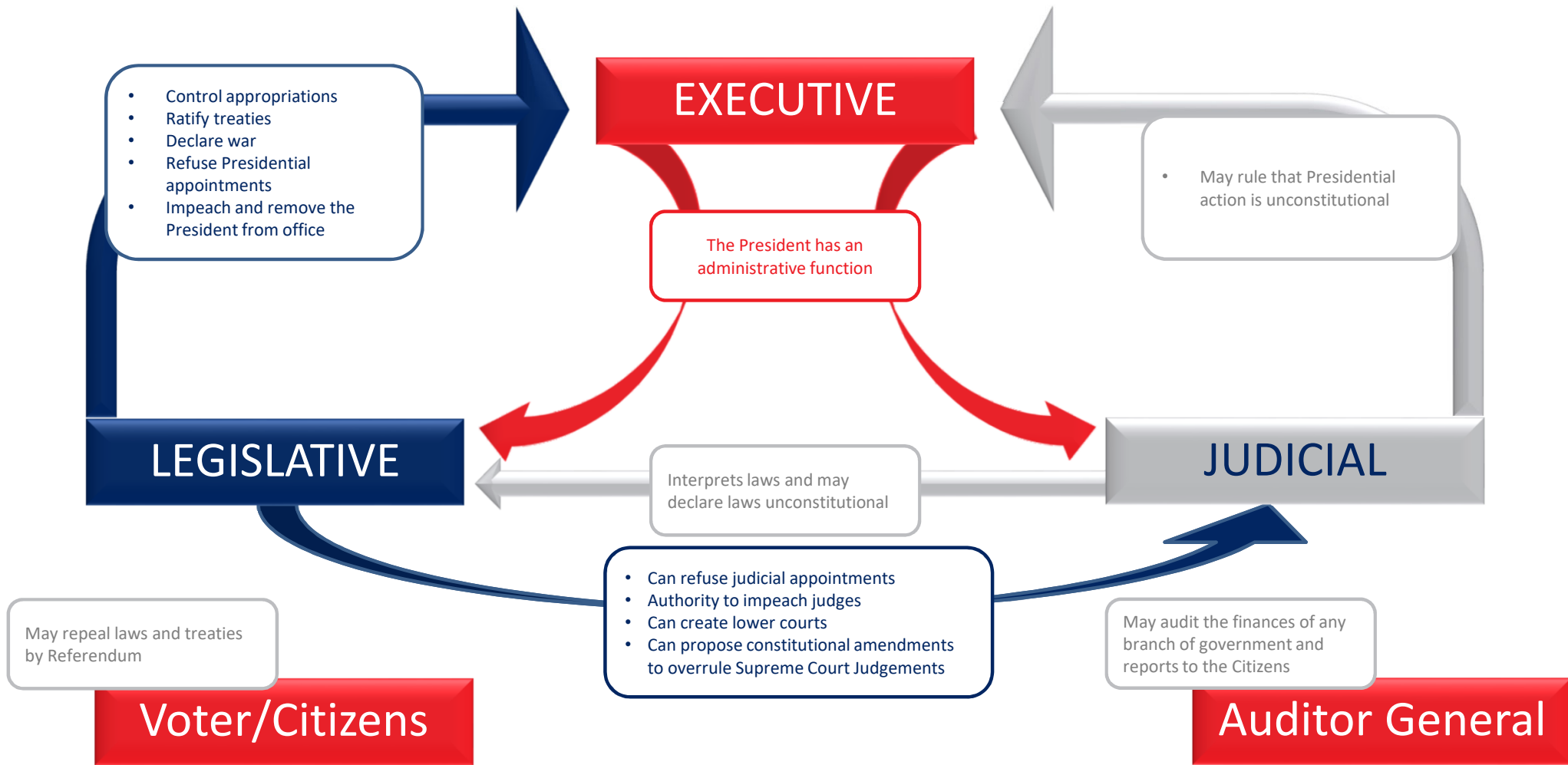
Other functions:

- May regulate interstate commerce
- May impose Taxes (Direct Personal and Company Taxation not to exceed 10% and may not discriminate based on income i.e. all pay same same)
- Other functions may be granted to the Central government if approved by all the State Governments and ratified by referendum of the people in those States (51% of the voters)

B02 Separation of Powers



B03 Checks and Balances



B04 Legislative - The Two Houses of Congress

- The Central Government Congress has a “two-house” system of government
 - Similar to RSA, Australia, UK, and most other countries
- That means we have two houses or sections in which new laws are planned, debated, made and passed
- There is Senate and House of Representatives
- All laws made are subject to signing or veto by the President
- All laws may be vetoed by the people via Referendum
- All laws are subject to evaluation against Constitution by the Supreme Court

B05 Legislative - The Senate

- Forms the Upper House of the Congress
 - Main function is to approve laws made in the Lower House (House of Representatives)
 - Similar to the current RSA National Council of Provinces
- The Senate is set up to make sure that each of the states and the capital territory has equal representation in Congress
 - This is to make sure that the states with more people do not out vote the states with fewer people
- There are 30 senators - three from each state and three from the Capital Territory
 - A Senator is appointed by the State Congress for term of 4 years
 - A Senator may serve in the Senate for a maximum of two terms
 - The Senate elects a Senate Leader who acts as chairman of the Senate and has an additional vote to break deadlocks

B06 Legislative - The House of Representatives

- Forms the Lower House of Congress
 - The House of Representatives has members that represent the tax paying voters (This is to ensure that politicians don't buy votes by offering hand outs)
 - Main function is to debate and create new laws
 - Similar to the current RSA National Council of Provinces
- There are 30 representatives – Seats are allocated based on the Federal Tax Contribution of each State as determined by Demarcation Council every four years, but even the smallest State/CCT will have at least one representative.
- Representatives are elected by the voters of each state
 - **Example:** The Karoo may appoint 3 Representatives, then those candidates that received the highest votes in the election will be appointed as Representatives.
- A Representative is appointed for term of 4 years
- A Representative may serve in the House for a maximum of two terms
- The House of Representatives elect a Speaker who acts as chairman of the house and has an additional vote to break deadlocks

B07 Executive Branch – President and Cabinet

- The Executive branch of Central government is independent of the congress and no person may be a member of congress and a member of the executive simultaneously
- The President and his Vice President must be a Citizen of the Country (and at least 40 years of age)
- The President and his Vice President is elected every 4 Years by all Citizens, using a proportional electoral system. The number of Representative seats will determine how many electoral votes a State has.
 - **Example:** Candidate A won the popular vote in The Karoo, The Karoo may appoint 3 Representatives to the House, then the candidate will have 3 electoral votes.
- The President may serve in the Country for a maximum of two terms
- The President appoints his Cabinet
 - No more than two Cabinet Ministers may come from the same State
 - All appointees must be confirmed by the Senate with simple majority
- A Cabinet Minister must be a qualified voter in the State he represents before being appointed

B08 Judicial

- An independent judiciary (Supreme Court) which interprets the constitution and acts as a final court of appeals
- The court will consist of 10 Judges
 - One representing each of the States/CCT
 - A sitting Judge must be a qualified voter in the State he represents before being appointed
- Supreme Court Judges are appointed by the Governors of the respective State for term of 4 years and new Judges must be confirmed by the Senate (simple majority)
- If the Bench has an equal number of judges the President of the Country will appoint an additional Judge to the Court
- A Supreme Court Judge may serve in the Court for a maximum of two terms

B09 Remuneration (No incentive for Corruption)

- Strict measures will be implemented against corruption
- It is proposed that members of the Executive, Legislative and Judicial Branch's remuneration be tied to the average of the top ten percent of individual Tax Payers in the prior year.
- It is proposed that all members take a pay cut of 10% if the budget is not in balance.

C. State Government

1. Powers of the States
2. Separation of Powers
3. The right to Secede
4. The right to expulsion
5. Incorporation of new States
6. Legislature
7. Executive

C01a Powers of the States

Principal

Any powers not granted to Central Government or District Governments vest with the States or the Citizens.

- A State is part of the system of government. This means that some powers belong to the central government, but most will belong to State governments.
- A State may levy taxes to supplement its income (Direct Personal Income taxes including death taxes may not exceed 10%)
- However, a State cannot create its own money, declare war on other countries or sign treaties. This is reserved for the central government.

C01b Powers of the States

Powers for the state are reserved powers, and include most functions required to effectively run the state:

- Public education
- Public healthcare & ambulance services
- Public transport
- State policing
- Prisons
- Regulating commerce within its borders
- State economic development
- State main infrastructure (main roads, railways, power supply, bulk water)
- Public housing
- Civil matters (e.g. establishing legal age for marriage without permission)
- Consumer Affairs
- Etc.

C02 State Separation of Powers

- The State government is like that of the Central government with its separation of powers by having three different branches of government:
 - Judicial Branch – interprets the law
 - Legislative Branch – makes the laws
 - Executive Branch – enforces the laws
- Each branch serves as a check and balance over the other one, so that no branch gains too much power.
- The Bill of Rights in the Country's Constitution protects the basic rights of citizens, and this cannot be overruled by State governments.

C03 The Right to Secede (Divorce)

- A State that borders another independent Nation will have the right to secede if the majority of the Voters in that State vote to leave the Country
 - The Cape Capital Territory cannot secede
 - A State surrounded by other States of the County cannot secede
- All Voters in a State that secedes will lose their Citizenship of the Country if they choose to remain in the area that seceded after a period of 12 months.
- A State that secede will take liability of all Central Government Debt debt in relation the electoral votes allocated to that State. (Principal is if you take the assets you take the liabilities)
- All Federal Assets in that State will be transferred to that State
- All appointees of that State will remove themselves from office on date of Independence

C04 The Right to Expulsion

- The other side of the right to secede is the possibility of expulsion.
- If a State persists in some policy which all the others find unacceptable, there should be a procedure whereby it can be expelled
- All Voters and Citizens in a State that is expelled will retain their Citizenship of the Federal Republic.
- 90% of the voters in other states must agree to the expulsion, and agreed to by all remaining States and CCT.

C05 Incorporation of New States

- Must be approved by the majority Voters of the Territory being incorporated
- Must be approved by all the States and CCT
- Must be approved by 2/3 of the Citizens of current Country

C06 State Legislature

Similar to that of the Central Government

The Senate and the House of Representatives

- The Senate is composed of members appointed by the Districts (Each State Constitution will determine the number of Senators)
- The House of Representatives is composed of members all elected by the voters of electoral wards. The electoral ward will be allocated a number of electoral votes based on State tax revenue.
- The number of electoral votes is determined by each State's constitution

C07 State Executive Branch

Similar to that of the Central Government

- The governor is head of the executive branch. The governor has similar term limits as President.
- The governor must be a citizen, 40 or older, and be a resident of the State for at least 5 years before the election.
- The governor makes appointments to boards and commissions which The governor can also appoint and remove officials (eg: judges).
- The governor can also veto (cancel) a bill. A line item veto allows the governor the reject items in appropriation bills, which deals with how money is spent.
- The governor can call special sessions where the governor decides what business needs to be discussed.
- The governor can give pardons or delay an execution.
- May be removed through a process of impeachment

D. District Government

1. District Government Council
2. District Functions and Duties
3. Electoral Ward Powers

D01 District Government Council

- District Government Councillors are chosen by the voters of each ward
- The number of appointments of each ward depends on the population size of the ward
- Mayor is in charge and elected by the Voters

D02 District Functions and Duties

The functions of the District government include all those local affairs that are not handled by the Federal or State governments, including:

- Local planning (e.g. city planning and zoning)
- Local economic development
- Maintain and administer local infrastructure (e.g. local roads, lighting, etc)
- Provide essential utilities at local level (e.g. water, electricity, sewerage, waste collection & recycling)
- Maintain public facilities (e.g. parking, toilets, libraries, museums, galleries, etc.)
- Maintain recreational facilities (e.g. parks, swimming pools, etc.)
- Perform any duties assigned by the State Government (e.g. local law enforcing)

The District government may impose local taxes, e.g. property taxes

D03 District Electoral Ward Powers

Demarcation:

1. Voters (Citizens who have resided in the Ward for more than 2 years) to decide
2. Voters of Wards that borders another district can vote by referendum to be included in another District, provided that 51% of the voters in both districts agree to it.