

a contribution to the discussion and a pretentious new constitutional design

A CONSTITUTION FOR GERMANY [Version 0.1]

from the people, to the people,

Brief Background and Rationale

The most recent public constituent assembly took place on August 29, 2020, in Berlin Mitte. We were present and like everyone else being present at the demonstration organized by Querdenken 711, were asked to discuss it and make a proposal. The request was based on Article 146 of the Basic Law for the Federal Republic of Germany titled [Duration of the Basic Law] “This Basic Law, which, since the achievement of the unity and freedom of Germany, applies to the entire German people, shall cease to apply on the day on which a constitution freely adopted by the German people takes effect.”

History has shown that representative democracy combined with well financed elite has opened the doors to corruption and has made it possible to defeat the very purpose of a democracy. Due to the factual situation in 2020 of the German people being governed by mostly corrupt and/or incompetent people, one of the necessary changes will have to be the institution of strict integrity and competence requirements for governing people.

We would therefore likely be much better off with a meritocracy along the lines of Plato’s republic, where the top people are the most able, intelligent and don’t own anything and are ‘philosopher-kings’ completely altruistically oriented not working for any party but exclusively for the well being of all or the whole.

The ‘Leitgedanke’ in the formulation of a constitution for Germany is that a constitutional law should consist mainly and principally of first principles, the philosophy and understanding of the state and the relationship of the state to the people and vice versa. It should express those central and guiding thoughts which can be subsequently used to formulate specific laws and rules for the nation. Any of the laws pertaining to Germany would have to conform to the ideas and principles as expressed in this constitution.

In the basic law for Germany, passed in 1949, precise definitions were lacking, this we will also correct now.

CONSTITUTION FOR THE GERMAN NATION

“A constitution is an aggregate of fundamental principles or established precedents that constitute the legal basis of a polity, organization or other type entity and commonly determine how that entity is to be governed.”

Wikipedia

Preamble

Underlying any constitution is the idea that order is to be preferred over disorder, anarchy, indeterminacy and leaving things to chance. There is also a philosophical view of the universe as an organized system, where God or natural laws reign. Science in its highest form is an attempt to identify such laws.

Most people will agree that it is reasonable to demand law and order also in the relationship of individuals and society. On an individual basis it is deemed reasonable to prioritize the faculty of our reason, over the tendencies of our emotions and use it to govern our appetites.

History shows that we would never have achieved our current level of civilization without the use of reason. The internet, our mobile phones, computers, thermostats and all the rest of our high tech civilization would not exist today if we hadn’t discovered the mathematics that



makes all this possible. The most logical, encompassing and philosophically grounded calculus was developed by the German polymath Gottfried Wilhelm Leibniz. And let's not forget the rest of our national heritage.

Deutschland, das Land der Dichter und Denker

With such famous authors as Goethe, Schiller, Heinrich Heine, Thomas Mann, Herman Hesse and philosophers such as Leibniz, Kant, Fichte, Schelling, Schopenhauer, Eduard von Hartmann, Hegel, Nietzsche and scientists such as Kepler, Werner Heisenberg, Rudolf Diesel, W. von Braun, Max Planck, Robert Koch, Georg Cantor, David Hilbert, Oswald Spengler, Bernard Riemann, Ohm, Minkowski and many others, and not to mention the composers such as Bach, Beethoven, Richard Wagner, Schumann, Carl Maria von Weber and Händel, there is sufficient reason to be proud of our heritage.

No reasonable scientist or philosopher would deny that reason is our highest value, without reason and mathematics no science would be possible.

Principles

From these considerations, certain first principles follow.

- 1) The constitution and all laws must be based on reason and reason alone.
- 2) Men are living beings, body and soul and capable of thinking, feeling and sensing. Men also differ considerably in the relative importance they attach to the faculties of thinking, feeling and sensing. Animals are sentient (feeling) in varying degrees.
- 3) Living men of flesh and blood are more important and always senior to legal fictions such as corporations, artificial intelligent machines and also to any contracts or documents. As a consequence corporations must always be represented by a living being, which carries the responsibility for whatever is done by the corporation. No corporations may exist who have as their basic purpose to earn money. The purpose of the corporation must be aligned to the wellbeing of the whole and while operating for profit is allowed, private profit is of a secondary nature.
- 4) Governors of man ought to be chosen from the most reasonable and competent amongst thinking men and preferably from those who are not interested in the acquisition of property or accumulating money. Such people who consider it the highest honor and duty to serve the whole, rather than a particular party or separate class of constituents. A governor must be well educated in general and particularly in philosophy, mathematics, religion, law, finance, business, administration, ethics, and communications as well as in the humanities.
- 5) The relationship of the individual and society should be balanced, in the sense that the society should support the individuals in developing their full inner potentials and in reaching ever more understandings and enjoyment of life, and the individual in turn should support the society by contributing to the wellbeing of all or at least refrain from doing anything detrimental to the well being of all. From this any human rights and/or duties may be derived.
- 6) Positive freedom rates higher than negative freedom. Freedom can never be absolute. Freedom must go together with responsibility. There is great tolerance for individual enterprise and no tolerance for the intolerant.
 - a. Positive liberty: the freedom native to each individual to explore and develop their inner potential and for society to develop in such a way as to provide a maximum of freedom to the individual whilst creating the conditions for all to live together in cooperation and the greatest possible harmony.



- b. Negative liberty is the completely unrestrained exercise of an individual's or governor's freedom. It has been proven to lead to suppression of minorities and crime such as under capitalism and communism.
 - c. Important freedoms which should be guaranteed are the freedom of thought and expression thereof, the freedom to take initiative and form new groups and associations.
 - d. The only freedom that must be curtailed is the freedom to only follow one's instinctual drives.
- 7) All values are 'considered' values. Values of friendship, cooperation, trustworthiness, honesty, helpfulness and other so called virtues always rank higher than values of non-living things. The highest value in the nation is a contribution to the whole which significantly increases cooperation and raises the level of harmony and satisfaction for all people. The lowest values are values of mere objects or representations thereof, such as money.
 - 8) Ideally the German nation should adopt as a goal again contributing to the world and mankind by making great advances in philosophy, science, arts and technology, while setting an example for all of social cooperative individualism.
 - 9) All the land and natural resources belongs to the people, represented by the state. No land is individually owned, nor is land to be owned by legal constructs (persons) or equivalent except the state. Individual property consists at least of a place to live and work plus the energy, belongings and instruments one needs to live and reach one's personal goals. Shared property is those lands and goods and instruments which are shared amongst groups of people. Natural resources are part of the shared properties. The rules for sharing are made up locally by those who share. There is no inheritance of land or estate; there might be a right of preferential occupation for certain ancestral lands, buildings and belongings, but always in consensus with the community.
 - 10) There must not be any efforts to create a scarcity of goods and services. The greatest arbitrary factors in the old economic system were 'money', artificially maintained scarcity and 'economic growth'. It is to be replaced by modern 21st Century information money. The old system of one-to-one exchanges, contracts and liabilities and fighting for survival is no longer needed. There will still be a balance between individual value creation and value consumption. Every adult individual is contracted to the state and has an account at the national bank, which keeps track of the individual's value creation and value consumption. The national bank is just an accounting facility, useful to predict supply and demand ratios. [ref. Prof. Dr. Franz Hörmann, End of Money, info money]
 - 11) Property creates responsibility. Its use must simultaneously benefit the common good. Those who hold more than individual sized property must indemnify those who do not own such property. Details to be specified in law. [ref. Wissensmanufaktur Plan-b.]
 - 12) In order to improve the conditions for all, we need to bury the old system of money, interest and banking which was based on scarcity and was intended to redistribute the control of energy from the industrious to a known and partly anonymous elite group of rich and ultra rich people. In the new system a public central bank is created which has the exclusive right to issue interest free money. Money has been understood as three things 1) a medium of exchange 2) a measure of value 3) a depository of value, all three are deceptive. First who needs a medium to exchange, all one needs is the information concerning any exchange, secondly a measure of value where the standard of measurement continually and arbitrarily changes is of little use and finally if the value is not conserved, who would use it to store value. [ref. www.franzhoermann.com]



- 13) In the new system, which goes into effect with this constitution, children are given equal opportunity, as much as possible, from birth on. This means free education and the necessary resources available to everyone. The task of organizing and transitioning to the new system of education will be given to the Ministry of Quality and Standards.
- 14) As young people become adults differentiation will certainly occur, different talents, different purposes and a variety of individual characteristics will lead to different outcomes. This will necessarily lead to different social statuses based on individual accomplishments, products and achievements which lead to greater or lesser contributions to the well being of all.
- 15) On reaching adulthood, the young adult, assisted by a life coach, designs a social contract, a contract between the individual and the national bank, which consists of:
 - a. the contributions, services and products which she will deliver to others in the society.
 - b. individual price systems (how much info money is spent (destroyed) on goods and services)
 - c. individual tariff systems (how much information money is created for rendering services to the community by the individual)
 - d. the individual's shopping basket (which and how many goods and services of what type and quality are desired at what intervals).Records of all social contracts are kept by the Ministry of Formation.
- 16) The scientific research establishment needs to be overhauled, freed from the prejudicial materialistic empiricism paradigm and made financially independent of special interest groups and given a basic freedom of choice in the development of theory and the direction of research in science. Science should include consciousness, mind, soul, free will and other non-observables.
- 17) The people in this constitution are the German people. The German language is the national and official language. The territory of the German people and to which this constitution applies lies within the borders which were last confirmed in the 1990 'treaty on the final settlement with respect to Germany'.
- 18) The justice system of the state of Germany will include a system of trial by jury similar to what was used in some common law countries. Where an individual seriously conflicts with the law, trial by jury should be an option. In such a case there are 12 jurors and a judge as facilitator.
- 19) The actual system of governing should be constituted in such a way so as to ascertain that the listed principles are fully applied. If the nation consists of a federation of nations the principles apply to the whole as well as to each part.
- 20) Governance in society should be organized in such a way that at least the seven vital functions of an organism i.e. 1) formation, 2) information, 3) energy, 4) production, 5) quality, 6) inter-national relations as well as 7) coordination are fully covered. The government consists of a president holding the ministry of coordination and six ministers who head the other six ministries. See 'Organization of the State' in the appendix.
- 21) All other laws must be in alignment with this constitution. New laws can be proposed by the government or any knowledgeable citizen or group. Such laws are approved by the council of ministers if they do not contradict other laws and conform to the constitution.
- 22) The government consisting of seven ministers is selected from amongst the most meritorious citizens of the nation. Candidates can be proposed by any group or citizen, for



each of the seven ministries separately. Competition is used to decide who's best qualified to do the best for everyone. The individual with the highest qualifications who is willing to assume the designated responsibilities, under the designated conditions, is to be selected. The basic qualifications are listed in Article 4 of the Constitution. Minister of State would be considered the highest honor and status that a citizen can attain.

- 23) The ministers are selected from qualified candidates by a jury consisting of representatives of all walks of life. The representatives are for example philosophers, teachers, scientists, clergy, administrators and managers, merchants and traders, artisans and craftsmen, farmers, housewives and unschooled workers forming a committee of at least ten. Each category would name a representative which also has the same or similar qualifications as described under Article 4 of this Constitution. They must be financially transparent and/or have no interest in finance or acquisition of wealth. The ten or more representatives chose the ministers by simple consensus or if no consensus can be reached within a reasonable time, by least objection (systemic consensus).
- 24) The government as central authority should have a coordinating and subsidiary function, performing only those tasks which cannot be performed at a more local level.
- 25) Membership in the European Union or reform thereof should be (re)-evaluated by the new government.
- 26) There will have to be a transition period which will be overseen by the president and the ministry of coordination, to work out a reasonable program, for example the Ubuntu Contributionism model [Michael Tellingner] to phase over from the existing to the new system.

Organization of the State

The society should be organized in such a way that at least the seven vital functions of an organism i.e. 1) formation, 2) information, 3) energy, 4) production, 5) quality, 6) international relations and 7) coordination are well covered. [\[ref.\]](#)

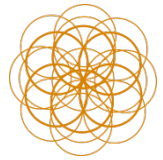
The management or government of the (e)state will be assigned to seven ministries. The following merely gives the general idea of how these vital functions, could be covered. These functions are though logically arranged of course inclusive of all the functions traditionally assigned to government.

The ministry of formation

The purpose of the ministry of formation is to maintain the form as outlined in the constitution and the laws based on it. By form we mean the organizational embodiment of the principles. The ministry of formation is headed by the minister of formation who is personally responsible for finding suitable people to man the government in accordance with the provisions of the constitution. The ministry is responsible for the upkeep of public buildings. Each person or citizen is accounted for and provided with an energy allotment to ensure they can live well. Each person can register their products in the national register, like the national library. Organizations and associations of individuals are registered as well as their purposes and products. Any such registers are accessible to everyone in the country.

The ministry is also responsible for establishing, maintaining, improving, correcting or repairing public communication systems infrastructures, public roads etc.

The third section is the maintenance of the laws and the administration of justice. An important part of the duties of this ministry is the maintenance of the regulations pertaining to the air, the waters and the land remaining free from pollution. Other duties are those of defense and any needed military actions to eliminate suppression of the national interests by inimical interests.



Details are covered in separate laws, such as the law on the judiciary.

The ministry of information

The purpose of the ministry of information is to provide the necessary facilities, people and cooperatives involved in providing the nation with current, up-to-date and vital information about what is going on nationally and internationally. Formerly there were a few corporations, financed by foreign interests (example Bill Gates) which exercised their control over what people should know and what not, resulting in long term disinformation.

The ministry of information sees to it that censorship and the old 'lying press' syndrome will never repeat its unsavory history. Public TV stations were mainly outlets for politicians and party propaganda. Accurate information should be freely shared and available to all, viewpoints and opinions that differ from what is held by a majority, must not be suppressed and should be considered an essential part of a dialectic process of communication, review and counter review.

Every person citizen has a personal node on the internet, by which he or she can communicate their affairs, desires, offerings and opinions. And the same goes for groups and associations of people.

The ministry of energy

The purpose of the ministry of energy is to replace the former finance ministry and establish and maintain a public, state owned national bank with the exclusive right to issue interest free currency. This ministry will be entrusted to organize the liquidation of the public debt and the orderly transition from a debt based 'money' system via a gold and/or asset backed system to a modern information money system. Energy is the basic constituent of everything. People, land, buildings, machines and objects all operate on energy i.e. are more or less stable energy configurations and/or users of energy. Money has for a long time been functioning as an energy pump, due to the fact that people were entrained to use their talents in order to gain sufficient money to satisfy their appetites and even to survive in the old system's societies. The allotment of natural resources belongs here too.

Energy needs inflow and outflow as well as adjustment, such coordinative tasks resort under the Ministry of Energy. This includes food stuffs as well as other mobile items.

I propose Prof. Dr. Franz Hörmann, as the first Minister of Energy.

The ministry of production

The purpose of the ministry of production is to organize and guide any and all types of production of artifacts (factories, handwork, and industry) which may include works of art. Anything created by people, which includes intangibles, is basically a transformation of energy. The idea is to use production to raise our standards of living and obtain higher levels of wellbeing, comfort, understanding, consciousness, cooperation and harmony from bed socks to improved air conditioning gadgets, new types of computers or entire buildings created by the architects amongst us.

The ministry of quality

The primary purpose of this ministry is to work diligently on and facilitate raising the quality of life for all of us. This is done by holding standards and by raising standards. There must be facilities to correct things, to maintain the general health of the population. The medical pharmaceutical establishment, the old now dissolved cartel, is to be re-organized in a holistic sense and anyone who comes up with usable cures for illnesses is going to be tested by this ministry and if successful made available to the entire population. The old medical doctors' monopoly and prerogatives are abolished, without lowering any standards are lowered. A



surgeon better be fully trained and capable of doing that job in accordance with the highest standards. The scope of the education or training should match the type of activity and be determined base on what is needed; there is for example no need to train for 8 years in order to give an injection. Health practitioners are paid for their services when their treatments are successful. Psychiatric institutions, would be instructed to do their best to rehabilitate or care for any insane people.

Overall this ministry makes sure that the government as a whole remains a learning organization and that the use of AI will always be subservient to the people’s interests..

The ministry of international relations

The purpose of this ministry is to maintain relations with other nations in such a way as to prevent conflict and war and enhance cooperation between nations. All export activities come under this minister. They compose proposed contracts and treaties with other nations.

The ministry of coordination

This is the ministry which carries the full responsibility for the harmonious functioning of all the other ministries combined and thus of the whole nation. It is in that sense the most important ministry which carries the highest authority in the nation it is run by the nation’s people with the highest qualifications. It is headed by a president chosen in accordance with the procedures established by the constitution. This ministry is constituted as a corporation sole, which holds the ownership of all the land and the natural resources. The current president is the office holder. The president as goes for all ministers is fully accountable towards the people.

* [comparison of the seven vital functions with organic life functions](#)

	Organizational function	Life function
1	Formation	Growing and maintaining the form of cellular organization based on genetic programs
2	Information	Processing of and response to stimuli from environment
3	Energy	Respiration, nutrition, metabolism, excretion
4	Production	Activities, Locomotion
5	Quality	Immunity Regulation, Homeostasis, development
6	International Relations & Export	Reproduction and environment
7	Coordination	Coordination

Ref. Multi Genius Technology for Consciousness–The Self-Explorer’s Handbook, Ch.16 Management, Organization and Planning



Definitions

It's an old trick to leave keywords undefined, this opens the way to random interpretations and a way to justify misinterpretations. We therefore include precise definitions of key terms in this constitution.

Principle:

“...principles directly establish purposes which the rules intend to achieve.” (Eric, 2000, 185)
<https://lawaspect.com/principles-of-law-1/>

Man

A human being

Human being

A man or woman or derivative thereof, who is a combination of a body and soul. The soul is the senior or controlling part. The term man in its extended sense includes not only the adult male sex of the human species, but women and children.

Law:

Law, in its generic sense, is a body of rules of action or conduct prescribed by controlling authority, and having binding legal force.

Law is also a universal principle that describes the fundamental nature of something, the universal properties and the relationships between things, or a description that purports to explain these principles and relationships.

State

A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. [Black's Law Dictionary, 6th Edition]

Nation

A people, or aggregation of men, existing in the form of an organized jural society, usually inhabiting a distinct portion of the earth, speaking the same language, using the same customs, possessing historic continuity, and distinguished from other like groups by their racial origin and characteristics, and generally, but not necessarily, living under the same government and sovereignty. [Black's Law Dictionary, 6th Edition]

Sane.

Of natural and normal mental condition; healthy in mind. One who knows the difference between right and wrong (reason and unreason), and appreciates the consequences of his acts. Right is what is reasonable in that it forwards life and evolution in the direction of greater understanding, and forward contribution to the whole of mankind. Wrong is anything that detracts from the former.

Energy

Energy is that which gets things moving, therefore money can be considered as a type of energy.

Federation

A joining together of states or nations in a league or association; the league itself.



An unincorporated association of persons for a common purpose.

Land

In the most general sense, comprehends any ground, soil, or earth whatsoever; including fields, meadows, pastures, woods, moors, waters, marshes, and rock. In its more limited sense, "land" denotes the quantity and character of the interest or estate which a person may own in land.

German

Designating of a people who have the German language and culture in common and live in the area and within the borders of Germany, as determined by the 12 September 1990, 'treaty on the final settlement with respect to Germany' between BDR, DDR and the four allied powers.

Ownership

To own means basically properly or exclusively belonging to one's self. Ownership is the state or fact of exclusive rights and control over property, which may be any asset, including an object, land or real estate, intellectual property, or until the nineteenth century, human beings. Ownership involves multiple rights, collectively referred to as title, which may be separated and held exclusively by different parties representing the state. The governors (government) of a state may not hold ownership rights or interests.

Property

Property embraces everything which is or may be the subject of ownership, whether a legal ownership, or whether beneficial, or a private ownership. There is no such thing as intellectual property; as soon as a literary or other work has been published it is considered to belong to the public domain. The authors of such works are to be recognized and rewarded nevertheless.