**A Summary of Feedback on Governance – Constitution (by 17:00 GMT +8, May 23, 2018)**

**Latest Update**

**Proposal C-5 [From:** Josh Kauffman (EOS Canada)**] 0:21 GMT+8**

**Article II – Property Rights**

I agree that the word sacred should be changed. I also think that it should include that the utility of the property cannot be userped either. Example: If an exchange is holding custody of a token, and they use that token to vote in whichever way that they see fit, they have not had the property change hands. but they have violated its right to be voted by the actual owner of the token.

I would also change "or by a lawful Arbitrator's order" to something along the lines of: "by a valid ruling by an Arbitrator, in accordance with Articles 9 and 10"

**Proposal C-6 [From:** Josh Kauffman (EOS Canada)**] 0:22 GMT+8**

**Article III – Arbitration**

I think something along the lines of "If a dispute between 2 or more members of the EOS blockchain cannot reach an agreed resolution on their own, those members agree to binding arbitration through one of the Arbitration Forums recognized by the EOS platform." Trying to use this as a chance to show that they should be resolving themselves, and then Arbitration should be last resort.

**Reply C-6 (1) [From:** Mao (EOSREAL)**] 13:00 GMT+8**

Always encourage them solve between themselves, before bringing to arbitrator.

**Proposal C-7 [From:** Josh Kauffman (EOS Canada)**] 0:25 GMT+8**

**Article IV – Voter Independence:**

The phrase "anything of value" should be qualified in someway. If someone offers me access to an exclusive dApp, or a private tool, some may argue that there is no value attached as it could not be bought with money. So value should be understood as money, access, exposure, etc. Remove the possibility for someone to argue what is of value and not.

**Proposal C-8 [From:** Adam Zientarski (EOS Detroit)**] 23:19 GMT+8**

**Article IV – Voter Independence:**

Has there been any further discussion around eosDAC and whether this is vote buying or not? The reason I ask is because they gave away something with value, and if you look at communities, like the EOS Reddit community, there are many who want them to become a BP because of the expected increase in the price of their eosDAC. I've been out of the discussion around this trying to keep up with everything but was wondering if someone knew what the general sentiment was. It's a monetary incentive though. It's really not any different than standing outside of a voting location in person and handing out money to people who are walking by to go vote.

I mean more of the concern though is I guess why we're having this discussion. If we decide that it's okay, we might want to change the way that's worded. I mean, there's a lot of discussion around whether it's okay or not, but if we're going under the assumption that it's okay, I think the way it's written contradicts it.

**Proposal C-9 [From:** Josh Kauffman (EOS Canada)**] 0:25 GMT+8**

**Article V (No Owner or Fiduciary) + Article VI (10% Ownership Cap)**

We should try to combine these two. They are directly related, so we should put them together. Unless there is something I am missing (for why they are currently separated)

**Proposal C-10 [From:** Josh Kauffman (EOS Canada)**] 0:28 GMT+8**

**Article VII (No Owner or Fiduciary)**

This can be roled into one of the Arbitration articles I think. We should also figured out a way to combine all articles that deal with Arbirtation.

**Proposal C-11 [From:** Josh Kauffman (EOS Canada)**] 0:28 GMT+8**

**Article IX (Establishes Arbitration Forums)**

I agree with the sentiment, but one question I have is: If 2 parties want to reach an agreement before going thru Arb process, could they speak to an Arb unofficially, who may be able to offer an opinion/receive a small fee for their thoughts. This may prevent smaller cases that don't need Arb Process, to still get some bit of a helping hand if needed. But there would probably need to be a public recognition of that Arb who did some 'work on the side' if this were included.

**Proposal C-12 [From:** Josh Kauffman (EOS Canada)**] 0:59 GMT+8**

**Article XIV (No Positive Rights)**

Don't personally see the need for this to be an article in the Const. This shold fall under design principles in my opinion. If, as a community, we want to include and add articles that positive rights, and we all agree, then that is our right. Perhaps we would want to obligate users to have to do something.

**Proposal C-13 [From:** Josh Kauffman (EOS Canada)**] 0:59 GMT+8**

**Article XVI (Amendment)**

If we're holding the BP Agreement and the Arb Agreement to the same standards as the Const. articles, then why are we breaking them out into separate docs? I thought the point was to make it easier to change and amend things as needed. This negates that.

Further, I think some more thought needs to go into the proposal requirements: If an amendment is ratified, it costs 100EOS to the person who proposed it? If they have thought up a public good, why should they also have to pay? This will force all of this to go through the Worker Proposal fund I bet

**History Feedback**

**Proposal C-1 [From:** Todor Karaivanov (SFEOS)**] 15:00 GMT+8**

**Article I - No Lying:**

I don't approve of this article in its current form. It can lead to a lot of accusations and mud-slinging, with people calling on this article to prosecute others. It is almost impossible to prove that someone has knowingly said a lie, especially if the scope is all communication. I would prefer an approach similar to the one taken by CAcert:

<http://wiki.cacert.org/AssuranceHandbook2#CAcert_Assurer_Reliable_Statement_-_CARS>

I don't think that we can change this article in a meaningful way to support this approach. This is more relevant to users with special permissions, such as arbitrators and BPs, so it should probably be moved to the BP agreement / arbitrator agreement. I suggest removing this article from the constitution.

**Proposal C-2 [From:** Todor Karaivanov (SFEOS)**] 15:00 GMT+8**

**Article II - Property Rights**

I disapprove of the word "sacred". It has religious connotations and, in my opinion, has no place in a governance document. I would suggest replacing it with another word, such as "inviolable".

**Proposal C-3 [From:** Todor Karaivanov (SFEOS)**] 15:00 GMT+8**

**Article VII - Agreement to Penalties**

I would suggest giving more clarity to this text, stating explicitly that members agree to suffer the penalties. Suggestion for new text:

Each Member agrees to conform to penalties imposed upon them for violations of the Constitution or any other governing documents relevant to their role. These penalties may include, but are not limited to, fines, account freezing, and reversal of transactions.

**Proposal C-4 [From:** Todor Karaivanov (SFEOS)**] 15:00 GMT+8**

**Article XIV - No Positive Rights**

I believe this article is a contradiction. Users that have special permissions on the blockchain do have positive rights - for example, arbitrators have the right to impose penalties on others. The article itself doesn't serve any specific purpose and can only be used to dispute other governance documents. I suggest removing this article.