New constitution for Brazil

1. The Brazilian territory1) and its natural resources are ultimately a piece of planet Earth and an asset of all human beings of the present and future generations. However, until the establishment of a global government, the duty of legitimizing private and public property2) in Brazil and registering the legal status of Brazilians will be of the Brazilian government.
2. Communities of Brazilians settled in territories of their proper ownership, able to sustain themselves independently and acting on a unanimous will, are allowed to register their autonomy and have their own government and constitution, provided that they respect the first article of the present constitution, to wit:
   1. The Brazilian government’s sovereignty in legitimizing public and private properties (which, however, shall not interfere unless in case of negligent exploitation of natural resources by the autonomous province, or to safeguard the transit of other Brazilians);
   2. The continuity of the Brazilian citizenship of all the community’s members, notwithstanding the possible formation of new local citizenship.
   3. The enforcement of legal action on outlawed citizens.
3. All citizens have the right to protection of their own body, to fundamental education, to available medical treatment when in pain, to freedom of speech and to isolation3). In case of poverty, they will also have the right to shelter and basic access to water and food. Citizens, of any age, literate and skilled in the arithmetic operations4) over the field of rational numbers will also receive the right to ingress in the public career and to vote in plebiscites (cf. §7).
4. Citizens less than 20 or more than 70 years old, who have completed high-school5), or are in process of completing it, will receive a pension.
5. In case of criminal offences, the transgressor will be subjected to punitive (inhibitive) or reparatory measures. Punitive measures are fines, imprisonment until the fulfillment of a predetermined labor with expected duration no longer than one third of the convicted person’s expected remaining lifetime and the exile. Reparatory measures include military, social, secretarial, academic or any kind of activity proposed by the convicted as a means to repair.
6. Anyone who is not born Brazilian can acquire Brazilian citizenship by validating the completion of the Brazilian fundamental education and demonstrating the capacity to live for the next five years in Brazil without falling in poverty.
7. The Brazilian government will be made by all citizens who decide to pursue a public career and complete the adequate training6) for their responsibilities. Governors and those in training will be employees of the State. In case one or more governors who have completed the required training for the same responsibilities cannot align themselves in a decision, the issue will be taken to plebiscite by liquid democracy7).
8. With one third of the voices8) of the inhabitants with the right to vote in a jurisdiction of a (potential or existing) governmental decision, the named decision will be taken to plebiscite by liquid democracy.
9. As to what concerns the economy, the government shall abide by the following heuristics: regulate to circumvent crisis, but, beyond that, remove hurdles instead of creating incentives9).

Comments:

1. The Brazilian territory is defined by the prevalent international treaties.
2. The right to property can be legitimized by discovery (at the act of claiming possession), by contract or by tradition. It is up to the Brazilian government to arbitrate in different cases, taking into account all parties’ abilities to administer their property for the society’s benefit.
3. The right to isolation is the right to “rest one’s nerves”. Everyone processes stimuli from the environment in a different way, and, at times, the freedom of speech of one individual can encroach the space necessities of another. In such civic questions, a judge will seek to conciliate both sides, by treating the issue in a stoic way and proposing solutions for better living together.
4. Addition, subtraction, multiplication and division.
5. High school shall contain a quantity of material that young people can accumulate in their first 20 years of life, taking as a reference what has been historically taught in Brazil and in other countries.
6. Considering that the essential skills of a legislator, administrator and judge are to define, solve problems creatively and to conciliate oppositions, the training of public agents (governors) shall be fundamentally that of education in higher mathematics. However, the course load shall be sufficiently free so that the aspirants can pursue their other interests as well, which can contribute in unique ways to building the country.
7. In liquid democracy, questions are proposed with an unlimited number of tags by topic and jurisdiction in a virtual platform. Every citizen-user can vote directly in each question or proxy it to another user whom he trusts to know more about the matter. Proxying votes can be made by question or be automatized by some filter based on the tags, but it is secret. For each question, every user can see the order of size (in hundreds) of the citizens that proxied their vote to him; shall he himself proxy another user, all the votes that he collected will be passed on with his, and once someone in the proxy chain decides on what actually to vote, everyone will be notified of what was voted for in their names. In case the election is not yet over, and some users are not satisfied with the delegation of their vote, they can retake their votes. In case the attribution of some votes are not determined, the users will be notified. The plebiscite ends three days after more than 90% of the votes are determined.
8. Voices can be collected by digital signature or public demonstration.
9. Consider the following examples:
   1. Incentives to consumption
      * An increase in production together with an accumulation of reserves is well suited to buffer possible economic crisis. However, to stimulate consumption for the sake of turning the economy around is an indirect way of stimulating production that defeats its own purpose.
   2. Creation of tax exemption poles
      * Tax exemption poles mean a higher taxation and a hurdle for the rest of the country. They create production legerdemains that decrease the contribution of every produced unit to the market.
   3. Regulation of the financial market
      * At first, it can seem a hurdle, but by preventing frauds and irrational speculation, crisis, which would be a much greater economic hurdle, are avoided.
10. Taxes
    * + It is argued that (progressive) income tax discourages the citizens with the highest productive potential to continue producing in excess. However, a disincentive is not the same thing as a hurdle. As long as for every reasonable lifestyle there is a reasonable path, the income tax is reasonable. Contrast this to other taxes that can really be a hurdle to economic activity.
      + On the other hand, taxes that tend to affect the population evenly (like consumer goods taxes) facilitate the spread of social inequality.
11. International commerce
    * + Import taxes may seem an adequate protectionist measure. However, such hurdles that arguably stimulate internal competitiveness can easily block the development of other activities that depend on the goods that are not being imported (e.g. software development needs hardware that frequently needs to be imported).
      + Conversely, if the goal is to make the internal economy more competitive, diversify it and promote activities that aggregate more value in the production line, what needs to be done is to tax specific commodity exportations that are offsetting the exchange. At first sight, this may seem a hurdle to exportation, but it is the true austerity measure that prevents accommodation in a under developed economy.

Transition articles:

1. The previous Brazilian constitution, laws and codes, public offices and all administrative structures will continue in place until the establishment of a new government according to §7, 8. A new temporary power, to be called incubator, is formed with the goal of designing the public career for future governors and their ways of interaction.
2. A call will be made to all citizens with a college degree who want to participate in the incubator power. For every one hundred subscribers, there will be a (voluntary) public tender moderator. Should the incubator power not finish the design in two years, new calls will be made and new moderators will be procured.
3. The incubator power can propose any measure to the other three powers (executive, legislative, and judiciary). If the measure is denied, the decision goes to plebiscite by liquid democracy.
4. Once the new government is completely designed, the incubator power can present it to the population and, if it is accepted, the transition is fulfilled.