

Supreme Court
Judgement No. Case No: S0049
Date of Judgement: 1/4/2025
Type of Proceeding: Petition
Type of Judgement: Interpretation
Parties Involved: rac (297022281878863885)

1. Factual Background

The Supreme Court of Julia has been petitioned to clarify ambiguities in the interpretation of voting requirements under Article 2.3.4. and 2.4.4. Specifically:

- I. Does a legislative vote require a majority of votes cast (excluding abstentions and non-votes to pass.)
- II. Whether non-voting constitutes an abstention under constitutional law.

2. Grounds for Judgement

- I. Interpretation of Article 2.3.4 and 2.4.4:
Original Text: "A bill must get over half the votes to pass into law, unless another majority is specified in this constitution."
Original Text: "If the vote of the petition gets over half the total number of votes, it will go into law."

Clarification: The phrases "over half the votes" and "over half the total number of votes" refer to a majority of votes cast, excluding abstentions and non-votes.

- II. Judicial Precedent: In Judgement No. S0046/2025 this Court affirmed that legislative procedures must distinguish between active participation and non-participation. And that failure to vote shall be legally equivalent to abstaining.

3. Judgment

Voting Threshold:

For a bill, motion, or referendum to pass, it must receive a simple majority of votes cast (Yea > Nay). Abstentions and non-votes do not count toward the total.

Non-Voting as Abstention:

Members who fail to cast a vote (non-voting) are deemed to have abstained. Such abstentions do not affect the vote threshold.

Signed,
Chief Justice Maple
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