

Kingdom Vision

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A Suggested Constitutional Framework for a Christian Civilization

We here at Kingdom Vision believe that Jesus Christ is to inherit the nations. (Psalm 2). We believe that we are to disciple nations into the Kingdom of God. We believe that Jesus will divide the nations into "sheep nations" and "goat nations". We believe in the promises of God to Abraham and Jacob that a "multitude of nations" are to come from their seed. That is why we published "Southern Africa's Prophetic Destiny".

In anticipation of the coming great move of God in Southern Africa we need to start laying the groundwork for a constitution for our coming Christian Civilization. Here we present an opening idea for debate. Hopefully God's legal scholars will step up and help out. There is a day going to come when delegates from the churches of Southern Africa will come together in a "Holy Convocation" to create a Constitutional Assembly for a new vision for the people of Southern Africa. This will happen when the vast Christian majorities of all the nations of Southern Africa finally lose all faith in the current political and economic powers. That will be the day when we move from prayer meetings asking God to "heal our land" to action: It is time to stop wandering around in the wilderness, it is time to possess the land for the Kingdom of God.

Article One – Framework

Section 1: Purpose

This declaration of universal rights belongs to every man in Southern Africa, male and female, rich or poor, citizen or alien who remain within the terms of the covenant. These rights are conferred upon men by God alone and are thus immutable with respect to men. They were not devised by men nor can they be modified by men. They are not subject to change by civil governments. These rights are created by God alone, given to every man at conception.

These rights are rights of the person, inalienable rights which a man is not permitted to transfer or surrender. No government, as the Servant of God, can ever lawfully abridge these God-given rights in any person, but must be careful to acknowledge and respect these rights.

Section 2: Construction

A right is on one hand a duty, and on the other hand is a grant of authority given by God to man. Man has authority to live for God and to serve God according to His rules and plan. Man has a duty to exercise his God-given authority as a steward for God. Man has authority to do only that which is right. God has established what is just and right, and commands man to live justly and righteously. Man's duties to God proceed from the authority God confers upon. That authority is also right, especially with respect to other men. Thus, man's authority or right is to do only that which is right. Man, never has a right to do wrong.

The duties or obligations and rights or just claims declared herein shall not be construed to deny or disparage other Scripture-defined duties or rights not named.

Section 3: Types of Authority; Institutions of Government

The Sovereign God has ordained various types of authority which He delegates to men. These differing authorities when exercised by men are also rights which must be respected by those holding other forms of authority. Among these are the authority of the individual, the family, the church, the civil government, and voluntarily contracted associations.

Each of these differing authorities is a kind of government before God. No-one government in particular may lawfully interfere with the just exercise of authority and rights of any other government. Human government as a whole compromise all these forms of smaller governments, each with its own independent jurisdiction, separately responsible to God, operating freely in society within the purposes for which God ordained it.

Section 4: Rights: Universal, Immutable, Inalienable

When man enter into a state of civil society they do not and cannot divest themselves or their posterity of any universal, immutable, inalienable right. These rights are no subject to dilution, restriction, or contravention, and no interest of civil society, compelling or otherwise, is sufficient to override such rights or duties.

Section 5: Civil Government: Both a Divine Ordinance and a Human Institution

God has ordained both the general authority of civil government and the authority of men to institute a form thereof. God has not made civil government a divine act alone. Civil government is also a human institution, with particular government being instituted by men through their common consent. God has granted authority to families through a mutual covenant to found civil government on just Scriptural principles and to organize its powers to order to secure these universal Biblical rights of men.

Civil rulers are accountable not only to God, as His Servant, but to the covenantal citizen families of the people (i.e. ethno-covenantal group) they represent. These citizens institute civil government, their governors are their servants and the trustees of their Biblical rights. Tyranny, despotism, and arbitrary rule-all three of which can be defined as ruling without the sanction of Biblical law and the informed consent of the citizens - are a breach of the citizen's written or unwritten covenant and of the ruler's covenantal promise to serve the citizen's under God. Such a breach of covenant strips a ruler of God-sanctioned legitimacy and therefore of his just right to rule. The loss of office becomes effective upon the public declaration by the other chosen representatives of the covenanted citizens of the nature, cause, and proofs of a ruler's breach of covenant, and that the citizens through their representatives chose to institute a new civil government and new rulers.

Section 6: Free Government

No free government, civil or otherwise, nor the blessings of liberty, can be preserved to any people who do not adhere to the recognition that all rights have reciprocal duties, and that the Creator God is the source of them all.

Article Two - Self-Government

Section 1: Immutable and Inalienable Rights

God created all men to be free bondservants of Himself and gave them certain immutable and inalienable covenantal rights. All are responsible to and interdependent upon their fellow men. Due to the effects of sin,

men can be born into a status of "slavery," that is into a family or a people in which these God-given covenantal rights are habitually violated. Liberty can be restored only as the individuals in those families and peoples obey God as well as respect the God-given rights of their fellows. The exercise and enjoyment of these rights and duties by the power of the Holy Spirit, constitutes the essence of self-government.

Section 2: Civil Proceedings; Forfeiture; Obligation of Contracts

The immutable and inalienable covenantal rights of life, liberty, family, private contract, and property shall be secured by law in all spheres of civil government.

No person shall be subject to forfeiture of life or liberty in any civil proceeding, nor shall any person be subject to forfeiture of his property, the use or enjoyment thereof, or of family except in satisfaction of a lawful civil judgment rendered by due process, and according to a lawful judicial decision or levy. In controversies respecting property, and in suits between man and man, the right to trial before a jury of elected civil representatives, in one of the districts of residence of the parties to the case, shall not be infringed. The civil government, therefore, has no right of eminent domain whether in the public interest or not.

No law shall be passed impairing the liberty of contract or the obligation of contracts made within the sphere of Biblical law.

The regulation of these rights shall be established by law.

Section 3: Criminal Prosecution; Forfeiture

The right to liberty, life, property, contract, and family shall be secured by law.

In criminal prosecution, no man shall be subject to forfeiture (i.e. the loss of money or property because of the breach of a legal or contractual obligation) except by due process of law.

Due process of law in criminal proceedings acknowledges the accused's right to reasonable bail; the right to demand the cause and nature of the accusation against him; the right to confront accusers and witnesses and to call for favourable evidence; the right to a speedy and public trial without abridging other rights; the right to trial by an impartial tribunal or jury of civil representative elected for that purpose, without whose unanimous consent no guilt can be found. The accused has the right to be presumed innocent until found guilty in a regular court of law.

No man shall be compelled in any criminal proceeding to give evidence against himself- he has the right to remain silent-nor be twice put in jeopardy of life, liberty, or property for the same offense.

Neither liberty nor property shall be forfeited except by lawful incarceration under the supervision of a private citizen who has paid for his labour and who will care for his basic needs of food and covering; or by restitutive fine of two hundred percent of property stolen, payable to the victim of the crime, or both. No such incarceration shall be for more than six years, nor shall any treatment be cruel (corporal punishment excluded).

Nothing in the section shall be continued to prohibit the exercise of capital punishment for crimes defined by God.

The regulation of these rights shall be established by law.

Section 4: Separation of Powers

No bill of attainder (i.e. an extinction of civil rights and capacities upon a sentence of death or outlawry), bill of pains and penalties, private bill or any *ex post facto* law shall be passed.

There shall be separation of powers between the executive, legislative and judicial powers of government.

There shall be as much as possible the delegation of powers away from central government towards local communities as those are defined and decided upon.

Section 5: General Warrants of Search or Seizure Prohibited

The right to be secure in one's person and property against unlawful search or seizure shall not be infringed.

No law shall permit or require either search or seizure unless it require a warrant particularly describing the place to be searched, and the person or instrumentality, contraband, or stolen property to be seized. No warrant shall issue but upon probable cause supported by oath or affirmation, and attesting to the belief that a crime has been committed relative thereto.

The regulation of these rights shall be established by law

Section 6: Right of expression; Licentiousness

The right of expression, including artistic freedom, speech and the press shall not be infringed.

The right freely to create, speak, write, and publish sentiments or expressions on all subjects shall not be infringed. Obscene, defamatory, or profane expressions are licentious, in violation of God's law, and are an abuse of the right of expression.

These may be regulated by law.

That which is obscene, including pornographic expressions offensive to chastity or sexual purity as defined by divine law, and violated the right of a well-ordered and faithful family-life, is a licentious expression punishable by civil, family and church government.

That which defames, including slanderous and libellous expressions, the use of which tends to or actually destroys or impairs another's good name, character, or reputation, where falsely and maliciously uttered, is a licentious expression subject to civil redress.

Blasphemy, a licentious expression against God and Biblical religion, can and shall be punished by law, subject to civil redress and regulated by law.

That which is profane, is beyond the jurisdiction of the civil government to punish or remedy.

Nothing herein shall work to compel speech, writing, publication or artistic expression, nor shall same be subject to prior civil restraint, licensing, permits or regulation.

Section 7: Right of Movement; Association; Assembly; Petition

The right of free movement and association for all godly and lawful acts, including peaceful assembling to petition the civil government for the redress of grievances shall not be abridged. Nothing herein shall work to compel movement, association, assembly or petition, including unionization, nor shall same be subject to licensing, permits or registration.

Nothing herein shall prohibit peaceful dissociation nor the forming of exclusive ethno-linguistic gender, or age-based associations, including institutions of education, neither shall these associations be subject to licensing, permits or registration.

The regulation of these rights shall be established by law.

Section 8: Prohibition of Compulsory Support; Intellectual Freedom

No person shall be compelled by any means, including taxation, to support in any measure, large or small, any commission or endowment for science, arts or humanities, any newspaper, magazine, radio, television or

other media; nor shall any person shall be compelled to support or frequent any educational institution: school, college or university whatsoever; nor shall they be enforced, restrained, molested, or burdened in their person or property, nor shall otherwise suffer, on account of their Christian opinions or belief; but all people shall be free to profess, and by argument to maintain their opinions within the framework of the orthodox Christian religion and ethical principles. These same shall in no wise diminish, enlarge, or affect their civil capacities.

Section 9: Free Exercise of the Orthodox Christian Religion; No Establishment of Christian Denomination.

The Biblical religion is the duty that our Creator requires of all men with respect I to Himself and the mutual duties of charity He requires of all men toward each other. The manner of discharging those duties can only be directed by one's conviction, not by civil force or coercion.

All people are equally entitled to the free exercise of orthodox Christian faith, according to the dictates of their convictions alone.

No person shall be compelled to attend or financially support any particular religious worship, place, or ministry whatsoever. No person shall be forced, restrained, or disturbed in his body or goods; nor shall he otherwise suffer before the law on account of his orthodox religious beliefs. All people shall be free to profess, proselytize or evangelize, and by argument to maintain their opinions in matters of the orthodox Biblical faith, and the same shall in no way diminish, enlarge, or affect their civil capacities.

The orthodox Christian Faith is that sum of the points of agreement between the Reformation Confessions of Faith the Belgic Confession and the Three Formulas of Unity, Westminster Confession of 1646, the Thirty-Nine Articles of the Church of England in South Africa the London (Baptist) Confession of 1689, and others.

Section 10: Emigration, Immigration and Secession

All citizens have an immutable and inalienable right of liberty to emigrate. All citizens have an immutable and inalienable right of liberty to form a new nation in vacant areas, or to secede from or federate with another nation, together with the area of land which they purchase, whenever they decide upon that this action may best promote their Biblical rights under God.

All immigrants into a covenantally Christian nation must leave their own gods, people, language, and anti-Christian traditions, and upon oath, promise to assimilate into the people, language, and Christian faith of the new land.

Immigrants shall receive the right to participate fully in the political process, including the election of representatives, only in the third generation after immigration.

The regulation of these rights shall be established by law.

Section 11: The Right of Self-Defence

The right of self-defence, as defined h Biblical law and the common law based on divine law, shall not be infringed.

Article Three - Family Government

Section 1: Authority to Conceive and Bear Children

The Creator has granted to every lawfully wedded husband and wife the exclusive, non-delegable right to conceive and bear children as God directs and enables.

No law shall control, regulate or abolish this immutable right of Liberty under God including any law relative to when, where, by whom or in what manner children are to be conceived or born. Nothing herein, however, shall be construed to permit or compel abortion or infanticide.

Every judicially innocent person has the right to life from conception to natural death.

Section 2: Education of Children

God has granted parents the original right and duty to provide their offspring and minor legal dependents with a Christian education. Parents are free to secure one or more agents of their choice, to assist in the exercise of this right and duty. No law shall control, regulate or alienate this right, including any law relative to when, where, by whom or in what manner children are to be educated. Nothing herein shall be construed to permit parents to retain the civil government as their educational agent.

Section 3: Care and Discipline of Children

Parents are granted the original right to care and discipline their offspring and minor legal dependents. Parents are free to secure one or more agents of their choice to assist in the exercise of this right. No law shall control, regulate or alienate this right, including any law relative to when, where, by whom or in what manner children are to be cared for or disciplined, except with respect to criminal acts against Biblically oriented common law, which may constitute a forfeiture, but none shall be worked except by due process of law. Nothing herein shall be construed to permit parents to retain the civil government as their agent in the exercise of their right.

Section 4: Authority to Conceive and Bear Children

Both husband and wife and their children of majority age (20 years and older) are give the original right to care for their spouse or parents respectively, provided both families are willing. Such adults are free to secure one or more agents of their choice to exercise this right. No law shall control, regulate or alienate this right, including any law relative to when where, by whom or in what manner such adults are to be cared for. Nothing herein shall be construed to permit civil government to act as an agent to the exercise of such a right. Nothing herein, however, shall be construed to permit or compel euthanasia.

Section 5: Taxation of Property

The earth and all that is in it belongs to the Lord God, the Creator and Owner of all things. He has ordained the institution of property in His Law and has divided the delegated ownership of the earth among the various peoples that live upon it, and exercise rulership over it as stewards of God and His Kingdom. The inalienable right of property shall not be impaired.

Property, whether real personal or intangible, is not a creature of civil society.

Taxation on property constitutes a form of rent charged by the civil government demonstrating that the State is the owner of the land, not the Creator and not the private citizens to whom God has delegated the right of private property. The ownership of property whether real, person or intangible, shall not be taxed.

Section 6: Regulation of Property

The right to exercise jurisdiction over one's own property shall not be impaired except when that ownership involves trade or practice which violates the law of God.

No law, including any zoning ordinance, shall regulate or restrict the private ownership, possession, use or control of property, whether real personal or intangible. Nothing in this section shall be construed to limit

judicial resolution of disputes between individuals involving noise, nuisance, trespass or other common law civil remedies.

Section 7: Taxation of Gifts and Inheritance

The right to transfer property by gift shall not be impaired.

No transfer of property by gift, whether during the donor's lifetime or by reason of his death, by devise or bequest, under intestacy laws, or otherwise, shall be taxed in any form whatsoever.

Article Four - Ecclesiastical Government

Section 1: Proselyzation

The right to declare, and maintain orthodox Christian religious beliefs, as well as to freely communicate with others such beliefs is immutable. No law shall be passed or construed to infringe in any way this right exercised either individually or in association with others. No law shall compel association for religious ends.

Section 2: Training, Discipline, and Excommunication

A church or denomination's authority to train, discipline, and excommunicate its members is based upon the God-given immutable right to associate and disassociate for any godly and lawful purpose. No law shall be passed or construed to infringe in any way this authority or the right of association from which it is derived.

Section 3: Church Government

A church or denomination's authority to organize its powers in such a way as to them shall seem most likely to affect their purpose is based on the immutable right to liberty by which its members can associate for any Biblically lawful purpose.

No law shall be passed or construed to infringe in any way this authority or the right from which it is derived.

Section 4: Religious Establishment

No civil law shall require or authorize any Christian denomination or religious society, or the civil government to levy on themselves or others, any tax for the erection or repair of any house of public worship, or for the support of any church or ministry. It shall be left free to every person to select his religious instructor, and to make for his support such private contract as he shall please. Nothing in this section shall be construed to prevent a law requiring an oath or affirmation prior to assuming civil office, nor to prevent an orthodox Christian religious test from being prescribed before assuming civil office.

Section 5: Jurisdiction

No ecclesiastical government shall exercise jurisdiction over any object entrusted to any other government: self, family, voluntary, civil or otherwise. Neither shall any such government exercise jurisdiction over any object entrusted to ecclesiastical government.

Article Five - Civil Government

Section 1: God, through the covenanted Citizens, the Source of Authority

To secure the blessings of Liberty under God and the immutable Biblical rights of men, God institutes civil government among them, leaving to their consent the formation and organization of its just powers.

Consequently, civil authority is vested in, and derived from God who delegates it to the covenanted families of a land. The civil officers are the citizen's trustees and servants under God, and at all times amenable to them.

Section 2: Civil Government Instituted for the Common Good

Civil government is, and ought to be, instituted for the common security and protection of inalienable, Biblical rights; of all the various modes and forms of civil government, the decentralized Federal, Republican form (i.e. government by chosen representatives with a concentric circle shaped Federal form), modelled on pre-monarchical Israel is best. It is best capable of securing the greatest degree of public good because it limits the power of sinful rulers, corrupt maladministration, and tyranny, and best secures the basic rights derived from divine Law.

Whenever any form of civil government systematically and habitually fails to secure the immutable rights of the covenanted citizens, it is equally the right of those citizens to alter or abolish that form of civil government and institute a new form, laying its foundation on Biblical principles and organizing its powers in the Federal Republican form that best secures these immutable rights.

No democratic majority can make any law restricting or regulating the basic rights derived from Biblical law.

The function of civil government is strictly limited to one function: the exercise of restorative-retributive justice. This includes the following departments of civil government and none other: Judiciary and Parliament with the Executive head of parliament to execute, interpret and apply the Biblical and common law based on that divine law; Military and Police as executive departments for defence of the citizens and residents, as well as foreign affairs under the executive to protect the justice and rights of the citizens in the world of nations through diplomacy.

Section 3: Offices are not to be Hereditary; No Exclusive Emoluments or Privileges

That no man, or set of men, is entitled to exclusive or separate emoluments (i.e. advantage whether financial or otherwise), pensions or privileges from the community, except in consideration of current public services. Neither shall civil offices be hereditary. No man shall rule by divine right, inheritance, gift or conveyance.

Nothing herein shall be construed as excluding a traditional constitutional monarch as the ceremonial head of state.

Section 4: Separation of Legislative, Executive, and Judicial Departments of Civil Government

The legislative, executive, and judicial departments shall be functionally separate and distinct, yet interdependent and co-operating branches of civil government in all its various local, regional, and national manifestations. Each is limited to exercising its own respective authority.

The legislative branch a law-making organ. The legislative is made up of representatives chosen from equitably designed electoral districts. The legislative branch must analyse the Biblical Law and the common law, which was historically based upon it, derive the universally binding principles of equity and justice found in them, and then apply these principles to a new situation.

The executive branch, chosen by the legislative, exercising authority over the police and defence forces so as to enforce the just laws of the civil government.

The judicial branch, chosen by the legislative branch, has the right to test all laws originating from the legislative branch as to their conformity with Biblical law and the common law based upon that divine law.

Section 5: Government by Consent; Citizenship

A people made up of families of similar language, historical identity and common faith have the immutable right to establish themselves as a political entity (i.e. a nation) by their consent.

Every free household consisting of father, mother, children, and other dependents has the right of suffrage (one-household-one-vote), exercised in mandatory consultation with the other adults in the household. Every covenantal head of household of the nation, having derived citizenship either by birth within the ethno-cultural group (i.e. people) or naturalization, who are of 20 years of age or older, have the right to represent their household in public meetings and in any election of public representatives.

The covenantal head of the household is normally the husband, however, in the case of just divorce or of widowhood, and in the case of no non-dependent, blood related male (i.e. a son or father) of adult age living in the household, a female can justly represent the covenant household or delegate that responsibility to any other adult, blood related relative living as a dependent within the household.

All elections shall be private, without charge, and no person shall be taxed or deprived of, or damaged in their property without their consent through their legislative representatives.

The regulation of these rights shall be established by law.

Section 6: Laws should not be Suspended

All power of suspending laws, or the execution of laws, by any civil authority, without consent of the representatives of the people according to law, is injurious to their rights, and shall not be exercised.

Section 7: Militia; Standing Military; Military Subordinate to Civil Power

A well-regulated militia in each local and regional jurisdiction of civil government, composed of the body of the male citizens 20 years of age and older, trained to arms, is the proper, natural, and safe defence of a free state. Therefore, the right of the covenanted citizens to keep and bear suitable weapons for that purpose shall not be infringed.

A national standing military secures the rights of the citizens with respect to foreign enemies. In both instances, the militia and the standing military are subject to civil control in each of the various local, regional, and national manifestations except when the civil authority is in clear and open rebellion to Biblical law.

Section 8: Oath; Religious Tests

All officers, representatives or civil servants of the covenanted citizens holding public office shall be bound by oath or affirmation before God to support this body of Liberties. A religious test requiring a man to profess, renounce or affirm belief in the orthodox trinitarian Christian Faith can and should be required as a qualification for any public office or public trust.

Section 9: Money, Licensing and Monopolies

The immutable property right of every person to pursue any lawful vocation shall not be infringed, regulated, or controlled. Civil government shall grant no privilege or franchise to any business, occupation, or profession. No licensing of the same by any organ of civil government shall be allowed.

The government shall provide the citizens of the nation with a stable currency that is not created by debt issue and will provide a national payments system free of charge to all people. Fractional reserve banking shall not be allowed.

Section 10: The Day of Rest

The citizens are free to designate one day of the week of seven days as a rest day when no commercial or civil government undertakings shall be permitted vital or necessary functions excepted.

No person shall be allowed, whether willingly or otherwise, to work for more the six days in a row.

The regulation of these rights shall be established by law.

Section 11: Taxation

Every person has a right to be secure in the enjoyment of his life, liberty, family and property and therefore is bound to pay taxes for that one sole function of civil government. All taxes shall be either in a flat amount per household or at a fixed percentage rate, equal for all. No citizen shall be required to pay 10% or more of his income in total taxation.

No tax shall be laid except by the consent of the citizen's legislative representatives.

Section 12: Transfer by Consent; Damage of Property

No man's property shall be justly transferred to the civil government except for actual public use and voluntary consent of the owner. No man's property shall be damaged by civil government except in actual defence of liberty, life, property, and family and in such cases the owner shall be fully compensated for loss.

Section 13: Arrest of Persons

The right to be secure in one's person from unlawful arrest shall not be infringed.

Section 14: Seizure of Property

No seizure of Property shall be worked by civil government except to obtain instrumentalities of a crime, contraband, or stolen property, and to pay the necessary restitution for theft.

Section 15: Forfeiture of Life, Liberty, or Property for a Wrongful Act

No forfeiture shall be worked except by the commission of a wrongful act, an appropriate trial or proof procedure, a judgment of liability or guilt and a lawful punishment, incarceration or levy as defined in Biblical law or the common law based upon divine law.

Section 16; Forfeiture of Life for Pre-Meditated Murder and Absolute Incurrigibility

Forfeiture of life shall be mandatory for an act of pre-meditated murder upon the proof of two eyewitnesses or equivalent and with no mitigating conditions or circumstances allowed.

Section 17: Forfeiture of Life, Property and Liberty for Perjury

Forfeiture of life for perjury shall be mandatory for a false witness in cases involving capital punishment.

Forfeiture of equivalent property and liberty shall be mandatory for perjury in cases involving forfeiture of property and liberty.

Section 18: Equal Protection of Law and Lex Talionis

The right of every person resident within the civil jurisdiction shall be subject to the same impartial Biblical law for all, citizen or temporarily resident alien, irrespective of creed, ethnic or national origin, colour, race, gender or age.

Nothing herein shall be construed to permit or compel the removal of the God ordained marital and general gender roles, legal rights and protections for women, minor children, and the orthodox Christian faith.

Every person shall be punished with a fine, forfeiture of life, liberty, or property, or with corporal punishment equivalent to the crime which he committed. No law or regulation shall be permitted that violates this principle of *Lex talionis* or permits cruel and unusual punishment including torture and incarceration in psychiatric hospitals.

The regulation of these rights shall be established by law.