

**SOLUTION 275-294  
COMMUNISTS  
ANONYMOUS**

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## CONTENTS

- oo Jokes  
Metahaven
- oo Rain for All  
Ann Cotten
- oo Trade Union of the Un- and Underemployed  
Ingo Niermann
- oo The Twelve Steps of Capitalists Anonymous
- oo The Biopolitics of Immortality  
Boris Groys
- oo The Great Bacterial Revolution  
Alexander Tarakhovsky
- oo United Micro Kingdoms  
Anthony Dunne and Fiona Raby
- oo The Antispeciesist Revolution  
David Pearce
- oo Love Commons  
Ingo Niermann
- oo Inaugurating the End  
Heather Anderson

# Inaugurating the End

Among constitutional scholars, a constitution's endurance—its survival in a future infinite and unknown—is often promoted as its virtue. According to this constitutional common sense, endurance confers political stability and demonstrates the institutional foresight of “founding fathers.” Opponents of the perpetual constitution cite its democratic deficit: How can a constitution be legitimate if it binds generations who did not, and could not, consent to its terms at its founding?

To take the problem of perpetuity and legitimacy to its extreme, I engaged in a thought experiment: What if a nation was founded, and a constitution was written, to phase out human life? Certainly the stakes are high for the generation unborn or in childhood. However, it soon became clear that such a constitution throws into relief issues that go beyond intergenerational legitimacy; issues endemic to the constitutional form itself. Two were of particular interest to me: first, that constitutions belong to certain times, encoding the context in which they are written; and second, that constitutions create a sense of time or historical consciousness, typically privileging a narrative of perfectibility.

My project asks: What might we learn from a constitution that explicitly privileges some generations yet burdens others, that repudiates narratives of progress and redemption, that preserves ecology and peace through individual constraint, and that ends the very “people” it constitutes?

Termina is a nation on an alternative future Earth. In this reality, Earth's natural resources have been largely depleted and carbon emissions were never properly curbed. Extreme weather events are commonplace and threaten human life. The nations of this Earth responded to these challenges differently. Some pursued a hedonistic agenda and did not alter their consumption. Scarce resources in these nations led to internal and external conflict. Others turned to technology in the hope that an answer lay there. This quickened the degradation of their environments. In contrast, Termina implemented a regime of strict government control over resources. Rationing and state ownership were scaled up. During this period Termina's dominant ideology was akin to early communism.

As neighboring nations destroyed themselves, each other, and their environments, Termina survived but did not thrive. It became a destination for refugees who, while fleeing for their lives, did not necessarily abandon their nations' ideologies. This period of migration is recorded in Termina's history as the "Endling March."

Thus, Termina became the last nation on the planet. It continues to strictly control its resources, and now implements a policy of zero population growth. Despite these policies, the nation's best scientists estimate that Termina will no longer be habitable in a century.

Two major ideological positions dominate Termina's politics: Anti-humanism and Extreme Pacifism. The Anti-humanists prioritize the environment. They believe that the time of humans has

inevitably passed and that the environment should be preserved. The Extreme Pacifists prioritize peace, and are fearful that Termina will follow the violent destruction of neighboring nations. They too believe that the end of humanity is inevitable and advocate control of that end and preservation of the memory of humanity.

Representatives of these two groups form an unlikely coalition. With a supermajority composed of Anti-humanists and Extreme Pacifists, the nation's old legislature passes a motion for the controlled phasing out of human life. There is strong opposition to this motion by independents, who represent a range of ideological positions. Some of these positions are inherited from or influenced by the descendants of those who came to Termina during the Endling March. Others, like the Anti-humanists and Extreme Pacifists, are indigenous to Termina. However this opposition is not organized and cannot compete with the supermajority.

Since the motion signals a new yet final era in Termina, lawmakers decide that a new constitution must be drafted to organize society around this commitment to preserving the environment and peace through phasing out humanity. This constitution will bind those who oppose the phasing out in the present and those who will be most affected by it in the future.

# THE CONSTITUTION OF TERMINA

## PREAMBLE

We, the people who inhabit the territory depicted on ancient maps as Tasmania, in order to ensure environmental justice and secure domestic peace, establish this Constitution for the nation of Termina.

With this Constitution we inaugurate the end of human life on this planet. In light of the irreversible depletion of natural resources and growing civil unrest, we commit to ending our nation three generations after this Constitution comes into force.

We wish to promote harmony, dignity, security, and certainty in the years remaining to humans.

Let this Constitution be our last political compact and our lasting monument.

## CHAPTER I – THE PEOPLE

### Article 1

#### *Constituent Power*

The power to create this Constitution is vested in the people of Termina. It is through a decision of the people via referendum that this Constitution comes into force.

### Article 2

#### *Citizenship*

Those persons physically located within the territory of Termina when this Constitution comes into force are deemed citizens of Termina.

Citizenship is non-renounceable once conferred. A citizen may not leave the territory of Termina after this Constitution comes into force.

In the event that foreign persons enter Termina's territory they will be deemed citizens and subject to the rights and duties of citizens.

Citizenship is not extended to nonhuman life and nonlife, though their existence is respected and supported.

## Article 3

*Rights and Duties of Citizens*

The government shall ensure that citizens are granted the rights enumerated in this Constitution, subject to the variation based on generational designation outlined in Article 4.

All shall respect this Constitution as well as the laws and duties derived therefrom.

## Article 4

*Generational Designation*

Those persons alive when this Constitution comes into force shall be designated Founders.

Those persons born after this Constitution comes into force shall be designated Enders.

The rights and duties of citizens will vary only on the basis of their generational designation.

## Article 5

*Population Control*

In accordance with the commitment set out in the Preamble, all male-sexed Enders shall be sterilized when this Constitution comes into force.

## CHAPTER II – RIGHTS AND DUTIES

## Article 6

*Rights of the Natural Environment*

Termina's biological, geological, and meteorological environment is granted legal personhood, with all the corresponding rights, duties, and liabilities.

The Minister for Environment exercises these rights and duties on behalf of and in the name of the biological, geological, and meteorological environment.

All shall respect and protect the environment. Natural diversity and heritage must be maintained and prioritized. Where possible, earlier damages shall be repaired.

## Article 7

*Rights to the Natural Environment*

All have the right to travel within the territory of Termina for the enjoyment of the natural environment, subject to the limitations expressed in Article 6.

Sustainable development and public interest shall guide the use of natural resources.

Termina's natural resources are the joint and perpetual property of the nation until the nation ceases. No person may acquire natural resources as property.

Article 8  
*Equality*

Citizens of Termina shall enjoy the rights enumerated in this Constitution without discrimination, except on the basis of generational designation.

Article 9  
*Right to Life*

All shall inherit the right to life at birth. All shall be guaranteed a life of dignity and security against any kind of violence.

Article 10  
*Right to Death*

All have the right to death with dignity. The government must make available humane measures by which legally competent persons may hasten their natural death.

Article 11  
*No Right to Children*

It is prohibited for those persons designated Enders to have children.

Article 12  
*Health Services*

All have the right to mental and physical health to the highest standard possible. To this end, all have the right to accessible, appropriate, and adequate health services.

The right to refuse treatment is guaranteed to those who are legally competent.

Article 13  
*Right to Vote*

All citizens have the right and responsibility to vote when they reach the age of majority which, until the Parliament provides otherwise, is thirteen years.

It is compulsory for all eligible citizens to exercise this right.

Article 14  
*Freedom of Opinion and Expression*

All are free to have their opinions and convictions and shall have the right to express their thoughts.

Laws may stipulate limitations on the freedom of expression where such expression is contrary to the principles contained in this Constitution.

Article 15  
*Freedom of Religion*

Termina has no state religion. All have the right to religion and a life philosophy, including the right to change their religion and the right to remain outside religious organizations.

All shall be free to pursue their religion, individually or in association with others, publicly or privately.

The freedom to pursue religion shall only be limited by law where its pursuit is contrary to the principles contained in this Constitution.

Article 16  
*Right to Association*

All have the right to establish associations for a lawful purpose, including political parties and unions.

An association established contrary to the founding principles of this Constitution is not established for a lawful purpose.

Article 17  
*Right of Assembly*

All have the right to assemble without special permission. This right shall not be abridged except by law, and then only in accordance with the principles contained in this Constitution.

Article 18  
*Education*

All have the right to a primary and secondary education according to their ability, without charge.

The Department of Education and Employment shall set the curriculum for environmental science, ethics, and history.

Article 19  
*Employment*

The Department of Education and Employment shall allocate work assignments for citizens of Termina in accordance with their abilities and preferences.

Article 20  
*Social Welfare*

The right to an adequate standard of living is assured to those who, due to disability, age, or other impairment, cannot work.

Article 21  
*Universal Basic Income*

The same basic income is guaranteed to all citizens of Termina.



## CHAPTER III – THE PARLIAMENT

## PART I – GENERAL

## Article 22

*Legislative Power*

Legislative power is vested in the Parliament of Termina, which shall consist of two chambers: the House of Elders and the House of People.

The Parliament shall, subject to this Constitution, have the power to make general laws for the peace, order, and good government of Termina. In addition, Parliament shall have the power to make special laws for the maintenance of this Constitution.

## Article 23

*Powers of the Houses with Respect to General Laws*

Except as provided in this Article and Article 24, the two Houses shall have equal power with respect to all proposed laws.

Proposed laws that appropriate or expend public resources shall not originate in the House of Elders.

The House of Elders may not amend proposed laws that appropriate or expend public resources. The House of Elders may, however, return to the House of People the

proposed law that it may not amend, requesting the omission or amendment of any items or provisions therein. The House of People may, if it thinks fit, make any of such omissions or amendments, with or without modifications.

## Article 24

*Powers of the Houses with Respect to Special Laws*

Proposed laws that maintain and realize the terms of this Constitution may originate in either House.

The House of People may not amend such proposed special laws, whereas the House of People must pass any amendments proposed by the House of Elders.

## Article 25

*Sessions, Prorogation, and Dissolution*

After any general election the Parliament shall be summoned to meet not later than thirty days after the results are promulgated.

The Cabinet of Ministers may appoint such times for holding the sessions of the Parliament, and may also from time to time, by proclamation or otherwise, prorogue the Parliament, and may in like manner dissolve the House of People. The House of Elders may not be dissolved.

## Article 26

*Sessions of the Parliament*

There shall be a session of the Parliament at least once every year, so that twelve months shall not intervene between the last sitting of the Parliament in one session and its first sitting in the next session.

## Article 27

*Elections*

Elections shall be held on the first Saturday of April every four years for the House of People and every twenty years for the House of Elders.

Election day is deemed a public holiday.

Postal and proxy votes shall be made available.

## Article 28

*Disqualification of Members*

Any person who suffers a conflict of interest, as defined by the Parliament, that renders them incapable of exercising their duties under this Constitution shall be incapable of being chosen or of sitting as a member of the Parliament.

If a member becomes subject to a conflict of interest, their place shall become vacant.

## Article 29

*Disagreement between Houses as to General Laws*

Except for proposed laws for appropriation and expenditure and proposed special laws, if one House passes any proposed law (the initiating House), and the other House (the receiving House) rejects or fails to pass it, or passes it with amendments to which the initiating House does not agree, and if after an interval of three months the initiating House again passes the proposed law with or without any amendments that have been made by the receiving House, and the receiving House rejects or fails to pass it, or passes it with amendments to which the initiating House will not agree, the Cabinet of Ministers may dissolve the House of People.

If, after such dissolution, the initiating House again passes the proposed law with or without any amendments that have been made by the receiving House, and the receiving House rejects or fails to pass it, or passes it with amendments to which the initiating House will not agree, the Cabinet of Ministers will put the question to the people of Termina via referendum.

Article 30  
*Powers, Privileges,  
 and Immunities of Houses*

The powers, privileges, and immunities of the House of Elders and the House of People, and of the members and the committees of each House, shall be such as are declared by the Parliament.

Article 31  
*Rules and Orders of Houses*

Each House may make rules and orders with respect to:

1. The mode in which its powers, privileges, and immunities may be exercised and upheld.
2. The order and conduct of its business and proceedings either separately or jointly with the other House.

## PART II – HOUSE OF ELDERS

Article 32  
*Composition of the House of Elders*

The House of Elders shall be composed of twelve members directly chosen by the people of Termina as one electorate. The outcome of elections will be determined by a proportional counting method.

Members shall be chosen for a term of twenty years. Members may not sit for more than one term.

Article 33  
*Exclusive Constitutional Jurisdiction*

The House of Elders has exclusive jurisdiction to determine any dispute that arises under this Constitution. This is not an advisory jurisdiction.

By consensus, the House of Elders will appoint three members as judges of an ad hoc constitutional court to resolve the matter. The House of Elders acting in its capacity as a constitutional court shall exercise the practices and procedures of Termina's Supreme Court.

All decisions of the House of Elders acting in its capacity as a constitutional court are final and binding.

Article 34  
*Qualifications of Members  
of the House of Elders*

The qualifications of members in the House's first term shall be as follows:

1. They must be a citizen of Termina.
2. They must be at least twenty years of age.
3. They must have been involved in the Convention that gave rise to this Constitution.

Members in the House's subsequent terms must have served at least ten years in the government departments of Termina.

Article 35  
*Casual Vacancies in the House of Elders*

If a member becomes disqualified, resigns, or dies, their seat becomes vacant. If the place of a member becomes vacant before the expiration of their term of service, that member shall be replaced according to the terms of Article 36.

The place of a member shall become vacant if for two consecutive months of any session of the Parliament they, without permission, fail to attend the House of Elders.

Article 36  
*Replacement of Members of  
the House of Elders*

In the event a casual vacancy arises during a session of the Parliament, an acting member will be appointed by an absolute majority of the House of People. Members of the House of Elders may nominate candidates for consideration.

A permanent member will be elected at the next election of the House of People by the people of Termina as one electorate.

Article 37  
*Quorum*

Until the Parliament provides otherwise, the presence of at least three-quarters of the whole number of members shall be necessary to constitute a meeting of the House of Elders for the exercise of its powers.

Article 38  
*Voting in the House of Elders*

Questions relating to proposed general laws shall be determined by a majority of votes, and each member shall have one vote. When the votes are equal the question shall pass in the negative. Proxy votes are not permitted.

Questions relating to proposed special laws shall be determined by consensus. A question shall only pass with unanimity. Abstentions are not permitted.

Questions relating to rules and orders of the House of Elders shall be determined by a majority of votes, and each member shall have one vote. When the votes are equal the question shall pass in the negative. Proxy votes are not permitted.

## PART III – HOUSE OF PEOPLE

## Article 39

*Composition of the House of People*

The House of People shall be composed of members directly chosen by the people of Termina as one electorate. The outcome of elections will be determined by a proportional counting method.

The number of members chosen shall be in proportion to the population of Termina. For the first election, the proportion shall be one member per ten thousand people. For subsequent elections, the proportion shall be determined by the Parliament.

Members shall be chosen for a term of four years. Members may sit for a maximum of two consecutive terms and three cumulative terms.

## Article 40

*Qualifications of Members of the House of People*

The qualifications of members in the House's first term shall be as follows:

1. They must be a citizen of Termina.
2. They must be at least twenty years of age.

## Article 41

*Casual Vacancies in the House of People*

If a member becomes disqualified, resigns, or dies, their seat becomes vacant. If the place of a member becomes vacant before the expiration of their term of service, that member shall be replaced according to the terms of Article 42. The place of a member shall become vacant if for two consecutive weeks of any session of the Parliament they, without permission, fail to attend the House of People.

## Article 42

*Replacement of Members of the House of People*

In the event a casual vacancy arises during a session of the Parliament, an acting member will be appointed by an absolute majority of the House of People.

A permanent member will be elected at the next election of the House of People by the people of Termina as one electorate.

## Article 43

*Election of Speaker*

The House of People shall choose a member to be the Speaker of the House after every election, and as often as the office of Speaker becomes vacant.

The Speaker shall cease to hold office if they cease to be a member of the House of People. They may be removed from office by a vote of the House, or they may resign their office.

## Article 44

*Quorum*

Until the Parliament provides otherwise, the presence of at least two-thirds of the whole number of members shall be necessary to constitute a meeting of the House for the exercise of its powers.

## Article 45

*Voting in the House of People*

Questions arising in the House of People shall be determined by a majority of votes other than that of the Speaker.

The Speaker shall not vote unless the numbers are equal, and then they shall have a casting vote.

## CHAPTER IV – THE EXECUTIVE GOVERNMENT

### Article 46 *Executive Power*

Executive power is vested in the Cabinet of Ministers, and extends to the execution and maintenance of this Constitution, and of the laws of Termina.

### Article 47 *Cabinet of Ministers*

In each parliamentary term, once the results of the general election are determined, a joint sitting of Parliament internally appoints Ministers to the following departments:

1. Environment
2. Aging and Dying
3. Archives
4. Planning and Infrastructure
5. Education and Employment

Ministers must be drawn from members of the House of People.

### Article 48 *Appointment of Civil Servants*

The appointment and removal of all other officers of the executive government shall be vested in the Cabinet of Ministers, unless delegated by the Cabinet of Ministers or until the Parliament provides otherwise.

### Article 49 *Provision for Additional Departments*

The Parliament may establish new departments and may, upon such establishment, make or impose such terms and conditions as it thinks fit.

Ministers of any additional departments shall be appointed in accordance with the procedure in Article 47.

Ministers of any additional departments do not join the Cabinet of Ministers.

## CHAPTER V – JUDICATURE

## Article 50

*Judicial Power and Courts*

Judicial power shall be vested in the Supreme Court of Termina, and in such other courts as the Parliament creates.

## Article 51

*Judges' Appointment and Tenure*

Judges of the Supreme Court and of any other courts created by the Parliament:

1. Shall be appointed by the Parliament.
2. Shall have life tenure.
3. Shall not be removed except by a three-quarters majority vote of the Parliament on the grounds of proved misbehavior or incapacity.

## Article 52

*Number of Judges*

The Supreme Court shall consist of a Chief Justice, and so many other Justices, not less than two, as the Parliament prescribes.

## Article 53

*Appellate Jurisdiction*

The Supreme Court shall have jurisdiction, with such exceptions and subject to such regulations as the Parliament prescribes, to hear and determine appeals from all judgments, decrees, orders, and sentences.

## Article 54

*Power to Define Jurisdiction*

The Supreme Court must satisfy itself of its jurisdiction before it proceeds to resolve any substantive dispute brought before it.

The Parliament may make laws defining the jurisdiction of the Supreme Court consistent with this Constitution.



## CHAPTER VI – ENDING PROVISIONS

## Article 55

*Resources Controlled by the Government*

As far as the terms of this Constitution require, the Department of Planning and Infrastructure shall strictly control production and consumption of all public resources and infrastructure.

## Article 56

*New Infrastructure Prohibited*

It shall be unlawful for any person to build permanent infrastructure for any function or purpose.

## Article 57

*Disuse of Infrastructure*

There shall be no human intervention to ameliorate damage or disrepair to infrastructure that falls into disuse.

## Article 58

*Exception as to Historical Memorials*

Articles 56 and 57 do not apply to the building and maintenance of memorials dedicated to preserving the history of Termina.

## Article 59

*Establishment of the Environment Protection Authority*

The Parliament will establish an authority to protect the biological, geological, and meteorological existents of Termina by the name of the Environment Protection Authority.

The functions of the Authority are:

1. To develop and implement environment protection policies and regulations.
2. To conduct regular reviews of environment protection policies and regulations.
3. To monitor compliance with environment protection policies and regulations.
4. To investigate breaches of environment protection policies and regulations.
5. To provide advice to the Minister for Environment.

Article 6o

*Establishment of the Aging and Dying Research Organization*

The Parliament will establish a research organization to support aging and death services in Termina by the name of the Aging and Dying Research Organization.

The functions of the Organization are:

1. To develop best practices in aging, palliative, and dying care.
2. To develop technologies to support end-of-life mobility and independence.
3. To provide advice to the Minister for Aging and Dying.

Article 6i

*Establishment of the National Archives of Termina*

The Parliament will establish an archive for the institutions and people of Termina by the name of the National Archives of Termina.

The functions of the Archives are:

1. To ensure the conservation and preservation of the existing and future archival resources of Termina.

2. To encourage and foster the preservation of all other archival resources relating to Termina.
3. To promote, by providing advice and other assistance to the institutions and people of Termina, the creation, keeping, and management of new archival resources.
4. To provide advice to the Minister for Archives.

CHAPTER VII – MISCELLANEOUS

Article 62

*No Alteration of the Constitution*

No part of this Constitution is subject to amendment.

Article 63

*Seat of Government*

Termina’s government shall be located in the ancient city of Hobart.

Article 64

*Entry into Force*

This Constitution shall enter into effect when approved by 75 percent of the voting population at referendum. For the purpose of this referendum, the age of majority shall be ten years.

Upon the entry into effect of this Constitution, the previous Constitution shall become void.

Article 65

*Savings*

Until the Parliament provides otherwise, civil and criminal laws operating in the territory of Termina that are consistent with this Constitution remain in force.

Article 66

*Cessation of Constitution*

This Constitution will cease to have effect when the average age of Termina’s population reaches eighty years.