



11350 Random Hills Road, Suite 800, Fairfax, Virginia 22030 Phone (703) 934-6101 Fax (703) 352-3678

fff@fff.org www.fff.org

If Iraq Really Adopts Freedom, Should We Move There?

by Jacob G. Hornberger

Model Amendments to the Iraqi Constitution of 2003

Whereas, the U.S. government has waged war on our land in which it has sacrificed the lives of dozens of its soldiers and those of thousands of the Iraqi people; and

Whereas, the purpose of the war was to free the Iraqi people from tyranny; and

Whereas, we, the people of Iraq, wish to reject all forms of tyranny, including socialism and interventionism; and

Whereas, we wish our to base our society on the principles of individual liberty, free markets, private property, and the pursuit of happiness on which the United States of America was founded:

Therefore, we, the people of Iraq, hereby adopt the following 15 amendments to our Constitution, which shall hereafter be known as the Iraqi Bill of Rights:

I. The right of the people to keep and bear arms shall not be infringed. Well-trained and well-armed citizen-soldiers being the best way to secure the liberty and safety of the nation, a standing army is prohibited. No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

II. The Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

III. The Congress shall make no law respecting the regulation of drugs.

IV. The Congress shall make no law respecting the establishment of education, or prohibiting the free exercise thereof.

V. The Congress shall make no law abridging the freedom of trade or the free movements of people.

VI. All taxes on income are prohibited, and all government welfare, subsidies, and grants are prohibited, including, but not limited to, old-age assistance and health care.

VII. The government shall engage in no foreign wars, foreign aid, or foreign interventions.

VII. The government is prohibited from engaging in any commercial enterprise, including, but not limited to, the delivery of mail.

IX. The president is prohibited from waging war without an express declaration of war from the Congress.

X. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

XI. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

XII. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

XIII. In suits at common law, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court, than according to the rules of the common law.

XIV. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

XV. The enumeration in this Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Mr. Hornberger is founder and president of The Future of Freedom Foundation.

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