

# **THE CODE OF UMOJA**

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Provisional Government- Republic of New Afrika



**Free the Land!**

# **THE CODE OF UMOJA**

## **(The Constitution)**

### **ARTICLE I**

#### **NEW AFRIKAN CITIZENSHIP**

##### **Section 1- CITIZENSHIP BY BIRTH**

Each Afrikan person born in America is a citizen of the Republic of New Afrika.

##### **Section 2- CITIZENSHIP BY PARENTAGE**

Any child born to a citizen of the Republic of New Afrika is a citizen of the Republic of New Afrika.

##### **Section 3- CITIZENSHIP BY NATURALIZATION**

Any person not otherwise a citizen of the Republic of New Afrika may become a citizen of the Republic of New Afrika by completing the procedures for naturalization as provided by the People's Center Council.

##### **Following paragraph was added after third PCC reading and approval on 28 March 1997.**

Any person of Afrikan descent is entitled to acquire citizenship in the Republic of New Afrika by a simple declaration of Republic of New Afrikan citizenship, made before an official of the Government on a form prescribed by the President and executed, with signature, by the person declaring Republic of New Afrikan citizenship.

##### **Section 4 - PRE-RATIFICATION CITIZENSHIP RETAINED.**

Each person who is a citizen of the Republic of New Afrika at the time of the passage of this Code of Umoja is hereafter a citizenship of the Republic of New Afrika.

##### **Section 5- RIGHT TO CHOICE OF CITIZENSHIP**

Notwithstanding Sections 1, 2, 3, and 4 of Article I, the right of any person to deny expressly or renounce his/her citizenship shall not be abridged.

##### **Section 6- CITIZENSHIP OF OTHER AFRIKANS**

Persons of Afrikan descent, wherever their original place of birth or domicile in the world, have a right to New Afrikan citizenship, as provided by the People's Center Council.

##### **Section 7- CONSCIOUS CITIZENSHIP**

All citizens of the Republic of New Afrika who are aware of their citizenship are conscious New Afrikan citizens. As a result of an over 300 year-old policy of force and fraud used by the United States government and the governments of various American states against the New Afrikan nation, many citizens of the Republic of New Afrika are not aware of their human right to New Afrikan Citizenship and, indeed, are not aware of the existence of the New Afrikan nation in North America. The growth of the conscious New Afrikan citizenship is related to the success of the liberation struggle. The objective measurement of that growth shall be considered in the development and implementation of Provisional Government policy, programs and structure as determined by the People's Center Council.

## **ARTICLE II**

### **THE NATIONAL TERRITORY OF THE REPUBLIC OF NEW AFRIKA**

#### **Section I - GENERAL TERRITORIAL CLAIM**

The Republic of New Afrika claims all the land to which Afrikan people in North America are entitled, having met the international law requirements of inhabitation, development and defense.

#### **Section 2 - NEW AFRIKA'S NATIONAL TERRITORY**

In accordance with the rights of our people under international law, including our right to a contiguous and fruitful land mass as a part of the reparations due us from the United States, and in view of the United States' failure and refusal in years since the U.S. Civil War to reach a land and reparations settlement with any of the legitimate representatives of the New Afrikan nation, in 1968 the Provisional Government of the Republic of New Afrika, acting for our people as a nation, PROCLAIMED the territory in North America, now known as Louisiana, Mississippi, Alabama, Georgia and South Carolina as the core of the National Territory of the Black Nation in North America, the Republic of New Afrika. It is the primary task of the Provisional Government to organize the people of the nation for success in their struggle for independence and sovereignty over this land mass.

#### **Section 3 - POLICY WITH REGARD TO NEW AFRIKAN LAND CLAIMS**

It shall be the policy of the Provisional Government to recognize the just claims of the American Indian nations and other oppressed nations for land in North America. It shall be the policy of the provisional Government to negotiate with the American Indian Nations the claims which conflict with the claims of the New Afrikan nation and to resolve these claims in the spirit of justice, brotherhood, and mutual

revolutionary commitment to the human and natural rights of all oppressed nations in North America.

### **ARTICLE III**

#### **SOURCE AND SUPREMACY OF NEW AFRIKAN LAW**

##### **Section 1 - SOURCE OF NEW AFRIKAN LAW**

The first, foremost, and final source of all New Afrikan law and power is the New Afrikan people.

##### **Section 2 - ORDER OF PRECEDENCE OF NEW AFRIKAN LAW**

1. The Code of Umoja shall be the supreme law of the Republic of New Afrika.
  - a. The District Courts shall have jurisdiction over cases and controversies arising under the laws of the Nation, the Code of Umoja, and the New Afrikan Creed.
  - b. The People's Court and its Justices may exercise original jurisdiction in such matters, and the People's Courts may exercise appellate jurisdiction.
  - c. The People's Court exercises a superintending control over the District Courts and all other courts of the Republic of New Afrika, except as the People's Center Council exempts any special courts it may create from aspects of that control.
2. Legislation of the People's Center Council shall have precedence over the legislation, acts, directives, resolutions, and orders of all officers and Governmental bodies of the Republic of New Afrika.
3. Other legislation, orders, directives, resolutions, and acts of Governmental bodies and officers of the Republic of New Afrika shall have precedence in the following order:
  - a. Directives and orders of the People's Revolutionary Leadership Council.
  - b. Directives and orders issued by the President.
  - c. Directives and orders issued by the Vice Presidents or National Ministers.

d. Legislation, directives, resolutions, and acts of the National Territorial Council and any other Regional Council which may be established.

e. Legislation, directives, resolutions, and acts of any District Councils or any People's Local Councils which may be created pursuant to law.

## ARTICLE IV

### MAKING OF LAW AND POLICY

#### Section I - THE PEOPLE'S CENTER COUNCIL (PCC)

1. The People's Center Council shall have power to make law and policy for the developing New Afrikan Nation-State. All officials, workers, defense forces and Judges of the Republic of New Afrika, whether elected or appointed, and whether serving locally, regionally, or nationally, shall be bound by such law and policy.

2. The People's Center Council must be in session in order to legislate, except that the People's Center Council Chairperson in consultation with the President may determine to conduct a vote by means other than an in-session vote when there is an emergency. All such votes must be confirmed in writing to People's Center Council chairperson within fourteen (14) days. The People's Center Council chairperson shall promptly communicate the results of the emergency votes to each People's Center Council member.

3. All members of the People's Center Council shall receive due notice of the time and place of every session of the People's Center Council.

4. A quorum for doing business shall consist of 1/3 of the certified voting representatives of the People's Center Council.

5. The regular sessions of the People's Center Council shall occur twice a year, in July and November, unless the People's Center Council chooses other months and except as provided in paragraph six below. The People's Center Council or the Chairperson of the People's Center Council or 1/4 of the People's Center Council membership may call special sessions of the People's Center Council, with due notice, ordinarily two weeks notice, after consultation with members of the People's Center Council or with citizen groups.

6. However, the People's Center Council, in the year of each regular election for People's Center Council representatives, shall meet during the week of

Kwanzaa December 26 -January 1, or in November, to swear-in members, elect the Chairperson and Vice Chairpersons, and otherwise organize itself.

## **Section 2 - MEMBERS OF THE PEOPLE'S CENTER COUNCIL**

1. The People's Center Council shall be composed of representatives who are duly elected in certified New Afrikan population Districts, and the President, Vice Presidents, National Ministers, and any other officers the People's Center Council shall deem it necessary to elect or appoint.

2. All representatives to the People's Center Council shall be citizens of the Republic of New Afrika, shall sign the oath of allegiance to the Republic of New Afrika, state it at a People's Center Council session and shall take the oath of office in a People's Center Council meeting.

3. Each representative who fulfills these requirements shall be a certified representative to the People's Center Council.

4. Any certified representative who is absent from three (3) consecutive People's Center Council sessions without being excused by the People's Center Council or who has failed to perform his or her duties as determined by the People's Center Council may lose his or her certification, as determined by the People's Center Council. Any representative desiring to be recertified shall petition the People's Center Council.

5. The President, Vice Presidents, Ministers and other officers shall have no vote unless they are also elected Representatives. Each certified representative shall have one vote.

## **Section 3 - OFFICERS OF THE PEOPLE'S CENTER COUNCIL**

1. The People's Center Council shall elect a chairperson, such vice chairpersons, not to exceed three, as the People's Center Council shall decide, and a secretary. The chairperson and vice chairperson of the People's Center Council shall be voting representatives to the People's Center Council. Each of these officers shall serve for a term of three (3) years.

2. The Chairperson of the People's Center Council shall have the following duties:

a. To preside at People's Center Council sessions.

b. To manage the affairs of the People's Center Council between the People's Center Council sessions.

c. To insure that all People's Center Council records are properly maintained, that People's Center Council correspondence is properly conducted, and that People's Center Council decisions are properly communicated to the officers and citizens of the nation.

d. To maintain a current list of certified representatives and of certified New Afrikan population districts.

e. To maintain constant communications with the People's Revolutionary Leadership Council in order to facilitate the efficacious operation of the Provisional Government.

3. The duties of the Vice Chairperson(s) shall be to assist the Chairperson in carrying out the duties of the chair and to assume any other responsibilities assigned to the Vice Chairperson by the Chairperson of the People's Center Council.

4. The People's Center Council shall assign the Vice Chairpersons to a line of succession to the Chairperson, and the highest available Vice Chairperson shall assume the Chairperson's duties in the Chairperson's absence.

#### **Section 4 - NEW AFRIKAN POPULATION DISTRICTS**

1. Each area where New Afrikans reside in significant numbers in North America shall be called a New Afrikan Population District.

2. Each New Afrikan Population District certified by the People's Center Council shall be entitled to representation in the People's Center Council. The People's Center Council shall determine the boundaries of each Population District it certifies, and shall determine how many representatives each certified Population District is entitled to elect.

3. The People's Center Council may certify New Afrikan Population Districts, may alter boundaries of certified New Afrikan Population Districts, or may decertify New Afrikan Population Districts presently certified. The People's Center Council shall consider the following in determining whether or not a New Afrikan Population District shall be certified, altered, or decertified:

1. The number of New Afrikans in the district.
2. The number of New Afrikans in the district desiring to participate in Provisional Government elections and processes.

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**The following paragraph, adding a new Paragraph 4, to Article IV, Section 5, was approved as part of the Code of Umoja after the third PCC reading and approval on 15 May 1999.**

4. In like manner the People's Center Council may authorize special elections to fill positions for Representatives and District Judges in Population Districts where no Representative or District Judge has been elected, provided that half or more of the respective terms remain to be served.



3. The number of New Afrikan conscious citizens in the district.
4. The probability that certification will contribute to the consciousness of New Afrikan citizenship.
5. The probability that Provisional Government elections will be exposed to sabotage in the district.
6. The ability of the Provisional Government to provide sufficient work force to enable Provisional Government elections in the area to be successful.
7. Any other factor the People's Center Council deems important.

#### **Section 5 - PEOPLE'S CENTER COUNCIL ELECTIONS**

1. Representatives to the People's Center Council shall be elected in regular elections by New Afrikan voters from certified New Afrikan population districts in October or November of 1984 and every three years thereafter in October or November.

2. The People's Center Council shall provide for the exact time, date, method of election, voter and candidate eligibility requirements for regular People's Center Council elections for representatives.

3. When a People's Center Council representative resigns or dies or is removed from office the District Council shall appoint another person from the District to serve the remainder of the term. But, if more than half of the unexpired term remains to be served the People's Center Council shall authorize, conduct, supervise or review in accordance with law passed by the People's Center Council, if such there be, a special election to fill the vacancy. The District Council or the People's Center Council chairperson, if no District Council exists, may make an interim appointment.

#### **Section 6 - RULES OF OPERATION AND POWERS OF REMOVAL**

1. The People's Center Council shall enact rules for its operation.

2. a. By two-thirds majority vote of its voting membership in session the People's Center Council may remove or request the resignation of any People's Revolutionary Leadership Council member, or any other National Officer of the Provisional Government. Likewise, by two-thirds majority vote of its voting membership in session the People's Center Council may remove any of its members or any New Afrikan Judge or Justice. However, any voting representative removed

from office may be duly re-elected by New Afrikan citizens. Written notice of any proposed removal to be considered by the Peoples' Center Council must be sent to certified People's Center Council representatives at least two (2) weeks prior to such removal.

b. No person may chair a session at which his or her removal is being considered.

3. The People's Center Council may call special elections or provide for other special procedures to fill vacant offices of elected National Officers.

4. Citizens of the Republic of New Afrika have the right to recall any District Judge or representative in their respective district. The People's Center Council shall provide the procedures for the recall of elected officials, and for the removal of National Officers and New Afrikan District Court Judges by New Afrikan citizens.

5. The People's Center Council may provide for committees and offices, in addition to those listed in this Code, as shall be appropriate for the efficient functioning of the People's Center Council.

## **Section 7 - PEOPLE'S DISTRICT COUNCILS**

The representatives and conscious citizens of each certified New Afrikan population district shall constitute a People's District Council. The rules of operation of the District Councils shall be designed by the Council, provided that each District Council shall comply with all provisions and decisions of the People's Center Council and the People's Revolutionary Leadership Council.

## **ARTICLE V**

### **IMPLEMENTATION OF POLICY, PROGRAMS AND LAW OF THE PROVISIONAL GOVERNMENT**

#### **Section 1 - THE PEOPLE'S REVOLUTIONARY LEADERSHIP COUNCIL**

1. A People's Revolutionary Leadership Council is hereby created, which shall have power to interpret and execute the law, implement the policy and enforce the decisions of the People's Center Council when the People's Center Council is not in session and doing so. Its decisions are binding upon all citizens the same as if they were decisions of the People's Center Council, until the People's Center Council alters or abolishes such decisions.

2. The People's Revolutionary Leadership Council shall be composed of the Chairperson of the People's Center Council, the President, the Vice Presidents and every National Minister of the Provisional Government. The Vice Presidents shall be Vice Chairpersons of the People's Revolutionary Leadership Council.

3. The President shall be the Chairperson of the People's Revolutionary Leadership Council, but the President may permit other officers to preside at given meetings.

4. Every member of the People's Revolutionary Leadership Council shall have one vote.

5. The People's Revolutionary Leadership Council may meet as frequently as it chooses, but must meet at least twice a year. All meetings shall follow due notice to all members. A quorum for doing business shall be fifty percent (50%) of its active members. Any member who is absent from three consecutive People's Revolutionary Leadership Council sessions shall be considered inactive for purposes of determining a quorum.

6. Meetings shall be set in advance by the People's Revolutionary Leadership Council, or shall be called by the People's Revolutionary Leadership Council, or by one third of the People's Revolutionary Leadership Council membership if the President is not available or refuses to call a meeting.

7. The People's Revolutionary Leadership Council may exercise its power by polling as long as all votes by poll are confirmed in writing and signed by the voters within two weeks of the poll.

8. The People's Revolutionary Leadership Council shall operate upon the principle of collective leadership. The President and all officers and workers shall be bound by it's decisions. Neither the President, nor any other member of the People's Revolutionary Leadership Council may exercise the People's Revolutionary Leadership Council's powers without the authorization of the People's Revolutionary Leadership Council.

## **Section 2 - FUNCTIONING OF PEOPLE'S REVOLUTIONARY LEADERSHIP COUNCIL OFFICERS**

1. The President shall ensure that all People's Revolutionary Leadership Council communications are properly conducted and maintained. The president shall also ensure that all People's Center Council and people's Revolutionary Leadership Council decisions are communicated to, followed by and implemented by all National Officers. The President shall coordinate and facilitate communications between

National Officers of the Provisional Government. The National Officers shall follow the direction given by the President in this regard unless and until such directions are overruled by the People's Center Council or People's Revolutionary Leadership Council. The President shall have the ultimate responsibility to coordinate all Ministries when the people's Revolutionary Leadership Council and the People's Center Council are not in session. The President shall maintain communications with the Chairperson of the People's Center Council and shall keep the People's Center Council informed as to the decisions and work of the People's Revolutionary Leadership Council. The President shall perform all other administrative tasks assigned to him or her by the People's Revolutionary Leadership Council.

2. The Vice Presidents shall assist the President in the implementation of his/her responsibilities.

3. The Ministers shall fulfill those responsibilities outlined for each of them by the People's Center Council and/or the People's Revolutionary Leadership Council.

4. The People's Center Council may set guidelines of the organization of the People's Revolutionary Leadership Council consistent with those provisions already set for the People's Revolutionary Leadership Council in this Code of Umoja.

### **Section 3 - TERM OF OFFICE AND ELECTION OF PEOPLE'S REVOLUTIONARY LEADERSHIP COUNCIL MEMBERSHIP**

1. The President and Vice Presidents shall be elected in regular elections by New Afrikan voters from certified New Afrikan Population Districts in October or November and every three years thereafter in October or November. Three Vice Presidents shall be elected. The three persons receiving the highest number of votes shall be the Vice Presidents. If no more than three persons run for Vice President, those who run shall be Vice Presidents.

2. In the event of a tie vote between the nominees receiving the highest number of votes for President, the People's Center Council shall elect the President from the person receiving the highest votes.

### **Section 4 - INCAPACITATION OF PEOPLE'S REVOLUTIONARY LEADERSHIP COUNCIL MEMBERS**

1. Any member of the People's Revolutionary Leadership Council who shall become incapacitated during his or her People's Revolutionary Leadership Council membership shall vacate his or her office during the period of incapacitation. For the purposes of this Article of the Code of Umoja, death, hospitalization or imprisonment for over 14 days shall be considered incapacitation. The People's Revolutionary

Leadership Council may determine if any of its members are otherwise incapacitated, but the People's Center Council may overrule a determination as to incapacitation by the People's Revolutionary Leadership Council.

#### **Section 5 -LINE OF SUCCESSION FOR PEOPLE'S REVOLUTIONARY LEADERSHIP COUNCIL**

1. After the election of the President and the Vice Presidents, the People's Center Council shall place the Vice Presidents in line of succession to the President. If the President should resign, be removed from office or become incapacitated, he or she will be succeeded for the remainder of his or her unfinished term by the highest available Vice President in line of succession, except that the People's Center Council may hold a special election, and the person elected thereby shall become the President after his or her election and for the remainder of the President's unfinished term. If no Vice President is available when the President resigns, is removed from office or becomes incapacitated, the President's successor for the unfinished term shall be elected by the People's Center Council in a special election. Whenever the President shall be temporarily incapacitated, the highest available Vice President in the line of succession shall assume the duties and powers and the office of President during the period of such incapacitation. If no Vice President is available the President's duties shall be assumed as provided by the People's Center Council.

2. If any Vice President should resign, be removed from office or become incapacitated, the Vice President's successor will be elected by the People's Center Council. Any Vice President who assumes office under the authority of this paragraph shall be placed last in line of succession to the President.

### **ARTICLE VI**

#### **BUILDING JUDICIAL POWER, RESOLUTION OF DISPUTES, PEOPLE'S COURTS AND TRIBUNALS**

##### **Section 1 - NEW AFRIKAN PEOPLE'S COURT AND THE PEOPLE'S DISTRICT COURTS**

1. The Provisional Government of the Republic of New Afrika shall be committed to the development of judicial power in the New Afrikan people and to the struggle for independence, which is the only means by which such power may ultimately be universally recognized and respected. Toward this end there shall be a New Afrikan People's Court and there may be in the districts, a District Court for every New Afrikan population district, and any other court the People's Center Council shall create. Furthermore, the People's Center Council shall be the highest

judicial power of the Provisional Government of the Republic of New Afrika. The People's Center Council shall establish a Justice Ministry or Justice Committee which shall assist the New Afrikan Judges in coordinating the work and establishing the New Afrikan People's Court and District Court.

2. The New Afrikan People's Court shall have a maximum of eleven (11) Associate Justices and one (1) Chief Justice. The District Courts shall also have a maximum of two (2) Associate Judges and (1) Chief Judge. The judges of the District Courts shall be elected by New Afrikan voters at the same time as the election for representatives to the People's Center Council. Justices of the New Afrikan People's Court shall be elected in the People's Center Council at the first session after the regular elections for People's Center Council Representatives and every six years thereafter. The voting representatives to the People's Center Council and the elected district judges shall be eligible to vote in the election for New Afrikan People's Court Justices.

## **Section 2- TERMS OF JUDGES AND JUSTICES**

1. All New Afrikan People's Court Justices shall be elected for a term of six (6) years. Each Judge of the District Court shall be elected for a term of three (3) years.

2. In any election for a New Afrikan People's Court Justice in which a deadlock occurs due to a tie vote, the People's Revolutionary Leadership Council shall determine from among the candidates receiving the highest votes which one of these candidates shall serve in the position affected by the tie. In any election for a District Court Judge in which a deadlock occurs due to a tie amongst the candidates receiving the highest number of votes the People's District Council shall determine which one of these candidates shall serve in the position affected by the tie. The People's Center Council shall make this determination if no District Council exists in that District.

3. If any New Afrikan People's Court Judge shall be removed from office, or shall resign, or shall otherwise vacate his or her office, the People's Center Council shall elect another person to fill the resulting vacancy for the remainder of the unexpired term. If any District Court judgeship shall become vacant the People's District Council shall select a Judge to fill the vacancy.

4. Within sixty (60) days after the first Judicial elections, under this Code of Umoja, the first Justices elected to the New Afrikan People's Court shall elect from their membership a Chief Justice who shall serve as Chief Justice for three (3) years. The New Afrikan People's Court shall also elect a Chief Justice every three years after the first election, or whenever the position of Chief Justice is vacant.

### **Section 3 - REMOVAL OF JUDGES**

Judges of the New Afrikan People's Court and District Judges may be removed by a two thirds vote of the People's Center Council or may be recalled by New Afrikan citizens as provided by the People's Center Council.

### **Section 4 - COMPETENCY AND JURISDICTION OF COURTS**

1. The New Afrikan People's Court and District Court shall be competent to determine whether any act, directive or decision of any Provisional Government body, officer, citizen or other person conforms with the Code of Umoja, the aims of the revolution as set forth in the Declaration of Independence or the New Afrikan Creed. Each court shall also be competent to interpret all other laws of the nation. The New Afrikan People's Court shall be the final forum of the Provisional Government for the interpretation of the Code of Umoja, the Declaration of Independence, the New Afrikan Creed and all other New Afrikan law except as provided in Section 5 of this Article. The New Afrikan People's Court and the People's District Courts shall be competent to issue binding orders to enforce their decisions upon the workers, officials and decision-making bodies of the Provisional Government, except the People's Center Council. The New Afrikan People's Court and the People's District Courts, moreover, shall be made available to all New Afrikan people and shall exercise all judicial power that the New Afrikan people vest within it.

2. Each District Court shall have original jurisdiction over all cases and controversies which arise in that district and which concern the Republic of New Afrika, its citizens, or persons residing in the Republic of New Afrika. Each District Court shall also have appellate jurisdiction with respect to cases in local courts within that district and there shall be a right to appeal to the District Court from decisions of local courts. The New Afrikan People's Court shall have appellate jurisdiction over all cases and controversies appealed from the District Court. However, appeals to the New Afrikan Peoples Court shall be at the discretion of the New Afrikan People's Court and the New Afrikan People's Court may exercise original jurisdiction at its discretion.

### **Section 5 - JUDICIAL POWER OF THE PEOPLE'S CENTER COUNCIL**

At its discretion, the People's Center Council may hear and decide the appeal of any case from the New Afrikan People's Court if it deems that case to be of National Importance.

## **Section 6 -ADMINISTRATIVE STRUCTURE FOR THE COURTS AND RULES OF PROCEDURE**

1. The People's Center Council shall provide by law for the financing of New Afrikan People's Court and the District Courts and shall also authorize an administrative structure for the Courts and shall make possible the efficient dispensing of justice.

2. Each Court shall submit to the People's Center Council proposed rules of procedure which will be effective when approved by the People's Center Council.

## **Section 7- SYSTEMS OF JUSTICE**

The People's Center Council shall provide for systems for criminal and civil justice which shall be in conformance with the Declaration of Independence, with the New Afrikan Creed and with the Code of Umoja, and which shall totally protect the rights of the people.

## **ARTICLE VII RATIFICATION AND AMENDMENTS**

### **Section 1 - RATIFICATION**

1. This Code of Umoja shall become law when approved by a majority of New Afrikans voting in direct elections in conventions in June 1984 as provided by the Code commission appointed by the People's Center Council prior to the ratification of the Code of Umoja.

2. Upon ratification of this Code of Umoja, all previous constitutions of the RNA are repealed

### **Section 2 - AMENDMENTS**

Amendments or changes in this Code of Umoja may be proposed by New Afrikan citizens in People's Conventions, or by a majority vote of the People's Center Council voting membership present in a People's Center Council session. An amendment or change shall become part of the Code of Umoja by a two-thirds vote of the entire certified voting membership of the People's Center Council. Three (3) months notice in writing to each certified voting People's Center Council member is necessary before an amendment is ratified. The People's Center Council shall convene a People's Convention for the consideration of an amendment or changes



to the Code of Umoja whenever a majority of its voting members present shall vote for the convening of such a convention.

## **JUDICIAL STATUTE**

### **Section 1 - STRUCTURE OF THE COURTS**

1. The structure of the Courts is that set forth by the fundamental law of the Nation.
2. A Judicial Conference is hereby created, composed of all the duly elected and/or appointed judges of the nation.
3. The Conference shall be presided over by a Justice of the people's Court elected by the Judges for a term of three years. The other duly elected Justices of the People's Court shall be Vice Chairpersons, and the Conference shall determine their order of succession. The Chief Justice of the People's Court may be elected as Conference Chairperson.
4. The Conference has the power to organize itself further and shall promptly report such organization in writing to the People's Center Council (PCC), by the PCC Chairperson. The Conference Chairperson shall have the power and duty to call the annual meeting, and the Conference may provide for other meetings. The Chairperson of the Conference may create necessary committees, name their chairpersons, state their charge, dissolve said committees, all with the advice and consent of a majority of the Conference in session. and shall have power to require committee reports. He or she shall be an ex officio member of every committee.
5. The Conference shall have the power to recommend to the Conference Chairperson and to the Chief Justice of the People's Court, rules for the operation of all courts. Such rules must be consistent with the Code of Umoja and this Judicial Statute, the New Afrikan Creed and the RNA Declaration of Independence. The Conference may also recommend to said Chairperson and Chief Justice measures for the effective administration of the courts and the system of justice and family healing, and may make proposals to the People's Center Council by the PCC Chairperson.
6. The Conference Chairperson, after consultation with the Chief Justice and upon a consensus or majority vote of the Conference in session, may issue rules for the operation of the Courts. Such rules must receive the approval of the People's Center Council before they become official; however, until the PCC acts, such rules shall serve as interim rules.
7. A quorum of the Conference, for doing business, shall be composed of half of the duly sworn judges of the Republic.

## **Section 2 - THE CHIEF JUSTICE**

1. The Chief Justice shall be the presiding officer and chief administrator of the People's Court.

2. The Chief Justice shall be elected by the People's Court for a term of three years, within 60 days after each triennial election. The People's Court may elect an interim Chief Justice should that position become vacant before the regular election.

## **Section 3 - SPECIAL JUDICIAL ELECTION**

1. During periods between regular triennial elections, District Judges may be chosen to fill vacancies or to fill District Judgeships, created or authorized by the PCC, by special election open to all eligible New Afrikan voters in the affected district on a basis of adequate notice, adequate opportunity for nomination, and adequate access to the voting process. But where less than one-half of a term remains for a District Judgeship, or Judgeships, the People's Revolutionary Leadership Council (PRLC) or the People's Center Council may appoint any such District Judges.

2. The Chairperson of the PCC may create panel(s) or commission(s) to judge the adequacy of any such special elections, or may request the Chief Justice to establish a panel of judges for this purpose, or may employ any other appropriate measure.

## **Section IV - DISTRICT COURT POWERS OF PEOPLE'S COURT JUSTICES**

The People's Court, by consensus or by majority vote or by action of the Chief Justice, may designate Justices or Judges to sit on cases where no District Judge is available. A People's Court Justice may sua sponte assume District Court jurisdiction and functions where necessity requires and no District Judge has been elected or appointed, or where a Judge of the District is not available.

## **Section V - JURISDICTION**

1. The jurisdiction of the People's Court shall be deemed to be an appellate and supervisory jurisdiction, except that the People's Court may at its discretion exercise original jurisdiction on the basis of compelling necessity.

2. Original jurisdiction for all cases and controversies shall lie in the District Courts of the District in which the case or controversy arose, or where one of the major parties resides or does substantial business, or where the records and witnesses are most accessible, except that the People's Court may exercise original

jurisdiction, at its discretion, where issue is raised regarding violations of the Declaration of Independence and as set forth in Paragraph One, above. Each District Court is authorized to transfer actions, initiated before it, to the appropriate District Court.

3. Justices and Judges of the New Afrikan Court system are competent to authorize and perform marriages and grant divorces, and to authorize and issue birth and name and death certificates, all concurrent with the powers of the Executive Branch of the Government, to be more fully provided by law or regulation. Marriages shall not be lawful between two men or two women.

## **Section 6 - ACCESS TO THE COURTS**

1. All persons residing in areas claimed by the Republic of New Afrika or where the Republic of New Afrika exercises jurisdiction or where any New Afrikan citizen resides shall be deemed competent, by himself or by a parent or guardian or other appropriate representative, to initiate an action in District Court or to request that the People's Court assume jurisdiction in a given matter.

2. A person initiating an action in a District Court must file with the Clerk of the Court or with the Judge or, in the case of a request for criminal prosecution, with a duly appointed Conciliator of the Ministry of Justice, a Request for Judicial Service or a Request for Criminal Prosecution on forms provided or mandated by the Court. Such form must be supported by oath or affirmation.

3. A suit for damages or injunction or to require an official to perform a duty owed to the litigant, or a suit for other equitable relief, including paternity suits, may be commenced by filing with the Clerk of the Court or the Judge a Complaint, setting forth:

- (a) The name of the Court wherein the action is brought;
- (b) The name or names of the parties suing and the name or names of the parties being sued, designated plaintiff(s) and defendant(s), respectively;
- (c) The title of the case, specifying the type of action;
- (d) A brief statement of the jurisdiction upon which the plaintiff relies;
- (e) A summary statement of the relief sought;
- (f) A clear statement of the facts and the dates giving rise to the suit and providing the basis for relief, set out by simple numbered paragraphs;

- (g) A statement or listing specifying the relief sought and setting out, for each item of relief, the grounds for that relief and the citation of law supporting it;
- (h) A prayer for relief, and
- (i) An affirmation that the facts contained therein are true and correct to the best of the plaintiff's knowledge and belief, subject to penalty for perjury and that suit is not brought for purposes of harassment or abuse of the processes of the court.

4. A complaint may be accompanied by a Memorandum of Law. A plaintiff may prepare for the signature of the Judge any orders requested. The original and one copy of all papers shall be filed with the court.

5. A Certificate of Service shall accompany the filing with the Court, indicating that a copy of the complaint and all related papers has been served, by mail or by personal service, upon each defendant or his/her authorized representative.

## **Section 7 - JUDICIAL PROCEDURE**

1. A defendant in a non-criminal action shall have 30 days to answer a complaint, either in substance, responding affirmatively or negatively or declining to respond because of lack of knowledge, to each allegation of the complaint which purports to provide a basis for relief, or by filing a motion to dismiss, setting out with specificity the grounds for said motion. The plaintiff shall have 30 days to respond to the motion to dismiss or to reply to the defendant's answer.

2. For purposes of this statute every 30-day period shall include Saturdays and Sundays and holidays, but should the thirtieth day fall on a Saturday or a Sunday or a holiday which interferes with mail or closes the courts, the thirtieth day shall be deemed to be the next day which is not a Saturday, Sunday or holiday.

3. For good cause the Court by timely written order may extend the said 30-day periods upon motion by either side. The Judge, at his or her discretion shall provide opportunity for opposition to a motion for extension of time, as fairness requires.

4. After the filing of complaint, answer and reply, the Judge shall conduct a hearing on the facts and the law. Should the complaint survive motions to dismiss at this point, the Judge shall proceed to make a finding of fact and further proceed to decide the case and issue a final order.

5. Either side in such litigation may request in writing a jury trial at the time of filing and service of the complaint and at any time until the commencement of the hearing. Juries to hear such matters may be composed of seven persons, and a decision by such a jury may be reached by the agreeing votes of five members. The judge shall issue a final order confirming the jury verdict. In the case of a jury trial the findings of fact shall be made by the jury.

6. A judge may issue a final order, dismissing a complaint on his own motion at any time prior to hearing. Such an order shall contain a Statement of Findings, supporting his dismissal.

7. A final order must be appealed, by filing within ten days a Notice of Appeal simultaneously with the People's Court and with the District Court whose order is being appealed, and by following said Notice with an appeal brief, within 60 days, served upon opposing parties and with a copy to the People's Court and an original and four copies to the District Court. The opposing side shall have 60 days to answer, and the appellant shall have 30 days to reply. Copies of all pleadings shall be served promptly upon the opposing side, and the original filed with the Court shall contain a Certificate of Service.

8. Such an appeal will be considered by three District Court Judges, or a combination of District Court and People's Court Judges, appointed by the Chief Justice of the People's Court or in accordance with procedures set by the Judicial Conference or the Chief Justice. A final order of the appellate tribunal may be appealed to the People's Court.

9. Every Court shall date and seal every paper filed, upon receipt, and shall similarly date and seal any true copy for the plaintiff and defendant upon payment of a small fee. The Minister of Justice shall assist the Courts in establishing an efficient permanent record system.

10. By the tenth day of every month each Judge of the Republic shall file with the Minister of Justice a register of the proceedings before the Court during the previous month. The Minister of Justice shall provide a copy of this register promptly to the Chairperson of the People's Center Council and to the President.

11 A Peoples' Court Justice may permit a complaint to be filed with him/her, but ordinarily such Justice will transfer the complaint to the appropriate District Judge.

## **Section 8 - CONCILIATORS**

1. Upon nomination of the Minister of Justice, the President shall appoint a Conciliator for each District Court district, with the consent of a majority of the People's Center Council. Conciliators appointed between sessions of the PCC may serve until the next session; and Conciliators not confirmed or rejected by the next PCC shall be considered confirmed.

2. The Conciliator is an official of the Ministry of Justice, subject to the direction of the Justice Minister, and serves for a term of four years. She or he may be reappointed. She or he may be removed by the Justice Minister, or by the President, for misfeasance or malfeasance.

3. It shall be the duty of the Conciliator to receive all complaints of disputes concerning which a formal complaint has not been filed, and all criminal complaints in the District and to investigate them, using the Conciliator's own resources or relying on the resources of the New Afrikan Security Force. It shall be the duty of the Conciliator to resolve all disputes quickly and productively and to bring before the District Judge any criminal complaint which presents an unreconciled violation of the law, or, in a non-criminal matter, to advise the parties in an unresolved dispute to file a formal complaint.

4. The objective of the Conciliator and the Court shall be to ascertain the truth to the fullest extent possible and to achieve justice and healing of the New Afrikan family.

5. The Conciliator shall weekly provide the Judge of the District Court with an accounting of all disputes and criminal matters which have come before the Conciliator or which are pending before the Conciliator. The Judges of the District Court shall assure a speedy trial and/or disposition of all such matters which are ripe for trial or disposition. The Conciliator and the Minister of Justice shall cooperate fully with the Court in achieving this objective.

## **Section 9 - ENFORCEMENT POWERS OF THE COURT**

1. In criminal and civil proceedings the Judges of the District and People's Courts shall have power to compel the appearance of witnesses and the disclosure of information. This power shall be supported by the power to punish for contempt through the imposition of fines and imprisonment, through provisional stripping of names, through orders of exclusion, through property confiscations, and through publication.

2. The powers of Courts and their juries shall not extend to imposition of the death penalty.

3. Penalties imposed for wrong-doing shall seek the healing of the New Afrikan family and the restoration of the victims.

### **Section 10 - RIGHTS OF THE ACCUSED**

1. No criminal proceeding may be brought before a Conciliator for formal action except by affirmed, written statement of an interested party or victim. Nevertheless disputes may be brought to the attention of the Conciliator or a Judge by expeditious and appropriate means.

2. No person shall be charged with crime except by action of a Council of Judicial/ Elders of the larger neighborhood, composed of wise men and women, nine in number, who at the invitation of the Conciliator shall review the charges and the Conciliator's efforts and determine whether a crime may have been committed and what parties may have violated the law and who may be the victims. If a simple majority of Elders in session agree that a crime may have been committed, the Council shall formalize the charge in the name of the People and notice the matter to the District Court for hearing. A quorum of the Council for determination of a criminal charge shall be seven members.

3. The Conciliator shall assist the Council of Judicial Elders. The Conciliator shall assist the District Judge in formulating a fair system for selecting the Council of Judicial Elders. Each Council shall have a term of one year.

4. The Conciliator shall represent the People in matters before the Court.

5. The Minister of Justice shall carefully monitor the work of the Conciliators as well as the non-criminal activities of our system of Justice and Community Healing. Said Minister, in consultation with the President, shall take appropriate action to facilitate the basic purposes of this system.

6. In all matters before the Court the plaintiffs, defendants and accused shall have the right to jury trials. In criminal trials verdicts must be unanimous, and juries shall have seven members.

7. In criminal trials the accused shall have the right not to testify or bear witness against himself/herself. The accused shall enjoy the right process to compel witnesses on his or her behalf and shall enjoy the protections set forth in the Covenant on Civil and Political Rights (United Nations).



## **Section 11 - COURTS OF RECORD**

The District Courts and the People's Court shall be courts of record, and records may be kept by electronic means. In general the cost of reproducing records shall be borne by the litigants.

## **Section 12 - CRIMES**

1. The following shall be crimes subject to the jurisdiction of New Afrikan courts:

- Murder
- Physical Assault
- Rape
- Incest
- Terroristic Abuse
- Sale, Manufacture & Transportation of heroin or cocaine
- Selling of Intoxicants to Children
- Burglary
- Theft
- Fraud
- Abduction
- Arson
- Spying for or engaging in espionage for a foreign power
- Espionage
- Conspiracy to Commit any of the Paragraph One crimes
- Attempt to Commit any of the Paragraph One crimes
- Child Abuse, Child Neglect
- Wife Abuse, Husband Abuse
- Family Neglect

2. The Courts of the Republic of New Afrika shall have jurisdiction over all of the enumerated crimes, and that jurisdiction shall extend to the imposition of corrective measures, penalties, punishments, and supervision. The jurisdiction shall extend also to violations of the New Afrikan Creed.

3. The Section Nine Powers of Enforcement with respect to contempt are applicable to judgments in criminal matters. Courts may also impose work assignments.

**Section 13 - LAW AND PROCEDURE**

The Courts shall rely upon the RNA Declaration of Independence and the New Afrikan Creed as the repositories of the basic principles which undergird and shape the life and System of Justice and Healing which We are attempting to build. The Courts may adapt to our uses such procedures and precedents from other legal systems and the international law as serve the ends of healing and justice and are not inconsistent with the Declaration of Independence.

**APPROVED BY THE PCC ON 3 JULY 1983,  
ATLANTA, GA.,  
RNA NATIONAL TERRITORY**

**AMENDED BY THE PCC ON NOVEMBER 30, 1985,  
CHICAGO, IL**

## **THE ELECTION LAW**

Passed by the People's Center Council on 1 July 1986 at New Orleans, Louisiana, Subjugated Territory of the Republic of New Afrika, and Amended by the People's Center Council at Detroit 5 July 1986.

### **PREAMBLE**

To assure a process by which New Afrikans can participate in the struggle for self-determination and independence, the People's Center Council of the Republic of New Afrika enacts the following election law. It shall be effective immediately upon passage.

### **Section I QUALIFICATIONS OF VOTERS**

1. New Afrikans, aged 16 or over, are entitled to vote in elections of the Provisional Government, provided they affirm their citizenship in the Black Nation, Republic of New Afrika, by simple affirmation indicated on a voter's register.

2. Voters are presumed to owe their highest political allegiance to the Black Nation, but no oath of allegiance shall be required to exercise the right to vote. However, the allegiance, or primary allegiance, of any voter may be challenged by the affidavit of any other voter, made under penalty of perjury to any election worker, RNA judge, appropriate officer of the Justice Ministry or of the Election Commission (hereinafter to be established) or to a person designated by the Election Commission to accept such a challenge. The ballot of the challenged voter shall be sealed and delivered to the Election Commission, which shall promptly make a decision.

### **Section II - QUALIFICATIONS OF CANDIDATES**

1. A candidate for the office of President, Vice President, or Chairperson of the People's Center Council (PCC), in addition to those qualifications set out in the Code of Umoja, must also:

- a. Owe his or her only political allegiance to the Republic of New Afrika;
- b. Be a citizen of the Republic of New Afrika; and

- c. Have served for two consecutive years, within the preceding ten years, as an active cadre member or officer in some organized formation of the New Afrikan Independence Movement, which service shall be demonstrated to the Election Commission by certificate (provided by the Commission) or by other means determined by the Commission. A certificate of irregular, unreliable, or disruptive service may be grounds for the disallowance of a candidacy by the Commission.
2. A candidate for People's Court Justice must, in addition to qualifications set out in the Code of Umoja:
  - a. Owe his or her highest political allegiance to the Republic of New Afrika;
  - b. Have training in law, as more fully to be regulated by the Election Commission;
  - c. Be a citizen of the Republic of New Afrika;
  - d. Be twenty-five (25) years of age or older; and
  - e. Have served for one year with distinction in some aspect of the New Afrikan Independence Movement, such service occurring within the preceding five years. Said service shall be demonstrated to the Election Commission by certificate (provided by the Commission). A certificate of irregular, unreliable, or disruptive service may be grounds for disallowance of a candidacy by the Commission.
3. A candidate for Office of People's Center Council Representative must meet those qualifications listed in the Code of Umoja and must:
  - a. Owe his or her political allegiance to the Republic of New Afrika;
  - b. Live in the District for which he or she seeks election;
  - c. Be a citizen of the Republic of New Afrika; and
  - d. Have served for six months, within the preceding five years as an active cadre member or officer of some organized formation of the New Afrikan Independence Movement. Said service shall be

demonstrated to the Election Commission by certificate (provided by the Commission) or by other means determined, by the Commission. A certificate of irregular, unreliable, or disruptive service may be grounds for the disallowance of a candidacy by the commission. For purposes of the 1987 election, with respect to candidates for PCC Representative and District Judge, the requirement that a candidate shall have served in some organized formation of the New Afrikan Independence Movement is changed to include those who have served in the Black Liberation Movement.

4. A candidate for the office of District Judge must be twenty-five (25) years of age or older.

5. All candidates for office in the Provisional Government shall be persons of high moral character and good reputation, possessed of demonstrated personal discipline. The Commission shall exclude from candidacy for the judgeships of the Republic and other high elective office all persons with a known or professed addiction to any form of drug or alcohol. The Commission may vacate or disallow the candidacy of any person whom the Commission or its representatives deem to be not of good moral character, good reputation, or possessed of demonstrated personal discipline. The District Courts shall be open to candidates challenging such Commission findings, and said Courts shall give due priority to rendering just and timely decisions in such matters.

6. The Election Commission may designate or authorize the creation of local committees to review the eligibility of candidates as set out in this law, having due regard for avoiding all appearances of prejudice or conflict of interests.

### **Section III - THE ELECTION COMMISSION**

1. An Election Commission is hereby established. Its purpose shall be to issue regulations governing the elections of the Provisional Government and to conduct or supervise the conducting of these elections in keeping with the laws and precepts set out by the Provisional Government.

2. The Commission shall promptly, after its appointment, issue a set of implementing regulations. It shall promptly issue a set of rules governing its own operation.

3. Such Regulations and Rules must, of course, be consistent with the law, and the People's Center Council retains the right to alter said rules and regulations or disallow any of them.

4. The People's Court shall have original jurisdictions over suits challenging the Regulations and Rules of the Election Commission.

5. The Commission shall be composed of three members, appointed by the People's Center Council or the People's Revolutionary Leadership Council (PRLC), one of whom may be a Justice of the People's Court. No person who is a candidate for elective office in forthcoming election may serve on the Commission. The People's Center Council or the PRLC may appoint one of the three as Chairperson.

6. The Commissioners shall be appointed for terms of one years, two years, and three years respectively. A Commissioner may succeed herself or himself. The Commission may appoint, subject to the oversight of the PCC and the PRLC, such local temporary Boards and Assistant Commissioners as are appropriate to the efficient fulfillment of the Commissioner's charge.

7. The terms of the Commissioners shall begin immediately upon appointment but not sooner than each Commissioner has taken the oath of office.

8. The Commission may appoint persons of its choosing to safeguard and count the ballots. It shall undertake to assure, as practical, the presence of international observers for RNA elections.

9. The People's Center Council shall assume the duties and responsibilities of the Election Commission, or shall designate some person or persons to do so, if the Election Commission shall for any reason fail to function.

#### **Section IV DISTRICTS**

1. Districts for the election of PCC Representatives, Judges and such other officers as designated by the Code of Umoja, shall be drawn to conform as nearly as possible to any concept of community recognized by the inhabitants thereof.

2. Until otherwise directed by the Election Commission or the PCC the population Districts shall be based upon information drawn from the United States census, as augmented by rule of the Election Commission.

3. Districts may be proposed by New Afrikan voters meeting in Metropolitan Regional Conferences, every three years, and the Election Commission, for the PCC,

shall accept, alter, or reject such proposals, as the law or need requires. The Commission shall promptly issue a District Plan for any rejected proposal.

4. Districts may be proposed by the PCC or New Afrikan voters, in the absence of a Metropolitan Conference, and the Election Commission will promptly approve, alter or reject such districts. But no District shall be created any later than 30 days prior to any election.

5. Each District shall be entitled to five (5) voting People's Center Council Representatives, except that District which has less than two thousand (2,000) persons shall be entitled to only one Representative.

6. A plurality of votes shall suffice for election.

7. Upon petition of the proposers, the Election Commission, for the PCC, may permit up to three Districts in any city or Metropolitan Region or greater community to join together and conduct their elections for Representatives and District Judges at large.

8. Each District shall be entitled to elect a maximum of two Associate Judges and one Chief Judge.

#### **Section V - METROPOLITAN CONFERENCES**

1. In cooperation with the Election Commission, Provisional Government workers in every area shall come together on a timely basis, every three years, at least 70 days before each National Election, and carry out a Metropolitan Regional Conference or Convention, open to the New Afrikan public.

2. The purpose of these Conferences/Conventions shall be:

a. To review or create Election Districts to be presented to the Election Commission for approval, and

b. To provide a forum where candidates for office may make their desire for office known, present their credentials qualifications and program, seek support of the public, and submit to the questioning of the public.

3. These Conferences/Conventions may nominate persons for office, individually or by slate or other combinations. But, this process may not work to

prevent the nomination, including self-nominations, of any person otherwise qualified to run for office.

#### **Section V - PRISONERS**

No citizen of the Republic of New Afrika shall lose his or her right to vote merely because of incarceration, and the Election Commission or the People's Center Council shall provide for implementation of this Section.

FREE THE LAND!



**THE DIVORCE LAW  
OF THE  
REPUBLIC OF NEW AFRIKA**

APPROVED SEPTEMBER 1988

PREAMBLE. Inasmuch as stable and productive families are essential to the power and success of the New Afrikan nation and to New Afrikan state-building, marriage, which is between families as well as between individuals, should never be entered into lightly and without careful planning and education. So, too, divorce must not be lightly granted. Nevertheless, events may sometimes dictate that the peace, success, and happiness of the nation and the individuals will be best served by a severance of the marriage bond. This Divorce Statute is enacted to assure that when such events occur, the parties or a party may seek and be granted a lawful divorce.

THE STATUTE

1. The District Courts within their respective jurisdictions and the People's Court for New Afrikans everywhere, and the Minister of Health, and the Vice President to whom that Minister reports, if any, and their lawful designees, shall have power to issue and grant lawful divorces authentic severances of the marriage bond, involving a citizen of the Republic of New Afrika.
2. The proceedings and the decree shall be matters of record. Copies shall be centrally filed.
3. A decree of divorce may not be issued except upon the written, signed, and verified application of at least one of the parties, and unless it is preceded by the consultation required by paragraph 5, below, of this Statute.
4. Said signed and verified application must contain the following:
  - a. The full names of the parties to the marriage and their current addresses to the best of the applicant(s)' knowledge and belief.
  - b. The date and place of the marriage and the name of the party performing the marriage. If no ceremony occurred, the date and circumstances of the marriage shall be given.
  - c. The jurisdiction within which the marriage took place.

- d. The name and birthdate of each child or person under the age of 19 who at the time of the application for divorce or if relevant -at the time of any final separation of the household was a member of the household and treated as their child by the married parties.
- e. The name or names of any other party, or parties, who because of natural birth involvement actually shared responsibilities for any such child. The child or children must be designated.
- f. A brief statement, including dates to the best of the applicant's recollection and belief, of the final separation of the parties or of the applicant's decision to seek divorce, if no separation has occurred.
- g. A brief statement of the reasons the applicant(s) seeks divorce.
- h. A brief statement of the applicant's attempts at reconciliation. A brief statement of the other party's attempts at reconciliation. The responses and outcomes of these incidents
- i. A statement of any efforts at third-party assistance in resolving the marital problems, jointly and individually.
- j. A statement as to whether the applicant(s) would prefer a reconciliation and, if so, a brief statement or outline of the conditions under which the applicant(s) would accept a reconciliation. The other party shall be invited to make such a statement also, where there is a single, rather than joint, application.
- k. A statement indicating what custody arrangements have been made for any children at the time of the application for divorce and in whose custody each child is at the time of the application, and whether this arrangement is temporary or final. The terms of child support, if any, and visitation, must be given.
- l. The desires of the other party, insofar as the applicant knows them, in cases of single applicant, with respect to custody and child support, shall be given, along with the desires of any other parties sharing parental responsibilities. The desires of the child or children shall be indicated to the best of the parties' knowledge and belief.

m. Any agreement by the parties, or proposals, with respect to disposition of property, shall be attached to the application. The judge, minister, or Vice President and those responsible to her or him will assist the couple in arriving at a just settlement. A judge may issue interim or final orders with respect to a property settlement. Such orders are appealable unless issued by a justice of the People's Court.

5. A decree of divorce may not be issued unless the lawful RNA official is convinced upon the application and record that divorce is fully warranted and that reconciliation is a very remote possibility. The judges and justices of the RNA courts shall have power to hold hearings in these matters, compel the appearances and testimony of witnesses, issue findings of fact and conclusions of law, and make final decrees. A lawful RNA official, in arriving at a recommendation or decision on a final or interlocutory decree, must require the assistance of best friends or elders, one or more, in attempting a reconciliation where it does not appear in the record that such assistance has theretofore been sought by the parties and used by them. Such best friends or elders may be family members.

6. In cases where the record is clear that a separation of the household of five or more years has occurred, the lawful RNA official may dispense with the requirement for the assistance of best friends and elders, provided that it appears from the application, interviews, and/or other evidence that reconciliation is a very remote possibility.

7. Married persons may make a joint application for divorce.

8. All divorce decrees must contain provisions for child support and custody, unless there are no children involved.

FREE THE LAND!

**PART ONE  
OF  
THE ADMINISTRATIVE HANDBOOK**

**I. INTRODUCTION**

1. The provisional Government is a force for the unity and liberation of the New Afrikan people in North America. It pursues without cease the Aims of The Revolution set out in the 1968 Declaration of Independence.

2. Foremost among these Aims are these:

to free Black people in America from oppression;

to support and wage the world revolution until all people everywhere are so free, and

to build a Black independent nation...

3. The full Declaration of Independence is found in the Code of Umoja

4. The Provisional Government, further, works to inculcate in every citizen, for the purpose of assuring the success of the Revolution, the precepts of the New Afrikan Creed. Foremost among these precepts, for the purposes of this Administrative Handbook, are these:

*9. Therefore, I pledge to struggle without cease, until We have won sovereignty. I pledge to struggle without fail until We have built a better condition than the world has yet known.*

*10. I will give my life, if that is necessary. I will give my time, my mind, my strength, and my wealth because this IS necessary.*

5. The full New Afrikan Creed is contained in the Code of Umoja.

6. The National Territory of the Republic (still not free) is all the land to which New Afrikans are entitled by International Law, specifically including Louisiana, Mississippi, Alabama, Georgia, and South Carolina.

## II. LEVELS OF AUTHORITY AND RESPONSIBILITY

1. The Code of Umoja is the supreme law of the Republic of New Afrika. But the first, foremost, and final source of all New Afrikan law and power is the New Afrikan people.

2. The People's Center Council (the PCC) is the national legislature which makes law and policy for the developing New Afrikan nation-state.

3. Legislation of the People's Center Council has precedence over the legislation, acts, directives, resolutions, and orders of all officers and Governmental bodies of the Republic of New Afrika.

4. Next in order of precedence are the directives and orders of the People's Revolutionary Leadership Council (the PRLC).

5. The People's Center Council is composed of Representatives who are duly elected from New Afrikan population districts, as well as the President, the Vice Presidents, and the national Ministers.

6. Only duly elected Representatives have official votes in the PCC.

7. The People's Revolutionary Leadership Council is composed of the Chairperson of the People's Center Council, the President, the Vice Presidents, and the national Ministers.

8. Every member of the People's Revolutionary Leadership Council has one vote. The PRLC operates on the principle of collective leadership, and the President and all officers and workers are bound by PRLC decisions. The PCC, of course, may overrule or amend PRLC decisions, resolutions, and orders.

9. Next in order of precedence to the laws, resolutions, orders and directives of the PCC and PRLC are the orders, directives, and resolutions of the President.

10. The President is the Chairperson of the People's Revolutionary Leadership Council.

11. The President has the duty to ensure that all PCC and PRLC decisions are communicated to, followed by, and implemented by all national officers and unit leaders. The national officers and unit leaders follow the direction given by or overruled by the PCC or PRLC.

12. The President has the ultimate responsibility to coordinate all Ministries when the PCC and the PRLC are not in session.

13. The Vice Presidents assist the President in the implementation of Presidential duties.

14. The People's Center Council and/or the People's Revolutionary Leadership Council outlines the responsibilities of each Ministry.

### **III. DUTIES OF THE MINISTRIES**

1. **The Treasurer.** It is the duty of this officer to be the final repository of all certificates of property, cash, securities, and other valuables of the Republic of New Afrika and to safeguard the same zealously. The Treasurer shall release funds when he or she receives a directive to do so from a lawful spending officer, which directive also bears the signature and other appropriate information of and from the Minister of Finance, or her or his lawful designee, attesting to that officer's review. The Treasurer shall keep accurate records and make them available periodically and upon request to the PCC, the PRLC, the President, the Vice Presidents.

2. **The Minister of Finance.** The Minister of Finance has the duty of preparing the budgets of the Government, in consultation with the Ministers and under direction of the President, for presentation to the People's Center Council. The Minister of Finance has the duty to plan and execute a program of tax and contribution generation and collection, in accordance with the resolutions of the PCC. The Minister must plan and manage the efficient deposit and release of funds (in cooperation with the Treasurer), and must counsel the President; the Vice Presidents, the Ministers and other lawful spending officers regarding the requirements of this efficient cash-flow management. The Minister must also counsel Provisional Government units on fund-raising and all other budgetary and accounting measures. The Minister of Finance receives all in-coming funds, promptly records them, and promptly turns them over to the Treasurer. The Minister of Finance will keep detailed accounts of expenditures and income, and periodically and upon request the Minister of Finance shall render to the PCC, the PRLC, and the President and Vice Presidents reports and statements and shall keep the Ministry's books available to these officers. The Minister has the responsibility to work with the Minister of Justice to deal effectively with the tax situation of the Republic and its corporate entities with respect to foreign powers.

3. **The Minister of Economic Development.** This Minister is responsible for planning and leading the development programs of the Republic for industry, commerce, and comprehensive New Communities. This Minister is responsible for

farming. This Minister is responsible for carrying out the Republic's plans for development cooperatives and for the establishment of a central bank.

4. **The Minister of Foreign Affairs.** Under the guidance of the President, the Minister of Foreign Affairs organizes and implements a foreign affairs program designed to achieve the objectives set by the PCC and the President. These objectives include, (a) winning support in the Organization of African Unity, the non aligned states, the United Nations, and other appropriate international bodies for the independence of New Afrika, the freedom of our prisoners-of-war, and the work of the Provisional Government; (b) politically neutralizing hostility against the Republic among the white population of the United States; (c) establishing and maintaining friendly relations with independent states and with progressive states and movements not yet independent; (d) recognizing and observing the important anniversaries of friendly and progressive states and movements and representing our Government at appropriate celebrations, and (e) getting New Afrikans everywhere to embrace and support the Provisional Government's independent foreign policy.

5. **The Minister of Defense.** This Minister is responsible for recruiting, training, equipping, and deploying Security Forces adequate to the defense of the Republic and supportive of the defense of New Afrikans generally in North America. The Defense Minister is commander of all regular, over-ground, defense and security forces of the Republic, and in this responsibility the Minister is directly responsible to the President. (The President is always responsible to the People's Revolutionary Leadership Council and the People's Center Council.) The Minister collects, analyzes, stores and appropriately distributes information on the capabilities and intention of other states and on entities hostile to the Republic and coordinates similar intelligence gathering activities by any and all other ministries. Minister conducts an internal security program to protect the integrity of the Government.

6. **The Minister of Justice.** The Minister of Justice controls and supervises all litigation initiated by or directed at the Government and its officers, where litigation involving such officers arises from the Provisional Government work. Such activities will always be conducted in a manner to achieve stated ends but also to promote knowledge of the reality of the Government's struggle for the independence of New Afrika. The Minister of Justice assists the Judges of the Republic in developing an effective court system and system of justice, respected and used by the people of the New Afrikan nation, as more fully set out in the Judicial Statute. The Minister of Justice builds and works with the system of Conciliators to make this system an effective contact with, and efficacious servant of the New Afrikan people in every locality. The Minister counsels the President and Ministers with respect to all appropriate legal concerns. The Minister develops and implements a program to

promote the freedom of our prisoners-of-war. The Minister assists other prisoners as resources permit.

7. **The Minister of Information.** This Minister is responsible for creating and implementing effective programs of (a) internal information, which supports morale and work efficiency, and (b) external information, designed to carry out messages to the public in a systematic and effective manner. The Minister of Information will develop and implement plans for paid and non-paid speaking engagements for Government personnel and be involved in the training of all PG (Provisional Government) workers to participate effectively in such programs. The Minister pays careful attention to creating revenue from some of the Ministerial activities, including the speaking engagements, but also buttons, literature, pennants, flags, and other items. The Minister will develop a professional audio-visual capacity and will work with the Minister of Finance and Minister of Justice in organizing appropriate corporate bodies and other instrumentalities for effectively carrying out the Ministry's functions. The Minister serves as Chairperson of the Publications Collective.

8. **The Minister of Education.** The Minister of Education is responsible for developing and implementing programs of internal and external education in support of the Government's goals. The Minister will develop and monitor all Nation-Building and political science classes conducted by and/or for PG personnel. The Minister will work to develop the Pan-Afrikan University and will undertake to provide services and, as soon as possible, budgetary support to the independent New Afrikan schools.

9. **The Minister of the Interior.** The Minister of the Interior develops and implements programs of retention, re-claiming, and recruiting of Provisional Government workers. The Minister counsels and guides unit leaders and other Ministers with respect to these three R objectives. The Minister works with unit leaders in developing strong, capable, efficient local units.

10. **The Minister of Health and Society.** This Minister develops and implements programs to promote and safeguard the good health of our people. The Minister exercises lawful authority concerning marriage, divorce, death, birth, and the welfare of children and the aged and others of need.

11. **The Minister of Culture.** This Minister is responsible for developing and executing plans for the promotion of the arts and humanities and for providing leadership in the creation of authentic New Afrikan art forms and products in all the artistic media.

12. **The Minister of Youth.**