

The New California Republic – Constitution and laws of the Republic

The NCR does not see herself as the successor of the USA. Her law books are not the law books of the USA and precedents of the old America are meaningless in the New California.

In its history, the NCR has brought forth its own laws, of which many have been inspired however, by the freedom loving ideals of the US constitution. On the following pages one finds the preamble to the NCR constitution, some other articles from that document and a few other law texts as well as a short overview over their handling.

The Constitution

The preamble:

„We, the successors of the survivors of the nuclear holocaust declare, animated by the conviction, that the human race may only find survival in peace, and that said peace may only be reached by organization, cooperation and constant vigilance, declare that it is object and purpose of the constitution to bring the citizens of the New California Republic that peace and to secure it.”

Human rights and guarantees:

The constitution of the NCR guarantees her citizens several rights, among them the largest part of those that were commonplace in the free world before the Great War. In the NCR there is freedom of speech, freedom of travel, freedom of religion and the mostly unabridged right to bear arms for personal defense as well as personal freedom, meaning a general and total prohibition of slavery.

If someone is accused of a crime in the NCR, that person enjoys rights that are rarely found elsewhere in the wasteland. An accused had the right to confront his accuser – and to do so in a proper court of justice where a jury of his peers decides on his or her guilt or innocence. In fact, no police organ of the Republic may search the living quarters or workplace of an accused without the approval of a judge – in fact, they may not even do so without telling the accused. There is however one exception to the need to notify the accused: When investigating capital crimes the notification may be omitted when – in the eyes of the judge who authorized the search warrant – the time delay involved in notification has to be dispensed out of urgent reasons.

The constitution of the New California guarantees not only its single citizens (and every other human or mutant in it) rights, but also the many areas and towns that have joined it.

Among others, all districts and city states keep the right to impose further taxes, in addition to those imposed by the federal government and have – with the exception of a few, special crimes – the sole right to exercise policing power. Furthermore it's up to the single districts or city states how they fill certain, important offices like judges (however, as pertains judges, those also have to be elected in a democratic fashion. How exactly the election process, responsibility and tenure of office are structured is different between each district and city state). Furthermore the districts and city states have the right (and obligation) under the constitution to their own armies. These militias answer to the governor of the districts or the mayors of the city states and their original purpose was mostly to

insure the new members of the Republic that they did not join a potentially tyrannical government completely without protection.

Economy and commerce laws:

The economy of the NCR is a free market, regulated by demand and supply (or, depending on which prewar-economist you ask, maybe rather ruined by supply and demand). The government, that is, the first president of the NCR, John Aradesh as well as his daughter Tandi that took over the government after his death and has since been reelected every five years, have never really interfered with the economy, neither to help the great economic enterprises of the nascent corporations, nor to help the middle class or the simple, lowest income, workers. Most newspapers and political analysts are assuming that the reason for this is relatively simple: a true economy that can really prosper in peace is something so new for the Wasteland, that it behooves to give it some time to get on a secure footing, before one starts interfering. Similar on how one does not expect a toddler, that just stopped crawling, to run a marathon.

It seems unnecessary to mention, that the newspapers and political analysts have differing views on whether or not the time is ripe to start meddling.

Even if the New California government has not directly intervened in the economy, there were several laws that massively impacted this part of life:

The *New Currency Act* introduced a real currency in 2196, the value of which was guaranteed by the government. For the first twenty years, the government guaranteed that for every dollar it gave out, it had the equal value of caps, establishing the value of a dollar as one cap. After twenty years in which the new dollar was able to establish itself, the *Revised New Currency Act* of 2216 changed things so that the government guaranteed to either have the equal value of each dollar in one form or another of fixed asset or had a capital creating asset inside it's borders.

The work contracts that are mostly, but not exclusively used by large companies like the Crimson Caravans, used for their unskilled laborers, might lead to some kind of forced labor, but are *not* viewed by Republican courts as slavery.

Political law:

The NCR is a federal republic with a two chamber system and an extremely strong executive branch. Since the NCR exists in dangerous times, there are only a few of the controls used by many democracies before the Great War, what used to be known in the time before in the USA as "checks and balances".

As a balance the republican parliament (that means, both chambers together) have control over the state's purse and the imposition of taxes. Furthermore, the fundamental human rights are guaranteed in the NCR constitution.

The judges of the highest court in the NCR are proposed by the government, but the parliament must appoint them (that means, the government wants person A; the parliament either allows that or not. If not, the government has to propose person B). The judges review the laws and executive orders of the federal government or even lower levels of the government and check whether or not they are conforming to the constitution or not. If they do not, the highest court may deem them invalid.

Example of use:

The following contains some examples for the use of laws inside the New California Republic:

The following gives examples that are likely to arise during a playthrough (that means the usual sins of players or things one can construct a nice adventure around). Like always and with every other RPG this holds true: be thankful to us for all the work we did on the world, but when you don't like the world, change it.

PS: The changing part still applies ONLY to the Master.

Murder and manslaughter:

The difference between murder and manslaughter is mostly dependent on the severity of the deed and by the question of whether or not intent and/or base motives like greed played a role. A drunken brawl in a bar, in which one of the participants hits the other on the neck instead of on the nose, is usually considered manslaughter. A person who suddenly pulls a gun during a bar brawl and without hesitation pumps his opponent full of lead, is rather accused of murder, since most people going out for a drink don't really have to carry a gun and this answer to getting shoved is a bit too much even for the Wasteland.

Autopsies, commonplace for all suspect dead bodies before the Great War, are only done in the largest settlements of the NCR and even there, not done with all dead bodies, but only with those where it appears that they were murder victims – and where the cause of death does not seem obvious.

However, while the investigators are not schooled in criminology and forensics at good prewar universities, they are schooled by practical experience and are rather good observers. Furthermore, while they may not know the Latin expression 'Qui Bono', they are experienced enough to know that with every murder, one should ask who had a reason to kill the victim.

As soon as the police has a suspect, after the usual collecting of evidence, (and usually temporarily jailed that person), they convince the prosecutor to indict. Is the town large enough to have a permanent, own judge, this worthy will convene a twelve people jury for every capital crime. If the town has no own judge, one from the next town will be asked to come – or the accused transported to that other town, to stand for trial there.

Once the jury is convened, the process begins. Through examination and counter examination of witnesses, experts and investigators the prosecutor and the defense lawyer then try to convince the jury of their point.

If the jury comes to the conclusion, that the defendant is guilty, the judge declares the sentence. The death sentence is only allowed for murder, rape, slavery as well as high treason, but even when the defendant broke those laws, it's usually only applied for especially severe deeds. Until the death sentence is carried out, the waiting period in death row is mostly around three months, to give the convict time to come to terms with his life. Life long imprisonment means exactly that in the NCR: until the end of natural life.

The NCR maintains several prisons, where they mostly make sure that the hardened criminals are kept away from the more short-term guests of the justice system. Prisoners get three meals a day, that are guaranteed to neither look nor taste good, but at least give the necessary strength to do the

work the prisoners are used for. The prisoners receive a basic, medical care and can earn small “luxury items” by good conduct (for example, cigarettes or small doses of alcohol) – or, with especially good conduct, even an early discharge.

Prisoners are used, among other things, for laying railroad tracks or the spanning and maintenance of power and telegraph lines.

The following example describes a rather complicated criminal case in the NCR, to give a practical overview into the capabilities and methods of the NCR police and justice system.

A dead body that is found in the early morning, with three dozen empty cases before his feet and over thirty gun shot wounds in his chest, neck and head in a side alley of the Hub has probably not died of old age – therefore, no one will perform a proper chemical analysis of his blood and determine, that he was shot after having died of a jet overdose and was shot to make someone else appear guilty. That there is something fishy about his death could be discerned by an investigator by the fact that the bullets hit the floor beneath the victim – which would only be possible, if the victim had already lain down, before he was shot.

The investigator immediately begins to research the circumstances of the victim, quickly finds the bar from which he must have come around dawn and has soon discovered the only two people in the surroundings of the victim, that own automatic weapons – both are caravan guards, that both despise each other. Guard one had had quite the altercation with the victim in the night the victim died, so he would clearly be the suspect. Furthermore, guard 1 can’t remember the whole night. Guard 2 has much better memories and furthermore an alibi: several friends of this guard, tell the investigator, that they went home together with guard 2.

The investigator notices, due to his experience, that guard 2 is a bit too gleeful and too eager to point out the altercation guard 1 had. He checks the alibi and concludes that one of the friends of guard 2 definitely did not go home with guard 2. The investigator interrogates this friend, ‘puts the screws on him’ to use the vernacular and thereby finds out about the jet overdose and the attempt to frame guard 1 for murder. While he is content to have prevented a wrongful accusation of murder he now has a problem: Desecrating a corpse is not a capital crime. It’s quite possible, that a judge would decide that a fine or a few months of prison would be penalty enough for guard 2. Since the investigator is of the opinion, that such an attempt at deception should be punished more severely, he digs deeper. He let’s a judge that agrees with him about the need for more punishment issue a search warrant and searches the whole accommodation of the victim, and quickly discovers several empty canisters of Jet, that all smell atypical.

A chemical analysis in a lab run by the Followers of the Apocalypse confirms his suspicion: the Jet was laced with radscorpion poison. An autopsy might prove that the victim died of poisoning, instead of an overdose, but his superior would rather not pay for the expense of an autopsy if it was not completely necessary.

The investigator interrogates guard 2 another time and presents (carefully, so that guard 2 can’t really read the text) the “autopsy report” that states poisoning as cause of death and he shows him the empty jet canisters with the following offer: “Confess and I will convince the prosecutor not to demand the death sentence.”

Guard 2 falls for the bluff and confesses everything: Murder, Desecrating a corpse, perjury when it came to his alibi, malicious deceit.

Guard 2 is thereupon kept in custody and transferred to the next prison for hardened criminals. Depending on when a date is free in court, it can take up to 4 weeks until the start of the process – and in the meantime, guard 2 is treated like every other hardened criminal in this prison.

The prosecutor demands, as promised, not the death sentence but life in prison. The assigned counsel can’t do much, since his client has already confessed. The proceedings take only one day (actually ten minutes, and even that only because there is a protocol that has to be followed) and at the end of the trial, guard 2 is returned to his prison, where he will spend his life with hard labor.

Theft & burglary as well as robbery:

The punishment for theft and burglary is dependent on the worth of the stolen item. It can go from a few months to several years of prison (aka: forced labor). With youths the punishment is usually rather short and often considered as time served by the time the trial starts. As to pick-pocketing, it's usually just a few weeks of prison. Supposedly, some teenagers and young adults have committed a particularly bad executed attempt at pick-pocketing to get two weeks of three meals a day.

For burglaries, the damage done by breaking and entering is added to the punishment: broken windows, damaged locks. Usually the punishment takes six months to several years for the burglary and theft alone. The punishment for the property damage is added to that.

Robberies are severely punished in the NCR. The punishment starts at 15 years of prison and goes up to life in prison. If someone dies during a robbery the probable punishment is life in prison for all involved. For the murderer self, the gallows is the probable punishment.

Smuggling:

Generally, with this crime, the question asked first is, what is smuggled. There are three possibilities:

- 1.) Controlled substances
- 2.) prohibited substances
- 3.) Everything else on which one didn't want to pay an importation tax.

Controlled substances:

Controlled substances are all radioactive materials and most medicines (including stimpaks). As to the radioactive materials, pretty much every part of them is controlled as to fear of 'dirty bombs', whereas with medicines it's mostly the quality that gets inspected. Problems with radioactive materials are extremely rare, since the New California Investigative Agency takes care of transport and security of such material.

With medicines there is a random sampling, that checks that no one tries to sell stimpaks filled with brahmin blood or sugar pills in antibiotics packages. Such attempts at deception are controlled at the borders and in large towns and they carry great punishments if discovered.

Prohibited substances:

Prohibited substances in the Republic are most drugs, especially Jet, for which people in New Reno constantly try to open a new market in the south. Those who smuggle, that is who brings in Jet or different drugs without a permit in large quantities is guilty of smuggling and is punished by imprisonment of 10 to 20 years (Buffout and a few other drugs are also used medicinal. The transport can be allowed by large hospitals and great trading houses, but is occasionally reviewed by the NCIA and other police agencies).

Often, the police offers the smugglers the chance to reduce their sentence by a large part, if they flip and offer information on the previous and next part of their supply chain.

Everything else:

The NCR is really an honest to god nation. No one who has ever seen the list of taxes and custom duties can doubt that. Among other things the importation of ammunition is taxed when it's more than 100 rounds. For people who aren't citizens of the NCR, it starts after 50 rounds. The custom duty is 1 \$ for every round after the 100th or respectively 50th round.

The same is true for stimpaks after three of them.

One firearm is free, afterwards it's 15 \$ per handgun, 25 \$ per rifle or shotgun and 50 \$ per heavy weapon. For NCR citizens the importation of two firearms is free.

The custom duties are meant for the Dungeon Master, so that he gets a simple method of taking money out of the pockets of the players. Those prices can always be adjusted or new ones added.