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200TH ANNIVERSARY
THE BILL OF RIGHTS

BACKGROUND

VIRGINIA'S ROLE IN THE FIGHT FOR OUR BILL OF RIGHTS

From 1775 to 1791, many great patriots worked long and hard to establish the government of the United States of America—dedicated statesmen from all of the original states worked to form a democratic republic. But no state's influence surpassed Virginia's in developing and passing the Constitution and the first 10 amendments which comprise the Bill of Rights.

- In 1776, Virginia was the first state to protect fundamental liberties with a written document—the Virginia Declaration of Rights. It became the model used by other states which adopted similar bills of rights during and immediately after the Revolutionary War and for the Bill of Rights added to the U.S. Constitution in 1791.

- Author of the Virginia Declaration of Rights was George Mason, who as a delegate to the Constitutional Convention, refused to sign the new Constitution because it did not contain a bill of rights to protect individual freedoms.

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Virginia's Role/Page 2

- George Washington, leader of the Colonial forces during the Revolutionary War, president of the Constitutional Convention of 1787, and first president of the United States, urged Congress to pass a bill of rights in his first inaugural address.

- Thomas Jefferson, author of the Declaration of Independence, called for a bill of rights while serving as U.S. ambassador to France.

But no national leader was more important in securing a bill of rights than James Madison.

- Madison, the "Father of the Constitution," drafted Washington's first inaugural address calling for a bill of rights.

- Madison, a member of the first House of Representatives, also wrote the congressional response to Washington's address, agreeing that a bill of rights should be added.

- Madison distilled the numerous suggestions made by state constitutional ratification conventions, strengthened the language, and introduced the articles which ultimately were ratified by the states as the Bill of Rights. Indeed, every provision in the Bill of Rights is based directly on Madison's original draft.

- After more than two years, on December 15, 1791—now known as "Bill of Rights Day"—Virginia was the 11th and final state needed to ratify the Bill of Rights—the first 10 amendments to our Constitution.



200TH ANNIVERSARY
THE BILL OF RIGHTS

BILL OF RIGHTS FACTS

1. New Jersey was the first state to ratify the Bill of Rights. The state ratified Articles 1 and 3-12 on November 20, 1789.
2. The adoption of the Bill of Rights required the ratification of 11 states. On December 15, 1791, Virginia provided the margin of victory.
3. In a letter to his son, George Mason wrote that he “would sooner chop off his right hand than put it to the Constitution as it now stands,” referring to the lack of a “bill of rights” as a part of the Constitution.
4. The federal copy of the Bill of Rights was stored at the State Department from 1814 until 1938, when it was transferred to the National Archives. The Declaration of Independence and the Constitution were not housed in the Archives until 1952.
5. Only five states ratified all twelve amendments of the Bill of Rights. They were Maryland, North Carolina, South Carolina, Vermont, and Virginia.
6. Articles 1 and 2 failed to receive the necessary approval for ratification. Article 1 would have required that there be at least one representative in Congress for every 50,000 people in the United States. That would give today’s Congress about 5,000 members. Article 2 would have required that no salary raise for members of the House of Representatives and the Senate could take effect until after the next election for Congress.

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Bill of Rights Facts/Page 2

- 7. In August of 1814, while the United States was again at war with Great Britain, Secretary of State James Monroe ordered an emergency removal of the Bill of Rights, the Declaration of Independence and the Constitution as British forces approached Washington. The documents and other records were packed in linen bags and transported by wagon across the Potomac River to Virginia, where they were hidden overnight in an old gristmill. The next day, while the troops attacked the capital city, the Bill of Rights and other documents were carried thirty-five miles west to Leesburg, Virginia, and stored there for several weeks until after the British left Washington; the papers were then returned to the city.**

- 8. Three states—Massachusetts, Connecticut and Georgia—did not ratify the Bill of Rights until the celebration of the sesquicentennial of the Constitution in 1939.**

- 9. During World War II, the Declaration of Independence and the Constitution were stored at Ft. Knox in Kentucky to ensure their safety. The Bill of Rights, however, remained at the National Archives.**

- 10. In 1941, President Franklin D. Roosevelt proclaimed December 15 as Bill of Rights Day.**

**Nomination of Quincy Mellon Krosby
To Be United States Alternate
Executive Director of the International
Monetary Fund**

May 9, 1991

The President today announced his intention to nominate Quincy Mellon Krosby, of New York, to be U.S. Alternate Executive Director of the International Monetary Fund for a term of 2 years. She would succeed Charles S. Warner.

Dr. Krosby currently serves as Assistant Secretary for Export Enforcement at the Department of Commerce in Washington, DC. Prior to this she was an economic officer and energy attaché for the U.S. Embassy in London, England.

Dr. Krosby graduated from the University of Minnesota, receiving a bachelor of arts degree and a master of arts degree, and the London School of Economics, receiving a doctoral degree in 1979. She was born August 3, 1948, in New York, NY. She is married, has five children, and resides in Washington, DC.

**Remarks Upon Receiving an Honorary
Degree From Princeton University in
Princeton, New Jersey**

May 10, 1991

Thank you all very much. This is indeed for me an honor. And the last time, save one, that I was on this campus, I was not treated quite so hospitably. [Laughter] It was out at the baseball diamond, I think in 1948. Crowded along the first baseline—it was very hostile, the way it worked in Princeton—were a bunch of hyperventilating, celebrating alumni.

And I remember standing there at first base, and a gigantic tiger—I think his name was Neil Zundel—came to the plate. He lofted an easy fly towards Yale's first baseman, me. And as I reached for the ball, the guy just sheer bowled me over—[laughter]—to the cheers of the Princeton alumni. [Laughter]

I was hurt, my pride was hurt. But p.s., Yale won the ball game. [Laughter]

So, how lovely today it is, though. And I view this degree as a very high honor from an institution for which I have unlimited respect. It is a great privilege for Barbara and me to be up with you today. I hear the rites of spring over my shoulder out there, but it wouldn't be normal in my job if we didn't hear those rites chanting out there. But I hope I bring peace and tranquility to your campus because you bring great joy to our heart, my formerly fibrillating heart.

Thank you very much.

Note: The President spoke at 10:35 a.m. in the faculty room of Nassau Hall.

**Remarks at Dedication Ceremony of
the Social Sciences Complex at
Princeton University in Princeton, New
Jersey**

May 10, 1991

Thank you all very much. Thank you. Please be seated. It's a great pleasure to be here. President Shapiro, your words were so kind that my heart almost went back into fibrillation. [Laughter] I salute you, sir, and I thank you for the honor bestowed on me.

To Governor Florio; and to the Members of the United States Congress that are here today; to Mrs. Shapiro, and the board of trustees; to Chairman Henderson; Dean Williamson; Associate Dean Morrow. And I'd also like to salute Princeton's former Presidents Goheen and Bowen. And I'm delighted to help dedicate this impressive complex.

Though I must say that I'm glad that this is May and not the first snowfall. I don't think Barbara would let me take place in your special brand of Olympics. [Laughter]

Seriously, I'm honored to receive an honorary degree from Princeton. Imagine: a son of Yale getting a Princeton degree. "Son of Yale"; you can snicker, but you ought to hear what they call me in Washington. [Laughter]

Governor Florio's comments brought back JFK's words when he said how lucky I was to have a Princeton degree, and I agree with him. You remember what JFK said, and I'll paraphrase it: I have the best of all

worlds: a Princeton degree and a Yale education. [Laughter] I knew that would not thrill the band, but you did a great job on "Hail To The Chief," thank you. [Laughter]

Well, Princeton is a great place. You know, Washington said, "No college has turned out better scholars or more estimable characters." That includes, of course, our last two Secretaries of State. Both have been outstanding public servants. Both love this university. But only one has a tattoo to prove it. [Laughter]

I'll always remember the time that I saw the globe inside the Woodrow Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we do set off tremors across the globe. And Princeton is blessed with real expertise in the study of the Presidency.

And I salute Professor Fred Greenstein, and it is with some temerity, therefore, that I give this talk that will touch on the Presidency.

I'd like to talk today about an American achievement that has inspired men and women worldwide, most recently, in Eastern Europe. I'm speaking of our Constitution. In the interest of brevity, I will focus on the roles of the two branches of Government in which I have had the honor to serve, the legislative—Congress—and the executive departments.

Consider the President's role. Thomas Jefferson once noted that a President commands a view of the whole ground, while Congress necessarily adopts the views of its constituents. The President and Vice President are the only officials elected to serve the entire Nation. It is the President who is responsible for guiding and directing the Nation's foreign policy. The executive branch alone may conduct international negotiations, appoint ambassadors, and conduct foreign policy. Our founders noted the necessity of performing this duty with "secrecy and dispatch," when necessary. The President also serves as Commander in Chief of our armed forces, as it was my role to do in the Persian Gulf.

This does not mean that the Executive may conduct foreign business in a vacuum. I have a great respect for Congress, and I

prefer to work cooperatively with it whenever possible. Though I felt after studying the question that I had the inherent power to commit our forces to battle after the U.N. resolution, I solicited congressional support before committing our forces to the Gulf war. So, while a President bears special foreign policy obligations, those obligations do not imply any liberty to keep Congress unnecessarily in the dark.

The President's view of the whole ground includes a second responsibility: shaping the Nation's domestic agenda. Presidents do this by submitting annual budgets to Congress, along with a comprehensive legislative program.

We've had our share of legislative successes. They include a budget agreement that reduces our borrowing requirements by nearly \$500 billion over the next 5 years, a Clean Air Act that invokes the power of the marketplace to help America breathe cleaner air, an Americans With Disabilities Act—landmark civil rights legislation that enhances the dignity of those with disabilities, a child care bill that puts more power and choice in the hands of parents when it comes to the care of their own children.

But Presidents may encourage change through means other than legislation. Our Points of Light campaign encourages the traditional American virtue of private service. Our America 2000 Education Strategy—which has been well-received across the land—involves dramatic reforms that don't make dramatic new claims on taxpayers' earnings. It draws on people's common frustration with an educational system that simply must do better. It encourages people to use their common sense and good old American ingenuity in creating better, revolutionary new schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves and their children, school by school, community by community.

Elsewhere, we've proposed turning programs back to States and localities. This enables people to craft the most appropriate solution for the problems that they confront in this diverse land of ours.

The point is simple: You don't always need to propose a new program to pursue a

national goal. Often a President can lead by encouraging the values of service, by helping foster a national spirit of commitment and responsibility.

For too long, pundits and special interests have equated vision with bureaucracy. I hope one of the hallmarks of our administration will be its ability to encourage not just good government but also a good society, one that draws upon and encourages the best instincts and ambitions and values of the American people.

The common thread of commitment—individual commitment—runs through all successful efforts to solve our most intractable problems. The individual who cares, who is determined to change things for the better, can make a difference. And all of us Americans ought to dedicate ourselves to making a difference.

While a President must take on today's problems and tomorrow's challenges, he also has an obligation to "preserve, protect, and defend" a 200-year-old system of constitutional government. The most common challenge to Presidential powers comes from a predictable source, represented here by several able Members of the United States Congress.

Although our founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports and hearings and documents and laws every year, they did understand that legislators would try to accumulate power. James Madison, your son—Princeton's son—warned that, "The legislative department is everywhere extending the sphere of its activity, and drawing all power into it impetuous vortex." That was Mr. Madison speaking, not President Bush speaking.

Sometimes this sort of competition falls entirely within the bounds of the Constitution. But consider the unnecessary requests and requirements that can waste the time and energy of the Executive.

Thirty years ago, we devoted nearly 9.5 percent of our gross national product to defense expenditures. And today, defense spending accounts for only 5.3 percent of our GNP. But congressional oversight has grown exponentially. One hundred and seven committees and subcommittees—107—oversee defense programs and spending. For fiscal year 1989, the Pentagon de-

voted 500 man-years and over \$50 million just to write reports responding to congressional queries on such items as plans for manning tugboats and accounting for the number of bands.

Defense staff has to respond yearly to more than 750,000 congressional staff inquiries. Other executive agencies exhaust their time and energy, often giving identical testimony to a whole battery of subcommittees and committees.

Oversight, when properly exercised, helps keep the Executive accountable. But when it proliferates wildly, it can confuse the public and make it more difficult for Congress and the President to do their jobs properly.

The Chief Executive also preserves, protects, and defends the Constitution through the use of the veto power. Six times in my Presidency, I have vetoed bills that would have weakened Presidential powers. In one case, for instance, Congress wanted to make the President disclose a wide variety of sensitive diplomatic contacts and discussions—as well as private discussions with the executive branch—and would have threatened to impose criminal sanctions on a wide range of normal diplomatic activities. I noted in my veto message that: "The result would be a dangerous timidity and disarray in the conduct of U.S. foreign policy. Such a result is wholly contrary to the allocation of powers under the Constitution."

Elsewhere, Congress has also taken aggressive action against specific Presidential powers, including the power to appoint or remove employees who serve at the President's pleasure. It sometimes tries to manage executive branch—micromanage the executive branch—by writing too-specific directions for carrying out a particular law. And when this happens, the President has a constitutional obligation to protect his Office and to veto the legislation. In addition, on many occasions during my Presidency, I have stated that statutory provisions that violate the Constitution have no binding legal force.

But there's another, often overlooked side of the veto power. Often vetoes encourage the Legislature to reconsider its actions. When I vetoed a minimum wage bill—and it wasn't an easy thing to do—I sought to

May 10 / Administration of George Bush, 1991

persuade Congress that a slightly lower rate would best serve the public interest. And in time Congress agreed. And when Congress bundles up a series of unrelated measures and calls it a single bill, it frustrates the President's constitutional role in resisting the influence of special interests: It is often impractical to veto a tremendous bill, a major bill, especially an appropriations bill because of unrelated riders that would never stand a chance on their own.

Bills of this sort can pose as much of a threat to Congress as to the President. And it has become an annual sport for reporters to pull peculiarities out of the vast spending bills, such as a Federal grant to study cow belches, or a Lawrence Welk Museum, and ask Congress to defend them. Quite often because of the added riders and the complexity of the whole bill, Members don't even know what they've voted for. They're so complex; things are added in the dark of the night.

I have sought, and will continue to seek, a line-item veto to prevent such embarrassments and protect the American people from injudicious appropriation. Right now 43 Governors have such a power. It works. The President ought to have that power, too. Some believe that I already have that power under the Constitution.

In closing, let me try to summarize my view of the Presidency. Presidents define themselves through their exercise of Presidential power. They must use their special authority to serve the whole Nation in matters of foreign and domestic policy. They must set a tone for governance, at once leading the people, yet following their desires. They must preserve, protect, and defend the Constitution. And they must encourage deliberative behavior on the part of Congress.

But the real power of the Presidency lies in a President's ability to frame, through action, through example, through encouragement, what we as a nation must do, what is required of communities and institutions, large and small, in schools and factories and the hundreds of daily acts of individuals.

The great joy and challenge of the Office I occupy—and believe me, I am honored every single day I walk into that Oval Office by the privilege of being President—

the great joy is that the President serves, not just as the unitary executive, but hopefully as a unifying executive.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us so that we may remain the freest, the most decent, the most prosperous, caring nation in the history of the world.

Thank you, and may God bless each and every one of you. And thank you for the honor you've bestowed on me.

Note: The President spoke at 11:25 a.m. In his remarks, he referred to president of the university Harold Shapiro and his wife, Vivian; James Henderson, chairman of the executive committee of the board of directors of the university; Joseph Williamson, dean of the chapel; Sue Anne Steffey Morrow, associate dean of the chapel; and Fred I. Greenstein, professor of politics and director; research program in leadership studies. A tape was not available for verification of the content of these remarks.

Proclamation 6290—Infant Mortality Awareness Day, 1991
May 10, 1991

By the President of the United States of America

A Proclamation

In the past, this Nation's high rate of infant mortality has stood in tragic contradiction to our enviably high standard of living and to our traditional reverence for human life. Fortunately, however, that unconscionable trend is changing. According to the Department of Health and Human Services, preliminary data indicate that the United States infant mortality rate in 1990 was 9.1 deaths per 1,000 live births—the lowest ever recorded and a substantial reduction over the past decade.

The infant mortality rate is affected by a number of different factors, including the failure of many pregnant women to obtain adequate prenatal care. Although the government cannot fulfill the primary responsibility of parents in caring for their children,

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133. *Address on Bill of Rights Anniversary*

force which has long menaced the world and which now has struck deliberately and directly at the safety of the United States.

133 ¶ “Having Taken Up Arms in the Defense of Liberty, We Will Not Lay Them Down Before Liberty Is Once Again Secure” — Radio Address Commemorating the 150th Anniversary of the Ratification of the Bill of Rights.

December 15, 1941

Free Americans:

NO DATE in the long history of freedom means more to liberty-loving men in all liberty-loving countries than the fifteenth day of December, 1791. On that day, 150 years ago, a new Nation, through an elected Congress, adopted a declaration of human rights which has influenced the thinking of all mankind from one end of the world to the other.

There is not a single Republic of this hemisphere which has not adopted in its fundamental law the basic principles of freedom of man and freedom of mind enacted in the American Bill of Rights.

There is not a country, large or small, on this continent and in this world which has not felt the influence of that document, directly or indirectly.

Indeed, prior to the year 1933, the essential validity of the American Bill of Rights was accepted everywhere at least in principle. Even today, with the exception of Germany, Italy, and Japan, the peoples of the whole world — in all probability four-fifths of them — support its principles, its teachings, and its glorious results.

But, in the year 1933, there came to power in Germany a political clique which did not accept the declarations of the

133. *Address on Bill of Rights Anniversary*

American bill of human rights as valid: a small clique of ambitious and unscrupulous politicians whose announced and admitted platform was precisely the destruction of the rights that instrument declared. Indeed the entire program and goal of these political and moral tigers was nothing more than the overthrow, throughout the earth, of the great revolution of human liberty of which our American Bill of Rights is the mother charter.

The truths which were self-evident to Thomas Jefferson — which have been self-evident to the six generations of Americans who followed him — were to these men hateful. The rights to life, liberty, and the pursuit of happiness which seemed to the Founders of the Republic, and which seem to us, inalienable, were, to Hitler and his fellows, empty words which they proposed to cancel forever.

The propositions they advanced to take the place of Jefferson's inalienable rights were these:

That the individual human being has no rights whatsoever in himself and by virtue of his humanity;

That the individual human being has no right to a soul of his own, or a mind of his own, or a tongue of his own, or a trade of his own; or even to live where he pleases or to marry the woman he loves;

That his only duty is the duty of obedience, not to his God, not to his conscience, but to Adolf Hitler; and that his only value is his value, not as a man, but as a unit of the Nazi state.

To Hitler the ideal of the people, as we conceive it — the free, self-governing, and responsible people — is incomprehensible. The people, to Hitler, are "the masses" and the highest human idealism is, in his own words, that a man should wish to become "a dust particle" of the order "of force" which is to shape the universe.

To Hitler, the government, as we conceive it, is an impossible conception. The government to him is not the servant and the instrument of the people but their absolute master and the dictator of their every act.

To Hitler the church, as we conceive it, is a monstrosity to be

destroyed by every means at his command. The Nazi church is to be the "National Church," a pagan church, "absolutely and exclusively in the service of but one doctrine, one race, one Nation."

To Hitler, the freedom of men to think as they please and speak as they please and worship as they please is, of all things imaginable, most hateful and most desperately to be feared.

The issue of our time, the issue of the war in which we are engaged, is the issue forced upon the decent, self-respecting peoples of the earth by the aggressive dogmas of this attempted revival of barbarism; this proposed return to tyranny; this effort to impose again upon the peoples of the world doctrines of absolute obedience, of dictatorial rule, of the suppression of truth, of the oppression of conscience, which the free Nations of the earth have long ago rejected.

What we face is nothing more nor less than an attempt to overthrow and to cancel out the great upsurge of human liberty of which the American Bill of Rights is the fundamental document: to force the peoples of the earth, and among them the peoples of this continent and this Nation, to accept again the absolute authority and despotic rule from which the courage and the resolution and the sacrifices of their ancestors liberated them many, many years ago.

It is an attempt which could succeed only if those who have inherited the gift of liberty had lost the manhood to preserve it. But we Americans know that the determination of this generation of our people to preserve liberty is as fixed and certain as the determination of that early generation of Americans to win it.

We will not, under any threat, or in the face of any danger, surrender the guarantees of liberty our forefathers framed for us in our Bill of Rights.

We hold with all the passion of our hearts and minds to those commitments of the human spirit.

We are solemnly determined that no power or combination of powers of this earth shall shake our hold upon them.

134. "To the President of the United States in 1956"

We covenant with each other before all the world, that having taken up arms in the defense of liberty, we will not lay them down before liberty is once again secure in the world we live in. For that security we pray; for that security we act — now and evermore.

NOTE: See Item 118, this volume, designating December 15, 1941 as for the President's proclamation Bill of Rights Day.

134 ¶ "To the President of the United States in 1956" — The President Writes About Colin P. Kelly, III. December 17, 1941

To the President of the United States in 1956:

I AM WRITING this letter as an act of faith in the destiny of our country. I desire to make a request which I make in full confidence that we shall achieve a glorious victory in the war we now are waging to preserve our democratic way of life.

My request is that you consider the merits of a young American youth of goodly heritage — Colin P. Kelly, III — for appointment as a Cadet in the United States Military Academy at West Point. I make this appeal in behalf of this youth as a token of the Nation's appreciation of the heroic services of his father, who met death in line of duty at the very outset of the struggle which was thrust upon us by the perfidy of a professed friend.

In the conviction that the service and example of Captain Colin P. Kelly, Jr., will be long remembered, I ask for this consideration in behalf of Colin P. Kelly, III.

POWELL TATE

A Cassidy Company

91 DEC 10 A 7:19

TO: ROBERT SIMON
 FROM: CAUDIA PETERS
 DATE: 12-9-91
 FAX #: 202-456-6218
 # OF PAGES: 1 to follow
 RE: CONFIRMED CENTRAL/EASTERN
 EUROPEANS FOR WUNCATION 12/16

Bob-

Thought this might be helpful.

FYI: Also, ~~Russia~~ USSR ambassador to U.S. & press attache are attending (Viktor Kompletov & George Oganov)

Dont know if this is useful

If you have any problems or questions regarding this fax, please contact at (202) 347-6633, FAX (202) 347-8713.

but -- I'll send tribits as I learn them.

CP.

Prosperity Conference Travel

Participant	Title	City	Republic
Yeghiazarian, Armen	Member of the State Economic Cmte.		Armenia
Stepanian, Vahe	Minister of Justice		Armenia
Ludchnikov, Svetoslav	Minister of Justice	Sofia	Bulgaria
Shentov, Ognian	Rector, Ctr. for Study of Democracy		Bulgaria
Christov, Lubomir			Bulgaria
Tanchev, Eugene	Dean, Sofia U. School of Law		Bulgaria
Kamlach, Milan	Dir., Leg. Dept., Minister of Justice		Czech
Kamenicka, Jana	Deputy to the Minister of Justice		Czech
Kocarnik, Ivan	Deputy Minister of Finance		Czech/Slovak
Palecka, Peter			Czechoslovakia
Mitter, Rein	Minister of Finance	Tallinn	Estonia
Raidla, Juri	Minister of Justice	Tallinn	Estonia
Bokros, Lajos	Chairman and CEO, Budapest Bank	Budapest	Hungary
Bogdan, Tibor	Deputy Minister of Justice	Budapest	Hungary
Oros, Paulina	Interpreter for Dr. Bogdan	Budapest	Hungary
Erzanov, Galichan	Minister of Justice	Aima-Ata	Kazakhstan
Juknevicus, Zenonas	First Deputy Minister of Justice		Lithuania
Chirca, Sergiu	Professor, Doctor in Economics	Chisinau	Moldova
Barbinjagra, Aleksel	Minister of Justice	Chisinau	Moldova
Dabrowski, Marek	Head of Privatization Commission		Poland
Lewandowski, Janusz	Minister of Ownership Changes		Poland
Glapinski, Adam	Minister of Construction		Poland
Danco, Jozef	Minister of Finance	Bratislava	Slovak
Bachar, Vladislav		Bratislava	Slovak
Posluch, Marian	Minister of Justice	Bratislava	Slovak
Stiffel, Harald	Deputy to the Minister of Justice	Bratislava	Slovak
Tarras-Wahlberg, Bjorn	Pres. Swedish Taxpayers Assn.	Stockholm	Sweden
Palm, Elisabeth	Justice of the European Court of Human Rights	Stockholm	Sweden
Savchenko, Oleksandr	Vice Pres., Ukrainian Nat'l Bank	Kiev	Ukraine

United States to observe these days with appropriate ceremonies and activities.

In Witness Whereof, I have hereunto set my hand this first day of July, in the year of our Lord nineteen hundred and eighty-seven, and of the Independence of the United States of America the two hundred and eleventh.

RONALD REAGAN

[Filed with the Office of the Federal Register, 3:19 p.m., July 2, 1987]

Note: The proclamation was released by the Office of the Press Secretary on July 2.

Proclamation 5675—National Literacy Day, 1987 July 2, 1987

By the President of the United States of America

A Proclamation

The ability to read and write is a true blessing and treasure. It enables us not only to discover and learn from the rich legacy of recorded human experience but also to understand and take full part in basic activities essential to daily life. Those who do not have these skills must forego many of life's possibilities, and society loses many of the contributions these people could otherwise make. Every American can be truly grateful to the dedicated citizens among us who give others the beautiful and lasting gift of literacy.

In the years since I created the Adult Literacy Initiative, more and more Americans have decided to help foster reading and writing skills. Volunteers and private-public partnerships do a great deal of good. Nevertheless, studies show that more needs to be done before "functional illiteracy" is a thing of the past, so we must continue our efforts to reach all who lack literacy.

The Congress, by Senate Joint Resolution 117, has designated July 2, 1987, as "National Literacy Day" and has authorized and requested the President to issue a proclamation in observance of this occasion.

Now, Therefore, I, Ronald Reagan, President of the United States of America, do hereby proclaim July 2, 1987, as National Literacy Day. I invite the Governors of every State, local officials, and all Americans to observe this day with appropriate ceremonies and activities to increase awareness about illiteracy and to encourage participation in programs to eliminate this problem.

In Witness Whereof, I have hereunto set my hand this second day of July, in the year of our Lord nineteen hundred and eighty-seven, and of the Independence of the United States of America the two hundred and eleventh.

RONALD REAGAN

[Filed with the Office of the Federal Register, 10:55 a.m., July 6, 1987]

Remarks Announcing America's Economic Bill of Rights July 3, 1987

If you would excuse me for a moment, I see that the uniform of the day has already been decided on. [At this point, the President removed his jacket.] Well, the Vice

President and distinguished guests, members of the administration and members of the team, before starting, I would like to thank Ollie delChamps, chairman of the

U.S. Chamber of Commerce, and the rest of you from the chamber for all your help on this event and all the help you've been over the years.

In 1776 John Adams predicted in a letter to his wife that every year the people of the United States would joyously celebrate their nation's independence with pomp and parade, with shows, games, sports, guns, bells, bonfires, and illuminations, from one end of the continent, he said, to the other. Well, tomorrow on the Fourth, it is easy to predict that the festivities and merriment that Adams foresaw, will be apparent throughout the width and breadth of our country. Many of you may look back, as I do, on the fond memory of last year when together we rededicated our beautiful lady, standing there with torch held high in New York Harbor. One of the opportunities this job affords me, and one for which I am most grateful, is representing you, my fellow countrymen, at such ceremonial events as the rededication of the Statute of Liberty, the marking of the D-day landings in Normandy, and now, this year, the commemoration of the 200th anniversary of the Constitution of the United States—remembrances that have a special place in the hearts of all who love liberty.

It is this love of liberty, at the heart of our national identity, that celebrates our separation [separates our celebration] of independence from those of most other nations. It's what made the struggle of our forefathers, a little over 200 years ago, different from any conflict that has ever happened before. Down through history, there have been many revolutions, but virtually all of them only exchanged one set of rulers for another set of rulers. Ours was the only truly philosophical revolution. It declared that government would have only those powers granted to it by the people.

It was a 33-year-old Thomas Jefferson who penned the words and constructed the phrases that captured the essence of it all. He wrote: "We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men,

deriving their just powers from the consent of the governed,—that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it. . . ." These inspired ideals are written on the walls of this memorial.

It was this revolutionary concept of representative government and individual rights, as well as the cause of national independence, to which the Declaration's signers pledged their lives, fortunes, and sacred honor. Each generation has done the same, and tomorrow we'll make that pledge again. Let no one charge, however, that ours is blind nationalism. We do not hide our shortcomings. Yes, we have our imperfections, but there are no people on this planet who have more reason to hold their heads high than do the citizens of the United States of America.

Our countrymen have the courage of conviction and an uncommon commitment to truth and justice; we as a people will not bow before dictator or king, but we kneel in prayer and gratefully acknowledge, as Jefferson so eloquently stated, that the God who gave us life also gave us liberty. Our society reflects decent and humane values that were passed to us by the settlers of a new land; Americans can be counted on to be generous—it's our way. We know these things, and we also know the United States of America remains the greatest force for human freedom on this planet, and we're darn proud of it.

We're still Jefferson's children, still believers that freedom is the unalienable right of all of God's children. It's so precious, yet freedom is not something that can be touched, heard, seen, or smelled. It surrounds us, and if it were not present, as accustomed to it as we are, we would be alarmed, overwhelmed by outrage, or perhaps struck by a sense of being smothered. The air we breathe is also invisible and taken for granted, yet if it is denied even for a few seconds, we realize instantly how much it means to us. Well, so, too, with freedom.

Freedom is not created by government, nor is it a gift from those in political power. It is, in fact, secured, more than anything

else, by those limitations I mentioned that are placed on those in government. It is absence of the government censor in our newspapers and broadcast stations and universities. It is the lack of fear by those who gather in religious services. It is the absence of official abuse of those who speak up against the policies of their government.

I'm a collector of stories that I can establish are told in the Soviet Union among their own people, showing something of their feeling about their situation. And one of these that I heard recently was an argument between an American and a Soviet citizen. And the American had said how he could stand down on a corner and shout right out to everybody his criticism of the Government. And the Soviet citizen said, "I can do that, too." He said, "The only difference between us is you will still be free after you've done it." [Laughter]

Jefferson so fervently believed that limited government was vital to the preservation of liberty that he used his influence to see to it that the Constitution included a Bill of Rights, 10 amendments that spelled out specific governmental limitations. "Congress shall make no law," the first amendment begins. And thus, the basic law of our land was meticulously constructed to limit government and, in doing so, secure the political rights of the freedom [people].

Inextricably linked to these political freedoms are protections for the economic freedoms envisioned by those Americans who went before us. While the Constitution sets our political freedoms in greater detail, these economic freedoms are part and parcel of it. During this bicentennial year, we have the opportunity to recognize anew the economic freedoms of our people and, with the Founding Fathers, declare them as sacred and sacrosanct as the political freedoms of speech, press, religion, and assembly. There are four essential economic freedoms. They are what links life inseparably to liberty, what enables an individual to control his own destiny, what makes self-government and personal independence part of the American experience.

First is the freedom to work—to pursue one's livelihood in one's own way, to choose where one will locate and what one will do to sustain individual and family needs and

desires. I recently heard a statement by a eminent scholar in our land who visited the Soviet Union recently. He is fluent in the Russian language. But on his way to the airport here, he recognized the youth of the cabdriver and got into conversation, found out he was working his way through college, and he asked him what he intended to be. And the young man said, "I haven't decided yet." Well, by coincidence, when he got to the Soviet Union and got in a cab, he had an equally young cabdriver. And speaking Russian, he got in conversation with him and asked the same question, finally, about the young man, what did he intend to be? And the young man said, "They haven't told me yet." [Laughter]

Well, second of those freedoms is the freedom to enjoy the fruits of one's labor—to keep for oneself and one's family the profit or gain earned by honest effort.

Third is the freedom to own and control one's property—to trade or exchange it and not to have it taken through threat or coercion.

Fourth is the freedom to participate in a free market—to contract freely for goods and services and to achieve one's full potential without government limits on opportunity, economic independence, and growth.

Just as Jefferson understood that our political freedoms needed protection by and from government, our economic freedoms need similar recognition and protection. Those who attain political power must know that there are limits beyond which they will not be permitted to go, because beyond that point their intrusion is destructive of the economic freedom of the people. We must insist, for example, that there be a limit to the level of taxation, not only because excessive taxation undermines the strength of the economy but because taxation beyond a certain level becomes servitude. And in America, it is the Government that works for the people and not the other way around.

Now, in the same vein, regulation of an individual's business or property can reach a degree when ownership is nullified and the value is taken. Our administration has argued in the courts that if the Government takes private property through regulation,

the "just compensation" clause of the Constitution requires that the owner must be duly paid. There's nothing more encouraging to those who believe in economic freedom than last month's Supreme Court decisions which reaffirm this fundamental guarantee. Property rights are central to liberty and should never be trampled upon.

The working people need to know their jobs, take-home pay, homes, and pensions are not vulnerable to the threat of a grandiose, inefficient, and overbearing government—something Jefferson warned us about 200 years ago. It's time to finish the job Jefferson began and to protect our people and their livelihoods with restrictions on government that will ensure the fundamental economic freedom of the people—the equivalent of an Economic Bill of Rights. I'm certain if Thomas Jefferson were here, he'd be one of the most articulate and aggressive champions of this cause. The reason I'm certain is that in 1798 he wrote: "I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its Constitution; I mean an additional article taking from the Federal Government the power of borrowing."

The centerpiece of the Economic Bill of Rights, the policy initiative we launch today, is a long-overdue constitutional amendment to require the Federal Government to do what every family in America must do, and that is live within its means and balance its budget. I will again ask Congress to submit a balanced budget amendment to the States. And if the Congress will not act, I'll have no choice but to take my case directly to the States.

The package of fundamental reforms we propose will go a long way to secure the blessings of liberty. Taxation, for example, is more than mathematical calculations. It is the harnessing of free people; it is forced labor; and if it goes beyond reasonable bounds, it is a yoke of oppression. Raising taxes, then, should be serious business. It should not be done without a broad national consensus. We propose that every American's paycheck be protected—as part of a balanced budget amendment—by requiring

that tax increases must be passed by both Houses of Congress by more than a mere majority of their Members.

Our forefathers fought for personal and national independence, yet 200 years later, our own overly centralized government poses a threat to our liberty far beyond anything imagined by the patriots of old. We offer two approaches to turning the situation around, both encompassed in our proposals. One is to reduce the size and scope of the Federal Government. This is an ongoing battle. We will be relentless in steadily reducing spending until a balanced budget is achieved.

But also, as part of our initiative, we propose to prune judiciously from the Government that which goes beyond the proper realm of the state. I will, by Executive order, establish a bipartisan Presidential commission on privatization to determine what Federal assets and activities can and should be returned to the citizenry. At the same time, I will order the executive branch to find additional ways for contracting outside of government to perform those tasks that belong in the private economy.

We must also reexamine existing Federal policies to ensure that they help, not hinder, all Americans to participate fully in the opportunities of our free economy. We need to replace a welfare system that destroys economic independence and the family with one that creates incentives for recipients to move up and out of dependency.

Now, the second thrust is structural and procedural reform. We propose changes that will ensure truth in spending by requiring every new program to meet this test: If congressional passage of a new program will require increased spending, it must be paid for at the same time, either with offsetting reductions in other programs or new revenues. Citizens of this country, as well as State and local governments, also have a right to be fully informed as to what Federal legislation will do to them, what costs will be required for fulfilling the will of Congress. Full disclosure of such costs up front may well temper the desire to overregulate and overlegislate.

Reform must go to the heart of the prob-

lem. The integrity of the decisionmaking process as envisioned by our Founding Fathers has broken down and is in drastic need of repair. The veto power of the President, for example, is no longer the potent force for fiscal responsibility as set down in the Constitution. This was clear last year when all government appropriations were thrown into one gigantic, catchall resolution. And for me, it was a take-it-or-leave-it, all-or-nothing choice—doing damage to long-respected constitutional checks and balances. The first step in reestablishing these checks and balances is giving the President the authority to cut out the fat, yet leave the meat, of legislation that gets to his desk. And the President deserves the same tool for budgetary responsibility that is now in the hands of 43 Governors, a tool I used effectively as Governor of California—the line-item veto.

Today we begin a drive to protect economic freedom in the United States. We commit ourselves to do our utmost to bring about fundamental reform, reform that will ensure the liberty we hold so dear. Standing here, with Jefferson looking over my shoulder, looking out at the Lincoln and the Washington Memorials and the White House straight ahead and, in the distance, the Capitol, one can't but appreciate that all freedom is mutually reinforcing. Perhaps a more specific delineation of economic freedom was always needed, but today it's imperative. Our citizens were always skeptical of government. Jefferson looked at Congress and noted that no one should have expected 150 lawyers to do business anyway. [Laughter] My apologies to lawyers present. But the Federal Government's role was severely limited; the future was in the hands of the people, not the Government. And that's the way our forebears wanted it.

Jefferson, in his first inaugural, spoke for his countrymen when he said: "A wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, shall not take from the mouth of labor the bread it has earned. This," he said, "is the sum of good government." Well, that vision of America still guides our thinking, still represents our ideals.

What we begin today is not a maneuver or an attempt to achieve short-term goals with lofty pronouncements. Our proposals are consistent with what we've been doing; in fact, they'll help secure the progress that we've made. They're basic to the philosophy that brought me into public life, and for the rest of my public life, I'll pursue the goals we've set forth in this Economic Bill of Rights.

Our specific proposals, 10 in all, will go a long way toward putting economic freedom under the protection of the law. And even if we achieve what we've set out to do in bits and pieces, rather than in one fell swoop—as happened with the Bill of Rights to the Constitution—each victory will make freedom more secure. Ours is a vision of limited government and unlimited opportunity, of growth and progress beyond what any can see today. A saying in colonial times suggested there are two ways to get to the top of an oak tree, where the view is much better. One is to climb; the other is to find an acorn and sit on it. [Laughter] Well, I didn't come to Washington to sit on acorns. [Laughter] It's time to roll up our sleeves and start climbing.

I see many familiar faces here, and I want to thank you all for all you've done in these last 6½ years. Together, we've climbed some mighty oaks. We've worked, sweated, and strained to carry our cause to new heights, helping each other along the way, ever faithful to our principles. I'll always remember and be grateful to you.

In the early days of the American Revolution, no two individuals worked more diligently together than did Thomas Jefferson and John Adams. Yet once our country attained its independence and once partisan politics set in—and it set in early—they drifted apart; in fact, they became bitter political enemies. Last Fourth of July, I related the story of how those two old gentlemen, heroes both, rekindled their friendship in their twilight years, corresponding regularly, writing affectionately of the many memories they shared, and, yes, discussing their beliefs and values. Both of these men, giants to us but mortal to be sure, died within hours of each other. It was July 4th, exactly 50 years from the date of the Decla-

July 3 / Administration of Ronald Reagan, 1987

ration of Independence. It's reported that John Adams' last words were, "Thomas Jefferson survives." History tells us, however, that Jefferson had died shortly before John Adams passed away.

But Adams was right. All of us stand in tribute to the truth of those words. We proclaim it again and again with our dedication to keeping this a land of liberty and justice for all, and through our deeds and actions,

to ensure that this country remains a bastion of freedom, the last best hope for mankind. As long as a love of liberty is emblazoned on our hearts, Jefferson lives.

Thank you all. God bless you all.

Note: The President spoke at 10:06 a.m. at an Independence Day celebration at the Jefferson Memorial.

America's Economic Bill of Rights *July 3, 1987*

Preamble

The Founding Fathers of our country knew that without economic freedom there can be no political freedom. Their rallying cry of "No taxation without representation" reflects that fundamental precept. They knew that the right to earn your own keep and keep what you earn is central to America's understanding of what it means to be free. This country was built by people seeking to support themselves and their families by their own labor, people who treasured the right to work and dispose of their earnings as they saw fit, people who were willing to take economic risks.

Over the past 40 years, however, the growth of government has left our citizens with less control over their economic lives. What America needs now is an Economic Bill of Rights that guarantees four fundamental freedoms:

- The freedom to work.
- The freedom to enjoy the fruits of one's labor.
- The freedom to own and control one's property.
- The freedom to participate in a free market.

To secure these freedoms, I propose the following initiatives:

The Freedom to Work: You have the right to pursue your livelihood in your own way, free from excessive government regulation and subsidized government competition.

1. To reduce subsidized government com-

petition with private citizens, I will establish a bipartisan Presidential Commission on Privatization to identify government programs and activities that can be accomplished more effectively in the private sector. I will also instruct the executive branch to find additional ways for contracting outside the government to perform those tasks that belong in the private sector. As to those activities that should properly remain in the government, I have asked the President's Council on Management Improvement to accelerate its productivity improvement program by 1 year and to adopt private sector practices where they would promote efficiency.

2. To reduce the burden of government regulation, I have reconstituted the Task Force on Regulatory Relief, chaired by the Vice President, to root out unnecessary restrictions on the individual's pursuit of a livelihood.

The Freedom to Enjoy the Fruits of Your Labor: You have the right to keep what you earn, free from excessive government taxing, spending, and borrowing.

3. To protect you from overborrowing by the government, I will ask the Congress to adopt a balanced budget amendment, a line item veto, and legislative changes that will restore integrity to the congressional budget process.

4. To protect you from overtaxing by the Government, I will propose as part of the balanced budget amendment submitted to

Congress, a requirement for a supermajority vote by Congress before your taxes can be raised. This reform will help make permanent our recent progress in lowering your tax rates, broadening the tax base to ensure fairness, and indexing rates so that inflation cannot push taxes back up.

5. To protect you from excess spending by the Federal Government, I will propose Truth in Federal Spending legislation that will:

A. Require that every new program established by legislation increasing Federal spending be deficit-neutral by including equal amounts of offsets.

B. Require that every piece of legislation mandating an increase in private sector costs or imposing new regulations include a financial impact statement detailing:

- The impact on private costs;
- The impact on prices for the consumer;
- The effect on employment;
- The impact on the ability of U.S. industries to compete internationally.

C. Require that every piece of legislation forcing increased expenditures by State and local governments include an assessment of the spending impact, the likely source of funding, and the ability of these governments to fulfill the mandates of the legislation.

The Freedom to Own and Control Your Property: You have the right to keep and use your property, free from government control through coercive or confiscatory regulation.

6. To protect your right to own and use your property, my administration will pursue our successful efforts in the courts to restore your constitutional rights when the government at any level attempts to take your property through regulation or other means.

7. To protect intellectual property and to encourage creativity, I will urge that the Congress act on my proposals to provide adequate domestic and international protec-

tion to Americans who create new ideas and invent new goods and services.

Freedom to Participate in a Free Market: You have the right to contract freely for goods and services and to achieve your full potential without government limits on opportunity, economic independence, and growth.

8. To reform the present welfare system that promotes dependency and destroys families and communities, I have proposed a welfare reform initiative that will lift the least fortunate among us up from dependency by creating incentives for recipients to become independent of welfare as full participants in the American economy.

9. To prepare our youth for participation in today's economy, I will ask the Congress and the States to enact proposals that will protect the rights of parents to guide their children and select from a broad array of educational options that emphasize excellence, character, and values. I will also promote programs to assist problem students to complete their education and to encourage dropouts to return to school.

10. To arm American workers and businessmen for full participation in an increasingly complex world economy, I will press for the Congress to act on my trade, employment, and productivity proposals to:

- Increase job retraining and other initiatives which improve opportunity for the American worker.
- Encourage science and technology by increasing support for basic research and development.
- Enact antitrust, product liability, foreign corrupt practices, and other regulatory reforms that place American enterprise on a level playing field with foreign competitors.
- Improve America's ability to secure free and fair trade without resorting to protectionist measures that destroy jobs and harm the consumer.

SABRE FOUNDATION, INC.

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November 26, 1991

FACSIMILE TRANSMISSION

from: LEE AUSPITZ

to: GENE SCHAERR

at: C/O BOYDEN GRAY
202/456-7929

no of pages (including this one): 2

message:

As promised a description of the plans in train for Madison's Montpelier for use and background as speech material. I have asked Jim Davison and David Keating of the National Taxpayer's Foundation (543-1300) to send you a program schedule for the conference of Eastern European ministers and constitution-writers that will precede the President's visit, and also other speech materials under the head of "Prosperity and the Rule of Law". Jack Walter's office (673-4105) at the National Trust for Historic Preservation should have now sent you a memorandum adopted by the Trust, "Mr. Madison's Decade" that includes some material on Madison's intellectual heritage.

TO: GENE SCHAERR
FROM: LEE AUSPITZ

RE: PLANS FOR MADISON'S MONTPELIER

Background: The National Trust for Historic Preservation has launched a coordinated plan to make Montpelier, the James Madison estate, a central focus of its efforts during the coming ten years. The property will be treated in a way unusual for house museums and presidential homesteads. In addition to physical renovation and public visitation programs, the National Trust will found at the property an intellectual center to continue a "Madisonian tradition" of constitutional and related studies.

A Living Constitutional Mission: Montpelier will thus have an intellectual mission unique in the treatment of presidential residences-- a mission especially appropriate to the contribution of James Madison to America's constitutional heritage. Montpelier will house a living intellectual center devoted not merely to studies about Madison but to contemporary work in a Madisonian tradition, as exemplified in his seminal essays in The Federalist, his Notes on the Constitutional Convention, his central role in the development and ratification of the Bill of Rights, and his tenure as President and Secretary of State. The center will draw international fellows as well as American practitioners to Montpelier to discuss and reflect upon the future of free institutions. A program of long- and short-term resident fellows, conferences, colloquia and publication will give continuing force to America's constitutional traditions.

Presidential Visit: The announcement of this program will occur during the Presidential visit to Montpelier in commemoration of the bicentennial of the Bill of Rights on December 16, 1991. The president's address at a luncheon will also be the closing session of a conference of Cabinet ministers and constitution-writers from 14 Eastern European countries and Soviet republics. Their presence illustrates the continuing vitality of the America's constitutional heritage. At the same time a comprehensive \$30 million physical renovation of the Madison mansion, the surrounding 2700-acre estate and more than 130 out-buildings and residences will be announced by the Secretary of the Interior in a partnership involving the Foundation for James Madison's Montpelier and the National Park Service.

Relation to Bush Administration Programs: The Montpelier opportunity enables the President's to underline his constitutional philosophy of strong but limited government, identify himself with the "Father of the Constitution", and also underline his work in "Preserving America's Heritage", a category in this year's and last year's budget.

Handwritten notes:
J. M. K. [unclear]
Myra
Leonard
K. Chandra [unclear]

Suggested Outline Of Montpelier Speech

o As we celebrate the 200th anniversary of the Bill of Rights, it is important to remember the structural and philosophical foundations that guarantee and give meaning to the various freedoms -- such as free speech, free exercise of religion, and the right to a fair trial -- that are expressly protected by the Bill of Rights.

- Most constitutions -- including those of the communist regimes that, until recently, ruled most of Eastern Europe -- purport to provide most of the individual freedoms protected by our own Bill of Rights. What is different about the American Constitution is that it also implemented a structure and a philosophy that have so far protected these freedoms effectively.
- Three of these foundations, however, are under attack in Washington. Their demise would undermine, if not destroy, the basic freedoms that we celebrate today.

Madison vs. the Founders

o Limited Government. One of the foundations of the entire Constitution was the idea that the national government was to have limited responsibilities and powers. Obviously, the fewer responsibilities and powers any government has, the less of a threat it poses to individual liberty.

- Madison and most of the other Founders believed that the federal government would have such a limited reach that a bill of rights was not even needed. [Madison quotes from 1787 convention, Virginia ratifying convention]
- Today, most of our national leaders in Washington seem to have replaced the Founders' vision of limited government with a vision of pervasive government. Most Washington politicians would like the federal government to regulate everything from child care facilities to the price of corn in Iowa. Such a vision poses an obvious threat to individual liberty.
- It also threatens the economic well-being of our Nation. In 1800, the federal budget was ___ percent of our gross national product. Today that figure is over 25 percent. And this does not even count the enormous indirect costs imposed by the government, such as the cost of complying with government regulations.

o Parity of Economic and Intellectual Freedom. Another foundation of our constitutional system was the related idea that economic liberty and prosperity are as important to "the pursuit of life, liberty and happiness" as intellectual freedom. Government, as Madison put it, should give "free scope to industry."

- One of the principal purposes of the original Constitutional Convention of 1787 was to create a political order more conducive to economic prosperity than the Articles of Confederation had been. The original Constitution promoted economic prosperity by, among other things, abolishing trade barriers and other obstacles to economic growth; by providing for the protection of patents and copyrights; and by setting up a legal system for the efficient resolution of disputes among citizens of different states.

- The Bill of Rights contained additional measures -- the takings and due process clauses of the Fifth Amendment -- that were designed to promote economic prosperity by protecting property rights.

- Today, all three branches of the federal government make every effort to protect intellectual freedom, as well they should. However, Congress in particular seems to have lost the Founders' vision of the importance of economic liberty and economic prosperity. Instead, Congress all too often:

(1) attempts to erect or maintain trade barriers;

(2) passes statutes that drain from the economy billions of dollars a year in legal expenses, either by adding new legal causes of action or by bucking difficult policy issues to the courts;

(3) burdens the economy with unnecessary regulation; and

(4) refuses to remove one of the most serious obstacles to economic growth, namely, high taxes on capital gains.

*Interstate Commerce
clause keeps
us from being
tariffs or
non-tariff
trade barriers
among
states*

o Equal Application of the Laws. Yet another foundation of our constitutional system was the Founders' assumption that members of Congress would be fully subject to any laws they passed, and would therefore have a powerful incentive to ensure that the federal government did not trample on individual rights.

Fachins

- In Federalist 57, Madison invoked this assumption to rebut the charge that Congress would sacrifice the interests of the many "to the aggrandizement of the

*Speer
in his groups
vs. equal appl. of law*

few." A ruler's subjecting itself to the same rules as it imposes on the public, in Madison's words, had "always been deemed one of the strongest bonds by which human policy can connect the rulers and the people together," creating between them "that communion of interests and sympathy of sentiments . . . without which every government degenerates into tyranny."

- Today, however, Congress frequently exempts itself from laws that it imposes on private citizens and the Executive branch. Examples include laws against discrimination based on race, sex, religion, national origin, disability, and age; the independent counsel law; and most parts of the Privacy Act. No practice poses a greater threat to the freedom of ordinary citizens.

- o I hope that those of you who are now writing constitutions for the nations of Eastern Europe will remember these structural and philosophical foundations as you complete your work. And I hope that we in the United States will remember -- and return to -- the foundations that have so far made the Bill of Rights a reality rather than an empty promise.

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CLAUDIA B. PETERS

TO: ROBERT SIMON
FROM: CLAUDIA PETERS
DATE: 12-9-91
FAX #: 202-456-6218
OF PAGES: 26 w/cover sheet -
RE: BACKGROUND INFORMATION -

MONTPELIER, JAMES MADISON,
THE BILL OF RIGHTS.

Bob
I've the information
promised. let me know
if I can get you
anything else.

If you have any problems or questions regarding this fax, please contact
at (202) 347-6633, FAX (202) 347-8713.

Claudia

MONTPELIER, PAST, PRESENT AND FUTURE

by

Frank E. Sanchis

With Montpelier as our guide, the National Trust is engaged in an ongoing "Search for James Madison." Yet the opposite is also true. With Madison as our guide, we are engaged in a search for Montpelier.

Actually, three guides are helping us in this search. James Madison Sr., who built the original house in 1755, is one. President Madison, who twice expanded it, is another. And William duPont, whose turn-of-the-century additions turned a colonial home into a country estate, is the third. Montpelier today incorporates the homes of all three men.

To be sure, deciding how to interpret and present three distinctly different homes-in-one is an unusual challenge, one we are meeting step by step. Step one, for example, was to make the building safe so the public could witness our "search" for Madison.

Fortunately, our date for opening Montpelier coincided with the bicentennial of the Constitution. Given Madison's contribution to that document, we were awarded a \$1 million grant by the Bicentennial Commission and a comparable grant from the Commonwealth of Virginia. This money enabled us to improve access for the disabled, as well as overhaul the fire detection, sprinkler, electrical and sewage systems.

This made Montpelier safe, if not entirely sound. A new roof is our next priority and will require more than half a million dollars. In addition, the house is in poor condition cosmetically, partly because of our decision to use scarce funds for safety measures, but mostly because we decided against restoring the house until we clearly understood its architectural

history.

This challenge has gone through several phases. With grant money from various foundations, we began a detailed analysis of Montpelier's interior surface, as well as an investigation of the building's physical structure. This taught us a great deal about how the building evolved from one period to another as each new owner put his personal stamp on it. One way we use this knowledge is by "recreating" with cut-out drawings the places where the doors, windows and walls of Madison's dining room were once located. We are also doing extensive archeological work on the grounds.

Today, we are in the process of deciding how, and to what extent, we will present Montpelier as the home of both the Madison family and the duPont families. Essentially, we aim to present to the public a Montpelier that is primarily Madisonian on the inside, while preserving the exterior grounds, gardens and other structures as the duPonts left them.

Because Montpelier is not a conventional museum property, we are not interpreting it in a conventional way. How fortunate we are, and how fitting it is, that Madison's genius for fashioning a government that incorporates the many facets of human nature guides us in our approach to the interpretation and presentation of a many-faceted historic place.

Frank E. Sanchis is the Vice President of Stewardship of Historic Properties of the National Trust for Historic Preservation.

**VIRGINIA RATIFIES BILL OF RIGHTS:
TEN AMENDMENTS TO CONSTITUTION BAR ABUSES
BY NATIONAL GOVERNMENT**

RICHMOND, Va., Dec. 15, 1791 -- The United States has a Bill of Rights today after the Virginia State Assembly made the Old Dominion the 11th state to ratify a package of ten Constitutional amendments designed to prevent abuses of power by the national government. Approval by at least three-fourths of the 14 states was required to add the amendments to the two-and-one-half-year-old U.S. Constitution.

The amendments say Congress may not interfere with freedom of speech or freedom of the press, or establish an official religion. They guarantee the right to a speedy trial by jury, as well as the right to hear and question opposing witnesses. They also bar prosecution for the same crime twice. Government authorities are prohibited from "unreasonable searches and seizures" of citizens and their homes and must show "probable cause" in order to obtain a legal permission for a search. The quartering of soldiers in private homes and "cruel and unusual punishment" are also forbidden. Noting the need for states to maintain militia, the second amendment says "the right of the people to keep and bear arms shall not be infringed."

In addition to these specific guarantees, which were modeled on the Declaration of Rights in the Virginia Constitution, the ninth amendment says the failure to explicitly list certain rights "shall not be construed to deny or disparage others retained by the people." The tenth amendment adds that powers not expressly granted to the national government by the Constitution remain with the states.

Virginia, home state of President Washington, was among several jurisdictions that virtually demanded adoption of a Bill of Rights in return for ratification of the Constitution in

1788. Patrick Henry, the leader of Virginia's Anti-Federalist party that opposed the Constitution, said at that time that "the rights of conscience, trial by jury, liberty of the press, all your communities and franchises, all pretensions to human rights and privileges are rendered insecure, if not lost" because of the proposed Constitution.

Virginia's adoption of the Bill of Rights was a huge personal triumph for U.S. Representative James Madison of Orange, Va., who assembled the amendments and guided them through Congress. Madison, regarded as the principal author of the Constitution, has been a sound and consistent advocate of strong central government. He was instrumental in convening the Constitutional Convention that discarded the Articles of Confederation, faced down Henry and the Anti-Federalists in Virginia, and joined Treasury Secretary Alexander Hamilton in leading the national campaign for the new Constitution.

Madison said adoption of the Bill of Rights should calm the fears of those who believe the national government could become the tool of despots and trample the rights of the states and their citizens. He said explicitly listing Americans' rights in the Constitution "may be one means to control the majority from those (tyrannical) acts which they might be otherwise inclined."

Madison initially opposed a Bill of Rights, but reversed himself in order to win ratification of the Constitution. Political leaders in many states including Madison's home state agreed to support the Constitution only in exchange for pledges to add a Bill of Rights.

Convinced that success of the new government required the widest possible public support, Madison told Congress that a Bill of Rights should be adopted "if we can make the Constitution better in the opinion of those who are opposed to it, without weakening its frame, or abridging its usefulness." Under his prodding, the national legislature produced a set of 12

amendments and submitted them to the states for approval in September 1789. With Virginia's vote, ten of the amendments are now part of the Constitution.

The amendments were previously ratified by New Jersey, Maryland, North Carolina, South Carolina, New Hampshire, Delaware, New York, Pennsylvania, Rhode Island, and Vermont. Connecticut, Georgia and Massachusetts have not acted.

CENTRAL AND EASTERN EUROPE:**THE MADISONIAN MOMENT**

by

A.E. Dick Howard

The advent of constitutional democracy in Central and Eastern Europe demonstrates the power of ideas. Nearly a half-century of alien domination did not insulate Poles, Hungarians, Czechs, Slovaks and others in the region from yearning to live in freedom and human dignity - an aspiration that knows no national boundaries.

As drafters in Central and Eastern Europe turn to the making of constitutions and bills of rights, they join in a process with an ancient ancestry. Hungary's Golden Bull of 1222, like England's Magna Carta only seven years before, is an early example of a search for ways to restrain the abuses of power. Poland's great constitution of May 3, 1791, was another landmark on the road to constitutionalism.

Modern notions about constitutional government owe much to the work of the American founders. The great experiment that produced the Constitution of the United States and the Bill of Rights for Virginia generated intense interest across the Atlantic. George Mason's 1776 Declaration of Rights for Virginia influenced not only the other American states but also the 1789 French Declaration of Rights of Man and the Citizen. When the Swiss, more than a half century later, drafted their 1848 Constitution, they drew heavily upon the insights that James Madison and his colleagues built into the U.S. Constitution.

The American drafters owed a great debt, of course, to European thinkers and ideas. From the British Constitution, Americans derived the concept of due process of law. John

Locke's writings nurtured the idea of a constitution as a social compact. In shaping the separation of powers, Americans drew upon the inspiration of Montesquieu — the "great oracle," as Madison called him.

As Americans celebrate the bicentennial of their Constitution and Bill of Rights, the peoples of Central and Eastern Europe are having their own Madisonian moment. Drafters in Prague, Warsaw and other capitals debate issues of constitutional government that would be familiar to any student of American history.

The constitutional drafter must decide what principles are sufficiently fundamental to be included in a constitution. A constitution is not a code of laws, as the Philadelphia framers understood. Yet the architects of a constitution will find themselves under pressure to write a document that looks like a political party's platform.

What should a constitution say about executive power? About the legislative process? What rights should be proclaimed? How is the constitution to be enforced? These are the kinds of questions that tested the skills of the framers of 1787, and they are the questions that surface two hundred years later.

Constitutional democracy however, requires more than a good constitution. Making reality of consent of the governed requires a multi-party system and fair and free elections. The open society depends upon robust debate and a free press. The army, the police, and other organs and officials of government must accept restraints that respect human dignity and individual freedom.

Ultimately, the success of constitutionalism in Central and Eastern Europe turns -- as it does in the United States — on a mature civic spirit. Leaders with the moral authority of a Václav Havel or an Arpad Goncz can play their part. But the vitality of constitutional

government rests, above all, on how well the people themselves understand its premises and challenges.

A nation neglects civil education at its peril. "What spectacle," asked Madison, "can be more edifying, or more seasonable, than that of Liberty and Learning, each leaning on the other for their mutual and surest support?" As the nations of Central and Eastern Europe work with the bricks and mortar of constitutionalism, they remind free people everywhere of the never-ending commitment that liberty entails.

A.E. Dick Howard is the White Burkett Miller Professor of Law and Public Affairs at the University of Virginia. He has consulted with drafters of constitutions in Hungary, Poland, Czechoslovakia, Romania, Bulgaria and Albania.

(Letter from Jack Walter to be prominently placed)

MONTPELIER: THE SEARCH FOR JAMES MADISON

by

J. Jackson Walter

Thank you for joining us on this excursion to James Madison's Montpelier. It is the culmination of a journey of celebration that began in 1987 when we opened Montpelier to the public. On that occasion, the bicentennial of the Constitution allowed us to showcase the home of the man who was chiefly responsible for its creation. Today, the bicentennial of the Bill of Rights has afforded us the same opportunity. We are proud that Montpelier has been a focal point of the four-year nationwide observance of the birth of our government.

Yet the question has been asked, "Why the need to travel to Montpelier in Orange, Virginia? Couldn't we commemorate this event almost anywhere?"

We might as well put that question to Madison himself. "Why, Jemmy, the need to continually travel back to Montpelier? Couldn't that extraordinary mind and graceful pen do their work almost anywhere?"

"No," he would have answered. "For I am a product of Montpelier just as it is a product of me. You cannot separate us."

Indeed you cannot. Our environment plays a vital part in shaping our character, and more than any place on earth, Montpelier was Madison's environment. In order to understand him, we must know the forces that shaped him. Chief among them was his home.

This is why preserving and restoring Montpelier is so important. It is the key to

understanding the life and times and contributions of one of our nation's most influential thinkers. And this is also why we at the National Trust for Historic Preservation seek to preserve Montpelier not as a static museum, but as an inspirational setting for all who share Madison's conviction that in shaping the course of human events, knowledge is our only true guide. We want everyone from scholars to school children to come to Montpelier and join what we call "The Search for James Madison."

There are practical reasons to restore Montpelier as well. As a heritage tourism site, Montpelier's economic as well as cultural impact on the surrounding Orange County community will be significant. Few other excursions are as educational and rewarding as a visit to a historically significant place. Today, few are as popular.

But in the end, preserving and restoring Montpelier is important because it has a positive effect on the quality of our lives. Montpelier keeps us in touch with a past that saw the creation of our Constitution and our Bill of Rights. It provides us with the direction for the future as well.

And so, even though one journey ends at Montpelier today with this celebration of our Bill of Rights, another journey continues. It is the search for James Madison, a search that at once will also take us back into the past and forward into the future.

It is a journey that will never end, especially as more of the world's emerging democracies join the search for Madison, inspired by his vision and their hope for a better future. It all begins at Montpelier. For that reason, we must and we can preserve it.

J. Jackson Walter is the President of the National Trust for Historic Preservation.

Man in the News**JAMES MADISON JR.**

ORANGE, Va., Dec. 15, 1791 --- James Madison Jr., author of the Constitution and driving force behind the Bill of Rights, is an intellectual and idealist - a quiet, unassuming man unduly overshadowed in politics by his imposing contemporaries.

One of the great thinkers of these early days of the republic, this constitutional scholar is also known as an accomplished ghost writer and skilled political strategist.

Madison, whom Thomas Jefferson calls his "pillar of support," is generally acknowledged as one of the country's most eloquent statesmen and shrewdest politicians.

In fact, Madison is all of these - and more. A farmer gentleman with a passion for science, a taste for the arts and a voracious appetite for the classics. He is a complex man: a blend of intelligence and skill, housed in a slight, 5-foot-6 frame. Physical appearance, however, belies his historical stature.

Unlike some other men of our time, Madison has made his mark not on the battlefield of war, but in the battle of ideas. He is, as much as anyone, a "child of the revolution," taken with the principles that lit the torch of liberty in the colonies.

The son of Virginia gentry, he was born March 16, 1751. Growing up here on the family plantation, Montpelier, he was bookish and often sickly as a youth.

Low-key and soft-spoken, what he lacks in dynamism or charm, Madison makes up for in intellect. After racing through Princeton in two years and doing a term of graduate work, deep religious and philosophical convictions drew him into a spiral of debate that would shape the nation. As a delegate to the Continental Congress, he began to see the inadequacy of states'

rights, a conversation that would catapult him to the fore of the crusade for federalism.

Somewhat disillusioned by the fits and starts of the Congress, he went into seclusion in 1785. Over the next two years he thought about designing a new form of government, and together with Virginia's young governor, Edmund Randolph, drew up the Virginia Plan. Although this plan was intended as a rough draft, or "mere sketch" as Madison called it, it envisioned a powerful central government that would be divided into separate but equal branches, with the states a further counterbalance to its power.

It was this plan that awaited the founders in May 1787, when they arrived in Philadelphia to draft a Constitution and argue the future of their young nation. The country was in need of direction. The weak government offered by the Articles of Confederation had led to years of drift.

With the Virginia Plan as their blueprint, they debated rights, powers and structure: how authority would be divided between the center and independent-minded states. Madison spoke more than 200 times and took copious notes as its unofficial recorder. Behind the scenes he skillfully guided its progress, finding compromise where no one else could. He argued for a republic structured in such a way that checks and balances on the various sources of power would "enable the government to control itself." With so many competing interests, no single one could rule supreme.

"Nothing has excited more admiration in the world than the manner in which free governments have been established in America," Madison said months later. "For it was the first instance from the creation of the world to the American revolution that the free inhabitants have been seen deliberating on a form of government and selecting much of their citizens as possessed their confidence....But why has this excited so much wonder and applause? Because

it is of so much magnitude and because it is liable to be frustrated by so many accidents."

Madison deftly maneuvered around the boundaries of the convention's restrictive mandate. He couched his own ideas in the more moderate politics of his ally, Governor Randolph, to improve the odds for their adoption. And when he needed a powerful endorsement for the convention's work, he all but tricked President Washington into attending.

Once the Constitution was signed, the challenge was selling it to the states. Madison the polemicist became Madison the propagandist. He joined with Alexander Hamilton and John Jay to make the case for the new Constitution in the essays known as the *Federalist Papers*. Madison wrote 29 of the 85 papers.

In 1789 at the age of 38, Madison, beating James Monroe in a landslide election, took his seat as member of the House of Representatives in the first Congress. Madison quickly became the House's most important member. He has also been one of President Washington's most trusted advisors, giving him a position of influence over the young government that few others could claim.

For some it has not been easy to abandon the old ways of their European ancestry. In wrestling with how the newly elected president should be addressed, for example, the Senate opted in the name of dignity, for "His Highness, the President of the United States of America, and Protector of the Rights of the Same."

Madison, however, found that too regal, too pretentious. He persuaded his colleagues to resist cloaking a symbol of democracy in aristocratic airs and instead proposed a simple form of address: "The President of the United States."

At the time of the Constitutional Convention, Madison and others saw no need for a bill of rights. With the power of the government limited by law, they saw no danger that the rights

of citizens would or could be abridged. "Why declare that things shall not be done which there is no power to do?" Hamilton wrote in Federalist 84.

Yet Madison quickly realized that the American public did not share that view, and that if his Constitution was to be ratified, specific limits on federal power would have to be spelled out. Thus he warmed to the idea of the bill of rights that would "extinguish from the bosom of every member of the community any apprehensions" that the government could, at some point, trample the basic liberties "for which they valiantly fought and honorably bled."

"As a man is said to have a right to his property," he said, "he may be equally said to have property in his rights."

With a proviso that any rights unspecified by the Constitution be left to the people or the states, Madison made the Bill of Rights a major order of congressional business. He worked and reworked 210 amendments proposed by the states, narrowing them down to a dozen. In the end, ten were ratified.

Though considered by many to be the author of the Constitution, the modest Madison dismisses the sobriquet as "a credit to which I have no claim."

"This was not, like the fabled Goddess of Wisdom, the offspring of a single brain," he asserts. "It ought to be regarded as a work of many hands and many heads."

(Guest Column)

THE PEOPLE'S BILL OF RIGHTS

by

James MacGregor Burns

The framing and passage of the Bill of Rights was a supreme moral achievement. These ten amendments, finally added to the Constitution by the Virginia legislature on December 15, 1791, stand as a beacon of freedom two hundred years later -- for Americans and especially for people seeking to build freedom and democracy around the globe.

But the Bill of Rights was also a highly political act -- framed by politicians, argued over by politicians, adopted by politicians and from start to finish demanded by the populace.

We all remember that the Framers "left out" a bill of rights from the Constitution they drafted in the summer of 1787. Anti-Federalists used this omission to help rally people against the new charter. Politicians at the state ratifying conventions worked out a masterly compromise: doubtful convention delegates -- many of them from the hinterland -- would vote on the new charter if the Federalist leaders who would promise to add bill of rights amendments as soon as the new government was established. These leaders honored that promise. Politicians produced the draft amendments and pushed them through the Congress by two-thirds votes and then through the legislatures.

Liberty-loving Americans had feared above all that a powerful federal government might threaten their individual liberties. In the late 1790s their nightmare turned into reality. Through the Alien and Sedition Acts, the government under President John Adams jailed people for

simply speaking out against the administration. Jefferson and Madison stopped this after winning the election of 1800. Once more it was the people -- or at least the male whites who voted -- who came to the defense of liberty.

Truly, the Bill of Rights is a people's charter.

James MacGregor Burns is a professor of government emeritus at Williams College and a senior scholar at the Jepson School of Leadership at the University of Richmond. Mr. Burns is co-author with Stewart Burns of *A People's Charter: The Pursuit of Rights in America*, published December 15 by Knopf.

DOLLEY MADISON

Influential First Lady

Dolley Madison has been called the nation's first great political hostess and was certainly one of its most beloved. She was a fun-loving woman with a weakness for the latest Parisian fashions, and was known at times to unabashedly rouge her cheeks "like a jolly jezebel."

Dolley Payne Todd (her first husband died in a yellow fever epidemic, leaving her with a young son) married James Madison in 1794 after a brief courtship. The two were introduced by Madison's good friend, Aaron Burr.

White House Hostess

Before her husband's election as president in 1808, Dolley served as unofficial first lady to Thomas Jefferson. Jefferson, a widower, would often ask her to be his hostess on those occasions when women were among the expected guests. During these eight years, James Madison served as Jefferson's secretary of state.

Dolley became known in her own right for the hospitality she provided at her informal Wednesday evening gatherings, where movers and shakers of the day would come for entertainment and conversation. An invitation to her salon was among the most coveted social prizes of the day. The guest list often included Republicans as well as Federalists, British as well as French and virtually anyone with a letter of introduction to the Madisons.

"Everybody loves Mrs. Madison."

Dolley's gregarious manner was in sharp contrast to her husband's reserved, even shy, demeanor. As he spent evenings engrossed in private conversation, she would perk up parlor games with low-stakes wagering and add pep to her parties by spiking the punch with rum and brandy. Henry Clay, a Wednesday evening regular, once remarked, "Everybody loves Mrs. Madison."

Fashion Plate

Dolley was also famous for fashion. Raised as a Quaker, she was later disowned by the Society of Friends for marrying outside the faith. Once freed from religious taboos, she indulged herself in the opulent fashions of the times by wearing bright gowns and colorful turbans adorned with feathers.

Dolley became a trend-setter. Her influence was so great that if she emphasized a certain color or wore a particular style or dress, other women would quickly follow her example, both in the United States and Europe. But Dolley did not dress to impress others. "I care not for newness for its own sake," she once said. "I use only that which is pleasing to me."

White House Renovation

Not all of Dolley's activities were frivolous. As a new tenant of the White House, she was appalled at the poor condition of its interior. She invited several influential Members of

Congress to see for themselves how run down it had become. Shortly afterward, Congress appropriated money for rebuilding and refurnishing the executive mansion. Dolley worked closely with Benjamin Latrobe, the original architect, in its reconstruction.

"The British Are Coming"

Most Americans know Dolley for her bravery during the burning of Washington in the War of 1812. In late August 1814, James Madison learned that the British had landed in Maryland and were heading toward Washington. He immediately left to inspect preparations for the defense of the capital and urged his wife to leave for the safety of Virginia; she refused until certain he was safe.

As the British troops approached, Dolley commandeered a large wagon and several servants to help save documents, silver, and china from the White house, along with a large portrait of George Washington, painted by Gilbert Stuart.

The Madison's Retirement - "happiest and most true life"

When Madison left the presidency in 1817, he and Dolley retired to his family's Virginia estate, Montpelier, where they continued to entertain on a grand scale. In a letter to her sister in the summer of 1820, Dolley described the delight and pleasure she received from welcoming a great number of guests to Montpelier: "I am less worried here with an hundred visitors than with twenty-five in Washington -- this summer especially. I wish, dearest, you had just such a country home as this. I truly believe it is the happiest and most true life..."

Tragically, Dolley was forced to sell the sprawling plantation after Madison's death to settle the heavy gambling debts of her son, John Payne Todd. In an act of generosity, Congress set up a trust for Dolley Madison, which provided her a modest income until her death in 1849.

Dolley Madison is buried next to her husband in the Madison family cemetery on the Montpelier grounds.

(An Editorial)

THE NINETIES: MR. MADISON'S DECADE

Historical events and figures often seem irrelevant to modern life, but the struggle to establish democracy in Eastern Europe and the Soviet Union has kindled new appreciation for the genius of America's Founding Fathers and the success of their experiment in republican government. Renewed interest in the American form of government as a model for the world's fledgling democracies should also mean some overdue appreciation for James Madison, the philosophical father of the American experiment.

Long overshadowed by such legendary contemporaries as Washington and Jefferson, Madison is a man for the 1990s. The final years of the 20th century may well be Madison's decade as political leaders in Eastern Europe and the erstwhile Soviet Union search his writings for guidance on the path to democracy.

The struggle to balance the rush to independence by the Soviet Republics with the need for some effective central authority and the demands for autonomy by Eastern Europe's ethnic minorities have parallels in the efforts of Madison and his contemporaries to divide federal and state perogatives.

Guided by Madison, America's founders turned conventional wisdom on its head. Political sophisticates of the 18th century believed republican government could succeed only in small communities. These theorists assumed that as a republic grew, competing factions' pursuit of parochial interests would undermine the common goals needed to sustain a unified republic.

But Madison held that the competition of factions would, in fact, promote the common good and protect the republic against majority tyranny. Factions would be checked by one another. As it became clear that no single group could dominate, the notion of a common interest would gain credence.

Madison believed a "compound republic" could cope with the problems of diversity and scale by using the organs of government itself to perform a restraining function. He argued that the small republics of ancient times failed precisely because their small size enabled single factions to tyrannize minorities. Moreover, their small scale exposed these communities to external threats from larger states. In Madison's view, the failure of America's initial form of government -- flowing from the Articles of Confederation -- demonstrated that trying to meet external threats through loose confederations of small republics would not work.

Madison believed the key to republicanism was a system of "checks and balances" that, in effect, institutionalized factions. He persuaded the young nation's political leadership to balance the organs of government on three levels: Jurisdiction was divided between a national government and the states, a separation of powers was established among the national government's three branches, and a written constitution served as a limiting authority on the federal system.

Madison's model, embodied in the U.S. Constitution, expressly enumerated the powers of each branch of government. Terms of office were limited and elections were staggered to provide protection against a government that responded too eagerly to short-term popular fevers. Each branch and level of government had its own integrity and a sphere of competence to guard against encroachment. But no branch would be its own final judge and each would have incentives to complement the others and exercise self restraint.

These principles have unique resonance in the 1990s as an unprecedented number of nation states seek to implant democratic government, in many cases without any national experience with democratic values. Replicating the American model may not be appropriate, but a study of Madisonian philosophy and its modification to fit local circumstances can assist the world's newest democracies as their people begin to govern themselves.

The editors express their gratitude to Lee Auspitz whose research and analysis are the basis for this editorial.

Briefing for President George Bush's

**Visit to Montpelier/Orange County, Virginia.
December 16, 1991**

ORANGE COUNTY...POPULATION 22,000

* Formed in 1734..Orange County was named after Prince William IV of Orange.

*Orange County has about 355 acres located between Fredricksburg to the East and Charlottesville to the West.

*Farming,Cattle raising,wineries and tourism are principal businesses of Orange County.

*Alexander Spotswood was an early settler of Orange County as well as numerous German families who came to work the iron mines in the early 1700's.

*Prior to the European and English settlers the area was inhabited by tribes of Manohoac,Iroquis,and Sapony American Indians.

*President Zachary Taylor's ancestors owned property in Orange County including the household at Bloomsbury near the Orange County Airport.

*Route 20 that runs through the county and in front of the Orange County airport was designated as "The Constitution Highway" by the Virginia General Assembly.

*In 1723 4675 acres were patented to Ambrose Madison.This tract is the present site of Montpelier,built by James Madison ,Sr.,improved on by President James Madison, and William duPont Sr. and is now the property of The National Trust. President Madison and several family members rest on the slopes of the rolling hills of Montpelier.

Town of Orange..Population 2600

* Originally called The Village of Orange Courthouse in the early 1750's, it was formed as the Town of Orange in 1872.

*In colonial days the area was visited by such famous people as the General Marquis de Lafayette and Patrick Henry. During the Civil War Orange was used as a staging area for the battles that took place close to town at Cedar Mountain, Wilderness and Chancellorsville. General Lee took time out to worship at the Saint Thomas Episcopal Church in Orange.

The Town of Gordonsville...Population 1500

*.Formed in the late 1780's it played a key role in the Civil War,transporting troops and supplies for General Lee's Army of Northern Virginia.Gordonsville's Exchange Hotel was converted to a hospital to care for thousands of wounded soldiers from both sides.

Montpelier.

*.The home of James and Dolley Madison is used for many events in addition to tours by visitors from all over the world.The Orange County Fair is held there as well as a number of,wine festivals,craft shows,the Montpelier Races,and educational seminars.A group of European constitutional researchers as well as the President of Hungary were also hosted at Montpelier.

The property consists of about 2700 acres , 200 out buildings,a race track, and steeplechase course.

This information provided by the Orange County Visitor Bureau. Additional details may be obtained from Pamela Humbert , Director of Tourism , Orange County or Ray Lonick President Orange County Visitor Bureau.

703-672-1653 Orange County Visitor Office
703-672-0731 Pamela Humbert (home)
703-672-3625 Ray Lonick (home) Fax 703-672-5029

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Prosperity and the Rule of Law

A Conference on Constitutions and Laws
for Central and Eastern Europe

Washington, DC and Orange, VA, USA
December 13-16, 1991

The countries emerging from communism in Central and Eastern Europe each desperately need to raise living standards. Prosperity provides both a decent standard of living and the stability to protect new found freedoms.

A potentially historic conference, Prosperity and the Rule of Law, will assemble some of the world's leading experts to discuss how to create an environment to foster economic growth and freedom.

A small and influential group of decision makers from the new republics who are charged with either writing new constitutions and laws or guiding economic policy will be invited to the conference, which will be held at the estate of James Madison, father of the U.S. Constitution. Even before invitations were officially extended, the Ministers of Justice of Estonia, Latvia and Lithuania said that they were eager to attend and assemble delegations from their countries.

President George Bush will speak at the conference on December 16 to commemorate the 200th anniversary of the ratification of the Bill of Rights.

Topics for discussion at the conference include:

- * America's Bill of Rights and the History of Limits on Government.
- * James Madison, Father of the U.S. Constitution.
- * How Private Property Rights Protect Human Rights and Create Prosperity.
- * A Sound Currency, Its Role in a Healthy Economy.
- * The Link Between Tax Policy and Economic Growth.
- * Commercial Law: Encouraging Business Development, Minimizing Bureaucracy and Protecting Investment and Consumers.
- * The Economic History of Prosperity and The Rule of Law.
- * Enforcing The Rule of Law.

Invited and confirmed speakers include: Nobel Laureate James Buchanan; Mancur Olson; Richard Epstein; Steve Hanke; and James MacGregor Burns. The group will meet in Washington and at James Madison's Montpelier in Orange, Virginia, which is a short trip from Washington, DC.

The conference is sponsored by the Swedish Taxpayers Association, National Taxpayers Union Foundation and Sabre Foundation in cooperation with the Foundation for James Madison's Montpelier.

Participant	Title	Republic
Avanessian, Vahram	Advisor to the State Economic Cmte. for Economic Reform	Armenia
Malkhasian, Kevork	Director, Legal Affairs Dept., Ministry of Justice	Armenia
Stepanian, Vahe	Minister of Justice	Armenia
Radkevich, Vladimir	Chairman, State Cmte. for Foreign Economic Relations	Belarus
Vikentjevitch, Sadovskiy Petr	Chairman, Commission on Internat'l. Affairs & Foreign Economic Relations	Belarus
Erzhanov, Gallchan	Minister of Justice	Kazakhstan
Barbinjagra, Aleksel	Minister of Justice	Moldova
Moshanu, Alexandru	President, Parliament of Moldova	Moldova
Chirca, Sergiu	Professor, Doctor in Economics	Moldova
Ambarsamov, Yevgeni Arshakovich	Member, Foreign Affairs Committee	Russia
Bogomolov, Oleg	Director, Institute of Internat'l. Economic & Political Studies	Russia
Klyamkin, Igor	Professor, Institute of Internat'l. Economic & Political Studies	Russia
Mikhailovich Shakhrai, Sergei	Member, Russian Peoples' Assembly	Russia
Tolstoy, Mikhail	Member, Russian Peoples' Assembly	Russia
Zolotuhin, Boris Andrevich	Member, Laws Committee	Russia
Savchenko, Oleksandr	Vice Pres., Ukrainian Nat'l Bank	Ukraine
Dabrowski, Marek	Head of Privatization Commission	Poland
Kamenicka, Jana	Deputy to the Minister of Justice	Czech
Kamlach, Milan	Dir., Leg. Dept., Minister of Justice	Czech
Kocarnik, Ivan	Deputy Minister of Finance	Czech/Slovak
Macek, Miroslav	Civic Democratic Party	Czechoslovakia
Bogdan, Tibor	Deputy Minister of Justice	Hungary
Oros, Paulina	Interpreter for Dr. Bogdan	Hungary
Glapiński, Adam	Minister of Construction	Poland
Lewandowski, Janusz	Minister of Ownership Changes	Poland
Bachar, Vladislav		Slovak
Danco, Jozef	Minister of Finance	Slovak
Kohut, Sergej	Vice Minister of Justice	Slovak
Stiffel, Harald	Deputy to the Minister of Justice	Slovak
Miller, Rein	Minister of Finance	Slovak
Raidla, Juri	Minister of Justice	Estonia
Juknevicius, Zenonas	First Deputy Minister of Justice	Estonia
Palm, Ellsabeth	Justice of the European Court of Human Rights	Lithuania
Palm, Goran	Spouse	Sweden
Stego, Cecilia	Spouse	Sweden
Tarras-Wahlberg, Bjorn	Pres. Swedish Taxpayers Assn.	Sweden
Tantchev, Eugene	Dean, Sofia U. School of Law	Sweden
Paczolai, Peter	Chief Counselor, Hungarian Constitutional Court	Bulgaria
Christov, Lubomir		Hungary
Ludchnikov, Svetoslav	Minister of Justice	Bulgaria
Shentov, Ognian	Rector, Ctr. for Study of Democracy	Bulgaria

"Prosperity and the Rule of Law"

Conference Subjects

All conference sessions will leave plenty of time for questions and answers to promote understanding of the subjects of discussion.

Conference speakers will use English and be interpreted into Russian. Interpreters will also be available to allow conference attendees to meet informally with speakers between conference sessions, during meals and after the daily sessions.

I. The Bill of Rights -- The conference will begin by reviewing the Bill of Rights, placing it in the context of the history of limits on government power that reach back to the Magna Carta. We will discuss James Madison's role as father of the U.S. Constitution. The European Convention on Human Rights will be reviewed.

Speakers: James MacGregor Burns, Professor of History, University of Virginia; Elisabeth Palm, Justice of the European Court of Human Rights.

II. The importance of private property rights -- We will examine the role of property rights in creating prosperity and protecting freedom.

Speakers: Richard A. Epstein, James Parker Hall Distinguished Service Professor of Law, the University of Chicago Law School.

III. Sound monetary policy -- The most important element for economic rebirth is a sound currency. The conference will explore options for instituting a sound currency.

Speaker: Steve H. Hanke, Professor of Applied Economics, The Johns Hopkins University.

IV. Taxes and a prudent fiscal policy -- We will examine how to write a tax code to attract desperately needed international investment. The link between tax policy and economic growth and the role of constitutional limits on taxes and spending will be reviewed.

Speakers: Alvin Rabushka, Senior Fellow, Hoover Institution, Stanford University; James M. Buchanan, Chairman, Center for the Study of Public Choice, George Mason University; Gordon Tullock, Professor of Economics, University of Arizona.

V. Commercial code -- There will be a session to review the role of a commercial code in attracting investment, minimizing the barriers to establishing new businesses, limiting bureaucracy and protecting consumers. Speakers to be announced.

VI. The Economic History of Prosperity and the Rule of Law -- We will review contemporary examples of how a change to the rule of law can bring prosperity to the average citizen.

Speakers: Alvin Rabushka, Senior Fellow, Hoover Institution, Stanford University; Mancur Olson, Professor of Economics, University of Maryland.

- 2 -

VII. Problems of Enforcement -- It is relatively easy to write paper limitations on government. The conference will explore options to enforce these limits.

Speakers: Vernon Palmer, author of draft constitutions for the Congo and Lesotho and Professor of Law, Tulane Law School; Bernard H. Siegan, Director of Law and Economics Studies, University of San Diego Law School.

VIII. Public Goods and the Rule of Law -- How privatization and property rights enforcement can reduce the cost of development.
Speakers to be announced.

IX. Celebrating the 200th anniversary of the Bill of Rights.
Speaker: President George Bush.

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