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THE
CHOICE

BY NIKOS KORKANTZIS & A.P.RAO-SHANTHA, Ph.D

AN INFORMATIVE, CONCISE, DELIGHTFUL
AND QUICK ARTIST'S REPORT
AS A TRIBUTE TO THE BICENTENNIAL
OF THE UNITED STATES CONSTITUTION

NEW YORK, 1987





VOYAGE TO HAPPINESS

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P R E F A C E

When Zeus used to govern the life of mankind from the high peak of Mount Olympus, Morinthos, his attendant eagle was always the - to guard the headquarters and to speed the thunderbolts that the father of gods and men often loosed upon the world ... The Romans used the eagle as their symbol. It was later adopted by the United States and since then has become the symbol of freedom for the western world.

"E pluribus unum" - on the scroll carried by the eagle - announces the great event: "One composed of Many" - a fantastic phrase for the federation which proves that unity is possible and a united world is better.

This booklet is prepared to accompany copies of the sculptor's working design; to offer information for the recorded announcement to be embodied in the proposed monument to be called "The Choice"; to substantiate the homogeneity and reason of the composition; and to be published as a tribute to the Bicentennial of the United States Constitution.

New York, 1987



CHAPTER 1

ON FREEDOM

There is an eternal debate among people, lawmakers, philosophers and freedom seekers as to the ideal format of freedom. The anarchists define it as a state without rulers. For many, freedom means the ability to satisfy their personal needs regardless of what happens to the rest of the world. Others see freedom in the most narrow way: consider a wife in the strict Moslem society, or a pupil who wants to get out of school, or a criminal who seeks escape from prison. Some will find freedom in the breaking of a contract binding them with responsibilities, others in getting out of society and being by themselves. However, the ones who have the greatest need for freedom are the people of a country occupied by foreign rulers. They live on the mercy of others, denied their personal and cultural ethics and ambitions. The second greatest need for freedom is that of the country whose ruler is a dictator. In both of these cases, fighting for freedom, forceful resistance and the draining of blood are usually necessary for relief from slavery.

Next to freedom is progress. And progress more easily attained through collective work and combined efforts. That is how societies grow to villages, cities and countries. Progress makes cities grow faster and bigger than villages, for the combined effort is greater there. Eventually, the uniformity of the culture becomes a phenomenon, because sharing is a part of the natural law. As soon as we open our eyes, we share the light, and we all breathe from the same source - the atmosphere. We live on the same ground, the earth, and exchange the goods that come from a universal entity.

But still man has his mind. He is a part of the creative source, the ultimate power we call God. As an individual, he may decide anything he pleases, at any time! Good or bad. Beautiful or ugly. In some cases, that can be very harmful to the society. And that's where lawmaking begins. Laws set the standards of freedom in the society, and it is extremely important for the guardians of freedom to watch the lawmaking. It is very important that all the people participate in this work, for then they won't be surprised if one particular group takes advantages in some way that could be unpleasant, or even fatal. Freedom seekers, freedom's guards, and everyone else should know that fighting for freedom continues in the actions of the lawmakers. In all cases expediting laws, the natural law, as analyzed by the philosophers mentioned in Chapter 8, should be taken under consideration.

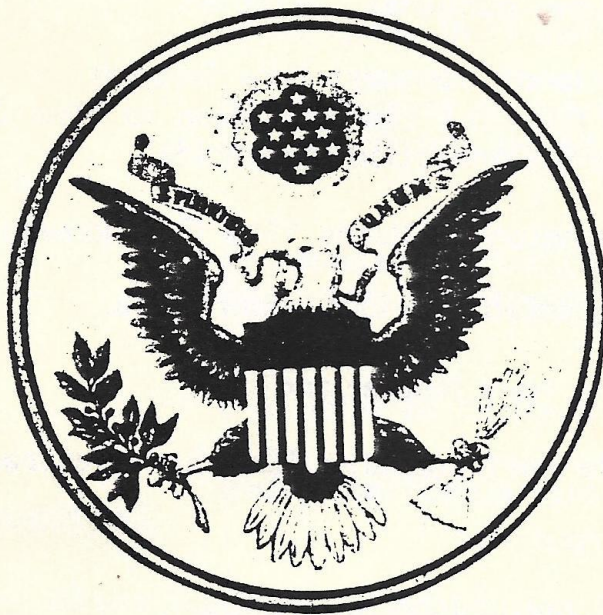
CHAPTER 2

THE MEANING OF SYMMETRY IN AESTHETICS AND GOVERNMENT

In aesthetics, symmetry is beauty, and beauty is symmetry. This is one of the dogmas that dominated the thoughts of the art world in the Renaissance and other periods. Symmetry in an art work is mostly applied to the process of balancing masses, shapes and colors.

Beauty is the result of such symmetry and the word is also often used to describe goodness or a happy event. We all have heard someone who is describing some pleasant event say, "The beauty of it is..."

In government, symmetry is the balance between the powers of the ruler and the will of the people. For the structure of government, we can say: "Symmetry is happiness and vice versa." The checks and balances of power in the government have proved to keep tyrants away.



CHAPTER 3

A CHRONOLOGICAL TABLE OF IMPORTANT EVENTS

495-429 BC	Pericles
106 - 43 BC	Marcus Tullius Cicero
1492	Columbus reaches the New World
1497	John Cabot reaches North America
1520	Martin Luther's excommunication
1607	First permanent English settlement at Jamestown, Virginia
1609	Henry Hudson claims part of North America
1630	Massachusetts, Connecticut, Rhode Island, and New Haven colonies founded
1633	Colonization of Maryland begins
1638	New Sweden founded on the Delaware River
1651	Thomas Hobbes publishes Leviathan
1655	New Netherland* conquers New Sweden (* Expands from the Upper Hudson to New Jersey, Delaware and Connecticut footholds)
1656	James Harrington publishes "The Commonwealth of Oceana"
1663	Carolinas granted to eight proprietors.
1664	British seize New Netherland
1672	Samuel Pufendorf publishes "De Zure Naturae et Gentium"
1679	Habeas Corpus Act
1682	William Penn founds Pennsylvania
1684-1691	Several colonies under royal authority, new Massachusetts charter puts colonies under royal authority.
1689	Bill of Rights
1690	John Locke publishes "Two Treatises of Civil Government" (written ten years earlier)

1696	Parliamentary Act establishes courts to try violators; the Crown creates Board of Trade
1729	North and South Carolina become royal colonies
1733	Georgia's colony founded
1747	Jean Jacques Burlamaqui publishes "Principles de Droit Naturel"
1748	Montesquieu's "Esprit des Lois"
1749-1752	Benjamin Franklin experiments with electricity, shows that lightning is a form of electricity
1754	George Washington clashes with French soldiers
1761	James Otis denounces the "Writs of Assistance" as illegal, an invasion of the colonial merchants' rights as Englishmen
1764-1774	Passage of the various acts: Sugar, Currency, Stamp, Declaratory, Townshed, Tea
1774	First Continental Congress in Philadelphia
1775	Second Continental Congress names Washington Commander of the Continental Forces; Document signed by John Hancock, President, on June 19th
1776	Declaration of Independence, Publication of "Common Sense" by Thomas Paine, Adam Smith's "Wealth of Nations", Bill of Rights, Virginia Constitution
1777	Congress adopts Articles of Confederation
1778	George Mason drafts the "Declaration of Rights" for the Virginia Constitution
1780	John Adams drafts the Constitution of Massachusetts
1781	Ratification of the Articles of Confederation
1782	Signing of Preliminary Articles of Peace in Paris
1783	Signing of Definitive Treaty of Peace with Great Britain
1786	Annapolis Convention
1787	Philadelphia Convention - U.S. Constitution
1789	Washington's inauguration as the First President, the United States Constitution becomes effective

1791

Bill of Rights, United States Constitution

1803

John Marshall establishes: 1) The power of Judicial Review, 2) The Supreme Court has the power to set aside laws of the legislatures when these laws are contrary to the Federal Constitution, 3) The supreme Court has the power to reverse the decision of a state court

CHRONOLOGICAL TABLE OF THE AMENDEMENTS OF THE UNITED STATES CONSTITUTION

	Bill of Rights.	First 10 Amendments
December 15, 1791	Amendment XI	
February 7, 1795	"	XII
June 15, 1804	"	XIII
December 6, 1865	"	XIV
July 9, 1868	"	XV
February 3, 1870	"	XVI
February 3, 1913	"	XVII
April 8, 1913	"	XVIII
January 16, 1919	"	XIX
August 18, 1920	"	XX
January 23, 1933	"	XXI
December 5, 1933	"	XXII
February 27, 1951	"	XXIII
March 29, 1961	"	XXIV
January 23, 1964	"	XXV
February 10, 1967	"	XXVI
July 1, 1971		



THE ODYSSEY OF THE EAGLE

There is a certain pattern - Reform versus Suppression - that prevails in the development and completion of the Constitutional Law. I deliberately use the phrase "completion of the Constitutional Law" for, I believe, it is important to keep the Constitution of the U.S.A. as is, as a whole, with its fair amendments and freedom from future attempts at changes prompted by spasmodic or seasonal occasions, in order to keep the checks and balances secure.

Such definitions as The Common Law, Natural Law, Basic Law, and Democracy are found by the student of Constitutional Law in the history of reforms following suppression.

Thomas Paine, a deist and revolutionary, became an international agitator by using common sense; "Common Sense", was also the title of an essay published in 1776, and advocated the colonies' immediate independence from England and the establishment of the American cause as the symbol in the world wide democratic struggle for freedom. Paine was distrusted by both Jefferson and Hamilton as well as by many others, because of his temperamental character. Theodore Roosevelt called him "filthy little atheist" but his life is a great subject for study because his humanism was expressed in a very active defence of freedom and democracy, not only in Colonial America, but also in England and France. Obviously, Federalism was very advanced in the mind of this man, son of three countries. In his "The Rights of Man" he discusses the natural rights, the civil rights, and the Constitution. Paine, "an artless writer", was the one who insisted on the gathering of the Continental Congress, for the purpose of framing a Continental Charter.

The search for the right government dates back to the times of the Roman Republic and before. We see that the development of democracy has gone through many trials and crises. The seeds for confederation and democracy were planted earlier, many times over. Still the tree, carrying the fruits for the world, only grew in 1786 at the Annapolis Convention, while its fruit ripened the next year at the Philadelphia Convention.

The United States Constitution is the result of a fair debate for a fair, balanced system, creating a secure community that amalgamated a large variety of nationalities into a unique union, not achieved elsewhere, not even in an integrated Scandinavia, where Denmark, Finland, Iceland, Norway and Sweden have lived in peace with each other for over a century and a half. Though Norway and Sweden were joined in a union from 1814 to 1905, that union, was nothing more than a Swedish imposition. The two countries almost went to war with each other twice - and it was meant to dissolve.

The Civil War in the United States in 1861 was due to a social conflict - not to a regional aggression about who was going to govern over whom. Again, it was the flexibility of the Constitution that saved the ever growing union. In Ancient Greece, too, confederations were formed, usually by a few cities agreeing to defend their freedom by joining their forces. Some of them were in the Delian League, formed by the Athenians in 478 BC. A second Athenian League was formed 100 years later in 378 BC, a decade later, the Arkadian Confederation was formed, etc., etc. However, it can be seen that not even Isocrates, the famous oratorical writer, whose recurring theme was the unification of the Greek world, could resist proposing that Athens should lead such a union - an obvious barrier to other states' wholehearted participation. Obviously he was happy with Athens' democratic system. But the rest of Greece was not ready for this system. In any case, it would have been unfair to have one city leading the other. Democracy and freedom had to mature further before the formation of the Great Union.

Polybius, a very respected historian, statesman and soldier who was deported to Rome in the second century BC, declared that Rome's success in becoming a great power - something that had never happened among the Greek cities - was based in the Republic "that was a harmonious blending of the three types of government: monarchy, aristocracy, and democracy." Seeing Rome through the eyes of Greek political speculation, he was unable to see what Cicero would experience in the following century: while the Roman Constitution was improved in many ways over any previous ones, it was still not secured against oligarchy. The power of the senate could easily be seized under the pressure of a popular and charismatic governor. Thus the charismatic Caesar came and the principates prevailed over democracy.

But the spark sustained for the light to come. There is no doubt that the most varied of people have united under monarchy. It is easier because of the pressure applied by such a government. Meanwhile, the quest for improvement never stops. The spark sustained the religious monarchies of the various kinds, passed through the Carolingian and Byzantine times, survived through the Middle Ages and the conspiracy of its theologians against truth and freedom, and welcomed the Protestant reformers, as a way to return to basics and avoid the manipulation of logic. Throughout the Renaissance, realism and beauty became the tools to attain free thought --- the sixteenth century's Reformation in both Protestant and Catholic churches was followed by great written works, concerned with the ideals of freedom and state.

Pressure groups, in terms of the rights of the citizens, could be seen in England very early. Sir Edward Coke in 1610 assailed the crown's pretensions by bringing up The Common Law: "When an Act of Parliament is against common right and reason, or repugnant, or impossible to be performed, The Common Law will control it and adjudge such Act to be void." (Bonham's case). A breed of philosophers, reform-seeking writers, was born: Hobbes with his Leviathan, Harrington with his Commonwealth of Oceana, Pufendorf with his De Jure Naturae

et Gentium, Locke with his Two Treatises of Civil Government, Burlamaqui with his Principes du Droit Naturel, Montesquieu with his Esprit des Lois, all offered reason and enlightenment to the thinking of the West.

Finally, in 1789, George Washington became the first president of the United States. The dual nature of the world, realistic and abstract, was now balanced and there in Philadelphia, the Eagle landed.

In the Constitution of the United States, both the American people and the peoples of other countries can find the symbol and the way to happiness.

The formula is simple: freedom - unity/social amalgamation - balance of government - action/industry - freedom of religion and humanism equals happiness, and vice versa.

The Enlightenment of 1787 was the outstanding source of light. The so-called Enlightenment in Western Europe, with its enlightened despots in Austria, Germany, Spain, Portugal and France, was a term that should have been applied to the form of speculation, rather than to the pragmatic achievement.

The real achievers of the Enlightenment were the men who brainstormed in Philadelphia in 1787.



CHAPTER 5

PHILADELPHIA: GATHERING OF THE SEMIGODS MAY 14 to SEPTEMBER 17, 1787

The Articles of Confederation had proved to be a very weak "firm league of friendship" among the first thirteen states. Some of its most important limitations were the lack of trade regulations and central authority in regards to exercising uniform policy in interstate and international matters, as well as a lack of authority to impose taxation.

The Mount Vernon Conference in 1785 with representatives from Maryland and Virginia, was followed in 1786 by the Annapolis Convention with representatives from five states: Delaware, New Jersey, New York, Pennsylvania, and Virginia. At this meeting, Hamilton and Madison emphasized the need for effective representation in terms of the authority of the delegates, and proposed that all states and the Continental Congress endorse another conference in a Philadelphia Convention, with the purpose of strengthening the articles.

On February 21, 1787 the Continental Congress came up with a resolution calling for the Philadelphia Convention to start on the second Monday in May - the Convention lasted until September 17, 1787.

All States with the exception of Rhode Island appointed representatives to the Convention. From the more than 79 nominated, only 55 participated in the works of the Convention and some of them only for short periods. The 55 men are listed below by state:

Connecticut

Oliver Ellsworth, William S. Johnson, Roger Sherman

Delaware

Richard Bassett, Gunning Bedford Jr., Jacob Broom, John Dickinson, George Reed

Georgia

Abraham Baldwin, William Few, William Houstoun, William L. Pierse

Massachusetts

Elbridge Gerry, Nathaniel Gorham, Rufus King, Caleb Strong

Maryland

Daniel Carroll, Daniel of St. Thomas Jenifer, James McHenry, Luther Martin, John F. Mercer

North Carolina

William Blount, William R. Davie, Alexander Martin, Richard D. Spaight, Sr., Hue Williamson

South Carolina

John Rutledge, Charles Pinckney, Charles Cotesworth Pinckney, Pierce Butler

New Hampshire

Nicholas Gilman, John Langdon

New Jersey

David Brearly, Jonathan Dayton, William C. Houston, William Livingston, William Paterson

New York

Alexander Hamilton, John Lansing Jr., Robert Yates

Pennsylvania

George Clymer, Thomas Fitzsimmons, Benjamin Franklin, Jared Ingersoll, Thomas Mifflin, Gouverneur Morris, Robert Morris, James Wilson

Virginia

John Blair, James McClurg, James Madison, George Mason, Edmund J. Randolph, George Washington, George Wythe

At a glance, one notices the absence of important leaders such as Thomas Jefferson and John Adams, who were on a diplomatic mission in Europe. Of the 39 delegates who signed the Constitution, only two had also signed the other two important documents, the Declaration of Independence on July 4, 1776, and the Articles of Confederation in 1777. They were Robert Morris from Pennsylvania and Roger Sherman from Connecticut.

The debates that took place during the Convention were multifaceted. There were the interests of the states and the clashes in personalities and ideologies. How much power should the federal government assume over the states? Federalists and Antifederalists continued to debate this to the very last day! Quite a few times the debates, especially those concerned with the voting power of the smaller and the larger states, endangered the scope and future of the Convention. However, during the whole period, Washington from Virginia, who also presided in this Convention, Franklin from Pennsylvania, and to some extent, Sherman from Connecticut, put their weight behind calming down the spirits and temperaments of the debators, for the good of the Union!

The representatives, most of them lawyers, were eminent men and capable of presenting their ideas with reason and logic, as someone would discover from the notes of James Madison.

It was decided, by all the delegates, to convene in secret so that they would keep their mission free of external pressures, publicity, etc.

Three basic plans were discussed at the Convention:

- a. THE VIRGINIA PLAN, May 29, offered remedies to strengthen the Confederation, and called for a strong central government.
- b. THE NEW JERSEY or PATERSON PLAN, June 15, was not as radical as the Virginia Plan, but was soon rejected as excessively favoring the smaller states, and
- c. THE "GREAT" or "CONNECTICUT" COMPROMISE, in July. An idea first suggested by Dickinson and later presented as a plan by Sherman and Ellsworth, advocated fair state representation in the federal government, providing for equality by state in the Upper House.

By debating, voting and making corrections, adherences and resolutions on these plans, the Constitution was completed and signed on Monday, September 17, 1787.

It is interesting and notable to see the unifying spirit of an 82 year old Benjamin Franklin who, although too weak to deliver a speech himself, had Wilson do it for him. That day, after the completed document was read, he immediately asked for permission to speak. His argument was simple and reasonable. While he himself did not agree with many of the Articles of the Constitution, he believed it was fair enough; it could not be drafted better; it was not possible to satisfy everybody, and, for the good of the Union, everyone should sign. His words prompted all the delegates to be reconciled and sign the document.



CHAPTER 6

W E T H E P E O P L E O F T H E U N I T E D S T A T E S , I N O R D E R T O F O R M A M O R E
P E R F E C T U N I O N , E S T A B L I S H J U S T I C E , I N S U R E D O M E S T I C T R A N Q U I L I T Y , P R O V I D E F O R T H E
C O M M O N D E F E N C E , P R O M O T E T H E G E N E R A L W E L F A R E , A N D S E C U R E T H E B L E S S I N G O F L I B E R T Y
T O O U R S E L V E S A N D O U R P O S T E R I T Y , D O O R D A I N A N D E S T A B L I S H T H I S C O N S T I T U T I O N F O R
T H E U N I T E D S T A T E S O F A M E R I C A .

ARTICLE I.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.* The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof,* for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.*

*Indicates items that have been amended or superseded.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside; And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Place of Chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December,* unless they shall by Law appoint a different Day.

SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value Thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the Supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and

to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; - And

To make all Laws Which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.*

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II.

SECTION 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice-President, chosen for the same Term, be elected, as follows.

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the

Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.*

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law, provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.*

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: -"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion in writing, of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices, and he shall have Power to Grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

SECTION 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; -to all Cases affecting Ambassadors, other public Ministers and Consuls; -to all Cases of admiralty and maritime Jurisdiction; -to Controversies to which the United States shall be a Party; -to Controversies between two or more States; -between a State and Citizens of another State; -between Citizens of different States; -between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.*

SECTION 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress: Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII.

The Ratification of the Conventions of nine States shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE, in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth. In Witness whereof We have hereunto subscribed our Names.

Go W A S H I N G T O N
Presidt and deputy from Virginia

New Hampshire.
JOHN LANGDON
NICHOLAS GILMAN

Massachusetts.
NATHANIEL GORHAM
RUFUS KING

New Jersey.
WIL: LIVINGSTON
DAVID BREARLEY
WM PATERSON
JONA: DAYTON

Pennsylvania.
B FRANKLIN
ROBT. MORRIS
THOS. FITZSIMONS
JAMES WILSON
THOMAS MIFFLIN
GEO. CLYMER
JARED INGERSOLL
GOUV MORRIS

Delaware.
GEO: READ
JOHN DICKINSON
JACO: BROOM
GUNNING BEDFORD jun
RICHARD BASSETT

Georgia.
WILLIAM FEW
ABR BALDWIN

Connecticut.
WM SAML JOHNSON
ROGER SHERMAN

New York.
ALEXANDER HAMILTON

Maryland.
JAMES MCHENRY
DANL CARROL
DAN: of ST THOS JENIFER

Virginia.
JOHN BLAIR
JAMES MADISON JR.

North Carolina.
WM BLOUNT
HU WILLIAMSON
RICHD DOBBS SPAIGHT

South Carolina.
J. RUTLEDGE
CHARLES PINCKNEY
CHARLES COTESWORTH PINCKNEY
PIERCE BUTLER

Attest:

W I L L I A M J A C K S O N , Secretary

THE AMENDMENTS

I.

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

II.

A well regulated Militia, beeing necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

III.

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

IV.

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

V.

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

VI.

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

VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

VIII.

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

IX.

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

X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

XII. (Affects Article II, section 1.)

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; - The President of the Senate shall, in presence of the Senate and House of Representatives open all the certificates and the votes shall then be counted; - The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. - The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

XIII. (Affects Article IV, section 2.)

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

XIV. (Affects Article 1, section 2)

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of

such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

XVI. (Affects a paragraph of Article I, section 9.)

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

XVII. (Affects Article I, section 3.)

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

XVIII.

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SECTION 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

XIX.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

XX. (Affects Article I, section 4, and Amendment XII.)

SECTION 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

SECTION 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

SECTION 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

SECTION 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

SECTION 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

SECTION 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

XXI. (Affects Article II, section 1, and Amendment XVIII.)

SECTION 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

SECTION 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

XXII.

SECTION 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

SECTION 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

XXIII.

SECTION 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

XXIV.

SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

SECTION 2. The Congress shall have the power to enforce this article by appropriate legislation.

XXV. (Affects a paragraph of Article II, section 1.)

SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

SECTION 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

SECTION 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

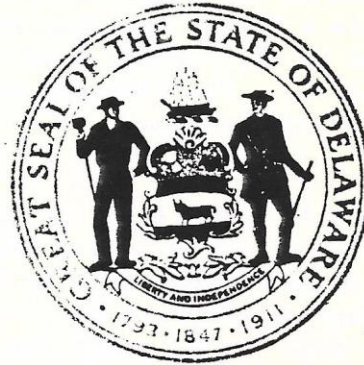
SECTION 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

XXVI. (Affects Amendment XIV, section 2.)

SECTION 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

SECTION 2. The Congress shall have the power to enforce this article by appropriate legislation.



A Special Art Presentation of the
Proposed Monument to be called "The Choice"
By Nikos Korkantzis
As part of the Observance of the Bicentennial
Of the United States Constitution

INTRODUCTION

There is no better time to praise the Western World than this time related to the forthcoming 200th Anniversary of the Constitution of the United States.

The Choice, basically, is a proposed monument for the observance of the Constitution which became effective on April 30th 1789, when Washington was inaugurated as the First President.

The thematic nature of the Choice prompted me to decide on this unusual presentation, and in this instance, I wish to thank you for honoring this event with your presence and giving me your valuable time and consideration.

I am aware of some wise man's saying: Do not promise something you can not deliver! ... And of course, as an artist and not as a jurist, how could I possibly qualify to introduce you to the Bicentennial of the United States Constitution! Well, I do not! I only wish to introduce you to an art project, speaking of the Constitution!

So, taking poetic license, with the help of the librarian and the brainy contribution of such friends as Dr. Rao-Shantha, Will Brady, Dr. Alfred Lilienthal, John Byrnes and Kostas Nikolopoulos, I made up my mind as to what to include in my project and then I started working. After collecting the necessary data, I drew a composition with personalities representative to the enlightenment.

The Constitutional Convention in Philadelphia, with delegates from 12 states, not 13 (Rhode Island wasn't present) was, and still is I believe, the most important period in the history of the world, for unity withstood the destructive separatism or radicalism of the few, who are always there to impose their will in any progressive plan.

Changes have always occurred: Great scientific discoveries and wars! But what are the initiatives for these changes? There are two basic things responsible. Two basic factors. These two basic factors are: The Search for Power, and The Quest for Happiness!, the latter, being in the long term, the winner because it tends to fulfil the purpose of life which is happiness.

But first, let us see what is a fair definition of happiness and what it must include: Freedom? Of course! But that's not enough. Wealth? Also! But that alone is not enough either; the combination of both freedom and wealth bring us closer, but still not up to the target! Because happiness, in order to be true, should fulfill the time element, meaning it should withstand any corrosion caused by time, remaining integral; being perpetually there!...

However, with the man attached through his mind to the two very complicated worlds, which are the realistic and the abstract, happiness may still be unachievable unless discipline is present.

In any case, a good degree of happiness can be achieved through that certain disciplinary method which implies the least possible restriction of freedom!

This can be realized through an organization with democratic balances, where the two blocks, Demos or publique and Cratos or state are amalgamated into one society; where groups and individuals can move, act and exchange with a will which is both independent and interdependent to each other; for a peaceful progress toward the highest goal: the complete-perpetual happiness and freedom. The Constitution of the United States advocates these virtues and provides the standards for such progress.

But why a monument, people would say? I will try to answer this question: I believe in staying in contact with the enlightenment of the past while seeking to build a better future. The quest for happiness seems to me to be groundless without the quest for enlightenment and probably weak without the knowledge provided by those who worked and contributed to enlightenment.

As we know, in freedom all kinds of movements and expressions take place. In times of depression, happiness may be replaced with melancholy; and melancholy is as contagious as enthusiasm if only we are persuaded that this state of mind is all right to live with! Unfortunately today, due to melancholy, Diogenisses and vagrants are increasing rapidly. So, far from kinesis or action, which is a trait of the Western World, we lately see a turn to cynicism or apathy, which is rather more an Eastern trait, related to a misunderstood nirvanacism...

May we consider the question of how this lack of discipline grows? I have one answer. I believe stress along with our disassociation from the past, limits our capacities and capabilities; especially when we look for enlightenment while cut off from our sources ... It is like going fishing in a swimming pool ... We cut off ourselves from the representatives of the enlightenment, then we adopt cynicism as our way of life and thereafter we look for happiness. It just doesn't work. Disassociation from the sources will not bring us the results we are looking for. No matter how strong the sunlight outdoors may be, it will not be enough to bring us back the enthusiasm for life so long as the respect for the applied wisdom of the past is missing. Healthy progress is based on fundamentals and an ever progressing appreciation of immutable values.

The purpose of the composition, "The Choice" is to reconnect our association with the enlightenment by bringing back to our view many of its representatives, because with happiness as a basic purpose of life, it certainly is wise to absorb the vibrating energy pulsating in those who worked for it.

This proposed monument will be the connecting link between America's glorious past and our hopeful future.

Now, we shall proceed with a reading of the proposal and give some biographical information on a few of the personalities who, as Professor Wright once said, "Today are virtually unknown," men such as Jacques Burlamaqui, Samuel Pufendorf and James Harrington, who in the eighteen century enjoyed much fame and international renown. I will be glad to provide anyone who is interested in further studies with additional information, kindly leave your mailing address with me.

"This introduction by Nikos Korkantzis has been used in the series of presentations regarding his sculpture, "The Choice".

PROPOSAL

TO ERECT 'THE CHOICE'

A monument honoring the world's best instrument to
happiness: THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

THE OUTLOOK:

There is a concentration on personalities directly
connected with the U.S.A. constitution, or the
democratic ideal:

- a. Main figures are GEORGE WASHINGTON and PERICLES.
- b. Portraits of other persons are embodied on a starfull
construction which consists the background supporting
theme. This includes representatives to the Convention
in Philadelphia, from the 12 participating states, patriots,
writers and philosophers, influential to the democratic
movements resulting the birth of the Constitution in 1787.

The support design with the stars permits further extension,
to include more of the personalities, in the future, if
further funding will be available.

SUGGESTED LOCATION, (S):

- A. Philadelphia. (The birth place).
- B. Washington D.C. (The U.S.A. capital).
- C. The Kennedy Airport. (This port is best suited to
introduce domestic and foreign tourists to the West's
best castle of freedom and happiness).
- D. Any other well suited site.

CONTENTS: Page 2. Thematic Description.
Page 3. Technical Information.
Photograph or Blue Print.

INTRODUCTION/DESCRIPTION

Time: 1787. While the most distinguished Americans, including Franklin, Hamilton, and Madison among others, joined their efforts for the preparation of the Constitution of the United States, the overall spirit, the representative of the People, Justice and Freedom, is the great George Washington.

In his search for the right choices, he is depicted together with the builder of the Acropolis, Pericles, who in the past achieved a democratic system and created the Golden Age of Athens. Like Washington, Pericles was a soldier who respected and served the will of his people. His 'epitaph' is the greatest memorial of the governing system that made Athens, like the U.S.A. today, the happiest society of the time.

We see a great difference in the expressions of the two men: Washington moves in tension, with austerity, because we see him during an epoch of great creation: much more remains to be done, lots has yet to be accomplished. Pericles, on the other hand, is in a relaxed state, for he has no remaining obligations. He has come simply as a mentor and friend, with these few words from his epitaph, obviously approved of by Washington: "We are lovers of the beautiful yet simple, in our tastes." (The English translation appears, more appropriate than the original, since if Pericles were alive today, he would certainly have spoken in English.)

Washington's decisiveness is illustrated in the firm pointing of his forefinger. At the same time, the first words of the Constitution - "We the People..." - appear on the base, emphasising his "choice" of government. Other elements such as the eagle, symbol of the West, set the tone and introduce the spectator to the scope of the sculpture.

The highly energized background suggests the turbulent spiritual dynamics of the period, with its rows of stars portraying the philosophers and patriots whose spirit participated in the making of the Constitution. Personalities including the representatives from all participating states to the Convention in Philadelphia, as well as patriots such as John Adams, important absentees such as Thomas Jefferson, Chief Justice John Marshall, and philosophers and writers associated with the Democratic Ideal, such as Cicero, Thomas Hobbes, James Otis, Pufendorf, James Harrington, Montesquieu and Burlamaqui are there to enhance the stars.



- a. Total height 48', Figures 24'
- b. Total width 48', Base 24'
- c. Supporting theme: 24 stars

Above: A model for the monument.

TECHNICAL INFORMATION

1. Dimensions

A. Area required: 400 sq. feet.

B. Central theme: Height: Figures 12' feet
Pedestal 10' feet

Ground base 2' feet

Total height: 24' feet

Width: Front: 12 feet

Side: 4 feet

Total size of Central theme: 12'X4'X26'

C. Supporting theme: Linear footage 32' feet

Height: 12' feet
Width: 20' feet

2. Figure comparison

- a. Main figures: Twice the life size
- b. Star portraits: One and $\frac{1}{2}$ the life size.

3. Media

- a. Main figures: Bronze.
- b. Scroll in hands of Pericles: Brass frame, clear polyester plaque, bronze embodied letters.
- c. Pedestal: Stainless steel structure.
- d. Scroll on pedestal: Brass.
- e. Ground base: Cement and stone, steel reinforcements.
- f. Supporting theme: Frame made out of hard aluminum and steel plate. Stars casted in clear polyester; the portraits embodied in the stars are bronze.
- g. Box for the rotating scroll on the ground base: Steel.

4. Estimated cost*

A total of \$309,600 (This figure does not include spacial preparation and/or purchases).

5. Date of completion

April 30, 1989; to honor the 200th Anniversary of George Washington's Inauguration as the President of the United States of America; and the date when the Constitution became effective.

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*A break down of costs will be available on request

GEORGE WASHINGTON 1732 - 1799

Washington was born in Westmoreland County Virginia, of parents of English ancestry, who were successful land estate owners, farmers and planters. His father, Augustine, died when George, the eldest of five children, was only eleven. His mother, Mary, a remarkable woman, had to raise them alone.

George Washington received a basic formal education, as well as private tutoring as directed by his mother Mary. She was known for her high moral standards, her administrative capacities and self-respecting humanism, and her considerable charity to the poor. Even in his school years George displayed his commander-in-chief reputation. Powerful by nature, he cultivated a personality that combined strength and intelligence with warmth and kindness, to create a unique disposition. No one before attained such respect from so high for decision and stature. He exercised and practiced all kinds of athletic games with all the vigor of his remarkable spirit. During his school years geometry and trigonometry were his favorite subjects - which contributed to his becoming a land surveyor licensed by the British government. He learned planting and farming very early as it was a family trade and he had to help his mother and her younger children.

His military experiences started at age 21, in November 1753, when he served as Commissioner of the British Ministry to the Commanding Officer of the French forces who had established their posts on the banks of the Ohio. He went on this trip, unescorted, to meet with the French, and his journey as described reminds one of some mythological adventure.

Back in Virginia in January 1754, Washington apprised Governor Dinwiddie of the rejection by the French of the governor's warning not to trespass on English territory, and for the next few years he served with the Colonial army, becoming commander of all Virginian troops, with the rank of Colonel. After the British took possession of Fort Duquene, he resigned and returned to civilian life. By that time his heroism and brilliant judgments on matters of war were widely publicized in Virginia and England, and the people of Virginia were already looking to him as their future leader.

In January 1759, he married Martha Dandridge Custis. He served in the House of Burgesses from 1759 to 1774 and sat as a Justice of the Peace from 1760 to 1774. His pro-colonial viewpoint was clearly expressed against such British measures as the Stamp Tax and the Boston Port Act. At the Provincial Convention of Williamsburg, Virginia in 1774, he made an offer to prepare 1,000 soldiers and lead them against the British Redcoats in Boston. Serving at the First Continental Congress of September 1774, he was adamantly in favor of the adoption by the Congress of the Suffolk Resolves which were called for disobedience and armed resistance against a king who breaks the social contract with his subjects.

Armed resistance and the American Revolution were already inevitable and it was clearly sensed in the battles of Concord and Lexington in April of 1775. The Second Continental Congress, June 15, 1775, named Washington Commander-in-Chief of the Continental Army. Washington's experience as a land surveyor and his excellent knowledge of the organization and fighting methods of the British, along with his manifold talents, his wise opinions and his self-respect, were fundamental to his future maneuvers that led to the success of the American Revolution. Immediately upon his appointment, Washington left Philadelphia to join the Continental Army at Cambridge, Massachusetts, assuming command on July 3rd. Until March 1776, he worked on the preparation of his army and on March 4th, he captured Dorchester Heights, forcing the British troops under General Howe to embark for Halifax, Nova Scotia.

After their victory in Massachusetts, the American forces moved to New York, expecting that the next movement of British forces would take place there. In New York, Washington's forces suffered a major loss when Howe unexpectedly landed his troops, through the sea, on Long Island, at Washington's rear. During Washington's retreating maneuvers, the Americans suffered minor defeats at Kips Bay, Harlem Heights, White Plains and Fort Mifflin. The American forces crossed the Hudson River and, through New Jersey, crossed the Delaware River into Pennsylvania. On Christmas Eve 1776, Washington recrossed the Delaware River and overwhelmed the Hessian mercenary troops in Trenton, and three days later, three British regiments at Princeton, New Jersey. Then he stationed himself at Morristown.

In the summer of 1777, Washington's forces were defeated at the Battles of Brandywine Creek and Germantown in Pennsylvania. The British forces took Philadelphia, and Washington succeeded in holding his army together through a severe winter at Valley Forge. In the meantime, on October 17, 1777, the American forces in the Battle of Saratoga, N.Y., won a significant victory when General Burgoyne surrendered. As a result of this victory, the French entered the war in favor of the Americans. The British, fearing encirclement from the sea by the French and on land by the Colonial forces, retreated to New York, suffering a defeat from Washington's forces at Monmouth, N.J. on June 28, 1778.

The victory of the American Revolution was evident with the battle at Yorktown, Virginia. There, Washington sent a French fleet to blockade Chesapeake Bay and he led a combined French and American army against the routed British forces. On October 19, 1781, General Cornwallis surrendered.

A peace settlement was signed in Paris on September 3, 1783, and on November 25, 1783 the British left New York. In December of the same year, Washington delivered his farewell address and on December 23, in Annapolis, he resigned his commission to the U.S. Congress, and returned to private life.

But not for long! At the Philadelphia Convention, he was again called to preside. The hero, the giant who was able to wear out the British through his brilliance, stamina, and successful methods, was about to succeed again - in something else, very new and of even greater significance than any previous achievement in any field ...

On March 28, 1787, he was elected Virginia delegate to the Federal Convention. On May 25, 1787 he was elected President of the Convention, which ended successfully in September 1787. On January 17, 1788, he was elected Chancellor of William and Mary College and in December of the same year, Master of the Freemasons Lodge in Alexandria. On February 4, 1789, he was unanimously elected President of the United States, and on April 30, in New York, he was inaugurated as the First President of the Nation

Perhaps Washington's services in the Frederick and Fairfax counties, where he was elected Burgess twice and five times respectively, (including his chairmanship of the Fairfax County Mass meeting that adopted the Fairfax County Resolves), rendered him the clear views of what he wished to see in his country, and contributed, along with his practical experiences, to the analytic procedures that marked his advances, choices and actions.

His sound judgment was no accident. It came from his wise inquiry, his need to possess knowledge concerning the matters he was about to undertake.

Pericles, in his "Epitaph", underlines his opinion on bravery, "...The great impediment to action is, in our opinion, not discussion, but the want of that knowledge which is gained by discussion preparatory to action. For we have a peculiar power of thinking before we act and of acting too, whereas other men are courageous from ignorance, but hesitate upon reflection." Jefferson writes on Washington's character, "...He was incapable of fear, meeting personal dangers with the calmest unconcern. Perhaps the strongest feature in his character was prudence; never acting until every circumstance, every consideration, was maturely weighed, refraining if he saw doubt; but when once decided going through with his purpose, whatever obstacle interposed."

The weakness of the Confederation had made many army officers look for other solutions, even that of establishing a monarchy. In his letter of May 22, 1782, to Colonel Lewis Nicola, Washington rejects monarchy and the wish of the army that he take the title of King. He writes, "...If I am not deceived in the knowledge of myself, you could not have found a person to whom your schemes are more disagreeable ..." One can notice here, how clear was his viewpoint about the choices available and how the "know thyself" dictum had been well applied by this giant of wisdom.

His ability to advise and keep the men's morale high in self respect and endurance was basic in both his military and political engagements. Throughout the Revolutionary Period, the British army was kept tense by the Americans who, though suffering from inadequate supplies and training, were always there to launch an attack which, even when it was minor, contributed to weakening the strength and morale of the English.

During the Constitutional Debates in Philadelphia, Washington's function as the President of the Convention was the best assurance for all voices to be heard, all possibilities expedited, and all loose ends tied. The small-big states differences, the Federalist and anti-Federalist view points, and the personal likes and dislikes were absorbed, shaped and re-emitted in a manner that could not escape the uninforming energy of Washington's mind. It is said that when the Constitution was ready on September 17, 1787, Washington, before signing it, stood up with the pen in his hand and said these words, "Should the states reject this excellent constitution, the probability is that an opportunity will never again be offered to cancel another in peace - the next will be drawn in blood."

Realism was accepted and practiced by George Washington in its true form. If he himself was not a scholar, had not studied the Natural Law the way Pufendorf, Burlamaqui and others had explained it, Washington had used his power of observation to assume ways and practices that would facilitate the Law of Nature or keep it undisturbed. In his letter of April 3, 1780, to the President of the Congress, he points out that "dissatisfaction (in the army) has been alarming," One of the causes, "...the inequality of the rewards given for entering into the service..." "...inequality of different provisions,..." Also, see his "Farewell Address" of September 19, 1796, where he talks about the relations with other nations, advising balanced judgment and detachment from passions in regards to parting in favor of an illusionary attachment for one of two embattled nations. "...It leads also to concessions to the favorite nation of privileges denied to others, which is apt to doubly injure the nation making the concessions,...Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other - Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people, to surrender their interests..."

His respect for education is proverbial, with some of the direct references found in his letter of September 5, 1796 to Hamilton, for including the importance of education in the Farewell Address, and in two items of his Last Will and Testament of July 9, 1799, wherein the one provides for the establishment of a university and the other for the education and/or training of slaves (the

same item provides for the emancipation of his slaves).

Washington served a second term as the President of the United States, as he was unanimously re-elected on December 5, 1792 and was inaugurated in Philadelphia on March 4, 1793. In September of the same year, he laid the cornerstone of the Federal Capitol in Washington.

After he issued his Farewell Address of September 17, 1796, he returned to private life, satisfied that he had served his country enough ... This time, too, he proved to be wrong. On July 4, 1798, after appeals from his dedicated assistant, Hamilton, and the President of the United States, he was appointed Lieutenant General and Commander-In-Chief of the Armies by President John Adams. His name and reputation were needed to defend the United States against France, as the danger of a war was immediate. Soon Washington started preparations for the army, but fortunately the differences between the two countries were settled without a war.

On December 12, 1799, he wrote to Hamilton that he had used all proper opportunities for recommending the establishment of a military academy. Two days later, on December 14, 1799, he departed to eternity as the result of a serious cold he had suffered when a snow storm found him outdoors for the excessive period of five hours (on December 12th). The military academy was established at West Point in 1801.



Pericles ruled Athens in a manner that helped develop the ideals of democracy into a lasting and humanitarian value. Although Pericles could not eliminate the shortcomings of the Athenian democracy, especially those related to the religious involvement in the judicial system, during his time the Parthenon was built, sculptors, painters and dramatists created their immortal works, and philosophers and education flourished.

Pericles was a soldier, general by profession, but he proved to be the most powerful politician of his time, dedicated to democratic ideas and civil liberties. A superb speaker, Pericles was regarded by his contemporaries as the most powerful orator they could ever imagine. His liberal nature was not, of course, appreciated by everybody. Aristotle and Isocrates did not approve of his policies, but Thucydides exalts him. In his "Funeral Oration" which is often entitled "The Democratic Way of Life" or "The Epitaph", the reader can sense that his authority in matters of state was supreme, as was his ability to describe the unwritten laws which outline the customs and ethics of the democratic citizenry against those of a monarchy. "Wealth we employ, not for talk and ostentation, but where there is a real use for it. To avow poverty with us is no disgrace; the true disgrace is in doing nothing to avoid it." "...We alone regard a man who takes no interest in public affairs, not harmless, but as a useless character..." "...We have a peculiar power of thinking before we act and of acting, too, whereas other men are courageous from ignorance, but hesitate upon reflection." "...It is true that we are called a democracy, for the administration is in the hands of the many and not of the few. But while the law secures equal justice to all alike in their private disputes, the claim of excellence is also recognized."

Pericles' name is inseparably linked to the democratic ideals and the "Golden Age" of Athens and her "free citizens", in contrast with the other Greek cities where monarchy predominated. It is interesting that Athens had a legal process against dictatorship, or possible "tyrants", which was called ostracism. It was a balloting process where shards of all sorts were used: sea shells, scraps of vases, roof tiles, well heads, etc., were inscribed with the name of an undesirable or a suspected future tyrant. These were used for voting and could lead to the possible extradition of the suspect.

BENJAMIN FRANKLIN 1706 - 1790

Signator of both the Declaration of Independence and the Constitution, Franklin, a basically self educated colossus, can stand next to any sage, philosopher or author, tall and impressive.

He was born in Boston where he worked as a printer for his half brother, James, publisher of New England Courant. In 1723 Franklin moved to Philadelphia. There he published the Pennsylvania Gazette (1730-1748) and the annual Poor Richard's Almanac (1733-1758), the most popular publication next to the Bible in the colonies, and with it, his fame spread to Europe.

He was a successful negotiator in business and state affairs, served as clerk and member of the colonial legislature, deputy postmaster of Philadelphia, member of the Continental Congress, served on the committee that drafted the Declaration of Independence, was Postmaster General and carried out the duties of President of the Pennsylvania Constitutional Convention. He led the negotiations that resulted in treaties with France in commerce and alliance, and, as the Commissioner to France, with John Jay and John Adams, negotiated the Treaty of Paris (1783) which ended the war for independence.

From 1785 to 1787 he served as the president of the Supreme Executive Council of Pennsylvania. During the Constitutional Convention, his prestige and sagacity helped build a climate of understanding and cooperation. The Pennsylvania Society for Promoting the Abolition of Slavery elected him as its first President and he also signed a memorial to Congress recommending the abolition of the slavery system. He also authored his autobiography.



JAMES MADISON 1751 - 1836

Madison was born in Port Conway, Virginia. He studied government, philosophy, theology and literature at the College of New Jersey (Princeton University) from where he graduated in 1771.

He joined the revolutionary movement formed against the British in Virginia. His continuous studies in theology and law made him a brilliant politician and philosopher. His personality dominated the Constitutional Convention in Philadelphia and won him the epithet of the "Father of the Constitution."

His political career was long and fruitful for the American nation and for students of Constitutional law around the world. In 1776, he was a delegate to the Virginia Convention. He helped to draft the Virginia Declaration of Rights, being especially responsible for the articles on religious liberty, such as the one which declares: "All men are equally entitled to a free exercise of religion."

As a member of the Virginia House of Delegates, he won acceptance for Jefferson's famous bill for religious freedom. Madison favored the supremacy of national treaties over state laws, with the clarity of judgment found in a pragmatic philosopher. His ideas to use the federal organization to raise revenue and regulate commerce were crucial to the calling of the Annapolis Convention in 1786. His ideas on government, included in the Virginia Plan, were the basis of the draft adopted by the Philadelphia Convention, from which all works started. Madison kept detailed records of the proceedings, which were later published as the "Journals of the Federal Convention." These records are the principal source of what happened at the convention. Madison, with Hamilton and John Jay, published the Federalist Papers of which he authored 29 out of a total of 85. His writing talent and analytical approach, achieved the defeat of a powerful group against the Federal Constitution, led by George Mason and Patrick Henry. His brilliant defence of the Constitution succeeded in having the document accepted in Virginia, a triumph for the Union, as New York would not have joined the Union, and the Federal Government without these states would have been uncertain.

Madison's career was marked by numerous other achievements: drafting and pushing through congress the Bill of Rights, serving as a Secretary of State during Jefferson's presidency, becoming the fourth president of the Union in 1808 and reelected in 1812, when he supported the Federalist/Hamiltonian policies that he had previously opposed. During the last two years of his presidency, he supported the protection of the new industries, signed the Tariff Act of 1816, and even rechartered a second national bank. The declaration of a war by Madison in 1812, which ended in 1815, resulted from the Embargo Act, and made him realize the need for strong national banks.

ALEXANDER HAMILTON 1755 - 1804

Hamilton was born in Charlestown on the Island of Nevis in the British West Indies, the son of a Scottish merchant.

On October 3, 1772, his "Hurricane Letter" was published in the Royal Danish-American Gazette of St. Croix. The letter describing a hurricane was so impressive that it made Presbyterian clergymen raise the necessary funds to send Hamilton to America for studies. He entered Kings College in New York in 1773. At the age of nineteen, he wrote two patriotic pamphlets: A Full Vindication of the Measures of Congress, etc. in December 1774 and The Farmer Refuted in February 1775.

From the beginning of the American Revolution, Hamilton was captain in command of the Provincial Company of Artillery, he participated in the Long Island campaign and the retreat through New Jersey; also at Trenton and Princeton. From March 1777 through April 1781, he was appointed George Washington's secretary and aide-de-camp. On January 28 1778, he drafted Washington's report to Congress on military reorganization and in the same year he published his first "Publius" letter. His military record includes an assault he led that took Redoubt No. 10, one of the British strong points at Yorktown.

Hamilton served as a delegate to the Continental Congress for one term. At the same time he was admitted to the New York Bar. On December 4, 1783, he attended Washington's farewell to his officers in Fraunces Tavern. In early 1784, he founded the Bank of New York and in February 1785 he helped found the New York Society for Promoting the Manumission of Slaves.

As a delegate to the Annapolis Convention in 1786, Hamilton drafted a resolution pushing for a Federal Constitutional Convention in 1787. As a member of the New York Assembly that year, he was appointed a delegate to the Philadelphia Convention.

Surprisingly, his part in the actual works of the "Convention" was insignificant. However, his Federalist Papers - fifty one of the eighty five essays - were a great contribution to the American political philosophy and the Union. Chancellor Kent said on this, "No constitution ever received a more masterly and successful vindication."

Hamilton, as Washington's Secretary of Treasury, secured the credit of the Federal government and historians have called him the greatest minister of finance in the American history. His opposition to the Jeffersonian agrarian policy did not stop him from supporting Jefferson against Aaron Burr, he considered as "dangerous". Sure enough, Burr proved to be fatal for Hamilton after he was defeated in the elections due to Hamilton's opposition when seeking the seat of governor. Burr killed him in a duel in 1804.

As an economist, Hamilton was the originator of the American protectionist policy, which is shown in his report on manufactures, starting a departure from Adam Smith's theories.

ROBERT MORRIS 1734 - 1806

Merchant Robert Morris was born in England in 1734. His father was a tobacco exporter at Oxford, MD. He had a brief schooling and was employed in a well known shipping-banking firm called Thomas and Charles Willig, where in 1754, became a partner. For almost four decades he was one of the company's directors and an influential Philadelphia citizen.

He was an active participant in protests during the Stamp Act turmoil in 1765. His other activities involved: full commitment to the causes of the revolution, though unfortunately on July 1, 1776, he voted against independence, which he considered premature. But the next day, he purposely absented himself to facilitate an affirmative ballot by the Pennsylvania delegation. Morris was elected to the Pennsylvania Council of Safety (1775 - 1776), the Committee of Correspondence, the Provincial Assembly (1775-76), the Legislature (1776-78, 85-86) and the Continental Congress (1775-78).

Morris was a key congressman, specializing in financial affairs and military procurement. In 1781-84 he was the superintendent of finance under the Articles of Confederation. He had been acclaimed as an economic wizard, besides being one of the wealthiest individual in the colonies and had won the accolade, "Financier of the Revolution". He worked closely with George Washington to help finance the war and in 1781 financed Washington's Yorktown campaign. During this period, with the help of a sizable loan from France, along with a part of his own fortune, he organized the first government-incorporated bank in the United States, called the Bank of North America, which helped finance the war.

In 1786 he attended the Annapolis Convention and in 1787 the Constitutional Convention. During Washington's presidency, he turned down appointments as the First Secretary of the Treasury, and took the U.S. Senate Seat (1789-96) instead.

During his later years, through his wild speculations in lands and construction deals he overextended his credit, and in 1798 was arrested at the behest of creditors and thrown into the Philadelphia debtors prison. In 1801 he was released under a Federal bankruptcy law and died in 1806, penniless.

Merchant Robert Morris, man of multi distinctions, was one of the two who signed all three of the nation's basic documents: the Declaration of Independence, Articles of Confederation, and Constitution.

CHARLES COTESWORTH PINCKNEY 1746 - 1825

Charles Cotesworth Pinckney was born in Charleston, South Carolina and received an exceptional education in England where his father was serving as a colonial agent for South Carolina. He was admitted to the English bar in 1769, after studies at Christ Church College, Oxford and Middle Temple at London. He toured Europe and continued studying chemistry, botany and military science.

In 1769, Pinckney moved back to South Carolina and was elected to the Provincial Assembly in the same year. In 1770 he joined the bar and served as Attorney General for many colonial towns. By 1775 he had joined the patriotic movement, particularly in the Provincial Congress and the First South Carolina Regiment, as a captain and then a colonel. He fought in Charleston, South Carolina, Brandywine and Germantown, Pennsylvania, in the Floridas and at the Siege of Savannah. In 1780, when Charleston fell, he was taken prisoner of war for two years.

His service during the war included participation in the State Legislature and the Senate. Pinckney was one of the most important delegates at the Constitutional Convention, advocating a strong federal government. It is interesting that he had proposed that Senators should serve without salary ...

In South Carolina, he defended the Constitution. In 1796, he was appointed Minister to France, but the revolutionaries there declined to receive him and he went to the Netherlands.

In 1797, he was again appointed to a diplomatic mission to France, and his phrase, "No! No! Not a sixpence!" became known as his answer to a French agent who suggested that the United States should pay dollars so that negotiations would be promoted ... Back in the United States, he served as Major General for the American army in the South from 1798 to 1800.

As a candidate for the posts of the Vice President and President, Pinckney did not succeed. In the following years he served as a lawyer, president of many organized societies, engaged himself in many philanthropic activities, and participated in the founding of the South Carolina College.

HUE WILLIAMSON 1735 - 1819

Williamson was born in West Nottingham, Pennsylvania. He initially studied theology at the College of Philadelphia, receiving a degree in 1757 and further training in Connecticut. He became a Presbyterian preacher for some time, and a mathematics professor.

In 1764, Williamson turned to his interest in medicine, studying in Europe and obtaining a degree from the University of Utrecht. Upon his return to Philadelphia, he started his practice but soon quit because he had further interests.

In 1771 he wrote "An Essay on Comets" with many original ideas. He later traveled to the West Indies and Europe, meeting with Benjamin Franklin, with whom he cooperated in electrical experiments.

In 1775 he published his pamphlet "The Plea of the Colonies" which inspired support of the Americans by the English Whigs. When independence was declared, Williamson sailed home from the Netherlands, settling in North Carolina, where he operated a business, trading with the French West Indies and, again practicing medicine. He became Surgeon-General of the state troops and after the Battle of Camden, he offered extraordinary services to the troops and the wounded.

Williamson served in the lower house of the State Legislature and at the Continental Congress. As a representative to the Constitutional Convention in Philadelphia, Williamson proved to be an excellent debator, who participated effectively in many committees, and especially in the Committee on Postponed Matters. Back in Carolina, he worked for the ratification of the Constitution in his state.

He served two terms in the U.S. House of Representatives and he was a founding trustee of the University of North Carolina. In 1793, Williamson moved to New York to continue his scientific and philanthropic activities. He was a member of the New York Historical Society and founder of the Literary and Philosophical Society of New York in addition to writing essays on virtually all the sciences, and being a trustee of the University of the State of New York and other institutions.



LUTHER MARTIN 1748 - 1826

Born in New Brunswick, New Jersey, Martin, a Maryland delegate to the Convention, distinguished himself among the Antifederalists as he forcefully defended the rights of the smaller states, especially with his speech of June 27th.

Although Martin is not a signator of the Constitution - he had given up his own efforts prior to the completion of the works - his debates were very important in the building of a fair constitution. This was a direct contribution in creating additional reasons for the union to survive by eliminating the differences among the states.

There is no doubt that the "Great Compromise" that came as the solution to the deadlock occurred from sentiments that were created after Luther Martin's speeches on June 27th and 28th, 1787. For that reason alone, Martin's service was extraordinary.

In addition to his activities as a political leader who opposed a strong central government, he served as Attorney General of the State of Maryland from 1778 to 1805. From 1813 to 1816, he was Chief Judge of the Court of Oyer and Terminer, and from 1818 to 1822 Attorney General again.

Martin, one of the best lawyers in the history of law, was also known for defending Aaron Burr, the once popular lawyer and statesman who, after killing Hamilton in a duel (July 11, 1804) further destroyed his political and social career by plotting a scheme involving land of the recently acquired Louisiana. For this he was tried for treason.

Martin's dislike for Jefferson, along with his emotional extravagance, turned him into a Federalist. It is interesting to notice here, too, that the Hamiltonian philosophies were winning in the end.

Martin, who was a graduate of the New Jersey University and had studied law in Maryland and Virginia, being admitted to the bar in 1771, is also known for defending against impeachment Justice Samuel Chase, a signator of the Declaration of Independence against impeachment. As in the case of Aaron Burr, he was again the winner.

When alcoholism forced him to retire, the state legislature passed a resolution that required that every lawyer pay an annual fee of five dollars and the proceeds to go to Martin's assistance. So great was the respect for his services to Maryland.

WILLIAM PATERSON 1745 - 1806

Paterson was born in County Antrim, Ireland, two years before his family emigrated to the United States in 1747. He studied at the College of New Jersey, where he took an M.A. in 1766.

In Princeton, he studied law under Richard Stockton and eventually he was admitted to the bar. Paterson participated in the War for Independence, served in the Provincial Congress and Constitutional Convention, at the Legislative and Safety Council and as Attorney General of New Jersey.

As a delegate to the Philadelphia Convention, he was distinguished for co-writing the New Jersey, or Paterson, Plan, which favored the rights of the small states.

Paterson proved to be an eminent lawyer, jurist and politician. As a U.S. senator, he was responsible for the Judiciary Act of 1789. He served as the Governor of New Jersey from 1790 to 1793 and revised many rules and practices in common law courts of his state. In 1800, his book, "Laws of the State of New Jersey" was published. He was Associate Justice of the Supreme Court from 1793 to 1806.



Langdon, born in Portsmouth, New Hampshire, was one of the enthusiastic patriots from this state. His father was a farmer but John, after working as an apprentice clerk and then as a seaman, became a merchant and operated a privateer building business. In the War for Independence, he participated in operations in New Hampshire, Saratoga, NY and in the Rhode Island campaign.

He was a generous patriot who paid for John Stark's operation against British General John Burgoyne, and also paid the expenses of the New Hampshire delegation to the Constitutional Convention in Philadelphia, (which included Nicholas Gilman.)

His political activities include, but are not limited to, the following services: many patriot meetings, the New Hampshire Committee of Correspondence and Nonimportation Committee, the Continental Congress, the post of New Hampshire's Militia Agent for British Prizes on behalf of the Continental Congress. He was Speaker of his State Legislature from 1777 to 1781 and member of the Continental Congress of 1783. He was also elected to the State Senate and Chief Executive of New Hampshire. He served three times in the Continental Congress and again as the Speaker of the Legislature in 1786-1787. In 1788 he was again Chief Executive. As State President he was instrumental in the Convention for the ratification. During the Federal Convention in Philadelphia, he served in the committee that created a compromise on the slavery issue, he supported a strong national government, and marked the works of the conventional debates with his many speeches.

Langdon also served the U.S. Senate and later, after refusing the government's proposal to become Secretary of the Navy, continued in New Hampshire politics, serving again in the legislature and becoming the Governor in 1805.



Dickinson was born in Talbot County, Maryland, and as a delegate to the Constitutional Convention, with the other two members of the remarkable Delawarean team, Gunning Bedford Jr. and George Read, chiefly helped in the "Great Compromise" and in the ratification of the Constitution.

His ultra-conservative standing had made him a sort of unpopular patriot - he voted against and declined to sign the Declaration of Independence. However, he was highly respected for his philosophical mind and his popular revolutionary thinking expressed in a series of articles published in the Pennsylvania Chronicle, known as the "Letters from a Farmer in Pennsylvania" in 1767-68, and his pamphlet of 1765 where he advocated opposition to the Stamp Act and creation of discomforts for the British Merchants.

Dickinson was a sage with a mentality similar to that of Ghandi, recognizing all existing problems, and seeking always to find peaceful solutions. Ideologies such as Dickinson's have helped keep in the mind of the Americans the virtues of reconciliation and moderation, which proved to be so instrumental to future good relations, especially with England.

In the Philadelphia Convention, in addition to his contribution to the "Great Compromise", he served in the Committee on Postponed Matters and in other cases wrote public letters advocating the ratification of the Constitution. He distinguished himself in other instances, as in his opposition to the Townshend Duties in 1768. He served in the Delaware and Pennsylvania Assemblies from 1760 to 1764, in the Pennsylvania Legislature from 1771 to 1780, as the President of Delaware's Supreme Executive Council in 1782, as President of Pennsylvania from 1782 to 1785, and as Chairman the Annapolis Convention in 1786, as the representative for Delaware.

Dickinson had been a distinguished law student of John Moland in Philadelphia and of London's Middle Temple. His collected works on politics were published in 1801.

Baldwin was born in Guilford, Connecticut. He studied theology at Yale, where he later became a tutor and minister. In 1779 he served the Continental Army as a chaplain. By 1783, after the war, he had studied law and been admitted to the bar at Fairfield. The following year he moved to Georgia. In 1784 he, with others, was appointed to a committee for the founding of a State College. This goal was realized later, when Franklin College was founded. In accordance with Baldwin's plans, it was modeled after Yale.

In 1785 Baldwin served in the Assembly and the Continental Congress. In 1787, he was a delegate to the Constitutional Convention in Philadelphia. Baldwin, in contrast to the other delegates born in England, bitterly opposed Hamilton and supported Madison and Jefferson. He also served on the Committee on Postponed Matters and assisted in resolving the small-large states conflict. It is interesting that in the beginning, he preferred senate representation based on property holdings, but later he reversed his preference to representation by state. On the question of the slave trade, Baldwin declared that Georgia would not confederate if not allowed to import slaves.

Baldwin served as a Representative to the Congress from 1789 to 1799 and thereafter in the Senate until his death, caused by illness, in 1807.



RUFUS KING 1755 - 1827

Rufus King was born in Scarborough, Massachusetts, (presently part of Maine). He graduated from Harvard and studied law at Newburyport, under Theophilus Parsons. King was an aide in General Sullivan's expedition to Rhode Island. He was admitted to the bar in 1780 and started practicing at Newburyport. From 1783 to 1785, as delegate from that town, he served as a member of the Massachusetts Legislature. His oratorical and political charisma were soon shown at the Continental Congress of 1784 to 1786, where he won a reputation as a brainy speaker opposed to slavery. In 1787 when only 32 years old, he was considered one of the most capable orators who attended every session of the Philadelphia Convention.

Although at first opposed to any radical change in the Articles of Confederation, he eventually changed his stand and was found debating with eloquence in favor of a strong central government. During the Convention, he served on the Committees of Style, and on Postponed Matters. Back in Massachusetts, at the Convention for the Ratification of the Federal Constitution, - a difficult task for this state, then again a delegate from Newburyport, King played a vital role in securing the approval of his state.

King worked for the Federalist cause, and like Madison, kept notes on the various proceedings during the Convention. These are very useful to historians.

In 1788 King moved to New York and in the following year was elected to the Legislature of that state. In 1790, as one of the first Senators of the U.S.A., and perhaps the ablest Federalist, he supported all Hamilton's financial measures. In 1791, King was elected a Director of the Bank of the United States. In 1794 he supported Jay's Treaty and on that occasion, he joined Hamilton and Jay in publishing "Camillus" which was a series of papers explaining the details. King, an authority on commercial matters and maritime law, shared a discussion on these subjects.

In 1795 he was chosen for a second term in the Senate. In 1796 Washington appointed him Minister Plenipotentiary to Great Britain, where he proved to be a very tactful diplomat. In 1804 and 1808, as a team with Charles C. Pinckney, he ran for the Vice Presidency under the Federalist's umbrella, but in both attempts, their nomination against Jefferson's failed.

King had copiously opposed the war of 1812 against Great Britain, but after the British burned the Capitol in 1814, he engaged in the war effort.

King's long political career includes candidacy for President in 1816, authorship of the Navigation Act of 1818, opposition to the admission of Missouri as a state with slavery (see the Missouri Compromise of 1820), re-election to the New York State legislature in 1820, membership of the New York Constitutional Convention in 1821, and service as a Minister to the Court of St. James in 1825.

Jeremiah Mason called King: "...The greatest orator he ever met." Daniel Webster declared about him: "You never heard such a speaker in strength and dignity, and fire; in ease, in natural effect and gesture as well as in matter, he is unequalled."



ROGER SHERMAN 1721 - 1793

Sherman was born in Newton, Massachusetts, and at an early age moved to Connecticut. While his formal education was minimal, he was a self-taught giant who published an Almanac series and rose to be a distinguished juror and politician. In 1754 he was admitted to the bar. He served in the Colonial legislature, and as a County Judge from 1755 to 1761.

In 1761 from New Milford, Connecticut, he moved to New Haven, Connecticut, where, among other activities he became a benefactor of Yale College and the college's treasurer. There, his public life and political career included such services as Associate Judge in the Connecticut Superior Court, Representative in the Colonial Assembly, and Head of the New Haven Committee of Correspondence.

Sherman was also a member of the Continental Congresses of 1774 to 1781 and 1783 to 1784, and a member of the committees that wrote the Declaration of Independence and the Articles of Confederation. He served in the Congress and in numerous committees and councils. He also participated in the work to codify Connecticut's statutes. He was Mayor of New Haven from 1784 to 1786.

At the Constitutional Convention, he had the best attendance record, and he was one of the drafters of the "Great Compromise" which helped the unification cause tremendously. And of course, he supported Connecticut's ratification of the Constitution.

Sherman also served in the Federal government as a U.S. Representative and Senator from 1789 to the end of his life.

Jefferson was born in Goochland (Albermarle) County, Virginia. He had a natural inclination to studies and a thirst for knowledge. Dr. William Small of Scotland, Professor of Mathematics at the College of William and Mary, used his influence to have George Wythe accept Jefferson as a law student.

In 1767, Jefferson was admitted to the bar, becoming an office lawyer as a result of the distaste he was feeling against court trials dominated by the undignified clashes of the opponents. A man with great aesthetic vision, Jefferson would have preferred to become an architect. He actually proved to be an empirical one, enhancing in this way his philosophical mind.

Jefferson had a long career and, as a public man, had served as Governor of Virginia, Member of Congress, Minister to France, Secretary of State, Vice President, and third President of the United States.

Jefferson was a profound jurist who drafted the Declaration of American Independence and the Statute of Virginia for Religious Freedom. He was against the orthodoxy of the Calvinists, advocated tolerance in religion, emancipation of slaves, and public education. He was also interested in the sciences, mathematics, botany, meteorology, zoology, astronomy, ethnology, mechanics and architecture. He was a farmer, a talented musician, and well-read in classical and modern literature.

Jefferson's opposition to Hamilton's economic plans and Federalism was vigorous. He repeatedly attacked Hamilton's desire to expand the powers of the Federal government as a violation of the Constitution. He claimed that the Federal government did not have the right to charter a bank. His ideas were shared not only by Madison, but by many others.

The "Jeffersonian Democracy" viewed America as a pluralistic agricultural society of a rather aristocratic nature, giving the right to vote only to those who owned at least a minimum of land.

Jefferson's letters are of great laographic and philosophical importance - see letter to Dr. Walter Jones on the Character of Washington, etc. In 1774, Jefferson's "A Summary View of the Rights of British America" applies, in a brilliant manner, the "Natural Rights" doctrine to the controversy between America and England, advocating that the English Parliament has no authority over the colonies.

Perhaps the greatest credit to Jefferson's politics was The Louisiana Purchase, which nearly doubled the size of the country.

It is interesting that Jefferson, nearing retirement, is quoted as writing, "The spirit of manufacture has taken deep root among us," and later, "We must now place the manufacturer by the side of the agriculturalist." The U.S. Constitution had sorted out the disputes of the Federalists and anti-Federalists.

JOHN MARSHALL 1755 - 1835

Marshall was born near Germantown (Midland) or Fauquier County, Virginia. He served as lieutenant and as captain in the Continental Army during the American Revolution. He studied law at William and Mary College; was admitted to the bar, resigned from the army in 1780 and started practicing law in Fauquier County. He soon moved to Richmond where he was distinguished as the leading lawyer in Virginia.

Marshall was also a statesman. From 1782 to 1791 he served as a Member of the Virginia Assembly and he was active in the State Convention for the Ratification of the Constitution. He served abroad in the mission formed to arbitrate commercial affairs with France, with Charles Cotesworth Pinckney and Elbridge. Although the mission was unsuccessful, Marshall's activities there made him popular and in 1799, he was elected to the U.S. House of Representatives. In 1800-1801, he served under President John Adams as Secretary of State, and was also appointed Chief Justice of the U.S. Supreme Court in 1801.

Up to his elevation to the position of Chief Justice, the Supreme Court was an ineffectual authority. Marshall became renowned as the "legal interpreter of the Constitution," and the Supreme Court's power has been established since then. Landmark cases were: a. Marbury vs Madison established that the Supreme Court has the power to overrule acts taken by the states or by congress when they are considered unconstitutional; b. Cohen vs Virginia, c McCulloch vs Maryland and d. Gibbons vs Ogden which gave the Supreme Court the power to decide a case involving the citizen and his state if he is convicted under a state law contrary to the Constitution; gave Congress the means to exercise its powers, and gave the federal government control over foreign and interstate commerce.

Another interesting interpretation of the Constitution established by Marshall is that treason can only occur when a state of war exists - see Aaron Burr's trial.

Marshall was regarded as the "Great Chief Justice" and when he died in Philadelphia on July 6, 1835, the whole country mourned. Amazingly, when the Liberty Bell was rung during his funeral, it cracked.

For a short period, a few complained that his judgment over extended the powers of the federal government. Marshall set the Judiciary up to its true function: next to the Executive and the Congress - The Judiciary, he claimed, offers protection from an infringement of the Constitution.

Thomas Hobbes was born at Malmesbury in 1588 and entered Oxford in 1603. His first interest was in the classics, and his first published work was a translation of Thucydides in 1628. An interest in science and philosophy soon developed, and was heightened by extended travels in Europe in 1629-31 and 1634-37. This led to his great project in political science. His first version of this, "The Elements of Law, Natural & Politics" was privately circulated in 1640, when parliament was hotly disputing the king's power and Hobbes fled to Paris, where he remained for eleven years. The third version, "Leviathan" was published in 1651. It was the crowning achievement of his political science. It was so influential that it came under widespread attack and was in danger of condemnation by the House of Commons.

LEVIATHAN is the vast unity of the state. But how are unity, peace and security to be attained? Hobbes' answer is sovereignty, but the resurgence of interest today in Leviathan is due less to its answers than its methods. Hobbes sees politics as a science capable of the same axiomatic approach as geometry: he argues from first principles to human nature to politics.

Its appeal to the twentieth century lies not just in its concern for peace. The argument that the state of nature, in which life is "nasty, brutish and short" (and patriachal), is important, but so too is its systematic analysis of power, and its convincing apologia for the then emergent market society in which we still live.

At the age of 84, he composed an autobiography in Latin verse, and within the next three years, translated the whole of Homer's *Odyssey* and *Iliad*. He died at Hardwick in 1679.



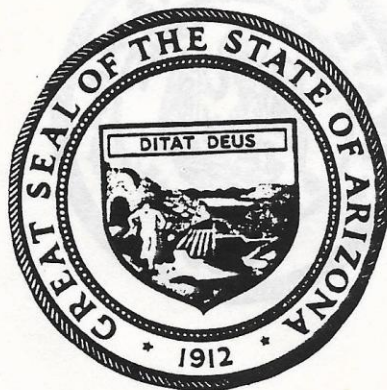
CHARLES D. MONTESQUIEU 1689-1755

Montesquieu, Charles Louis De secondat, Baron De La Brede Et De was born in the chateau of La Brede, near Bordeaux. He received his education at the Oratorian School at Juilly and at Bordeaux. He served as counselor of the Bordeaux parliament in 1714 as its President from 1716-1728. In 1728 he was elected to the Academie Francaise.

Montesquieu's work was very influential during the literary and philosophical movement of the Enlightenment. The high French jurist and philosopher, in his book "L'Espirit de Lois" published in 1748 used England in an idealized fashion to describe a balanced constitution with all checks and balances, examining the three principal types of government: Republic, Monarchy and Despotism. Liberalism in the 18th century held Montesquieu next to Locke in its highest esteem. An earlier publication by Montesquieu is the "Persian Letters" satirizing the contemporary social, political, ecclesiastical and literary conditions of the Bourbon monarchy. Published in 1721 it is considered the most important stimulant for the French Revolution. In 1734 he published the "Reflections on the Causes of the Greatness and the Decadence of the Romans" one of the most important books of historical literature.

Jefferson, Hamilton, Adams, Madison and the other founders of the United States were deeply impressed by his formulas on the separation of powers and checks and balances, which is characteristic of the Constitution of the United States.

Paul Merrill Spurlin in his book "Montesquieu in America" published by the Louisiana State University Press in 1940 and by Octagon Books in 1969, offers extensive material on the influence of Montesquieu on the Constitution and Confederation matters.



Burlamaqui was born in Geneva, grandson of the Italian family Burlamachi, who emigrated to France. This family survived the St. Bartholomew's Massacre in 1572 by escaping to Austria. After a few years they moved to Switzerland.

Burlamaqui was a graduate of the University of Geneva. During his studies, he traveled in England, Holland and France. In Oxford, his talents were appreciated. In Holland, he was the guest of Barbeyree, who was a commentator on Grotius and the translator of the works of Pufendorf.

At the age of 25, he was made Professor of Natural and Civil Law at the University of Geneva. He held this position for many years, along with an appointment to the Council of State.

The clarity and purity of style of Burlamaqui's works were admired by many. His work being simple, concise and readable, had no rival in style till Rousseau's "Social Contract" came to light. His two volume work called "Principe du Droit Naturel et Politique" was first published in 1747 and met with immediate success in Switzerland and abroad. Numerous translations and editions followed in France, Holland, Germany, Sweden, England and Ireland, as well as in Italy, Spain and the U.S.A.

The book entitled "Jean Jacques Burlamaqui; a Liberal Tradition in American Constitutionalism" by Forrest Harvey, 1937, published by the University of North Carolina Press, offers over 300 bibliographic references.



Cicero, the Roman writer, philosopher and politician, has tremendously influenced history. Voltaire praised Cicero's books as "Of the noblest works ever written." John Adams and his son, John Quincy Adams, highly praised Cicero's work. Thomas Jefferson read Cicero's "On Old Age" every year.

One of Cicero's great ideas was the doctrine that "No war should be undertaken except to maintain good faith or security." Cicero, in his "De Republica" was dreaming of a concord of the two orders (the senators and equites). The Roman Constitution did not provide for balanced functions of the government, a fact that proved to be fatal for the republic when the powerful and charismatic Julius Caesar appeared. Caesar's profound egotism provoked the egotism of others. During his time, the role of the senate was eliminated to nothing! The democrats, however, had never justified his monopoly of power because of his genius or efficiency. When, after his death, Cicero tried to revive the ideology of the republic, the government had already turned to a "leader's worship" and the "principates."

Thadaeus Zeilinski, the Russian philologist, wrote that of all Julius Caesar's achievements, none was as important to the human civilization as the fact that by compelling Cicero to retire to the country, he forced him to state his philosophy in writing. Cicero's influence on the Jurisprudence is as important as his contribution to the Roman Law.



James Harrington was born in January 1611, in Rutlandshire, England. He studied at the Trinity College in Oxford and fitted himself for his intended travels by learning several foreign languages.

His first trip was to Holland and then to Denmark, France and Italy where he furnished himself with all the valuable books in the Italian language, especially those treating of politics.

His was a very liberal nature. His book, "Commonwealth of Oceana" caused him great trouble, along with the "Rota", a club he joined. The "Rota" was a group of very intelligent men who had a balloting box and balloted how things should be carried by way of essay, unknown to England before.

Every evening, their club was full and the greatest of the Parliamentarians hated this rotation and balloting, as being against their power. Harrington used to compare the several political parties of the monarchy to a "company of puppy dogs in a bag," where, finding themselves uneasy for want of room, everyone bites the tail or foot of the next, supposing him to be the cause of his misery.

On December 22, 1661, by an order of the King, Charles the Second, James Harrington was seized by Sir William Poultney and others and committed to the Tower of London for "treasonable designs and practices." He was given no time to see anyone but was conveyed straight to the Tower. He suffered a mistrial, and was never proven guilty. His long term in prison reduced him to a skeleton. A rumor at Plymouth was that Harrington had taken a drink given him by a doctor, who made sure that he would never again be able to write "Oceanas". He became insane, never recovered, and died on September 11, 1677, in Westminster, England.

In his "Oceana" he proposes several models of popular government, such as the Commonwealth of Israel, the Second Commonwealth, Sparta's Athen's, Rome's, Venice's, Holland's, and a commonwealth fitted to the Present State of this Nation (England). Also, he offers the "Ways and Means whereby an Equal and Lasting Commonwealth may be suddenly introduced, and perfectly founded, with the free consent and actual confirmation of the whole People of England". His second model of a commonwealth proposed, is the shortest in expedition and reads, "That there be a king without guards. That the Word or Command of this King be the Law. That this King, stirring out of his Palace, it may be lawful for any man to slay him. In this model there wants but Security, that while the People are dispers'd the King can gather no Army, to demonstrat, That either the People must be free, or the King a Prisoner."

Samuel Pufendorf was born on January 8, 1632 in Floha, near Chemnitz, Saxony (in Germany). His father, a clergyman, forced him to study theology in Leipzig, but he soon decided to change from sciences, and turned to jurisprudence. In Jena, he studied both natural law and mathematics. Professor Erhard Weigel, a distinguished mathematician, influenced his future greatly. Pufendorf became a tutor in the family of the Swedish Minister Coyet, who called Pufendorf to Copenhagen. At the same time, war broke out between Denmark and Sweden and along with Coyet's family, Pufendorf was imprisoned.

During his eight months of captivity, he wrote the "Elementorum Jurisprudentiae Universalis Libri Duo". This work was published in 1660 and Pufendorf was immediately called to the University of Heidelberg, establishing the first public chair of International Law in the history of jurisprudence. In 1664, in Heidelberg, he published his book "De Statu Imperii Germanici" under the pseudonym "Severinus de Monzambano." This book immediately attracted the greatest attention, pointing out the faults committed in the reorganization of the German Empire. In 1670 Pufendorf was called by the King of Sweden, Charles XI, to be appointed at the University of Lund and Advisor to the King, on International Law, and so he resigned his chair in Heidelberg.

In Lund he published his principal work: "De Jure Naturae et Gentium Libri Octo." This work was widely read in the original Latin and was also translated into French, English and Italian. He was also the official state historiographer of Sweden, appointed to this position by the king of Sweden in 1667. He published several works on the history of Sweden. His work on Natural Law was widely used as a reference during the American independence movement.

Pufendorf declares that by virtue of natural law, nobody is born to be a slave. Actual slavery is not an institution of nature herself. He talks about the disadvantages of slavery and offers ways in which a slave may be free. He asserts that his model of natural law is valid for all people, regardless of what their religion may be. As a pioneer in the advocacy of equality, his arguments do not permit doubts that equality under law should be secured. He holds that "law should be kept even by force," and that one does not make laws for rare cases or exceptions. He quotes Theophrastus, "Do not make too many laws."

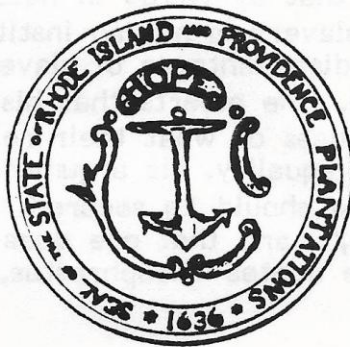
In 1717, John Wise, a pastor from Ipswich Massachusetts, and a champion of liberal public causes, openly borrowed his ideas from Pufendorf when he published his "Vindication of the Government of New England Churches," which reflected the growth of secular democratism.

References on editions of Pufendorf's work can be found at the libraries of Columbia and Harvard Law Schools, and at the Library of the City of New York.

Pufendorf died in Berlin on October 26, 1694.

John Locke was born in Wrington, near Bristol, England. He graduated from Oxford and from 1661 to 1664 he lectured on Greek, rhetoric and moral philosophy. He was later appointed Secretary of Presentations and Secretary to the Council of Trade.

In 1690 his "Essay Concerning Human Understanding" along with his "Treatises on Government" were published and in 1693 "Some Thoughts on Education" was published. In 1695 "The Reasonableness of Christianity" appeared anonymously. In 1696 he was appointed by King William as a member of a new council of trade. His "Essay Concerning Human Understanding" marks the beginning of English empiricism. In his "Two Treatises on Government", we see that, like Hobbes, Locke believes that government is the result of an original contract, that when the people enforce their will against the government, they are not rebels, they are acting within their rights. He also distinguishes between three functions in government: legislation, execution and adjudication. He honors the legislative function as supreme, but the Sovereign Will of the people stands above all. His "Treatises on Government" was published to justify the British Whig revolution and this work also contained the seeds of the American Declaration of Independence.



JAMES OTIS 1725 - 1783

James Otis was born in West Barnstable, Massachusetts, and graduated from Harvard in 1743, becoming a lawyer. He represented the merchants against the Writs of Assistance that had been issued by the British Crown. These writs ensured the collection of custom revenues, permitting the general search of vessels for smuggled goods. Although he lost his case, his argument on behalf of the merchants was that, "the colonists being Englishmen, any pact of Parliament that so violated the civil rights of Englishmen was by definition void." The impression he created on the audience in the court is best described in John Adams' own words: "Otis was a flame of fire ... American independence was then and there born. The seeds of patriots and heroes were then and there shown."

Otis was the author of influential political pamphlets such as "A Vindication of the Conduct of the House of Representatives" (1762), "The Rights of the British Colonies Asserted and Proved" (1764), and "A Vindication of the British Colonies" (1765).

Otis vigorously opposed the Stamp Act in 1761 and suggested the formation of the Colonial Congress that led to the Stamp Act Congress of 1765. He also opposed the Sugar and Townshend Acts.

On September 4, 1769, in an article in the Boston Gazette, he denounced as liars the British Customs officers who had accused him of treason in their official report. On the next evening, he sustained a head wound as the result of a brawl with one of the commissioners. This wound contributed to his subsequent inability to fulfil his professional and political duties, causing him profound insanity. At the Battle of Bunker Hill he ran into the line of fire, but escaped unharmed. On May 23, 1783, he was struck dead by lightning.

It is interesting that the book entitled "The Stamp Act Crisis; Prologue to Revolution" published in 1953 by the University of North Carolina Press and in 1962 by the Maxmillian Publishing Co., Inc. has copiously tried to underestimate Otis, treating him, through the spectrum of that same commissioner in the above mentioned brawl, as a man who acted only for his own personal and family interest, undeserving to carry the nobility of an Englishman. However, the truth is that an American hero was there born!

Adams was born at Braintree (Quincy), Massachusetts. He graduated from Harvard in 1755 and began studying law with a local lawyer. He was admitted to the bar in 1758 and began practicing law. Adams was an admirer of James Otis and one of the many who threw themselves into the revolutionary camp after the Stamp Act. He wrote a protest for Braintree which was also adopted by many other towns in the colony. Adams proved to be as great a philosopher as a patriot. He quoted himself "one of those Protestants, who do not believe in anything." Adams was cynical and stubborn, but austere and selfless in his actions. His inclination to be loyal to England, against the fact of the colony's exploitation by the Crown, perhaps contributed to his distrust for people, something that did not prevent him from devoting himself to the welfare of the nation.

He authored the Constitution for the State of Massachusetts, which was very conservative. He was always impressed by the British form of government and very well read - from Aristotle, Cicero and Montesquieu to Hume and Voltaire. He was a member of the committee responsible for the Declaration of Independence in 1776, and had previously served in the colonial legislature from 1774 to 1775 and the Continental Congress from 1774 to 1777. With these services, he gained much fame in the nation, especially because he sought to be a great diplomat as a conciliator against his colony's known extremism.

In 1777, Congress appointed him to a diplomatic mission in France, a post he held until 1788.

Adams' ideas on the government were not up to the democratic standards of the Constitution of the United States. He believed that an aristocratic class could better provide for the interests of the poor than the masses of people. However, he defended the system of checks and balances, so important in the Constitution. He served as the first Vice President, 1789 to 1797, and as the second President of the Union 1797 to 1801. As President, he was troubled by the Hamiltonian and Jeffersonian policies that he inherited from Washington, lacking the ability of the First President to keep a balance in their actions. Adams, during his presidency, led his own way, taking a middle, unpopular position, but offering the Nation four years of useful peace.

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PROPOSED RESEARCH PROJECT ASSIGNMENTS
FOR STUDENTS IN THE U.S.A. AND ABROAD

The Constitution of the United States as shown in "The Choice" has its seeds in the universality of humanism. Washington as a World Citizen writes to Lafayette on August 15, 1786: "I am ... a philanthropist by character, and ... a citizen of the great republic of humanity at large."

Studying the United States Constitution and the way of life in the west in comparison with others, could be twice as interesting and attractive to the student, and if, in addition to this, the study of its roots and creation is introduced, the interest will increase exponentially.

Although the study of the Constitution can be facilitated with a motivated student without directions from the writers of this booklet, it was considered useful to give some ideas on topics, and subjects to research, because familiarity with one part makes the attempt more approachable. The variety of topics is inexhaustible. A subject can be religious, agricultural, commercial, of international or local interest, related to family or ethnic background; may suggest reforms of a political system or government, etc., etc.

1. Separation of Church and State; Thomas Jefferson and the Virginia Statute for Religious Freedom; also Mark 12:17; Luke 20:25:
"Render unto Caesar the things that are Caesar's and unto God the things that are God's."
2. The right to a public trial, see the sixth amendment; also Solon's wish that "anyone should be admitted as accuser, because it is as if in one citizen the liberty of all is despised;" and also Grotius' comments on the definition that "Law is a common precept."
3. Hebrew religious law in the U.S. Constitution; see President Truman declaring that the 5th amendment and the inscription on the American Liberty Bell - "Proclaim freedom to all the world" - are derived from articles of the Hebrew state; also see the Commonwealth of Israel, in Harrington's "Oceana".
4. The various models of Commonwealth proposed by Harrington (Israel's, Sparta's, Athens', Rome's, Venice's, Holland's, and the proposed models of commonwealth for the people of England).

5. The variety of opinions of Hobbes, Grotius and Pufendorf in respect to the penal law and the arguments on the "natural condition" in regards to justifying an individual's position in participating in a war or not, as, according to Pufendorf, the natural condition is peace and not war, but an individual during an international dispute should be bound up with his country's laws on compulsory military service; (De Jure Naturae et Gentium, Book Eight).
6. The doctrine of Hobbes that positive law can never contradict the natural law.
7. Pufendorf's theory concerning the origin and extent of human authority (basic in the U.S. Constitution); and his denial of slavery as to its conformity to the state of nature (De Jure Naturae et Gentium, Book Six).
8. Montesquieu's famous theory on the division of power.
9. The Bill of Rights and its effects on the personal liberties.
10. Comparative research on the various states' constitutions and the personalities included in this booklet; work on events related to the ratification of the Constitution; see letters and publications of the period; also Maryland's project for the recreation of Captain Joshua Barney's ship the "Federalist" commemorating the erection of the "Seventh Pillar" (Maryland was the seventh state adopting the Federal Constitution) as described by the Maryland Journal of May 16, 1788.

The universality of the Constitution of the United States, with its doctrine of the "World Citizen" as expressed by Washington, advances a useful precept for a progressive understanding of the world and the improvement of relations among the various peoples of all continents. Therefore, it is assumed that the United States commissioners abroad would act gladly in assisting, during the period of the Bicentennial era, students abroad by giving appropriate referrals in conjunction with the Commission for the Celebration of the Two Hundred Years of the United States Constitution; such exchanges can only benefit the participants.

Some suggestions on foreign student assignments may be found in the following appendix of examples; and with the assistance of an educational advisor of the U.S. Commission, themes may be proposed to students of any country of the world.

A. EUROPE

1. England and the other Protestant denomination countries: Analyze the Protestant reform movement and its impact on the Constitution.
2. Italy and Greece: Assignments on Cicero and other Roman writers, on Solon, Pericles, etc.; compare the principles of the ancient democracies with the U.S.A.
3. Holland, France, Switzerland, Germany and Sweden; on Grotius, Harrington, Montesquieu, Pufendorf and Burlamaqui; on the Natural Law and the separation of powers.
4. _____

B. SOUTH AMERICA

1. Brazil and Venezuela: Compare the style of the 1961 Constitution of the Republic of Venezuela with the U.S. Constitution; the Constitution of the United States of Brazil with the Constitution of the United States of America and comment on the features of the Brazilian Constitution which guarantee tenure after ten years of employment; and also provide tax exemption for the income of professors, journalists and authors.
2. Columbia: Study of the 1886 Constitution and its amendments of 1947, 1957 and 1959 and compare articles with the Constitution of the United States.
3. Mexico, Costa Rica and El Salvador: study the Constitution, refer to the Central American Federation and the present conditions. Compare the evolution and solutions of problems suggested by the United States model.
4. _____

C. ASIA

1. India and Pakistan: Compare the freedoms of the people between the two countries and those of the people of the United States; do an essay justifying the Islamic provisions of the Islamic Republic of Pakistan and compare the powers of the presidents of the three countries, India, Pakistan and the United States.
2. Japan: Compare the 1889 Constitution with the Constitution of 1947 and do an essay on the style and changes in the Constitution, and detect any influence or ideas derived from the United States Constitution.
3. Russia & China: What are the basic differences in the personal rights between the Communist and so-called Capitalist laws? Compare the laws and do an essay that may be useful to both systems.
4. _____

D. AFRICA

1. South Africa: Compare the evolution of public laws from the Dutch Cape of Good Hope, 1652; the Orange Free State, 1836-1910; Natal, 1835-1910; the South African Republic, 1836-1910, to today's Constitution. Compare it with the Constitution of the United States and give answers to the conflict of apartheid.
2. Nigeria: Study the 1963 Constitution and the "Bill of Rights" of the U.S.A. Constitution and do an essay on the subject of freedom.
3. Egypt: Relate the style of today's government to that of Nasser's and compare the rights of the individual regardless of the kind of sex as shown in the Constitutions of Egypt and the United States.
4. _____

E. OCEANIA

Find the roots of the Constitutionalism in Australia, 1900-1901; and compare it with the United States'. Comment on the similarities of the two constitutions formed by former colonies ... to original states

...

FINAL SUGGESTION:

The student of the Constitution could also elaborate on the Press Laws and Freedom of Speech as it is secured in the various constitutions and the American one...

