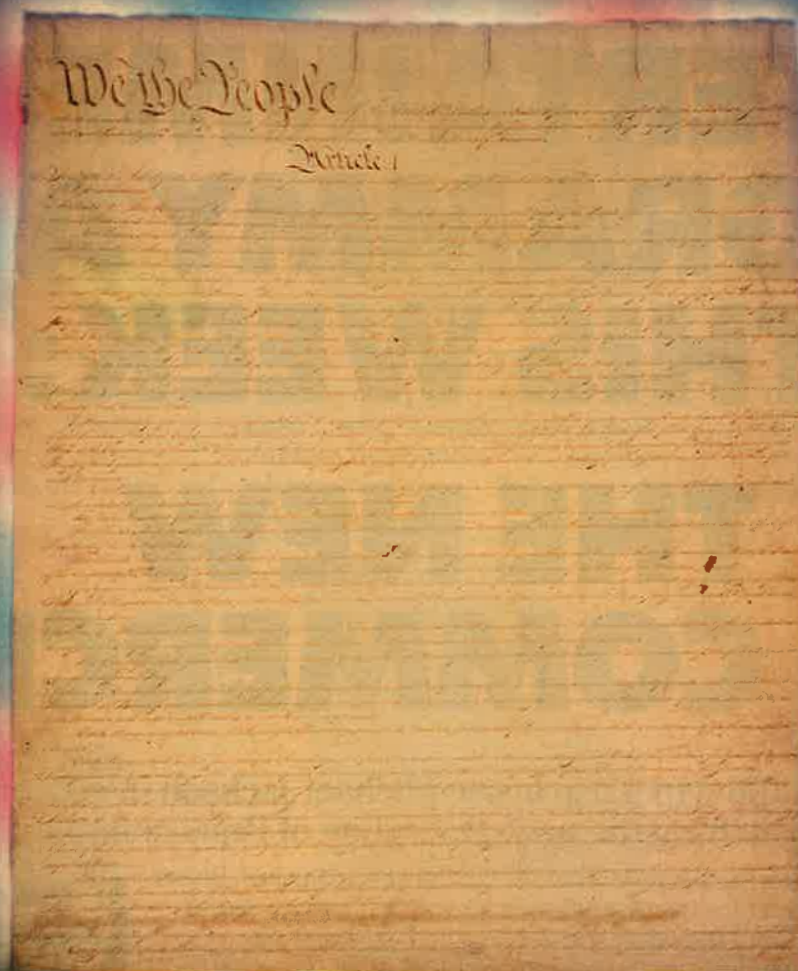


# SUNDAY

THE CHICAGO TRIBUNE MAGAZINE

FEBRUARY 22, 1987 SECTION 10



## **THIS MARVELOUS DOCUMENT 1787-1987**

Presenting, in noteworthy fashion,  
the 7,579 words we live by



**We,  
the  
People**

# ALIVE AND WELL AT 200

**As the bicentennial of the U.S. Constitution draws near, Warren Burger wants you to stop and savor the sweet taste of democracy**

Interview by Jeff Lyon

**A**fter 17 years as Chief Justice of the United States, a position notable for its intellectual demands and often brutalizing workload, Warren E. Burger has stepped down to take on what may be an even tougher job—getting Americans to think more deeply about the fading five-page document that has immeasurably shaped their lives.

That document, the U.S. Constitution, is about to celebrate its 200th birthday, an event that has crept up on us the way birthdays will when the honoree is someone whose magnificent services are obscured by a quiet, unassuming nature. For the nearly two centuries that the Constitution has been on the job protecting personal liberties, it has done its work so well, yet so unobtrusively, that we have tended to overlook it.

Now, having already partied long and hard to mark the 200th anniversary of the Declaration of Independence and the 100th anniversary of the Statue of Liberty, we Americans are being asked to get the good china out one more time to pay tribute to the Constitution. The response has been somewhat lethargic, a fact that saddens Burger, who since September has been full-time chairman of the Commission on the Bicentennial of the United States Constitution, which is overseeing the upcoming celebration.

*Jeff Lyon is a SUNDAY staff writer.*

"There's something to the argument that the country is getting a little burned out with historic festivities," admits Burger, who was interviewed recently in the sumptuous chambers in the Supreme Court building that he occupies as a retired Chief Justice. "One of the reasons this enterprise has had such a slow start is that we couldn't get out from under the shadow of the dramatic business of rebuilding the Statue of Liberty.

"Of course, the statue had a very concrete meaning," Burger said. "Lee Iacocca told me when we were visiting together last July 4th that 41 percent of the citizenry are either themselves immigrants or their parents or grandparents were. I'm in that category myself. My grandfather Burger came from Austria. That gives the Statue of Liberty and Ellis Island quite a pull on people's imaginations and emotions.

"There's no real pull on the imagination and not much on the emotions with the Constitution. Piece of paper is all it is," Burger concedes.

And yet, that's the challenge that excites Burger. To make people feel passionate about this abstraction, this bit of ink inscribed on parchment that has managed to hold an incredibly diverse society together for two centuries on the strength of common consent and nothing more.

"It troubles me that the average citizen has very little conception of what the Constitution is all about," says Burger. "And I wouldn't just say the average citizen. I'm astonished sometimes at how little we all have thought about it. As a practical matter, as a lawyer in general practice for 20 years I had only one case

in all that time involving the federal Constitution. So it's a little like good weather, or good health. You take it for granted.

"Of course, that's a tribute to how well it works. When your car is working, you take it for granted. But when the carburetor gets too lean and it stops in traffic, or you get a punctured tire, then you suddenly discover this is a mortal machine."

In Burger's view, just as it is hard to be an atheist in a foxhole, so it is difficult to be indifferent to the Constitution when your human rights are being trampled. He cites as a case in point American newsman Nicholas Daniloff. Daniloff, Moscow correspondent for U.S. News & World Report, was arrested last August by the Soviet KGB on what most people believe were trumped-up espionage charges, apparently in retaliation for the FBI's arrest of a member of the Soviet mission to the United Nations on spying charges. Daniloff spent two weeks in Moscow's notorious Lefortovo prison while the world gaped at the Kremlin's cynical distortion of criminal procedure and the right of due process.

Not long after Daniloff was released last September, he and Burger appeared on the same lecture platform. "You could see he hadn't gotten over the strain yet," Burger recalls. "It showed in his face. He knew from his experience as a journalist over there how some people never left the prisons. But how they could do the same thing to an American was harder to comprehend. Anyway, he said to me that he had never really paid much attention to the U.S. Constitution over the years, except the First Amendment, which guarantees freedom of the press. But when he was lying on that hard bench in that Soviet prison, trying to sleep without a blanket, he began to think very profoundly about the rest of it."

Seeing Daniloff reminded Burger of an incident that had occurred a number of years before when he was introduced to the late Soviet Premier Leonid Brezhnev during a visit to the Soviet Union. Beaming proudly, Brezhnev presented Burger with a copy of the newly revised Soviet constitution.

"It was as thick as the Washington, D.C., telephone book," recalls Burger with a chuckle. "As Brezhnev handed it to me, he kept saying, 'Just like yours, just like yours.' And it's true, it had all kinds of things in it about freedom. But, of course, you know what they do with it."

It was the memory of that occasion that caused Burger to give Daniloff a copy of the bicentennial edition of the Constitution with the following inscription: "For Nicholas Daniloff. You have seen and felt the difference."

Most of us, on the other hand, will never spend a day in Lefortovo, will never have the extra incentive that Daniloff had to reflect more thoroughly on the democratic heritage of the American people. It is at us that the bicentennial is aimed.

"I've been asked several times, 'Why have bicentennials at all?'" confides Burger. "I answer that if a free people doesn't stop and look back from time to time and find out where they came from and how

they got where they are, they take a risk of losing everything. That's what these occasions are. It's a little bit like what people do on Sundays. They go back and repeat a lot of things that they've said many times before."

Burger's philosophy of how properly to commemorate the Constitution differs considerably from the conduct of previous centennials and bicentennials, which emphasized extravaganza, including fireworks, Tall Ships and, in the case of the Statue of Liberty, a stageful of Elvis Presley impersonators.

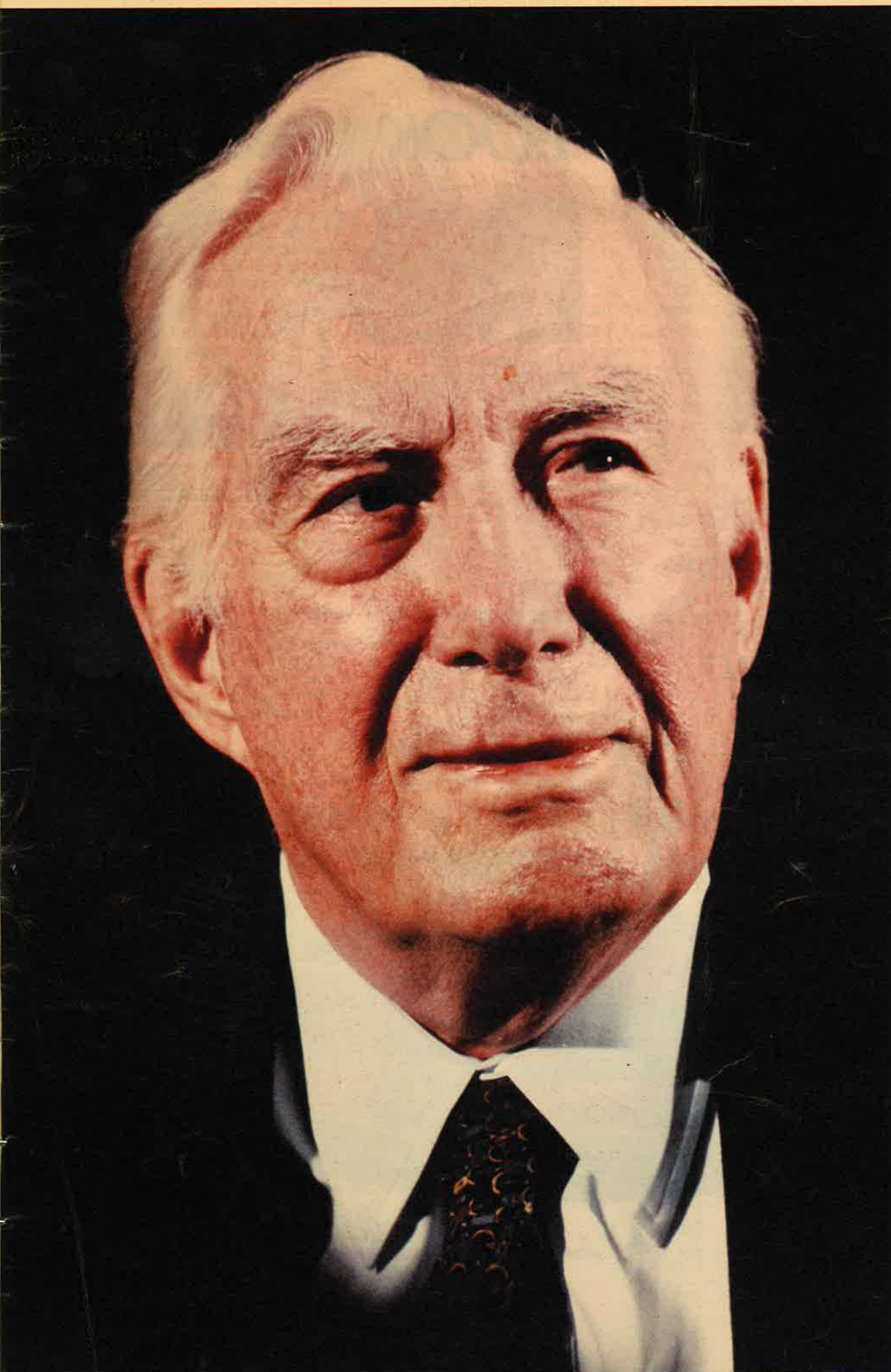
"I want to see us emphasize celebration rather than celebration," he says. That means the keystone will be education, what Burger calls "a history and civics lesson for all of us about a living document that affects the way we live and govern ourselves today." Throughout the next several years, therefore, there will be such events as a National Bicentennial Writing Competition for high school students on the subject of "The Constitution: How Does the Separation of Powers Help Make it Work?"; a traveling exhibit that will include one of the four originals of the 13th Century Magna Carta and copies of the Mayflower Compact, the Northwest Ordinance and the U.S. Constitution; a series of constitutional exhibits sponsored by the National Archives; a "Blessings of Liberty" poster series sponsored by the American Historical Society and the American Political Science Society; a series of commemorative stamps by the U.S. Postal Service; and a mock trial program and college seminars sponsored by the American Bar Association.

**W**e hope these things will get people thinking about these matters a little bit more," says Burger. "The traveling trailer truck, for example. We hope as it goes into each town the local press will pay some attention to it and local TV and radio will have people on the air talking or even arguing about what it means. All to the good."

Burger, for his part, is maintaining a speaking schedule that would tax a far younger man [he is 79]. He has crisscrossed the country speaking on behalf of the bicentennial. In one two-week period last December, he spoke to Chicago's Commercial Club, the Economics Club in Washington and the International Association of Radio and Television Artists, and he participated in a national teleconference before 17,000 schoolteachers in which he and three other members of the bicentennial commission were interviewed on stage by public broadcasting's William Moyers. The travel severely ate into Burger's Christmas holiday.

All of these activities are in addition to this year's main event, the special ceremonies on Sept. 17 in Philadelphia that will mark the 200th anniversary of the signing of the Constitution by the Constitutional Convention, which spent the spring and summer of 1787 hammering out the doc-





*Retired Chief Justice Warren E. Burger: "I want to see us emphasize cerebration rather than celebration."*

ument that British Prime Minister Gladstone once called "the most wonderful work ever struck off at a given time by the brain and purpose of man."

Similar special events will follow over the next several years. The bicentennial celebration has been divided into four parts: 1987 covers the writing and signing of the Constitution; 1988 the 200th anniversary of the Constitution's ratification by the 13 original states; 1989 the formation of the federal government under the new Constitution and passage by Congress of the Bill of Rights, events that took place in 1789; and 1990-91, the 200th anniversary of the ratification of the Bill of Rights by the states.

**B**urger is convinced that the 55 men who gathered in Philadelphia that May two centuries ago were giants such as the world had never seen assembled in one place before.

"There never was a body of 55 men who were more extraordinarily gifted. I'd challenge anybody to find such a group, especially when you consider that they were drawn from only 2 or 3 million people living in the U.S. then. A lot of them had dubious literacy. There were a number of recent immigrants, as well as people who were fourth-generation descendants of the first settlers, but all of them, to have had that kind of brilliance and foresight. . . .

"At least a half-dozen or more of these delegates were people who knew thoroughly the history of Greece and Rome, and the ancient philosophers and their thinking, and they knew the French thinkers and philosophers, and they knew what had occurred in England during the Enlightenment, particularly the Scottish Enlightenment. These are things we don't pay as much attention to today, I'm afraid. But they were well acquainted with it all.

"And yet," says Burger, "the system that they came up with, our Constitution, was absolutely and totally unique. There had never been anything like it before.

"It's been suggested to me that it was synthesis of prior ideas, that it was a little like an artist combining prior art. There is a little bit to that analogy, but it's limited. There was no prior art in terms of governing a whole country. There was prior art in a limited sense, since some of these ideas of separation of powers had been talked about, but they hadn't been worked out on the scale that they were contemplating at Philadelphia."

Nor would they have perhaps been put into practice, Burger notes, had it not been for the strained political situation among the 13 former colonies, brought on by the failure of the Articles of Confederation.

"At the end of the Revolutionary War,"  
continued on page 12



# Burger

continued from 11

says the former Chief Justice, "when the Battle of Yorktown was all over and our British friends had surrendered with the encouragement of the French fleet offshore, what happened to our alliance under the Articles of Confederation was just what has happened to every other alliance after every other war in history. The allies began to go their own ways.

"The Articles of Confederation didn't give us a nation. If you look at those articles, you'll find that the language really is cast in terms of a multilateral treaty, using phrases like 'a firm league of friendship,' with each state preserving its sovereignty and independence. So what we had was 13 allies fighting a war against England, and they began to fall apart very quickly.

**F**or example, cites Burger, "trouble between Maryland and Virginia began in 1784, within only a year of the Battle of Yorktown. They were having a terrific battle over commercial use of the Potomac and Chesapeake Bay. They weren't about to enter war with each other, but they had one big row. There were some other states that were treating citizens of other states as aliens, as though they had come from France or whatever. Each of the states had its own currency system. The states were free to set up tariff barriers, so we could have had a whole protectionist system; in fact, we partly did.

"So George Washington finally got these hotheads from Maryland and Virginia down to Mt. Vernon and cooled them off. But all these fellows who had been involved in the war, from Washington on down through Hamilton, who had been his principal aide, agreed on the need for a strong central government. Madison agreed as well, though he disagreed with Hamilton on a great many other things. They shared the belief that there would never be any industrial and manufacturing development in this country if you had the 13 states competing with each other, with tariff barriers and whatnot.

"In this respect, Madison was somewhat at odds with his friend and mentor, Thomas Jefferson. Jefferson, as you know, wanted to preserve this agrarian society that existed. In those days about 90 percent of the people were engaged in agriculture, compared to about 5 percent now. Incidentally, that 5 percent grows all the food we need and enough to send around the world, an agricultural efficiency that stems largely from the industrial development that could not have occurred, simply could not have occurred, if they hadn't pulled this act together in Philadelphia.

"Anyway, Jefferson approved the Constitution with a lot of reservations. He was in Paris at the time as ambassador, but his letters show that he believed people should vote for it with all its flaws because we had to start somewhere. It always brings up Winston Churchill's famous dictum that democracy is a terrible form of government, but all the others are worse."

Burger is of the opinion that the Constitution continued on page 40

## WHAT TO LOOK FOR IN A Z24

THE *Heartbeat* OF AMERICA  
  
 TODAY'S CHEVROLET



### PERFORMANCE: YOU DON'T PAINT IT ON, YOU BUILD IT IN.

The throaty note of the engine, the raked lines of the sheet metal, the tight feel of the suspension—you'll recognize the signs immediately. This is no ordinary coupe. This is a machine whose performance was orchestrated every step of the way. All you need is a green light, a road full of twists and turns, and Z24.

### A DIRECT DESCENDANT.

Lift the lid. There sits the automotive answer to modern art—a 2.8 Liter Multi-Port Fuel Injection V6 engine. Borrowed from the technology of the Camaro IROC, this V6 engine is so eager, you only have to tap your foot to feel its response. Below

deck, you'll find handling inspired by Corvette: an F41 Sport Suspension whose beefy springs, shocks, isolators and anti-roll bars keep you balanced in the straights, low in the corners. And, on 14" aluminum wheels, you get four wide-track Goodyear Eagle GT tires that stick to the road like rubber cement.



### INSIDE MOVES.

Behind the wheel you'll find yourself supported by reclining bucket seats. Moved by the feel of a smooth, new 5-speed manual transmission. And kept informed by electronic instrumentation that supplies the facts, ma'am, just the facts. If you're looking for performance, you've come to the right place: Cavalier Z24. So stop looking. And start driving.

Let's get it together buckle up



CAVALIER Z24



# We, the People

Constitution written by  
Gouverneur Morris

Annotations by  
Steve Johnson,  
Jeff Lyon and Paul Weingarten

Portrait sketches by  
Arn Arnam

**U**nless you are a new citizen or a student, it may be hard to remember the last time you read the Constitution of the United States. If you've been to Washington, D.C., and visited the National Archives, where part of the original copy is on display, you may have deciphered the Preamble despite the dim light and fading ink. But there are thousands of words beyond that, setting the structure of a government that has lasted 200 years.

Before the year is out you will hear much about the Constitution, its designers, its judicial interpretation and its evolution through amendment—perhaps more than you ultimately care to if your association with this document is second-hand.

Retired Chief Justice Warren E. Burger is right: There is no better way to get acquainted with the Constitution than to read it, as the SUNDAY staff did to prepare for this project. Some parts are hard going [whatever was a bill of attainder?], some are inspiring and much of it provides fascinating insights into the ways we live and govern ourselves today in the United States.

Questions began to emerge with nearly every sentence as we read the Constitution. What might former U.S. Rep. Barbara Jordan have to say on the meaning of the Preamble in 1987? If a member of the first Congress represented 30,000 people, how many does a member represent today? And what on earth is a bill of attainder, anyhow? For scholarly explanation we went to the University of Chicago's Philip B. Kurland and Ralph Ler-

ner, authors of "The Founders' Constitution," a five-volume study of the Constitution and documents relating to it published this year by the University of Chicago Press. If you are inspired by SUNDAY's annotated Constitution, theirs has citations beyond your wildest dreams. And theirs is but the most exhaustive of the many books to be published this year on the Constitution for every sort of reader, from casual to scholarly.

What SUNDAY offers is neither scholarly nor exhaustive, only a notebook of thoughts, facts, explanatory asides and random reflections generated by reading the Constitution. As the celebratory year progresses, we hope you will be tempted to dip into the Constitution many times, and that this issue of the magazine will be at hand whenever temptation strikes.

SUNDAY's annotations indicate those sections of the Constitution that have been superseded by later amendments, and the sections themselves are shown in italic, so you can skip them if you wish. And, of course, we've had a little fun from time to time because celebrations should be fun as well as solemn. So here it is, all 7,579 words [complete with archaic punctuation and capitalization]—plus notes. Take your time. The celebration goes on all year, and the Constitution, we trust, as long as there is a United States of America.

Not everyone was a big fan of the Constitution. The opposition forces, known as Anti-federalists, argued in 1788 that the document wrought by the framers was undemocratic, that it threatened the people's liberties by setting up a too-strong federal government and that it could be used by the rich to oppress the poor. Patrick Henry of Virginia, one of the opposition's more eloquent spokesmen, even found fault with the wording of the Preamble:

"What right had they to say, 'We, the people'? ... Who authorized them to speak the language of 'We, the people,' instead of 'We, the States'? ... The people gave them no power to use their name. ... The principles of this system [the Constitution] are extremely pernicious, impolitic, and dangerous."



## Constitution of the United States

### Preamble

We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America.



"When I was a member of Congress, I gave a speech that began with these very words, 'We, the people.' I said, 'We have heard the words 'We, the people,' the very eloquent beginning to the Preamble of the United States Constitution, repeated many times to date. But,' I said, 'I thought for a very long time the people who drafted the Constitution had somehow just left me out.' I did think that for a very long time, that black people and women were not included in that 'We, the people,' and it's only because the Constitution in the process of amendment ... and court decision ... reached out and pulled me under the umbrella of that 'We the people' that I now feel a part of it ... When I became a person who could seek public office and knew that I had a chance to do that, I knew then that the Constitution covered me."

—Barbara Jordan, former U.S. representative, now a professor at the University of Texas' Lyndon B. Johnson School of Public Affairs

Gouverneur Morris was a delegate to the Constitutional Convention from Pennsylvania in 1787. Steve Johnson, Jeff Lyon and Paul Weingarten are SUNDAY or Tribune staff writers. Arn Arnam is a Tribune artist.

continued on page 14





"I've found that my age has been a tremendous asset. People don't expect as much from you as they do a person who's been in Congress for 20 years. Therefore, if you do well, they're pleased ... I don't know why the founders made 25 the age limit. It's 35 for President. I'm willing to wait that long to run."

—Rep. John G. Rowland (D., Conn.), who at 29 is in his second term as the youngest member of Congress

*Changed by Section 2 of the 14th Amendment.*

Lust to become House Speaker? The trick is first to get elected floor leader of your party. Of the 15 Speakers in this century, incoming Jim Wright of Texas is the 12th—and the 11th in a row since 1925—to have advanced up the "automatic escalator" from the post of majority or minority leader. Originally a ceremonial figure, the Speaker is more powerful today than at any time since 1910, his powers having



Albert

been enhanced under former Speaker Carl Albert. "But 'power' is a nebulous sort of word," says Albert. "Some Speakers lacked institutional power but had great personal power; Sam Rayburn, for instance. Historically, Henry Clay was the greatest Speaker, but Rayburn was the outstanding Speaker of modern times."



"The founders really wanted to be able to do two things. One was to make sure, through the House of Representatives, that there was always one part continually in touch with the actions and passions of our time. They also wanted another part that could not be caught up in whim or fad or fancy. The reason we transcend a presidential term is to have a cohesive system of checks and balances... The issues before a senator now are far beyond what our founders ever envisioned. Lately I've been listening to the 'Autobiography of Benjamin Franklin' on tape. I don't think he would have imagined there'd ever be a United States senator named Barbara meeting with a Doctor Sally Ride to talk about a space program."

—Barbara Mikulski (D., Md.), newly elected U.S. senator

The new president pro tem of the Senate is veteran Mississippi lawmaker John Stennis.

continued from page 13

## Section 1 Article I

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

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. 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.

3. 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 choose 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, South Carolina five, and Georgia three.

4. When vacancies happen in the representation from any State, the Executive Authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

## Section 3

1. 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.

2. 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.

3. 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.

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

5. The Senate shall choose 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.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be

"I think by listing Congress first, before the other two branches of government, the Constitutional Convention delegates intended Congress to be first among equals. After all, it was a legislative body that was putting the package together. Moreover, it was a body that was very, very suspect of a strong executive. But having said that, there was still an aura of great respect for George Washington, who presided and was the virtually unanimous choice for first president.

There was a sense that you had to have a leader to whom you paid some deference. But they wanted a collective kind of lawmaking, built on the House of Commons example, but with safeguards. Was it Washington who said we should pour legislation from the House cup into the senatorial saucer to cool it?"

—Sen. Paul Simon (D., Ill.)



## U.S. House of Representatives

### How many are there?

The apportionment of U.S. Representatives is determined by the census. Currently, there is one representative per 465,000 Americans.

Census year	Total	Census year	Total
1787*	65	1880	332
1790	106	1890	357
1800	142	1900	391
1810	186	1910	435
1820	213	1930**	435
1830	242	1940	435
1840	232	1950	437
1850	237	1960	435
1860	243	1970	435
1870	293	1980	435

\*Constitutional apportionment

\*\*No apportionment was made in 1920.

Chicago Tribune Graphic; Source: Congressional Directory

*Changed by Section 1 of the 17th Amendment.*

*Changed by Section 2 of the 17th Amendment.*



Since becoming president of the Senate in 1981, Vice President George Bush has exercised his tie-breaking vote six times, an average of once a year. He cast two votes in 1986, once in July when he opposed a Democratic motion to reconsider the confirmation of conservative lawyer Daniel A. Manion to the U.S. Court of Appeals, and once in August when he voted against an amendment to bar production of the "Bigeye" bomb, a chemical weapon designed to be dropped on enemy troops from airplanes. Since Bush opposed both measures, he needn't have voted on these two occasions; under Senate rules, a tie vote defeats a motion.



For federal Judge Harry E. Claiborne, it happened the other way around. First, in 1984, he was convicted—of evading taxes on \$106,651 in income paid him in 1979-80. Then, in September, he was impeached and removed from the bench after a Senate trial. In between, though he began serving a two-year jail term in May, he continued to collect his \$78,700 annual salary. One congressman called it "the most clear-cut case for impeachment in American history."



*Changed by Section 2 of the 20th Amendment.*



Bruce

Nine U.S. representatives who were present for all 451 votes in 1986: Charles E. Bennett [D., Fla.], Terry L. Bruce [D., Ill.], Larry Combest [R., Tex.], William Emerson [R., Mo.], William H. Natcher [D., Ky.], J. Roy Roland [D., Ga.], Robert C. Smith [R., N.H.], W.J. [Billy] Tauzin [D., La.] and Peter Visclosky [D., Ind.].

Nine U.S. senators who were there for all 354 votes in 1986: Rudy Boschwitz [R., Minn.], Orrin G. Hatch [R., Utah], Jesse Helms [R., N.C.], Ernest F. Hollings [D., S.C.], Robert W. Kasten Jr. [R., Wis.], Don Nickles [R., Okla.], William Proxmire [D., Wis.], James R. Sasser [D., Tenn.] and Pete Wilson [R., Calif.].

Source: Congressional Quarterly

"Many conservative members take the view that while it may be the responsibility of the House to reprimand or censure, it will be only in the extreme cases that there could be a thought of expulsion... even though they may find the acts extremely distasteful... You would find, strangely enough, a lot of times the very liberal congressmen agreeing with them. The real benefits are that whatever malfeasance there is is publicized."

—Rep. Ed Jenkins [D., Ga.], who sat on the House Committee on Standards of Official Conduct for the last six years



Lerner

The framers wanted tax bills to originate in the branch closest to the people, the House. "If you're talking about taking money out of your pocket and mine to finance the government, shouldn't it be initiated by those whose pockets are most immediately being picked?" asks the U. of C.'s Ralph Lerner. Yet when the House drafted last year's tax reform bill, the Senate took it, struck everything after the opening clause and replaced what was dropped with its own version. Technically, it remained a House bill.

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.

7. 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

1. 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 places of choosing Senators.

2. 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

1. 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.

2. 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.

3. 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.

4. 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

1. 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.

2. 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 increased 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

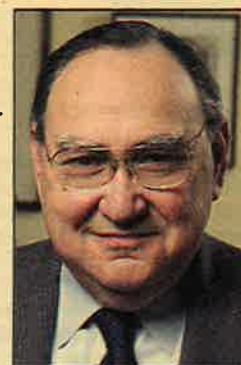
1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approves 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

continued on page 16

"The insistence on meeting at least once a year was just insurance against the president trying to do without Congress. But they certainly didn't envision a Congress that was in session the larger part of the year. There just wasn't that much business."

—Philip B. Kurland, University of Chicago constitutional scholar



Each house of Congress is required to compile a daily typewritten digest, about 10 pages long, of all legislative action, including bills passed, amendments offered and so on. These synopses are then printed and bound at the end of each session by the Government Printing Office [GPO]. Separate staffs in each house also put together the more massive Congressional Record, the definitive verbatim account of all floor debate. Founded in 1873, the Record goes to press each midnight at the GPO and is rushed to the congressional leadership by 8 a.m. Sound tiring? GPO simultaneously runs off the voluminous Federal Register, an account of executive proceedings.

#### Compensating Congress

Salaries of senators and representatives

Year	Salary	Year	Salary
1789	\$6 a day	1935	\$10,000
1816	\$1,500 a year	1947	\$15,000*
1817	\$8 a day	1955	\$22,500
1856	\$3,000 a year	1965	\$30,000
1866	\$5,000	1969	\$42,500
1873	\$7,500	1975	\$44,600
1874	\$5,000	1977-78	\$57,500
1907	\$7,500	1979-80	\$60,700
1925	\$10,000	1983	\$69,800
1932	\$9,000	1984	\$72,600
1933	\$8,500	1985	\$75,100

\*Includes a \$2,500 tax-free expense allowance

Chicago Tribune Graphic; Sources: Congressional Quarterly, Statistical Abstract of the United States

Since 1789, U.S. presidents have cast 2,450 vetoes and have been overridden just 100 times. In ordinary presidential vetoes—those exercised while Congress is in session—the president wins 93 percent of the time. Adding in the 1,038 pocket vetoes—those that cannot be overridden because Congress has adjourned and the president merely refuses to sign—the president wins 96 percent of the time. All a president needs is one-third of either house to enforce his veto. Ronald Reagan has used his veto 59 times and has been overridden on six occasions, a 90 percent success average. His most widely publicized overrides came on South African sanctions and on an administration-backed attempt to throw six couples off some Oregon federal land on which they had been mistakenly paying taxes for 50 years. Reagan may incur his seventh override if he carries out his promise to veto the Clean Water Act. It already has passed the House by a vote of 406-8 and the Senate by 93-6.



"The credit of the United States is impeccable and will remain so. The budget deficit obviously is a problem, but it is more macroeconomic, affecting our trade deficit more than our creditworthiness. The framers probably didn't envision such large deficits. But they did leave us flexibility by allowing us to go into debt. The difference today is that our moral resistance to deficits has broken down since World War II. Running deficits has become fashionable and perceived as necessary; that attitude is quite incorrect."

—James Miller, director of the Office of Management and Budget



"It is totally a violation of my constitutional rights. But even more important, if you look closely at what the Constitution says, it's not really concerned about the particular person that puts forth the innovation; their true concern is to all the inhabitants of the nation ... They [court and patent officials] have tried to write



a documentary as to how *not* to stimulate people. If you kill creativity, then all the people will suffer."

—Joseph Newman, the Lucedale, Miss., inventor who has been stymied in his attempts to secure patent protection for his controversial energy machine, which he says will change the world by converting mass to energy at near 100-percent efficiency

Piracy is the violent seizure of property outside the normal jurisdiction of any state. It is illegal under the law of nations, but there's a hitch. International law recognizes as piracy only acts whose ends are private, rather than political. The 20th Century phenomenon of hijacking airplanes is largely political in intent, and thus a consensus among nations to punish it has been difficult to obtain. Nevertheless, Congress, having the power to "define" as well as "punish" piracy, passed a 1961 law against "air piracy," making it punishable by from 20 years' imprisonment to death.

The framers had an ingrained fear of standing armies and tyrants who might misuse them. The fear was based on the example of British monarchs who often had abused their powers in this area, to the detriment of the liberties of their own people. The Constitutional Convention reasoned that if the military had to come back to the people every two years for money, it couldn't get out of hand. Even though today we do have a standing army, the two-year limit on appropriations survives; the courts have modified it to allow long-term weapons and research expenditures.

continued from page 15

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.

3. 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

1. 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;

2. To borrow money on the credit of the United States;

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

6. To provide for the punishment of counterfeiting the securities and current coin of the United States;

7. To establish post-offices and post-roads;

8. 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;

9. To constitute tribunals inferior to the Supreme Court;

10. To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

13. To provide and maintain a navy;

14. To make rules for the government and regulation of the land and naval forces;

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

16. 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;

17. 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

"I was surprised at the attempt to deport me. And I was particularly surprised when they used classified material against me so that I was not able to defend myself. This seemed to me a clear violation not only of constitutional rights but of basic human rights. ... The threat of deportation arose because of a particular piece of legislation called the McCarran-Walter Act. It says that people can be kept out of the U.S. for what they think. The term they usually use is you're an 'undesirable alien.' It's got nothing to do with any criminal action; it's a punishment for your political ideas."



—Dennis Brutus, chairman of the University of Pittsburgh's Department of Black Community Education, Research and Development. In 1981 the Immigration and Naturalization Service began attempts to deport Brutus, a vocal apartheid critic ordered out of South Africa in 1966 and an English professor at Northwestern University since 1971. He was granted political asylum by a federal immigration judge in Chicago in 1983.

Article III of the Constitution creates the federal judiciary power. But this clause of Article I grants Congress authority to establish certain courts not covered by Article III, e.g., the United States Tax Court and the U.S. Court of Military Appeals.



Although court cases after the Civil War established that the president, prior to a formal declaration of war from Congress, may respond with force to a hostile act against the nation, a dispute has long raged over whether this presidential power extends to committing troops abroad without specific congressional authorization. The Supreme Court has steadfastly refused to settle the issue. In the Vietnam era the White House used the 1964 Gulf of Tonkin Resolution, passed by Congress in response to a reported North Vietnamese attack on two U.S. ships, as its authority to send hundreds of thousands of troops to Indochina, though the resolution was not a declaration of war and only authorized the President to take "all necessary measures to repel attacks ..."

Before there were police, the state militia was seen as a tool to enforce laws and put down rebellions. The militia, or citizen army, was an alternative to a standing professional army. All males between ages 16 and 50 were required to serve, and although the militia could be called up by federal authorities, its commanding officers all came from the states, another safeguard against the use of the militia against the people by a despot. Militias were very important in the pre-draft era. Most of the troops used in the Civil War were militia, for example. The militia was brought under uniform national control in 1916 and was subsumed under the National Guard.



The District of Columbia encompasses 67 square miles.



Thank the writ of *habeas corpus* for your freedom from unjust imprisonment. This ancient common-law provision compels one who holds another in custody to produce the body of the person before the court. It is a primary safeguard against illicit, and possibly terminal, detention, and when repressive governments such as South Africa's and that of the Philippines under Ferdinand Marcos decide to impose martial law, the writ is the first thing to go. Only a few times in the history of the United States has the privilege been suspended: Abraham Lincoln did it at the outbreak of the Civil War in 1861. The clause itself does not specify, but modern opinion supports the view that suspension requires the consent of Congress.

The concern was that the tax burden should not fall disproportionately on any one state. If Pennsylvania had one-tenth of the population, Pennsylvania residents should not be made to contribute more than a tenth of the tax. In 1894 the income tax was successfully challenged in the Supreme Court on grounds that it wasn't uniform, since a major commercial state like New York would be paying more in income tax than, say, Virginia. This decision led to the 16th Amendment, authorizing collection of income tax without regard to census ratios. [Capitation = head tax.]

Gifts the Reagans received in 1985 include two saddles, one from Spain's royal family, one from the president of Algeria; videocassettes of several Australian films from the Australian prime minister; a "sporting shotgun" from the president of Pakistan; "Drug Abuse in East Asia," an \$8 paperback, from the wife of the prime minister of Malaysia; and two gowns, valued at \$10,000, from Imelda Marcos. Among other gifts, the Bushes received "40 pounds of dates and wine" from the Algerian president. "Dates destroyed; wine consumed," reads the disclosure document.

Source: Federal Register



purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;— And

18. 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

1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by 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.

2. 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.

3. No bill of attainder or ex post facto law shall be passed.

4. No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any State.

6. 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.

7. 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.

8. 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

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything 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.

2. 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 by 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 control of the Congress.

3. No State shall, without the consent of the 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

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

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to

continued on page 18



Madison

According to James Madison's notes from the Constitutional Convention, a lively debate on whether to ban the importation of slaves took place on Aug. 22, 1787. Connecticut delegate Roger Sherman "disapproved of the slave trade; yet . . . as it was expedient to have as few objections as possible to the proposed scheme of Government, he thought to leave the matter as we find it." He observed that the abolition of slavery seemed to be proceeding in the U.S. anyway. Delegate George Mason said, "Every master of slaves is born a petty tyrant. They bring the judgment of heaven on a Country." John Rutledge said, "If the Convention thinks that North Carolina, South Carolina & Georgia will ever agree to the plan, unless their right to import slaves be untouched, the expectation is vain." A solution was reached in a clause that kept Congress from prohibiting importation of slaves until 1808.

A bill of attainder is a law that singles out individuals or members of a special group for punishment without a judicial trial. A 1965 Supreme Court ruling overturned a bill-of-attainder statute that made it a crime for any Communist Party member to work for a labor union. *Ex post facto* laws are laws that make something a crime after the deed is done. An 1867 act of Congress requiring lawyers to swear they hadn't participated in the Confederate rebellion before they could practice in federal courts was held to be *ex post facto*. But a 1957 law authorizing expulsion of aliens for criminal acts committed before its passage was not deemed *ex post facto* because deportation was not considered a punishment.

With an annual budget of \$305 million and a staff of 5,000 in 17 offices in the U.S. and abroad, the General Accounting Office sets the accounting standards for the U.S. government. The GAO issued 1,047 "products" in the last fiscal year, says spokeswoman Laura Kopelson.



including written reports and testimony before myriad congressional committees. And, she adds, \$18 billion in savings. Accountants, she says, are no longer in the majority among GAO staffers.

Letters of marque and reprisal are documents issued by a nation allowing a private individual to seize citizens or goods of another nation, or to attack an enemy ship.

Originally, Constitutional Convention delegates voted to grant the president a single seven-year term, despite Gunning Bradford's lament that the country would languish should an unqualified president "be saddled on it for such a period." The convention later modified it to one six-year term, and finally to unlimited four-year terms. From time to time, however, sentiment arises for a constitutional amendment to return to a single six-year term, the theory being that the necessity of running again in four years makes the president too distracted by politics. Jimmy Carter and Lyndon Johnson were the most notable proponents of the idea in recent times.



This clause, which had to be tightened up by amendment, proves that the framers were not infallible. In 1800 Thomas Jefferson and John Adams waged a bitter, mudslinging contest for the presidency. Although Jefferson squeaked by Adams in the voting, he could muster no more electoral votes than Aaron Burr, who had run as the ostensible vice presidential candidate. The selection of chief executive was thus thrown into the House of Representatives, notwithstanding the fact that the electors had meant Jefferson to be president and Burr to be vice president. With Burr seeing a chance to cheat Jefferson of the top office, it took Jefferson weeks of behind-the-scenes maneuvering to scrape up enough votes for victory. Soon after, the 12th Amendment was introduced to eliminate future deadlocks. It requires a specific designation by electors of their choices for president and vice president.

The requirement that the president and vice president be from different states stems from the framers' concern lest one state set up a dynasty. Four of the first five presidents came from Virginia, so it was a valid fear. Thus, the lengths to which political parties go to balance the ticket every four years has a basis, at least, in a constitutional requirement, as well as a concern for voter demographics.



Jefferson



On Sept. 8, 1974, President Gerald Ford granted former President Richard Nixon a full pardon for all federal crimes he "committed or may have committed or taken part in" during his term in office. The action set off widespread protest. Some objected that by pardoning Nixon before indictment or trial, Ford made it impossible for anyone to know just what he was pardoning Nixon for. From a constitutional point of view, Ford had every right to grant the pardon. But had Nixon chosen not to resign, and allowed himself to be impeached, as seemed inevitable, Ford would have lost the power to pardon him under this clause.

continued from page 17

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 choose 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 choose 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. 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 choose from them by ballot the Vice President.*

3. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

4. 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.

5. 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.

6. 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.

7. 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

1. 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.

The method of electing the president was, according to James Wilson, Constitutional Convention delegate from Pennsylvania, "the most difficult [issue] of all on which we have had to decide." The Convention considered four proposals for election of the executive by Congress and defeated two proposals for election by the people directly. The electoral college system finally adopted was a compromise that historian Page Smith, in his book, "The Constitution: A Documentary and Narrative History," theorizes was accepted by the delegates "out of exhaustion rather than out of any strong conviction that it was a rational system."

Superseded by the 12th Amendment.

Modified by the 25th Amendment.

## Presidential raises

Year	President	Salary
1789	George Washington	\$25,000
1873	Ulysses S. Grant	\$50,000
1909	William H. Taft	\$75,000
1949	Harry S. Truman	\$100,000
1969	Richard M. Nixon	\$200,000

Note: Benefits were also increased over the years.

Chicago Tribune Graphic; Source:

"Facts about the Presidents," by Joseph Nathan Kane







"On a number of provisions I would say [to the Soviets], 'Look, there's no way in the world I can get this through the Senate of the United States. You think it's fine. I think it's fine. But as a political matter, it's not gonna make it. And I'm sick of arguing about it.' After a while they began to believe me. So you can use that as a negotiating tool, too."

—Paul C. Warnke, President Jimmy Carter's chief negotiator during the Salt II treaty talks and currently a partner in the Washington law firm Clifford & Warnke, on what it's like to negotiate when those you are negotiating with know you don't have final say.

The State of the Union address, as we know it now, did not exist until the time of Woodrow Wilson. As a matter of fact, the term didn't come into use until 1941. Although George Washington and John Adams addressed Congress personally several times, when Jefferson became president he stopped the practice. Whether it was because Jefferson was a poor orator, as some historians think, or because Washington, D.C., which became the nation's capital at the beginning of Jefferson's term, was a virtual swamp, making it hard to negotiate the mile from the White House to the Capitol, is impossible to say. But from Jefferson through Taft, a period of 112 years, no president addressed a full Congress in person. Instead, communication was by written message. Wilson undertook to change things. He wished to enlarge the president's role in legislative matters. He thus reinitiated the practice of speaking directly to Congress, which he did on a number of occasions. He also was the first president to have a direct telephone line to the Capitol installed so he could lobby by phone, and he took particular advantage of the President's Room off the Senate chamber, where historically the president would sit at the end of a congressional session to sign bills. Wilson used it to jawbone congressional leaders.

## Supreme Court

### Number of signed opinions, caseload

Year	Opinions	Cases on docket
1950	91	1,335
1955	82	1,856
1960	109	2,313
1965	97	3,284
1970	106	4,212
1975	135	4,761
1980	122	5,144
1985	146	5,158

Chicago Tribune Graphic; Source: U.S. Supreme Court

In the early days of the Supreme Court, justices actually rode circuit. "There are some wonderful stories about how arduous it was for them to ride around the country on horseback to hear cases," says Prof. A.E. Dick Howard of the University of Virginia, a nationally known expert on the Supreme Court and chairman of Virginia's bicentennial commission. "Imagine them in the dead of winter, 200 years ago, riding through the snow, sleeping in drafty inns, eating bad food." Makes today's justices, with their complaints about heavy caseloads, sound like wimps.

2. 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.

3. 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 behavior, and shall at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

### Section 2

1. 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.

2. 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.

3. 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

1. Treason against the United States, shall consist only in levying war against them, or in adhering to their ene-

continued on page 29

"Originally, the Senate was viewed as more of a kind of cabinet to the President, a group that would work very closely with him, and the present practice of distance between the branches has evolved through the years. By and large, the separation of powers is a healthy development. For instance, we in the Congress do have the ability to spell out the broad details of foreign policy, but we do a disservice to the nation when we try to get into details too much. Let me give you an example. Getting out of Vietnam was the right course. Doing it as a result of just stopping funding on the part of Congress was not the right way of doing it."

—Sen. Paul Simon  
on the separation of powers

"High crimes and misdemeanors" is an ancient English term, first popping up in the impeachment of the Earl of Suffolk in 1388. The rather ambiguous phrase was first suggested to the Constitutional Convention by delegate George Mason. Its very vagueness lent itself to James Madison's desire that it cover not only felonies and criminal misdemeanors committed in office, but improper behavior short of criminality. Hence, a judge, for example, might be impeached for the gross appearance of impropriety.

U.S. Atty. Gen. Edwin Meese recently burned a lot of ears when he told a Tulane University audience that he believes the Supreme Court's interpretations of the Constitution are not necessarily "the supreme law of the land." It seemed to hint at a movement to challenge the high court's nearly 200-year-old role as arbiter of constitutional questions.



It doesn't say Congress *must* set up inferior courts, but otherwise the Supreme Court's caseload would have driven justices to the funny farm. Fortunately, in 1789 Congress established the federal district court system to dispose of most federal cases. About 100 years later, the 13 U.S. Courts of Appeal were established. Under the 10th Amendment, the 51 state court systems remain entirely outside U.S. Supreme Court control, except when they hand down decisions that touch the Constitution, in which case the Supreme Court can overrule them on appeal.

The right to a jury trial must be observed by all federal courts, criminal and civil, although it can be waived if both prosecution and defense agree. "It is a safeguard against judicial fiat," says Prof. Henry J. Abraham, specialist on constitutional law at the University of Virginia. The provision for a jury trial in all criminal cases—at least those where imprisonment is a possibility—was made binding on the states in a 1968 case, *Duncan vs. Louisiana*. The decision extending the 6th Amendment to state courts was part of a series of "incorporation cases" applying the Bill of Rights to the states. "Prior to 1968," says Abraham, "state criminal courts could refuse jury trials, having only the obligation to provide a fair trial."



Iva Toguri D'Aquino, the elderly Chicagoan better known as Tokyo Rose, was the last American convicted of treason, according to a Justice Department spokesman. In 1977, however, she gained new renown—as President Gerald Ford's second most famous pardon. D'Aquino, an American stranded in Japan during World War II while visiting a sick aunt, was one of many radio broadcasters known to GIs collectively as Tokyo Rose. Though throughout the war she had refused to renounce her U.S. citizenship and was said to be ardently pro-American, she was convicted in 1949 on one of eight counts of treason. Sentenced to 10 years in jail, she served 6½ before being paroled. D'Aquino settled down to a quiet life in Chicago, where her father had a grocery store. But, whenever she was asked, she steadfastly maintained her innocence. On his last day in office, Ford granted her request for a presidential pardon.



"If it was to be taken literally, I would not have fallen under that article because it says 'flee.' I had not fled justice. To charge me as a fugitive was ridiculous—as one of the newspapers said, I was hiding out at the Los Angeles Press Club. And I had made no attempt to hide my name or anything like that. The problems that I faced legally were that I had to prove myself innocent. To do that, and being

accused of a crime that had happened so many years before in another state, we bought time by fighting extradition so that legal arguments could be prepared, so that witnesses could be searched for, so that private investigators could be brought in. Of course, we would have loved that California had blocked the extradition. I wanted that more than anything. But the extradition itself became a *pro forma* thing. What it says in essence is that if a state requests that I be extradited, then I should be because the state that I am extradited from should have 'full faith' in the state requesting it. The part where it breaks down is in the 'full faith' and credit that justice was done in requesting that extradition. It was never proven that I had fled."

—Ginny Foat, former president of California NOW, who in 1983 was extradited from California to Louisiana to stand trial for a 1965 murder. She was acquitted and now helps run a bed-and-breakfast for women and a women's legal aid group in San Francisco.

continued from page 19

mies, 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.

2. 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

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. 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.

3. No person held to service or labor 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 labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

##### Section 3

1. 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.

2. 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 so 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

1. All debts contracted and engagements entered into, continued on page 30

When Congress passed the Confiscation Act of 1862 to punish traitors and rebels by confiscating their property, President Lincoln said it was of dubious constitutionality. Congress thus passed a joint resolution explaining that the property would revert to the offender's heirs upon his death.

Before the Civil War there was serious question whether the term "citizen of each state" could be applied to free blacks. In the *Dred Scott* case, the Supreme Court said no. Dissenting, Justice Curtis not only denied Chief Justice Roger Taney's claim that there were no black citizens in 1789, but said that the states had the inherent right to extend citizenship to classes of persons born within their borders who had not previously enjoyed citizenship. The 14th Amendment put the issue to rest.



This clause, superseded by the 13th Amendment, meant that slaves could not escape their servitude by fleeing to another state. A slaveowner had an unqualified right to enter another state and seize and repossess his property—the slave in question—regardless of any laws of that state to the contrary. A Pennsylvania law that penalized such seizure was held unconstitutional in 1842.

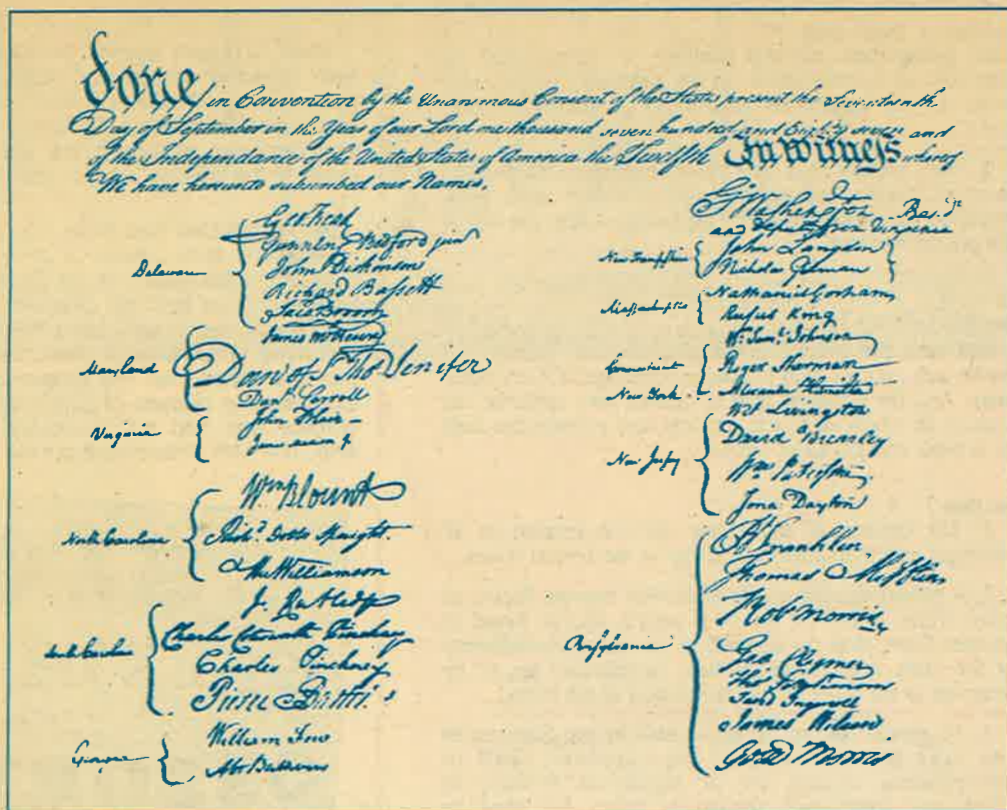
With the admittedly immense exception of the Confederacy, rarely, if ever, has one chunk of the continental U.S. succeeded in severing itself from another—but they have certainly tried. Islands seem to share an iconoclastic bent. In recent years would-be secessionists on Martha's Vineyard and islands in Vermont's Lake Champlain have resurrected the Revolutionary bellow, "No taxation without representation!" The Florida Keys, protesting a roadblock clogging their highway to the mainland, vowed in 1982 to withdraw from the Union. And in 1982 the Rhode Island vacation mecca Block Island threatened to make the smallest state smaller. The beef? The state's refusal to grant them legal means to fend off a plague of mopeds.



"The fact that the Constitution guarantees every state a Republican form of government proves once and for all that the framers really were white men."

—Aaron Freeman, comedian





Fifty-five delegates had been chosen by 12 of the 13 states to attend the Constitutional Convention, but not all of them attended the sessions, which continued for four months. Ultimately, only 39 signed the finished document.

continued from page 29

before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

2. 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.

3. 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.

## PRESIDENTS' DAY SALE

Many Great Items On Sale Now!

**SAVE 10%**

Trekanten  
Rosewood Table  
and Tarm Chairs

	SALE	REG.
Table w/2 leaves	<b>\$499</b>	\$585
Chair	<b>\$299</b>	\$349

**SALE ENDS  
MARCH 1st!!**



IN CHICAGO  
Hyde Park  
5201 S. Harper Rd.  
324-9010  
MON & THURS 10-9  
DAILY 10-6 SUN 12-5

**SCAN**  
WE'RE DIFFERENT...WE'RE A CO-OP!

IN SCHAUMBURG  
Woodfield Commons  
Golf and Meacham Rds.  
884-1440  
DAILY 10-9  
SAT 10-6 SUN 12-5

VISA, MASTERCARD WELCOME FINANCING AVAILABLE

## JUMBLE

THAT SCRAMBLED WORD GAME  
by Henri Arnold and Bob Lee

Unscramble these six Jumbles, one letter to each square, to form six ordinary words.

T	I	N	T	E	N
D	E	B	L	O	H
S	T	U	C	C	A
N	E	D	G	E	R
D	E	A	G	A	N
B	I	M	R	O	D



Now arrange the circled letters to form the surprise answer, as suggested by the above cartoon.

PRINT YOUR ANSWER IN THE CIRCLES BELOW  
"I'VE     YOU      MY

Now back in stock, Jumble Book No. 28 is available for \$2.50 from Jumble, c/o The Chicago Tribune, P.O. Box 4366, Orlando, Fla., 32802-4366. Include your name, address and ZIP code and make your check payable to Newspaperbooks.

(Answers appear on Page 47)



Recently, magnate H. Ross Perot and General Motors Corp. signed an agreement whereby Perot would receive \$700 million for his GM stock if he resigned from the board of directors and agreed to keep his trap shut about GM, which he had been bad-mouthing in the press. Can someone sell his 1st Amendment rights? Yes and no. A contract can say just about anything, but if GM tried to enforce such a "greenmail" provision in the courts, it would have a hard time. Rulings in so-called restrictive covenant cases, in which property sellers attempted to make buyers observe covenants expressly forbidding resale or use by blacks and other minorities, suggest that governments cannot enforce private contracts abrogating rights.



## Amendments to the Constitution Bill of Rights [1791]

### Amendment 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.

### Amendment II

A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

### Amendment 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.

### Amendment IV

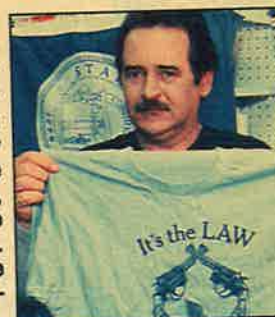
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the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

### Amendment 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

continued on page 32

"I think it's wrong. What they're telling us is we're the criminals and they don't want us to bear arms. This Constitution isn't covering everybody in the United States, like business owners, and, what the heck, we're the sitting ducks out here. When we wore guns here out in the open in the holsters for three years, nobody even tried to rob us. I didn't like wearing a gun, but it was to stop people from robbing us, to stop my employees from getting hurt."



—Donald Bennett, owner of Bennett's Amoco Food Shop in Oak Park, on the western suburb's controversial handgun ban [he was recently acquitted of a charge of violating it] and the right to bear arms

This provision is based on the Magna Carta, in which King John in 1215 promised his feudal barons that "no freeman shall be taken, or imprisoned, or disseised, or outlawed, or exiled... except by the lawful judgment of his peers or by the law of the land." With the memory still fresh in their minds of British barging into their homes and arresting them without warrant, the former colonists affirmed this right by including it in the Bill of Rights. Today a large number of controversial issues turn on the question of 4th Amendment protections, including mandatory drug testing, lie-detector testing of employees, searches of school lockers and strip-searching of misdemeanor suspects.

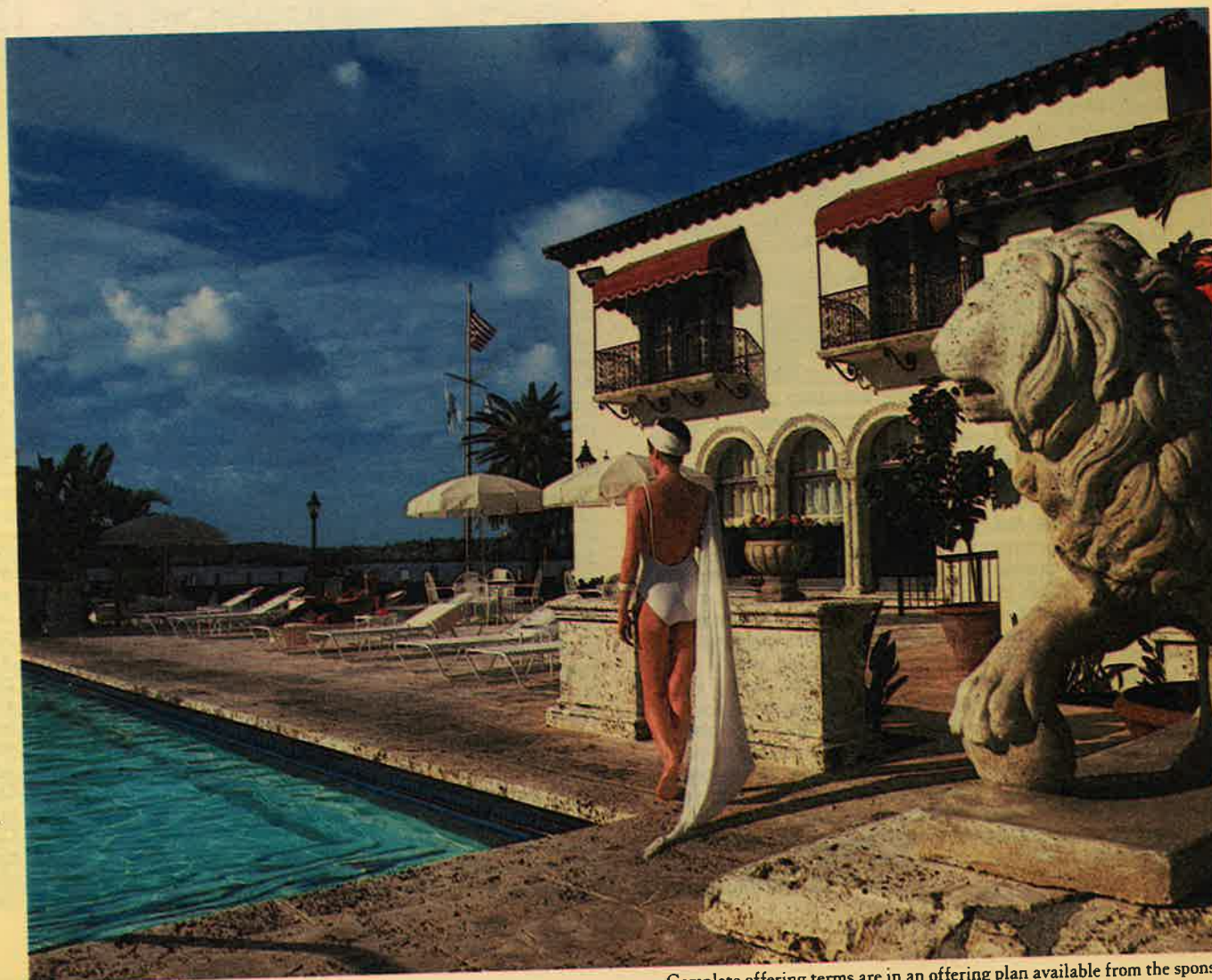
## WHAT THE VANDERBILTS BEGAN SO BEAUTIFULLY IN THE TWENTIES, WE'VE COMPLETED SO ELEGANTLY IN THE EIGHTIES.

In 1925, William Vanderbilt built a splendid seaside estate on Fisher Island, just offshore of Miami.

Today, it is the centerpiece of a one-of-a-kind private club community called Fisher Island. With superb residences overlooking the sea, marinas, tennis on grass and clay courts, a mile of private beach and Beach Club and an elegant Club rivalling the best of the world, Fisher Island is the perfect, but private, getaway in American waters.

We invite your inquiry regarding our villas, priced from \$335,000, and our guest accommodations in lovely cottages and guest houses.

Fisher Island. Seven Fisher Island Dr., Fisher Island, Florida 33109. Phone (305) 535-6071/ Toll-free (800) 624-3251.



Complete offering terms are in an offering plan available from the sponsor.





His name is better known than many presidents'. But just who was Miranda? In a 1966 decision broadening the rights of the accused under the 5th Amendment, the Supreme Court overturned Ernesto Miranda's conviction on a charge of kidnaping and raping a Phoenix woman three years earlier. As a result of the decision, police nationwide began carrying the now-familiar "Miranda cards": "You have the right to remain silent," etc. Miranda himself was retried and reconvicted and went back to jail. Paroled in 1972, Miranda worked at a series of jobs in and around Phoenix—recycling plant manager, night foreman at a warehouse, deliveryman for an appliance store—and, according to Phoenix police, carried a supply of autographed Miranda cards that he offered for sale. He was sent back to prison for a parole violation in 1974, but was reparable when a court ruled that drugs and a gun discovered during a search of his car had been seized illegally. In January, 1976, Miranda was stabbed to death in a Phoenix skid-row bar after an argument over a \$3 poker pot. Two Miranda cards were found on his body.

"One of the most significant issues within modern constitutional debate is the importance of state's rights... It is central to the meaning of democracy itself. The framers created the horizontal separation of powers between branches as well as the vertical separation between state and federal bodies to ensure that power and authority would be dispersed among the various governmental entities, thus protecting individual liberties by limiting the ability of one part of government to accumulate undue power. Subsequently, the 10th Amendment was adopted and ratified as an express recognition of the broad powers of the states. In fact, the framers envisioned the federal government's role as quite limited.

"And yet the federal government usurps functions traditionally performed by the states. While members of Congress are indeed elected by the people of their respective states, decisions made by Congress frequently pre-empt differing states' laws and thereby disrupt the ability of each state to be more responsive to the needs of its constituency... In the words of former Justice Brandeis, 'It is one of the happy incidents of the federal system that a single courageous state may... serve as a laboratory and try novel social and economic experiments without risk to the rest of the country.' The right of states to govern independently of the federal government responds to the diversity of needs inherent in a Union as vast as the U.S. by permitting each local geographic and political group to respond to the needs of its people."

—Sen. Orrin Hatch (R., Utah)



continued from page 31

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 offense 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.

#### Amendment 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 defense.

#### Amendment 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 re-examined in any court of the United States, than according to the rules of the common law.

#### Amendment VIII

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

#### Amendment IX

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

#### Amendment 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.

#### Amendment XI [ratified 1795]

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.

#### Amendment XII [1804]

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 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 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

Recently, Lt. Col. Oliver North, whom President Reagan fired from the National Security Council staff at the outset of the Iranian arms sale scandal, turned the tables on reporters who suggested that he uphold his honor by relinquishing his 5th Amendment rights. North asked the journalists how they would feel if he asked them to surrender their 1st Amendment rights.



"In all civil cases involving more than \$20 in damages, the federal courts must offer a jury trial. But state courts need not. The 6th Amendment, obliging jury trials in criminal cases, has been made applicable to the states, but the 7th has not."

—Prof. Henry J. Abraham, University of Virginia



What is an "excessive" fine? Investor Ivan Boesky recently agreed to pay the government a whopping \$100 million in fines and illegal profits after pleading guilty to insider stock trading charges. Yet many felt the fine was too small, given the magnitude of Boesky's crime. What is "cruel and unusual punishment"? Try this. An SEC official told a national TV audience that if there were capital punishment for white-collar crime, Boesky would have gotten the chair.

This amendment, barring the Supreme Court from hearing lawsuits filed against a state by citizens of another state, grew out of a 1793 case that so unnerved state governments that the amendment was hastily passed. Intended as a curb on federal power, it has been interpreted in effect to mean that the states, like the U.S. government, may not be sued without their permission, not even by their own citizens. Justice Felix Frankfurter called this "an anachronistic survival of monarchical privilege." But in practice it is often evaded by suing state officials as individuals, a loophole you can drive your car through.

Two presidential elections were settled by the House of Representatives, according to "Facts About the Presidents," one just before the 12th Amendment was ratified, one after. In the election of 1800 Thomas Jefferson and Aaron Burr, both of the Democratic-Republican Party, each received 73 electoral votes. After six days and 36 ballots, Jefferson emerged as a choice of the majority of the states and, as we all know, became president. Burr became vice president and, as we all know, three years later killed Alexander Hamilton in a duel. In the 1824 election, Andrew Jackson got almost 1½ times the popular votes John Quincy Adams did, and a few more electoral votes—but not a majority. In the House, supporters of Henry Clay threw their votes to Adams, and he became the nation's sixth president. Four years later Jackson got his revenge: He defeated Adams and became president No. 7.



*Superseded by Section 3 of the 20th Amendment.*

Slavery still rears its head on occasion. Last July three Texas men were found guilty of conspiring to kidnap drifters and force them into slavery on their ranch near Kerrville, Tex. Prosecutors said hitchhikers were lured with promises of work and then forced into involuntary servitude and tortured. One of the drifters was killed with a cattle prod, and his body was later burned.



One of the most drastic restraints on personal liberty in American history involved the World War II removal of more than 112,000 Japanese-Americans from their West Coast homes and their internment in temporary camps and subsequent "relocation centers." More than two-thirds of them were natural-born citizens. This infringement, which was authorized by both President Roosevelt and Congress on national security grounds, was later affirmed by the U.S. Supreme Court. But a U.S. Appeals Court recently ruled that the government must submit to a trial on claims seeking compensation for billions of dollars in property losses suffered by those interned. The issue is now before the Supreme Court.

That doesn't mean you can't try. Democrats recently sued the Republican National Committee for sending envelopes containing a list of local emergency telephone numbers to 350,000 Louisiana residents. The letters had a return address of Westmont, Ill. What seemed like a public-service campaign was actually an attempt by the GOP to challenge 31,000 voters whose letters came back to Westmont on grounds they didn't live at the addresses where they were registered. Worse, said the Democrats, the letters were sent chiefly to black precincts and hence were a violation of the Voting Rights Act and the spirit of the 15th Amendment. The GOP has since desisted.

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.

#### Amendment XIII [1865]

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.

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

#### Amendment XIV [1868]

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 law.

2. Representatives shall be apportioned among the several States according to their respective number, 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.

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.

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.

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

#### Amendment XV [1870]

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.

2. The Congress shall have power to enforce this article continued on page 34



"When the opposition fights this, they say, 'Well, you have "persons" in the 14th Amendment.' And we say, 'Well, yeah, that's true, but that's not the way the court has interpreted it.' The word 'persons' was interpreted at various times not to cover sex discrimination in the same ways as it covers race discrimination. In fact, there has never been a policy decision made by the United States in its basic doctrine that says sex discrimination is as wrong as race discrimination. Remember, under the 14th Amendment women were not even allowed to vote. How could women be 'persons' entitled to due process under the 14th Amendment and not even be allowed to vote?"

—Eleanor Cutri Smeal, president of the National Organization for Women, on why an Equal Rights Amendment is needed

"No, it hasn't been fair. What Thomas Jefferson really meant by, 'All men are created equal' was, 'All white men with property are created equal.' The same week he was writing the Declaration, he was also advertising in the Virginia Gazette for return of a runaway slave. It's true, we are closer to achieving the ideal of equality today than we were 200 years ago, but we still have a long way to go if we are to extend all the protections and guarantees of the Constitution to the American Indian. A case in point: Tribal religions have been under relentless pressure to die off and let Christianity take their place. Time after time, Indians have been unable to protect sacred sites from developers. Another case in point: Our freedom from unreasonable searches and seizures has been systematically violated. As long as you define a people as not wholly American, as not truly human—as savages—then it becomes easy to declare that none of the constitutional protections apply."

—Prof. Alfonso Ortiz of the University of New Mexico, a member of the Tewa tribe and national president of the Association of American Indian Affairs





# The Sensible Closet.

Everyday starts at your closet...California Closet Co. starts your days out right.



300,000 Built  
Established 1978  
70 Locations Worldwide

VISA

MasterCard

- Finest Wood Products
- 5 Year Warranty
- Fully Adjustable
- Spotless Clean-Up After Completion
- Custom Do-It-Yourself Kits
- Complete Line of Accessories

**ACME** Mirror Doors - Standard and Special Sizes Available and Installed.

UNIQUE CONCEPTS IN SPACE PLANNING  
**CALIFORNIA CLOSET COMPANY**  
©1986, California Closet Co., Inc. All Rights Reserved.



VISIT OUR SHOWROOM OR CALL FOR A FREE IN-HOME ESTIMATE

**(312) 439-5544**

2420 E. Oakton St. Unit K  
Arlington Heights

## workbench

Bauhaus 1926  
The classic chair in natural cane.



Our house 1987  
Upholstered classics in dozens of fabrics.



When we set out to change the classic chair, we thought long and hard. Could we make it not only better, but more comfortable? We have. Introducing the classic natural, black or teak frame chair upholstered in prints, velvets, vinyls, or textures—in all more than 50 different colors. All are available for quick delivery. All come as seat and back sets to update your cane chairs and all fabrics can be matched to our upholstery. Cane side chair **\$49**; Cane arm chair **\$59**; Cane replacement seat **\$22.50**; Upholstered side chair **\$79**; Upholstered arm chair **\$89**; Upholstered seat and back set **\$50**.

LOMBARD  
PINES PLAZA  
1129 S. Main St.  
Lombard, IL  
(312) 953-0770

ROLLING MEADOWS  
5151 Keystone Ct.  
at Algonquin Rd.  
Rolling Meadows, IL  
(312) 577-5875

CHICAGO  
158 W. Hubbard St.  
Chicago, IL  
(312) 661-1150  
(1 Hr. Free Parking)

NEW STORE  
ARLINGTON HEIGHTS  
39 West Rand Road  
Arlington Annex Shopping Ctr.  
Arlington Heights, IL  
(312) 394-1665

NEW STORE  
SKOKIE  
Fashion Square  
Skokie, IL  
(312) 673-5430



OPEN SUNDAYS

A personalized Workbench credit card is the easiest way to shop with us. Ask for your application today.

Also Manhattan/Brooklyn/Long Island/Westchester/Nanuet, N.Y. • Hackensack/Fairfield/Short Hills/Princeton/Woodbridge, N.J. • Hartford/Westport, Conn. • Philadelphia/Willow Grove, PA. • Boston/Cambridge/Burlington/West Roxbury/Natick, Mass. • Nashua, N.H. • Cleveland/Columbus, Ohio

© Workbench Inc., 1985

We,  
the  
People

continued from page 33  
by appropriate legislation.

### Amendment XVI [1913]

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.

### Amendment XVII [1913]

1. 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.

2. 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.

3. 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.

### Amendment XVIII [1919]

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.

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

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

Repealed by  
the 21st  
Amendment.

### Amendment XIX [1920]

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 sex.

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

### Amendment XX [1933]

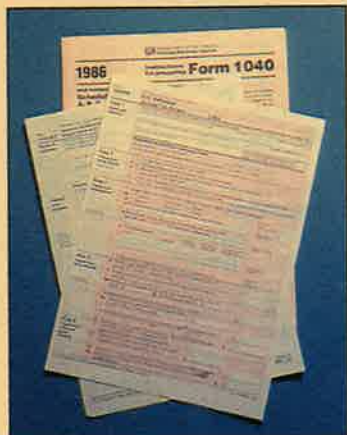
1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall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

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.

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 Con-

continued on page 37





Boggs



Humphrey

The 17th Amendment has, on a number of occasions, been used to replace deceased senators with their spouses. Muriel Humphrey, widow of Minnesota Sen. Hubert Humphrey, succeeded to the Senate this way. It is, incidentally, a time-honored practice for congressional wives to take their late mate's seat. The list includes such women as Lindy Boggs [La.], Sala Burton [Calif.], Cardiss Collins [Ill.] and Cathy Long [La.], all of whom have since distinguished themselves in their own right. Not that women need enter Congress by such extracurricular means. There are currently 23 women reps and two senators, and the vast majority of them were elected to office from the first. By the way, who was the first woman in Congress? Give up? Jeannette Rankin of Montana, elected to the House in 1917.



Prohibition created a new breed of criminal—the bootlegger. And when it came to bootlegging, none surpassed Chicago's own "Scarface" Al Capone, whose annual earnings during the Roaring Twenties were estimated at \$60 million.



Sears utility chair. The price gets even more comfortable after you've sat on it awhile.



Study

Computer

Sewing

**GREAT NEWS**

Never priced lower.

One week only. **Save \$20 \$29<sup>99</sup>**

- Back adjusts up and down, forward and back.
- Seat height adjusts from 16" to 20".
- Full 360° swivel.
- Five leg base for extra stability.

Sale ends Saturday, February 28, 1987. Model No. 7501  
This advertised item is readily available for sale as advertised.  
Available at most Sears retail stores. Price and date apply only to the continental United States except Alaska and Hawaii. ©Sears, Roebuck and Co. 1987

*There's more for your life at*  
**SEARS**



**La-Z-Boy®**  
Showcase/shoppes

FACTORY AUTHORIZED SHOPPES

# LARGEST SALE IN OUR HISTORY!

**2 GREAT  
LA-Z-BOY®  
CHAIRS  
AT 1 GREAT  
LOW  
PRICE!**

Our entire stock of over 7,000 genuine La-Z-Boy® swivel rockers, Reclina-Rockers®, and Reclina-Way® Wall Recliners all in assorted colors... solids, tweeds, textures, nylons, and velvets will be priced from 2 for \$299. to 2 for \$1,098. (Leather chairs priced 2 for \$1898.) INCREDIBLE SAVINGS of \$150. to \$340. on a pair of genuine La-Z-Boy® Chairs. Some items may be one-of-a-kind, but mixing and matching is allowed. Bring a friend and share in the savings! Hurry, quantities are limited. DON'T MISS THIS ONE!  
Sale ends March 3, 1987.



**Great Savings Also Available  
On Single Purchases.**

## Genuine La-Z-Boy® La-Z-Rockers®

This traditional style La-Z-Rocker® Chair features deeply tufted back and gently flared arms. Regular Price 2/\$578. Now during this sale

**2 CHAIRS FOR  
\$299**

**SORRY, NO LAYAWAYS DURING THIS SALE**



**3 MONTHS  
FREE CREDIT**  
No Payments  
Until May, 1987

SWIVEL ROCKERS

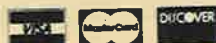
**Choose from the Midwest's Largest  
Selection of La-Z-Boy® Chairs**

**La-Z-Boy®**  
Showcase/shoppes

FACTORY AUTHORIZED SHOPPES

Hours: Daily 10-9, Sat. 10-5, Sun. 12-5

★ Price ★ Warranties  
★ Selection ★ Service



Over 7,000 La-Z-Boy®  
Chairs, Sleepers, Sofas and  
Motion Modular Sectionals in Stock

**MADISON, WI:** 2430 South Park Street • 608-257-3950  
**BERWYN:** 3237 S. Harlem Ave. • 749-7757  
**OAK LAWN:** 10639 S. Cicero Ave. • 425-1039  
**ORLAND PARK:** 15605 S. 71st Ct. • 532-3220  
**HARLEM & IRVING:** 4109 North Harlem Ave. • 457-0284  
**HAMMOND, IN:** 6752 Indianapolis Blvd. • 219-845-0845  
**WILLOWBROOK:** Rte. 83 & Plainfield Rd. • 325-7890  
**MUNDELEIN:** 25779 Route 45 • 949-1612

**SCHAUMBURG-HOFFMAN ESTATES**  
1055 W. Golf Road • 519-9350  
**VILLA PARK:** 300 E. North Ave. • 833-1780  
**ARLINGTON HEIGHTS:** 1101 E. Rand Rd. • 392-6166  
**AURORA:** 1885 N. Farnsworth • 898-2525  
**MORTON GROVE:** 5925 W. Dempster • 967-6913  
**ROCKFORD, IL:** 5643 East State St. • 815-397-0074

**We,  
the  
People**

The need for a line of presidential succession has become clear over the years. Between 1841 and 1975 more than one-third of all presidents either died in office, resigned or became disabled. Of veeps, seven have died in office and two have resigned, keeping the second office vacant more than 37 years. Says Carl Albert, former Speaker of the House: "Historically, the line of succession went directly from the vice president to Cabinet members. But in 1947 Congress changed the line of succession [as it was empowered to do under the Constitution] and made the Speaker No. 3. I'm not sure why they changed it. I think it was mostly because Sam Rayburn and Joseph Martin, the House Speaker and the minority leader, probably thought they were better men for the job than the Secretary of State."



"Four more years," Republicans were chanting last summer, in the midst of a party boomlet to repeal the 22d Amendment and let Ronald Reagan have unlimited terms. "I think it should be changed because I think it's only democratic for the people to be able to vote for someone as many times as they want," Reagan told supporters. Since the Iran arms scandal, however, the hurrahs have died down. Ironically, the 1951 amendment was originally the work of GOP lawmakers, still smarting over Franklin Roosevelt's unprecedented election to four terms.



Until 1961 the citizens of the District of Columbia could not vote in presidential elections, even though its population of 800,000 exceeded that of each of the 13 colonies and even though D.C. residents had all the normal obligations of citizenship, including tax payment and military service. This paradox of imposing the duties of citizenship without the most fundamental of its privileges was rectified by the 23d Amendment.



continued from page 34

gress 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.

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.

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

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.

#### Amendment XXI [1933]

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

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.

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.

#### Amendment XXII [1951]

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.

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.

#### Amendment XXIII [1961]

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 Dis-

continued on page 39

#### Photo credits

Pg. 14: Associated Press [Mikulski]; Tribune/Paul Gero [Simon]; Dave Valdez [Bush].  
15: AP [Claiborne]; Keith Swinden [Kurland, Lerner].  
16: AP [Miller, Vietnam]; Gamma/Liaison, John Pemberton [Newman].  
18: AP [Reagan].  
19: AP [Warnke, Meese].  
29: AP [Tokyo Rose]; Tribune/Bob Fila [Foat]; Tribune/José Moré [Freeman].  
31: AP/Charles Bennett [Bennett]; AP [Perot].  
32: AP [Hatch, North, Boesky].  
33: AP [Japanese, Smeal].  
36: Tribune/Bob Fila [champagne].  
39: Tribune/Carl Wagner [Thompson]; AP [Rockefeller, Haig]; Black Star/W.W. Owen [Reagan]; United Press International [voters].

## Double your closet usage

Fully Adjustable - Changeable - Removable



- Free consultation and design
- Years of closet experience
- Custom built in our factory
- Neatly, quickly installed
- Custom garage systems
- Special storage systems
- System features:
  - steel chrome rods
  - steel hardware
  - custom sized drawers
  - cabinet doors
  - Fully insured

### CLOSETTEC<sup>SM</sup>

*There is a difference and we build it!*

(The national expansion of CLOSETS PLUS requires a new name)

1510 Midway Court #E2, Elk Grove, IL 60007  
(312) 364-1070

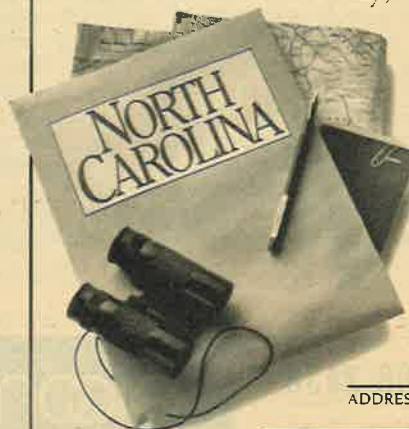


# DIRECTORY ASSISTANCE.

If it's information you want, just dial 1-800-VISIT-NC, toll-free. Or just send us this coupon.

Either way, we'll send you a North Carolina travel package absolutely free. It's a wealth of information on the tallest mountains in the East. An endless stretch of Carolina coast. The excitement of our cities and the charms of our towns.

So before you hit the highway, get our package. And let your fingers do some walking.



NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

ZIP \_\_\_\_\_

## FREE NORTH CAROLINA TRAVEL PACKAGE

MAIL TO NORTH CAROLINA TRAVEL, DEPARTMENT 524, RALEIGH, NORTH CAROLINA 27699  
OR CALL 1-800-VISIT-NC, OPERATOR 524 (MON - FRI, 8 A.M. - 5 P.M.)  
NORTH CAROLINA IS THE SITE OF THE U.S. OLYMPIC FESTIVAL, JULY 1987.





Blacks talk with a federal marshal as they wait in line to register to vote in Selma, Ala., in 1965.

"I am in control here," then-Secretary of State Alexander Haig announced in a now-infamous remark made in the White House press room on the March, 1981, day President Reagan was shot. Not according to U.S. law, he wasn't—not even in Vice President George Bush's absence.

In order to clear up any lingering confusion—not, we assure you, to make you fear or covet disaster—we print the official presidential pecking order. The Men and Women Who Would Be President: President Ronald Reagan; Vice President Bush; Rep. Jim Wright [D., Tex.], Speaker of the House; Senate President pro tempore John Stennis [D., Miss.]; Secretary of State George Shultz; Secretary of the Treasury James Baker; Secretary of Defense Caspar Weinberger; Attorney General Edwin Meese; Secretary of the Interior Donald Hodel; Secretary of Agriculture Richard Lyng; Secretary of Commerce Malcolm Baldrige; Secretary of Labor William Brock; Secretary of Health and Human Services Otis Bowen; Secretary of Housing and Urban Development Samuel Pierce; Secretary of Transportation Elizabeth Dole; Secretary of Energy John Herrington; Secretary of Education William Bennett.



Haig



of my friends won't be 18 in time."

—Sherri Thompson, a Lindblom Technical High School senior who turned 18 in early February and is planning to vote, for the first time, in the upcoming mayoral election

continued from page 37  
strict and perform such duties as provided by the twelfth article of amendment.

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

#### Amendment XXIV [1964]

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.

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

#### Amendment XXV [1967]

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

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.

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.

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.

#### Amendment XXVI [1971]

1. The right of citizens of the United States, who are 18 years of age or older, to vote shall not be denied or abridged by the United States or any State on account of age.

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

Lawmakers who drafted the 25th Amendment, ratified in 1967, could not have known it would be needed so soon. When Spiro Agnew resigned as vice president in 1973, due to scandal, Richard Nixon nominated Gerald Ford to replace Agnew. When Nixon himself resigned the next year at the height of Watergate, Ford succeeded Nixon. The musical chairs then continued as Ford named Nelson Rockefeller to be the third vice president in 26 months.



Rockefeller

The two last provisions of this amendment have never officially come into play, although there has been ample opportunity during the Reagan presidency. There was no formal transfer of powers during the 1981 assassination attempt on Reagan, though Vice President George Bush handled presidential functions for a brief time. Before Reagan's 1985 cancer surgery, performed under general anesthetic, Reagan signed letters temporarily transferring power to Bush, noting that Bush could be regarded as "acting president." Yet the White House claimed the letters did not constitute invoking of the 25th Amendment, a distinction that many saw as ambiguous at best. During his recent prostate surgery, Reagan avoided the issue by receiving a local anesthetic.



Agents subdue John Hinckley Jr. outside the Washington Hilton after his March 30, 1981, attempt to assassinate President Reagan.

### Amendments pending

There are currently 59 proposed constitutional amendments pending before Congress, all introduced since the new session began. [Those under consideration by the 99th Congress died at the end of last session, as required by law.] Besides several attempts to resurrect the Equal Rights Amendment, new proposals include calls for:

- Direct popular election of the president and vice president.
- A single six-year term for the president and vice president.
- A balanced budget.
- Establishment of English as the official U.S. language.
- A three-term limit on congressmen and a single term for senators.
- A prohibition on busing.
- A two-thirds vote of each house to raise taxes.
- An item veto for the president.
- A prohibition on abortions.
- Prayer in public schools.

No amendments are before the states at the moment. The last to reach that stage, a proposal to allow the District of Columbia voting representation in Congress, died in 1985 without ratification.



**We,  
the  
People**

## A year's worth of ways to say, 'Happy 200th anniversary'

**T**he second 100th birthday of the U.S. Constitution will be marked by literally hundreds of events in every American community, great and small. The following list is but a selective sampling of major national events and those of specific interest to residents of the Illinois area.

### Illinois

● March 6-7: Conference on the Northwest Ordinance and the Bicentennial of the U.S. Constitution, cosponsored by the University of Illinois and the Illinois State Bar Association. To be held at the Univer-

sity of Illinois at Champaign-Urbana, Krannert Center for the Performing Arts. The first day will deal with the Northwest Ordinance, which is coincidentally also observing its bicentennial this year. On the second day the highlight will be a panel discussion on "Constitutional Interpretation," featuring U.S. Atty. Gen. Edwin Meese III, former Atty. Gen. Elliot Richardson and U.S. Court of Appeals Judge Abner Mikva.

● March 13-14: Illinois State Bar Association Mock Trial Competition. Dozens of senior high schools in the state will participate in the competition, to be held over the course of two days at Sangamon State University in Springfield. The trial

will be based on a constitutional issue. The winning team will represent Illinois at the National Mock Trial competition in Washington, D.C., May 16-23, sponsored by the American Bar Association and the Close-Up Foundation.

● March 15-22: Traveling exhibit, featuring an original of the Magna Carta, as well as copies of the Constitution, Mayflower Compact and Northwest Ordinance, will be in Illinois, which is the first stop on a 22-state tour. The exhibit starts in Chicago, with tentative dates set for March 15-18. The 45-foot trailer will be stationed in Daley Plaza on those days. It will then proceed to Springfield, where

continued on page 42

foreign policy, yet gives Congress final responsibility for budgetary matters and appropriations, Burger is asked if there aren't internal contradictions within the Constitution itself that carry seeds of discord.

"Well, the Constitution certainly isn't self-executing," Burger responds. "No document ever is. People have to examine it and try to solve problems in terms of the present."

Recently, however, U.S. Atty. Gen. Edwin Meese called into question the wisdom and authority of the Supreme Court in interpreting points of constitutional meaning.

"There's nothing new about Mr. Meese's remarks," scoffs Burger. "Jefferson said the same thing in much stronger terms. Mr. Meese was actually much more moderate. The point is that every lawyer—every citizen of this country, in fact—has the right to criticize the president, the Congress and the courts. And I'm not even sure if his [Meese's] statement was a criticism of the court. The people who have been doing most of the talking about it probably didn't read his whole speech. There's no reason why we shouldn't be talking about these things. It's a wholesome thing."

Then you weren't offended?

"No, no. It doesn't offend me."

**B**ut why are there so many attempts to get the Supreme Court to reverse positions on which the Constitution seems very clear? Issues such as school prayer, for example, and many others. Why do many people continue to beat dead horses?

"Because," says Burger, "we're a country of people who have complete freedom, and that freedom means a lot of people are expressing what other people think are wrong ideas. You couldn't do it in the Soviet Union. In a country of 235 million, you're bound to have disagreements. That's fine. Hammer it out. Talk about it."

"It may waste some time, but it doesn't do any great harm in an open society like ours. Let them talk. If they talk, they don't throw stones and set up barricades in the streets."

Curiously enough, when Burger was involved directly in interpreting the Constitution, he had remarkably little time to reflect on the magnitude of what he was doing.

"During my tenure on the court our workload increased 2½ times over, and I think most of us were so busy that we didn't have time to consider its cosmic significance. At least speaking for myself, I wasn't going home at night and thinking about what a great opportunity it was. You just know that you've got to be out in that conference room with your robe on at 5 minutes to 10, and at 2 minutes to 10 you're lining up to walk into the courtroom, and you have an hour off for lunch and then you've got two hours of argument afterwards, and on Wednesday afternoon a conference on the Monday cases, and on Friday a conference on the other cases, and a hundred new petitions filed every week. You just don't have time. If you haven't done your reflecting in advance, you're in trouble."

But now, Burger says, he has the luxury of time and the inducement of propinquity in giving deeper thought to the mystique of the Constitution. He confides that on occasion he wanders over to the National Archives, where three pages of the Constitution are on display in sealed glass cases, along with the Declaration of Independence, and he just stands there and gawks like any tourist.

"Every time I look at it, I think that as an expression of the finest instincts of man it is second only to the Bible—and by the Bible I mean the written expression of any religious faith. I just stand there and I marvel. What else can anyone do?"

People Don't Talk Much  
About West Virginia Brand's  
Unique Smoked Flavor.  
Their Mouths  
Are Usually Full.



After one bite you'll understand why. West Virginia Brand Thick-Sliced Bacon has a sweet smokey flavor unlike anything else. That's because we slow-cure only the center cut "filets" of select slabs. Then we slice it extra thick to hold the deep rich flavor in every bite.

So you see, why talk about West Virginia Brand Thick-Sliced Bacon when you can eat it?



West Virginia® Brand Thick-Sliced Bacon  
©1987 Hygrade Food Products Corp., Detroit, MI 48219