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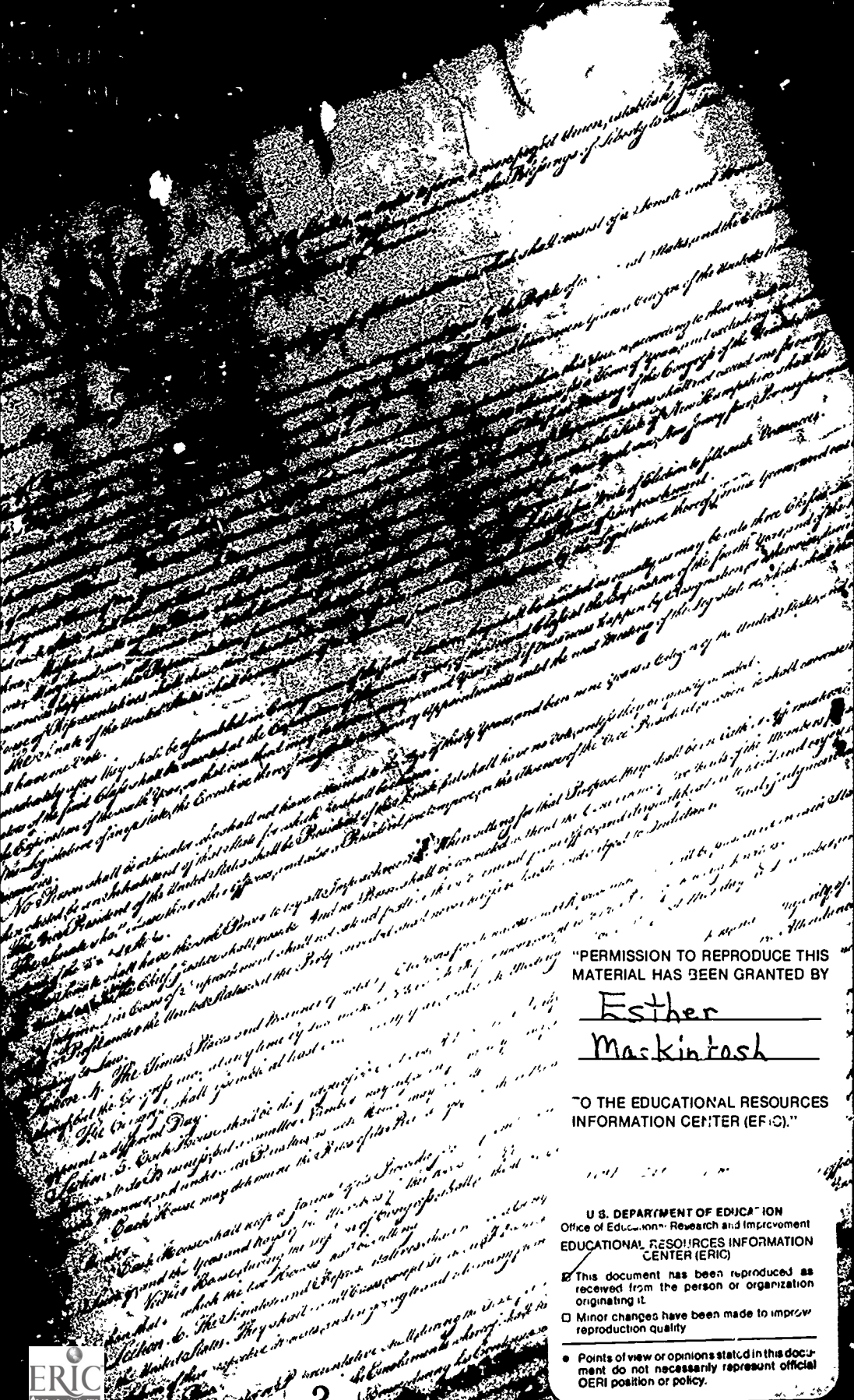
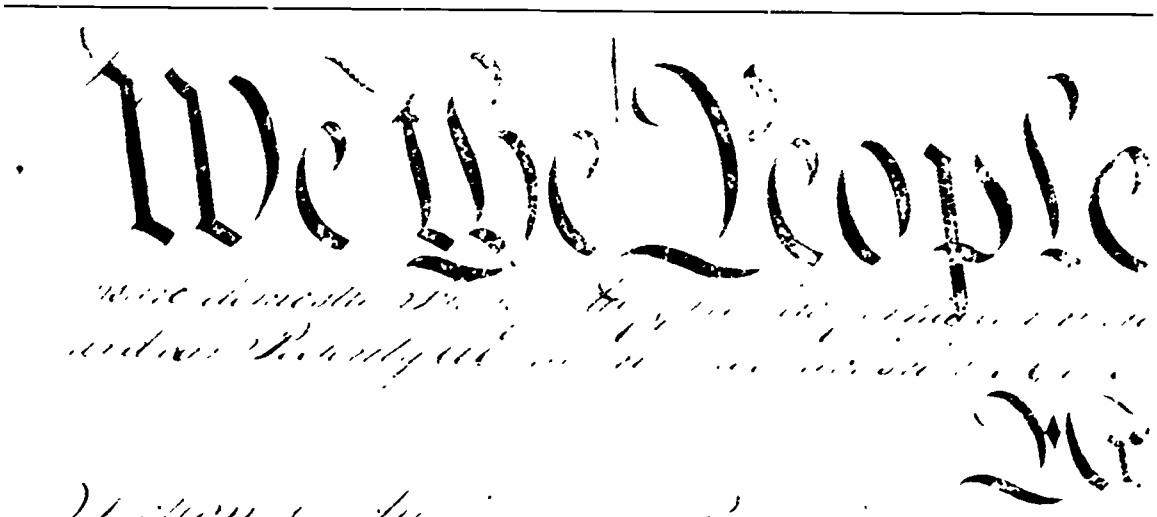
ABSTRACT

With the Bicentennial Bookshelf as a foundation stone, communities will be able to stimulate public discourse on the meaning of constitutionalism in the United States through the use of this guide. Guidelines and model programs are provided for initiating reading and discussion programs, conferences, lectures series, and seminars and institutes. Three approaches to reading-discussion groups are described: (1) the participant-led approach; (2) the Socratic approach; and (3) the debate-discussion approach. Conference programs offer an ideal setting to explore the fundamental issues of the U.S. Constitution because they bring together a group of people for a concentrated period of time to focus on specific, well-defined questions. Conference models presented are suitable for (1) the general public; (2) lawyers, judges, legislators; and (3) secondary school teachers. Lecture series on the major elements of the Constitution can help focus attention on the nation's vital character and heritage. Institutes and seminars take as their primary task the encouragement of a deeper understanding of the subject matter of the humanities. The appendices include: (1) Bicentennial Bookshelf lis (2) directory of State Humanities Councils; (3) suggestions as to sources of financial support for public programs; and (4) bicentennial resource list. (SM)



Celebrate the Constitution

A Guide for Public Programs in the Humanities, 1987-1991


We the People

Celebrate the Constitution

A Guide for Public Programs in the Humanities, 1987-1991

For use with
the "Bicentennial Bookshelf"
of the National Endowment
for the Humanities

June 1987

Prepared by the
FEDERATION OF
STATE HUMANITIES
COUNCILS Committee
on the Bicentennial

The research and publication of *Celebrate the Constitution: A Guide to Public Programs in the Humanities, 1987-1991* have been supported by the National Endowment for the Humanities, a federal agency which supports the study of such fields as history, philosophy, literature, and language.

The Federation of State Humanities Councils, founded in 1977, is the membership association of the State Humanities Councils. Through its program of research, conferences, collaborative projects, and communication to members, legislators and others on issues of public interest, it provides support for the State Humanities Councils and strives to create greater awareness of the importance of the humanities in public and private life.

To order additional copies of this publication, please send a check, payable to Federation of State Humanities Councils, for $6.00 per copy plus $1.50 for postage and handling to:

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Letter from the Chairman of the National Endowment for the Humanities

ON THE OCCASION of the 200th anniversary of the United States Constitution, public libraries across the country are putting together "Bicentennial Bookshelves"—a reference collection about our nation's founding document. These Bookshelves, established with matching grants from the National Endowment for the Humanities, will make the writings of the Founders and important works of constitutional scholarship readily available to all Americans

At my request, *Celebrate the Constitution* has been prepared by the Federation of State Humanities Councils. Based on the resources of the Bicentennial Bookshelf, it is a guide to organizing programs that will encourage citizens to become more familiar with the thoughtful and ordered process that brought our Constitution and our government into being.

Throughout this period commemorating the foundations of our society, I encourage Americans everywhere to organize and participate in the kinds of programs described in this guide. Surely there is no more appropriate way to celebrate the document that protects our freedoms than by educating ourselves about it. As James Madison once wrote, "What spectacle can be more edifying . . ., than that of liberty and learning, each leaning on each other for their mutual and surest support."

Lynne V. Cheney
Chairman

Foreword

THE BICENTENNIAL BOOKSHELF is an imaginative and appropriate response to the most important celebratory anniversary of this century. Nothing is so central to the understanding of American national history and values as the concept and practice of constitutionalism. No institution is more perfectly suited to sponsor discussion of constitutionalism and the Constitution than the public library. With the Bicentennial Bookshelf as a foundation stone, communities should be able to devise carefully tailored and uniquely appropriate responses to the bicentennial

The major texts recommended for the Bookshelf are central to the study of the U.S. Constitution. They should form the core of any basic collection. The recommended sources and secondary works are also well chosen, but it should be remembered that they are merely suggestive of the great number of important books on the subject.

Indeed, creating the Bicentennial Bookshelf is the essential and relatively easy part of the job. The real challenge to librarians, local humanities groups, school groups and voluntary organizations is to mobilize their localities to put the books to use. The Bookshelf, to succeed, must involve a significant portion of the local community in organized bicentennial activities stemming from the study of the Constitution.

Remember how many "expert" resources are available in most communities: public and university librarians, teachers at all levels (from school through university), public officials, lawyers, state humanities committees, and many others. Looking for advice will not only improve programming but will also serve as a way to solicit the participation of highly qualified citizens.

This Guide is meant to be a starter kit, indicating some of the ways in which the Bookshelf can be used to stimulate public discourse on the meaning of constitutionalism in America. The several types of programs described have been used successfully by state humanities committees and other public groups. These formats (reading and discussion groups, conferences, lectures, and institutes) are merely indicative of a much broader group of activities that might be employed by local groups. The best programs are those that flow from the imagination and energy of the organizers, rather than from outside the community.

The trick, then, is to locate those committed citizens who are enthusiastic about public programming and to set them to conceiving ways to celebrate the bicentennial in your community. If cooperative public programming works for you, it will bring political and intellectual rewards to numbers of local citizens. Committed leadership, use of local resources, and good advertising are the keys to success.

The National Endowment for the Humanities is to be congratulated for conceiving of the Bicentennial Bookshelf. Used intelligently, it can provide the wherewithal for a wide variety of public programs for citizens of different ages, educational levels, and occupations. Thinking about constitutional problems together is one way twentieth-century Americans can recreate the sense of mutual civic participation that made the Americans of 1787 uniquely admirable both in their own time and over the course of the past two centuries.

Stanley N. Katz, President
American Council of
Learned Societies
Chief Consultant to the
Bicentennial Bookshelf

Introduction

TO HELP PLAN EFFECTIVE PUBLIC PROGRAMS to recognize the bicentennial, *Celebrate the Constitution: A Guide For Public Programs in the Humanities, 1987-1991* suggests ways of using the NEH Bicentennial Bookshelf and other sources on the Constitution in effective public programs that celebrate the bicentennial.

The Guide is for people and organizations who would like to celebrate the bicentennial of the Constitution with thoughtful initiatives. The Guide is divided into four parts: reading and discussion programs, conference programs, lecture series, and seminars and institutes. Each area represents a significant format of public humanities programming. In addition to presenting substantive material on the history of the U.S. Constitution, the Guide reviews the nuts and bolts of organizing and putting on a public program.

Public humanities programs bring scholars to the public. Bicentennial programs, likewise, should make the best public use of talented teacher-scholars with expertise in constitutional subject areas. As an appendix to the Guide, the Federation of State Humanities Councils has compiled a list of scholars, organized by state, who may be available to program organizers. Use this list of scholars to find exactly the person you need for your program, and consult with your State Humanities Council for further assistance. The address and telephone number of each state council appear in the Appendix.

In the text of the Guide, we have refrained from giving full bibliographic citations of the major sources included in the Bicentennial Bookshelf of the National Endowment for the Humanities. These citations can be found in the Appendix.

Programs vary in how much they cost to organize and run. Some may be presented for a few hundred dollars or even less; others may cost several thousand. There are many sources of financial support for public programs, and we can expect this support for bicentennial public programs of quality to be stronger than ever through 1991, the bicentennial of the Bill of Rights. As a start, we have included a guide to public program fund raising in the Appendix ("Paying for Public Programs").

Every state has a state humanities council experienced in working with the public – the state councils' constituency – to help plan and propose events of high quality. Further, many state councils have rich experience in planning and conducting bicentennial programs of their own for the public. State councils are also potential sources of funding. They award small grants on a competitive basis in support of public humanities programs.

Celebrate the Constitution: A Guide for Public Programs in the Humanities, 1987-1991 was planned and prepared by the Federation's Committee on the Bicentennial. Members of the committee include Michael Bouman, Naomi Collins, Marion Cott, Michael Sartisky, and Dorothy Schwartz – all state council staff members. Serving as advisors to the committee and as evaluators of the materials were Stanley N. Katz, Margaret Kingsland, and Victor Swenson.

The Guide reflects the expertise and leadership of the many staff members of the State Humanities Councils who assisted the committee by contributing program materials and ideas. Without their contributions, the Guide would not have been possible. Others contributing as writers and/or scholarly advisers to the committee include Marianne Alexander, Herman Belz, Richard Cook, Anthony Corrado, Richard D'Abate, Murray Dry, Craig Eisendrath, Kenneth Gladish, James Hutson, Rex Martin, Alanna Preussner, Mary Scott Rowland, and Gregory Stiverson.

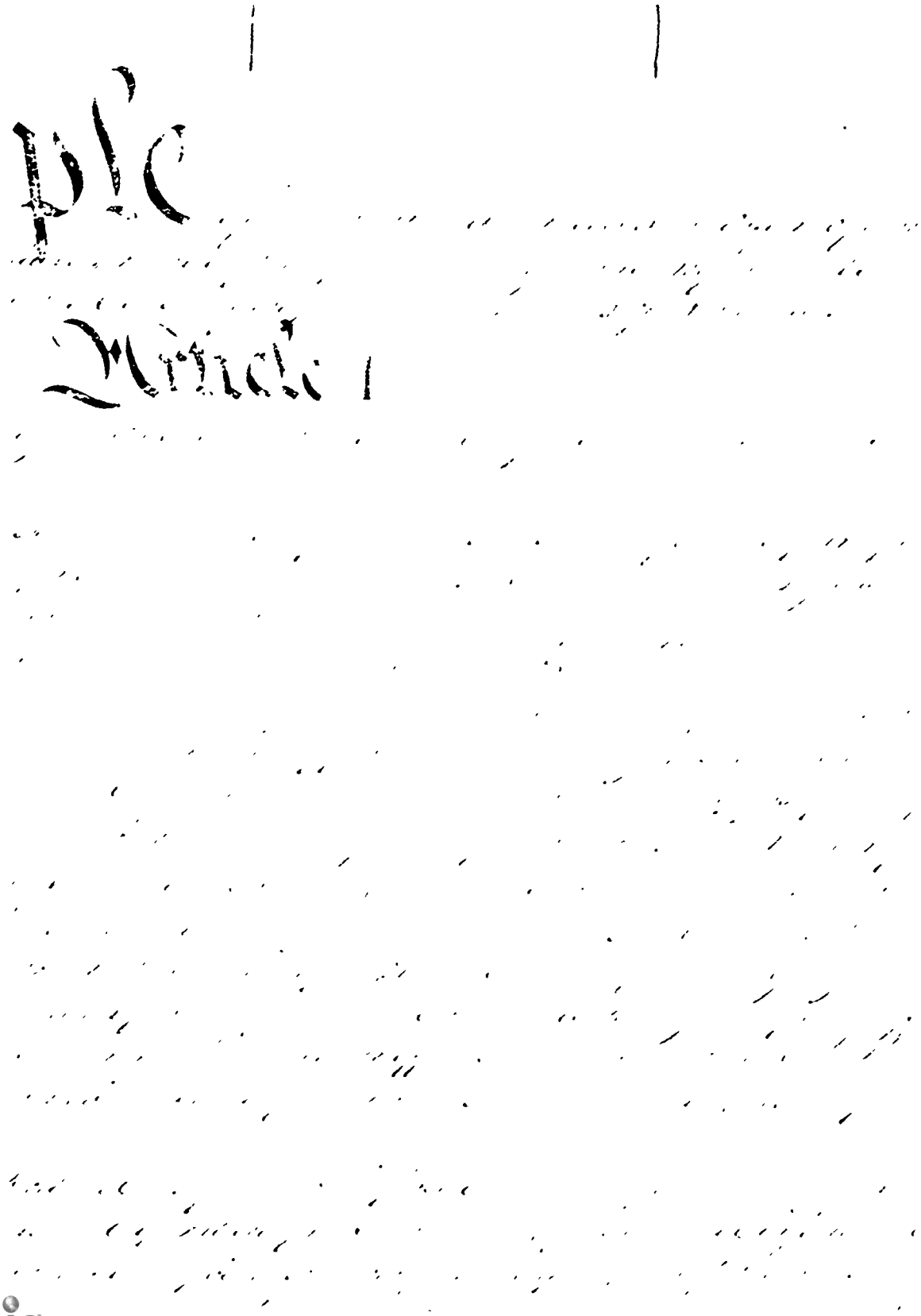
Federation staff provided editorial support for the Guide, and compiled and edited the Bicentennial Scholars List.

The Federation of State Humanities Councils is the national membership association of the State Humanities Councils. Inquiries concerning state councils and the bicentennial may also be addressed to the Federation of State Humanities Councils, 1012 Fourteenth Street, N.W., Suite 1207, Washington, D.C. 20005, 202/393-5400. With support from the National Endowment for the Humanities, the Federation has also published *The Humanities and the Constitution: Resources for Public Humanities Programs on the Bicentennial of the U.S. Constitution* (1986). A review of bicentennial programs conducted and funded by state councils, *The Humanities and the Constitution* is an important additional resource for program planners. Copies may be obtained from the Federation at a cost of $3.50 per copy.

The Federation expresses its appreciation to the National Endowment for the Humanities, whose funding, under a Chairman's Emergency Grant, supported the development and production of *Celebrate the Constitution.*

Jamil S. Zainaldin
Executive Director
Federation of State
Humanities Councils

Reading and Discussion Programs



Preface to the Materials

GIVEN THE TEXTUAL NATURE of our constitutional legacy and the Constitution's own fundamental grounding in philosophical debate, reading and discussion programs are a most appropriate format for public programs focusing on the U.S. constitutional bicentennial. Nationwide, it has been the experience of the State Humanities Councils and other groups that reading and discussion programs are among the simplest and most effective means of involving the public in an intense dialogue with ideas and concepts in the humanities. Many state councils already have designed and implemented model programs that can incorporate the reading and reference material contained in the Bicentennial Bookshelf. Three program models and syllabi are presented in the materials that follow: (1) a syllabus on the creation of the Constitution; (2) a syllabus that uses biography to illuminate the era of the Constitution; and (3) a syllabus prepared by the Pennsylvania Humanities Council that looks at the U.S. Constitution as a "living legacy."

These materials have been designed to encourage interest in reading and help restore libraries to their position as important cultural and intellectual centers in their communities. Although reading programs may last but five or six weeks, often they become self-perpetuating because they provide citizens with the incentive to continue to use libraries as centers of intellectual inquiry and discussion. Apart from the intrinsic value of increasing citizens' appreciation for and knowledge of the U.S. Constitution, these reading programs may serve in some cases to encourage libraries to mount similar programs.

The models that follow can be implemented by public libraries across the country. Designed by prominent constitutional scholars and State Humanities Councils, each of these programs includes a syllabus of up to ten units. Local scholars and librarians can adapt these units by combination or selection into a five- or six-week program, thus providing the local scholars and librarians with a core program that they can adapt according to their own conception of the series.

There are at least three approaches from which planners may choose:

- **1. The Participant-Led Approach.** A series of 45-minute lectures, each by a different scholar and followed by discussion among the participants. The scholar then summarizes the discussion. Five or six sessions are conducted, one every two weeks.
- **2. The Socratic Approach.** A series of two-hour Socratic or question-and-answer discussions led by two scholars. Discussions are punctuated by brief presentations of background material. Formal lecturing by the scholars is discouraged. The scholars teach one session a week for six weeks, providing continuity from session to session.
- **3. The Debate-Discussion Approach.** A series of 45-minute debates on different issues. The exchanges between scholars or experts are followed by question-and-answer periods conducted by a moderator.

The syllabi that follow provide examples of how the reference works may be used to supplement or fill out a reading assignment. If program participants are able to examine copies of the Bicentennial Bookshelf reference works at a local library, they are encouraged to leaf through the works in order to become familiar with the organization, coverage, and approach of the volumes. These works can be used to find answers to questions and to address issues or concerns that arise during the series.

The Congressional Research Service volume on *The Constitution of the United States of America: Analysis and Interpretation* is a resource for any textual question about the Constitution.

Max Farrand's *Records of the Federal Convention of 1787*, supplemented in the most recent edition by new documentary findings, is the best source of what was said and done at the federal convention. Organized chronologically, the book can be consulted time and again to amplify or clarify the debate.

The Founders' Constitution (5 volumes), edited by Philip B. Kurland and Ralph Lerner, examines in great detail the historical development of the Constitution as a written document. Its organization permits easy use in tracing the history of aspects of the Constitution.

Finally, *The Encyclopedia of the American Constitution* (4 volumes), edited by Leonard Levy, contains articles on almost any conceivable topic. Thoroughly and helpfully indexed, the *Encyclopedia* contains about 2,100 articles written by 262 authorities in law, history, and political science. The entries cover doctrinal concepts of constitutional law, judicial decisions primarily of the Supreme Court, public acts (statutes, treaties, executive orders), and overviews of historical periods.

The first model program, "Establishing America: The Founding Years," is an introduction to the primary documentary materials surrounding the creation of the Constitution and thus is ideally suited to tapping the rich potential of the Bicentennial Bookshelf main reference works. The syllabus suggests books for use in the program. The second program, somewhat more flexible in organization, sets out the main lines of a biography reading program in "American Biography: The Founders of the Constitution." Two programming options are identified for the reading and discussion of biography. One series looks at the biographies of the Founders and leans heavily on the Bicentennial Bookshelf biographies. The other focuses on one individual, George Washington, and uses the Bicentennial Bookshelf selection, *Washington: The Indispensable Man* by James Thomas Flexner, as the text for the program. Flexner is supplemented by the Bicentennial Bookshelf reference work, *Records of the Federal Convention of 1787*, edited by Max Farrand. The third type of reading program is "The Constitution: Our Written Legacy, 1787-1987," a detailed survey of the Constitution.

Reading Program One

Establishing America: The Founding Years

THIS "LECTURE SERIES WITH READING" invites people to attend the programs even if they cannot finish reading assignments. Use of a textbook maintains continuity for all participants. The series should attract a wide variety of participants, including those who have little familiarity with the American Constitution.

■ Texts

▸*The Great Republic* by Bernard Bailyn et al. A college history textbook that has proven effective when used by adults as a narrative reference for a lecture series. If not easily available, substitute *The Great Republic.*

▸*The Encyclopedia of the American Constitution,* edited by Leonard Levy. Contains background articles that provide narrative detail of the debates. See especially: "Articles of Confederation," "Continental Congress," "Constitutional Convention of 1787," "Constitutional History, 1776-89," "Constitutionalism and the American Founding," and "Great Compromise."

▸*The Complete Anti-Federalist* (7 volumes), edited by Herbert J. Storing with the assistance of Murray Dry, or *The Anti-Federalist* by Herbert Storing and abridged by Murray Dry.

▸*The Records of the Federal Convention of 1787,* edited by Max Farrand. If not available, substitute *The Constitution: A Documentary and Narrative History* by Page Smith.

▸*The Federalist,* edited by Jacob E. Cooke.

▸*Writings* of Thomas Jefferson, edited by Merrill D. Peterson. Includes all Jefferson and Virginia legislation readings in Session 2, along with the Declaration of Independence. If unavailable, use *The Portable Thomas Jefferson,* edited by Merrill D. Peterson.

■ Sample Syllabus

● **Session 1. Who are the "one people" of the Declaration of Independence?**

Readings:

▸*The Great Republic,* chapters 1-6

▸Declaration of Independence

● **Session 2. The Idea of a Republican Society**

Readings:

▸*The Great Republic,* chapters 7-9

▸*Encyclopedia,* "Republican Form of Government"

▸Jefferson on the commercial republic: *Notes on the State of Virginia* (Query VII, "Population," Query IX, "Manufactures," Query XXII, "Public Revenues and Expenses"); Letter to John Jay on foreign commerce, August 23, 1785; Letter to Charles Bellini on "The vaunted scene of Europe," September 30, 1785; Letter to James Madison on property and natural right, October 28, 1785

▸Jefferson on slavery: *Notes on the State of Virginia* (Query XIV, "Laws," Query XVIII, "Manners")

▸Jefferson on native Americans: *Notes on the State of Virginia* (Query VI, "Productions Mineral, Vegetable, and Animal")

▸"A Bill for Establishing Religious Freedom"

▸Draft Constitution for Virginia

▸Jefferson on popular rebellions: Letter to Edward Carrington, January 16, 1787

▸Supplements to Jefferson's thinking: *Encyclopedia,* "Adams, John" and "Paine, Thomas"; excerpts from John Adams, Thoughts on Government in *The Political Writings of John Adams,* edited by George A. Peek, Jr.

● **Session 3. The Federal Convention**

Readings:

▸*The Great Republic,* chapter 10

▸Selection from *Records of the Federal Convention of 1787,* edited by Max Farrand (organized by Convention's chronology); or excerpts in *The Constitution* by Page Smith; Edmund Randolph's Virginia Plan, May 29, 1787; Debate on the Virginia Plan, May 30-June 5, 1787

▸The Virginia Plan as reported by the Committee of the Whole, June 13, 1787

● **Session 4. The Federal Convention** (continued)

Readings:

▸Selections from *Records of the Federal Convention of 1787,* edited by Max Farrand, or excerpts in *The Constitution* by Page Smith: William Patterson's alternative plan from New Jersey, June 14, 1787; Alexander Hamilton's alternative, June 18, 1787; Debate on alternative plans for representation, June 19-25, 1787; Proposal for ratification, June 23, 1787

▸The Great Compromise and reaction of nationalists (in *Encyclopedia*)

● **Session 5. The Federal Convention** (continued)

Readings:

▸Selections from *Records of the Federal Convention of 1787,* edited by Max Farrand, or excerpts in *The Constitution,* edited by Page Smith: Property and suffrage, August 7, 1787; Early draft, as reported by the Committee on Style; Proposal for a Bill of Rights

▸Objections by delegates who would not sign: *The Federalist,* numbers 10, 35; *The Complete Anti-Federalist,* by Herbert J. Storing, Federal Farmer, I-III and VI-VII

● **Session 6. Ratification**

Readings:

▸The Federalist arguments for ratification: *Encyclopedia,* "Ratification of the Constitution"; *The Federalist,* numbers 48, 49, 51, 78

Reading Program Two

American Biography: The Founders of the Constitution

BECAUSE THEY APPROACH THE PAST through the lives of actual people, biographies attract readers who might otherwise be intimidated by the study of history. Particularly when read in conjunction with material that treats the Constitution directly, biographies are an inviting forum for becoming familiar with many aspects of American life and politics during the founding era. For example, if one reads first about the Constitution and then reads *Washington: The Indispensable Man*, one's understanding is likely to be altogether richer.

Biographies might easily be complemented with works that deal more generally with life in the founding era, such as Linda K. Kerber's *Women of the Republic: Intellect and Ideology in Revolutionary America;* with the intellectual history of the era, such as Gordon S. Wood's *The Creation of the American Republic, 1776-1787* (a Bicentennial Bookshelf selection); or Forrest McDonald's *Novus Ordo Seclorum: The Intellectual Origins of the Constitution* (a Bicentennial Bookshelf selection).

A sampling of one-volume works on the intellectual, social, and cultural life in the founding period may be combined with the reading of biography. These works might include selections in the "History" and "Biography of the Leading Founders" section of the Bicentennial Bookshelf. To this list the following titles might also be added: Benjamin Franklin, *Autobiography;* Lynne Withey, *Dearest Friend: A Life of Abigail Adams;* Mary Beth Norton, *Liberty's Daughters;* Pauline Maier, *The Old Revolutionaries;* Charles S. Sydnor, *American Revolutionaries in the Making;* or Adrienne Koch, *Jefferson and Madison: The Great Collaboration.*

Useful supplements are the following one-volume editions of writings of the Founders represented in the Bicentennial Bookshelf: Thomas Jefferson, *Writings*, edited by Merrill D. Peterson; Alexander Hamilton, *Selected Writings and Speeches*, edited by Morton J. Frisch; and *The Mind of the Founder: Sources of the Political Thought of James Madison*, edited by Marvin Meyers.

Option A
Biographies of American Founders

This plan provides for a sequence of programs, probably at two-week intervals, each with an opening lecture and a concluding general discussion. The specific works in such a series will vary, depending on the length of the series and local preferences. The following sample syllabus proposes readings for each session that will stimulate discussion of the events of the time by looking at the people who lived them.

■ Sample Syllabus

- **Session 1.** *Miracle at Philadelphia: The Story of the Constitutional Convention, May to September 1787* by Catherine Drinker Bowen (first half: the framing of the Constitution up to the "Great Compromise")
- **Session 2.** *Miracle at Philadelphia*, the "Great Compromise," completion of the drafting of the Constitution, and ratification
- **Session 3.** *Washington: The Indispensable Man* by James Thomas Flexner
- **Session 4.** *Washington: The Indispensable Man* (concluded)
- **Session 5.** *Women of the Republic* by Linda K. Kerber (University of North Carolina Press paperback edition)
- **Session 6.** *Jefferson and Madison: The Great Collaboration* by Adrienne Koch (Oxford University Press paperback edition)

Option B
George Washington and the Constitution

This simplified series requires that participants read only one or two books. James Thomas Flexner's *Washington: The Indispensable Man* offers a basis for exploring American politics from the colonial period through the first eight years under the 1787 Constitution. A resourceful scholar-teacher can use this book in sections and can provide supplementary material to expand Flexner's scope of interpretation.

This volume should be teamed with collections of primary source material: *The Federalist*, edited by Jacob E. Cooke, presents arguments made in favor of ratification of the Constitution. Thomas Jefferson, *Writings*, edited by Merrill D. Peterson, is a source of primary documents. A paperback book that includes many of the key documents of the era is *The Constitution: A Documentary and Narrative History* by Page Smith.

Another useful supplement to Washington's biography is the *Records of the Federal Convention of 1787*, edited by Max Farrand. See especially Washington's correspondence with reference to the framing and ratification of the Constitution, in Volume 3.

The key to this series is its simplicity: just two books—Flexner and any collection of primary materials. The syllabus is minimal, with details to be worked out locally by an imaginative teacher or team of teachers. The mix between lecture and discussion can vary, depending on the reading assignment.

Reading Program Three

The Constitution: Our Written Legacy, 1787-1987

THE HISTORY OF THE U.S. CONSTITUTION reveals the changes and the continuities in the nation's values and ideals. Through amendment and interpretation, the "supreme law of the land" drafted in an age different from our own, has remained for two hundred years a living and working document.

Created by the Pennsylvania Humanities Council with an exemplary award from the National Endowment for the Humanities, *The Constitution: Our Written Legacy* is a complete reading program. The textbook, compiled by the council, contains excerpts from the cited sources. The text can be obtained from the council.

The Bicentennial Bookshelf reference works can serve as background texts for the program. All of the cases, statutes, controversies. or events cited in the program are examined by scholars in essays contained in *The Founders' Constitution*, edited by Philip B. Kurland and Ralph Lerner, or *The Encyclopedia of the American Constitution*, edited by Leonard Levy.

■ Syllabus

● **Session 1. Old Words for New Readers: Learning the Constitutional Alphabet**

The readings in this section include some of the documents that comprise the intellectual and political sources of the Constitution, ranging from the Great Charter granted the English barons by King John to the Articles of Confederation, the first government of the United States. These documents address three questions: What are political rights? Who possesses these rights? What is the role of the government?

Readings:

▸Magna Carta
▸The Mayflower Compact
▸The Bloudy Tenant of Persecution for Cause of Conscience (Roger Williams)
▸Leviathan (Thomas Hobbes)
▸Second Treatise . . . On Civil Government (John Locke)
▸Declaration of Independence
▸Articles of Confederation

● **Session 2. Creating the American Language of Government: Philadelphia, 1787**

The readings in this section address the central issues confronting the Framers of the Constitution, exploring such diverse concerns as separation of church and state, the people's right to rebellion, and the writing of the Constitution itself. The readings deal with the difficulties of creating government anew, of making political ideals, and of balancing liberty with justice.

Readings:

▸Virginia Statute of Religious Liberty
▸Shays' Rebellion: Excerpts from address by Daniel Gray and from letter to the Hampshire Herald from Thomas Grover
▸The Northwest Ordinance
▸The Constitution of the United States
▸The Last Day of the Constitutional Convention (James Madison)

● **Session 3. The Language of Reasoned Debate: The Federalist Triumph and the Bill of Rights**

These documents present the various arguments for and against the ratification of the draft Constitution and the differing interpretations of the meaning of the Constitution that arose in the early years of the Republic. The tension explored is between maintaining a strong central government and protecting individual liberties and rights.

Readings:

▸*The Federalist* (Numbers 1, 10, 51, 70, 78)
▸The Bill of Rights
▸Hamilton's Opinion on the Constitutionality of the Bank
▸Jefferson's Opinion on the Constitutionality of the Bank
▸The Alien and Sedition Acts
▸The Kentucky Resolution

● **Session 4. Learning to Read Our Own Words: Interpreting and Amending the Constitution in the Nineteenth Century**

The Constitution contains provision for its amendment. However, it does not offer a clear guideline for interpreting its meaning. The readings in this session explore the nature of judicial review (the interpretation of legislation's constitutionality), amendment, and constitutional change.

Readings:

▸*Marbury v. Madison*
▸*McCulloch v. Maryland*
▸*Gibbons v. Ogden*
▸Lincoln's Message to the Special Session of Congress
▸Civil War Amendments (XIII, XIV, XV)
▸The Tenure of Office Act Controversy: Excerpts from Tenure of Office Act, Veto (by Andrew Jackson) of the Tenure of Office Act, Command of the Army Act
▸Excerpts from Articles of Impeachment of President Johnson
▸Excerpts from Civil Rights Act of 1875
▸*Plessy v. Ferguson*

● **Session 5. Words for Action: The Constitution in Modern Times**

Major social, political, and cultural issues in the nation's history have become—eventually—major constitutional issues as well. Women's suffrage, Prohibition, conflicts between labor and management, civil rights, prayer in the schools, and the rights of the accused are examined in readings from the mid-twentieth century.

Readings:

▸Reform Amendments (XVI, XVII)
▸*Schenck v. United States*
▸More Reform Amendments (XVIII, XIX, XX, XXI)
▸*A.L.A. Schechter Poultry Corp. et al. v. United States*
▸*National Labor Relations Board v. Jones and Laughlin Steel Corporation*
▸The Roosevelt Amendment (XXII)
▸*Brown et al. v. Board of Education*
▸*School District of Abington Township, Pennsylvania v. Schempp*
▸The Right to Vote (Amendment XXIV)
▸*Miranda v. Arizona*

● **Session 6. The Same Old New Words: The Living Constitution Today**

These are readings on the most contemporary constitutional issues of the past few decades, including questions of presidential power, war powers, affirmative action, equal rights, and voting age.

Readings:

▸*Griswold v. Connecticut*
▸Presidential Succession (Amendment XXV)
▸The Cooper-Church Amendment
▸*New York Times Co. v. United States*
▸Voting Age Amendment (XXVI)
▸*Swann v. Charlotte-Mecklenburg Board of Education*
▸E.R.A.
▸*Roe et al. v. Wade*
▸War Powers Resolution
▸*United States v. Nixon*
▸*Regents of the University of California v. Bakke*

Setting Up a Reading Program

THE SAMPLE BICENTENNIAL READING and discussion programs have been compiled from the collective experience of the staffs of State Humanities Councils that have conducted reading programs for the general public.

The format for the reading programs involves five or six two-hour sessions composed of lectures followed by open discussions of materials that have been read in advance. Program participants sign up in advance at the library; books and other reading material then are either sold or loaned to them. Because these sessions are based on discussion and dialogue, the size of the reading group should be limited to about twenty in a small library setting to forty or more in a large city library.

The following brief outline of steps to keep in mind also gives a list of the materials and resources needed in planning a reading and discussion program.

- **1. Set up an advisory board.** This group of three or four but no more than six (including the librarian and patrons) should choose the topic and format that they believe will be of the greatest interest to the community.
- **2. Prepare a budget.** A budget should include scholars' fees, book purchases, printing, publicity, etc.
- **3. Recruit the scholar-presenter.** Select the reading and discussion scholar with care. In some cases, the best known specialist may not have the skills needed to serve as discussion leader. Make no commitments until you have the person you want. A good approach is to ask for resumes from a list of scholars you have compiled and then consult with department heads, librarians, and others. The presenter should be recommended by peers as an exceptional teacher. It is advisable to sign a contract with the scholar that stipulates his or her specific duties.
- **4. Set the dates for the program.** Setting the program dates should include a three-way conversation among the library, the scholar-presenter, and the program director. Begin by obtaining a commitment from the site where the program will be held for a tentative set of dates.
- **5. Prepare the syllabus.** A reading program relies on a syllabus, prepared by the advisory group and/or scholar. The scholar may select materials from throughout the books and anthologies that appear on the syllabus. These books are then made available in sets to the site for use by program participants.
- **6. Purchase the books.** If books are to be purchased for the participants, orders should be placed at least four months in advance of the program date. Discounts for large orders are generally available from the publishers themselves or from wholesalers.
- **7. Design and print the brochures and posters.** Regardless of the size of the community, most libraries can make good use of fifty posters and two hundred brochures. Allow time for printing any special fliers or for typesetting or designing materials. Professionally printed materials may take up to six weeks in turnaround time. If the budget allows, have advance publicity done professionally. Presenting the program in a focused, professional manner will help generate public awareness, interest, and advance registration.

● **8. Two months before the start of the program, deliver all materials to the site.** Do not underestimate the amount of time needed to take care of vital details. Ordering books; seeing to details of preregistration; handling correspondence between the program director, the scholar-presenter, and other interested groups or individuals requires planning, preparation, and staff time.

● **9. One month before the start of the program, confirm details with library where program is to be held.** Are the posters and brochures on site? Are the books in? Begin the book check-out.

● **10. Prepare news release or public service announcements twenty-one days in advance.** Contact local media outlets (i.e., newspapers, radio/TV stations) to determine deadlines for submission of press releases or public service announcements.

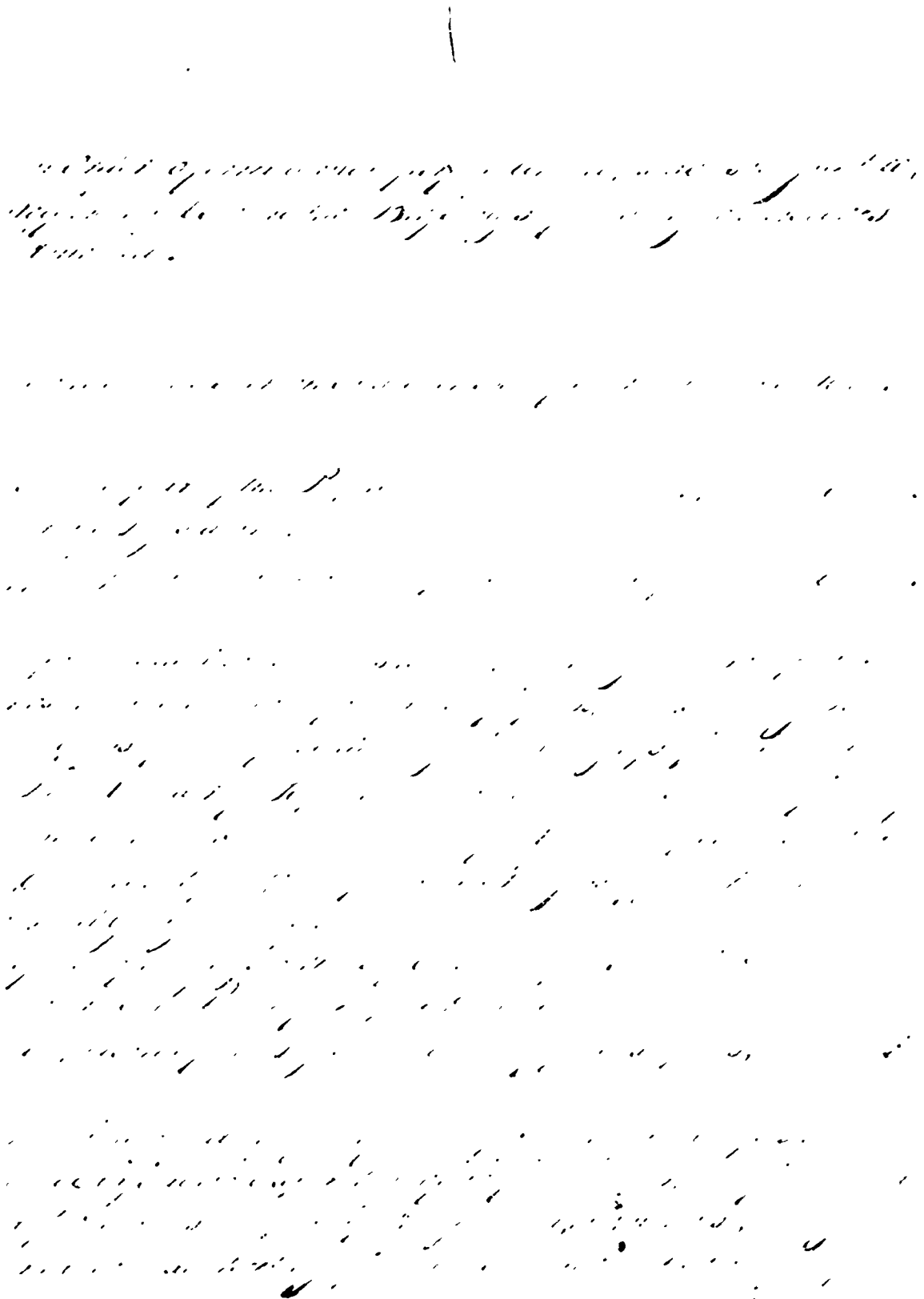
● **11. Fifteen days in advance, check on preregistration** and confirm the time and place with the scholar-presenter.

● **12. The week before, conduct follow-up calls,** if necessary. If forty participants are expected, at least twenty should be signed up a week before the start of the program.

● **13. Check resources.** The resources needed to conduct a reading program include the following items: bank account and bookkeeping system; workroom for program organizers; meeting place; books; a dry storage area for books; posters and brochures; office supplies; librarian packet (program description, sign-up forms, sample news release, close-out forms); scholar packet (sample syllabi, program description, contract).

● **14. Remember, face-to-face contact** during the planning stages is best. Consult with key people frequently. A caution about book loans: some reading programs have lost as much as 10 percent of their books through failure of the participants to return them. It is the coordinator's responsibility to see that loaned books are returned.

Conferences



Preface to the Materials

THE BICENTENNIAL BOOKSHELF list of reference works provides a selection of primary and secondary resources that illuminate fundamental issues surrounding the origins and early history of the U.S. Constitution. Conference programs offer an ideal setting to explore these fundamental issues because they bring together a group of people for a concentrated period of time to focus on specific, well-defined questions.

The following three conference models present formats and sample topics for three audiences: the general public; lawyers, judges, legislators, and public officials; and secondary school teachers. The latter two programs, although aimed at a particular audience, need not be exclusive. Others in the community may welcome the opportunity to attend these more specialized programs, to participate in the exchange of ideas. and to benefit from the unique perspective each offers.

These formats may be adapted to fit specific needs of a community. If you wish to explore different areas, reach a different audience, or formulate different topics, it would be best to meet at the outset with scholars and community members to design the new program with the target audience clearly in mind. In devising a new program, or revising the models presented here, it is important to keep in mind that the conference should be more than a list of topics; it should be a cohesive program in which the parts fit with one another and with the whole and in which the topics, themes, and approaches are suited to the audience.

Whichever format or topic is used, there are a number of ways to enhance the conference program by using the Bicentennial Bookshelf and the bibliography.

▸**Displays.** An entry lobby or separate room at the conference site can be set up with a display of materials and available resources. Some elements of that display might be:

- ▸a sample of the Bicentennial Bookshelf with information on how participants might locate, borrow, or use the works;
- ▸a poster or other exhibit, such as "The Blessings of Liberty" traveling exhibit, developed by Project '87, or the "Miracle at Philadelphia" poster, developed by the Friends of Independence National Historical Park; or
- ▸an exhibition of teaching materials at the teachers' conference, such as media presentations on the Constitution.

▸**Information packet.** A packet of materials may be distributed to all participants. Such a packet could include a copy of the U.S. Constitution, preferably a copy that includes historical and documentary commentary; a brief chronology of events of the constitutional era; and the Bicentennial Bookshelf reading list, together with relevant supplemental readings. This packet might also provide descriptions of the Bookshelf reference works, such as *The Fou ders' Constitution*, which contains historical and documentary commentary, and *The Encyclopedia of the American Constitution*, which uses articles by recognized authorities to highlight the Constitution's history.

▸**Background readings.** In advance of the event, conference organizers may wish to send bibliographic information—with registration materials and directions to the site—so that participants may do preliminary reading before attending the conference.

Conference Program One

A Bicentennial Conference for the General Public

A CONFERENCE that connects a particular state or region to the creation and ratification of the U.S. Constitution can have great appeal. For the original thirteen states, the tie to the constitutional convention and ratification process is fairly direct. People in other states may want to identify other important links, possibly historic, possibly based on a timely topic that is rooted in the drafting of the Constitution. For the states of the old Northwest Territory, for example, a theme such as "Constitutionalism on the Moving Frontier" would be appropriate. The conference could cover the view of the West held by those who drafted the Constitution and the broader issue of the equality of states as members of the Union, a matter that leads to consideration of the very nature of the Union. In the far West, in addition to these themes, the issue of federal responsibility for the development of the national domain, particularly as it affects the control and management of land and national resources, is important. The nature of federalism—the relative power of state governments and the national government—remains an important topic in all regions of the United States. Many states or regions will find a significant tie to the Constitution in an early case or event: for example, the Louisiana Purchase, the Dred Scott Case, the Burr Conspiracy, and *Plessy v. Ferguson.* An entire region might be selected for exploration, as in "The South and the American Constitutional Tradition," a program of the Florida Endowment for the Humanities.

In planning a conference for the general community, the Maryland Humanities Council focused on an event that took place in Annapolis almost one year before the Constitutional Convention of 1787. The Annapolis Convention of 1786, at which the call was issued for the Philadelphia meeting, was a logical focus in Maryland for beginning a discussion about the Constitution and the state's role in the creation and ratification of that document. The theme was then broadened to include two major addresses on the U.S. Constitution itself, one from the point of view of a "practitioner," former U.S. Attorney General Benjamin Civiletti; and one from the perspective of a renowned historian, Professor Richard B. Morris. The morning session established the historic background with four formal talks on Maryland history. These included papers on Maryland before, during, and after the Constitutional Convention. The workshop sessions, aimed at community and teacher audiences, were devoted to exploring ways of communicating information and producing programs on the Constitution in communities and schools. The event concluded with a tour of the Maryland Hall of Records, thus giving the public an opportunity to witness the work and documents of historical research.

One of the strengths of this conference was the cohesion of its content: It covered topics that related logically to each other and to the whole. Another of its strengths was the brevity of the presentations, allowing sufficient time for panel discussion and questions and answers—an exchange between scholars and the general public. Resource materials in a separate room not only supplemented the conference content but informed the participants about what materials are available for classroom or community use. A shared lunch allowed people to continue the discussion of the day's themes without an abrupt break; and the workshops, stressing teaching and production of public programs, gave people an opportunity to react and interact on themes introduced during the day.

Schedule of Events
Program One
The Annapolis Connection:
Maryland and the U.S. Constitution
A Program for the General Public

8:30-9:15
Registration

9:15-9:45
Welcome
Introductions of special guests
Morning Session:
Formal addresses on Maryland and the U.S. Constitution

9:45-10:05
"Maryland on the Eve of the Philadelphia Convention: The Annapolis Call for a Constitutional Convention"

10:05-10:25
"Maryland at the Philadelphia Convention"

10:25-10:40
Break

10:40-11:00
"Ratification in Maryland: Federalists v. Anti-Federalists"

11:00-11:20
"Transformation in Maryland: The Conversion of the Anti-Federalists"

11:20-12:00
Commentary and panel discussion
Questions invited from the audience

12:15-1:45
Lunch—Governor Calvert House
Presentation of special guests
Introduction of luncheon speaker
"Some Observations on Constitutional Longevity"
Afternoon Session
The Living Constitution: Taking the Constitution to Your Community

2:00-2:30
Introduction of keynote speaker
"A Constitution for Posterity"

2:30-4:00
Workshop I—"Teaching the Constitution"
Workshop II—"Commemorating the Bicentennial of the Constitution"

4:00
Tour of the new Maryland Hall of Records
Reception following tour

8:30-4:00
Resource room open (movies, displays, posters, program materials)

Conference Program Two

A Bicentennial Conference for Lawyers, Judges, Legislators and Public Officials

A SPECIAL PROGRAM can be targeted at those who draft, interpret, deal with, and enforce the law. The format should include opportunities for panel discussion, debate and argument, and open exchanges; but it should also provide substantive background on the antecedents of the Constitution and on the context in which the document was drafted. A program might open with background on the historical, philosophical, political, and legal origins of the U.S. Constitution. It could explore the roots of the Constitution in classical and English thought, in the colonial constitutions, and in English law. A second background lecture could deal with the context, character, and training of the delegates to the constitutional convention, and how these factors affected the outcome of their deliberations.

The conference participants might then break up into smaller groups, in a workshop format. These sessions would provide the opportunity for an informed exchange on enduring themes and issues from the text of the Constitution. Finally, the event could include a major session on the nature and interpretation of law. This session might be led by a panel which would have representatives from a variety of disciplines: law school faculty, political and social scientists, historians, philosophers, ethicists. Such a session could explore enduring and controversial questions about the nature of law: discovery vs. interpretation of the law; the role of the judiciary as interpreter of the Constitution and shaper of public policy; and contemporary views on judicial interpretation.

Schedule of Events
Program Two
"In Order to . . . establish justice . . .": Program for Lawyers, Judges, Legislators, and Public Officials

9:00-9:15
Welcome and introductions

9:15-9:45
Speaker: "Foundation of Liberty: Roots of the Constitution"

9:45-10:15
Speaker: "The Founding Fathers: Character and the Constitution." The ideas, motives, interest, passions, and training of the Framers, and how such matters affected the document

10:15-10:30
Break

10:30-12:00
Concurrent discussion groups on basic themes:
1. "Liberty Under the Law: Reconciling Freedom and Order"
2. "The Balancing of Powers: Executive-Congressional-Judicial Roles in a Changing World"
3. Federalism: The Nation vs. the States
4. The Fourth Branch of Government: The Bureaucracy: The Impact of Administrative and Regulatory Law on the Judiciary

12:15-1:30
Lunch

1:30-3:00
Plenary Session: "What is Law?"
Open discussion and debate led by panel of experts, with a moderator. Each member of the panel gives five-to-ten minute statement.
▶The Constitution: Two views on contemporary judicial interpretation
▶The Role of the Judiciary: Interpreter of the Constitution or shaper of public policy
▶Jurisprudence of original intent
▶Where do we find the law? Interpreting vs. discovering the law: the view of the founders on fundamental and/or natural law

3:15-3:30
Break

3:30-4:00
"Looking Forward: The Constitution in the Twenty-first Century"

Conference Program Three

A Bicentennial Conference for Teachers

AUDIENCES OF SECONDARY and junior high school teachers are very important both in their own right and as purveyors of information to generations of students. Because many teachers must teach both history and government, a broad range of topics should be covered in the presentation/discussion/question-and-answer format. Teachers value the practical hands-on experience workshops offer, as well as the introduction to available resources and materials such gatherings provide.

The morning sessions should be devoted to substantive background, given in formal presentations; but sufficient time should be allowed for exchange of ideas and for questions and answers. Speakers might prepare background papers for discussion on the topics normally addressed by teachers in their classes. For example, why did people in 1787 find it necessary to draft a Constitution? What was happening at the time? The presentation could also discuss what issues or problems the Framers sought to address in the document, and how they did so.

This discussion will lead naturally into a second topic: What form of government did the delegates seek to establish, and why? This presentation can then cover some essential questions about forming a government based on federalism (balancing state and national powers); the separation of powers (in the executive, legislative, and judicial branches as checks against excessive power developing in any branch); and amendment processes.

A third important topic is the debates over ratification. This will introduce arguments essential to the teaching of both history and government. The arguments in *The Federalist*, edited by Jacob E. Cooke, also can provide a good starting point for student debates exploring constitutional issues.

The fourth session could explore the growth and development of the Constitution through amendment and judicial interpretation.

Each of the scholars presenting the background information should prepare a short summary of major issues to be explored more intensively in the discussion.

After lunch, workshop sessions can suggest practical applications. One workshop could be devoted to specific ways to involve students in an exploration of the Constitution through an explanation of ideas, materials, and methods for teaching about the Constitution (for example, by developing a mock constitutional convention; by staging debates over ratification; or by bringing into the classroom special guests or actors portraying historical figures). The workshop could include the introduction of the resources themselves: curricula, videotapes, workbooks, guidebooks, lesson plans, bibliographies, computer programs, games, and poster exhibits.

The second workshop could describe and discuss successful programs already in place to improve the teaching of the Constitution, with presentations by those familiar with such programs.

The third workshop could be on understanding the federal Constitution and might begin with discussing issues and elements in our daily lives that have been shaped by the Constitution (for example, a single currency).

A concluding plenary session might present and discuss the following question: What principles, values, and issues of our constitutional heritage should be employed in the teaching of students as future citizens? The presentation could provide historical background by discussing the value placed on education by the Founders—the need they saw for an educated citizenry and the tie they envisioned between education and civic and public virtue (touching on the ideas of Jefferson, Madison, Benjamin Rush, and others).

Schedule of Events
Program Three
"... to ourselves and our Posterity ...": Conveying Our Constitutional Legacy to O. Students

8:30-9:15
Registration (and coffee)

9:15-9:30
Welcome and Introductions
(Morning formal presentations, each followed by question and answer period)

9:30-10:00
"Why Was There a Need for the Constitution in 1787?"

10:00-10:30
"Designing a Government: A Delicate Balance" (What problems did the drafters try to address and how did they address them?)

10:30-10:45
Break

10:45-11:15
"To Ratify, or Not to Ratify: Debating the Need for a Constitution"

11:15-11:45
"The First 200 Years: The Growth and Development of the Constitution through Amendment and Judicial Interpretation"

12:00-1:30
Lunch

1:30-3:00
Afternoon workshops: simultaneous
1. Materials, methods, and ideas for classroom use
2. Successful models: efforts throughout the nation to improve the teaching of the Constitution
3. Starting at Home: issues and elements in our daily lives that have been shaped by the Constitution

3:00-3:15
Break

3:15-4:00
Plenary session presentation: "An Educated Citizenry and Public Virtue: The Founders' Vision of Today" (The importance of education and civic virtue in a democracy)

Setting up a Conference Program

A CONFERENCE IS A HIGHLY PUBLIC format that can accommodate a large number of people. Conferences offer a variety of arenas for learning about the Constitution: long or brief lectures, panels, question-and-answer sessions, film or video presentations, and any combination of these. The topics, format, length of the conference, and location should be selected to suit the audience at which the program is targeted.

For any conference, there are some important general points to consider in advance planning.

● **1. Allow ample lead time.** Time will be needed to arrange for the speakers and the site; to seek funding, if necessary, for the project; and to publicize the program properly in the community and local press. If funding is in place and the program is small, three to six months may be sufficient for planning. But, if funding needs to be secured and a large program is planned, more than a year should be allowed.

● **2. Prepare a budget.** A budget should include fees for scholars or speakers, publicity, printing, etc.

● **3. Select a project coordinator.** Secure an experienced project coordinator, preferably someone who has coordinated other conferences or similar projects and will be sensitive to the presentation of a scholarly topic in a public format.

● **4. Select the right location.** Libraries and other public sites are ideal meeting places and can often be secured at no cost. A well-known historic site may attract a great number of people. Consider basic questions such as access, parking, and familiarity of location.

● **5. Meet with scholars to discuss the program content.** Select a strong planning committee made up of scholars and community representatives. Discuss the selection of speakers, discussants, and moderators for the program. Try to find scholars who are regarded by their peers and students as exceptional teachers. Describe to the scholars the topic to be addressed, the relationship of this to other topics and the overall theme, and the nature and size of the audience.

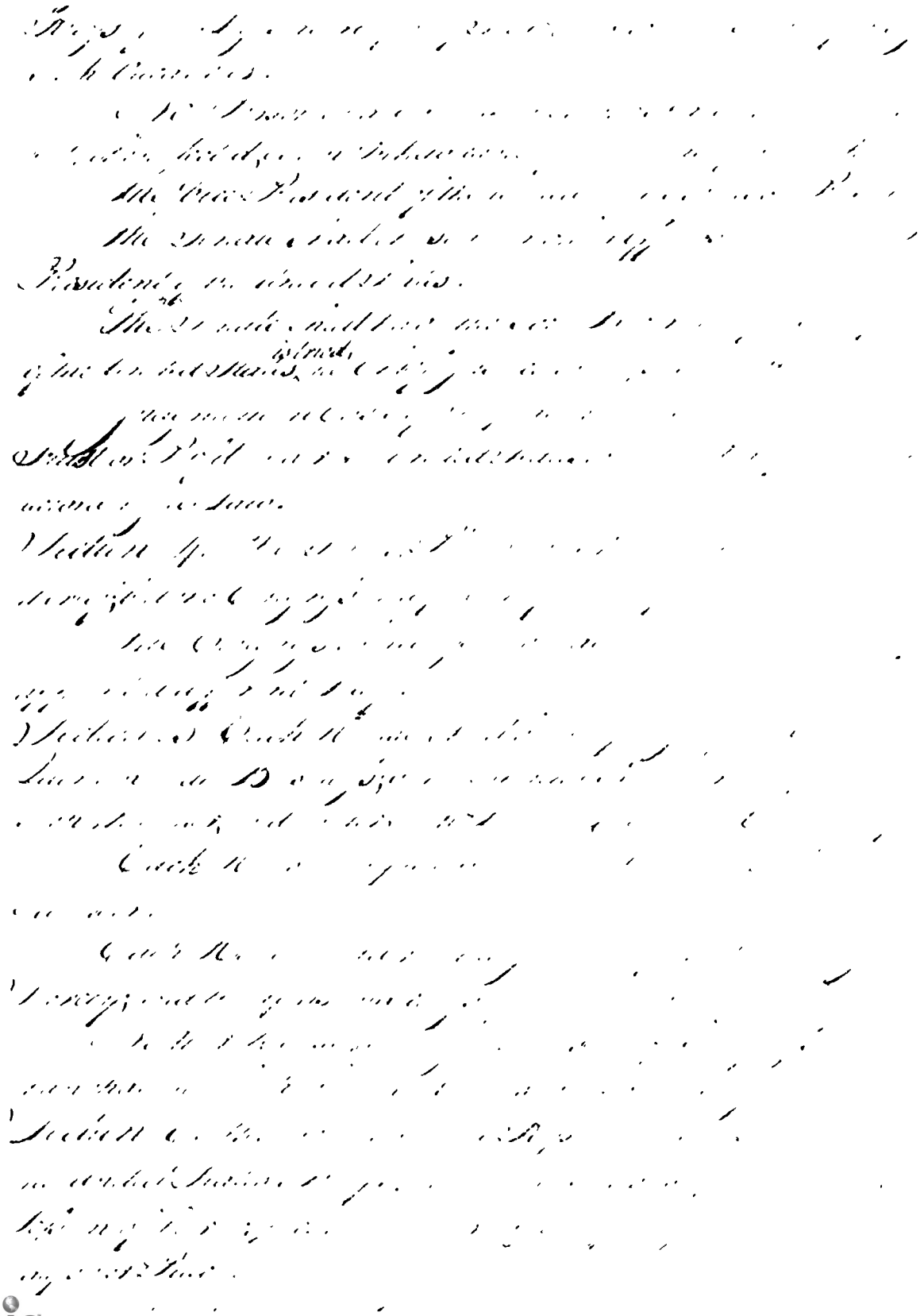
● **6. Establish registration fees and procedures.** Keep the registration fee, if required, low and the procedures simple, to allow the greatest number of people possible to be involved. Advance registration, with a deadline, will help you gauge the size of your audience (for handouts, meals, etc.) and will encourage people to commit their time to your conference.

● **7. Publicize the program.** Get the word around—especially through general notices, press releases, mailings, and contacts with groups with a special interest in the program (for example, historical societies; civic groups; universities and colleges; library membership groups; public officials, teachers, lawyers and judges, for their respective programs). Allow time for designing and printing fliers and posters. If the budget allows, it is preferable to have printing done professionally, but it may take up to six weeks. The press can be very helpful in getting the word out about the event if you inform and interest them. Background materials prepared in advance and distributed at the conferences are helpful for members of the press attending.

● **8. Check nuts and bolts.** To ensure the comfort and convenience of the audience, be sure that lighting, heating and air conditioning, and microphones, are all working. Be sure that seating is adequate; people learn more when they can see and hear without effort and in comfort. Don't forget coatracks or a coatroom if the season requires them.

● **9. Collect conference papers.** Copies of the papers formally presented at the conference should be made available at the conference or through an order form available at the conference. (The costs of post-conference publication usually outweigh the benefits, unless the topics have enduring relevance and a market exists for the published papers.)

Lecture Series



Preface to the Materials

THE CONSTITUTION REPRESENTS a vision of what American society is, should, and might be. A lecture series on the major elements of the Constitution—enduring issues, Founders and shapers, development through time—can help focus attention on the nation's vital character and heritage.

A lecture series may be extensive, including monthly programs stretching over a year's time (and perhaps with multiple locations), or it may be more modest in scope. Lectures in history, jurisprudence, and political science, as well as in other disciplines of the humanities, such as literature, philosophy, religion, and art history, might be used.

Lecture topics in the three model programs have been grouped under three broad categories. Any one of these categories, linked with the themes of the Bicentennial Bookshelf, can serve as a strong outline for a coherent lecture series. These categories are not exclusive, however. They represent combinations of lecture topics organized around themes. Planners might want to select topics across categories—such as an opening lecture on the intellectual background of the Constitution, two or three on major public figures of the founding period, and several on specific constitutional issues.

Lecture planners could invite local libraries to schedule follow-up reading and discussion groups or to arrange other programs highlighting the Bicentennial Bookshelf holdings. Libraries can also be encouraged to display and promote their holdings about the Constitution if this can be conveniently done at the lecture site. Libraries might also assist by publicizing the lecture series and the texts of the Bookshelf that have bearing on particular lecture topics.

Again, reading should be emphasized. The Bicentennial Bookshelf resources should be publicized as an integral feature of a lecture series to provide participants with opportunities for further reading and reflection.

Lecture Program One

The Blessings of Liberty: A Constitutional Chronology

ONE POSSIBLE ARRANGEMENT of topics is chronological, examining the development and evolution of the Constitution through our nation's history. Under this approach the individual topics that follow might be separate lectures, or they might be combined in some cases.

● **Theme: The Birth of the Constitution**

Selected lecture topics:

▶Britain's Constitutional Tradition

▶The Mayflower Compact and the New Eden

▶Locke, The Declaration of Independence, and the American Revolution

▶The Articles of Confederation: An Experiment in Unity

● **Theme: The Convention**

Selected lecture topics:

▶The Founders and Their Issues

▶Compromise and Creative Tension in the Constitution

▶What the Founders *Thought* They Created

● **Theme: Ratification and Beyond**

Selected lecture topics:

▶Federalists and Anti-Federalists: An Ongoing Debate

▶The Bill of Rights and American Freedoms

▶State Constitutions: Roots and Branches

▶The Supreme Court and Judicial Review

▶As Others See Us: The Influence of the U.S. Constitution on Other Nations' Codes

▶The Constitution at 200

For Bicentennial Bookshelf resources on Constitution Chronology, see Appendix, "Bicentennial Bookshelf," Section I, Primary Sources, and Section II, History.

Lecture Program Two

Founders, Shapers, and Interpreters of the Constitution: The Evolving Legacy

THIS LECTURE SERIES focuses on participants in the Philadelphia Convention, justices (and others) who have interpreted the Constitution, and figures associated with major constitutional issues. The following are examples of lecture topics on these individuals:

- ▸George Washington and the Invention of the Executive
- ▸Benjamin Franklin: The Enlightenment Spirit and the Self-Made Man
- ▸Thomas Jefferson: The Agrarian Dream in a New Nation
- ▸Alexander Hamilton: Federalism and the New Order
- ▸James Wilson: The Concept of Popular Sovereignty
- ▸James Madison and the Extended Republic
- ▸John Marshall: The Development of Judicial Power

Constitutional issues relating to civil rights, women's rights, due process, and other key issues and events such as the Civil War might also be the focus of lectures. For Bicentennial Bookshelf resources on Founders, Shapers and Interpreters, see Appendix, "Bicentennial Bookshelf," Section IV, Biographies of the Leading Founders, and Section III, Collected Works.

Lecture Program Three

Enduring Constitutional Issues: The Dynamics of America's Government of Laws

SIGNIFICANT LOCAL OR REGIONAL history might be strongly reflected in lectures. A comparative examination of national and local perspectives on the issues can extend the series' scope, stimulate further reading and discussion, and give the participants a sense of context.

One lecture might be given on each topic in an extended series, or several lectures on selected topics could be grouped under a theme, such as "Individualism and the American Character," or "The Constitution and the Citizen."

The following broad topics can also work as themes for lectures. These topics, called "Thirteen Enduring Issues," were developed by the Joint Committee of Project '87, a cooperative bicentennial project of the American Historical Association and the American Political Science Association with support from NEH.

■ Thirteen Lecture Topics

▸National Power: Limits and Potential
▸Federalism: The Balance Between Nation and State
▸The Judiciary: Interpreter of the Constitution or Shaper of Public Policy?
▸Civil Liberties: The Balance Between Government and the Individual
▸Criminal Penalties: Rights of the Accused and Protection of the Community
▸Equality: Its Definition as a Constitutional Value
▸The Rights of Women Under the Constitution
▸The Rights of Ethnic and Racial Groups Under the Constitution
▸Presidential Power in Wartime and in Foreign Affairs
▸The Separation of Powers and the Capacity to Govern
▸Avenues of Representation
▸Property Rights and Economic Policy
▸Constitutional Change and Flexibility

● **Topics Related to the "Thirteen Enduring Issues"**

▸Getting the Law on Them: America's Fixation on Litigation to Settle Disputes
▸The Imperial Judiciary
▸The President vs. Congress: Executive Privilege and Powers
▸America's Sense of Itself as a Constitutional Nation (Literary, philosophical, and historical views—perhaps compared in various eras of U.S. history)
▸The American Presidency: From Washington to Reagan (a comparative focus on particular issues, with famous addresses by the presidents as a possible rallying point)
▸The Fourth Estate: Media Power in Reporting and Creating Political News (issues associated with access to the media; relationships among government leaders, policy, and mass communication)
▸Ourselves and Our Daughters: Women and the Constitution (assumptions of the Founders about the roles of women, children, and families, in light of challenges to the Constitution that have evolved over the years; either a thematic or biographical approach might be used)
▸Church, State, and the First Amendment (an examination of the tensions built into our pluralistic system, with individual presentations on such topics as education, American culture, law, and other nations' perceptions of America's religious freedom).
▸The Bill of Rights: America's Foundation of Freedom (separate presentations on each freedom guaranteed by the Bill of Rights).

For Bicentennial Bookshelf resources on Enduring Issues, see the four major reference works in the Appendix, "Bicentennial Bookshelf," as well as Primary Sources; Section II, History; Section III, Collected Works; and Section IV, Biographies.

Setting up a Lecture Series

THERE ARE SEVERAL STEPS to remember when setting up a lecture series.

● **1. Organize a planning group.** In any community or area, there are many different groups that might sponsor a lecture series: a bicentennial commission, civic and service groups, cultural organizations, churches, labor and professional associations, schools, and government agencies. Any planning group should consult its state humanities council for information about funding sources, qualified speakers within the state, and other available resources. Humanities council staff also can suggest planning consultants and program logistics and explain guidelines.

● **2. Choose a series.** Any lecture series, regardless of duration, should be internally and intellectually coherent. Lectures must fit together. Planners and organizers should choose lectures that complement one another.

● **3. Establish a schedule.** The lecture series should be geared to the target audience. Although lectures are often given during evening hours, a brown-bag luncheon series can be quite successful in attracting people at their respective workplaces. Weekend lectures may also be manageable, depending on local interest and customs (and excellent promotion).

● **4. Tap other resources.** Organizers should be alert to other resources or programs that can extend the benefit of the lecture series. For example, many State Humanities Councils have resource centers with extensive audiovisual holdings—films, videocassettes, exhibits, and slide-tapes. Some of these materials may relate directly to the theme of a lecture or the series. A number of State Humanities Councils host Chautauqua programs featuring scholarly presentations by individuals with public programming skills. Museums may be interested in mounting special exhibits: A historical museum may present an interpretive view of a historical era, or an art museum might examine the cultural milieu of an earlier time through an exhibit on representative art, architecture, and music.

● **5. Prepare a budget.** A budget should include publicity, lecture fees, printing costs, etc.

● **6. Find the right speakers.** The success of the lecture series will ultimately depend on both the content and the quality of the speakers' presentations. Lecturers must be strong scholars and proven, outstanding public speakers. The best lecturers are usually those considered by their peers and students to be superior teachers.

Lecturers, when selected, must be carefully instructed on the audience, the thematic thrust of the program, the way their lecture fits with the whole, and their specific program responsibilities.

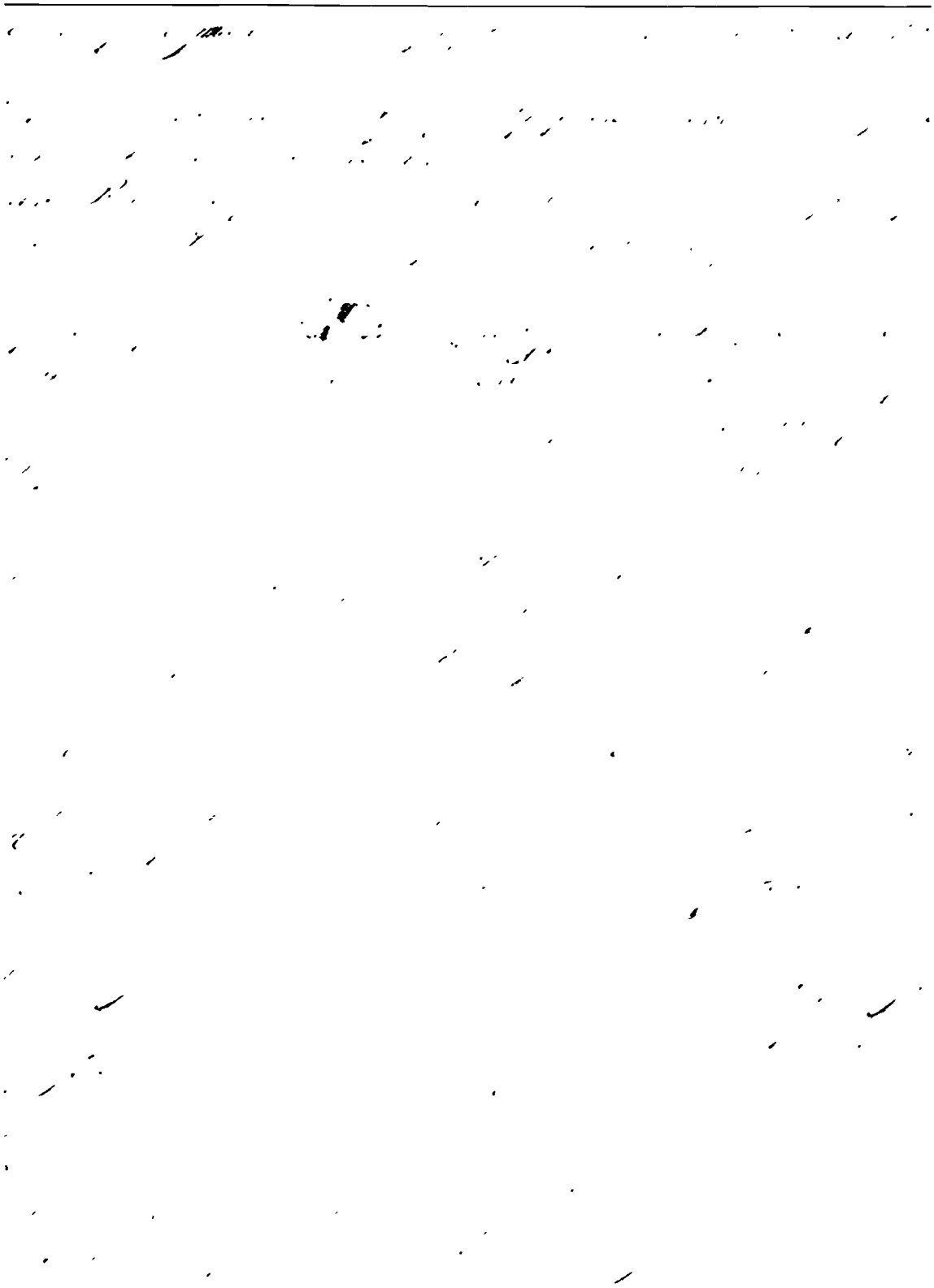
● **7. Publicize the series.** A strong start-up effort is absolutely necessary, and promotion must continue throughout the run of the series. Early in the planning, those responsible for promotion should decide which target groups should attend the lectures, devise specific strategies for reaching each of them, and assign those tasks to particular individuals. State Humanities Councils can provide excellent suggestions for developing an effective promotional campaign. Professionally printed materials may take up to six weeks in turnaround time. If the budget allows, have this advance publicity—including fliers, and posters—done professionally. Presenting the program in a focused, professional manner will help generate public awareness, interest, and advance registration.

● **8. Expect last-minute problems.** Flexibility, a sense of humor, and an extra extension cord are crucial elements in any successful lecture series. Planners should be prepared to cope with last-minute crises by anticipating the many things that might go wrong. For example, the meeting room or lecture hall should be checked early, and again right before the program, for such things as sufficient seating, properly working sound equipment and adequate ventilation.

Speakers should be notified in writing about their responsibilities, and they should be sent maps and other necessary local information. They should receive this written information in advance; a follow-up call or letter closer to the event may be helpful.

● **9. Emphasize additional reading.** Finally, at each program, the opportunities for further reading and reflection should be emphasized. After a stimulating, intellectually challenging program, people often ask, "Where do we go from here? What should we do about what we have learned?" The perfect answers are: "To the library. Read, ponder—and come back for the next program."

Seminars and Institutes



Preface to the Materials

INSTITUTES AND SEMINARS take as their primary task the encouragement of a deeper understanding of the subject matter of the humanities. To accomplish this goal, institutes and seminars usually are designed to give intensive training during a relatively short period of time. They are based on the assumption that adults—teachers, administrators, librarians, or simply citizens of the community—desire such knowledge, particularly when it is pursued in a collegial atmosphere.

Institutes and seminars are usually led by college and university faculty who are expert in their fields and comfortable sharing the dialogue and task of interpretation with whoever seriously joins them. The foundation of the institute or seminar is always the written text: primary sources combined with secondary sources from pertinent humanities disciplines. Another crucial element, in addition to teacher and text, is the involvement of the participants, usually through such activities as exploring basic research, writing papers, and participating in small group discussions, but also from time to time, through role playing and other forms of imaginative engagement.

For the most part, many considerations in designing an institute or seminar can be divided into questions of format—particularly length of time, relation to work schedule, and integration in the community—and content. Three basic formats are the summer institute of six to eight weeks, the short summer institute of one to two intense weeks, and the evening institute, which takes the same basic approach to the subject matter, but differs in being spread over several weeks. Format and content are linked: Sometimes the available time determines the approach to the subject, and sometimes a fixed educational objective helps structure the format.

The model programs presented here have been designed to use the Bicentennial Bookshelf not only with a primary audience of teachers and school administrators, but also with interested and ambitious members of the community. The first institute course, "The American Founding: A Study Guide for a Seminar on the Framing of the Constitution and the Debate Over Its Ratification: 1787-88," is a complete course with readings and study questions.

The second model program, "Topics and Sources for the Study of the Constitution," sets out a broad range of subject areas that can profitably be studied in a seminar or institute setting. This syllabus is intended as a guide for planning committees and scholars who may wish to focus more deeply on particular parts of the syllabus, or to cover all the topics raised.

"The American Founding" program is a course of study that uses the reference works and other selections from the Bookshelf. It is a primer on the framing of the Constitution that uses primary works listed in the Bicentennial Bookshelf to provide understanding of the founding dialogue over our Constitution.

The "Topics and Sources" program builds on the Bicentennial Bookshelf bibliography by suggesting additional sources for reading.

Seminar Program One

The American Founding

THE PURPOSE OF THIS PROGRAM is to introduce teachers and members of the community to the founding dialogue about the American Constitution. The focus is on the primary materials: the Declaration of Independence, the Articles of Confederation, James Madison's "Notes" from the Convention of 1787, and selected Anti-Federalist essays. The discussions and writings should constitute a high level of political deliberation and argument. Familiarity with these materials provides the means to understand the intentions and ideals of the Framers.

■ Texts

The texts of the Bicentennial Bookshelf contain almost all the reading material needed for the institute. All documents relating to debate in the convention can be easily found in *Records of the Federal Convention of 1787*, edited by Max Farrand. *The Federalist*, edited by Jacob E. Cooke, contains all the *Federalist* essays cited in the readings. References to Anti-Federalist essays can be found in *The Complete Anti-Federalist*, edited by Herbert J. Storing with the assistance of Murray Dry. The Articles of Confederation appear in Appendix 2, *The Encyclopedia of the American Constitution*, edited by Leonard Levy. The Declaration of Independence (and its alternate version) appears in Thomas Jefferson, *Writings*, edited by Merrill D. Peterson.

Student editions of the following works are available in paperback (except Solberg, which is out of print). Winton U. Solberg, *The Federal Convention and the Formation of the Union of the American States;* Page Smith, *The Constitution: A Documentary and Narrative History* (available in paperback); Jack P. Greene, *Colonies to Nation, 1763-1789: A Documentary History of the American Revolution;* James Madison, *Notes of Debates in The Federal Convention of 1787 Reported by James Madison;* Clinton Rossiter, ed., *The Federalist Papers; The Anti-Federalist*, edited by Herbert J. Storing and abridged by Murray Dry.

■ Sample Syllabus

The material has been divided into six seminar meetings.

● **Session 1. From the Colonial Debate and the Declaration of Independence to the Articles of Confederation and the Virginia Plan**

Readings:

The following readings for the first session are available in Winton V. Solberg, *The Federal Convention*, and are not available in the Bookshelf selections.

▸Declaration of Rights of the Stamp Act Congress, 1975

▸Declaration and Resolves of the First Continental Congress, 1774

▸Resolution of Congress, May 10-15, 1776

▸Resolution of Independence, June 7, 1776

All others are available in previously cited Bicentennial Bookshelf works.

▸Declaration of Independence

▸Articles of Confederation

▸The Congressional Resolution for a Federal Convention, February 21, 1787

▸The Virginia Plan in the Federal Convention, May 29, 1787 (including Governor Randolph's introductory speech)

■ Study Guide and Questions

● **A. The Colonial Debate and the Declaration of Independence**

Because the early Colonial arguments were couched in terms of the rights of Englishmen, what authority in England, if any, did the colonists acknowledge, and with respect to what actions? Would they permit commercial regulations but not revenue-raising measures, or did they want to be free of all parliamentary authority? What does it mean to profess allegiance to authority? What does it mean to profess allegiance to the Crown but not to Parliament, as the fourth resolution of 1774 implies? Moving to the Declaration of Independence, we note that reliance is now on natural law and the object of indictment is the king, not Parliament. Why do these two shifts occur together? What is the law of nature and nature's God, and how does it describe the relationship between the individual and the community? On the one hand, the rights to life, liberty and the pursuit of happiness are individual, but the right to alter or abolish government belongs to the people. And although the Declaration refers to "one people," it is titled "The Unanimous Declaration of the Thirteen United States of America." The question arises whether

the United States declared independence from Great Britain collectively or severally. The explicit declaration—"that these United Colonies are, and of Right ought to be FREE and INDEPENDENT STATES"—is ambiguous. Because the Declaration concludes by naming certain powers that free and independent states possess—to levy war, to conclude peace, etc.—it is useful to examine the first federal Constitution to see where these powers are lodged.

● **B. The Articles of Confederation and the Virginia Plan**

The members of the Federal Convention were faced with a proposal for a completely new and radically nationalist Constitution on the first full day of business. Therefore, it is appropriate to begin the study of the Federal Convention with a comparison of the resolutions of the Virginia Plan with the Articles of Confederation. The following topics highlight the extent and character of the proposed changes.

1. Sovereignty and the extent of the power. Compare Articles II, VI, VIII, and IX (Articles of Confederation) with the sixth resolution of the Virginia Plan.
2. Mode of election, apportionment, and recall. Compare Article V of the Articles of Confederation with the second, third and fourth resolutions of the Virginia Plan.
3. Structure of government. Compare Article IX of the Articles of Confederation with resolutions seven through nine of the Virginia Plan.
4. Mode of amendment and ratification. Compare Article XIII of the Articles of Confederation with resolutions thirteen and fifteen of the Virginia Plan. See also Congressional Resolution of 21 February 1787.

▸In addition, the following three rules should be noted: (1) the voting was by states, with seven states forming a quorum and majority of the delegations present necessary to pass a resolution; (2) any vote could be reconsidered; and (3) nothing spoken in the House was to be printed or reported outside without permission.

● **Session 2. The Virginia Plan Examined and Compared to the New Jersey Plan and the Hamilton Plan and Reported Out of the Committee of the Whole (May 30-June 19, 1787)**

Readings:

▸*Records of the Federal Convention of 1787, edited by Max Farrand*

From May 30 to June 13, the convention went through the Virginia Plan twice. From June 15 to June 19, the convention heard from the New Jersey delegation, which offered a more modest revision of the Articles, and from Alexander Hamilton who, speaking for himself alone, offered a more nationalist constitution than the Virginia Plan. The Convention then decided to report the Virginia Plan out of the Committee of the Whole.

If the following material related to these events is too much to be covered in one meeting, the best places to divide it are either after the first complete examination of the Virginia Plan, at the end of the June 5 convention meeting, which goes through question five, below, on the Virginia Plan; or after the second full examination of the Virginia Plan, at the end of the convention meeting on June 13.

■ Study Guide and Questions

● **A. The Virginia Plan**

1. How do Gouverneur Morris and George Mason explain the differences between the national and the federal principles of union (May 30)?
2. How does Madison link the change in "suffrage" (we would say apportionment) to the change from a federal to a national union (May 30)?
3. On May 31, the convention considers the proposal to have the lower house elected by the people. What is the relationship between this proposal and democracy? What is the relationship between the proposal and a strengthened federal government?
4. The discussion about the executive, from June 1 to June 4, reveals different views on the relationship between executive power and republican government. It also reveals uncertainty concerning the range of executive power. Compare Roger Sherman's view with James Wilson's. Consider Mason's reason for opposing a unitary executive (June 4).
5. The discussion of the ratification proposal (June 5) reveals both juridical and political reasons for departing from the existing constitutional provision (see the thirteenth Article). What problem does it introduce?

6. When the mode of election for the lower house is reconsidered on June 6, Sherman and Madison take different positions on the appropriate powers for the federal government. These two speeches provide a prelude to the major issues in ratification, and Madison's speech is an early version of his famous *Federalist* 10.
7. How does John Dickinson's understanding of the nature and purpose of bicameralism in republican government differ from Madison's (June 7)?
8. What is the case for the national negative (June 8)? What is the case against it?
9. What are the arguments that David Brearly and William Paterson make against the Virginia Plan (June 9)?

● **B. The Three Plans Compared**

10. What are the major features of the New Jersey Plan (June 15)? See the comparison of the New Jersey and Virginia Plans by Wilson as well as his response to Paterson and Brearly (June 16). See also Hamilton's reply to the legal challenge to the Virginia Plan (June 18).
11. Consider Hamilton's speech and his plan (June 18). What does he have to say about federalism? About republican government and its relation to the executive power? What are his precepts for good government?
12. On June 19, Madison gave a long speech which resulted in the Convention's vote to rereport the Virginia Plan. What were his best arguments?

● **Session 3. The Great Compromise (June 19-July 16, 1787)**

Readings:

▸*Records of the Federal Convention of 1787*, edited by Max Farrand (June 19-July 16, 1787)

■ Study Guide and Questions

1. In several speeches, Luther Martin argues against the Virginia Plan, on the basis of the Declaration of Independence. What is his argument (June 19, 20, 27, 29)? See Wilson's and Hamilton's replies (June 19).
2. Prior to the "suffrage" debate, Doctor Johnson of Connecticut asks supporters of the Virginia Plan for reassurances that the states will retain their individuality (June 21, 29). See the replies of Wilson and Madison (June 21).
3. The critical votes on apportionment in the legislature occur on June 29, July 2, and July 16. In the first, the convention votes for proportional representation for the lower house; in the second, it deadlocks in a vote of five to five on a proposal for state equality in the Senate, thus necessitating creation of a special committee of one delegate from each state to resolve the issue, in the third, the entire compromise package—including the two apportionment principles and lower house leadership on money bills—is passed. What were the arguments in favor of this package? (In addition to Johnson, cited above, see Oliver Ellsworth, June 29, and Sherman, July 7). What were the arguments against from Madison and the strong nationalists (July 2, July 14)?
4. How does the convention decide on the specific formula for apportionment in the lower house? Is there any single principle that can account for the final result (July 5-13)?
5. What are the effects of the "Great Compromise" on the Virginia Plan? On American federalism?

● **Session 4. Empowering the Government and the Election of the Presidency (July 16-September 17, 1787)**

Readings:

Records of the Federal Convention of 1787, edited by Max Farrand (July 17-September 17)

This material is best examined in three parts. In the first part, from July 17 to 26, the convention considers the mode of electing the executive and a proposal for a council of revision. Then it adjourns for ten days while the Committee of Detail puts all the approved proposals into a constitutional form. In part two, from August 6 to 31, the convention works with the Committee of Detail's proposals. The major topics here concern the compromise on navigation acts and slave importation and the treatment of qualifications for suffrage and office. Finally, in part three, another committee, named after Brearly, its chairman, resolves the manner of electing the President, which also involves reeligibility and the treaty-making and appointment powers. The convention adopts the committee's proposal for

electing the President after making one change – election by the House, not the Senate, if there is no majority of electors for a single candidate. After that, three non-signers, Edmund Randolph, Elbridge Gerry, and George Mason, express their reservations and the convention resolves to send the Constitution to Congress, directing that body to submit the document to the several states for ratification.

1. The two main modes of electing the President are by Congress and by electors. How are these proposals connected to reeligibility? Why did the convention not favor direct popular election (July 17-26)?
2. Also on the executive, note how the Committee of Detail referred to "the executive power." What effect might that have on future debates over presidential power (not in Smith)?
3. What alternatives were proposed for suffrage and qualifications for office? What was decided on these two matters, and what were the advantages of these decisions (August 7 10)?
4. What were the issues surrounding the compromise over navigation acts (i.e., tariffs) and slave importation? How important do you think this compromise was, and what made agreement possible on slavery (August 21-29), but not on navigation acts?
5. Why was the convention so concerned about the Senate's having too much power and influence over the executive? How did the Framers attempt to remedy this problem (September 4-7)? How did the Twelfth Amendment change the mode of electing the President? What event necessitated the amendment (the election of 1800)?
6. What were the reservations expressed by the three "non-signers" who remained to the end of the convention (September 10, 15)?

● **Session 5. The Ratification Debate: Republican Government and Federalism**

Readings:

The Federalist, edited by Jacob E. Cooke (numbers 1, 9, 10, 15, 23, 30, 32, 33, 35, 39, 44); *The Anti-Federalist*, edited by Herbert J. Storing and abridged by Murray Dry. ("Letters of Federal Farmer," I-III, VI-VII and "Essays of Brutus," I, V-VIII).

■ Study Guide and Questions

1. "The Essays of Brutus" and "The Letters of Federal Farmer" (which may have been written by Robert Yates of New York and Richard Henry Lee of Virginia, respectively) approach, in comprehensiveness and quality, the famous letters of Publius. A comparison of the first letters of each author reveals the extent to which they both agree and disagree on the task facing the nation and the nature of republican government.
2. Pursuing the republican government theme further, compare *Federalist* 10 and 39 (only the part on republican government here) with "Brutus" I and "Federal Farmer" I-II. What is the definition of republican government offered by Publius, and what is his major concern? How do "Brutus" and "Federal Farmer" offer a different definition? What is their major concern?
3. An important element of the argument over republican government concerned the relationship between representation and the different classes in the community. Compare *Federalist* 35 with "Federal Farmer" VII.

(Note: This is the best place to divide this material, if an additional meeting is needed.)

4. For a general discussion of federalism, compare *Federalist* 9, 15, and 39 with "Federal Farmer" I and VI. Both discussions may be compared to the early discussion in the Federal Convention.
5. For a discussion of the powers of government, compare *Federalist* 23, 30, 32, 33, and 44 to "Brutus" V-VIII. Note the alternatives suggested to the taxing and war powers. Note also the different interpretations of the "necessary and proper" clause.

● **Session 6. Ratification: Separation of Powers and the Bill of Rights**
Readings:
The Federalist, edited by Jacob E. Cooke (numbers 47, 48, 49, 51, 62, 63, 69-73, 78, 84) and *The Anti-Federalist*, edited by Herbert Storing and abridged by Murray Dry. (See "Centinel," I; "Brutus," II, XI, XII, XV; "Henry.")

■ Study Guide and Questions

1. The Federalist understanding of the separation of powers, as between the legislative and executive branches, can be contrasted to the views of Centinel and Patrick Henry.
2. For the best Anti-Federalist discussion of the judiciary, see Brutus (XI, XII, XV), who argues that the judiciary will enhance both federal power at the expense of the states and establish itself as the supreme interpreter of the Constitution. Compare this to *Federalist* 78.
3. For the debate on the Bill of Rights, compare "Brutus" II with *Federalist* 84.

(Note: This is the best place to divide this material if more than one meeting is scheduled to cover it.)

■ Conclusions: Final Questions

1. What were the best arguments of the Federalists and the Anti-Federalists?
2. Assuming that the case for the Constitution was stronger than the case against it, to what extent were the Anti-Federalists, and those in agreement with their views of republican government and federalism, able to argue that the Constitution favored, or at least permitted, their views?
3. How much did the Anti-Federalists win with the Bill of Rights?
4. Does the Tenth Amendment change the character of the enumeration of powers?

■ Secondary Readings:

The readings for the institute have been composed entirely of primary sources. A list of secondary and supplementary readings, keyed to class sessions, follows for those who wish to pursue the historical and scholarly context of specific points raised by the primary readings.

● **Session 1.** Andrew C. McLaughlin, *The Confederation and the Constitution: 1783-1789* (a good short history); *Thomas Jefferson, Notes on Virginia*, Query XIII (a short constitutional history of Virginia, from the beginning to 1783) in Merrill D. Peterson, ed. *Writings* of Thomas Jefferson.

● **Session 2.** None

● **Session 3.** Herbert J. Storing, "The Constitutional Convention: Toward a More Perfect Union," in Morton J. Frisch and Richard Stevens, ed. *American Political Thought: The Philosophic Dimension of American Statesmanship*, second edition, pp. 51-68; John Roche, "The Founding Fathers: A Reform Caucus in Action," in *American Political Science Review*, vol. 55, no. 4 (Dec. 1961), pp. 799-816.

● **Session 4.** None

● **Session 5.** Herbert J. Storing, *What the Anti-Federalists Were For;* Murray Dry, "Anti-Federalism in the *Federalist*," in Charles Kesler, ed. *Saving the Republic: The Federalist Papers and the American Founding* (forthcoming, 1987).

● **Session 6.** Harvey C. Mansfield, Jr., "Republicanizing the Executive," and James R. Stoner. Jr., "Constitutionalism and Judging in the *Federalist*," in Charles Kesler, ed., *Saving the Republic: The Federalist Papers and the American Founding* (forthcoming, 1987).

Additional Readings:

▸Martin Diamond, "Democracy and the Federalist: A Reconsideration of the Framers' Intent," in *American Political Science Review*, vol. 53, no. 1 (March 1959), pp. 52-68;

▸Martin Diamond, "What the Framers Meant by Federalism," and Herbert J. Storing, "The Problem of Big Government," in Robert A. Goldwin, ed., *A Nation of States: Essays on the American Federal System*, second edition, pp. 25-42; 67-89;

▸Clinton Rossiter *1787: The Grand Convention*

▸Catherine Drinker Bowen, *Miracle at Philadelphia*

▸Gordon S. Wood, *The Creation of the American Republic, 1776-1787*, chapters 12-13;

▸Cecelia M. Kenyon, ed. *The Antifederalists*, introductory essay;

▸Lance Banning, Thomas J. Cronin, Jack P. Greene, Philip B. Kurland, Michael Malbin, Jack N. Rakove, and Gordon S. Wood, essays in *this Constitution: Our Enduring Legacy;*

▸Murray Dry, "Anti-Federalist Constitutional Thought," and David Epstein, "Federalist Constitutional Thought," in Leonard Levy, ed., *The Encyclopedia of the American Constitution*

Seminar Program Two

Topics and Sources for the Study of the Constitution

THIS SECTION REVIEWS the following areas in constitutional studies that may serve as topics for institutes and seminars: (1) the intellectual and historical context of constitutionalism; (2) the American social context of the Constitution; (3) the making of the Constitution; and (4) the Constitution as a living document. Important aspects of each topic are offered, with references to primary and secondary sources, to help program organizers get started.

● **Topic Area 1. Constitutionalism: The Intellectual and Historical Context**

The Constitution's Framers formed their ideas within a tradition of thought about the nature of government, the meaning of liberty, and the necessity of limitations on power. They were also influenced by the philosophies of their own day and by their experiments and experiences in self-government, first as colonies and then as young states. The study of constitutionalism through the medium of intellectual history can give seminar participants a sense of how events and ideas worked in tandem. At least five sources of thought can be explored for their impact on the writing of the Constitution.

● **A. Greek political theory and democratic practice.** In the Western tradition, Plato's *Republic* and Aristotle's *Politics* are seminal inquiries into the nature of government and liberty. In particular, each addresses the ends of government and possibility of creating virtuous citizens. Aristotle discusses the merits and excesses of three forms of government—monarchy, aristocracy, and democracy—and concludes that the ideal government is one that combines elements of these three forms. The establishment, in America, of separately functioning branches of government with balanced powers in the Constitution offers an interesting source of comparison to the English parliamentary system. Comparisons between Athenian and American democracies also can illuminate the difference between participatory and representative forms of citizenship.

● **B. The Roman republic and its ideas of civic virtue.** Some of the most famous writers of antiquity idealized the early Roman republic as the perfect state, formed by the overthrow of tyranny; the popular creation of a prior bond of law; and the representative participation of moral, self-sufficient, and self-sacrificing citizens. Plutarch's *Lives*, Tacitus' *Annals* and *Histories*, Livy's *History of Rome*, and the political works of Cicero help delineate the special character of this *res publica* and the virtue of the citizens that formed it. The idea of republican civic virtue is evident in American thought as well, from Jefferson's reverence for agrarian culture to the arguments for and against the ratification of the Constitution marshalled both by Federalists and Anti-Federalists. The Constitution's Framers also read the history of the Roman republic for clues to the feasibility of democracy.

● **C. English constitutionalism.** As one-time Englishmen, the Constitution's Framers were supremely conscious of England's historic struggle to make monarchical power subservient to rights, laws, and customs. Looking back, the Framers could interpret *Magna Carta* (1215) as an effort to place the King beneath the law, to protect the subject's due process of law, and to claim a legitimacy for the right of revolt against misgovernance. Likewise, the Bill of Rights of 1689 was seen as Parliament's final victory over unbridled monarchical power, capped by a declaration of the rights of all Englishmen. In America, the continuing memory of a king-like centralized power gave rise to the notion of limitations on government, separation of powers among branches of government, and a bill of rights. Differences between the United States and England are as important as the similarities. England's constitution is unwritten, contained in the collective political inheritance. America's is a written document, popularly ratified, and amendable. It is the supreme law of the land and the measure of law.

● **D. The Enlightenment.** The U.S. Constitution may also be seen as a product of Enlightenment thought, a philosophical movement of the eighteenth century in which the forces of nature and the freedom of human reason are asserted against traditional forms of authority. In Thomas Hobbes' *Leviathan*, society is said to derive from a conscious agreement among people in the depraved state of nature; the natural and necessary form of government is a monarchical tyranny. To this social contract theory, John Locke, in his *Second Treatise on Civil Government*, adds the concept of humanity's natural rights to freedom and property and supposes that the power of authoritarian government be divided to protect those rights. Montesquieu, who examines the three classical forms of government in his *Spirit of the Laws*, proposes a legislative, executive, and judicial division of power—the republican system most like that of the Constitution. In contrast, Rousseau's theories of humanity's natural goodness, in *The Social Contract* and *Discourse on the Origin of Inequality Among Men*, make him a champion of pure democracy.

● **E. Earlier American precedents.** Self-government in America is popularly said to have begun with the Mayflower Compact of 1620 in which the Pilgrims recognized the need, in a new world, for a new "Body Politick." Later, British colonial charters provided governance for the new colonies, and a few became the basis of state constitutions after the Revolution. The procedures, conflicts, and ideals reflected in the making of state constitutions in this period are an indispensable background to the framing and ratification of the U.S. Constitution. To the state constitutions must be added the first attempt to form a union of states with the Articles of Confederation. Weak in its provisions, the articles embody a tension between the primacy of state power and a perceived need for some type of national government.

Useful texts for exploring this theme include Paul Eidelberg, *The Philosophy of the American Constitution;* Charles McIlwain, *Constitutionalism Ancient and Modern;* Bernard Bailyn, *The Ideological Origins of the American Revolution;* Forrest McDonald, *Novus Ordo Seclorum: The Intellectual Origins of the Constitution;* Henry F. May, *The Enlightenment in America;* Carl L. Becker, *The Declaration of Independence: A Study in the History of Political Ideas;* Garry Wills, *Inventing America: Jefferson's Declaration of Independence;* Gordon S. Wood, *The Creation of the American Republic, 1776-1787;* Willi Paul Adams, *The First American Constitutions: Republican Ideology and the Making of the State Constitutions in the Revolution;* Jack N. Rakove, *The Beginnings of National Politics: An Interpretive History of the Continental Congress;* and Merrill Jensen, *The Articles of Confederation.*

● **Topic Area 2. America: The Eighteenth Century**

American ideas about government and liberty grew on American soil. Men and women of the period were rooted in the life of eighteenth-century American regional communities and were subject, particularly after the Revolutionary War, to the dislocations of economic, political, and cultural change. The particular historical events, identifiable social groups, or other aspects of eighteenth-century life furnish frames of reference for institutes and seminars on the Constitution. Some examples of topics and texts are given below. On the period in general, see Edward Countryman, *The American Revolution;* Joseph J. Ellis, *After the Revolution: Profiles of Early American Culture;* Robert A. Gross, *The Minutemen and Their World;* and James A. Henretta, *The Evolution of American Society, 1700-1815: An Interdisciplinary Analysis.*

● **A. Shays' Rebellion.** The armed insurrection against the Commonwealth of Massachusetts, known as Shays' Rebellion, is an instance of economic forces combining with regional character to influence constitutional politics. Before the war, the colonial economy had grown and diversified; in the aftermath of the Revolutionary War, the states were faced with economic stagnation, scarce money and currency problems, and a heavy burden of debt. In Massachusetts, pro-creditor legislation, controversial terms of taxation, imprisonment for debt, and the arbitrariness of state and local officials led to an agrarian revolt in 1787 that took the name of its leader Daniel Shays. The revolt was fuel for those calling for a convention to revise the Articles of Confederation in order to establish a strong central government. Through Shays' Rebellion, then, it is possible to explore economic, geographic, and political backgrounds of the 1787 Convention.

Related works include David P. Szatmary, *Shays' Rebellion: The Making of an Agrarian Insurrection;* Jack P. Greene, *The Reinterpretation of the American Revolution, 1763-1789;* Charles A. Beard, *An Economic Interpretation of the Constitution of the United States;* and Forrest McDonald, *We the People: The Economic Origins of the Constitution.*

● **B. Slavery and women's studies.** The institution of slavery in its southern setting—its economic, ideological, and cultural aspects—had a momentous influence on constitutional history, from the debates in the Convention of 1787 through later Supreme Court decisions. A place to begin is with a comparison of the social life and constitutional views of the slave state Virginia and the free state Massachusetts. There is an abundance of material on both states, and the records of their debates on the ratification of the Constitution are full. The experience of women in the Revolutionary period was complex and changing. They too were imbued with the rhetoric and ideology of the Revolution but were finally excluded from the definition of citizenship in the new republic.

Works on both issues include Winthrop D. Jordan, *White Over Black: American Attitudes toward the Negro, 1550-1812;* Ira Berlin and Ronald Hoffman, eds. *Slavery and Freedom in the Age of the American Revolution;* Jesse Thomas Carpenter, *The South as a Conscious Minority, 1789-1861;* John Richard Alden, *The First South;* Rhys Isaac, *The Transformation of*

Virginia, 1740-1790; Alfred F. Young, ed., *The American Revolution: Explorations in the History of American Radicalism;* Linda K. Kerber, *Women of the Republic;* and Mary Beth Norton, *Liberty's Daughters.*

● **Topic Area 3. Making the Constitution**
The world's most enduring document of government came into being in a remarkably brief moment of time, through an interweaving of compromise, persuasion, ideology, the force of personality, the pursuit of true beliefs and practical considerations. The history of the framing and ratification of the Constitution is an occasion for gaining a deeper understanding of American character and society—then and now. This topic area also offers excellent opportunities for making use of the major reference works suggested in the Bicentennial Bookshelf.

● **A. Framing: the work of the Philadelphia convention.** James Madison recorded the debates of the convention in detail. These notes, along with those of other delegates, their explanatory letters home, and other pertinent material, are collected in the four volumes of Max Farrand's *The Records of the Federal Convention of 1787.* Madison's notes can be used to recreate the d[illegible] of the convention, forging a new government [illegible]rely independent states. Among the [illegible]ne issues addressed were the structure [illegible]rnment, the powers of the separate branches, and the means of election. The convention lends itself superbly to biographical studies. Institute or seminar participants may be assigned to research the views and characteristics of individual states and their delegates and represent them in simulated debates. Leonard Levy's *Encyclopedia of the American Constitution* and Kurland and Lerner's *The Founders' Constitution* are useful reference works here. See also Max Farrand, *The Framing of the Constitution of the United States;* Martin Diamond, *The Founding of the Democratic Republic;* Clinton Rossiter, *1787: The Grand Convention;* Catherine Drinker Bowen, *Miracle at Philadelphia;* Leonard Levy, *Essays on the Making of the Constitution.* Among the many biographies see Richard B. Morris, *Seven Who Shaped Our Destiny;* Robert A. Rutland, *James Madison and the Search for Nationhood;* Albert J. Beveridge, *The Life of John Marshall;* Forrest McDonald, *Alexander Hamilton;* and James Thomas Flexner, *Washington: The Indispensable Man.*

● **B. Ratification: the state debates.** Following the convention, the draft Constitution was sent to the states for ratification. The records of these proceedings are collected in Jonathan Elliot, ed., *The Debates in the Several State Conventions on the Adoption of the Federal Constitution.* These debates have been used in ways similar to the convention debates, but particularly for what they show about how regional interests affected state perceptions of the Constitution. The emphasis is usually on the very full records of Virginia and Massachusetts, two culturally and economically opposed states in which the ratification of the Constitution was in doubt. A comparison with New York is also illuminating.

See Robert A. Rutland, *The Ordeal of the Constitution: The Anti-Federalists and the Ratification Struggle;* Herbert J. Storing, *What the Anti-Federalists Were For,* Carl Van Doren, *The Great Rehearsal: The Story of the Making and Ratifying of the Constitution of the United States;* Edward Countryman, *A People in Revolution: The American Revolution and Political Society in New York, 1760-1790.*

● **C. The Federalist Papers: political philosophy.** *The Federalist* is a series of eighty-five newspaper essays written by Madison, Hamilton, and John Jay as part of the New York ratification debate. These essays emerged from that ideological struggle to become the central statement of American political philosophy. They contain, in a sense, what is left out of the Constitution: the reasons for its provisions, its theoretical roots, and the Founders' sense of how it was meant to work. Institutes and seminars may choose to concentrate entirely on these essays because they cover every major theoretical issue: the separation of powers and the nature of republican government, the function of the branches of government (particularly the concept of judicial review), the nature of humankind, questions of property and inequality, and the idea of civic virtue. Contemporary critical controversy asks whether classical ideals of community or rationalist theories of self-interest are most at work in *The Federalist,* and therefore at the core of constitutional philosophy.

The Federalist papers are collected in Jacob E. Cooke, editor, *The Federalist.* Kurland and Lerner's *The Founders' Constitution* can be a useful aid in gauging the effect of *The Federalist* interpretations. See also Gordon S. Wood. *The Creation of the American Republic, 1776-1787;* Gottfried Dietze, *The Federalist: A Classic on Federalism and Free Government;* Charles A. Beard, *An Economic Interpretation of the Constitution of the United States;* Richard Hofstadter, *The American Political Tradition and the Men Who Made It;* Douglass Adair, *Fame and the Founding Fathers;* Garry Wills, *Explaining*

America: The Federalist; David F. Epstein, *The Political Theory of the Federalist;* and Richard Loss, ed., *The Essays of Pacificus and Helvidius.*

● **D. Anti-Federalist thought and the Bill of Rights.** Those opposed to the ratification of the Constitution of 1787 were not united by a consistent philosophical doctrine, but their opposition did lead to the adoption of the Bill of Rights in 1791 as amendments to the Constitution. Their arguments in favor of rights provisions are as important as Federalist arguments for the draft Constitution, because they ensured that the American government would be one of limited powers with regard to individual liberty. The writings of the Anti-Federalists are collected in Herbert J. Storing's *The Complete Anti-Federalist* and in a one-volume edition, *The Anti-Federalist*, edited by Herbert J. Storing and abridged by Murray Dry. An important focus for studying the Anti-Federalists is the nature of their republicanism, including their positions on individual rights, state's rights, aristocracy, popular representation, and the relationship between capitalism and democracy. The Bill of Rights, of course, is of central importance in constitutional history; one approach might be to trace the historical precedents for its provisions.

See Farrand's *Records* and works under Cooke's *The Federalist* above; also Morton Borden, ed., *The Antifederalist Papers;* Cecelia M. Kenyon, *The Antifederalists;* Robert A. Rutland, *The Ordeal of the Constitution: The Anti-Federalists and the Ratification Struggle;* Jackson T. Main, *The Antifederalists: Critics of the Constitution, 1781-1788;* Irving Brant, *The Bill of Rights: Its Origin and Meaning;* Robert A. Rutland, *The Birth of the Bill of Rights, 1776-1791.*

● **Topic Area 4. The Living Constitution.** *Federalist* 78 declares that the duty of the judicial branch "must be to declare all acts contrary to the manifest tenor of the Constitution void." The power to declare laws and acts unconstitutional—not specified in the Constitution but eventually defined by the court itself—is now called judicial review. Together with the amendment process, it has enabled the Constitution to remain a living document, responsive to new problems yet preserving its legal continuity. The Court's opinions and interpretations along with constitutional amendments form the history and text of the living Constitution. There are many organizing principles on which the reading of Court cases can afford a glimpse into the relationship between the Constitution and American history. Institutes and seminars can be built entirely on one thematic set of cases—the freedom of speech or the regulation of commerce, for instance—or by tracing important developments of the "equal protection" clause. A critical approach could also be taken, concentrating on the issue of judicial activism in relation to the Framers' original intentions. The recent debate between Attorney General Meese and Justice Brennan brings the problem of constitutional interpretation up to date. The Bicentennial Bookshelf selection, Kurland and Lerner's *The Founders' Constitution*, would be a useful source here. Two approaches are given below, one covering a small part of the early history of the Supreme Court and the other concentrating on aspects of civil rights.

The primary source for court cases is The Congressional Research Service, *The Constitution of the United States of America: Analysis and Interpretation* (also a Bicentennial Bookshelf reference selection).

● **A. Early definitions.** The legal basis for judicial review, the power to void an act of Congress and hence to shape national policy, was established under Chief Justice John Marshall in *Marbury v. Madison* (1803) in which it was declared that Congress could not increase the jurisdiction of the court. In *McCulloch v. Maryland* (1819), the doctrine of "implied powers," used earlier to extend the power and financial effectiveness of the government, was upheld. In *Gibbons v. Ogden* (1824), the Court firmly established the government's right to regulate trade between the states. See also *Eakins v. Raub* (1825).

For readings in this area, see Kermit L. Hall, *The Supreme Court and Judicial Review in American History;* Francis N. Stites, *John Marshall: Defender of the Constitution;* R. Kent Newmyer, *The Supreme Court under Marshall and Taney;* Robert G. McCloskey, *The American Supreme Court;* Edward S. Corwin, *The "Higher Law" Background of American Constitutional Law;* James Martin Smith and Paul L. Murphy, eds., *Liberty and Justice: A Historical Record of Constitutional Development.*

● **B. Civil rights.** There are many legal milestones and detours, particularly for blacks and more recently for women, that mark the path of minorities to an equal status under the law. *Dred Scott v. Sanford* (1857) sustained the possibility of slavery in the federal territories and helped incite the Civil War. After the war, amendments to the Constitution (1865-69), especially the Fourteenth, overthrew *Dred Scott* and set forth the concept of "equal protection," which is considered the foundation of much modern constitutional law. The Civil Rights Acts of 1875 were

meant to assure blacks equal access to public accommodations, but these were struck down by the Court in making an important distinction between private and governmental discrimination. *Plessy v. Ferguson* (1896) created the "separate but equal" doctrine, which was finally overturned in *Brown et al. v. Board of Education* (1954). The provisions of *Brown et al. v. Board of Education* were pursued in the controversial busing decision of *Swann v. Charlotte-Mecklenburg Board of Education* (1971), with further ramification in *Regents of the University of California v. Bakke* (1978).

The constitutional history of women's rights begins most clearly in the twentieth century when the growing power of women in American life is recognized in the Nineteenth Amendment (1920), prohibiting voter discrimination by reason of sex. More personal aspects of women's rights are addressed in *Griswold v. Connecticut* (1965), which includes the use of contraceptives as a right of privacy between husband and wife. The right of privacy, nowhere mentioned in the Constitution, is an extremely important concept derived from interpretation of the First, Third, Fourth, Fifth and Ninth Amendments, which recognize unspecified areas of residual (and definable) individual rights. In *Roe et al. v. Wade* (1973), the principle of privacy is again used to uphold a woman's right to have an abortion. The Equal Rights Amendment was seen by its proponents as an attempt to ensure and expand the many gains made by women in recent years, but it was defeated in 1982, providing a fresh and interesting example of the intertwining of state and constitutional politics.

See William Wiecek, *The Sources of Anti-Slavery Constitutionalism in America, 1760-1848;* Harold M. Hyman and William Wiecek, *Equal Justice Under Law: Constitutional Development, 1835-1875;* Don E. Fehrenbacher, *The Dred Scott Case: Its Significance in American Law and Politics;* Richard C. Cortner, *The Supreme Court and the Second Bill of Rights;* Raoul Berger, *Government by Judiciary: The Transformation of the Fourteenth Amendment;* Bernard Schwartz, ed., *The Fourteenth Amendment: A Century in American Law and Life;* Loren P. Beth, *The Development of the American Constitution, 1877-1917;* Richard Kluger, *Simple Justice, The History of Brown v. Board of Education and Black America's Struggle for Equality;* J. Harvie Wilkinson, *From Brown to Bakke;* Paul L. Murphy, *The Constitution in Crisis Times, 1918-1969.*

On other constitutional law subjects see Leonard Levy, *Legacy of Suppression: Freedom of Speech and Press in Early American History;* Paul L. Murphy, *The Meaning of Freedom of Speech: First Amendment Freedoms from Wilson to FDR;* Anthony Lewis, *Gideon's Trumpet;* Alexander M. Bickel, *The Least Dangerous Branch: The Supreme Court at the Bar of Politics.*

Setting up a Seminar or Institute

THERE ARE A NUMBER OF steps to keep in mind in setting up a seminar or institute.

● **1. Form a steering committee.** A steering committee is needed to decide who the audience should be, what their needs and interests are, and what approach to the subject will be most fruitful. This committee will plan and implement the program. The combination of persons who make up the committee, or the representation on the committee of various community groups, may in part be determined by the locus of interest or impetus in the community: a school, a library, a state agency, or the community at large. A committee for a teachers' institute should include social studies and history teachers from the high school, in-service directors or curriculum coordinators, librarians, parents, school or college continuing education directors, representatives of historical societies, or state education consultants. A committee chairperson or coordinator should be chosen.

● **2. Prepare a budget.** A budget should include the cost of site rental, scholars' fees, books and other supplies.

● **3. Select appropriate scholars.** To the steering committee add scholars with expertise in the field or subject area of the seminar or institute. Their knowledge will be essential in shaping the program's subject to take best advantage of the potential for educating the public. They also may serve as instructors for the institute or seminar.

One of the best sources of leads to humanities scholars is the state humanities council. Direct calls to the chairs of college and university humanities departments can be helpful, too. The Resource Guide to Constitutional Scholars, prepared by the Federation of State Humanities Councils, and organized by state, may be particularly helpful (see Appendix).

● **4. Select an exemplary teaching faculty.** The success of the seminar will depend as much on the scholars selected to do the teaching as on those chosen to help shape the program. Exposure to the example of a supple mind in command of its material and comfortable with the give and take of discussion is the most effective stimulus to higher aspirations in learning and teaching. Imaginative scholars can also make use of active teaching methods, including dramatic simulations, role playing, mock debates, the use of historic locales, and other opportunities for interpretive boldness based on a solid foundation of knowledge.

● **5. Include master teachers.** If an institute or seminar is designed for high school teachers or education administrators connected with schools, consider including secondary school master teachers on the faculty. They are able to conduct workshops throughout the institute on the problems and methods of applying what is being learned to the classroom. They also may lead follow-up sessions in which strategies for including the humanities subject matter into the social studies curriculum can be assessed. Some projects require that participants return to their respective schools and conduct in-service workshops on what was learned in the institute. Here, too, master teachers are able to work with institute or seminar participants in designing or planning in-service activities.

● **6. Choose a format.** There are three basic formats to chose from, with variations on each.

▸**(a) Summer Institute.** Summer institutes of four to six weeks are typically offered by college or university departments. Secondary school teachers are chosen competitively from either a state or national pool. The teachers usually receive a stipend and room and board for the program's duration. The intensive summer institute is rigorous and intellectually revitalizing; because it requires arranging food and housing for several weeks, it is also the most expensive of the formats to mount. Still, this selective institute format should not be ruled out, particularly where the applicant pool is large and the levels of preparation are high. State and city education departments, consortia, and even school systems might appropriately create versions of this type of program.

▸**(b) The Short Summer Institute.** This more flexible and economical format allows for one or two intensive summer weeks of seminar accompanied by three to six follow-up days during the school year. The aim is to reach a broad local audience in specific towns, cities, counties, or other regions of the state. Class size is necessarily limited, but wider dissemination is achieved by repeating the institutes in several locations. In some cases, participants (if teachers) receive modest stipends and release time; graduate credit and recertification credits can almost always be arranged.

▸**(c) The Evening Seminar.** The short evening seminar offers maximum flexibility and economy, though at some cost to breadth and depth of subject coverage. Seminars for teachers are conducted during the school year. They consist of five or six evening meetings held one or two weeks apart; each meeting lasts about three hours. These types of seminars have served teachers at all grade levels, from elementary through secondary, as well as the nonteaching public. Evening seminars can be sustained almost entirely by the fees that are typical of recertification offerings for teachers (and usually reimbursable to teachers by local school systems). The principal costs are books and instruction.

● **6. Publicize the program.** Choose an appropriate medium for announcing the institute, taking into consideration the audience. If the event is a teacher institute with participants chosen competitively, publicity will primarily consist of announcing the dates, subject area, and guidelines for applying. Institutes for the general public should be publicized well in advance, using professionally prepared materials, if possible.

Appendix/ Bicentennial Resources

Bicentennial Bookshelf List

■ Reference Titles

After considerable discussion with noted constitutional scholars, the National Endowment for the Humanities recommends that libraries build their Bicentennial Bookshelves on the U.S. Constitution around four major texts, newly revised, newly issued:

▸Congressional Research Service, Library of Congress. *The Constitution of the United States of America: Interpretation and Analysis.* Washington: Government Printing Office, 1986. $70.

▸Farrand, Max, ed. *The Records of the Federal Convention of 1787.* 4 vols., rev. ed. New Haven: Yale University Press, 1967, 1987. $180.

▸Kurland, Philip B., and Ralph Lerner, eds. *The Founders' Constitution.* 5 vols. Chicago: University of Chicago Press, 1987. $300.

▸Levy, Leonard, ed. *The Encyclopedia of the American Constitution.* 4 vols. New York: Macmillan Publishing Co., 1986. $320.

These volumes should be complemented by other works, some of which may already be part of the library's holdings. Other books can be purchased with any funds remaining from the NEH matching grant of $500. In making acquisition, libraries may wish to consider volumes form the following categories. They may also find the specific entries in each category of help in making their choices. This list, also developed in consultation with constitutional experts, is merely suggestive. Libraries may fill out the Bicentennial Bookshelf with any relevant volume that they find appropriate. Prices indicated may change at the discretion of the publisher.

■ Other Titles

● **I. Primary Sources**

▸Cooke, Jacob E., ed. *The Federalist.* Middletown: Wesleyan University Press, 1961. $35. $12.50 (paperbound.)

▸Elliott, Jonathan, ed. *Debates in the Several State Conventions on the Adoption of the Federal Constitution.* 5 vols. 2nd ed. New York: B. Franklin, 1888-96. $155.

▸Hyneman, Charles S. and Donald Lutz, eds. *American Political Writings During the Founding Era: 1760-1805.* 2 vols. Indianapolis: Liberty Fund, 1983. $28. ($13.50 paperbound.)

▸Jensen, Merriil, ed. *The Documentary History of the Ratification of the Constitution.* 7 vols. Madison: State Historical Society of Wisconsin, 1976, 1986. $247.50.

▸Storing, Herbert J., and Murray Dry, eds. *The Complete Anti-Federalist.* 7 vols. Chicago: University of Chicago Press, 1982. $175.

● **II. History**

▸Bowen, Catherine Drinker. *The Miracle at Philadelphia.* Boston: Little, Brown, and Co., 1986.

▸Kelly, Alfred H., Winfred Harbison, and Herman Belz. *American Constitution: Its Origins and Development.* 6th ed. New York: Norton, 1983. $22.95.

▸McDonald, Forrest. *Novus Ordo Seclorum: The Intellectual Origins of the Constitution.* Lawrence: University Press of Kansas, 1985. $25.

▸McLaughlin, Andrew C. *A Constitutional History of the United States.* New York: Irvington, 1935. $39.50. ($14.95 paperbound.)

▸*Rossiter, Clinton. *The Grand Convention.* New York: Macmillan Publishing Co., 1966.

▸Rutland, Robert A. *The Ordeal of the Constitution: The Anti-Federalists and the Ratification Struggle of 1787-1788.* Boston: Northeastern University Press, 1983. $24.95. ($9.95 paperbound.)

▸Van Doren, Carl. *The Great Rehearsal: The Story of the Making and Ratifying of the Constitution of the U.S.* Westport: Greenwood, 1982. $35. ($5.95 paperbound.)

▸Wood, Gordon S. *The Creation of the American Republic, 1776-1787.* New York: Norton, 1972. $10.95.

● **III. Collected Works in One Volume**

▸Adams, John. *The Political Writings of John Adams: Representative Sections.* Edited by George A. Peek, Jr. New York: Irvington, 1954. $37.50.

▸Hamilton, Alexander. *Selected Writings and Speeches.* Edited by Morton J. Frisch. Washington: American Enterprise Institute, 1985. $15.

▸Jefferson, Thomas. *Writings.* Edited by Merrill D. Peterson. New York: Library of America, 1984 $30.

▸Madison, James. *The Mind of the Founder: Sources of the Political Thought of James Madison.* Rev. ed. Edited by Marvin Meyers. Hanover: University Press of New England, 1981. $18.

● **IV. Biographies of the Leading Founders**

▸Beveridge, Albert J. *The Life of John Marshall.* 4 vols. Atlanta: Berg, 1974. $99.95.

▸*Brant, Irving. *James Madison, Father of the Constitution.* 5 vols. Indianapolis: Bobb-Merrill Co., 1950.

▸Corwin, Edward S. *John Marshall and the Constitution.* Northford: Elliots Books, 1919 reprint. $8.50.

▸Flexner, James T. *Washington: The Indispensable Man.* Boston: Little, Brown, and Co., 1974. $16.45. ($3.95 paperbound.)

▸Malone, Dumas. *Jefferson and His Time.* 6 vols. Boston: Little, Brown, and Co., 1981. $24.50. ($12.45 paperbound.)

▸McDonald, Forrest. *Alexander Hamilton: A Biography.* New York: Norton, 1982. $9.95.

▸Peterson, Merrill D. *Thomas Jefferson and the New Nation: A Biography.* London: Oxford University Press, 1970. $39.95. ($15.95 paperbound.)

▸Rutland, Robert A. *James Madison and the Search for Nationhood.* Washington: The Library of Congress, 1981. $18.

▸Shaw, Peter. *The Character of John Adams.* New York: Norton, 1977. $5.95.

*These books are highly recommended. Although they are out of print, they are included for the information of libraries that may already have them in their collections and wish to include them on their Bicentennial Bookshelves.

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Virgin Islands Humanities Council
P.O. Box 1829
St Thomas, Virgin Islands 00801
809/776-4044
Chairman: Juel Rhymer
Executive Director, David J. Barzelay

Washington Commission for the Humanities
Olympia, Washington 98505
206/866-6510
Chairman: John Ishii
Executive Director, Hidde Van Duym

Humanities Foundation of West Virginia
Box 204
Institute, West Virginia 25112
304/768-8869
Chairman: James W. Rowley
Executive Director: Charles Daugherty

Wisconsin Humanities Committee
716 Langdon Street
Madison, Wisconsin 53706
608/262-0706
Chairman: Martin Zanger
Executive Director, Patricia Anderson

Wyoming Council for the Humanities
Box 3972, University Station
Laramie, Wyoming 82071-3972
307/766-6496
Chairman: Chris Plant
Executive Director, Dennis Frobish

Paying For Public Programs

HUMAN, MATERIAL AND FINANCIAL resources are required to sponsor successful educational programs for the general public. Although such programs need not cost a great deal, a sponsoring organization must recognize that these activities *will* cost something. Support for constitutional bicentennial programs might come from a number of sources:

● **Internal Support**

Many organizations might find that no external support need not be sought to sponsor bicentennial programs. Institutional program budgets might be sufficient to pay all costs related to bicentennial programming. Since the constitutional bicentennial is the most important intellectual and political anniversary of the late 1980s, many patrons of community-based institutions will be expecting special initiatives related to the Constitution.

Program managers may well find their boards, finance committees, and trustees anxious to devote internal resources to support bicentennial programming.

● **In-Kind Contributions**

Because the constitutional bicentennial is an event of importance to every segment of the American community, program sponsors will find many willing partners for their initiatives. Many of these potential partners will be in a good position to lend in-kind support—that is, human, material, and physical support. It is often easier to secure non-cash contributions from many community groups, businesses, and associations.

Such contributions can take many forms—printing, advertising, meeting space, equipment, receptions, materials development, etc. Program sponsors should not be reticent about asking for such support and should not limit their requests to the better-known business contributors. Other community agencies, particularly city government, school systems, universities and colleges, and large service clubs are often in a position to make significant in-kind contributions.

● **Foundation Support**

Almost every state and community benefits from the presence of some foundations that support educational programs for the public. Many groups interested in sponsoring bicentennial programs have already worked with foundations in their communities and will be aware of which foundations are the best possible sources of support for bicentennial activities. Those who are thinking about approaching foundations for the first time should turn first to *The Foundation Directory* (10th edition) to identify the names and interests of foundations in their areas.

Additional information on foundations can be found in special reference collections operated with the assistance of the Council on Foundations in every state. These collections are usually found in large public libraries. The National Foundation Center in New York (telephone 212/620-4230) is able to direct interested parties to the location of these reference collections.

There are basically three kinds of foundations that can be approached: private foundations, corporate foundations, and community foundations. The grant guidelines, application forms, deadlines, and interests of foundations are diverse. Knowing the interests of foundations before approaching them for funds and establishing a good relationship through a professional presentation are essential to success in securing foundation grants.

● **Business and Individual Contributions**

Agencies interested in developing educational bicentennial programming might find strong support from private businesses and individual donors. A good place to start in looking for such support is among the friends of an institution, among people who have contributed time and money to it in the past. In addition, program directors might be able to develop new friends for their institutions by finding business and individual donors with a special interest in constitutional, political, judicial, and government issues. Particularly if the budget for a bicentennial program is small, business and individual contributions might be the best source of support.

● **Organizational Contribution**

Because of the special nature and interest of the constitutional bicentennial, direct financial support might be sought from a number of specialized associations and community organizations. These groups include:

▸Bar Associations
▸Leagues of Women Voters
▸American Legion Posts
▸Service Clubs (e.g., Rotarians, Kiwanis, Junior Leagues)
▸State Historical Societies

While many of these groups are funding their own bicentennial activities, they may also have reserved special funding for partnership programs with other agencies.

● **State Humanities Council Funding**

Funding for public educational programs on the constitutional bicentennial is available from State Humanities Councils in every state. State councils award grants on a competitive basis. Each state council has its own application forms, grant guidelines, application procedures, and decision process.

If a project is to be funded by a state humanities council, it is essential that the humanities be central to all aspects of the project. State councils welcome early contact and discussion with potential applicants and are in a position to offer substantial counseling to help prepare competitive grant applications.

In many states, humanities councils have taken leadership in developing activities for the constitutional bicentennial and can help identify resources, materials, and support available for bicentennial programs. A directory of state councils is included in this Appendix. Additional help can be obtained from the Federation of State Humanities Councils, in Washington, D.C. (202/393-5400).

● **State Government and Bicentennial Commission Funding**

In many states, state governments have established commissions to help develop celebrations, study, and public activity related to the constitutional bicentennial. In some states, special funds have been set aside to make grants to community organizations to support public programs. A check should be made with state governments to discover whether special funds are available from bicentennial commissions.

In states where such funds are available, there will often be special application forms, organization requirements, and deadlines.

● **Federal Commission on the Bicentennial of the U.S. Constitution**

On September 29, 1983, President Reagan signed legislation establishing a Commission on the Bicentennial of the U.S. Constitution with a mandate "to promote and coordinate activities" for the Constitution's commemoration. The President designated Chief Justice Warren E. Burger as chairman of the commission, and twenty-three members of the commission were sworn in by Vice President Bush on July 30, 1985.

Originally scheduled to expire on December 31, 1989, the life of the commission has been extended by Congress to December 31, 1991, to include the addition of the Bill of Rights to the Constitution. The bicentennial celebration is now divided into four parts: 1987, the writing and signing of the Constitution; 1988, ratification of the Constitution by the thirteen original states; 1989, the formation of the federal government under the new Constitution and passage by the U.S. Congress of the Bill of Rights; and 1990-91, ratification of the Bill of Rights.

The commission is sponsoring a number of activities but also expects to have funds available to support education programs developed by other groups. For further information, contact Joseph Phelan, Commission on the Bicentennial of the U.S. Constitution, 736 Jackson Place, N.W., Washington, D.C. 20503. 202/872-1787

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There are a number of other sources of available funds to support bicentennial programming. Each community has a unique set of resources devoted to public educational activities. The key to successful funding for public education programs in any community is clear presentation, compelling purpose, and good design.

Bicentennial Resource List

THE LIST OF NAMES appearing in the Bicentennial Resource List is the most comprehensive of its kind and was compiled from several sources. The State Humanities Councils provided a list of specialists in their states who have experience working on bicentennial programs or who have expressed an interest in doing so. A second important source of specialists was the "Network of Scholars" that first appeared in the fall 1984 issue of *this Constitution* and has since been updated and published in a current issue of the magazine. *this Constitution* is published by Project '87, a joint committee of the American Historical Association and the American Political Science Association. A third source of specialists includes those members of the American Society for Legal History who have indicated an interest in serving on bicentennial programs.

The Federation of State Humanities Councils expresses its appreciation to the State Humanities Councils, Project '87, the American Society for Legal History, and the Commission on the Bicentennial of the U.S. Constitution, for their cooperation.

These combined lists appear in alphabetical order, by state. They follow the listing of the humanities council contact and the state commission contact of the Commission on the Bicentennial of the U.S. Constitution. (Each state commission has a compatible scholars list from the Bicentennial Commission which can be made available to requesting parties by state.)

The fields of specialty are also noted in many cases. Not all addresses are complete. The Bicentennial Resource List accurately reflects information received as of May 1987. Inquiries may be addressed to the State Humanities Council or to the dean of the appropriate academic unit of the college or university.

This list was developed for use by planners and organizers seeking scholars for public programs and other bicentennial activities. The publication of a name is not an endorsement of that scholar by the Federation, the State Humanities Councils, or other cooperating organizations, nor does it obligate a scholar to participate in a program. This is a resource list of many superb teachers and scholars who have indicated an interest in working with the public. Please contact the person listed directly for further information about scholarly expertise, areas of interest, and availability.

■ Alabama

Robert Stewart, Executive Director
Alabama Humanities Foundation
Box A-40
Birmingham-Southern College
Birmingham 35254
205/324-1314

Dr. Ed Bridges
Alabama Bicentennial Task Force
Governor's Office
State Capitol
Montgomery 36130
205/261-4361

William D. Barnard
Department of History
University of Alabama
(Alabama Cases and the Constitution)

David Bowen
Department of History
Livingston University
(Constitution and the Concept of Union)

Betty Brandon
Department of History
University of South Alabama
(Women and the Constitution, 1787-1987)

Charles Cole
Cumberland School of Law
Samford University
(First Amendment, Separation of Powers)

Michael Eldridge
Department of Philosophy
Spring Hill College
(Constitution and Secular Humanism)

Tony Freyer
School of Law
University of Alabama
(constitutional legal history; civil rights, law, economy)

Virginia Hamilton
Department of History
University of Alabama at Birmingham
(Constitution; Supreme Court; civil rights)

Wythe Holt
School of Law
University of Alabama
(The New Federalism)

Norma T. Mitchell
Department of History and Social Sciences
Troy State University
(George Mason and the Constitution)

Martha Morgan
School of Law
University of Alabama
(Women and the Constitution)

Thomas Osborne
Department of History
University of North Alabama
(Constitution; concept of higher law)

Howard N. Smith
Department of History
Spring Hill College
(constitutional history; First Amendment)

Edwin L. Sterne
Cumberland School of Law
Samford University
(Declaration of Independence, Gettysburg Address; Bill of Rights)

Parham Williams
Cumberland School of Law
Samford University
(First Amendment)

W.K. Wood
School of Graduate Studies
Alabama State University
(The Mind of the Framers)

■ Alaska

Gary Holthaus, Executive Director
Alaska Humanities Forum
430 West 7th Avenue
Anchorage 99501
907/272-5341

Allison Elgee
Alaska Commission to Celebrate the U.S. Constitution
Office of Management and Budget
Office of the Governor
P.O. Box AM
Juneau 99811
907/465-3568

James Waldemar Muller
Department of Political Science
University of Alaska

Claus M. Naske
Department of History
University of Alaska

■ Arizona

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Arizona Humanities Council
918 North Second Street
Phoenix 85004
602/257-0335

Elli Sabragia
Arizona Bar Association
363 North 1st Avenue
Phoenix 85003
602/254-9163

Allan Buchanan
Ethics and Medicine
University of Arizona
(rights and choices)

Willis Buckingham
Department of English
Arizona State University
(religious freedom in the nineteenth century)

Ekdal Buys
Philosophy of Education
Central Arizona College
(right and responsibility under the Constitution)

Paul Carter
Department of History
University of Arizona
(educational issues and the Constitution)

Vine Deloria
Department of Political Science
University of Arizona
(Constitution; native Americans)

Edgar Dryden
Department of English
University of Arizona
(Hawthorne and the American way)

Marvin Fisher
American Studies
Arizona State University
(Melville and freedom)

Robert J. Glennon
College of Law
University of Arizona
(American history; law)

Beka Hoff
School of Law
University of Arizona
(Constitution and the powers to tax)

Ruth Jones
Department of Political Science
Arizona State University
(Constitution and participatory government)

David Kay
Arizona State University
(Constitutional law and interpretation)

James Kearney
Department of History
Arizona State University
(presidency and the Constitution; Roosevelt years)

John McElroy
Department of English
University of Arizona
(*The Federalist* and the Constitution)

Larry McFarlane
Department of History
Northern Arizona University
(free enterprise and the Constitution)

Jeffrie Murphy
Department of Philosophy
Arizona State University
(bases of the Constitution)

Mark Pastin
Department of Philosophy
Arizona State University
(Constitution and the system of law)

George Paulsen
Department of History
Arizona State University
(making of the Constitution)

Charles Polzer
Ethnohistory
Arizona State Museum
(minority rights)

Ross Rice
Department of Political Science
Northern Arizona University
(political understanding of the Constitution)

Mary Rothschild
Department of History
Arizona State University
(Constitution and women's rights)

Thelma Shinn
Department of English
Arizona State University
(freedom in American women writers)

Holly Smith
Department of Philosophy
University of Arizona
(requisites of freedom)

Isidore Starr
Scottsdale
(constitutional history)

Delno West
Department of History
Northern Arizona University
(Constitution)

■ Arkansas

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Arkansas Endowment for the Humanities
Remmell Building, Suite 102
1010 West Third Street
Little Rock 72202
501/372-2672

Cathy Buford
Governor's Office
State Capitol
Little Rock 72201
501/372-2345

James S. Chase
Department of History
University of Arkansas
(political parties)

Michael B. Dougan
Department of History
Arkansas State University
(federal relations)

Stephen A. Smith
Department of Communication
University of Arkansas
(Bill of Rights; James Madison's role; sovereign-political relationships)

Kenneth R. Walk
Department of Philosophy
Arkansas Tech University
(John Adams; history)

■ California

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415/391-1474

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California Bicentennial Commission on the U.S. Constitution
1455 Crenshaw Blvd., Suite 200
Torrance 90501
213/328-1787

Norman Abrams
School of Law
University of California
(criminal procedure)

Richard Abrams
Department of History
University of California
(business; political; legal history)

William B. Allen
Department of Humanities
Harvey Mudd College
(Constitutional Convention of 1787: parties, Founders)

Joyce Appleby
Department of History
University of California
(colonial; early history; economic and political thought)

Judith A. Baer
Department of Political Science
University of California-Los Angeles
(Fourteenth Amendment; women's rights)

Gordon M. Bakken
Director, Faculty Affairs
California State University
(nineteenth-century legal and constitutional history)

Edward L. Barrett
School of Law
University of California
(constitutional law)

Michael R. Belknap
School of Law
California Western
(First Amendment; civil rights)

Larry Berman
Department of Political Science
University of California
(presidency)

Gayle Binion
Department of Political Science
University of California
(constitutional law; civil liberties)

Morton Borden
Department of History
University of California
(early national period)

Paul Brest
School of Law
Stanford University
(constitutional interpretation)

Albie Burke
Department of History
California State University
(First Amendment; history)

Myles L. Clowers
San Diego City College
(politics in fiction)

Bruce Craig
National Park Service
(eighteenth-century Congress, interpretation of historical sites)

William J. Cuddihy
Fullerton
(civil liberties in the United States and Britain)

Richard Delgado
School of Law
University of California
(pluralism, social change, minority rights)

Donald O. Dewey
Department of History
California State University
(James Madison; John Marshall)

John P. Diggins
Department of History
University of California
(American political thought)

Ward E.Y. Elliot
Department of Political Science
Claremont McKenna College
(representation, democracy; immigration)

Malcolm M. Feeley
School of Law
University of California
(civil liberties)

Lawrence M. Friedman
School of Law
Stanford University
(history; litigation)

Christian G. Fritz
Hastings College of Law
(history)

Richard Funston
Department of Political Science
San Diego State University
(constitutional law; history)

Edwin W. Gaustad
Department of History
University of California
(religious freedom)

Norman Jacobson
Department of Political Science
University of California
(political and constitutional theory)

Charles R. Kesler
Henry Salvatori Center
Claremont McKenna College
(The Federalist)

David Lindsey
Department of History
California State University
(framing the Constitution: Civil War; reconstruction)

Gordon Lloyd
Department of Political Science
University of Redlands
(creation of the American Constitution)

Charles Lofgren
Claremont McKenna College
(American constitutional history)

Daniel H. Lowenstein
School of Law
University of California
(constitutional law)

Henry Mayer
Berkeley
(origins of the Constitution and ratification)

Philip L. Merkel
College of Law
Western State University
(federalism and interstate commerce; Supreme Court history; legal history)

Robert Middlekauff
Director
Henry E. Huntington Library
San Marino
(early American history)

Robert H. Mnookin
School of Law
Stanford University
(juvenile rights; family law)

Stanley Mosk
Justice, Supreme Court of California
(states and constitutional law)

A.E. Keir Nash
Department of Political Science
University of California
(constitutional history; race and law)

Gary B. Nash
Department of History
University of California
(early American history)

William Nelson
O'Melveny & Myers
Los Angeles
(the judiciary; administrative law)

John Niven
Department of History
Claremont Graduate School
(American political thought; social history)

Michael Parrish
Department of History
University of California
(judicial history)

Van L. Perkins
Department of History
University of California
(constitutional law, theory)

John A. Phillips
Department of History
University of California
(British history; legal; social; political, 1660-1859)

Nicholas C. Polos
Department of History
University of LaVerne
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Linda S. Popofsky
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Mills College
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(civil liberties)

Jack N. Rakove
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Stefan A. Riesenfeld
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Claremont McKenna College
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David Sadofsky
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Chapman College
(government and society; public administration)

John Schaar
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Unive sity of California
(politics)

Molly Selvin
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Martin Shapiro
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Francis N. Stites
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University of Redlands
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Trinity College
(Connecticut federalism)

Christopher Collier
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University of Connecticut
(Connecticut colonial and early national history, Constitution)

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Freeman Meyer
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(U.S. constitutional history)

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Eastern Connecticut State University
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Harry H. Wellington
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Yale University
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5059 Sedgwick Street, N.W.
D.C. 20016
(judicial structure; foreign intelligence)

James M. Banner, Jr.
Resources for the Future
1616 P Street, N.W.
D.C. 20009
(early republic; political parties)

Walter Berns
Department of Government
Georgetown University
(First Amendment; founding period; constitutionalism)

Maxwell Bloomfield
Department of History/Law School
Catholic University of America
(early republic; civil rights)

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600 New Jersey Avenue, N.W.
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(constitutional law; civil liberties; religion)

Jonathan W. Emord
Fisher, Wayland, Cooper & Leader
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D.C. 20037
(First Amendment; original intent)

David F. Epstein
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(eighteenth-century political philosophy)

Joseph E. Goldberg
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(military relations within a democracy, American founding; amendment process)

John D. Healy
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D.C. 20044
(economic issues)

Michael H. Hoffman
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D.C. 20008
(litigation; civil rights; immigration; regulatory issues; international law)

Richard H. Kohn
Office of Air Force History, DOD
HQ USAF/CHO, Building 5681
Bolling AFB 20332
(military law; history)

Nancy L. Matthews
Smithsonian Institution Libraries
Natural History Building
D.C. 20560
(Anglo-American legal history)

Gary McDowell
U.S. Department of Justice
10th and Constitution Avenue, N.W., Room 1307
D.C. 20530
(political thought of the Founders; judiciary)

R. Michael McReynolds
National Archives and Records Administration
Legislative Archives Division
D.C. 20408
(constitutional history)

W. Richard Merriman, Director
The Jefferson Foundation
1529 – 18th Street, N.W.
D.C. 20036
(colonial/revolutionary political thought in America; race)

Herman Schwartz
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American University
4400 Massachusetts Avenue, N.W.
D.C. 20016
(civil rights; civil liberties)

Richard G. Stevens
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D.C. 20057
(the founding; Bill of Rights; Fourteenth Amendment; Declaration; Constitution)

Mark Tushnet
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600 New Jersey Avenue, N.W.
D.C. 20001
(constitutional law; history)

Nicholas D. Ward
Catholic University Law School
888 – 17th Street, N.W., Suite 902
D.C. 20006
(Declaration of Independence)

Wilcomb E. Washburn
Office of American Studies
Barney Studio House
Smithsonian Institution
D.C. 20560
(legal status of American Indians)

Bradford Wilson
U.S. Supreme Court
D.C. 20543
(American constitutional studies; role of the judiciary)

Michael O. Wise
Federal Trade Commission
6th and Pennsylvania Avenue, N.W.
D.C. 20850
(constitutional history; war powers; Constitutional Convention of 1787; ratification debates)

■ Florida

Ann L. Henderson, Executive Director
Florida Endowment for the Humanities
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Tampa 33687
813/974-4094

Carol Bellamy, Executive Director
U.S. Constitutional Bicentennial Commission of Florida
Knott Building
Florida Department of Education
Tallahassee 32399
904/487-1022

Roger I. Abrams, Dean
Nova University Center for the Study of Law
3100 SW 9th Avenue
Ft. Lauderdale 33315
(freedom of the press)

Robert Benedetti
Department of Political Science
New College of the University of South Florida
Sarasota 33580
(citizenship)

Augustus Burns, III
Department of History
University of Florida
4131 Turlington Hall
Gainesville 32611

Michael M. Burns
Nova University Law Center
3100 SW 9th Avenue
Ft. Lauderdale 33315
(Constitutional Convention of 1787, equal rights, free speech)

Johnny C. Burris
Nova University Law Center
3100 SW 9th Avenue
Ft. Lauderdale 33315
(constitutional history)

Phyllis Coleman
Nova University Law Center
3100 SW 9th Avenue
Ft. Lauderdale 33315
(First Amendment)

Talbot D'Alemberte
Dean, College of Law
Florida State University
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Nova University Law Center
3100 SW 9th Avenue
Ft. Lauderdale 33315
(criminal justice system)

Susan L. Dolin
Nova University Law Center
3100 SW 9th Avenue
Ft. Lauderdale 33315
(defamation; First Amendment)

Steve Friedland
Nova University Law Center
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Ft. Lauderdale 33315
(constitutional history, judicial review; privacy)

Kermit L. Hall
Department of History
University of Florida
4131 Turlington Hall
Gainesville 32611
(the judiciary; Supreme Court; state conventions; amending process)

Robert T. Mann
College of Law
Holland Law Center
University of Florida
Gainesville 32611

Marc Rohr
Nova University Law Center
(First Amendment, equal protection)

Darrett B. Rutman
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4131 GPA
Gainesville 32611
(colonial America)

Chesterfield Smith
Holland & Knight
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Joseph F. Smith, Jr.
Nova University Law Center
(rights of the physically handicapped)

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