

"It reminds me of a string of wet sponges; it reminds me of tattered washing on the line; it reminds me of stale bean-soup, of college yells, of dogs barking idiotically through endless nights. . . .

"One half looks for him to abandon connected speech at any moment, and to start a mere chaotic babbling of stereotyped phrases: 'Please remit,' 'Errors and omissions excepted,' 'For review only,' 'Polizeilich verboten,' 'Fur Damen,' 'Apartment to let.' 'Oh, say, can you see,' 'Less than 1/2 of 1% of alcohol by volume,' 'Post no bills,' 'Tradesmen's entrance,' 'In God we trust.'"

I suggest the preamble sounds like: We the people of the State of Maryland, recognizing that we should "save the flag," and believing "in God We Trust," and having the concept of "e pluribus unum," and dedicated to the proposition that we should "bless our country," do establish and ordain this Constitution.

I suggest that is just about as much as the preamble means. I think the Committee went to a great many sources, and I think they went to my suggested preamble and took the last phrase out of it for the Committee Recommendation. They went to a great many sources, lifted a number of high-sounding phrases, and put them into a preamble.

I do not think that that is the way that a preamble ought to be drafted. Let me suggest to you that the preamble should serve the following purposes:

First, it should contain a declaration of purpose. Why do we make this Constitution? That is the reason that a preamble prefaces the Constitution.

Second, it should permit the courts and legislature to determine our intent. It is like the whereas clauses in a contract; and when a given legislative enactment or a given legislative problem is to be considered and construed, the courts should look to the preamble to determine the proper construction to be given.

I suggest that a clear, consistent meaningful statement of constitutional philosophy is desirable in a preamble, and I believe that the preamble that I have proposed by amendment expresses such a philosophy.

Let me point out a couple of the phrases in it and the meaning that I would like to attach to those phrases.

"Desirous of securing the blessings of Almighty God and civilization." Certainly

the government is designed to secure the blessings of God and the blessings of civilization, civilization being those things created by man which we hope to distribute meaningfully among man.

"Believing that the chief function and purpose of government is to facilitate the enjoyment," not guarantee, but to facilitate and to ease the enjoyment by all people "of life, liberty and the pursuit of happiness."

I believe that the suggested amendment states a meaningful, clear philosophy of government. I believe it is worthy of our constitution, and I urge you to adopt it.

THE CHAIRMAN: Are there any questions of the sponsor of the amendment?

Delegate Sybert.

DELEGATE SYBERT: I would like to direct a question to the sponsor of the amendment.

THE CHAIRMAN: State the question.

DELEGATE SYBERT: I would like to ask Delegate Hardwicke whether he purposely left out the provision, or some provision showing recognition that all political power originates in the people?

Would it not be better to have such a provision in the preamble, one of our most basic ideas in this country?

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Mr. Chairman, I am very glad that Delegate Sybert raised the point. I think that we can deal with this expression which comes from the present Constitution, I believe it is Article I at the present time.

I would prefer, I believe, to include it as one of the specific rights or references in the constitution, as it is in the present Constitution, rather than part of the preamble. However, if the language I suggested could be amended in a passive way to permit that expression, I would have no objection. But I believe I would rather see that thought set out in the constitution, as it is in the present Constitution.

THE CHAIRMAN: Are there any other questions of the sponsor of the question?

DELEGATE JAMES: Yes.

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: Why are you leaving out any reference to our duty and responsibility to posterity? The thing I am getting at is that in a society such as ours