

we have duties as well as a right to enjoy. I am wondering why you left out the concept of duty.

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Delegate James, in stating a philosophy of government, it seems to me that the emphasis is upon the act of government, and not upon the act of the people themselves. That is to say, the philosophy that I have attempted to express here is a philosophy of the act of the government, and why the government is created. The duty of the people is not a facet of the duty and responsibility of government.

THE CHAIRMAN: Any further questions of the sponsor of the amendment?

If not, the Chair recognizes Delegate Kiefer, Chairman of the Committee.

DELEGATE KIEFER: Mr. Chairman, I rise in opposition to this amendment, but will yield the first four minutes of time to Delegate Kosakowski.

THE CHAIRMAN: There is no scheduled debate on the preamble under the debate schedule. You may speak to it.

DELEGATE KIEFER: If I speak to it, then Delegate Kosakowski can speak to it later?

THE CHAIRMAN: Yes. The Chair will recognize him.

DELEGATE KIEFER: I have a number of objections to this suggested amendment. Some of the basic objections will be expressed by Delegate Kosakowski, but I would like to address myself specifically to the language.

I am sorry that we were rushed at the end of the presentation last Friday, because I know a number of you may not have gotten the full impact of what I said then or may not have been here when I discussed the preamble. This preamble was not just a hastily put together series of euphonious phrases; it was carefully worded.

I would like to call your attention to two or three differences of language which I think are very essential. It has already been pointed out that the preamble which we have suggested recognizes that the political power originates in the people, and that all government is instituted to secure their right to life, liberty and the pursuit of happiness.

We considered very carefully the concept of political power being in the people as a

part of the Declaration of Rights. It is not a justiciable right as such, and we felt it was properly placed in the preamble, and we did so.

The purpose of government is to secure the rights of the people, their right to life, liberty and the pursuit of happiness. If you look at that, it is a guaranty to the right to life, the right to liberty, the right to the pursuit of happiness. It does not guarantee life or happiness.

I call your attention to the suggested preamble or amendment. It says that the chief function and purpose of government—I am wondering what other purposes there are—is to facilitate the enjoyment by all people of life, liberty, and the pursuit of happiness. It sounds like a Roman holiday. It makes it sound very, very easy.

There is another fundamental concept which I think is important. We have kept as much of the graceful language of the present preamble as we thought was appropriate. One of those phrases is the expression of our gratitude to God for our civil and religious liberties, not a request for a blessing, but an acknowledgement of our gratitude.

I, therefore, respectfully ask that you defeat this amendment.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

The Chair hears none.

Delegate Kosakowski, do you desire to speak in opposition?

DELEGATE KOSAKOWSKI: Mr. Chairman and members of the Committee:

I was on the subcommittee on the writing of the preamble. Serving with me were Delegates Beachley, Dabrowski, and Groh. It took quite a bit of time. I would like to give the Committee of the Whole some statistics.

Fourteen counties participated in sending in preambles. The subcommittee instituted a program with various schools, public, private and parochial. One private school and one parochial school in Baltimore City participated: 1317 pupils worked in preparing preambles that were submitted to the subcommittee; 361 students referred to the deity in their preamble. Other items mentioned were blessings, constitution, equality, forefathers, freedom, government, heritage, hope, individual and civil rights, immortality, justice, liberty, man's dreams, peace,