

1989

The Institute of Bill of Rights Law

Institute of Bill of Rights Law at the William & Mary Law School

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Congress OF THE United States

begun and held at the City of New York, on
Wednesday the fourth of March, one thousand seven hundred and eighty nine.

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent an abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficial ends of said Constitution, **RESOLVED** by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles, be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution: viz.

ARTICLES in addition to, and amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the several States, pursuant to the fifth Article of the original Constitution:

Article the first. After the first enumeration required by the first Article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall not be less than one hundred Representatives, nor less than one Representative for every forty thousand, until the number shall amount to two hundred, after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

Article the second. No Law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

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

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

Article the fifth. No Soldier shall, in peacetime, be quartered in any house, without the consent of the owner, nor in times of war, but in a manner to be prescribed by Law.

Article the sixth. The right of the people to a speedy and public trial, by an impartial jury of the State and Territory where the crime shall have been committed, in all criminal cases, shall not be violated, and no person shall be held to answer for a crime, until he is indicted by a grand jury.

Article the seventh. No person shall be held to answer for a crime, until he is indicted by a grand jury.

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Article the fifteenth. No person shall be held to answer for a crime, until he is indicted by a grand jury.

Article the sixteenth. No person shall be held to answer for a crime, until he is indicted by a grand jury.

Article the seventeenth. No person shall be held to answer for a crime, until he is indicted by a grand jury.

Article the eighteenth. No person shall be held to answer for a crime, until he is indicted by a grand jury.

Article the nineteenth. No person shall be held to answer for a crime, until he is indicted by a grand jury.

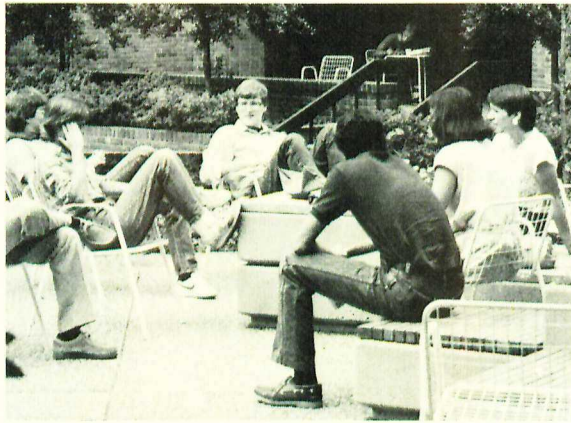
THE INSTITUTE OF BILL OF RIGHTS LAW

At the Marshall-Wythe School of Law
The College of William and Mary
Williamsburg, Virginia

Frederick Augustus Muhlenberg, Speaker of the House of Representatives,
John Adams, Vice President of the United States, and
other members of the Bill of Rights Institute.

THE INSTITUTE OF BILL OF RIGHTS LAW AT THE MARSHALL-WYTHE SCHOOL OF LAW

The College of William and Mary in Williamsburg, Virginia



The Institute of Bill of Rights Law seeks to integrate the study of legal issues, particularly issues of human rights, social justice and governance, with the study of the humanities and public policy. It functions as a forum for airing and debating matters of law and policy, as a vehicle for public, student and professional education on constitutional topics, as a device for generating innovative approaches to legal questions, and as a catalyst for creative legal thought. The Institute serves the academic, legal and journalism communities in a manner consistent with its ties to a professional school and an institution of higher education. It undertakes no lobbying and adopts no partisan political stance. As an academic foundation, it is committed to quality research and education on constitutional liberties.

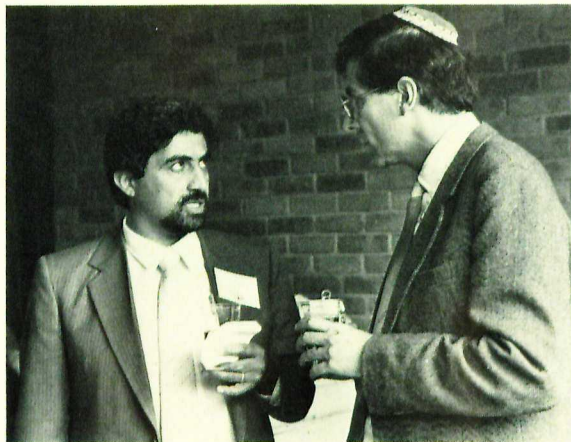
The Institute derived its initial funding from the Lee Memorial Trust Fund, created in a bequest from Laura Lee of Washington, D. C. in memory of her parents, Alfred Wilson Lee and Mary I. W. Lee. Mr. Lee was founder and president of Lee Enterprises, Inc., a communications corporation consisting of newspapers, electronic media and related entities, headquartered in Davenport, Iowa. The Institute receives both public and private funds. Its founding in 1982 at the Marshall-Wythe School of Law recognized the prominence of Williamsburg and the College of William and Mary in the legal education of the early leaders of the United States.

William and Mary, chartered in 1693, is the second oldest institution of higher education in the United States. It was named after the English monarchs to whom the Parliament presented the English Bill of Rights in 1689. The College's School of Law was named for two of Virginia's most prominent legal figures: John Marshall and George Wythe. Marshall was the Chief Justice of the United States Supreme Court most responsible for forging the authority of the Constitution. Wythe held the first chair of law in America at William and Mary from 1779-1790.

Top left: The law school's patio, a traditional gathering place for students, is often the site of planning sessions for sections of the Institute's Student Division.

Center: Attending the October 1988 program "Fundamentalism Religion and the Secular State: The Experience in American and Israel" are Carol Egelhoff, Sue Anne Bangel and Ethel Sternberg.

Below: Program participant Jonathan Kuttub, West Bank lawyer, civil rights activist, founder of Law in the Service of Man and program participant Aviezer Ravitsky, Professor of Jewish Philosophy and Thought at the Hebrew University of Jerusalem, deliberate concerns during a break in the proceedings.



FACULTY

Each year the Institute brings to Marshall-Wythe a major scholar as the Distinguished Lee Professor. Since the initiation of the program, the Lee Professors have included such prominent constitutional scholars as David Anderson of the University of Texas, Robert Kamenshine of Vanderbilt University, Kent Greenawalt of Columbia University, Yale Kamisar of the University of Michigan, G. Edward White of the University of Virginia, and Robert F. Nagel of the University of Colorado. The contributions of these scholars have enhanced the reputation of the College and provided stimulating interaction with faculty and students. The Lee Professor for 1989 is David Rabban of the University of Texas, and in 1990, the Lee Professor will be Vincent Blasi of Columbia University. The Institute also brings to Marshall-Wythe Visiting Fellows, including Fellows affiliated with the Commonwealth Center for the Study of American Culture.

ACTIVITIES

The Institute of Bill of Rights Law engages in extensive conference and publication activity. Some of its programs are oriented toward scholarly research and theoretical analysis, some facilitate communication between lawyers and journalists, while others seek to enrich the educational experience of law students and to broaden public knowledge of the Constitution and the Bill of Rights. The Institute's annual symposium brings together scholars of various disciplines, practicing lawyers, and journalists. Symposia proceedings are published in *The William and Mary Law Review*. The Institute also publishes reports and monographs.

The Institute serves as an educational resource for journalists. It sponsors a number of programs on topics related to newsgathering and dissemination, as well as projects designed to assist journalists in understanding and reporting



Above left: Robert F. Nagel, the Moses Lasky Professor of Law at the University of Colorado and William and Mary's 1989 Distinguished Lee Visiting Professor, is a participant at the April 1989 symposium "Bicentennial Perspectives".

Above: The Honorable Joseph A. Biden, United States Senator from Delaware, tells the symposium audience that the War Powers Resolution of 1973 has proven ineffective and should be revamped. Photo courtesy of the Daily Press.

on constitutional issues to the general public. The Institute conducts an annual Supreme Court Preview during which constitutional scholars and established journalists explore the underlying issues of cases on the Court's docket for the upcoming term. It also conducts workshops, providing in-depth education on legal issues for members of the working press.

A significant aspect of the Institute's activities is its sponsorship of an ongoing series of task forces designed to explore creative solutions to emerging questions of constitutional law and public policy. The task forces bring together leading thinkers, who represent various constituencies and ideological viewpoints, to tackle specific policy issues and propose reforms.

To stimulate dialogue and promote research on constitutional issues among Marshall-Wythe students, the Institute sponsors a Student Division of the Institute of Bill of Rights Law. The Student Division conducts educational programs throughout the year. The activities of the Student Division culminate in a yearly symposium conceptualized, organized and conducted by students, and resulting in a student symposium publication. The Student Division, an integral part of the Institute, serves to enhance the educational opportunities of students, and to promote the ideal of the lawyer as a thoughtful citizen contributing to the resolution of social and political problems.