THE BILL OF RIGHTS — CAN IT SURVIVE?

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From our earliest civics classes, we have been led to understand that the so-called Founding Fathers of this republic (there apparently were no Mothers) believed firmly in the principles now encased in the Bill of Rights, the first ten amendments to the Federal Constitution. Nothing could be further removed from the truth. When George Mason, author of the Virginia Declaration of Rights and a delegate to the Constitutional Convention at Philadelphia, complained during the debate on the supremacy clause that the proposed instrument contained "no declaration of any kind, for preserving the liberty of the press, or the trial by jury in civil [cases,] nor against the danger of standing armies in time of peace,"[1] George Washington roundly condemned his neighbor and "erstwhile friend." "To alarm the people seems to be the groundwork of his plan," Washington wrote to Madison some time later.[2]

When Mason persisted and proposed a Bill of Rights to the members of the Convention, twelve out of the thirteen state delegations immediately rejected it. Three days later, Mason rallied with another proposal and a warning that "the dangerous power and structure of the Government . . . would end either in monarchy, or a tyrannical aristocracy."[3] In the alternative, Mason argued that if the Convention was not going to adopt a Bill of Rights, the state conventions should be allowed to offer amendments to the planned Constitution, amendments which should then be submitted to and finally decided upon by another general Convention. When this proposition was also promptly rejected, Mason, along with fellow Virginian Edmund Randolph and Massachusetts's Elbridge Gerry, refused to sign the Constitution. "As the Constitution now stands, he could neither give it his support or vote in Virginia; and he could not sign here what he could not support there."[4]

James Madison reported sourly to Thomas Jefferson, who was then in Paris, that Mason had left Philadelphia "with a fixed disposition to prevent the adoption of the [Constitution], if possible. He considers the want of a Bill of Rights as a fatal objection."[5] Jefferson, however, later chided Madison for

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1. G. MASON, *Objections to This Constitution of Government*, in 3 THE PAPERS OF GEORGE MASON, 1725-1792, at 991-93 (R. Rutland ed. 1970).

2. J. MADISON, NOTES OF DEBATES IN THE FEDERAL CONVENTION OF 1787, at 616, 626 (W.W. Norton ed. 1987).

3. G. MASON, *Another Federal Convention Is Necessary*, in 3 THE PAPERS OF GEORGE MASON, 1725-1792, *supra* note 1, at 990.

4. *Id.*

5. Letter from James Madison to Thomas Jefferson (Oct. 24, 1787), *reprinted in* 5 THE WRITINGS OF JAMES MADISON 17-41 (G. Hunt ed. 1904) [hereinafter WRITINGS OF JAMES

his criticism of Mason and reminded him that "a Bill of Rights is what the people are entitled to against every government on earth . . . and what no just government should refuse."[6]

Within a few weeks after receiving the document created at Philadelphia, five states — Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut — ratified the Constitution without a Bill of Rights or even the promise of one. A storm of indignation led by Mason and others, however, began to develop in opposition to the Federalist position. In February of 1788, Madison wrote to Jefferson that the Constitution's critics felt that "the Convention . . . had entered into a conspiracy against the liberties of the people at large, in order to erect an aristocracy for the rich the well-born, and the men of education."[7]

Luther Martin, a leading Maryland lawyer, who also had tried to propose a Bill of Rights at the Philadelphia Convention, complained in March of 1788 that every attempt to introduce guarantees of human rights into the draft had been put down, brushed aside, or suppressed. "[I]t appeared to me," he wrote, "that the framers of [the Constitution] did not consider that either states or men had any rights at all."[8] Two months earlier, Samuel Thompson, a member of the Massachusetts Convention, had asked "[w]here is the Bill of Rights which shall check the power of this Congress; which shall say, Thus far shall ye come, and no farther?"[9]

It soon became clear that, if Massachusetts failed to ratify the Constitution, the prospects of winning Virginia and New York, the other two most populous and powerful states, were dim indeed. The growing popular sentiment in favor of a Bill of Rights, reflected by the angry mood of the Massachusetts Convention and undoubtedly influenced by Daniel Shay and his embittered farmers, was readily apparent in the speech of Patrick Dollard to the South Carolina Convention in May:

> In the late bloody contest [our people] bore a conspicuous part, when they fought, bled, and conquered, in defence of their civil rights and privileges. . . . They are nearly all, to a man, opposed to this new Constitution, because . . . they have omitted to insert a bill

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MADISON], *and in* 3 THE ROOTS OF THE BILL OF RIGHTS 601 (B. Schwartz ed. 1980) [hereinafter ROOTS OF THE BILL OF RIGHTS].

6. Letter from Thomas Jefferson to James Madison (Dec. 20, 1787), *reprinted in* 12 THE PAPERS OF JEFFERSON 438-42 (J.P. Boyd ed. 1958), *and in* 3 ROOTS OF THE BILL OF RIGHTS, *supra* note 5, at 607.

7. Letter from James Madison to Thomas Jefferson (Feb. 19, 1788), *reprinted in* 5 WRITINGS OF JAMES MADISON, *supra* note 5, at 100, *and in* 3 ROOTS OF THE BILL OF RIGHTS, *supra* note 5, at 725.

8. Martin, *Reply to the Landowner*, in 3 THE RECORDS OF THE FEDERAL CONVENTION OF 1787, at 290 (M. Farrand rev. ed. 1966).

9. S. Thompson, Speech before the Massachusetts Constitutional Convention (Jan. 23, 1788), *reprinted in* J. ELLIOT, 2 THE DEBATES IN THE SEVERAL STATE CONVENTIONS ON THE ADOPTION OF THE FEDERAL CONSTITUTION, AS RECOMMENDED BY THE GENERAL CONVENTION OF PHILADELPHIA IN 1787, at 80 (2d ed. 1836) (emphasis omitted) [hereinafter THE DEBATES].

> of rights therein, ascertaining and fundamentally establishing, the unalienable rights of men, without a full, free, and secure enjoyment of which there can be no liberty . . . .[10]

On January 31, 1788, the Massachusetts delegates took a leaf out of George Mason's book and adopted proposed constitutional amendments:

> The Convention . . . do, in the name . . . of the people of the Commonwealth of Massachusetts . . . assent to and ratify the Constitution . . . . And as it is the opinions [sic] of this Convention that certain amendments . . . would remove the fears and quiet the apprehensions of many of the good people of this Commonwealth, and more effectively guard against an undue administration of the federal government; the Convention do therefore recommend that the following alterations and provisions be introduced into the said Constitution . . . ."[11]

What George Mason had championed and the Philadelphia Convention had rejected out of hand, the Massachusetts Convention now wholeheartedly endorsed.

The tide then began to turn dramatically. Following the action of Massachusetts, the remaining state conventions, with one exception, ratified the Constitution while, at the same time, submitting proposed amendments which eventually became the basis for the Bill of Rights. The exception was the North Carolina Convention, which refused to ratify the Constitution until the adoption of a Bill of Rights. The margins of victory in New York and Virginia were razor-thin — three votes in New York and ten in Virginia[12] — but the Antifederalists, who shared a deep distrust of what one modern writer has called "the gents,"[13] the merchants, planters, bankers, speculators, and lawyers who had masterminded the Philadelphia Convention, carried the day.[14]

The First Congress created by the Constitution was to meet in New York's newly renovated Federal Hall, where, fifty-four years back, John Peter Zenger had been tried for and acquitted of seditious libel. Three months before the scheduled session, Madison, newly elected as congressman and shaken by the long and bitter campaign for ratification, wrote that "[t]he Constitution ought to be revised, and . . . the first Congress meeting under it ought to prepare and recommend to the States for ratification . . . the most satisfactory provisions for all essential rights, particularly the rights of Conscience in the fullest latitude, the freedom of the press, trials by jury, security against

10. P. Dollard, Speech before the South Carolina Constitutional Convention (May, 1787), *reprinted in* 4 THE DEBATES, *supra* note 9, at 337-38; *see also* THE ANTI-FEDERALISTS 187 (C. Kenyon ed. 1966).

11. DEBATES AND PROCEEDINGS IN THE CONVENTION OF THE COMMONWEALTH OF MASSACHUSETTS HELD IN THE YEAR 1788, at 78-92 (W. White pub. 1856), *reprinted in* 3 ROOTS OF THE BILL OF RIGHTS, *supra* note 5, at 676-81.

12. J. FRESIA, TOWARD AN AMERICAN REVOLUTION 65 (1988).

13. J. SANFORD, THE COLOR OF THE AIR 86 (1985).

14. *Id.*

general warrants . . . ."[15]

On Monday, June 8, 1789, with New York broiling under a flaming sun in a cloudless sky, Madison rose to his feet to address the House of Representatives in Federal Hall's lofty octagonal meeting room and initiated his Bill of Rights proposal.

> If we . . . refuse to let the subject come into view it may occasion suspicions which . . . may tend to inflame . . . the public mind against our decisions. They may think that we are not sincere in our desire to incorporate such amendments into the [C]onstitution as will secure [their] rights . . . .
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> It will be a desirable thing to extinguish from the bosom of every member of the community, any apprehensions that there are among his countrymen who wish to deprive them of the liberty for which they valiantly fought and honorably bled.[16]

Despite his urging that work begin at once "to conform to [the people's] wishes and expressly declare the great rights of mankind secured under this [C]onstitution,"[17] it was not until August that a reluctant House finally approved Madison's revised draft. The Senate soon concurred after striking out a clause that would have made the Bill of Rights binding upon the states.[18] On September 25, 1789, the Congress formally requested President Washington to transmit copies of the new document to the states for ratification. Upon Virginia's acceptance on December 15, 1791, the Bill of Rights became an integral part of the Constitution.

As ratified, it was binding only upon the federal government which was now obliged to respect its enumerated rights in dealing with its citizens, but not to enforce them if the states ignored or violated them. It would take the bloody Civil War and many more years of struggle to convert the Bill of Rights into a true national charter binding upon all governments in the Union and protecting all of its people. This goal, far from attained, is today in the gravest of jeopardy as a runaway Supreme Court majority, like most of the delegates at the 1787 Constitutional Convention, is determined to reduce the Bill of Rights to an ineffective jumble of 18th century phrases without significant effect.

Before taking a look at what the Supreme Court majority has done to eviscerate the Bill of Rights, it is perhaps timely to recall Alexander Hamilton's somewhat prophetic warning of two centuries ago. "Happy America,"

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15. Letter from James Madison to George Eve (Jan. 2, 1789), *reprinted in* 5 WRITINGS OF JAMES MADISON, *supra* note 5, at 319, and *in* 5 ROOTS OF THE BILL OF RIGHTS, *supra* note 5, at 997.

16. James Madison's entire speech of June 8, 1789 is recorded in 1 ANNALS OF CONG. 257-468, along with the debate that it generated, and is reprinted in 5 ROOTS OF THE BILL OF RIGHTS, *supra* note 5, at 1016-42. For the portion of Madison's opening statement quoted here, see 5 ROOTS OF THE BILL OF RIGHTS, *supra* note 5, at 1019, 1024.

17. 5 ROOTS OF THE BILL OF RIGHTS, *supra* note 5, at 1024.

18. Barron v. Mayor of Baltimore, 32 U.S. (7 Pet.) 243 (1833).

he proclaimed, "if those to whom thou hast intrusted the guardianship of thy infancy know how to provide for thy future repose, but miserable and undone, if their negligence or ignorance permits the spirit of discord to erect her banner on the ruins of thy tranquility!"[19] Jefferson, late in life and afraid that the Bill of Rights was more honored in the breach than the observance, reminded his fellow citizens that it was his "earnest wish . . . to see the republican element of popular control pushed to the maximum of its practical exercise. . . . [The] people themselves are [the government's] only safe repositories."[20]

Time has more than amply proved that it is primarily when the people take matters into their own hands that significant advances in human liberty have taken place on these shores. To understand this, one has only to hearken back to the 1960s when the streets were filled with determined protesters against overt domestic racism and deadly military adventurism abroad. It was these marchers who desegregated the South and ended our tragic involvement in Southeast Asia, not the courts, the officeholders, or the military. It was when the streets emptied, when the chanting died down, when the picket lines disappeared, when the songs stopped, and when collective effort degenerated into individual self-centeredness that the climate became ripe for the mean spirited to try to take us back to the era of the favored few. As one writer put it in decrying the lasting impact of Watergate, "In America, it is always darkest before the yawn."[21]

Now let us look at the recent record of the Supreme Court's Gang of Five[22] who have not only permitted, but encouraged, "the spirit of discord to erect her banner on the ruins of [our] tranquility."[23] With decision after decision, they have gone about dismantling the key amendments of the Bill of Rights, including the first, the fourth, the fifth, the sixth, the eighth, and the ninth. They have also weakened the fourteenth amendment and legislation enacted during the Reconstruction, which was intended to vitalize the fourteenth amendment's marvelous mandate, won at the cost of so many young lives, that "[n]o State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States; nor . . . deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."[24] Small wonder that Justice Blackmun, in a vigorous dissent last June, bemoaned that "a chill wind blows."[25]

19. A. HAMILTON, *The Continentalist, No. 6*, in ALEXANDER HAMILTON AND THE FOUNDING OF THE NATION 73 (R.B. Morris ed. 1957) [hereinafter FOUNDING OF THE NATION].

20. THE COLUMBIA HISTORY OF THE WORLD 793 (J. Garraty ed. 1972).

21. Safire, *The Pendulum*, N.Y. Times, May 17, 1973, at 43, col. 2.

22. The Gang of Five is composed of Chief Justice Rehnquist and Justices White, O'Connor, Scalia, and Kennedy. David Souter, the most recent appointment to the Court, may expand this bloc to the Gang of Six.

23. FOUNDING OF THE NATION, *supra* note 19, at 73.

24. U.S. CONST. amend. XIV.

25. Webster v. Reproductive Health Servs., 109 S. Ct. 3040, 3079 (1989).

It is not necessary to look much beyond the 1989 Term's pronouncements to make the point. Although the Court, by a narrow five-to-four vote, upheld the right to burn an American flag as a form of political protest,[26] a victory that well may be a pyrrhic one, its other first amendment rulings were abominable. For example, brushing aside a fifteen-year-old precedent,[27] the Court gave prison wardens the virtually unfettered right to restrict inmates' access to publications,[28] and severely curtailed a prisoner's right to challenge unfair visiting rules.[29] The right of privacy, which Justice Douglas once asserted is "older than the Bill of Rights,"[30] and part of the "penumbra [of the] First Amendment,"[31] was sharply circumscribed in the celebrated abortion case, *Webster v. Missouri Reproductive Health Services*.[32] In that decision, the Court gave states a relatively free hand in enacting inhibiting regulations which make it far more difficult for young and poor women to exercise their rights under *Roe v. Wade*.[33]

The fourth amendment's prohibition against "unreasonable searches and seizures," which was broadsided several years ago by the creation of the "good faith" exception to the exclusionary rule,[34] was further weakened by a spate of cases. In one, a police surveillance helicopter hovering over private property was held not to violate the property owner's fourth amendment rights.[35] In another case, random drug-testing programs for federal employees was upheld on the ground that the government's "compelling interest" overrides a citizen's right to privacy.[36]

The fifth amendment's protection against unfair police interrogation was dealt a grievous blow by a ruling that allows the police to get away with patently misleading a suspect about her right to have assigned counsel present during any questioning by police.[37] Due process rights were likewise undercut by the Court's holding that nothing in the Constitution prevented a state from executing prisoners with I.Q.s of between 50 and 63 and a mental age of six-and-a-half.[38] The same rationale prevailed with reference to capital punishment for sixteen- and seventeen-year-old youths.[39] Lastly, the amendment's due process guarantee suffered yet another blow by a ruling that the destruction by the police of evidence that might exonerate a defendant was held ex-

26. Texas v. Johnson, 109 S. Ct. 2533 (1989).
27. Procunier v. Martinez, 416 U.S. 396 (1974).
28. Thornburgh v. Abbott, 109 S. Ct. 1874 (1989).
29. Kentucky Dep't of Corrections v. Thompson, 109 S. Ct. 1904 (1989).
30. Griswold v. Conn., 381 U.S. 479, 486 (1965).
31. *Id.*
32. 109 S. Ct. 3040 (1989).
33. 410 U.S. 113 (1973).
34. United States v. Leon, 468 U.S. 897 (1984).
35. Florida v. Riley, 488 U.S. 445 (1989).
36. National Treasury Employees Union v. Von Raab, 489 U.S. 656 (1989).
37. Duckworth v. Eagan, 109 S. Ct. 2875 (1989).
38. Penry v. Lynaugh, 109 S. Ct. 2934 (1989).
39. Stanford v. Kentucky, 109 S. Ct. 2969 (1989).

cusable unless the latter could prove that it was done in "bad faith,"[40] a virtually impossible task.

The guaranteed right to counsel enshrined in the sixth amendment was severely undermined by a decision holding that the assets of defendants charged under the Racketeer Influenced and Corrupt Organization Act (RICO),[41] an abomination earlier sustained by the courts,[42] could be freezed before trial by the state,[43] thereby preventing such defendants from hiring lawyers of their choice. Indigent defendants on death row can no longer have lawyers appointed for them in post-conviction proceedings, even though such proceedings often expose serious trial errors.[44] Moreover, the "public trial" portion of the sixth amendment was essentially rendered meaningless several years ago when the Court approved the practice of empaneling anonymous juries,[45] a decision that recently encouraged one federal judge to exclude the public during jury selection and to experiment with erecting venetian blinds in order to shield the jury from the audience.[46]

The eighth amendment, which militates against "excessive bail," has been undermined by the Court's finding that the Reagan Administration's preventive detention statute is constitutional.[47] Moreover, although "cruel and unusual punishments" are prohibited by the eighth amendment, Draconian sentences to be served in medieval-style prisons have been routinely approved, particularly when imposed upon political defendants. The behavior modification program at the federal penitentiary for men at Marion, Illinois,[48] and the inhuman conditions found at prisons throughout the nation,[49] would put the Marquis de Sade to shame.

However, it is in the area of the fourteenth amendment that the Court has most fiercely rolled back the clock. In one case, *Patterson v. McLean Credit Union*,[50] it modified its own precedent[51] by holding that a portion of the Civil

40. Arizona v. Youngblood, 488 U.S. 51 (1989).

41. 18 U.S.C. §§ 1961-68 (1988).

42. United States v. Swiderski, 593 F.2d 1246 (D.C. Cir. 1978), *cert. denied*, 441 U.S. 933 (1979); United States v. Campanale, 518 F.2d 352 (9th Cir.), *cert. denied*, 423 U.S. 1050 (1975).

43. United States v. Monsanto, 109 S. Ct. 2657 (1989).

44. Murray v. Giarratano, 109 S. Ct. 2765 (1989).

45. Press-Enterprise Co. v. Superior Court, 464 U.S. 501 (1984).

46. Lewis, *Supersecrecy of a Capital Drug Trial Is Extended to the Jurors*, N.Y. Times, Oct. 2, 1989, § 1, at 24, col. 1.

47. United States v. Salerno, 481 U.S. 739 (1987).

48. *See generally* Caldwell v. Miller, 790 F.2d 589, 600-01 (7th Cir. 1986) (describing prisoner confined to his cell twenty-four hours a day for an entire month).

49. *See generally* United States v. Bailey, 444 U.S. 394, 421 (1980) (Blackmun, J., dissenting) ("The atrocities and inhuman conditions of prison life in America are almost unbelievable; surely they are nothing less than shocking."); Pugh v. Locke, 406 F. Supp. 318, 324 (M.D.Ala. 1976) (criticizing "inhuman conditions" of Alabama prison system), *modified in part and remanded*, 559 F.2d 283 (5th Cir. 1977), *rev'd in part sub nom.* Alabama v. Pugh, 438 U.S. 781 (1978).

50. 109 S. Ct. 2363 (1989).

51. *See, e.g.*, Runyon v. McCrary, 427 U.S. 160 (1976).

Rights Act of 1866 did not cover racial harassment.[52] Other Court decisions struck down a Richmond, Virginia, program which reserved thirty per cent of all municipal contracts for minority businesses,[53] changed the burden of proof in favor of the defendant-employer in discrimination suits,[54] and allowed white males who had chosen not to participate in a discrimination suit to challenge a settlement agreement reached by the original parties.[55]

In his commencement address at Brandeis University in May of 1989, author E.L. Doctorow stated:

> It's my view that in the last decade or so of life in our country . . . we have seen a national regression to the robber baronial thinking of the nineteenth century. This amounts to nothing less than a deconstruction of America — the dismantling of enlightened social legislation that had begun to bring equity over half a century to the lives of working people, to rectify some of the terrible imbalance of racial injustice and give a fair shake to the outsiders, the underdogs, the newcomers. . . .
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> . . . [W]e may have in fact broken down, as a social contract, in our time, as if we were not supposed to be a just nation but a confederacy of stupid murderous gluttons.
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> So that, finally, our country itself, the idea, the virtue, the truth of America, is in danger of becoming a grotesque.[56]

I would put it in terms more closely related to the so-called "strict constructionists" who currently form the Supreme Court majority. We are watching their deliberate dismemberment of the most significant aspects of the great charter of our liberties. Case by case, decision by decision, they are squeezing the very breath out of a document that is second in importance only to the Magna Carta in so far as personal rights and liberties are concerned, a document that was thought to perpetuate basic concepts of human freedom and render them secure against the depredations of king and commoner alike.

Despite the imposing frieze containing the phrase "Equal Justice Under Law" that greets the eye as one ascends the steps of the Supreme Court, the promise of that inscription remains "the acme of a cruel mythology," to quote Karl Marx's description of the Eighteenth Brumaire Constitution of Louis Napoleon.[57] Justice may well be highly equal for the favored few of our national community, but it is systematically withheld from our seasonal and perennial pariahs. We have created outlaw classes — Native Americans, blacks, communists, socialists, alleged terrorists, revolutionaries, Puerto Rican na-

52. 109 S. Ct. at 2376-77.

53. City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989).

54. Wards Cove Packing Co. v. Atonio, 109 S. Ct. 2115 (1989).

55. Martin v. Wilks, 109 S. Ct. 2180 (1989).

56. E.L. Doctorow, Commencement Address at Brandeis University (May 21, 1989), *reprinted in* THE NATION, Oct. 2, 1989, at 349, 354.

57. K. MARX, THE EIGHTEENTH BRUMAIRE OF LOUIS BONAPARTE (D. De Leon trans. 3d ed. 1913).

tionalists, providers of sanctuaries from Central and South American death squads, women, pacifists, anti-nuclear protesters, the homeless, gays, and prisoners — to name but a little more than two handfuls for whom justice is so often denied or perverted. For these, there is often no real Constitution, no real Bill of Rights. They must fend for themselves with the sure knowledge that, in the courtrooms, in the penitentiaries, in the streets, and in their homes, they will be maltreated with the heavy hand of official arrogance and cruelty. Just as the original Constitution could split human beings into fifths,[58] so it can be read by its latter day diviners as authorizing the legal lynching of those who dare to demand that it live up to its most sacred promises. Detractors and destroyers of these promises, directed and encouraged by the Gang of Five,[59] are in the unholy process of withdrawing the Bill of Rights from the marketplace of human rights.

However, having said all of this, I do not want to leave you with the impression that I feel we must all give up the ghost and merely hope to survive while we wait for the passage of time to change our compass direction. Just as George Mason, with his indomitable and persistent eloquence, and Daniel Shay, with his rebellious Western Massachusetts farmers, did in their time we must today continue the struggle here and now on every front that imagination can conjure up. Evil, like Melville's Moby Dick, is unconquering and unconquerable and, while Ahab may go down lashed to the great whale's back, and the Pequod and its crew disappear beneath the waves, Ishmael forever goes back to the sea.

To conclude, I would like to quote the words of G.K. Chesterton in *The Vision of the King*, his poem about King Alfred who, on the eve of the ill-fated Battle of Athelny, where the Saxon monarch was to be overwhelmingly defeated by the Danes, was supposedly visited by the Virgin Mary. Incidentally, these words, which have as much meaning today as when they were first written over half a century ago, constituted the only editorial published by the *London Times* after the evacuation of the French and British soldiers from Dunkirk in 1941. They appeared on a small section of an otherwise blank page, obviously designed to rally a beleaguered nation. In the hopes that they do the same for those of us who need them most, I quote them now:

I tell you naught for your comfort,
Yea, naught for your desire,
Save that the sky grows darker yet
And the sea rises higher.
Night shall be thrice night over you,
And heaven an iron cope.
Do you have joy without a cause,
Yea, faith without a hope?[60]

58. U.S. CONST. art. I, § 2, cl. 3.

59. *See supra* note 22 and accompanying text.

60. G.K. CHESTERTON, *The Vision of the King*, in THE COLLECTED POEMS OF G.K. CHESTERTON 217 (1932).