

Originally Processed With FOIA(s):
1998-0004-F[3]

FOIA Number:
S

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Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Correspondence Files

OA/ID Number: 29134
Folder ID Number: 29134-002

Folder Title:
Unanswered Mail 11/15/91 [2]

Stack:	Row:	Section:	Shelf:	Position:
G	15	24	5	7

Stenew L. Labadie
1819 Annie Baxter
Joplin, Missouri
64804

October 18

NAN

Mr. John H. Sununu
White House - Chief of Staff
Washington

Dear Mr. Sununu;

I got a chance to see your interview this morning on "ABC", after watching the magnificent way you "took complete charge" of the interview with very good answers to each and every question, ... I can see why President Bush wanted you as his Chief of Staff! Your presentation and way you "handled" the interview was as smooth as glass ... polished glass at that! That is not easy to do on live television but you managed it about as well as anyone I have ever seen ... and I'm being candid and honest when I say so. It's a great credit to both you ... and President Bush.

I think it goes without saying that I am deeply grateful that Judge Thomas was able to overcome such a painful "test". He is a fine man ... and worthy of his position.

Clearly - we all hope that "tests" such as
he endured will not be endured again by
anyones in public service.... but in saying
that,.... I have (now) a pretty good idea of
what to expect from the liberal Democratic
side in the next Presidential election. I
can't honestly say that I enjoy the kind of
fight I see unmistakably coming next year,
but since there is little chance of avoiding
it.... I am, at least, quite committed to it....
from my end, here in Joplin and Missouri! No
doubt, you know what I mean.... and are use
to it by now, as much campaigning, letter
writing, necessary reading and Republican
lobbying as I do (from home).... it's very easy
for me to see just how much work your
job is. you rightly deserve great praise for
not only your work, which is 1st class, but
your obvious endurances as well. When I
say "endurance", that means "devotion"!

Enclosed, an outline I have made for a
"Bush" campaign ad for television - along with
some comments. I had, earlier - sent this
(less comments) to Mrs. Shirley Green.

I, in no way - even remotely pretend to be a "campaign strategist". I did so because -

- (1) I am from middle America
- (2) wanted to give you some idea of how I and others "see" President Bush
- (3) Am a very strong "Bush" supporter
- (4) spend a lot of time on the study of foreign policy making, defense campaign trends and media

The following may or may not have merit or use ... from a White House perspective. If not ... a trash can should be close by - with the assurance that I won't be "offended". On the other hand ... it might be helpful - so I'll "risk it" with your permission.

Bush Campaign Ad
for Television - 45-60 sec.

(not a great deal of spoken "text" - mostly music)

- (1) Air combat scenes over the Pacific in W.W. II either actual or film clips from The ABC Dan Curtis production of Herman Wouk's

"War + Remembrance"

(quite a film!)

If you haven't seen it, I'll send it to you for Christmas!!

- (2) leading into archive video of Reagan, Bush and Gorbachev standing in view of the statue of Liberty and waving back to the camera — on Dec. 7, 1988.
- (3) into — Bush with troops in Saudi Arabia Nov. 20, 90 — Then briefly into a flag raising shot in Kuwait or troops w/ U.S. flag
- (4) ending with Bush reading books to children on his visits to schools.

Final text: "Pres. Bush CARES about the future of America!!"

Very "candid" and open comments from a Republican voter who loves President Bush a lot!

- (1) To me, the photo of Reagan, Bush + Gorbachev on Dec. 7, 88 is a magnificent photo! It says quite a lot especially now. The photo image and day have deep and profound meaning to me. I am a bit concerned about Reagan + Bush together from an "opposition" standpoint with the economy situation weak. But I don't think it matters w/ Gorbachev also in the photo. It speaks for itself.

(2) The "Willie Horton" ad: Congresswoman Pat Schroeder (who I don't like at all) called Lee Atwater - "the most evil man in America". I also remember well, the Dan Rather "tactics" in his Bush interview just before the Iowa caucuses. (Referring to Iran-Contra). Bush really did handle Dan Rather well. But "Willie Horton" keeps on popping up; - in fact again only a few days ago. I feel safe in saying that Pres. Bush probably didn't like this ad - nor did I. Not because he ^{W.H.} was black as much as distorted truth. I found it odd that Bernard Shaw, a black reporter came up with that "killer" question for Dukakis during the debate. If Clarence Thomas is a genuine indication of "black" voter sentiment, the Democrats probably won't use race as an issue again. If not - they'll drive it into the ground. I'm having a lot of trouble with my Senator (Danforth) supporting so strongly this "quota" bill. Looks like a Republican "split" and that leaves room for a Democratic wedge.

(3) As you are aware — "state" budgets are tight very tight, Education is in trouble in Florida and in my own state of Missouri. It's getting heated here, ... and is my no. 1 concern. People my age will accept a tax hike FOR education (and education ONLY) but the "seniors" who have great political clout, won't. In some ways I don't blame Them. In other ways I do. What can Pres. Bush do to pump some needed money into state education budgets before next summer? This is critical. "We" (the Republican Party) simply cannot sit on this one. There is of course \$20B tied up in reserves and defenses which don't (now) have a "mission". \$20B would help education a lot right now, I'll work on it — if you will. The Democrats are sure to jump on this. Florida, at least is an important state — as is Calif. (I'm telling you, sorry!). This very well could be why Congress is tying Dick Cheney's hands — at least it "adds up".

(4) The Dan Quayle / "20/20" interview was extremely impressive. Lots of strong and very sincere emotion. He and his wife did GREAT!! That was one of the best - I've seen in a very long time — 1ST class. I wrote to V. Pres. Quayle to thank him (and her) and I meant it! He should get many votes because of his courage and his open + frank stand. That's good TELL IT LIKE IT IS. RULE 1.

(Sort of like "Hang Gliders" — never go higher than you're willing to fall, OK?)
Rule 1

In this case — however, they had B-52's.

Summary — based on what I've heard from Democratic candidates.

They seem to want to go after this economy situation each + every time + little else — like it's all Bush, of course.

Fine: Run an ad showing Wash, D.C. completely empty of people (or very few) — then switch over to Bush "having it out" with Democrats last fall over the budget! (No words — just slow motion close-ups!)

End - by saying something like: "It wasn't enough that Pres. Bush had to worry about a madman in the Gulf There were others with knives as well", (you get the picture), I sure as hell do - believe me!!
(Fix Congress - but good),

I liked my original "game plan" because it was not a "Willie Horton" or "W--P" tactic, (Free of any "attack" - which has appeal.) I know how much that "Wimp" could hurt Mr. + Mrs. Bush!!!! I hated that magazine (and "The Post") and still do!! I seriously doubt if I ever see that sort of thing ever again, But it doesn't hurt to remind people of the REAL George Bush the one I see.

Working night + day for peace while being a giant in strength + courage. (That's HIM), People tend to forget so easily it seems - these days. That's sort of sad I think. We should remember if at all possible. People paid dearly for those memories,
(myself included)
but it was worth it!!

"You're tired + so am I. It's now 3:15 AM,
 I hope I haven't added more work by asking
 for you to read This. Just know and remember
 that there are many Steve Labadies out here
 who care, are wishing ... want to help —
 and will help if we can + are given a
chance to, I hope you will consider 4 more
 years as "Chief of Staff". Bush always has
need for: "A FEW GOOD MEN". God bless
you, governor.

P.S. —
 what does it take
 to get a "President's tie clip?"
 (pass it along to "Santa"
 clause)

Sincerely + warmly
 Steven L. Labadie
 (a former Marine)
 Osage Indian Nation



← 1898 Trans Mississippi
 Exposition
 Scott # 289 ①

"Troops Guarding
 Wagon Train" — from
 an original painting
 by Frederic Remington

For your collection

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01. Letter	From James Vanderhoof to John Sununu Re: Offer to Help the Administration (6 pp.)	10/27/91	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Correspondence Files
WHORM Cat.:
File Location: Unanswered Mail 11/15/91 [2]

Date Closed:	12/12/1991	OA/ID Number:	29134-002
FOIA/SYS Case #:	1998-0004-F[3]	Appeal Case #:	
Re-review Case #:		Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

(b)(1) National security classified information [(b)(1) of the FOIA]
(b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
(b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
(b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
(b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
(b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
(b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
(b)(9) Release would disclose geological or geophysical information

PAUL J. ZUCKERBERG
520 BEACH 137th STREET
BELLE HARBOR, NEW YORK 11694

October 29, 1991

NAN
Mr. John H. Sununu
Chief of Staff
The White House
Washington, D.C. 20500

Dear Mr. Sununu:

Once again the politically correct action seems to be buying off the "middle class" (whatever that is) with a worthless "bone" in the form of a "tax break" large enough to drive a flea through. What good is a tax break which pays for a year's supply of newspapers? If we can save a substantial sum, ex: 5% of the military budget, this should be done regardless of finding a place to "put it". As a matter of fact, the perfect place would be to reduce the national debt. It is downright scary that we are out of control and running the printing press constantly and devaluing the dollar. I thought we lowered rates to create incentive! It has reached a point that everyone actually is waiting for the annual ratchet back up. Whether you are talking about a 35% rate or a super rate, it is absurd. At 31%, living in New York, one still pays over 40% in taxes. This is exclusive of property and sales taxes, etc. Add to that social security and insurance premiums, which I consider a tax on other things we let get out of control, and our "tax" is confiscatory.

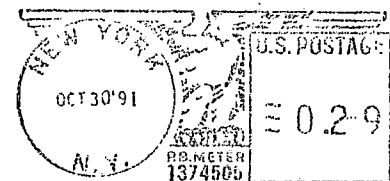
Please do not respond with boilerplate explaining your inane reasons for proposing and backing that which you do.

Very truly yours,


Paul J. Zuckerberg

PJZ:cv

Paul J. Zuckerberg
520 Beach 137th Street
Belle Harbor, New York 11694



Mr. John H. Sununu
Chief of Staff
The White House
Washington, D.C. 20500



Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02. Fax	From Ruben N. Sansait to John Sununu Re: Offer to Help the Administration (1 pp.)	11/1/91	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Correspondence Files
WHORM Cat.:
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(b)(9) Release would disclose geological or geophysical information

THE WHITE HOUSE

WASHINGTON

November 1, 1991

Dear Dr. Wössner:

Thank you for your recent letter inviting the chief of Staff to be featured keynote speaker at an "American-German Conference," November 24, in the New York City area.

Unfortunately, Governor Sununu must decline because he is already scheduled to travel with the President to various destinations during the month of November. The Governor regrets that he cannot be with you and he appreciates your kindness in thinking of him.

With best wishes,

Sincerely,

Jacqueline A. Kennedy
Assistant to the Chief of Staff

Dr. Mark Wössner
President and Chief Executive Officer
Bertelsmann
Carl Bertelsmann Strasse 270
D-4830 Gütersloh 100
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NAN

Governor Sununu,
Chairman of the Office
of the President of the U.S.
White House, Washington DC

September 5th, 1991

Dr. Karol H. Sitko requested us to mail this important document.
He is temporarily ill. Will be back by Monday, September 9th.

Very truly

Dr. Karol H. Sitko

International Business and Investment Coordinator

Romuald Michalik
Office Director

Prof. Dr. Kazimierz Działocha

Judge of the Constitutional Tribunal

/Poland/

Lawful State

In Conditions of Sweeping Reforms

of the Legal System / the case of Poland/

I.

Since 1989 the states of Central and South-Eastern Europe

have been going through a thorough change of their political

and socio-economic systems. All of them, though not always

at an equal pace, intensity and measure of success, have

embarked on an intricate operation of transition from the

system of so-called real socialism to relations based on the

principle of political and economic freedom. In largely

simplified terms that do not always aptly reflect the social

character of ongoing changes, this process is called

"a transition from socialism to capitalism".

Poland initiated a fundamental change of its system

following the success scored by the opposition forces in the

parliamentary election in June, 1989, and the appointment of

the first, since 1944, government led by a noncommunist

prime minister /T. Mazowiecki/. In terms of the constitutional

law, a qualitative change of the political and socio-economic

system of Poland was ushered in by the Act of 29 December,

1989, which updated the constitution ^{/1/}. Any earlier changes

in political relations, even though important in themselves

including those coming on the heels of the Roundtable

agreements in the spring of 1989 and reflected in the April 7th,

1989 Amendment to the effective 1952 constitution/ had been

designed to reform the prevailing relations without infringing upon their essential substance, at least in the intent of the communist party./2/

In the sphere of political life, the bedrock of the former system in the form of the principle of unity of State authority was replaced by the principle of political pluralism. The leading role of the communist party /PZPR/ in the life of the State, an underlying provision of the former principle, was erased from the constitution. The PZPR dissolved itself shortly afterwards. Its former allied parties, which had withdrawn their allegiance to the PZPR immediately after the 1989 parliamentary election, went through an ideological transformation. The leading role of one party was supplanted by the principle of free, voluntary and equal association of citizens in political parties / Article 5 and Article 84 of the updated constitution/. In practice, new political parties mushroomed spontaneously to set the stage for a hardly transparent and an unstable multipartisan system that we are still witnessing today. Its weak side is the fact that the individual parties are not identified with the interests of markedly defined social groups.

This pluralistic organization of political life in conjunction with constitutional amendments on the system of State authorities have brought into play specific elements of the division of authority in the structure and practice of the supreme organs of the State. The principle of parliamentary democracy based on an incomplete bicameral arrangement and legally restricted in part by the institution of referendum is counterbalanced by the strong position of the president in the system of State authorities. In its underlying

assumption, the position of the president elected by the National Assembly and consolidated by the April, 1989 amendment to the Constitution was intended to serve the former political regime as a counterweight to the parliamentary opposition forces rallied around "Solidarity". In practice that assumption did not come true, and after the election of Lech Wałęsa to presidency / January, 1991 / it became entirely invalid. However, authority was additionally reinforced by following the principle of election of the president in general elections and the election of L. Wałęsa to this office.

Ever since, although its terms of reference remained unchanged, the Presidency has become a real factor of power in the State, notably in relations with Parliament, and it has functioned largely according to the mechanism of "balance and restraint", reflecting the attitudes and sentiments of the political forces opposing the basic political arrangement in the Sejm. A further evolution of the system of government in Poland is an open issue and an object of contention in the work to draft a new constitution of the State.

An important factor of the reformed political system of the State was the introduction of territorial / local / self-government / the March, 1990 Amendment to the Constitution / and the first elections of the self-government organs. The assumption behind self-government is to structurally constrain the range of State authority in favour of local communities. But the complete implementation of this assumption is made difficult by the absence of full clarity about the powers of territorial self-government, substantial range of supervisory competences of government organs, and,

primarily, the economic straits in which self-governments have come to operate. Hence, one of the topical tasks in reforming the State is to enact legislative measures that would ameliorate this situation.

Part and parcel, as well as prerequisite of the ongoing reform of Poland's political system towards pluralistic democracy are: freedom of self-organisation of society into structures / social, professional organizations / not involved directly in the process of enactment of laws by the public authority, as well as the freedom of expression and print.

In the former area there already exist favourable legal grounds as a consequence of legislative reforms introduced over the recent two years / 1989 Act on Associations, 1990 Act on Assemblies, Act on Foundations /, but some other pertinent laws / such as the Trade Unions Act / are inevitably awaiting change, which depends on resolving a broader issue of current controversy, concerning the representation of employees and employees' share in running the enterprise.

The changes accomplished in the area of freedom of expression and print, notably freedom of the press, have proved most propitious from the point of view of the needs of civic society and the guarantees of political democracy. However, the process of demonopolisation and privatisation of the mass media has not affected so far the State radio and television, due to the controversy over the ways of running these institutions.

In the sphere of economic life in respective sectors of the national economy, changes come more slowly and less evenly, because both the matter involved is less tractable

and the country's economic position is difficult.

On the other hand, the high degree of privatisation of trade / ca 80% of all goods turnover /, low and slow

process of privatisation of State industry and transport

and none - of the nationalized segment of agriculture,

cannot be virtually blamed on the absence here of general concepts for reform of the economic system and the related

constitutional grounds. In general, the real socialism economic model based on social ownership / mainly State ownership / of means of production and the State control / more or less centralized / of the national economy has been rejected in favour of a free-market economy.

Anyway, the pertinent fundamental amendment of 29 December,

1989, to the constitution completely abolished the

constitutional grounds for "a socialized economic system"

based on the social ownership of means of production and

the socialist relations of production" / former wording

of Article 11, para 1 of the Constitution /. In lieu of

that provision, the aforesaid amendment brought in the

principle of economic freedom regardless of the form of

ownership; any restriction of this freedom may come only

in the form of legislation / Article 6/. The former

principle of privileged treatment of State ownership

"/"all-national" ownership/, subject to particular protect-

ion and care by the State, is now replaced by the

principle of constitutional protection of ownership as such

and of the right of inheritance. Expropriation is

permissible only for public ends and in return for

equitable compensation / Article 6/. It should be

emphasized that the constitutional principle of protection

of any ownership is accompanied by the government programme

for broad-ranging privatisation of State property and the transfer of State property to ownership of communes / according to the provision in the Constitution which says that the communes are entitled to communal property/.

Complete normalisation of ownership relations according to the effective principles and the provision of structural grounds for market economy is subject to ordinary legal acts. Changes of the civil code / 31 January, 1989/ and many economic laws proceed in this direction. The abolition in the legislation of the concept of unity of State ownership and replacement of that concept with the civil law concepts of ownership by State Treasury and other legal entities has not brought to the conclusion at all this revolution in ownership relations. /3/

A further development of ownership relations and Poland's economic relations, in general, will depend on the resolution of some key systemic questions for which there are no clear foundations in the Constitution thus far.

These questions do not reveal, either, the clear-cut views of the main actors of the country's political life.

The questions, in particular, are: about the appropriate extent of the privatisation of economic relations - are they to be dominated by private ownership, or should they represent a mixed-economy type involving varying proportions of the respective types of ownership; /4/ about the range of admissible and desirable intervention by the State in socio-economic relations, and the related question as to whether and how the State will materialize the programmatic principle of social justice, for example, in the form of social market economy.

The third domain of the sweeping reforms of the system in Poland is the broad complex of social relations which used to be covered by the welfare function of the State in the time of People's Poland. This domain, considerably extended in legal and factual terms, had its doctrinal-ideological foundation in the concept of socialism following the patterns applied in this part of Europe. In legal-constitutional terms it rested upon the structure of basic economic and welfare rights that were broadly declared by the 1952 constitution and which, in this sense, have not been essentially changed until the present day. Meanwhile, the ideological reorientation of the social welfare function of the State, the rejection of the supererogatory tasks by the State, has found its practical reflection so far in relevant restrictions of different social benefits in the area of health, education, science and culture, as well as in the abandonment of the policy of so-called full employment. Practices effected in these areas by means of reforms of ordinary legislation amount to walking the tightrope of constitutional admissibility and raise the questions about the future appropriate reform of the social welfare tasks of the State. Thus far, there is no ready answer to the question of whether the option of their further restriction is taken, in keeping with the radical concepts of economic liberalism, or whether a new concept of the State tasks in ensuring the idea of justice is devised, an option more likely and justified in the context of, for example, the social science of the Catholic Church. One can expect such tasks to become harmonized with self-help activities by citizens and their organizations, for which appropriate legal grounds are still lacking, however.

In any event, such a concept of the tasks of the State in social welfare affairs will have to find its reflection and legal basis in a new constitution, unless a purely liberal concept prevails, which will free the State from the discharge of such duties.

On the other hand, firm grounds are being established for the position of the individual in the sphere of personal liberties and political rights, in what appears to be a transparent and enduring tendency. For quite a few years already Poland has been reforming its legislation and political practice in this area with the intention of overhauling completely the former concept of the State which only simulated the individual's liberties and rights.

This reorientation is headed for treating the individual as the full-fledged actor and source of any public authority.

However, this process is in no way complete, especially in harmonizing the substance of the Polish legislation with the universal and regional /European/ international standards, such as the full adaptation of the Polish law to the concept of human rights.

II

Thorough, qualitative changes in the country's political and economic relations and in the position of the individual in the State should be going into effect within the framework and with the help of law. This is what in fact has happened in practice so far, while any deviations from this rule have been stigmatized as violations of the legal order. Since the December update of the Polish Constitution, the standpoint on the role of law in transforming the system has been the consequence of the principles of democratic lawful State

which are supported by the values accepted by society.

to modernity has /Article 1 of the Constitution/ being entrenched in reality. The duty to implement these principles in Poland also ensues from the adoption by Poland of definite international standards and specific bilateral agreements between Poland and other states. For example, it ensues from Article 8 of the Treaty between the Republic of Poland and the Federal Republic of Germany on good neighbourhood and friendly cooperation. The Treaty says that both states, while striving for unity of Europe, shall do this on the basis of, inter alia, lawful state. In a reference to the European / mainly German/ doctrine of the lawful state / a state based on the rule of law/ on which, notwithstanding its nonhomogeneity, the Polish science draws perforce due to the lack of its own sources^{/5/}, in connection with the standpoint of this science on the substance of Article 1 of the Constitution^{/6/} and the rulings of the Constitutional Tribunal and other Polish courts, the principle of a democratic state based on the rule of law / lawful state/ can be brought down to the following fundamental assumptions.

The lawful state is a state having a system of legal norms which is largely autonomous vis-à-vis the state as a political organization implementing specific political aims. The law is to enshrine a definite system of socially acceptable values in a given state, and it is binding on the authorities of that state and the guardians of these values. The law, although this cannot be absolutely excluded, should not in principle perform the role of an instrument harnessed to current and short-term objectives pursued by the state authority, but, instead, should serve long-range objectives

which are supported by the values accepted by society. The paramount of these values is the dignity and freedom of man. The latter value determines clearly the restricted limits to the admissible regulation of the sphere of freedom by means of law. In a lawful state, the legal regulation is constrained to defining the limits of freedom and the guarantees of using freedom. Furthermore, in a lawful state, as distinct from the state of real socialism, in particular, the sphere of legal regulation of social relations is to be essentially restricted to those relations which indispensably require this in view of the social interest; for the law must not unnecessarily fetter the free activity of the citizens. Thus, the point of gravity of the legal regulation is shifting from the rationing of rights to the creation of organisational and procedural frameworks for the implementation of rights⁷⁷.

The strong axiological determination of law, which is in agreement with the appropriate philosophy of man and the position of the individual in a state, does not invalidate the basically positivistic orientation of law, the source /foundation/ of which is a nation organized in a democratic state. The concept of the rule-of-law state, not only as seen by the German doctrine, basically draws a line between the system of legally accepted values which decide on the social and humanistic content of law, on the one hand, and law, in its proper meaning, as a set of norms constituted or recognized by the state as binding, on the other hand. The former / values/ are sometimes described, however inaccurately, as *ius*, whereas the latter / norms of conduct contained in legal regulations/ is referred to as *lex*. If there is a discrepancy or conflict between the two, it

is ultimately *lex* which is considered binding and applicable in a lawful state, whereas a critical assessment of law from the point of view of *ius* elements, if these cannot be allowed for in the process of interpretation and application of law / for instance, when law employs general clauses or "general principles of law" / can at most justify a change of legal acts.

On the other hand, the principle of lawful state cannot be reconciled to the recognition as autonomously in force, side by side with *lex* / as interpreted above /, the rules of behaviour of legal-natural, moral or other character which substantively and formally are identical with the accepted system of values. To put it more graphically, they must not stand above law / *lex* /, nor even alongside law / *lex* /.

Such a likely understanding of *ius*, is different than that explained above and opposed to *lex*, does not fit in with the concept of lawful state. As argued by Z. Ziemiński, it is wrong methodologically and inaccurate from the point of view of constitutional understanding of law. Neither has it gained basic acceptance in constitutional rulings, even though it is firmly based on the axiological interpretation of law / *ius* /.

The rejection in a lawful state of the concept of *ius* conceived of as a norm of behaviour put alongside or even in lieu / above / *lex* is supported primarily by the foundation of the lawful state assumptions on the democratic theory of rule of law as unity of substantive and formal rule of law. In its extreme, that concept is threatening with a relapse into something which reminds us of a "revolutionary legal awareness". Moreover, one should note that:

1. the notion of *ius* is applied to elements which are genetically

and substantively different, and hence indeterminate.

No one knows of a method that would allow to determine for

practical ends the scope and substance of the norms making up

the ius in question; 2. recognition of ius as a law in force

is incompatible with the constitutional position of a

legislative organ, because it leads to giving the courts the

power of nonapplication of legal acts / if they are in

conflict with ius/ and to giving the constitutional court

what, as a matter of fact, amounts to the power to change

the constitution /12/; 3. recognition of ius as a law in

force, or even better than lex scripta is carrying the threat

of anarchy in the country's social life, because it is

divorced from the kind of legal awareness of the citizens and

state officials who are expected to apply law. Neither is it

supported by the method of educating lawyers which has

been employed in Poland for at least a century.

2/ The way of ensuring the compatibility of legal norms

with the system of social axiology is the democratic process

/procedure/ of constituting law. That highly important

characteristics of a lawful state which is present in the

related complementary formula of a "democratic" legal state

/ earlier sought in the formula of so-called substantive

rule of law/ means that " a democratic legal state is any

state in which law is constituted by a representative body

of the nation by way of democratic procedure. Such procedure,

based on the principle of openness, discussion and the

required complexity of legislative actions is guaranteed by

the parliamentary way of lawmaking" /13/, and, to the extent

to which it is practically possible, by direct democracy

/ legislative referendum /. In this way, a legal state is

a democratic state in its assumption.

"Generally speaking, this democratism consists in the procedurally secured substantive influence of authoritative public opinion on decisions made by the organs of state." /14/

3/ A lawful state is a constitutional state, not only in the sense that the constitution / an act of exceptionally important form / regulates the system of state authorities and the legitimate transition of power, as well as the position of the individual in society. Owing to its paramount legal force / secured, in particular, by the special procedure of change /, the constitution guarantees the substantive and formal coherence of the entire legal order with the values and principles which it enshrines. In this way, it protects stability of the legal order as an essential social value which is identical to the sense of self-assurance and security of society. In a lawful state, the fulfilment of the aforesaid functions of the constitution is served by the control over laws and other acts of public authority in terms of their compliance with the constitution. At the same time, the constitution is a directly applicable law, especially in the area of individual rights and freedoms, within the range in which it is possible to apply it without issuing an ordinary legislation.

4/ The law in a lawful state, besides the constitution, is a legislation as a legal act of parliament, and, on the subsidiary basis, also normative acts issued by the executive authority when explicitly authorized by the legislation for the purpose of implementing it. The position of a legislation, apart from its being an act issued by a representative organ under a definite legislative procedure, is determined by the character and range of social matters regulated by that legislation, as well as by its legal force.

The principle effective in the former case is that of a legally unrestricted substantive scope of the legislation and that of the legislation's exclusive power to impose duties on the citizens / and their organizations/ and to grant them rights within the range which is undetermined by agreements between them, to restrict the liberties and rights of the citizens /individuals/ on the principles and within the limits stipulated by the constitution, and, finally, to regulate the system, terms of reference /competences/ and the principles that govern the functioning of the organs of a state and its officials. The structure of the matter involved in a legislation delineates the field for the autonomous, primary legislative activity of parliament, while determining /restricting/ the sphere of relations regulated by the subsidiary lawmaking activity of the executive authority organs, an activity which is subordinate to the legislations. On the second question, ie the legal force of a legislation, the position of a legislation is based on the assumption that no normative act must be in conflict with the legislation and that moreover, as it is written, it is to serve the implementation of that legislation if it has been issued in matters pertaining to that legislation. This principle, under the constitutional provisions, is at times reconciled, though with difficulty, to the inadmissibility of issuance by the head of state or government of acts /decrees/ having the force of a legislation. Outside the notion of sources of law in a lawful state / in any case the law generally in force/, there may possibly be other legal acts, called regulations

with internal effect.

5/ In a lawful state, the principle of formal rule of

law is in force. It constitutes the indispensable minimum

of such a state, although, as it has been written / point 1 /,

it is by no means a sufficient condition and it must be

balanced by the principle of substantive rule of law / of a

democratic state/. The principle of formal rule of law

contains two elements: the rule of legality and the rule of

law observance.

The rule of legality requires that each organ in a state

acts on the basis of law which, in a lawful state, is

identical to the notion of legislation. Action based on a

legislation requires that the legal existence of a state

organ and the admissibility of that organ issuing legal acts

ensues from the legislation. The admissibility of issuance

of legal acts must not be based on the presumption, but must

always clearly ensue from a clear legal norm. Obviously,

a legally effective action by a state organ cannot be

brought about solely by some "impulse originating outside

the system of the law in force" /W. Sokolewicz/.

The rule of law observance by a state organ applies

to both the creation and application of law. The creation of

law is governed by the standards of the law in force, which

means that the law itself determines the rules of its

creation, validity and expiration. Thus, the observance of

formally established law constitutes the constitutional duty

also that organ which has established a standard in force

until the time of its legal change. A violation or

bypassing of law, regardless of the circumstances invoked to

justify such action, is essentially a violation of the

constitution.

6/ A lawful state is a state which has an elaborate system of structural and formal / procedural / guarantees of law observance both in the sphere of making and application of law. The structural guarantees are closely linked to the basic principles of the system of a democratic state. The existence of such guarantees is reflected in the principle of free general elections, the principle of division of authorities as the foundation of their system and mutual relations, the principle of independence of the courts, accountability of state officials for infringements of law, etc. The procedural guarantees encompass such specialized legal instruments which have been devised expressly to secure the observance of law by the state organs and to protect the rights of the citizens / individuals. The unrestricted right of the citizen / and every individual, in general / to have access to the impartial / independent / court, and the constitutional jurisdiction are coming to the fore in a well-developed system of such guarantees in a lawful state / the right of access to courts, constitutional jurisdiction, accountability under law of state officials, a definitive system of resolving contentions over competence, the institution of ombudsman, etc. /.

Speaking of constitutional jurisdiction, one is primarily referring to the function of separate, constitutionally distinctive organs, which consists in ascertaining the compliance of legislations / and law, in general / with the constitution. Their leading role in the protection of the principles of a lawful state has made them widespread in modern states, notably in Europe. Recently, they are being established also in those states which have turned away from the so-called real socialism to embark upon the road

of building a lawful state.

In order for the constitutional jurisdiction to play the role of guarantor for observance of the constitution, it is necessary, as proved empirically, to: - 1/ ensure to the

courts full constitutional independence from the other authorities and full autonomy to the judges in passing their verdicts thereby making the judges apolitical;

2/ make the verdicts of the constitutional court, also on the question of compliance with the constitution, final

/ incontrovertible/ and binding on all authorities;

3/ extend the control competence to all normative acts enacted or in force in a state; 4/ open up widely the access to the constitutional court not only for public law entities, but primarily for citizens, and, in the area of human rights, for everyone subject to the jurisdiction of a state.

This is attained by establishing the in abstracto control of legal norms by the court / acting on motions/, specific control / following queries by courts of law/ and the

constitutional complaint. As demonstrated by the experience of developed democracies, the institution of constitutional complaint is a particularly significant instrument of protection and development of the basic rights and it merits dissemination. 715/

The above-described elements of the lawful state principle are partly of postulative nature when referred to Poland.

This is especially true of the meaning expressed under point

1/, and it is due to the fact that the principle of a democratic lawful state, written down in Article 1 of the

Constitution, does not mean that its underlying assumptions and institutions have been fully brought into legal practice

all at once. To some extent, this is still a postulated principle. The remaining elements of the substance of the lawful state principle are being materialized in the practice of the State organs to a greater or lesser degree / for reasons described below/.

An important and, in general, unchallenged role in the implementation of the lawful state assumptions is being played by the Constitutional Tribunal ever since it started its activity on 1 January, 1989, a few years before the formal proclamation of the Republic of Poland as a lawful state /16/. After the lawful state principle has been introduced into the Constitution, the Constitutional Tribunal treats it as a principle binding on all organs of the State, including parliament, and regards the criterion of evaluation of legislated law as the leading one. A similar approach, within their respective terms of reference, has been practiced by the common courts, the Main Administrative Court and the Spokesman for Civil Rights / Ombudsman/.

III.

To materialize the lawful state principle in a situation when Poland is going through qualitative changes in political and socio-economic relations is neither simple nor easy. After all, these relations had been regulated by law earlier and the maintenance of that law in force would be apparently supported by the requirement of stability / reliability/ of law in areas which are regulated by the civic rights, by the principle of protection of acquired rights. Both these factors are factors of the citizens' confidence in their state / its law/ and the building of this confidence is the cardinal requirement of a lawful state today.

Meanwhile, the social and political pressure for a change

of the existing state of affairs in a state, for adjusting law to the altered conditions of activity by a state, may be so strong and justified axiologically that it would require rapid legal changes, even a revision of some legal situations in the sphere of acquired rights, or the need to apply a legal regulation / with adverse effects for the addressee/ to a legal standard of such affairs or events of the past which had been completed in the past, or with which law has not associated any legal consequences so far.

In such cases, the force and radical nature of the demands to reform the law clash with such requirements of lawmaking as the stability of law, protection of acquired rights, or the absence of retroactive power of law. Such requirements

are not only the characteristics of a good law, but the structurally immanent premises of a lawful state and ensuing from it. They largely determine the axiological nature of law as a set of rules of behaviour which are

indeed autonomous vis-à-vis the political authority of a state. That is why, the concerns of the legal sciences, as well as the Polish Ombudsman, Prof. E. Łętowska, about the progress in implementation of the lawful state principle are fully understandable. //17//

The solution of what appears to be a stark antinomy between the qualitative changes of political, social and economic relations, on the one hand, and the requirements posed by the lawful state principle before the lawmaking process, can follow, most generally, two directions.

The first of these would be marked by a measure of rigor and based, apparently, on the premise that the substance of the respective rules of lawful state is

strictly defined and generally accepted. This would come down to the position that in a situation of conflict between the necessity of radical change in political and economic relations and the duty of observance of the lawful state principles! " Absolute priority is given to the rules of the lawful state and they must determine both the content and form of introduced changes. It means that it is not.... admissible to modify the rules of a democratic lawful state on account of the adopted radicalism of legal change.

The concept of the democratic lawful state is marked by specific enduring features and any attempt to justify their infringement will have to be treated as abuse of the notion of values carried by this notion". /18/

Although we understand the intentions and the source / experience of a high-ranking official in the Office of Ombudsman/ of the views held by the above-quoted Author, two polemical comments seem appropriate.

The rules of the lawful state do not carry such a powerful creative force as to determine the substance / sic! / of the reforms carried out in a state. This is the domain of the forces of political parties and their programmes. On the other

hand, one should agree with the Author that the rules of the lawful state determine the form of ongoing changes, especially in the legislative process on account of the very fact that they lay down the basic guidelines for translating the reform programmes into law and hence can practically moderate the

radicalism of such changes. For these reasons, ie in view of the binding character of the lawful state rules and their moderating function towards the radicalism of social change, one should give credit to the opinion of the Ombudsman, quoted

by the above Author that "revolution and a democratic lawful state are irreconcilable". The social axiology of political and economic reforms must be balanced off with those values which are carried by law as such and by the principle of lawful state elevated to the rank of the constitutional principle, especially if we note that the programme of reform is not defined until the very end.

The individual elements of the lawful state principle, both the general ones, which we have listed above and which are decisive for its essence, and the derivative detailed rules, such as the rule of protection of acquired rights, or nonretroactive effect of law, have no unequivocal substance that would be defined strictly and completely. This becomes evident not only when we compare the contents ascribed to the lawful state principle in different countries, but when we compare it also within one state over a longer period of time. This is so, because the content of the lawful state principle depends on the level of legislative development and the standard of the law doctrine in a given country, as well as the intensity of interpretation of the said principle in the adjudication by courts, especially the constitutional court.

In Poland, the lawful state principle was introduced into the constitution as late as the end of 1989, though some of its essential elements / e.x. concerning the position of a legislation/ ¹⁹ had been given shape in the earlier constitutional jurisdiction. Its description in the legal science is a far cry from a univocal and complete analysis. More importantly, the jurisdiction by courts, particularly and foremostly the Constitutional Tribunal refers only to some elements in the substance of this principle, ie those

elements which are relevant from the point of view of ratio decidendi of examined cases. That is why quite many authors voice their critical opinions about a limited activeness of that organ so far in the interpretation of the lawful state. /20/

Under such circumstances, in view of the absence of a complete systematic interpretation of the lawful state, and the likely evolution of opinions in this matter, one cannot accept, at least here and now, the standpoint that in connection with the directives of the lawful state being in force, "the legislator must decide: all or nothing.

Either all the directives are binding to the same degree, or let us stop bothering ourselves with the requirements of such a type of state and let us forget about the existence of such an intellectual and normative construct". /21/

Such an overstatement of this question in conditions of strong pressure exerted by social forces on the need to accomplish quick and radical changes in social relations engenders sceptical attitudes of some political officials, as well as law science representatives / to mention A. Falandysz, for one / to the sense and possibility of materializing a lawful state in the current conditions of system transformations. This is not a circumstance without significance when we consider the fact that the traditions and ideology of the lawful state are still weak in the legal consciousness of Polish society following the havoc wreaked by Stalinism and its doctrine of law.

In my opinion, one should give credence to another standpoint on this question, namely how to resolve the seemingly unsolvable contradiction between the social need for thorough / less or more paced / social changes and the

exigencies ensuing from the lawful state principle.

This standpoint boils down to underlining the absence of clear, more precisely defined standards / prohibitions, commands/ that would determine the substance of the lawful state on the grounds of Poland's constitutional order. Hence there is wide room for interpretative activity by the state organs in this matter. Moreover, this standpoint underscores the possible evolution of such an interpretation towards the optimisation of the lawful state premises in the process of its development. The said standpoint is based on two closely interrelated assumptions.

The first of these is connected with the peculiarities of the constitution itself and the structure of its norms, and it can be reduced to the assertion that "no constitution, less even such a laconic one as Polish, represents a normative order defined until the very end... A constitution uses general notions, general and abstract clauses / "freedom", "democracy", "justice", "equality", "lawful state" / which only call for an elaboration. Neither is it free from gaps, sometimes left there deliberately to ensure that the political forces in a state as well as the parliament and government as its political organs, have freedom to develop their activities.

Therefore, the obligation to keep legislations within the framework of the constitutional order, must not lead to ascribing to this order such a legal substance which would enable a derivation of the entire legislative content from the constitution. One should not claim that legislation is the "implementation" of the constitution

just as administration would be supposed to implement legislation in the well-known model which is no longer valid nowadays. /22/

The second assumption of the standpoint presented here amounts to the assertion that in the process of interpretation of the lawful state concept as binding, one may accept as the insurmountable limits to this interpretation only these general premises of this concept / essential elements/ which are being constructed on the basis of knowledge of the European doctrine of lawful state. Leaving aside their non-normative role in the process of interpreting the constitution, one should bear in mind that they naturally appear as the most general axioms whose content one can endeavour to define more precisely only on the grounds of the constitutional order of a given state. However, in the case of Poland, the constitutional provisions, which are not uniform ideologically nor structurally / as a consequence of their different origins and frequent changes/, do not make a sufficiently coherent interpretation of these provisions any easier. In the interpretation of the lawful state principle "superimposed" on the old principles of the 1952 text, such an obstacle arises, in particular, from the never completely clarified, "incoherent" system of the sources of law. Rectifying it towards the lawful state requirements is basically the fruit of jurisdiction by the Constitutional Tribunal. Hence, the law science is postulating, inter alia, that the essential elements of this jurisdiction be duly accounted for in a new Polish constitution. /23/

The awareness of the current status of the constitution in force and the status of the Polish law in general is additionally justified by the standpoint, presented here, on

the need to seek such an interpretation of the lawful state principle which would facilitate a thorough change of the law without the danger of abandoning the lawful state assumptions. We find the possibilities of such an interpretation both in the lawmaking process and in the process of interpretation and application of law. In the former case, the decisions rest with the legislator, while in the latter case it is the Constitutional Tribunal which has the most important tasks to fulfil.

The legislator, while making changes in the law in force, must be able to find "a compromise between the necessity of change and related dangers and the respect for the autonomous will of all those who have made specific decisions on the grounds of the standards effective so far, in the expectation that the law shall not be changed arbitrarily without a particularly important reason".^{/24/}

In implementing new assumptions and values of social life, the legislator should resist arbitrary changes and protect the citizens' confidence in the state as the foundation on which the relations between the citizen and the state are to evolve in a lawful state.

As put by the jurisdiction of the Constitutional Tribunal, "the principle of protection of acquired rights represents the basis for the legal security of the citizens and has important and multipronged axiological substantiations.

It bolsters the credibility of the state and its organs in relations with the citizens whose confidence is, in turn, the condition of effectiveness of the exercise of state authority.

Deprivation of the citizens of the rights vested in them is also highly detrimental to the standard of legal awareness of the citizens. In such cases, they lose respect for the very idea of law, once they fail to find in the legislations an infallible means of protection of their rights." ^{/25/}

That general directive of conduct should be in the focus of attention of the legislator as it is looking for an answer to the question of purely practical significance: "what law to apply to the legal relations of states of affairs, to the consequences of certain events, if they occurred in the period when the now rescinded law was in force and if they continue to occur at the moment when new regulations are being carried into effect." /26/ The choice of appropriate legislative techniques which the legislator commands in this case should by no means be accidental. In evaluating, from the viewpoint of the lawful state requirements, the respective legislative techniques, and especially those presented by the Authoress of the study quoted here, one should arrange them according to the degree of their adequacy to the assumptions of the lawful state.

The first technique, which consists in maintaining a given law in force /by either not changing it, or issuing a clause confirming its validity/ protects in a maximum manner the principle of confidence in the state and the legal awareness of the citizens. However, this is a hardly acceptable solution not only in those areas in Poland which are affected by sweeping reforms of systemic nature. By applying this technique, the legislator would actually deprive itself of the possibility of reforming a definite area of social relations. It is primarily for this reason that this technique has to yield priority* to the socially justified changes of law.

Another technique available to the legislator consists in introducing special provisions, the so-called law of transition or interim law, which will be in force in some sphere of legally regulated matters for a time specified in such a legislation. From the point of view of the law reform requirements, this

technique enables the legislator to subordinate all legal relations of a given kind to new legal standards, with this desirable state to be achieved only after a lapse of some definite time during which the legal subjects concerned will be able to adjust their situations to the new standards. The necessity of such an interim period is the price of a compromise between the social need for changes in law and the requirement of legal security, and ultimately the citizens' confidence in the state. The Polish legislator often underestimates the virtues of this legal technique thus inviting a justified criticism by, among others, the Ombudsman ever since that office was established.

Questions of the interim legislation, which, by the way, are not sufficiently elaborated upon thus far, entered the substance of jurisdiction by the Constitutional Tribunal already in its first ruling. /27/

The third technique to be possibly applied by the legislator is the so-called direct impact of a new law. The moment a new legislation is enacted and comes into force, it should be applied to any legal relations / the sensu largo events of a given kind/, including those established earlier, before the new enactment, if they continue during the legislative change. This technique, quite convenient to the legislator, enables it to accomplish a quick change of law by subordinating to it also the matter regulated by an earlier law. However, the speed and clarity of the state of law thus attained, even though desirable in practical terms, fail to counterbalance the social losses in the sense of legal security and the confidence of citizens in the state. This technique catches all addressees of such legislation by surprise, as they are faced with a

a radical and arbitrary alteration of their legal status, often to their disadvantage. " Hence it is a solution which, in general, proves disloyal to those concerned and which therefore erodes their confidence in law as the foundation for their business." /28/ Thus, it is hard to reconcile to the lawful state requirements, but the legislator cannot refrain from that technique in every case.

The standards of the lawful state require that, once the legislator has not used the interim legislation technique, any change of the law which affects / adversely / the legal situation of citizens be carried out somewhat in advance of the moment at which the new legislation comes into force. This is required to enable every addressee of the new law to sort out, at the least inconvenience, his or her affairs which used to be regulated by an earlier law and are now being changed. /29/ This postulate happens to be neglected in practice not only by the deliberate use of the immediate impact rule, but also quite unintentionally. It happens, in particular, because of a delayed print of the official Journal of Laws in comparison to the date of the new legislation coming into force, or because of delays in the distribution of the Journal, which has recently become almost customary. Such practices have been given a highly negative evaluation by the Constitutional Tribunal from the point of view of the lawful state principle and as part of the generally valid procedure of interpretation of laws. /30/

It is even more difficult to reconcile the lawful state assumptions to the practice under which a legislator resorts to a retroactive effect of a law. As put by the Constitutional Tribunal, " the principle of nonretroactivity of law is one of the elements of the lawful state / Article 1, the Constitut

ion/. The principle of confidence of the citizen in the state, which ensues from the lawful state principle, requires that no legal norms be legislated towards the events / sensu largo / which took place before the entry into effect of the new legal norms and with which the so far has not associated the legal effects stipulated by these norms." /31/

The prohibition on giving law the retroactive force is strongly linked to the lawful state principle not only in the Polish doctrine of law and the jurisdiction of the Constitutional Tribunal. This prohibition is in general derived from this principle, if the constitution of a state / such as the Polish constitution/ does not introduce it directly. Its axiological substantiation refers to the freedom of the individual and his/her confidence in the state. It also belongs to the elementary canons of the legal culture of modern states. The social infringement upon the lex retro non agit prohibition provokes strong disapproval and is considered an expression of arbitrariness on the part of the legislator.

It is not the case, however, that the retroactive effect of a law cannot be exceptionally allowed within a certain range and for the benefit of the values protected by other principles of a democratic state than the principle of a lawful state. The coherence of all principles of the constitution in the process of interpretation of law, as elaborated below, may justify exceptional recourse also to the technique of retroactivity of law, and this applies not only to the legal retroactivity problems, but equally to the principle of protection of acquired rights, a matter which should be analyzed quite separately.

The flexibility of behaviour in the process of changing law and adjusting it to new premises of a system is also made possible by a comprehensive / combined/ application of different legislative techniques. For it is not always the case that their application is mutually exclusive.

A combined application of, for example, two techniques makes it possible to alleviate or even eliminate the adverse legal and social consequences of one of them. This is especially true of the application of the principle of direct impact of law. Its adverse effects can be essentially reduced when it is combined with the technique of interim regulations being in force for a comparatively long period of time.

This allows a counterbalancing of the cumbersome consequences of a new law when a given legislative system provides proper legal possibilities to this end / for example, by allowing a change in the terms of agreements/. Some conditions of adjustment to a new law are furnished also by stipulating in that law an appropriately long *vacatio legis*, which not only will make it possible for those concerned to gain factual knowledge of the provisions of new legal acts, but also enable them to take in time some legally sanctioned steps in order to cushion off the effects of adjustment to a new law.

It follows already from the option of different legislative techniques to implement a basic reform of law without the need to reject the directives of lawful state that there is no insolvable contradiction between the requirements of reforming law and the lawful state principle. This standpoint is also supported by the possibility of shaping a lawful state in the conditions of systemic change, a possibility offered by the interpretation of the constitutional

principles and the interpretation of law, in general.

One could point to two areas of such a possibility.

The first one is the interpretation of certain key notions and constructs of the lawful state, the other is the interpretation of the constitution involving the use of the inner hierarchy of its norms. In the former and the latter case the leading role belongs to the interpretation used by the Constitutional Tribunal as it implements its jurisdiction and determines the generally binding interpretation of legal acts. For the role of constitutional courts does not solely consist in the assessment of laws on the basis of invariable and strictly defined criteria of the constitution.

The Polish Constitutional Tribunal, in its five and a half years old activity, has had the opportunity to offer its interpretation on many cardinal principles of lawmaking. However, as indicated earlier, it has only partly tackled the lawful state principle, introduced into the Polish constitution only a dozen or so months ago, and thus its elaborate standpoint on this subject is still awaited. Earlier, without any direct connection with the interpretation of the constitutional lawful state formula, it formulated two essential elements of the lawful state, namely the principle of protection of acquired rights and the principle of nonretroactivity of law, partly mentioned before.^{/32/} If, however, the principle of nonretroactivity of law has been elaborated by it in relative detail and has been given by it, after some hesitation^{/33/}, the weight of the constitutional principle, even though there is no clear basis for that in the current constitution, then, on the other hand, the interpretation of the principle of protection of acquired rights in the courts entire

adjudication thus far is fairly scant. It is confined to the constitutional and axiological substantiation of this principle, to underscoring the condition of acquiring the right in question / both in the sphere of private and public law/ in the legal way / under a legislation/ and to the thesis, referred to below, that this principle should surrender priority to those constitutional principles which, as distinct from the protection of acquired rights, have a clear basis in the constitution. A further interpretation of the said principle is needed. It would be hard to expect that interpretation to follow in the direction which would turn the principle of protection of acquired rights into an absolute barrier to the indispensable and sufficiently justified correction of acquired rights on the basis of an earlier law. For example, S. Wronkowska raises the question of whether the protection of acquired rights should equally apply to laws of any kind and she is inclined to accept that one should more firmly protect the rights acquired by way of contract in view of the need to respect the will of the parties to a contract and their responsibility for free shaping of their legal situations. She also asserts that one should consider whether some entities, in view of their "position in the state and the social roles performed by them," should not be obliged to bear greater risk related to the changes of law than other citizens." /34/

The formula related to the principle of nonretroactivity of law, which is associated with the principle of protection of acquired rights anyway, even though it has been defined by the Constitutional Tribunal and serves its adjudication well, is not free from doubts, either. From the point of view of the

problems of interest to us, one should consider / and so will the Constitutional Tribunal, expectedly/ the question of the scope of admissible exceptions from the prohibition on the retroactivity of law. The Tribunal voices the view that such exceptions / excluding the penal law/ are admissible, if a new law is more beneficial to its addressees than the law earlier in force. This, however, does not dispel the doubt as to whether the benefit accruing from a new law to a certain group of addresses is not consequently leading to a deterioration of the situation of other subjects / directly, or, more often, indirectly/ and hence whether a new law from which that benefit arises can be reconciled to other principles and standards of a democratic state.

Doubts of this kind which may justify a restrictive interpretation of the nonretroactivity principle do not rule out, however, an interpretation towards an expansion of the scope of admissible exceptions, for example, such as the legal sanctioning retroactively of procedures / acts/ for which there had been no legal basis before. In the study often quoted here, S. Wronkowska voices what certainly is a debatable view that " one can...justify an exceptional endowment of legal norms with retroactive power, if important reasons exist for this and the subjects concerned had the grounds to expect the enactment of such norms". /35/

A strong justification for such a view can be the fact that the exceptional departure from the principle of nonretroactivity in law cannot be questioned in the situation described here from the point of view of protection of confidence of the citizen in the state.

Other possibilities of shaping a lawful state by the Constitutional Tribunal in conditions of accomplishing

qualitative changes in relations in the state arise from the use in the interpretation of law of the so-called internal hierarchy of constitutional norms. This concept, which is well known in the jurisdiction of constitutional courts^{/36/}, has also been used, notably over the recent two years, in the adjudications by the Polish Constitutional Tribunal.^{/37/} It means that within the realm of the constitutional norms, which have an equally overriding legal force in relations to the other legal norms, there do exist legal principles, referring to both the substance and form of law, which are of "cardinal" /"fundamental"/ character, and which should be given priority in the interpretation of individual /"ordinary"/ constitutional norms.^{/38/} The constitution does not always express principles directly. They often are, and this is especially true of their respective elements, "gleaned from"^{/39/} other principles or the entire complex of constitutional norms. The existence of many principles of law presupposes their complementariness to some extent, and the imperative of comprehensive, systemic interpretation of the constitution sometimes requires "the balancing off" of their normative substance, a restriction of the legal consequences derived from one constitutional principle in favour of another. As a rule, this is connected with giving preferences to some values over others, and hence it is a part of the axiological interpretation of the constitution which finds complete justification in the activity of constitutional courts.

The latter aspect of interpreting the constitution, while making use of its internal hierarchy, is highly controversial.^{/39/} Nevertheless, it is evident in constitutional jurisdiction. This is especially true of the adjudication of the Polish Constitutional Tribunal over the recent period, which can

be explained by the axiologically and normatively nonhomogeneous structure of constitutional norms.^{/40/} The interpretation of the principle of lawful state taking into account the contents / commands and "counterindications"/ derived from other principles of the constitution certainly alleviates the rigours of those directives which can be derived from the lawful state principle. As long as the tolerance, which is evident in the process of applying the lawful state principle, does not go beyond its basic premises discussed under section II of this presentation and thus carries no threat of a violation of this principle, it can serve well the necessary compromise between the need to shape a new legislative order in a state and the effective validity of the principle of lawful state.

I do not engage in an evaluation here as to whether and to what extent the Polish Constitutional Tribunal over the recent period has exceeded the limits of the admissible interpretation of the lawful state principle in such a way that in certain situations it has granted, without proper reasons, priority to the directives ensuing from other constitutional principles of law. I only wish to draw your attention to the fact that in its practice it has used the opportunity afforded by the internal hierarchy of constitutional norms and that it has done this in relation to essential elements of the lawful state. In the ruling of 24 May, 1990 /K. 7/90/ concerning the changes of some provisions of the pension benefits of employees and their families, it did not support the standpoint which referred to the protection of the rights acquired within the pension system by the persons who held leading positions in the state. It denied the constitutional protection of the special rights

of persons in leading positions, the rights acquired under the rule of the former law, because they contravened the principle of equality and the principles of social justice / absence of "substantive and equitable substantiation"/. ^{/41/}

On that occasion it formulated a more general view on the question of the scope of protection of acquired rights: while protecting an acquired right one cannot accept that any change of the existing regulation which has proved to the disadvantage of a certain group of citizens is prohibited. In analyzing such a change case by case, one should consider whether a new regulation of the earlier rights of the individual is not a better targeted solution and one which better corresponds to the constitutional premises concerning the rights of citizens. The Constitutional Tribunal has no grounds to assert that the legislator cannot evaluate negatively an earlier legislative solution. Moreover, faced with the choice of different benefits / values/, the legislator may come out in favour of the one which it considers a more valuable one. The Constitutional Tribunal has emphasized even earlier that the choice of such solutions is the duty of the Sejm, although this does not deprive the Tribunal of the right to evaluate these values from the point of view of the constitution.

The Constitutional Tribunal went much further in its ruling of 4 December, 1990 / K. 12/90 / on the subject of the 1990 law concerning the principles of implementing prepayments for personal cars. In that case it granted priority / precedence/ to the constitutional principle of social justice / Article 1/ over another principle clearly laid down in the constitution, namely the principle of total protection of personal property / Article 7/, and not over some particular construct /element/

never applied some of the principle of legislation. The Constitutional Tribunal stated that the guarantee of the total protection of personal property by the State cannot be interpreted in an extreme manner or in such a way that any intervention by the legislator in the sphere of personal property amounts to a violation of the Constitution, because the Constitution protects different goods related to the interests of citizens as well as the interests of entire society. According to circumstances, there at time arises the need to grant precedence to some goods over others. This is also true of the protection of personal property especially when one considers its different constituents, of which the strongest protection should be given to those which concern the essential personal needs. The Constitutional Tribunal stated that the granting of precedence to the rights related to the prepayments for cars would make it impossible / because the budget would offset the losses at the expense of whole society/ to finance other important social objectives / such as housing, education, etc/ at a time of economic crisis. In conclusion, the Constitutional Tribunal opined that such a solution would infringe " a highly important and overriding constitutional principle arising from Article 1 of the Constitution, namely the principle of social justice". In the opinion of the Constitutional Tribunal, the legislation on the implementation of prepayments for cars did not infringe, either, Article 1 of the Constitution, "because the principle of social justice as mentioned expressis verbis in this provision takes precedence over other principles deduced from article 1 of the general principle of lawful state, such as: pacta sunt servanda, confidence of citizens in the organs of state and the protection of acquired rights".

The criticism which that ruling encountered /42/ is explained

primarily by the fear of the effects of precedence being given to the principle of social justice as one which is hardly precise, debatable in its substance and hence expanding boundlessly the power vested in the constitutional court, while other principles' substance is more precisely defined in legal terms and thus they are, no doubt, of normative nature. A possible discussion in this matter eventually boils down to the question of balance and mutual harmony between the principles of substantive and formal rule of law on which the concept of a democratic state is based.

A specific relativistic approach to the understanding of the lawful state, as presented by this author, is in the service of what I believe is the necessary compromise between the premises of the lawful state and the specific rules derived from these premises, on the one hand, and the need to thoroughly transform the legal system. This is in harmony with the role /function/ of constitutional courts in modern states. The essence of the function of the constitutional courts is the "adjustment of the effective interpretation of the constitution to the changing economic-social conditions, to the changing arrangement of political forces and integration of the constitution to the realities of its application /underlined by K.Dz/. A multitude of possible interpretations of the basic constitutional provisions, ambivalence and flexibility of the "court constitution" give the Constitutional Tribunal ample room within this range, while the possibility of revision of earlier precedences on the basis of "a new socio-political situation" is recognized in the jurisdiction! /43/ What is possible is, among other developments, a revision of the earlier views held by the court on the question of understanding the lawful state, and

their evolution towards greater exposure in the system
of constitutional principles that so far./44/

REFERENCES

1. Cf. W. Sokolewicz, The Republic of Poland - Democratic Lawful State / Comments on the 29 December, 1989 Act of Amendment to the Constitution/. "Państwo i Prawo" 4/1990, p. 12 passim.

2. Cf. W. Sokolewicz, The April Change of the Constitution. "Państwo i Prawo" 6/1989, p. 3 passim.

3. Cf. T. Dybowski, Property of State Treasury and State Legal Persons in the Light of New Article 128. "Państwo i Prawo" 4/1990, p. 30 passim and the articles by J.

Frąckowiak and Z. Radwański published in the same issue of the journal.

4. Cf. S. Zawadzki, New Constitutional Definition of Polish Statehood, "Państwo i Prawo" 5/1990, pp. 20-21.

5. Cf. M. Pietrzak, The Model of Democratic Lawful State. "Studia Konstytucyjne", vol. 7, Warszawa 1990, p. 5 passim, by the same author, Democratic Lawful State, "Przegląd Historyczny" 6/1989.

6. Cf. J. Wróblewski, Questions of Concept and Ideology of Democratic Lawful State, "Studia Konstytucyjne", vol. VIII, p.

17, W. Sokolewicz, The Republic of Poland - Democratic Lawful State, *ibid*, p. 24-26, J. Zakrzewska, New Constitution of the Republic, "Państwo i Prawo" 4/1990, p. 9-11, A. Kubiak,

Legal State - Idea, Postulates, Dilemmas, "Państwo i Prawo" 7/1991, p. 15 passim.

7. Cf. M. Wyrzykowski, Legislation in a Democratic Lawful State
In Conditions of Radical Political and Economic Reforms,
"Państwo i Prawo" 5/1990, p. 20.

8. Z. Ziemiński, also perceives the possibility of achieving
harmony between lex and the accepted system of values in the
development of the Desuetudo doctrine /"Lex" and "ius" in
the time of change/. "Państwo i Prawo" 6/1991, p. 7 passim.

9. Such a standpoint, presumably, is adopted by the draft
offered by the Senate's Constitutional Commission, whose
Art. 49 para 3.b. reads: "The regulations infringing upon the
provisions of the Constitution or the values and principles
indicated by it cannot be applied and should be repealed under
the procedure envisaged for the constitutionality of legal
acts". "Values and principles" "indicated" in the Constitution
are something else than its "provisions" and represent the
second criterion of the evaluation of constitutionality/?/ of law
alongside regulations."

10. Ibid, pp. 6-7.

11. Cf. L. Garlicki, Constitutional Jurisdiction in Western
Europe, Warszawa 1987, p. 248.

12. This is not to mean that the constitutional courts in the
process of interpreting the constitution do not define nor make
more precise the value whose implementation is to be served by
the constitutional norms. For this purpose, they may even
introduce into positive law some general values of legal-
naturalistic origins, which, however, does not mean that they
attribute to those values the role of autonomous criteria of
control over law, quite separate from the constitution.

This is also confirmed by M. Cappelletti, T. Ritterspach, Die

gerichtliche Kontrolle der Verfassungsmässigkeit der Gesetze im rechtsvergleichender Betrachtung. "Jahrbuch des öffentlichen Rechts", vol. 20, p. 109 passim.

A similar approach is used by the Constitutional Tribunal in Poland, especially when it adjudicates on the constitutionality of law on the basis of the principle of social justice /Article 1, Constitution/ and the principle of equality.

Cf. K. Działocha, Die Gleichheit vor dem Recht in der Rechtsprechung des Verfassungsgerichtshofs in Polen.

"Osteuropa Recht" 1/1989, p. 12 passim. Also Z. Garlicki, Vier Jahre der Verfassungsgerichtsbarkeit in Polen, "Jahrbuch des öffentlichen Rechts", vol. 39, p. 312 passim, and A. Zoll, Between "ius" and "lux". "Tygodnik Powszechny", Feb. 17, 1991.

13. From a distinctive opinion by judge K. Działocha about the ruling of the CT of 31 January 1991 /K. 11/90/, published in excerpts in "Państwo i Prawo" 5/1991, p. 105.

14. J. Wróblewski, j. w., p. 19

15. As to the establishment of the constitutional complaint in Poland, cf. K. Działocha, S. Pawela, Changes of the Range of Terms of Reference of the Constitutional Tribunal /De lege lata and de lege ferenda/. "Państwo i Prawo" 11/1989, K. Działocha, Constitutional Tribunal and the Amendment of the Constitution. "Państwo i Prawo" 4/1991, p. 13.

16. Cf. on this subject, e.x.: A. Gwiżdż, Le controle de la constitutionnalité de droit: Modele polonais. "Droit Polonais Contemporain" 1/2/1986, L. Garlicki, ibid, /note 12/, by the same author: Constitutional Developments in Poland, 32 Saint Louis University Law Journal 1988, K. Działocha, Verfassungsgerichtsbarkeit und gelebte Verfassung am Beispiel Polen. "40

esteneo tob 11 Jahre Grundgesetz. Entstehung, Bewährung und internationale
Ausstrahlung", Mächly 1990, p. 133-138, J. Wróblewski, System,
Making and Interpretation of Law in the Jurisdiction of the
Constitutional Tribunal, "Państwo i Prawo" 2/1989, p. 17,
in particular.

17. "I am worried that different components of the principle of
confidence are so slowly and with such resistance carried into
effect, and I believe that at least in part the source of the
bad public mood should be sought here." / "Rzeczpospolita"

185/1991 of 9 August, 1991. Cf. also Parliamentary Report by
the Ombudsman. "Państwo i Prawo" 4/1990

18. M. Wyrzykowski, *ibid.*, p. 27.

19. Cf. K. Działocha, Problems of the Laws in the Jurisdiction
of the Constitutional Tribunal, /in:/ "The Constitution in a
Civic Society", Kraków, 1989, p. 33 *passim*.

20. Cf. e.x. remarks by Cz. Żukawska about the ruling of the
CT on this issue /K.12/90/. "Państwo i Prawo" 5/1991, p. 101
passim.

21. M. Wyrzykowski, *ibid.*

22. K. Działocha, The Constitutional Tribunal Vis-A-Vis the
Change of the Constitution, *ibid.*, p. 7. Also cf. K. Stern,
Das Staatsrecht der Bundesrepublik Deutschland, vol. I,

München 1977, p. 66.

23. Cf. K. Działocha, Premises and Institutions of Lawmaking
in a New Constitution, "Studia konstytucyjne", vol. 5, Warszawa
1989, p. 183 *passim*. Also cf. A. Kubiak, *ibid.*, p. 22.

24. S. Wronkowska, Changes of Law. Questions of Legislatively Correct and Noncumbersome Introduction of Changes in the Legal System. / Typescript/, p. 2.

25. Ruling of the CT on the issue K3/88

26. S. Wronkowska, *ibid.*

27. Cf. E. Łętowska, Political Aspects of Intertemporal Law, /in:/ "Państwo i Prawo, Obywatel", Ossolineum 1989, p. 349, *passim*.

28. S. Wronkowska, *ibid.*, p. 7.

29. As interpreted by the Ombudsman, such postulates fall under the concept of the principle of nonretroactivity of law.

30. Cf. the decision of the Constitutional Tribunal of 31 February, 1991, on the interpretation of Art. 3, para 2, and Art. 4 of the Law on the publication of the Journals of Laws of the Republic of Poland and the Official Gazette of the Republic of Poland "Monitor Polski".

31. Cf. the CT ruling on the K7/90 case. Also cf. the Jurisdiction of the CT in 1946 and the Jurisdiction of the CT in 1988, p. 101, *passim*. This definition of the final

effect of the law / prohibition on the retroactivity of law/ is no different in fact from the definition suggested by S.

Wronkowska, but the CT Jurisdiction also takes into account the borderline situations created by the technique of using

interim regulations. Also worth underscoring is the statement by S. Wronkowska that we would not be faced with the retroactive effect of law, if the after-effects of actions or consequences of events, which occur before the new norms go into effect, were to be qualified according to the new

standards, however only from the moment of these new standards
going into effect. *ibid.*, p. 8.

32. Cf. K. Działocha, Principles of the substance of law in
the jurisdiction of the Constitutional Tribunal. A memorial
book dedicated to J. Surowiec. Wrocław 1991 /in print/.

33. Cf. *ibid.*, and J. Wróblewski, The System, Making and
Interpretation of Law in the Adjudication by the Constitutional
Tribunal, *ibid.* p. 8.

34. S. Wronkowska, *ibid.* pp. 15-16.

35. S. Wronkowska, *ibid.* p. 11

36. Cf. e.x. R. Herzog, Hierarchie der Verfassungsnormen und
ihre Funktion beim Schutz der Grundrechte. "Europäische
Grundrechte - Zeitschrift" 19/20/1990.

37. Cf. K. Działocha, Internal Hierarchy of Constitutional
Norms in the Decisions of the Constitutional Tribunal in
Poland, /in:/ "Państwo, Ustrój, Konstytucja", Lublin 1991.

38. Cf. Ruling of the CT on the case U5/86. CT Decisions in
1986, p. 27

39. Cf. e.x. remarks by Cz. Żukawska, *ibid.*, p. 101. *passim*.

40. For more details about the scant homogeneity of the
effective Polish Constitution, cf. K. Działocha, Constitutional
Tribunal Vis-A-Vis the Change of the Constitution, *ibid.* p. 4,
passim.

41. This position on the said principle was basically shared by
L. Garlicki in his contribution to the decision K7/90 in
"Państwo i Prawo" 1/1991, p. 111 *passim*.

42. Cf. Cz. Żukawska, *ibid.*

43. L. Garlicki, Constitutional Jurisdiction in Western Europe, *ibid.* p. 290.

44. That modification of views by the CT, however, must be accompanied by real, mature " socio-political situations", as well as legal situations. The CT cannot take as the basis of its decisions only announced or expected changes in the constitutional law. Such a charge was formulated indirectly by S. Biernat referring to the CT decision on the 4/90 case in the comments published in "Państwo i Prawo" 6/1991, p. 106 *passim*.

THE ECONOMIC CLUB

O F W A S H I N G T O N

Mr. Sumner

_____ will attend _____ will not attend
the Dinner on Thursday, November 14, 1991.



ŻORY

DEKLARACJA I CELE WSPÓŁPRACY

Jako rezultat praktycznych doświadczeń wynikających z historii i tradycji Europejskiej Cywilizacji, obywatele Królestwa Holandii reprezentowani przez obywateli Gminy Binnenmaas i obywatele Rzeczypospolitej Polskiej reprezentowani przez obywateli miasta Żory gotowi są do podpisania następującej deklaracji przez swych wybranych przedstawicieli:

Burmistrz Gminy Binnenmaas, Cornelis Oversier i Prezydent Miasta Żory, Jan Huzarewicz stwierdzają, że każda współpraca może odbywać się wyłącznie na zasadach wzajemnego zrozumienia.

Podjęmowane działania będą oparte na doświadczeniach życiowych i przekonaniach, które mogą być także nazwane aksjomatami Zachodniej Cywilizacji, a które zmierzają do utworzenia Stanów Zjednoczonych Europy i demokratycznej Polski.

1. Każda osoba jest dobrem najwyższym.
2. Każdy człowiek jest wyposażony przez Stwórcę w jednakowe, naturalne prawo do wolności i odpowiedzialności.
3. Instytucje istnieją dla człowieka, a nie człowiek dla instytucji.
4. Prawdziwy postęp dokonuje się przez edukację, samodyscyplinę i dobrowolną współpracę, a nie przez przymus.
5. Umiejętność i władza zobowiązują do respektowania praw współobywateli, a nie dają prawa do ich wykorzystywania.
6. Wolność jest niepodzielna - wolność polityczna, osobista i ekonomiczna są ze sobą ściśle związane i są nierozłączne.
7. Władza i niezależność pochodzi od obywateli i konsekwentnie do nich wraca.
8. Człowiek ma prawo i obowiązek przekazać potomności wartości moralne, materialne i dziedzictwo historyczne.
9. "Stała czujność jest ceną wolności". Taka droga życia może być utrzymana i rozwijana tylko przez czujnych i dążących do celu obywateli zdecydowanych na Demokratyczne Zasady.
10. Przeto Burmistrz Gminy Binnenmaas i Prezydent Miasta Żory reprezentujący swoich wyborców popierają program Nowej Europy, tak aby uniemożliwić jakiegokolwiek przejawy i wpływy totalitaryzmu.

OVERSIER CORNELIS

JAN HUZAREWICZ

BURMISTRZ GMINY BINNENMAAS

PREZYDENT MIASTA ŻORY

Post Scriptum

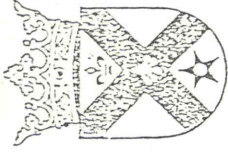
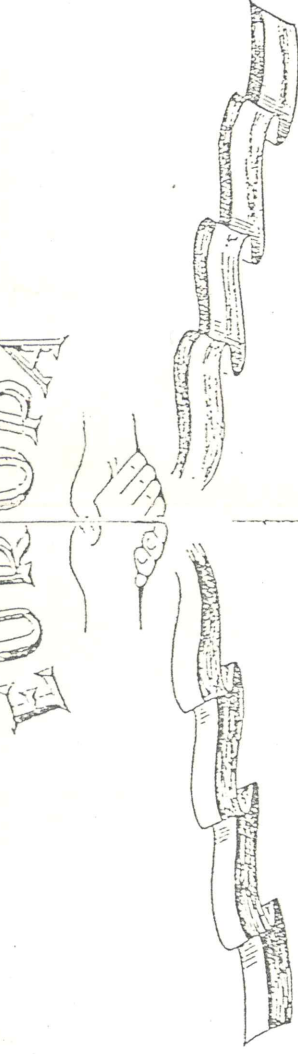
Burmistrz Gminy Binnenmaas, Królestwo Holandii i Prezydent Miasta Żory, Rzeczypospolita Polska, w imieniu swych miast, władz miejskich, Rady Miejskiej oraz obywateli swoich miast uważają za stosowne podpisanie deklaracji o porozumieniu i związaniu z nią akcji celem współpracy obu miast i regionów.

- A) Podniesienie rangi i ochrony rzemiosła, handlu, przemysłu i turystyki pomiędzy Holandią a Polską; opracowanie i rozpowszechnianie dostępnych statystyk i informacji dotyczących rzemiosła, handlu, przemysłu i turystyki, aby ułatwić i nawiązać kooperację pomiędzy Holandią a Polską i ludnością tych krajów.
- B) Podniesienie rangi kontaktów rozwoju łączności pomiędzy Holandią a Polską, również włączając przedstawicieli samorządów, władz regionalnych, przedstawicieli Rządu, agencje społeczne, handlowe i przemyślowe odpowiedzialne za handel i przemysł.
- C) Poparcie i sponsorowanie misji handlowych do i z Holandii i Polski.
- D) Zadbanie o rozwój handlu oraz jego promowanie zarówno pomiędzy firmami jak również promocja kontaktów z odnośnymi władzami i handlowcami w Holandii i Polsce.
- E) Promocja, wsparcie i poparcie wszystkich zamierzeń edukacyjnych i kulturalnych.
- F) Przeprowadzenie wszelkich czynności i aktów prawnych, które okażą się niezbędne, odpowiednie, konieczne lub polecane - by poprzez, zrealizować i osiągnąć zamierzenia niniejszego porozumienia.

Przedstawiciele Miast nie przewidują osiągnięcia zysków materialnych ani korzyści finansowych zarówno przypadkowych jak i innych. Zamierzony czasokres istnienia: bezterminowy.

Żory 28 sierpnia 1991

EUR OPA



BINNENMAAS

COOPERATION GOALS

On the anvil of practical experience, the people of the Kingdom of Holland represented by the citizens of the city Binnenmaas and the people of the Republic of Poland represented by the citizens of Żory, are willing to sign through their elected representatives:

- the Mayor of the city of Binnenmaas, Cornelis Oversier

- and the President of the city of Żory, Jan Huzarewicz

a basic agreement hammered out as a set of basic convictions about life, that may be called the axioms of Western Civilization leading to the United States of Europe and democratization of Poland.

1. The person is of intrinsic and supreme worth.

2. All individuals are endowed by the Creator with the unalienable natural rights of freedom and responsibility.
3. Institutions exist for mankind, not mankind for institutions.
4. True progress comes by education, selfdiscipline and voluntary cooperation - not by coercion.
5. Ability and power involve the obligation to respect the rights of fellowman, not the right to exploit.
6. Freedom is indivisible - political, personal and economic freedoms are interrelated and cannot be separated.
7. All power and sovereignty is vested in, and consequently derived from the people.
8. The individual has the right and duty to pass on a legacy of values, property and heritage to posterity.
9. "Eternal vigilance is the price of freedom". This way of life can only be preserved and extended by alert and zealous citizens dedicated to Democratic Principles.
10. Therefore the Mayor of the city of Binnenmaas and the President of the city of Żory representing their constituencies are dedicated to a program of the New Europe: so as to make any merger with totalitarians impossible.

CORNELIS OVERSIER

JAN HUZAREWICZ

BURGEMEESTER van BINNENMAAS

PREZYDENT MIASTA ŻORY

Post Scriptum

The Mayor of the city Binnenmaas, Kingdom of Holland, and the President of the city Żory, Republic of Poland, representing their constituencies, and the officials of both cities, are dedicated to a program of cooperation identified by the following declaration signed and exchanged, August 29th, Anno Domini 1991.

- A) Elevation of activities and protection of handicraft guilds, business, industry and tourism between Holland and Poland; preparation of printed special statistic materials and information in relation to: handicraft guilds, business, industry and tourism, so as to allow and promote the economic and business cooperation between Holland and Poland and their citizens. / distribution of printed materials /
- B) General promotion to establish contacts and cooperation between Holland and Poland in all the fields as mentioned above, including all government, regional and city administrations and official representatives.
- C) Social agencies, departments of commerce, and all institutions responsible for industrial and business cooperation shall promote and help as well as sponsor commerce and business missions from Holland and Poland creating a bridge of understanding.
- D) Taking special care to help the development of business between individual enterprises and firms, as well as improving the contacts and operation possibilities with partners and institutions in Holland and Poland. This is our intention and a key necessity.
- E) Promoting and helping in all forms to plan and conclude all educational and cultural activities.
- F) Work for conclusion of all activities and legal aspects necessary for each project according to the different legal systems, with the only goal to reach a decisive solution and understanding leading to a foundation of a New Europe.
- The representatives of the cities, the Mayor and the President, do not expect any financial profits through their activities. It is a non-profit activity and both partners understand that a fruitful cooperation and promotion must eliminate any profit mentality. The time of cooperation: unlimited.

Żory 28 sierpnia 1991

10
St. John's Hospice
1221 Race Street
Philadelphia, PA 19107
October 21, 1991

NAN
Mr. John W. Sununu
Chief of Staff
White House
Washington, DC 20500

Dear Mr. Sununu:
The enclosed letter might interest you.
Will you show it to President George Bush
and tell me where I am wrong.
Thank you.

Yours truly,
Peter Heller

Enclosure: my Oct. 21, 1991, Robert H. Michel
letter

St. John's Hospice
1221 Race Street
Philadelphia, PA 19107
October 21, 1991

The Honorable Robert H. Michel
Minority Leader
U.S. House of Representatives
Washington, DC 20515

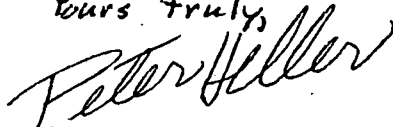
Dear Congressman Michel:

1. This letter is to explain how I believe the CIA, President George Bush, and top Republicans are covering up felonious treachery. Will you tell me where I am wrong.
2. In 1980 the CIA arranged for Ronald Reagan and George Bush to bribe Iran with \$40+ million to delay the release of Americans held hostage in the American embassy in Tehran. The purposes were to (a) block President Jimmy Carter's reelection, (b) give the Presidency to Ronald Reagan, and (c) get the CIA out of the strict controls of Carter and Stansfield Turner.
3. For various reasons (not the April 15, 1991, New York Times article by Gary Sick) Congress started to investigate the bribery. A top Republican (Robert H. Michel?) said that if Democrats wanted to investigate the bribery, the Republicans wanted President Carter's negotiating with Iran to release the hostages investigated. As President seeking to gain the release of the hostages, Carter was morally and legally right.
4. Since Carter had done nothing wrong, was this Republican's statement a blackmail hint of things said in private? Was the Republican saying that the CIA, Bush, and top Republicans would do the following if the CIA and Bush's bribery and other felonies were not covered up?
 - a. Expose how President Lyndon B. Johnson and Hubert H. Humphrey railroaded me into a mental hospital with massive bribery before the 1968 Presidential elections to cover up CIA felonies.
 - b. Expose Jimmy Carter's relationship with Robert Vesco.
 - c. Gather blackmail information about Democrats from the CIA, IRS, FBI, etc., records and leak this information to the press to destroy the Democrats.
5. To cover up the blackmail, the Democrats and Republicans formed Congressional committees to pretend to investigate the bribery. Probably secretly controlled by the CIA, the committees will drag the investigation on and on and on... When everybody has forgotten about the bribery, the committees will quietly lie there was no bribery and disband.
6. For years the CIA has covered up CIA felonies by having others run prolonged investigations of the felonies and having the CIA secretly control the investigations. Many times non-CIA people were prosecuted as sacrificial lambs and lightning rods to draw attention from the cover-up. Examples: Lawrence B. Walsh's cover-up of CIA drug smuggling and other CIA felonies, Leon Jaworski's cover-up of the CIA's felonies in Watergate and the KCIA's wholesale bribery of Congress.
7. With the 1992 Presidential elections 12 months away, the Congressional committees investigating the bribery would be far far more active if the committees were seriously investigating the bribery. The CIA and Bush are blackmailing a few key Democrats to give the 1992 Presidential election to Bush.
8. When the bribery is proven, Bush will be out as President and will probably go to prison.
9. Other examples of CIA blackmail of Congress are:
 - a. In 1967 former Senator Edward V. Long was investigating illegal wiretaps. When Long would not stop, the CIA investigated his IRS records and leaked information that appeared Jimmy Hoffa bribed Long. Result: Long was not reelected.
 - b. A short time ago information about Democratic leaders leaked from government files and the leaks politically hurt or destroyed the leaders. Probably the CIA and Bush (a CIA puppet) were responsible.
10. Did some Democrats vote for Robert Gates to be CIA director because they thought the CIA would leak damaging information about them if they did not? I suspect so. CIA blackmail.
11. In 1988 the NY Times, the Washington Post, and other major newspapers knew a massive amount of evidence existed that Reagan and Bush bribed Iran. See the 1988 Boston Globe and the 1988 Philadelphia Daily News columns by Jack McKinney. Why didn't the NY Times, the Washington Post etc., expose the bribery before or after the 1988 Presidential election? Probably because the CIA infiltrated, manipulated, and controlled the newspapers. (The April 15, 1991 letter by Gary Sick in the NY Times was the NY Times's stealing credit for exposing the bribery, a CIA manipulation to use the NY Times to control any investigation, and a whitewash of the NY Times's previous cover-up of the bribery.)
12. During the 1988 Presidential campaign, Michael S. Dukakis must have known about the bribery. Why didn't Dukakis expose the bribery? Blackmailed? Probably. With his wife's problems?

October 21, 1991

13. Republicans blackmailing people to cover up the bribery of Iran are committing felonies. Before this mess is over, a special prosecutor will prosecute the Republicans involved. I do not know if you are involved. Are you?
14. In this Donnybrook, Democratic leaders had better stop acting like little old ladies at a church social and start fighting. If the Democratic leaders don't start fighting, the CIA will blackmail or destroy them and gain complete control of the United States.
15. Will you tell me where I am wrong. Thank you.

Yours truly,



Peter Heller

P.S. The CIA manipulated to place former CIA officer William P. Barr (a CIA mole) as U.S. attorney general. Thereby, the CIA gained control of the Justice Department, FBI, DEA, etc.

Peter Heller

- CCs
1. Maxwell E. P. King, Philadelphia Inquirer
 2. Zachary Stalberg, Philadelphia Daily News
 3. Max Frankel, NY Times
 4. Leonard Downie, Jr., Washington Post
 5. Edward M. Kennedy
 6. Bill Bradley
 7. Daniel P. Moynihan
 8. Dave McCurdy
 9. Terry Stanford
 10. John H. Sununu
 11. Alan Cranston
 12. John Glenn
 13. George Mitchell
 14. Thomas S. Foley

(The CIA may steal my mail.)



*Institute for Research
on the Economics
of Taxation.*

Lisa Lyons Wright

Vice President
Communications

NAN
October 25, 1991

The Honorable John H. Sununu
Chief of Staff
President of the United States
The White House
Washington, D.C. 20500

Dear Governor Sununu:

I thought you would be interested in the enclosed copy of Dr. Norman Ture's October 23 speech, *Do Conservatives Have A Conservative Tax Agenda?*

If you have any questions, please call me at 347-9570.

Sincerely,

A handwritten signature in cursive script, reading "Lisa Lyons Wright", is written over the typed name.

Lisa Lyons Wright



*Institute for Research
on the Economics
of Taxation.*

DO CONSERVATIVES HAVE A CONSERVATIVE TAX AGENDA?

Discussion by
Norman B. Ture, President
Institute for Research on the Economics of Taxation
at
The Heritage Foundation
October 23, 1991

It is a pity that my question is relevant and timely. In a good society, the scope and size of the public sector would be so confined that questions about how government activities should be financed, while interesting, would not be terribly urgent. In fact, however, despite Ronald Reagan's efforts to get it off the backs of the American people, government is more and more with us. Federal spending programs more and more preempt the nation's production resources and reallocate the income flows generated by production activity throughout the economy; federal outlays now equal more than a fifth of GNP and this fraction will certainly increase unless major changes in budget policy are made. Federal taxes are a slightly smaller fraction of GNP, but they, too, delineate a rising trend line. If for no other reason than the magnitude of the public sector, conservatives must be concerned with the federal fisc.

To deal constructively with that concern, conservatives must bring some programmatic sense into the policy arena. And while the immediate foci of their program may vary widely -- indeed, considering the enormous number and types of federal activities, the inventory of concerns is and should be huge, there should be some unifying themes that provide a glue to bind together the various groups in the conservative policy community. To be effective public-policy activists, conservatives need an agenda.

That agenda should be solidly founded on basic conservative principles. It should consist, therefore, of policies that seek to enhance individuals' freedom and responsibility for determining their economic condition. Policies that help to identify and ensure individuals' rights to own and to use property in pursuit of their own objectives are paramount in this connection. Serving this concern requires that each individual has equal standing before the law, not qualified by his or her wealth or income or the sources thereof.

In applied terms, the conservative economic policy agenda must seek to enhance the efficiency with which the private market system performs the basic functions of social organization of economic activity; in turn, this requires assuring the maximum freedom of the market from intrusion by government, which by its very nature must distort market signals and outcomes, hence impair market efficiency. Recognizing that the growth of government inevitably is in conflict with market freedom, with individuals' liberty, responsibility, and rights to property, the agenda must emphasize effective constraints on public policy makers' spending and program decisions.

Any such agenda needs to be based on a working understanding of at least the major elements of the fiscal system, of the nature of the effects of these elements on the economy, and whether prescriptions for changes in these fiscal elements are consonant with fundamental conservative principles. It seems to me to be an unhappy fact that over much of the past decade and so far in this one conservatives do not appear to have this understanding. For that reason, they do not appear to have an operational economic, or more narrowly, tax policy agenda.

Even a cursory review of the past decade speaks to this lack.

The decade began on a highly encouraging note for the conservative cause with the Reagan Administration's clear delineation of a coherent, conservative public economic policy agenda. In the simplest of terms, Reagan articulated an economic policy program that embodied the essence of conservatism. The theme of that agenda was "Give the economy back to the people."

The fiscal component of the agenda called for significantly limiting the expansion of federal spending, Kemp-Roth individual income tax rate cuts, and a new capital cost recovery system that would closely conform with the requirements for neutral tax treatment of business capital outlays. By reducing the federal government's tax draw from the economy's total income and constraining the expanding scope of federal activity, this change in the federal government's fiscal posture provided states and localities both greater opportunity and enhanced fiscal capacity for determining the kinds and amounts of activities they deemed to be required by their citizens. This new federalism of the Reagan program was in the best tradition of American conservatism.

With these tax and spending policy initiatives, Reagan coupled proposals for a pro-market revision in regulatory policy and strong recommendations for a disciplined monetary policy that would eschew efforts to fine tune the economy, focusing instead on monetary stability for the long run. In all, the agenda called for a continuing curtailment of the federal government's presence in the nation's economic life and a freeing up of the market in signaling to both the household and business sectors how best to use the resources at their disposal.

Unfortunately, neither the reasons for the agenda nor the principles on which it was based appeared to have been grasped by conservatives, at least not by most of those serving in key positions in the Administration or in the Congress. As a result, little of the Reagan program actually came into fruition, and the little that did was flimsy and evanescent.

For example, at no time did conservative policy makers appear to grasp the concept that regulatory policy should focus on identifying the sources of a market's failure and finding ways to make that market work better, rather than on overriding and displacing the market's operations. To be sure, for a relatively brief period, the pace of regulatory activity diminished quite sharply, but by failing to implement a market-oriented approach to regulatory policy, the door was left open for a renewed surge of anti-market regulatory policy initiatives.

Similarly, curbing the growth of federal spending and improving the content of federal programs called for establishing a close operational nexus between policy makers' budget decisions and the willingness of the body politic to pay for government activities. Instead of undertaking efforts to reform the budget process to establish that nexus, conservatives relied on statutory artifices to limit the size of the federal deficit. Unfortunately, Gramm-Rudman-Hollings included no constraint on tax increases or means for limiting spending growth to revenue growth. By playing up the alleged naughtiness of deficits, G-R-H did contribute briefly to limiting spending growth; when the Congressional leadership decided that tax fairness and new spending initiatives were sexier issues than the deficit, however, G-R-H was blown away by the Omnibus Budget Reconciliation Act of 1990 (OBRA90).

Tax policy, almost immediately after the President signed the Economic Recovery Tax Act of 1981, turned into a scramble for more and more tax revenues. The ad hoc tax increases enacted every year after 1981 were utterly lacking in any rationale other than to raise more revenue. The crowning blow was the 1986 Tax Reform Act (TRA86), still hailed, mistakenly, by many conservatives as the ultimate tax policy achievement of the Reagan Revolution.

TRA86 provided steep rate reductions for many taxpayers, a policy breakthrough well founded on conservative principles and justly hailed as such. Unfortunately, TRA86 combined these rate cuts with so-called "base broadeners," virtually none of which could be justified on any grounds other than that they raised the additional revenues deemed to be necessary to offset revenue losses from reductions in tax rates and increases in the personal exemption and standard deduction. The latter increases served to remove some 6 million or more taxpayers from the income tax rolls, hardly consonant with a fundamental conservative premise that no one should be excused from paying for government, lest they come to believe that government is costless to them with the certain consequence that they will demand more government "services." And in every year since, additional taxes have been imposed in the same fashion.

In all of this, it is difficult to find a solid front of conservatives forcefully delineating the reasons why taxes should not be raised. Indeed, the disarray of conservatives with respect to tax policy is exemplified by their apparent acquiescence to the notorious tax increases in OBRA90. To be sure, many conservatives outside of government were dismayed by OBRA90, but many of these same conservatives continue to laud the tax policy developments of the Reagan years, notwithstanding the fact that most of these developments ran counter to everything conservatives presumably should and do stand for.

I do not mean to suggest that conservatives, in and out of the federal government, have been idle in the tax field. With rare exceptions, however, their tax policy proposals have been ad hoc, parochial in nature, addressed to quite specific issues the significance of which is greatly inflated to lend the proposals an urgency they do not really warrant. These proposals afford no sense that they are elements in a substantively grand scheme for producing a better fiscal system, one better suited to the conditions and requirements of a free society. Lacking this dimension, they come to the public as special interest pleading, generally without even a covering luster like "compassion" and "fairness."

A case in point is President Bush's capital gains tax reduction proposal in 1989. The proposal was virtually the only tax initiative of any substance that the President advanced that year. It is difficult to justify the proposal, even had it been better fashioned, as the be-all and end-all of a pro-growth tax policy. Indeed, the initial argument for the proposal more strongly urged it as a revenue raiser than as a major improvement in an important area of tax policy. Standing alone, without any other broadly-ranging proposals accompanying it to signify an all-out effort to reduce the anti-growth bias of the income tax, the capital gains tax cut proposal was fair game for the liberals' attacking it as a massive tax favor for the rich. The current version of the proposal is poorly conceived, embodies an errant notion that it is good for people to hold financial claims for longer rather than shorter periods of time, and is still advanced as a revenue raiser with magical properties to overcome the nation's economic ills. And it is still fair game in Democrats' hunt for "fairness" issues.

The experience should have demonstrated to conservatives the need to construct an agenda of tax proposals, carefully reasoned and solidly entrenched in a well-articulated statement of conservative philosophy and objectives. In recent months, several agendas have appeared, but sadly, they all lack persuasive statements of the vision that should -- perhaps did -- inspire them. Instead, they are advanced to the public as devices for overcoming the recession or providing a break for the family, not as addressing fundamental deficiencies in our tax laws that create a hostile tax environment in which a free market system must struggle to operate efficiently.

Because they lack a positive agenda of well-conceived economic and tax policies to pursue goals that are consonant with fundamental conservative ideology, conservatives are victimized by Republican pragmatists and end up contesting the trivial details of liberal Democrats' tax initiatives. In the Congress, conservatives seem to have resigned themselves to a passive or at best reactive role. Their standard response to liberal initiatives is not to dig in their heels and oppose them in principle but rather to bleat "me too, but, please, not so much." Last year's budget battle denouement affords a telling example. Had it not been so shameful, it would have been laughable to watch the Republican leadership and many of their followers in both chambers fighting with Democrats about the best way to increase taxes on the rich.

The consequence of this conservative aping is a loss of philosophic identity, reflected in the continuing failure of conservatives to take control of either chamber or even to achieve any substantial gain in seats.

The lack of a distinctive, consistent, truly conservative agenda is apparent across the entire spectrum of public economic policies, not merely tax policies. Thus, in response to the Democrats' initiative a couple of years ago to raise the minimum wage, Congressional conservatives did not point out the adverse consequences of the proposed increase, particularly for those it was ostensibly intended to benefit. No argument was raised that minimum wages always have been an unwarranted intrusion by government in the labor market, resulting in serious distortions of that market's performance. Instead, conservatives argued that the proposed increase was too great and offered to settle for a somewhat smaller increase. When pressed for an explanation of this position, these conservatives came up with the standard, dreary answer that it was politically necessary to endorse the increase. Question: for which of these representatives was his or her support of a higher minimum wage essential for reelection? Practical political considerations, these conservatives insist, have to override principle if they are to be in on the action and exert a beneficent influence. But why does the conservative movement need "me too" conservatives in the policy forum? How is the conservative cause served by endorsement, at least in principle, of anti-conservative policy initiatives? What's the evidence that conservative acquiescence to liberal initiatives is the key to conservative success?

Some of the most insightful conservatives in the Congress argue that the American body politic is essentially conservatively disposed. We elect Republicans to the White House, not merely because we find their Democratic opponents to be politically unacceptable, but more likely because as candidates, Republican presidential nominees "talk conservative" to the electorate. Why, then, do we not elect Republican majorities for both the House and the Senate? There are lots of explanations for this persistent divergence in the electorate's preference between Congressional and presidential candidates. Could not part of the explanation be that Republicans seeking Congressional seats fail to present themselves to the electorate with a comprehensive and comprehensible conservative agenda?

The need for a conservative agenda is not restricted to economic issues, of course, but because economic policy appears to many public policy makers to require little besides passionately held opinions, the need for a rigorously conceived agenda in this field is particularly urgent. Neither time nor my own competence permits me to cover all of the many areas of public economic policy in which conservatives need to contest liberals' collectivist bent. Let me confine my recommendations, instead, to the fundamental goals, attributes, and criteria of a federal tax policy that would rest solidly on what I believe to be conservative principles.

In framing that agenda, the first question that must be addressed is "what is the fundamental goal of appropriate policy?" The answer is not such things as to promote economic growth or to redress alleged biases against the family or to make the tax system "fairer," etc. However consequential and desirable any one or more of these objectives may be, they are ad hoc concerns that do not pertain to the core function of taxation. One would hope, certainly, that the conservative tax agenda would not be at odds with any appropriate objective of that sort, but that agenda needs to be fashioned on the basis of more fundamental goals rather than merely as a list of tax changes that presumably are pro this or pro that.

The core function -- the essential *raison d'être* -- of taxes in a free society is to cost out its government activities. Taxes should inform the public and the people the public chooses to represent them in government about what must be paid for what they ask government to do. Taxes should function as the prices people pay for government.

If people are to make efficient decisions about what they want government to do, they must know the cost of government activities. If government outlays and activities are fully financed by taxes, the body politic can obtain at least a rough approximation of these costs. Financing government by borrowing hides the cost of government from the public, at least until some later time when -- and if -- additional taxes are imposed to service the debt.

To perform this core function efficiently, a tax system requires two attributes. One, taxes must be imposed only on individuals. Taxes on corporations tend to escape perception by the individuals who ultimately pay corporate taxes and bear their burden. Two, taxes should be imposed on the largest possible number of people and in such a way as to make each of them as acutely aware as possible of his or her tax liability. If large numbers of people are excused from paying taxes or if they are unaware of the taxes they bear, they will underestimate the cost of the things they want from government, and they'll want more than they are willing to pay for.

Taxes should also meet certain fundamental criteria -- the long-standing canons of taxation. The most demanding of these criteria and the one to which by far the most attention is given in the policy forum is equity or fairness. Unfortunately, it is also the most elusive criterion, because its application confronts enormous ambiguities of concept and measurement. The customary articulation of the equity criterion is that people in the same circumstances should pay the same amount of taxes, while people in differing circumstances should pay differing amounts that reflect their differing "ability to pay." How to define the circumstances that are relevant for this purpose itself poses a mind-boggling challenge, for which the standard answer -- income -- is patently unsatisfactory, as the enormous number and complexity of the provisions in the Internal Revenue Code that seek to delineate taxable income clearly show.

Notably absent from the customary discussions of tax equity is what should be, in a free, democratic society the most obvious dictum -- that the tax system should explicitly treat all individuals as having equal standing in the law. Taxes should be designed so as to preclude deliberate differentiation of liabilities on the basis of the source or use of income or any other taxpayer attribute that does not pertain directly to the costs of producing that income.

This strongly urges shifting from the conventional focus of equity in terms of the specifics of taxpayers' circumstances to what I call, for lack of a more appealing term, uniformity. Uniformity calls for providing similar tax treatment for similar economic actions and transactions, rather than with respect to attributes of the taxpayer. An obvious implication of the uniformity approach is that a single tax rate would apply to whatever is appropriately delineated as the tax base. Another implication is that delineation would not depend on how much or how little of the thing that is to be taxed the taxpayer has.

Simplicity is another criterion of taxation to be served by a conservative tax policy agenda. I take simplicity to mean that the tax statutes and regulations are readily understood by most taxpayers, rather than by a relative handful of trained professionals. Simplicity does not mean, as the Treasury's 1984 tax reform study seemed to urge, that individuals don't have to commit any time or resources to determining their tax liabilities or to filing tax returns. That construction of the term clearly is completely at odds with the requirements imposed by the basic tax function.

It may well be that the only way to simplify the tax system without doing violence to its effectiveness in performing its core function is to shift the focus from the particulars of each taxpayer's situation and toward broad and general rules that would cover most broadly classified economic behavior and transactions. This route to simplification clearly would accord closely with the proposed shift toward uniformity in lieu of the will o' the wisp equity criterion.

Another of the basic canons of taxation that, properly construed, should dictate the shaping of the conservative tax policy agenda is revenue adequacy. Conventionally defined, revenue adequacy is held to mean that the tax system should be able to raise the amount of revenue needed to defray the costs of government. Clearly implied in this definition, however, is that the amount and composition of government functions can and should be determined without reference to their costs, presumably on the basis of policy makers' judgments about "needs." In lieu of this notion about the meaning of revenue adequacy, I urge that taxes are "adequate" if they efficiently inform the body politic about what they must pay for differing amounts of various government activities, so that policy makers' decisions about how much government should spend on what are constrained by the informed willingness of taxpayers to foot the bill. Revenue adequacy isn't a matter of raising revenues equal to the predetermined amount of government outlays but of assuring that taxes are an effective input in decisions about government activities.

A final criterion, little understood but enormously important, is neutrality. Tax neutrality means that taxes do not alter any of the cost or price relationships that would prevail in an efficiently functioning private market, free of influence by government. No tax ever devised has been perfectly neutral; every tax raises the cost of something relative to the costs of other things. Every tax, in other words, has an excise effect. In an operational sense, therefore, neutrality calls for minimizing these excise effects of taxes. For conservatives who recognize that an efficiently functioning private market system is the essential economic underpinning for a free society, tax neutrality is a critically important criterion against which to assess any feature of the present tax system and any proposal for changes therein.

To put the matter positively, the conservative tax agenda should move the tax structure in the direction of greater accountability and revenue adequacy, real neutrality, uniformity, and simplicity. This effort should shun any constraint of "revenue neutrality" that requires any revenue losing tax change to be offset by revenue gaining provisions.

Constructing that agenda will require greatly enhancing the understanding by policy makers of the fundamental goals, attributes, and criteria of a good tax system. Conservative policy makers need a working understanding of the major elements of the tax system, of the nature of the effects of these elements on economic activity, and whether prescriptions for changes are consonant with fundamental conservative principles. Helping to provide that understanding is IRET's mission.

October 21, 1991

Mr. John Sununu
Chief of Staff
White House
1600 Pennsylvania Ave.
Washington, D. C.

NAN
Dear mr. Sununu:

My family are Republicans but like many in our party, if the Democrats run a viable candidate, will consider switching votes. President Bush again vetoed an extension of unemployment. Citizens are losing thier homes, living on streets, and every private charity is stressed to the limits trying to help. OUR own church situated in an older part of Los Angeles is beseged with people seeking help, food, and beset by crime from recent Third World immigrants.

Mr. Bush reminds some of us like a latter day Herbert Hoover, insisting that all is fine on the home front, a few problems, perhaps, nothing more. The country is coming apart at the seams if California is any criteria.

Mr, Pete Wilson, another Republican, is doing a dismal job at this level. Mr Seymour will not be reelected despite Bush's support. This may be the current swan song for Republicans, brought on by themselves.

The "free trade" policy the president and his multi-national and apatriotic corporations are foisting on us will be that final nail in our coffins as a nation. We are overrun by illegal immigrants, legal immigrants, refugees and anyone and everyone who comes here to soak up our taxes in various support entitlements.

Billions for Gorbachev, billions for Israel, forgiven debts to Egypt, and no a cent for American citizens in dire plights!

Shame ...Shame...Shame...

In disgust,

Mrs. J. Jason
Mrs. J. Jason
21165 Escondido St.
Woodland Hills, CA 91364

is turn tide in 20-17 victory/**SPORTS**

News

**Twins beat
Braves, take
2-0 Series lead**
SPORTS



D NEIGHBORING VALLEYS

25 CENTS

'Newly poor' stretch charities' resources

Economy takes toll on middle-, upper-classes

By Beth Laski
Daily News Staff Writer

ENCINO — Some arrive in European luxury cars, wear diamond rings and return to cozy homes in affluent tracts, but the bread lines they stand in define their newfound poverty.

San Fernando Valley charities call them "the newly poor" — and their numbers are growing.

"We're really having a hard time of it," said Carmen Conner, a 56-year-old Canoga Park woman whose husband, James, lost his trucking job three months ago. "We had no idea that our

Related story:

■ Valley Hunger Walk raises funds for needy. **Page 8**

lives could come to such a screeching halt. I've never been in a bread line in my life."

Lem Cammack recently divorced, gave up a lucrative business in Columbia, Md., and moved west with three teen-age children. He lives in Van Nuys and, for the first time in his life, needs help feeding his family.

"I've never had to do this before, but you'd do anything for your children," said Cammack,

61, who found himself waiting for groceries last week at Lutheran Social Services. "Never in my life did I need a penny of unemployment."

Layoffs, business failures and the recession have taken their toll, and more families are finding themselves nearly penniless and forced to seek emergency help from charities, officials say.

Pantry directors agree there is a trend in serving the newly poor, but say they have no figures to back up their assumption. However, volunteers taking informa-

See POOR / Pg. 8

Photo Copy Preservation

Well-heeled join ranks of poor

POOR / From Page 1

tion from applicants are seeing more people who are newly unemployed.

"We serve about 36,000 people a year, and we have tons of data but not the time to analyze it," said Jerome Nilssen, area director for Lutheran Social Services.

Statistics kept by the West Valley Prince of Peace Food Coalition show the dramatic increase in demands for help. The Woodland Hills pantry expects to serve 37,657 people this year, up almost 28 percent from the 29,482 served only two years ago, spokesman Paul Heesch said.

Food and clothing pantries — already taxed by homeless and low-income families — are struggling to cope with the influx of the new poor. In some cases, charities are implementing or considering cutbacks due to the addition of people most agree were unlikely candidates for charity.

"There's a lot of unemployment and it's getting worse," said Sister Teresa Walsh, who operates a five-day-a-week food pantry in North Hollywood. "We're looking ahead to Thanksgiving and wondering how we'll be able to handle the numbers then."

Violet Dnistrian, emergency assistance coordinator for Lutheran Social Services in Van Nuys, said her agency is strapped for goods and helps people by appointment only.

"Very often we hear, 'I've never come to a place like this before,'" Dnistrian said. "They've lost their apartments and their cars. They're down to the bare necessities, and they're embarrassed about it."

In fact, many families interviewed last week at Valley food

aerospace industry have left thousands of Valley residents out of work.

In 1990, the Los Angeles area lost 12,800 aerospace jobs, a figure that local economists predict will double by the end of this year. With General Motors Corp.'s plans to close its Van Nuys assembly plant next summer, more than 3,000 workers are slated to lose their jobs.

"The new people we're seeing are homeowners who usually have two-parent families," said Mary Lou Haney of Fish of West Valley, a 20-year-old community charity based at Congregational Church of Chatsworth. "These are people who had very good incomes and either the mother or father — or both — have lost employment due to cutbacks."

Carmen Connor said she never would have guessed that her husband of 37 years would be out of a job.

"He's 59 years old, and he's worked all of his life," said the homemaker, who waited in line last week for food at the Woodland Hills pantry. "He's always made enough to support us fine. Now, for the first time in his life, he's collecting unemployment."

Connor said her husband has been unable to find work because of his age. He has kept busy fixing up their home, which she said they have to sell to make ends meet.

"There are no frills now," Connor said. "We get food here. I cut coupons. I haven't colored or cut my hair. My husband says I look horrible, but I can't get my hair done. We have nothing."

Cammack, 61, the Maryland divorcee, said he's in the process of setting up house for himself and his

with a month's rent — than they are for job training or placement and counseling services.

But volunteers say the food, clothing and shelter resources, most of which are donated from local churches and temples, are finite.

Because of the influx of new clients, Dnistrian, of Lutheran Social Services, said the agency was forced — for the first time — to close for a day to catch up on paperwork and do some planning.

"We have a tremendous increase (in clients) and we have to figure out how to handle it," Dnistrian said. "We're overwhelmed."

The agency considered scaling back its five-day-a-week morning service, she said, but has decided to keep the facility open while trying to gain more resources.

Loaves and Fishes II, a Catholic charity in Van Nuys, previously

offered food and clothing to homeless and needy families once a month. Those with shelter now have to wait two months between visits.

"We're getting a lot of first-time people here lately," said Walsh, of St. Jane Frances Christian Service. "Because of some pantries scaling back, we're busier."

Abdul Fazel, a successful physician in his native Afghanistan, hasn't found a job since moving to Winnetka a year ago with his wife and three children. He gave up two houses in his native land and has no money.

"It's hard now, we have five people living in a one-bedroom apartment," Fazel said. "I didn't want to come here (food pantry) but we need the food. I had a car, houses and everything. Now we have nothing."



Kim Kulish/Daily News

Lem Cammack, 61, who moved to Van Nuys from Maryland with three children, holds food he received from a Lutheran charity.

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poor. In some cases, charities are implementing or considering cutbacks due to the addition of people most agree were unlikely candidates for charity.

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"Very often we hear, 'I've never come to a place like this before,'" Dnistran said. "They've lost their apartments and their cars. They're down to the bare necessities, and they're embarrassed about it."

In fact, many families interviewed last week at Valley food pantries declined to give their names for publication. They said it was difficult to ask for help, let alone make their plight known to the public.

Among them was a 24-year-old mother of three children from Northridge who found herself in line at the Chatsworth food pantry because both she and her husband had lost their jobs.

"This isn't somewhere you want to go, but I'm glad it's here," said the woman, who received bread, laundry detergent, canned goods and other food and sundry items from the pantry. "I just hope it's temporary for us. I want to get back to work."

Pantry workers said a Calabasas woman who arrived recently at the Prince of Peace Food Coalition in her Mercedes-Benz represents the status of the new poor seeking help.

"These are well-heeled people we're talking about," said Cynthia Gastwirth, a volunteer for the coalition. "Never in a million years would they have expected this could happen to them."

Laurie Stephens, a supervisor with the Los Angeles County Department of Social Services' 24-hour human resources hot line, said middle- and upper-class families have a difficult time with unemployment. Unlike low-income families, she said, they are used to a different way of life.

"There are people who call us because they were laid off from their jobs and they have houses up in Canyon Country and \$1,800-a-month mortgages," said Bonnie Robie, director of Better Valley Services in North Hollywood. "There's not really much they can do — find a job, try to sell the house, rent out a room."

In Los Angeles County, the jobless rate is 9.3 percent — well above the national and state averages. Plant closures, manufacturing cutbacks and trouble in the

would have guessed that her husband of 37 years would be out of a job.

"He's 59 years old, and he's worked all of his life," said the homemaker, who waited in line last week for food at the Woodland Hills pantry. "He's always made enough to support us fine. Now, for the first time in his life, he's collecting unemployment."

Connor said her husband has been unable to find work because of his age. He has kept busy fixing up their home, which she said they have to sell to make ends meet.

"There are no frills now," Connor said. "We get food here. I cut coupons. I haven't colored or cut my hair. My husband says I look horrible, but I can't get my hair done. We have nothing."

Cammack, 61, the Maryland divorcee, said he's in the process of setting up house for himself and his children. Until he finds a job, he partially relies on items he received from a Van Nuys pantry — rice, beans, macaroni and cheese, oatmeal, butter, bologna, hot dogs and flour.

Stephens, the county social services supervisor, said families accustomed to dining out, shopping in specialty shops, taking vacations and buying new cars are ill-prepared to be without an income.

"These middle and upper class people have no survival techniques," Stephens said. "It's hard on them because they lose everything and they don't know what to do. The reality of it is that there are very few resources for people in that bracket."

Charitable organizations are one of the few places these families can get relief. The maximum unemployment benefit is \$210 for 26 weeks, and homeowners are most often ineligible for welfare payments.

Charity directors said there is a small percentage of people who abuse the system. While their screening system is not foolproof, volunteers try to find out as much as they can about those applying for help without being too intrusive.

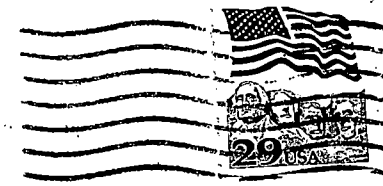
"We ask them simple, basic questions," said Moeed N. Khan, a regional director for Catholic Charities USA. "I don't think too many people would come for a handout like this if they don't need it."

Families can get food at most of the Valley's pantries once a month. The items handed out are expected to last an average of three days, volunteers say. The number and types of items vary. Some pantries give out higher-price items such as diapers and breakfast cereal; others can afford only bread, flour, rice and beans.

Still, service center volunteers said they're receiving more requests for the basics — food, clothing, furniture, emergency shelter and help

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21165 Escondido St,
Woodland Hills, CA 91364



Mr. John Sununu
Chief of Staff
White House
1600 Pennsylvania Ave.
Washington, D. C.



Francis M. Longchamp
120 Lawn & Tennis Club of N. C.
Pinehurst, North Carolina 28374

10.21.91.

NAN

White House Chief of Staff
John Sununu,
Washington, D.C. 20500.

Dear Mr. Sununu,
I refer to the present controversy
and nation-wide dispute, relative
to the excessive political power,
by the "White House."

I submit herewith,
my "Constitution Study" as public
service to the country and the people.

Sincerely,

Francis M. Longchamp

Enclosures:

1 letter to Senator Sanford 40-c
4-page "Constitution Study."



No.
 "...I simply did
 not think he had
 the background
 in legal training
 and legal
 scholarship..."

Francis M. Longchamp
 120 Lawn & Tennis Club of N. C.
 Pinehurst, North Carolina 28374

10.04.91.

U.S. senator
 the Honorable Terry Sanford
 716 Hart Senate Office Building
 Washington D.C. 20510

My dear Senator Sanford,
 I refer to the selection
 of judge Clarence Thomas to the Supreme
 Court of U.S.A.

It is your historical decision.
 As people's voice of North Carolina
 I cast "NO" to Clarence Thomas.

"Juris prudent and rule of law is:
 from latin: "Whatever you do or say
 do it prudently and always look
 for the outcome of your decision, any
 action and words expressed."

Judge Thomas, Sir is not in this
 category. In my opinion: it would be travesty
 of law and injustice to the citizens of U.S.
 of present and future generations, to select
 him for the Supreme Court Judge of U.S.A.

Sincerely,
 Francis M. Longchamp

"The Government of the United States
is a government of laws and not of men."
"Respect for Law and Order"

The democratic form of the United States Government throughout its history did not come easy. The forerunner of the Constitution and Bill of Rights, was the Magna Carta, which the feudal barons of England wrung from King John in 1215 at Runnymede, England.

That great document stood for the principle, that government must henceforward mean something more, than the arbitrary rule of any man, and the law must stand above the King.

It was this great idea of Englishmen, that gave unity and force to the barons' opposition, to the King, and made the Magna Carta an impregnable fortress of human liberty.

America's struggle for freedom was essentially a struggle for a government of laws.

"Equal privileges in the race of life", as defined by President Lincoln.

In the American system of government the people are to rule, in accordance with the established rules of law in the Constitution and Bill of Rights.

What are the basic rules of the Bill of Rights?
Trial by the jury - the guarantee, that life, liberty and property will not be taken without a fair public trial.

cont.

- 2 -

The right to "Habeas Corpus", which means in the legal terms - to bring a party or body into the lawfulness for investigation of the restraint of person's liberty.

It is a protection against illegal imprisonment. It is the procedure whereby a court can inquire into the legality of man's incarceration.

The right to own property. The right to be paid for work. The right of freedom of the press and freedom of religion.

The Congress of the United States designated May 1st of each year as a "Law Day" in U.S.A.

On this day Americans are called upon, to re-dedicate themselves to the ideals embodied in laws, as found in historic documents and are urged to cultivate the respect for the Law and Order, so vital to our democratic way of life.

This respect for law is a foundation, upon which judicial process and system of our government are based.

These are our constitutional liberties: freedom of speech and religion, the privilege against selfincrimination, freedom from seizures and arrest without due process of law, and equal protection under the law.

cont.

-3-

It has been said that the Government of the United States is a government of laws and not of men.

Its political system springs from the Magna Carta, which exalted the dignity and worth of the individual and made the State his creature and instrument, rather than him the creature of the state.

In the American system of government the people are to rule.

This means that only under law majority rule is to apply, but the rights of minorities are to be respected.

The Executive, the Legislative and Judiciary as well as the Electorate at large, are all to be performing their great role, but only under the law. This means, no one is to be above the law, and this is the deep rooted principle

upon which American democracy rests. It is generally understood, that people who do not respect the law, do not obey it. Such people will obey the law only when they are forced to do so, and not out of respect for the law - for human dignity and moral obligation.

For such people the outcome can only be dissatisfaction and unrest. Those countries under totalitarian domination are examples of such systems of government.

The United States of America flag
embodies the foundation of the civilized
human races: "Freedom and Democracy"
"God - Country - Law and Honor."

Abraham Lincoln said:

"To sin by silence when they should protest
makes cowards of men."

We the people are rightful masters
of both Congress and the Courts,
not to overthrow the Constitution,
but to overthrow the men who pervert
the Constitution."

Excerpts from my address, during a Naturalization
Ceremony in the U.S. D.C. Court. Presiding judge - the Hon.
Gerhard H. Gesell.

Francis Michael Longchamp,
naturalized U.S. citizen.

120, Lawn & Tennis Club of N.C.
N.C., Pinehurst, October, 14, 1991.
28374.

TEL. 919- 692- 6896.

NAN

HOWARD S. BREMBECK
2808 MARTIN MANOR DRIVE
GOSHEN, INDIANA 46526

219-533-3517

Florida Address:
208 Orange Tree Drive
Atlantis, Florida 33462
407-965-6697

October 20, 1991

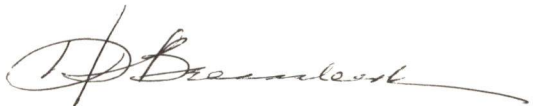
Mr. John H. Sununu
Chief of Staff to the President
The White House Office
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear Mr. Sununu:

Could you take a few minutes to read the thoughts of a manufacturer doing business in about half the nations in the world? I think you will find it the best investment you ever made for such a short period of your time.

Any comments that you may have after reading it will be greatly appreciated. You may direct them to the INFORUM or to me personally. After November 1, I will be at my Florida home.

Sincerely,



The Reality of Today's World

This level of support is assured by the reality of today's world. It is far different than the world that existed at the end of World War II. Chronologically the world of today is only a half century away from the surrender of Germany and Japan. But in terms of scientific, technological and commercial development, it is a thousand years into the future. We can instantly talk to friends, family and business associates almost anywhere on earth. We can travel the world in a matter of hours, even penetrate outer space in a matter of minutes. But with these advancements has come instability. We find ourselves living in a global society, a one-world community, in which nuclear, chemical and biological weapons soon will be in the hands of dozens of nations, stable and unstable alike. The danger to our very existence will be beyond imagination and civilization will survive only if we adapt our thinking to the realities of the world's new environment.

The World of the Fourth Freedom

If we the people can adapt, if we can think in terms of today and tomorrow rather than yesterday, we can bring to reality the world of the Fourth Freedom—Freedom from Fear of weapons of mass destruction and armed aggression—for ourselves and for the people of all nations. I can see the world clearly moving in this direction. The spread of democracy, the growing acceptance of

market economics and the reality of the one-world society all are signs of a new flowering of the human spirit. We are moving toward a time when the rule of law will be guarded by a civilized defense supported by the security council arm of the United Nations freed of the veto.

A Time for Vision and Action

I have been around long enough to know that such a momentous development will not come about automatically. As I noted earlier, a commitment, a plan and a specified date are the essentials for achieving great goals. The goal of the Fourth Freedom also demands that we make use of our authority as citizens. We will need to take full advantage of the fact that we the people of the United States control the nation that controls the world. As Thomas Payne wrote, "We have it in our power to begin the world again." But the horrible truth is that we haven't given enough thought to what this new world should be like. We haven't told our elected officials what kind of world we want.

We can remedy that, of course. We can visualize a world freed of the greatest threat to existence that mankind has ever faced. We can visualize a world under law, a world in which no nation has a right to use armed force against another or to possess weapons that are a serious threat to another. If we can picture in our minds the kind of world we want, we can project it to others.

CALL FOR ACTION

Call or send a copy of this publication to your congressional representatives. (Call your local library for the addresses and phone numbers of your representatives and senators.) Reprint permission is granted, and you are also invited to send a copy of this article to the Editorial Page Editor of your favorite magazine and newspaper. Additional copies are available as is the book, *The Civilized Defense Plan*, by calling or writing to the Fourth Freedom Forum, 803 North Main Street, Goshen, IN 46526, 1-800-233-6786.

You can also express your views on the White House public comment line by calling 202-456-1111.

INFORUM

Fourth Freedom Forum, N8
803 North Main Street
Goshen, IN 46526

First Class

We can tell those elected to serve us that they will forfeit our vote if they fail to free us from the weapons that hold us hostage.

We the people of the United States and the people of other democracies need to learn and to take heart from the people of Russia and the other Soviet republics. They prove that individuals can stand up to the excesses of the military. They make it clear that ordinary citizens can prevail.

Now ordinary citizens—you and I included—need to stand up for civilization. Never has there been so great a threat to its survival or so great a need for our involvement. Never has history presented us with so great an opportunity to build a better world. If we fail to seize the present opportunity, we condemn our children to a world of violence, a world imprisoned by the fear of proliferating genocidal weapons.

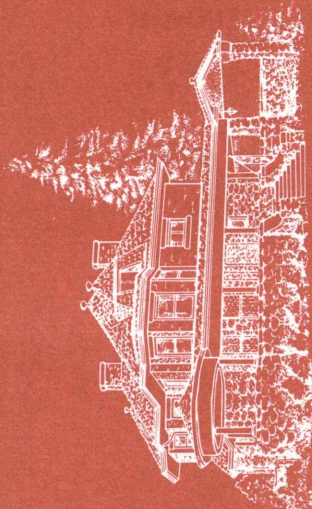
As Shakespeare put it long ago:

There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune,

Omitted, all the voyage of their life
Is bound in shallows and in miseries.
On such a full sea are we now afloat,
And we must take the current when it serves,
Or lose our ventures.

Howard S. Brembeck is Chairman of the Board of a manufacturing corporation doing business in over 80 countries. Mr. Brembeck is also President of The Fourth Freedom Forum and author of the book, The Civilized Defense Plan.

We have it in our power to begin the world again.
-- Thomas Paine



INFORUM

Fourth Freedom Forum, 803 N. Main St., Goshen, Indiana 46526

Fall 1991, Number 8

Let's Move Toward A Civilized Defense

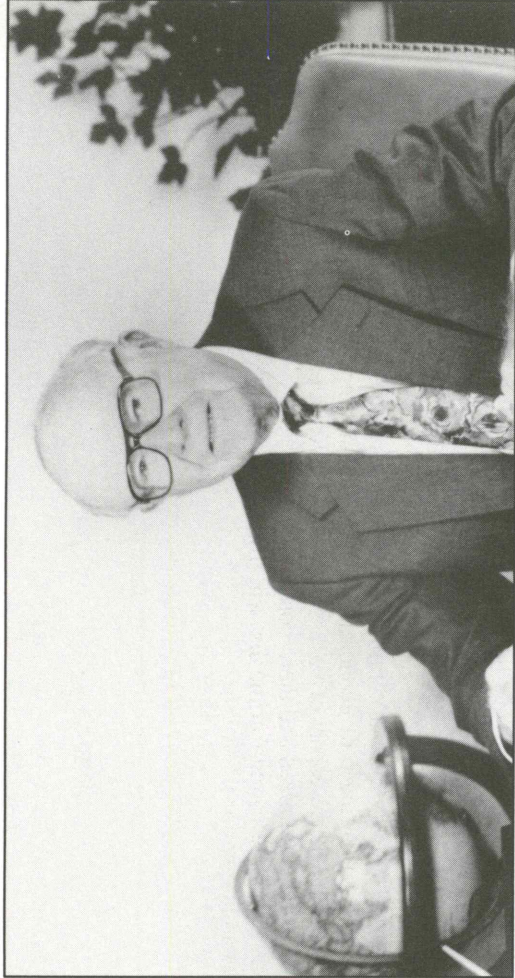
by Howard S. Brembeck

When I first proposed a civilized defense nearly 10 years ago, the cold war appeared permanent and, in all honesty, I did not believe the world soon would accept the idea of making economic power the first line of defense against aggression and weapons of mass destruction.

Today my assessment is far different. I think a civilized defense is realistically possible by 1998.

The end of the cold war has called into question all the arguments in support of the possession of nuclear and other weapons of mass destruction by any nation. The notion that a nation's nuclear weapons help keep the peace has been exposed for what it is—a dangerous myth. Relying on these weapons for protection is as nonsensical as keeping a man-eating tiger on a leash in your house for protection.

There also is a growing consciousness that every nation has a sovereign right to defend itself while no nation has a sovereign right to annihilate the population of another nation. Couple this understanding with today's new awareness of the potency of economic power and you can see the emerging outlines of a civilized defense.



Howard S. Brembeck, Author, *The Civilized Defense Plan*

When the leadership of the United States and the United Nations Security Council initially reacted to Saddam Hussein's aggression by organizing a precedent-setting trade embargo, they were providing evidence of a dramatic shift toward the economic alternative. The civilized defense concept is taking root. All that is needed to grow it into full-blown reality is a detailed plan for implementation and, to follow the example set in the organization of the European Community, a specific target date for completion.

When the date is reached and the civilized defense is in place, military power will be subordinate to economic power. Nuclear and other weapons of mass destruction will be delegitimized and their possession will be an international crime that will trigger an international boycott imposed by the Security Council arm of the United Nations.

As the CEO of a manufacturing corporation doing business in half the nations in the world, I have been able to

observe the limitations of military power and the growing strength of economic power. I have come to believe that trade, the power that built civilizations, has the power to build a civilized world.

Trade and technology have been creating for us a new world society, one very different from that which existed just 50 years ago. During these past 50 years, economic power, Adam Smith's invisible hand, has been at work shaping our world without violence, bringing down dictatorships and immobilizing powerful armies. The power of trade has been demonstrating, like never before in the history of mankind, that it, not military power, is the power that rules international relationships.

An Unprecedented Experiment

During 1991, we have been able to see with our own eyes an unprecedented experiment that will determine how international law will be enforced. We have seen the most

THE FOURTH FREEDOM

"The fourth (freedom) is freedom from fear, which translated into world terms means a world-wide reduction of armaments, to such a point and in such thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor, anywhere in the world."

*Franklin D. Roosevelt
Message to Congress, January, 1941*

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modern forms of the two most persuasive powers on earth--military power and economic power--competing, collaborating and being tested in the real life laboratory of the Persian Gulf.

Never before has there been such a test. Never before have so many nations agreed to try economic power to enforce civilized behavior. Never before has an outlaw nation been subject to nearly total economic isolation. Never before have we seen such a concentration of technologically advanced military firepower.

The Military Option

Through Operation Desert Storm, we saw what military power can accomplish. It liberated Kuwait, struck a major blow to the offensive capabilities of the Iraqi army and heavily damaged the country's infrastructure. Thanks to the skill and bravery of the forces of the U.S.-led coalition, all this was accomplished in a remarkably brief period of time with minimum casualties for the coalition.

But even the most ardent advocates of military action now recognize that it fell short of achieving all the goals of civilized society. Saddam Hussein remains in power and his dictatorship continues to terrorize the Iraqi people and threaten the stability of the region. There is no certainty that he has accounted for all of his weapons of mass destruction or renounced his aggressive policies.

From the beginning of his dictatorship, Saddam Hussein has fomented international instability. His build-up of offensive armaments--abetted by the greed of the industrialized nations--his attack on Iran, the slaughter of Kurds and Shiites, the takeover of Kuwait and his defiance of the United Nations reveal a man obsessed with proving his strength. I believe he delights in the opportunity to stand up to anything the world can throw at him. He might even welcome further bombing by the United States.

What would frustrate him is a strategy that relies on a stringent economic boycott supported by defensive armaments, continuing psychological warfare directed at

the Iraqi people and a willingness to stay the course until, to use a colorful but accurate phrase, hell freezes over.

Considering his experiences in Iran and Kuwait, I think it is highly unlikely that he would attempt to break out of containment by launching an attack. To do so would be to invite a new and devastating invasion of Iraq. His only alternative would be the impossible task of waiting out the boycott, of sitting on a throne that is being undermined by economic forces. When the embargo's work is completed, possibly only a matter of months from now, the Iraqi people would be sure to follow the example of other nations where the people have disposed of their dictators.

“...in international affairs, the power of withholding can achieve many objectives that are beyond the ability of military power.”

Building a New World Society Through the Power to Withhold

What we will see in the Persian Gulf--and what we are seeing now--is a manifestation of a power that really can give us the kind of world we want. This power of withholding is greater than the power of the armed forces of all nations. It is a power that can free society from the fear of weapons of mass destruction and wars of aggression. The ability to withhold is our greatest power as individuals or as nations but it is so well accepted, so commonplace that we tend to take little notice of its existence. We take it for granted just as we take for granted the sun that brings life to our planet. Yet, this concept--the power to withhold something that is desired by others--is our most potent force for improving the condition of our lives.

The power to withhold shapes relationships between husbands and wives, employers and employees, governments and

citizens. We repeatedly use it to discipline children, influence the behavior of retailers and manufacturers or to obtain a pay increase from an employer.

The power to withhold has the ability to shape our world for the betterment of human society. In today's interconnected, interdependent world, the withholding of trade by the United States and its trading partners can play a vital role in creating a world in which international relationships are governed by enforceable international law.

The creation of the U.N. coalition in the Persian Gulf was itself a tribute to the power of withholding. Many nations, including the Soviet Union and the People's

Republic of China, were not enthusiastic about contributing to an effort aimed at Iraq. But these nations also realized that by joining the coalition they would be staying on the right side of the world's economic powerhouse, the United States and the nations with which it trades. Because of its versatile, flexible, nonthreatening character in international affairs, the power of withholding can achieve many objectives that are beyond the ability of military power. Another advantage is that the power of withholding is always in place, always ready to serve on command and, of course, it is far less expensive than the military alternative.

Military Power vs. Economic Power for Achieving World Power

Germany and Japan have shown us that trade, not military might, is the route to international success. Trade wiped away centuries of hostility and created the European Community. It was the largely self

imposed lack of international trade that led to the anti-communist revolution in the Soviet Union and other nations of Central and Eastern Europe. Now trade is being called on to do what could not be done by military power. It is being identified as the adhesive that can hold together the Soviet republics in at least a loose confederation.

Asking Ourselves the Hard Questions—Setting a New Example

As the world's only economic and military superpower, the United States is in a unique position to influence the course of our world for the next few decades and perhaps for as long as a century. If the United States wishes to exert its influence on behalf of democracy and respect for law, it must first ask itself some hard questions and it must be willing to practice what it preaches. If we as citizens of the United States would like to have a lawful world, then we must be willing to abide by international law. If we believe in democracy, we must act in a democratic way. We must set aside our self-deluding macho image of the global gunslinger. We must get rid of a lot of archaic thinking about the nature of world power. We must be willing to recognize that, stripped of their customs, people around the world have the same basic hopes and fears. We must think and act as world citizens. We must accord to people of other nations the same right to life that we accord to ourselves.

When we have exercised our leadership in the past, we haven't always been sensitive to the concerns of the people of other nations. In the attack our armed forces led against Iraq, for example, an estimated 130,000 lives were lost. This is an appalling toll but we tend to give it little attention because only a little more than 100 of the victims were Americans. Most of the rest were Iraqis and we argue that our offensive against them was justified because it was provoked by Saddam Hussein's invasion of Kuwait. But we have to ask ourselves if the Iraqis deserved such dreadful punishment. Were they any more responsible for the menace of Saddam Hussein than the nations that sold him the weapons of aggression? Were we less guilty of violating international law in attacking Iraq than was Saddam Hussein in attacking Kuwait? Through the economic boycott, Saddam Hussein was under house arrest. Should we not have brought him to trial—in absentia, if necessary—for his violations of international law?

There is another question that we are going to have to answer if we really want a lawful world: Does not the Iraq of Saddam Hussein have as much right to weapons of mass destruction as the United States or any other nation? The answer, to say the least, is

not pleasant. But neither is it pleasant for other nations to exist in a world where a privileged few have the power to destroy them and where they have no power to destroy the privileged? Considering the nature and history of mankind, will not the underprivileged work to destroy the privileged? Will not the future verify the truth of the statement that those who live by the sword will die by it?

The Price of Violence

As Ralph Waldo Emerson reminds us, "There is an absolute balance of give-and-take, everything carries its price." Although it is as inescapable as the law of gravity, we overlook the fact that this law of compensation, of action and reaction, applies to nations as well as to individuals. We mistakenly believe that just because there is no enforceable international law, no international police force, no international jury or methods of punishment, we can use violence and escape paying its price. We are still paying the price for having used violence in Vietnam. We are now seeing the price of having used violence in Iraq. It is a price we will continue to pay in many ways for many years until the law of compensation has been satisfied.

Perhaps part of the price will be our painful recognition of simple truth. Iraqi mothers grieve no less for the loss of their children than do American mothers. The wounded of Iraq and those who lost all of

“...we have to ask ourselves if the Iraqis deserved such dreadful punishment. Were they any more responsible for the menace of Saddam Hussein than the nations that sold him the weapons of aggression?”

their possessions suffer no less than Americans under similar circumstances. If we can understand these lessons, we will have come a long way toward achieving maturity as a truly law-abiding nation.

Evidence Supports the Effectiveness of Sanctions

Then we will begin to see the folly of our reliance on the violence of military force. We will take an objective look at the economic alternative and we will discover that it does work. Researchers at the Institute for International Economics have found that over the past 100 years, economic sanctions achieved their objectives in 40 of 115 cases

that were examined. And even in the successful cases, the sanctions were far from total. "In the average successful sanctions case," the researchers noted, "the boycotters accounted for 28 percent of the targets' trade, far below the Iraq situation." In the Persian Gulf region today, the United Nations boycott affects perhaps 90 percent of all trade with Iraq. No wonder reports from inside the country indicate that the boycott is working.

In the program described in my 1989 book, *The Civilized Defense Plan: Security of Nations Through the Power of Trade*, sanctions would focus on restricting the flow of manufactured goods. This would cut off access to the equipment and parts that are essential for economic survival in today's world. In the case of Iraq, there is no reason why some Iraqi oil could not be exchanged for food, medicine and other humanitarian supplies that could be distributed by the United Nations or a responsible relief organization.

In this way, the suffering of the civilian population would be minimized. But the exchange of oil for food would not save the Iraqi economy. Without imports of manufactured goods, it would continue its plunge toward a disaster that inevitably would lead to the overthrow of Saddam Hussein and his henchmen.

Power of Secondary Sanctions

The Civilized Defense Plan (CDP),

calls for the use of trade to induce nations to accept the rule of law. Through the power of trade, law-abiding nations would be rewarded and criminal nations would be punished. But CDP does not stop there. It takes an important additional step. It calls for the withholding of trade not only with the lawbreakers, but with those that continue to trade with the lawbreakers.

In other words, the primary sanctions against a nation that violates international law would be buttressed by the threat of secondary sanctions against any nation tempted to violate the primary boycott. This threat, an essential and unique aspect of CDP, would assure nearly unanimous support of international law.

INFORUM is published by

THE FOURTH FREEDOM FORUM

803 NORTH MAIN STREET, GOSHEN, INDIANA 46526, PHONE: (219) 534-3402

Editor, Miriam Redsecker; President, Howard S. Brembeck; Executive Director, Marc Hardy; Director, Administration, Ann Miller; Director Information Services, Jennifer Glick.

Founded in 1982, The Fourth Freedom Forum - advocating freedom from fear of mass destructive weapons and aggression - is a non-profit [501(c3)] organization that stimulates informed public discussion of international security issues, emphasizing the utilization of economic power instead of military power. Letters and articles for publication should be addressed to Editor, Fourth Freedom Forum, Department N8, 803 North Main Street, Goshen, IN 46526.

October 22, 1991

NAN
Hon. John Sununu
White House Chief of Staff
Washington, D.C. 20500

Dear Mr. Sununu:

I heard your TV Brinkley interview which you fielded quite well...especially the poison dart questions trying to tack the KKK on the Republican Party. Republicans in general need some media prep work on how to deal with suggestive and accusatory questions.

Enclosed is self-explanatory report which I'm not publishing; I do a regular column for a mid-Manhattan monthly and have been accredited at United Nations where it's business as usual to hear autocrats and dictators talk of peace, justice, truth, and harmony.

I was personally convinced of the veracity of Hill's testimony after listening to her..but cross examination of her and others changed all that.

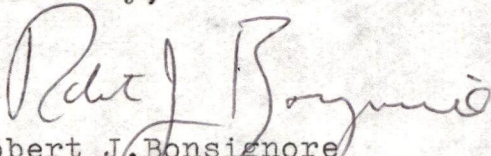
The affrontery of such a scam operation done in full public view matches that of the political show trials in Moscow. Even the feigned moral outrage is of the type Stalin would use he sure to seek the appearance of morality.

These people are after Republican blood with their Irangate witchhunt and search for any opening they can exploit.

But the Hill scam went well beyond the limits of political bounds exposing something here which should not be ignored.

Any news organization can assign investigative reporters to get the whole story without any help from the FBI or government. Yet look how Sharpton, Maddox, and Mason fooled the media on the Tawana Brawley fraudulent story.

Sincerely,


Robert J. Bonsignore
212 Beach 123 St
Queens, N.Y. 11694
(945) 6361

THE IMPLICATIONS OF THE JUDGE THOMAS HEARINGS ON SEXUAL HARRASSMENT
FOLLOWUP RECOMMENDATIONS, ANALYSIS, TENTATIVE CONCLUSIONS
CONFIDENTIAL DRAFT REPORT : RB NEW YORK OFFICE

FOCUS ON THE COLLABORATING WITNESSES THREE WHO TESTIFIED THEY WOULD SUSPEND JUDGEMENT ON JUDGE THOMAS UNTIL ALL THE TESTIMONY WAS GIVEN; THIS TO DEMONSTRATE THEY WERE UNBIASED. HAD ANITA HILL PREVIOUSLY TOLD THEM SHE WAS SEXUALLY HARRASSED BY CLARENCE THOMAS NONE WOULD HESITATE TO STATE DIRECTLY THAT "NO!" THEY WOULD NOT VOTE FOR THE CONFIRMATION OF JUDGE THOMAS. IT CAN BE CONCLUDED THEIR TESTIMONY IS TAINTED.

PARTICULARLY THE RESPONSES OF CALIFORNIA JUDGE HORSHNER ON WHETHER SHE HAD EVER FILED SEXUAL HARRASSMENT CHARGES: HER ANSWER PROVED TO BE EVASIVE AND MISLEADING SUCH THAT THE HEARER BELIEVED SHE MAY HAVE BEEN INVOLVED IN AN ADVISORY ROLE FOR SOMEONE. WHEN CONFRONTED WITH THE FACT OF A "WELL-PUBLICIZED" CASE WHERE SHE PERSONALLY BROUGHT SEX HARRASSMENT CHARGES AGAINST A FELLOW-JUDGE FOSTER LEADING TO AN OUT-OF-COURT SETTLEMENT AND HIS EVENTUAL RESIGNATION FROM THE BENCH...JUDGE HORSHNER USED AN EVASIVE TECHNICALITY THAT THE CHARGES WERE NEVER FORMALIZED.

THIS "PROCESS" BY WHICH JUDGE HORSHNER BROUGHT CHARGES AGAINST JUDGE FOSTER, SETTLED OUT OF COURT, AND WHICH LED TO HIS SUBSEQUENT RESIGNATION FROM THE BENCH - IF TRUE - BEAR TOO MUCH OF A SIMILARITY TO THE "PROCESS" USED TO FORCE JUDGE THOMAS TO BOTH WITHDRAW HIS CANDIDACY AND THEN DEFEAT HIS NOMINATION.

THIS AND OTHER INFORMATION STEMMING FROM THE HEARINGS LEADS TO THE CONCLUSION THAT ANITA HILL'S TESTIMONY AND THAT OF HER "CORROBORATING" WITNESSES WAS NOT ONLY FALSE AND MISLEADING, BUT PROFESSIONALLY "PACKAGED" BY A TEAM OF LAWYERS AND PUBLIC RELATIONS ORGANIZATIONS. THE PREPARED "TESTIMONY" READ BY ANITA HILL WAS DESIGNED TO MAXIMIZE THE NEGATIVE EMOTIONAL REACTIONS AGAINST JUDGE THOMAS BY APPEALING TO WELL-KNOWN SEXUAL STEREOTYPE IMAGES OF MALE BLACK AMERICANS. IT WAS TOO PROFESSIONAL AS IT TOUCHED BASE ON EVERY COLORFUL SEXUAL PRACTISE, BUT FLAWED DUE TO THE USE OF TERMINOLOGY USED IN AN OKLAHOMA SEXUAL HARRASSMENT CASE PREVIOUSLY RECORDED. THE SERIOUSNESS OF THESE CONCLUSIONS CANNOT BE UNDERESTIMATED:

THOSE NEFARIOUS TYPES WHO ARE INVOLVED ON SUCH A MASSIVE NATIONAL SCALE HAVE USED THESE AND OTHER METHODS TO INFLUENCE GOVERNMENT AND EDUCATIONAL POLICIES IN THE PAST WHERE THEY WERE NOT SUBJECT TO PUBLIC SCRUTINY OR CROSS EXAMINATION. AND THESE METHODS WILL BE USED AGAIN IN MORE SOPHISTICATED WAYS WITH LONG RANGE PLANNING AND STRATEGEMS. REPRESENTATIVE GOVERNMENT CANNOT SURVIVE SUCH MANIPULATIONS.

PUBLIC AWARENESS AND THE CHALLENGE TO OUR GULLIBILITY NOW EXISTS AND WE CANNOT ALLOW THIS LEARNING MOMENT TO PASS. IN THE NETHER WORLD CREATED BY STALIN AND HITLER SHOW TRIALS, MANAGED NEWS, AND THE BIG LIE HAD BECOME THE NORM. MUSSOLINI'S FASCISTS, HITLER'S NATIONAL SOCIALISTS, STALIN'S SOVIETS: EACH POSED AS POPULISTS, DEMOCRATS, OR SOCIALISTS REPRESENTING THE PEOPLE. EACH BETRAYED THE PEOPLE.

THE ISSUE HERE IS NOT CONGRESSIONAL LEAKS, SEXUAL HARRASSMENT, THE WOMEN'S VOTE, OR A NEED FOR NATIONAL HEALING. NOR IS THE ISSUE THE SENATE JUDICIARY COMMITTEE OR CONGRESSIONAL TERM LIMITS. INVOLVED IS THE FUTURE VIABILITY OF THIS NATION.

OCTOBER 21, 1991

At the Opening Sessions of the United Nations General Assembly Italian Foreign Minister Gianni De Michelis called for a major Charter Revision to expand both the permanent and non-permanent members of the Security Council while introducing a system of "weighted voting" which takes into account both population size and power of member states. Emerging, he said, is the principle of "active intervention for humanitarian purposes" on the basis of recent experiences in Yugoslavia and the Gulf this requiring the revision particularly of Chapter VII of the U.N. Charter.

Dr. Alois Mock, Foreign Minister of Austria, addressed the General Assembly calling for the formation of teams of "White Helmut" human rights enforcers who could be quickly sent into any country to prevent the escalation of any human rights abuses. Such safeguarding of human rights and fundamental freedoms, he said, "cannot be rejected as interference in the internal affairs of another country." Dr. Mock also announced the construction, at Austrian expense, of additional office space in the Vienna International Center for use by the United Nations this leading to speculation as whether it was an invitation to move United Nations Headquarters to Vienna.

Qian Qichen, Foreign Minister of China, spoke to the General Assembly of establishing a just and equitable new international order where human rights and freedoms must be understood in the framework of differing political, economic, and social systems and their different historical, religious, and cultural backgrounds. Some nations, he stated, have used human rights for "waging cold war," or as a means for "pushing power politics" this hampering international cooperation and impeding "the universal realization of human rights and fundamental freedoms."

FINIS

THE IMPLICATIONS OF THE JUDGE THOMAS HEARINGS ON SEXUAL HARRASSMENT
FOLLOWUP RECOMMENDATIONS, ANALYSIS, TENTATIVE CONCLUSIONS
CONFIDENTIAL DRAFT REPORT : RB NEW YORK OFFICE

FOCUS ON THE COLLABORATING WITNESSES THREE WHO TESTIFIED THEY WOULD SUSPEND JUDGEMENT ON JUDGE THOMAS UNTIL ALL THE TESTIMONY WAS GIVEN; THIS TO DEMONSTRATE THEY WERE UNBIASED. HAD ANITA HILL PREVIOUSLY TOLD THEM SHE WAS SEXUALLY HARRASSED BY CLARENCE THOMAS NONE WOULD HESITATE TO STATE DIRECTLY THAT "NO!" THEY WOULD NOT VOTE FOR THE CONFIRMATION OF JUDGE THOMAS. IT CAN BE CONCLUDED THEIR TESTIMONY IS TAINTED.

PARTICULARLY THE RESPONSES OF CALIFORNIA JUDGE HORSHNER ON WHETHER SHE HAD EVER FILED SEXUAL HARRASSMENT CHARGES: HER ANSWER PROVED TO BE EVASIVE AND MISLEADING SUCH THAT THE HEARER BELIEVED SHE MAY HAVE BEEN INVOLVED IN AN ADVISORY ROLE FOR SOMEONE. WHEN CONFRONTED WITH THE FACT OF A "WELL-PUBLICIZED" CASE WHERE SHE PERSONALLY BROUGHT SEX HARRASSMENT CHARGES AGAINST A FELLOW-JUDGE FOSTER LEADING TO AN OUT-OF-COURT SETTLEMENT AND HIS EVENTUAL RESIGNATION FROM THE BENCH...JUDGE HORSHNER USED AN EVASIVE TECHNICALITY THAT THE CHARGES WERE NEVER FORMALIZED.

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OCTOBER 21, 1991



A Grabski
Route 1 P O Box 1795
North Ferrisburg VT 05473-9507

NAN

Dear Mr. Sumner

Oct 20, 1991

Are you going to insult my intelligence by indicating that the problem of medical care for Americans is more complex than the Middle East Peace-problems? You certainly indicated that in your response on the David Brinkley program.

Clearly, the domestic problems in our country carry a lower priority than foreign affairs. In fact our President really does not care, since he feels sure of re-election

Yours truly

Al Grabski

L. B. OVERBY
126 CUSTER
EVANSTON, ILL. 60202
475-4868



NAN

Gov. JOHN SUNUNU, Chief of Staff

OCT 31 1991

Dear Gov. SUNUNU

On the way to the Loop again I see these
sophisticated Blacks who are no Jesse Jackson faced
and obviously hate the only b#b#s as Justice THOMAS said
"They Bitch Bitch Bitch!"

They said "the way this country has been
raped financially & morally we think David
Duke would be a real breath of fresh air,
because only the parasites would oppose him!"

I'm sure I got it right as the 2 escaped
along. That allows hood far smart blacks have come.

I thought it worth passing along in
this confusing period. As they also insist our
bank loans belong to the U.S. citizens.

Sincerely

L. B. Overby

117 Cambridge Street
Winchester, Mass. 01890
October 21, 1991

NAN

My Dear Governor Sumner,

Thank the Good

Lord that you are still in a
position to advise and support Mr. Bush.

I watched the Brinkley
program yesterday and was struck by
your ability to respond to Mr.
Donaldson et al with dignity and
decorum.

I was glued to the TV on last
weekend as we all watched the
Virtual Inquisition of Justice

Clarence Thomas.

I was moved to tears by his recital of the pain that he had suffered for a period of 106 days.

But his faith, strength and perseverance permitted him to remain in the chair until the delightful conclusion - Confirmation! Deo Gratias!

I was indeed impressed by the presentations of Senators Hatch, Specter and Simpson.

I was embarrassed by the remarks of the senior Senator from Massachusetts.

2.
But I have been embarrassed for a
long time by Mr. Kennedy,
Mr. Markey, Mr. Frank, Mr. Studds,
Mr. Oliver, Mr. Atkins etc.

I am further disillusioned with
the lack of recognition by Messrs. Weld
and Celucci of good qualified
supporters to fill cabinet secretaries
and other assignments as
Revenue, Personnel, Human
Services, Connections, etc. within Mass.
I was a piece worker but I was
happy to do for Mr. Weld in an
effort to elect an able Republican
and to restore a two party

System to the Commonwealth.
I have long since scaled
down my expectations of a
Candidate from 100% to 75%
to 50% and now I'm
hoping that I can be
comfortable with 35% of
the proposals of the Executive
Office.

However, the proposal to
eliminate parental consent in the
case of a minor in terms of an
abortion is more than I can
handle — in fact his whole
idea of a abortion is offensive
to me.

Another issue of concern is the pandering to the Gay and lesbian Community. I find this to ~~be~~ a distasteful and ill-considered.

I feel that after the previous Administration of Dukakis - Murphy - that we deserved better.

I am ever optimistic that the situation will improve but I must tell you that many Newer Republicans regret having changed their registrations and our party is in deep trouble!

I wish you well.

Keep smiling and
don't lose your sense of
humor.

If I can be of any service, please
call - I'd be happy to
straighten out this state and
nation!!

I'd also like to go on record
to offer what help I can give to
the efforts of your dear wife
and Mae Ellen Boek.

Sincerely,
Maethioingstone
(Mrs. E. A.)

NAN

1-004298A295 10/22/91

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FMS JOHN SUNUNU PRESS SECRETARY

THE WHITE HOUSE

WASHINGTON DC 20500

1-009470S294 10/21/91

5042918844 FRS TDRN BATON ROUGE LA 15 10-21 1032P EST

BE MORE CONSIDERATE OF THE LOUISIANA VOTER. YOU COULD HAVE

91 OCT 22 ALL : 57

HELPED US BEFORE OCTOBER 19TH.

JULIUS MULLINS MD

2233 EST

1051 EST

1053 EST

This certifies that
JOHN H SUNUNU
NATL COUNCIL HONORARY MBR
is a member of the
BOY SCOUTS OF AMERICA
NATIONAL COUNCIL

and is entitled to all the rights and privileges
thereof to the last day of

JUN. 1992
950 01 002947


Chief Scout Executive



BOY SCOUTS OF AMERICA



BOY SCOUTS OF AMERICA

National Office
1325 West Walnut Hill Lane
P.O. Box 152079, Irving, Texas 75015-2079
214-580-2000

Ben H. Love
Chief Scout Executive

October 14, 1991

NAN

Mr. John H. Sununu
Chief of Staff
The White House
Washington, DC 20500

Dear Mr. Sununu:

I am most pleased to enclose your registration card indicating you are an Honorary Member of the Boy Scouts of America.

You should be receiving your Scouting magazine and if you are not, please let me know.

We look forward to your continued interest in the Boy Scouts of America.

Thank you.

Cordially,

Ben H. Love
Chief Scout Executive

cy
enclosure

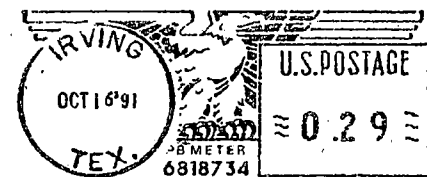


BOY SCOUTS OF AMERICA

National Office
1325 West Walnut Hill Lane
P.O. Box 152079
Irving, Texas 75015-2079



SCOUTING...
A BRIDGE
TO THE FUTURE
BOY SCOUTS OF AMERICA



Mr. John H. Sununu
Chief of Staff
The White House
Washington, DC 20500



WHITE HOUSE CHIEF OF STAFF
Mr. John Sununu
White House of the United States
1600 Pennsylvania Avenue
Washington, D. C. , 20500

October 16, 1991

Re: Supreme Court nominee Clarence Thomas

NAN
Dear Governor Sununu:

Our judicial system works (at least this time) as evidenced by the Senate vote in behalf of the appeal of majority of Americans for fair play. The out-pouring of this nation-wide response was helped so much by our President, Senator Danforth, and unflagging support of Senators Specter, Hatch and Simpson on the judicial committee plus the timely response of Thomas in his final two appearances before the judicial committee.

Justice Prevails

Well the liberals worked him over
And hoped he would withdraw
They said he was unfit
To interpret constitutional law

But Thomas is not a quitter
He was determined to persevere
He told the committee and America
About injustice and racial fear

He proved he is a winner
And knows what's right and wrong
He's now a Supreme Court justice
Where we pray he does belong

I believe he will be a fine one
And become one of the best
For in the years to come
His record will be the test

William A. Barnes, Jr.
by William A. Barnes, Jr. 10-16-91

I really savored the timely response of Senator Specter to the remark of Senator Kennedy concerning shame (and to think it came from the lips of the main character in the Chappie-quick-dick scenario)!! I've always had trouble spelling that place! Sincerely,

William A. Barnes, Jr.

This letter may be opened for inspection

William-A. Barnes, Jr.
3095 Calvert Boulevard
Cove Point Beach
Lusby, Maryland 20657



WHITE HOUSE CHIEF OF STAFF

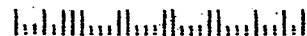
Mr. John Sununu

White House of the United States

1600 Pennsylvania Avenue

Washington, D. C. 20500

PERSONAL ATTENTION



NAN

10-12-91
Apt #210-235
Howard St -
San Antonio, Tx.
78212

Attn: Sonunu Desk
The White House

Gentlemen;
I have watched the Thomas
hearings rather closely -
and to wax Freudian it
appears to me a case of the ID
Over taking the Ego -

Also, I do not believe these
polished maneuvers should
reach the media -

Nevertheless, Judge Thomas
impresses me as learned,
intrinsically honest - and morally
sound -

This appointment, in my view,
was done by a conservative president;
not to stack the court, but of a
rather liberal judge to the supreme
court of a democratic system -

It demonstrates significant insight and; in terms of pseudo-clairvoyance has termed the action of a highly neurotic woman (hill)

This has also been picked up by the spanish speaking media here —
— Primarily in print El Prensa —

As for Thomas, this very brave man; the subject (if a $\frac{2}{3}$ majority of the senate is required) will give us a $\frac{3}{3}$ AI Job —

Regards,
Robert D. McPherson

P.S. —

And to reiterate: I deeply resent the attempt to trash (no matter color) reputation via a kangaroo court / Thom. or whoever & put it up to the american public —
pps Let me remind you of, perhaps, one of the most notable statements of the Truman Administration — It doesn't matter who passes — "the buck stops here" — &

Another by Arleigh Burke: Non bastardus carterundum = don't let the bastards grind you down —

RMC

Robt D. Henderson
 #210-235 Howard St -
 San Antonio, Tx; 78212



The Sununu Desk
 The White House
 Washington, D. C.
 of To: those friends
 to whom he has been
 well acquainted

This is a long
 city - town where
 you will always be
 welcome - not
 in W. D. C.
 I am not even slightly
 interested in what goes on
 following this
 Polarization
 with
 Please

I have it
 for 2 + I have it
 + THATS OK by me

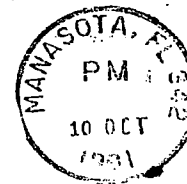
NAN

For your sense of humor

Perhaps Congress should be told that the way to remove women as sex objects is to redesign women so that they would be more like men. And while you are about it why not suggest that Congress could take a small step toward being more ethical by denying the members the right to cash checks which bounce and to charge restaurant bills anywhere. Once Congress has taken these small steps, it could try to find a way to carry out its duties so that the best interests of the Country would more often be evident.

Norman Waite

Mr. Norman Waite
512 North Spoonbill Drive
Sarasota, Florida 34236



Mr. Summuno
White House
Washington
D.C. 20004