

BACKGROUND PAPER - OUR LEGACY

After they voted in the election of 2016 dozens if not hundreds of women in and around Rochester, New York visited the grave site of Susan B. Anthony and affixed their "I Voted" stickers to her headstone, covering the marker with their quiet expressions of gratitude to the steely spinster who had died one hundred ten years earlier never living to see the success of a half-century of her labors to enable women in America to vote.

2016 marked the first time in the history of the United States that a woman led the ticket of one of our two major political parties as their candidate for the Presidency. And on that cold November day, on that milestone, for those women of Rochester and for millions of others throughout our land the suffragettes of the 1800's and the first twenty years of the 1900's were their Greatest Generation. They had worked tirelessly for almost 70 years, starting in the 1850's, to secure every American woman's right to vote.

Campaigns for rights are that powerful. Rights are clear, unambiguous. Rights are personal. You have them or you don't. You own them or you don't. You can look them up online, on Wikipedia, in a table, in a list. In America's persistent quest to form a more perfect union groups of citizens have been working on enshrining individual rights in our Constitution since the 1780's.

Campaigns about rights stir the soul and focus the mind, both for and against. The issues involved seem clear. They produce fiery rhetoric, passions, and often violence. They are marathons of long-term persistence that wear down and wear out opposition.

When enshrined in our Constitution, declarations about rights are permanent contracts between individuals and their government, setting forth both authorities and limitations. Some are very specific, while others like the 10th Amendment to the U.S. Constitution, are more sweeping and general.

POWER THROUGH PROCESS

There is a second, less dramatic but potentially much more important method by which The U.S. Constitution carefully defines and allocates federal governmental power. It is the power which derives from descriptions of process, descriptions that in our civics classes we learned to call checks and balances.

Instructions about process, however, the distribution of power within a government, or between government and the people, or between one government and another, are often of much less interest to the citizens because we cannot clearly see how they are important to us personally.

Process issues do not appear to affect us very much, even when they really do. For example, when John F. Kennedy was assassinated, Vice President Lyndon Johnson became President. The Vice Presidency remained vacant for the next fourteen months, until the 1964 elections, because there was no process set forth in the Constitution to fill a vacant Vice Presidency between elections. Since the need for a sitting Vice President to accede to the Presidency arose so infrequently, there seemed to be no rush to fix this particular absence of process. In February, 1967 the 25th Amendment was adopted quietly and without fuss setting forth the process we employ today.

Good thing it was decided, because seven short years after its adoption the new 25th Amendment process was needed, and not once but twice. The first time it was used Gerald Ford was appointed by President Nixon and confirmed by the House of Representatives to replace Vice President Spiro Agnew who had resigned. The second time it was needed Richard Nixon himself had resigned. Then Vice President Ford became President, and Nelson Rockefeller, appointed by President Ford and confirmed by the House of Representatives, became Vice President. This was the first and so far the only time in our history that neither the President nor the Vice President of the United States had been elected by the people. Had there not been the 25th Amendment the turbulence of President Nixon's brief second term might have been much more challenging to our constitutional system than it turned out to be.

A few short years later our people also witnessed two attempted assassinations, of Presidents Ford and Reagan, each of which was a close call. We might have needed the 25th again, and again.

Process issues are very important. And the founders knew it.

The genius of our founders enabled them to produce a Constitution filled with important process instructions that have produced a functioning government for our Republic for more than two centuries. It is a testament to the effectiveness of their work that new process issues do not come up very often, and when they do they can often be resolved by debates among elected officials, as was the case with the 25th amendment, rather than by some sort of national campaign and plebiscite.

But now we have a process challenge unlike any we have yet faced in our history and the old way of securing process changes to our Constitution will not work the way it has in the past. We must create in our beloved Constitution a few crucial process imperatives to control and improve the financial management of the vast sums of money that we send each year to our national government and the expenditures and regulations that flow from it.

The *Bill of Responsibilities*[™] Project makes the case that we the people need to summon for critical process changes the same citizen passion, devotion, commitment, fervor and stamina that in the past has been reserved for campaigns about rights. We the people have to change process. We have to become convinced that critical process changes about money and regulation matter to us as individuals as well as to the whole nation.

This is an overarching problem that cannot be resolved by elected officials. We know that because officials have been aware of the situation for about 80 years and have done nothing about it. They are too much a part of the way things are to change them.

If we fail to do it the future of the United States as a nation will be significantly jeopardized and may even be much less wealthy and powerful than it is today.

This time we the people have to do it or it will not get done.