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27 July 1976

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Mr. Howard P. Willens  
1666 K Street NW  
Washington

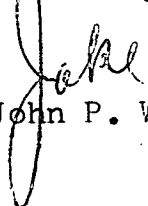
Dear Howard,

Tomorrow I take off for a week in Scotland. So I will be out of circulation for a bit. Since the pressure on time has been eased by the postponement of the convention I suppose I will not be missed. When I return I do hope to have from you some appraisal of the work I am doing. And if I have not completely worn out my welcome there, some guidelines for how I should spend my time.

By now I have communicated clearly, I hope, my concerns about the approaches in the papers I have seen. There is no point in my repeating them with each additional one which arrives. Thus my future comments, if you want them, will be on specific points made in the papers, although I will continue to raise the question whether a particular item should be included. As I note in my proposed outline for the OVERVIEW chapter I believe a central problem is that the writers are focussing on the writing of a document rather than on the fashioning of efficient, responsible and responsive governmental institutions. Or back of that upon the identification of the political and social values the Marianans want reflected in the governmental machinery. To me, the writing of the constitution is derivative; it is the codification of these ideas. And I believe strongly that ~~this~~ the identification of the values and the fashioning of the government are the things the people need primary help with--more so than usual because of their relative lack of familiarity with American institutions.

Unless I hear from you to the contrary I will turn my hand to a redraft of the overview chapter along lines of my enclosed suggestion. Of course, I can tailor this any way you want but drawing from my experience--none of which has been with the Marianas--this approach seems a happy compromise between my earlier effort and your critique. Indeed I hope it comes a long way toward satisfying your concerns. In addition, I will continue to read and comment on the papers sent, with particular emphasis on specific points.

Sincerely,

  
John P. Wheeler

## Outline of OVERVIEW Chapter

INTRODUCTION --begin with your suggestion of Covenant's guarantee of self-government and the right of the people to establish within the broad limitations prescribed their own government. It would be more than rhetorical here to distinguish without emphasizing the difference between fashioning their own government and writing a constitution to back it up. I think this is one of the problems I have with the briefing papers, that the writers see constitution-writing as the primary task and I see it as derivative, from the fundamental political decisions the people must make.

Then I would include a brief, realistic treatment of the American system along the lines of my stuff on ppl-2. Certainly the concept of "local self-government" must be understood within the context of what the "system" is. I intend to rewrite this section and include it, but in such a way that you can red-pencil easily if it does not suit.

Note : Incidentally I do not have a full copy of the Covenant so I am not sure of the phraseology of the sections you refer to. At this time I have only sections 203, 401-03, 501, 505, 602, 604-608, 703-04, 804-05, 901-03, and 1003-04. Could you send me the other important sections.

### I. THE ROLE OF THE WRITTEN CONSTITUTION

- A. History--similar to my pp2~~3~~5 but with more historical substance and the holding for the moment of the judgments.
- B. The Condition of State Constitutions--an appraisal of the contemporary documents. This will require judgment based upon the materials to be presented in section D. (It may be necessary to reorganize this so that the standards are presented before the criticism)
- C. Recent Steps to Improve State Constitutions (substantial expansion of my p8)
- D. The Function of a Good Constitution and its Virtues (rewriting and expansion of my pp9-14 with more illustrations of concrete problems resulting from excessive detail).

### II. The Constitutional Convention

- A. History of Constitutional Conventions  
Brief treatment, with differentiation of convention and legislature
- B. Recent State Experiences--general comments on developments since 1950; specific treatment of Alaska, Hawaii, Maryland and Illinois
- C. Dimensions of the Task--as you suggest
- D. Descriptions of the Briefing Papers  
Purpose of the papers, etc.  
Brief mention of the most fundamental issues in each subject area.

CONCLUSION--as you suggest