

Constitution of the United States

In these pages, *Comments like this: [italics in brackets]*

Superseded text like this: (underlined bold italics)

[Preamble] We the People* of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

[Originally, the Constitution had no title but simply began "We the People..."]*

[The Preamble to the Constitution has no force in law; instead, it establishes the "Why" of the Constitution. "General Welfare" means the government is to do good - for ALL the people (it does not mean 'free goodies' for anybody.). The Founders regarded Liberty as a gift of GOD and formed this government to ensure that the Blessings (the good) of Liberty fall upon us and all future generations,]

Article I *[The Legislative Branch]*

Section 1 *[The Legislature]*

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

[Congress is The House and the Senate. The President & the Judicial have ZERO legislative powers - they cannot make law.]

Section 2 *[The House]*

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

(Representatives and direct Taxes shall be apportioned

[In proportion to the count of people (the census). Among other things, it does NOT allow for some states to pay more than others!] among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.)

[The previous sentence in parentheses was modified by the 14th Amendment, section 2.]

The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. *[This means Congress can change the rules determining how many Reps required.]*

The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse *[choose]* three, Massachusetts eight, Rhode Island and Providence Plantations

one, Connecticut five, New York six, New Jersey four,

Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3 *[The Senate]*

The Senate of the United States shall be composed of two Senators from each State,

(chosen by the Legislature thereof,) [The preceding words in parentheses superseded by 17th Amendment, section 1.]

for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year;

(and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.)

[The preceding words in parentheses were superseded by the 17th Amendment, section 2.]

No person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section 4 *[Elections, Meetings]*

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Place of Chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall

(be on the first Monday in December.)

[The preceding words in parentheses were superseded by the 20th Amendment, section 2.]

unless they shall by Law appoint a different Day.

Section 5 *[Membership, Rules, Journals, Adjournment]*

Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum **[enough members present]** to do Business; but a smaller number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two-thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6 *[Compensation]*

(The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.)

[The preceding words in parentheses were modified by the 27th Amendment. The founding Fathers expected our representatives to be patriots – to leave their “jobs” for a short time to serve their country, at all times to keep the good of The-People and their Country as the foremost consideration in their “service”, to receive little pay for this service and to return for to their normal lives & jobs afterward. The 27th Amendment said, in essence, that they couldn’t vote themselves a raise. But “career politicians” (most of them) found they could vote themselves a raise effective the next House election – a maximum of 2 years later.]

They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States which shall have been created, or the Emoluments **[pay or salary]**

whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7 *[Revenue Bills, Legislative Process, Veto]*

All bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such

Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such

Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall

have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of

Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8 - *[Powers of Congress]*

[These are the only 18 Powers given the Federal Govt]

[1] The Congress shall have Power To lay and collect Taxes, Duties *[usually an import tax]*,

Imposts *[a tax of similar compulsory payment]*

and Excises, *[a tax on goods produced within the country]*

to pay the Debts and provide for the common Defence and general Welfare *[In the 18th Century General Welfare simply meant "for the good of ALL - all the Citizens or the entire country. It has come to also mean, in the 21st Century, "Free Goodies from government", which this is NOT.]*

of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

[Uniform taxes means everybody, in all parts of the country, pays the same rate - no State can have a different tax rate.];

[2] To borrow money on the credit of the United States;

[3] To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

[In 1787 Regulate meant 'make regular' or consistent - it did not mean "control, prohibit, abolish or only allow". The Federal Govt. has expanded this definition of "commerce" far beyond its original meaning, to mean anything that involves money, or even "bartering or value" between individual citizens, with the end result that they "regulate" (CONTROL) commerce in every way - with an endless array of "Regulations" (usually not even done by Congress) the Constitution does NOT give Congress the Power to delegate any of its Responsibilities - but by Federal Agencies that are almost all unconstitutional.]

[4] To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States; *[Naturalization includes Immigration. This & Bankruptcy laws are Federal ONLY - made by Congress.]*

[5] To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

[There is NO provision for the "paper money" - only Gold or Silver - or for States making any money, and Congress will determine the value of our money as well as that of any foreign money.]

[6] To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

[This it is NOT as treason, as it was previously under English Law]

[7] To establish Post Offices and Post Roads; *[These were roads used for delivery of postage/mail, usually where it was too*

expensive for private people, local or state governments. Other types of roads certainly existed, which were of no concern to the Federal Government. Are Federal Highways & the Interstate Highway System 'post-roads'? If not, they are ILLEGAL.]

[8] To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

[patents, copyrights & trademarks]

[9] To constitute Tribunals inferior to the supreme Court [*Congress can establish courts below the Supreme Court - these are the Federal Courts.*];

[10] To define and punish Piracies and Felonies committed on the high Seas, [*these crimes specifically do NOT lie in our CIVILIAN court system – it is given EXCLUSIVELY to the CONGRESS*]

and Offenses against the Law of Nations; [*Note that this is capitalized - because it refers to a Book by Vattel-1758, which was used heavily & depended upon by the Founders. Vattel defines International Law; and “Natural-Born-Citizen” as a person whose Parents, particularly the Father, was already a Citizen when the child was born.*]

[11] To declare War, [*11 to 17 pertain to the military.*]

[The President cannot declare war. - ONLY Congress]

grant Letters of Marque [*issued by a nation to a privateer or mercenary to act on the behalf of that nation for the purpose of retaliating against another nation for some wrong, such as a border incursion or seizure*]

and Reprisal, [*An act taken by a nation, short of war, to gain redress for an action taken against that nation. For example, seizing a ship in retaliation for a seized ship*]

and make Rules concerning Captures on Land and Water; [*captures during any form of war do not pertain to the States or local governments - Congress alone will decide how to deal with them – usually kept in Guantanamo and dealt with ONLY in Military Courts - NOT Civilian Courts – NOT subject to our Constitutional Rights.*]

[12] To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

[The Founders were not in favor of standing armies as they were too easy to be used to threaten Freedom or individual Rights. Yet, they knew they were necessary at least during war. So, they allowed for them to be raised but, raising the money had to be an action of Congress that could not finance them for more than 2 years at a time.]

[13] To provide and maintain a Navy; [*They did want a Permanent Navy. NOTE; that it limits money for standing Armies to 2 years but allows us to MAINTAIN a Navy – without limitation*]

[14] To make Rules for the Government and Regulation of the land and naval Forces;

[The Federal Government, through Congress, not the States, would make the rules for the Army & the Navy (and, of course, their subdivisions like the Marines & Air Force)..]

[15] To provide for calling forth the Militia [*We have Dishonored/IGNORED this part of our Constitution. The Militia, composed of “The-People”, was to be our permanent means of Domestic Defense, to be used as required to enforce our Federal Laws and for domestic “uprisings” like out-of-control Protests. A militia is a group made up of people, usually citizens, who are organized to provide defense services or paramilitary forces to a cause or region, whenever they are called up to be employed in the Service of the United States, apparently by the Commander in Chief - the President - for Federal employment - and by the States for State use. Apparently this also says that Congress will provide for “calling forth the Militia”, so that IMPLIES that Congress will*

make the rules on how the States can call it up for their use.

A militia is distinct from a regular army. It can serve to supplement the armed forces, or may oppose them, such as resistance to a coup in the military.]

to execute the Laws of the Union, suppress Insurrections and repel Invasions; [*Now, some demagogues are saying the Coast Guard & National Guard are the Militia? And, if either is, it can ONLY be used for the named purposes of the Militia. There is NO mention of any “civilian” action except that which applies to “the Laws of the Union”. Many believe this means Federal Law ONLY as it says “UNION” not States or anything else. If it is NOT the Militia, then all of this is IRRELEVANT as we do NOT at this time even have a Militia, and not having it appears to be Unconstitutional.]*

[16] To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

[The Founders wanted to be sure that the States controlled how & where the Militia was trained and that ALL Officers were furnished by the States so States Rights & concerns were always in the forefront. Clearly, ONLY the States can appoint the Officers & have the “authority” to train the Militia, with Federal money & according to the rules of “discipline” made by Congress. And, the Federal government can ONLY “govern” that Militia that is actually “employed in the Service of the United States”.]

[17] To exercise exclusive Legislation in all Cases whatsoever, over such District [not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States,

[This refers to what became Washington D.C. when the States ceded this land to the Federal Government.]

and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be [*Congress has exclusive authority for any legislation concerning this land.*],

for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; *[It is only authorized to build military installations, dockyards and any other buildings it may need for the Federal Government. Washington D.C. is owned & controlled by Congress. The Federal Government is given authority here to purchase land & buildings from any State that consents, but ONLY for Military Installations, Dockyards & other (Federal) needful buildings. It is NOT authorized to own ANY other type of land, certainly not unused land, National Parks or mineral rights. All other land & buildings belongs EXCLUSIVELY to the States. It has ILLEGALLY STOLEN almost all of its land from the States.]*

[18] and to make all Laws which shall be necessary *[including D.C.]*

and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

[This means EXACTLY what it says: The Federal Government is authorized ONLY to make whatever laws are necessary to carry out the Powers it is given here in the Constitution - it can NOT assume ANY Powers not specifically enumerated.]

Section 9 *[Limits on Congress]*

[1] The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

[This means, among other things, that Congress could NOT prohibit the importation of SLAVES or any other persons into the 13 original States before 1808. This implies that Congress could prohibit IMPORTATION of slaves or anybody after that. And, that a tax up to \$10 per person could be imposed at any time.]

[2] The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it. *[A writ of habeas corpus (which literally means to "produce the body") is a court order to a person or agency holding someone in custody (such as a warden) to deliver the imprisoned individual to the court issuing the order and to show a valid reason for that person's detention. You can't be held indefinitely without being charged for a crime.]*

[3] No Bill of Attainder or ex post facto Law shall be passed.

[Part of English common law. Under English law, a criminal condemned for a serious crime, whether treason or felony (but not misdemeanor, which referred to less serious crimes), could be declared "attainted", meaning that his civil rights were nullified: he could no longer own property or pass property to his family by will or testament. No legislative act could single out one or more persons and impose punishment on them or the loss of all civil rights, without benefit of trial. No Ex Post facto means you can't be prosecuted for something that wasn't against the law when you did it. It prohibits any law that makes illegal an act that was legal when committed, increases the penalties for an infraction after it has been committed, or changes the rules of evidence to make conviction easier. This also means, among other things; that you cannot TAX someone for money made BEFORE the law was passed! But, ever since Marbury v. Madison, the Supreme Court has decided (it GAVE ITSELF this power!) that it is the ultimate authority on what is or isn't constitutional. They have even ILLEGALLY ruled that tax law is EXEMPT from that section of the Constitution (NOTHING is exempt from ANY part of the Constitution), so they can make Ex Post Facto (retroactive) tax laws with IMPUNITY.]

[4] (No capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.) *[Section in parentheses clarified by the 16th Amendment.] [The Income Tax was illegal because it had NOTHING to do with the census, so they passed the 16th Amendment to allow it. Social Security & Obamacare are ILLEGAL for the same reasons, so they have BROKEN the Supreme Law and IGNORED them.]*

[5] No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

[This ensures that NO Export Taxes can be levied by the Federal Govt or any State to ensure that no State can disadvantage any other and to ensure that the price of any exports from the U.S. are not inflated by taxes, which would be a disadvantage for the U.S. in international markets. All ports must be treated equally so no State will have any advantage over any other. Any ships bound between States cannot be charged any Domestic taxes for the same reasons.]

[6] No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

[Any money paid out by the treasury must be legally approved & provided for by Law - no payments can be arbitrary or done verbally - and an accounting of all money spent by the government must be published.]

[7] No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under

them, shall, without the Consent of the Congress, accept of any present, Emolument *[the product (as salary or fees) of an employment - MONEY or anything of value]*, Office, or Title, of any kind whatever, from any King, Prince or foreign State. *[No Federal Official or employee can accept anything of any conceivable value from any foreign power unless Congress specifically approves it.]*

Section 10 *[Limits on the States]*

[1] No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility. [Most of these are covered in Art-I, Sections-8 & 9. States are not allowed to make any Treaties or other 'arrangements' with any other entity - State or Government. Nor can a State grant a letter of marque and reprisal (which was a govt. license authorizing a person, known as a privateer, to attack and capture enemy vessels and bring them before admiralty courts for condemnation and sale). They cannot issue any paper money (Bills of Credit designed to circulate as money) nor decree that anything other than Gold & Silver be used to pay ANY debts (in their State). They can't pass any Bill of Attainder, which is a Legislative Action declaring someone, or group, guilty without a Trial. They can't pass any "retroactive" laws (see Art-I, Sec-9 above); or any law that interferes with any contract, by anybody or anything, as long as it is Legal; or grant any Titles.]

[2] No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul [control] of the Congress. [No interstate taxes, except where there are Inspection laws (like interstate movement of fruits), but these laws must be approved by Congress and the State's PROFIT from such Inspection Laws cannot be kept - it must be turned over to the U.S. Govt.]

[3] No State shall, without the Consent of Congress, lay any duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

[The States are not permitted to charge any Ship Taxes, keep State Troops or warships in times of peace, nor can they enter into ANY form of agreement with any other State or foreign government, or engage in War unless actually invaded or about to be invaded.]

Article II *[The Executive Branch]*

Section 1 *[The President]*

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four

Years, and, together with the Vice-President chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof *[of that STATE]* may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector

[it would be a "conflict of interest].

(The Electors shall meet in their respective States, and vote by Ballot for two persons, of whom one at least shall not lie an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But, in the President, the Votes shall be taken by States, the Representation from chusing each State having one Vote; a quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.)

[This clause 3, in parentheses above, was superseded by the 12th Amendment.]

[Each elector was originally intended to be a "free agent", voted for by The-People, as an informed, respectable, independent citizen from each state, that weighed the merits of competing presidential candidates that voted according to what he felt was best for the country & The-People – NOT necessarily according to the popular vote (as they feared that most voters would likely vote according to their individual, personal needs, desires or "factions")

It provided for the original fashion by which the President and Vice President were to be chosen by the electors. Unlike the present system, each elector voted for two people for President, rather than one vote for President and one vote for Vice President. To become President, a candidate had to have more votes than any other and must have received votes from a majority of the electors. After the choosing of the President, the person with the next most electoral votes would become the Vice President. If no one received a majority of the votes, the decision would be made by the House of Representatives. The design of the Electoral College was based upon several assumptions and anticipations of the Framers of the Constitution: 1:Each state would employ the district system of allocating electors. 2:Each presidential elector would exercise independent judgment when voting. 3:Candidates would not pair together on the same ticket with assumed placements toward each office of President and Vice President.

4. The system as designed would rarely produce a winner, thus sending the election to Congress. The present Electoral College is a peculiar American institution. When Americans vote for President and Vice-President, they do not actually vote for those people, but for electors. These electors meet in their state capitals after the general election and cast votes for President and votes for Vice-President. On these facts, scholars have described the intended role of the Electoral College as simply a body that would nominate candidates from which the Congress would then select a President and Vice President. Though electors are pledged to the candidates of their party, there is nothing in the Constitution requiring them to so vote - and, in fact, every so often an elector defects from his party's candidates, though the effect on the election is usually nil. Some states have laws against electors casting such "faithless" votes, but it is unclear if anyone could actually be prosecuted under such laws, since the electors are protected by the Constitution (though not in so many words). Today few know the intentions and "fears" of our Founding Fathers but, we certainly know the framers were not in favor of political parties and had made no mention of them in the Constitution. And, at that time there were several parties, none of which had much power. Many believe that if the Founders had known that a 2-Party system would ever evolve they would have either "outlawed" these parties or severely modified the "Electoral" procedure. George Washington was strongly against Political parties: Partisanship would lead to the "ruins of public liberty," our first president said. He was more right than he knew. In his Farewell Address he wrote: "The common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it". We know that Electors were originally intended by the Framers to be free agents. The question has been, since 1796, with the clear advent of Political Parties on the national stage - just how free can the Electors really be in the midst of Partisan Politics? This question has become even more acute since the pervasiveness of the General Ticket ("Winner-Take-All") system of allocating Electors State-by-State since the 1830's.]

The Congress may determine the Time of chusing the electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No person except a **natural born Citizen**, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

(In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.)

[This clause in parentheses has been modified by the 20th and 25th Amendments.]

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section 2 [Civilian Power over Military, Cabinet, Pardon Power, Appointments]

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States [but not if in service of its State]; he may require the Opinion, in writing, of the principal Officer

in each of the executive Departments, upon any subject relating to the Duties of their respective Offices, and he shall have Power to Grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

[He can only grant Reprieves or Pardons for Federal Crimes but, cannot for Impeachment.]

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate *[this means a majority]*, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments. *[The President has the power to make ALL other "inferior" appointments, if they are established by law (by Congress) and not otherwise covered in the Constitution. However, Congress may give appointment power to the Courts or the Heads of Federal Departments as they see fit.]*

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3 *[State of the Union, Convening Congress]*

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper *[it does NOT say he can "reconvene" them as he thinks proper]*; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States *[This means non-elected OFFICERS /Officials].*

Section 4 *[Disqualification]*

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article III *[The Judicial Branch]*

Section 1 *[Judicial powers]*

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services a Compensation which shall not be diminished during their Continuance in Office.

[There is only ONE Supreme Court and Congress establishes all lower Federal Courts. Judges terms in office are permanent unless they 'misbehave' and are removed by impeachment. Their salary is determined by Congress and cannot be reduced while in office.]

Section 2 *[Trial by Jury, Original Jurisdiction, Jury Trials]*

(The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; to all Cases affecting Ambassadors, other public Ministers and Consuls; to all Cases of admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party; to Controversies between two or more States; between a State and Citizens of another State; between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.)

[This section in parentheses is modified by the 11th Amendment.]

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

[Cases concerning Ambassadors etc. can ONLY be tried in the supreme Court. All other cases can ONLY be Appeals - from some Court's prior ruling. Congress ALONE makes the "rules".]

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury. *[Obviously, we have minor cases that are NOT by Jury, such as traffic tickets. The 7th Amendment says we have the right to a jury trial if over \$20.]*

; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3 *[Treason]*

Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood *[Part of ancient English penalty for treason - usually part of a Bill of Attainder, which normally sentenced the accused to death. Corruption of blood would forbid the accused's family from inheriting his property.]*

or Forfeiture except during the Life of the Person attainted.

[The Founders/authors were concerned about the definition of treason. They thought that it was used too broadly to define any dissenting opinions. Their new country would be much stricter about what treason was, and how one would be accused and convicted of it. Treason, then, is defined only as going to war against the USA, or aiding the enemies of the USA. To be

convicted, the accused must confess to treason, or be accused by two direct witnesses of the treason. The authors were also concerned that the person convicted of treason be the only one to suffer for the treasonous acts. The Constitution explicitly states that there may be no "corruption of blood," or that the children and relatives of the traitor not be considered traitorous simply by relation; the "no forfeiture" clause basically means that once the traitor dies, "payment" for the crime ends.

Judicial Review is Unconstitutional

It is within the power of a court to decide whether a law or decision by the government is constitutional BUT, ONLY in a particular case that it is trying. It cannot extend its decision to any other case or to become the law. There is NO PLACE in the Constitution that grants the Supreme Court such a Power. The Supreme Court GAVE ITSELF this Power in the Supreme Court case Marbury v. Madison. The Supreme Court can only TRY CASES - it CANNOT make Law. Only Congress can change, or define, the law.

Binding Precedent is Unconstitutional.

*This means the Court must use PRIOR Decisions to decide a case. The Constitution neither authorized nor requires it, and indeed it may be inconsistent with being the supreme law. It is entirely prudential, for convenience of the court and "public policy", not law. Judges in the eighteenth century subscribed to "natural law" theories - law was believed to have an existence independent of what individual judges said. They saw themselves as merely declaring the law, which had always theoretically existed, not making it. Therefore, a judge could reject another judge's opinion as simply an incorrect statement of the law, like scientists often reject each other's conclusions as incorrect statements of the laws of science. Now they use the term "Settled Law" to take ALL Prior Rulings as the final word on anything in the future. **This is a TRAVESTY.** Most Supreme Court Rulings are NOT unanimous! In fact, most are decided by thin margins. Can 9 persons, all of different beliefs, decide what our FUTURE is FOREVER- on a 5-4 decision?.. Where only ONE person makes the difference?...Based on controversial rulings in the past, that probably would have been different at an earlier or later time? These decisions should NOT be unalterable FOREVER. It should NOT be a matter of CONVENIENCE - it's EASIER to rely on Prior Rulings than to review ALL the Facts! Only Congress can change, or define, the law.]*

Article IV *[The States]*

Section 1 - Each State to Honor all others

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof. *[This means the Federal Government will accept as legal any official acts by any State, however, Congress may make general laws to prescribe/define the manner of how they are done, proved or effected.]*

Section 2 - State citizens, Extradition

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

[The States may extradite people from another State - the State where he is will deliver/allow him to be extradited.]

(No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, But shall be delivered up on Claim of the Party to whom such Service or Labour may be due.) *[This clause in parentheses is superseded by the 13th Amendment.]*

Section 3 - New States

New States may be admitted by the Congress into this Union; but no new States shall be formed or erected within the Jurisdiction of any other State;

[This means the separation of West Virginia from Virginia needed consent of the Virginia Legislature as well as Congress]

nor any State be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;

[This means the Congress can make all laws regarding Puerto Rico & other territories]

and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State. *[Nothing in the Constitution can be used to reduce or nullify any claims of the U.S. or any State.]*

Section 4 - Republican government

The United States shall guarantee to every State in this Union a Republican Form of Government, *[A government having a chief of state who is not a monarch in which supreme power is held by the citizens entitled to vote and is exercised by elected officers and representatives governing according to law;]*

and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

[The federal Government shall protect each State against Invasion and against domestic violence if the State Legislature requests it. This originally pertained to the Militia but, as we now have NO Militia, it is being used to deploy federal Troops to assist States with natural disasters and only twice, due to the Posse Comitatus Act, the National Guard was deployed for Civil Unrest (the Coast Guard is also possible).]

Article V [Making Amendment]

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress;

[We have two methods of proposing an Amendment:

1st: *2/3 of the both Houses propose an Amendment, OR:*

2nd: *2/3 of the State Legislatures call for a "Constitutional Convention" for proposing Amendments. It is not clear how this Convention will be formed. It is assumed by many that each State's Legislature will determine how many Delegates it will send and that each States Delegations will have one combined (equal) vote (as it was done in the original Constitutional Convention)*

Then, Congress will propose one of two methods for Ratification, which are:

1st: *The Legislatures of ¾ of the States ratify it. OR:*

2nd: *Conventions in ¾ of the States ratify. Again it is not clear how these Conventions will be formed but, many assume each State will determine who & how many Delegates will attend their Convention and a majority will be required to ratify in each State, but, it appears that each State could require more that a majority to ratify if they so desired.*

The most important thing here - the GREATEST DANGER is that once a Constitutional Convention is called it can do whatever it wants! How can we be assured that they will do EXACTLY what "We-The-People" want? If the Delegates are given specific instructions by their States, once assembled they can IGNORE those instructions and propose whatever Amendments they like. It is most likely that the States will choose and send some of their existing members as Delegates. And, if State Ratifying Conventions are called for by Congress, the same thing will happen there.

The BIG PROBLEM is that it is unlikely that any State will find a majority of TRULY honorable Delegates that will vote for what is best for our Country, rather than what is best for their Personal Benefit & Political Power. And, there is nearly a ZERO chance that ¾ of the States will find enough of such honorable Delegates.

*In all likelihood, a Constitutional Convention would be **the END of FREEDOM for the U.S.** and would lead to really bad things, like a Dictatorship, another Revolution and/or Anarchy.*

Think about it! If our present Elected Officials and the TENS of THOUSANDS of bureaucrats are not following the Constitution NOW, what could possibly make them follow it in the future?

Who in Congress would YOU trust with YOUR future, your CHILDREN's future and our COUNTRY's future? You probably can't think of 5 - but we will need AT LEAST 2/3 of 535, or an absolute minimum of 356 Honest Statesmen to come out better than when we go in! Dream On - It will NEVER Happen!]

Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; *[Irrelevant after 1808 - this related to ending the importation of slaves, which ended in 1808.]* and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate. *[No State, without its consent, can lose its privilege of equal voting in the Senate.]*

NOTE: The President is not a part of the amendment process, he has no veto over any amendment. It makes no difference if the President says that he does or does not like any proposed amendment - At least, not technically, because the President, as presumed head of a political party, has some power over those in the same party - or, if not power, at least some influence.]

Article VI *[Debts, Supremacy, Oaths]*

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

[The Federal Government assumed responsibility for any debts made by the Country or by the States before the Constitution was ratified.]

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

[The Constitution is the Supreme Law - no State Laws or Constitutions or anything else supersedes it. All Federal & State Judges and Legislature members are bound to support it.]

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States. *[However, nobody can be denied any Office or public Trust, State or Federal, on account of their religion.]*

Article VII *[Ratification Documents]*

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

[It takes 9 of the 13 original States to ratify this Constitution and it shall apply to those States that ratify it. Eventually, all the States Ratified & all entered the Union, but only after they insisted on a Bill of Rights, which they got (with 12 Articles, 10 of which were accepted & Ratified) as the first 10 Amendments.]

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth. In Witness whereof We have hereunto subscribed our Names.

Geo. Washington - President and deputy from Virginia

New Hampshire - John Langdon, Nicholas Gilman

Massachusetts - Nathaniel Gorham, Rufus King

Connecticut - Wm Saml Johnson, Roger Sherman

New York - Alexander Hamilton

New Jersey - Wil Livingston, David Brearley, Wm Paterson, Jona. Dayton

Pennsylvania - B Franklin, Thomas Mifflin, Robt Morris, Geo. Clymer, Thos FitzSimons, Jared Ingersoll, James Wilson, Gouv Morris

Delaware - Geo. Read, Gunning Bedford jun, John Dickinson, Richard Bassett,

Jacob. Broom

Maryland - James McHenry, Dan of St Tho Jenifer, Danl Carroll

Virginia - John Blair, James Madison Jr.

North Carolina - Wm Blount, Richd Dobbs Spaight, Hu Williamson

South Carolina - J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney,
Pierce Butler

Georgia - William Few, Abr Baldwin Attest: William Jackson, Secretary

RESOLVED,

That the preceding Constitution be laid before the United States in Congress assembled, and that it is the opinion of this Convention, that it should afterwards be submitted to a Convention of Delegates, chosen in each State by the People thereof, under the Recommendation of its legislature, for their Assent and Ratification; and that each Convention assenting to, and ratifying the Same, should give Notice thereof to the United States in Congress assembled.

RESOLVED,

That it is the Opinion of this Convention, that as soon as the Conventions of nine States shall have ratified this Constitution, the United States in Congress assembled should fix a Day on which Electors should be appointed by the States which shall have ratified the same, and a Day on which the Electors should assemble to vote for the President, and the Time and Place for commencing Proceedings under this Constitution. That after such Publication the Electors should be appointed, and the Senators and Representatives elected: That the Electors should meet on the Day fixed for the Election of the President, and should transmit their Votes certified, signed, sealed and directed, as the Constitution requires, to the Secretary of the United States in Congress assembled, that the Senators and Representatives should convene at the Time and Place assigned; that the Senators should appoint a President of the Senate, for the sole Purpose of receiving, opening and counting the Votes for President; and, that after he shall be chosen, the Congress, together with the President, should, without Delay, proceed to execute this Constitution.

By the Unanimous Order of the Convention,

GEORGE WASHINGTON, President,

WILLIAM JACKSON, Secretary

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New-Hampshire John Langdon, Nicholas Gilman

Massachusetts Nathaniel Gorham, Rufus King

Connecticut William Samuel Johnson, Roger Sherman

New-York Alexander Hamilton

New-Jersey William Livingston, David Brearley, William Paterson, Jonathan Dayton,

Pennsylvania Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer,

Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris,

Delaware George Read, Gunning Bedford, Junior, John Dickinson, Richard Bassett,

Jacob Broom.

Maryland James M'Henry, Daniel of St. Tho. Jenifer, Daniel Carrol

Virginia John Blair, James Madison, Junior

North-Carolina William Blount, Richard Dobbs Spaight, Hugh Williamson.

South-Carolina John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.

Georgia William Few, Abraham Baldwin.

attest, William Jackson, Secretary

[The first 10 Amendments to the Constitution Are collectively known as]

The BILL OF RIGHTS

Effective December 15, 1791

[Each Amendment to the Constitution came about for a reason — to overrule a Supreme Court decision, to force a societal change, or to revise the details of the Constitution. These pages will give an overview of how each Amendment came to be.]

Articles in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

[PREAMBLE]

The conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire,, in order to prevent misconstruction or abuse of its powers,, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution.

Amendment 1 *[Freedom of Religion, Press, Expression. 1791.]*

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; *[Congress is PROHIBITED from passing any law that Establishes a National Religion, favors or gives preference to one religion over another. And, Congress CANNOT prohibit the free exercise of any religion. One of the most heated debates of our time involves the issue of prayer and schools. Do students have the right to pray in class? Or would a prayer interfere with another student's rights "not" to pray? There have been Supreme Court rulings against such prayer but this is still very much in contention as most people believe prayer is one of the most important ways they can "FREELY exercise their religion". However, this does NOT mean that ANY religious practice is OK! Why?*

Nothing is OK if it infringes on our Individual Rights.

Separation of Church & State, here in the USA, ONLY means: There can be no 'Official Religion' IN our government, no way that any religion can CONTROL any part of our government. The Founding Fathers were well aware that National religions ALWAYS turned into TYRANNY...Either you believed the National Religion or you paid the price - often DEATH! Our early history shows many groups coming to America for that very reason - to escape Religious Persecution. Also, This does NOT mean that our Government cannot be involved in, encourage or even assist in religion. In fact, many of our Founding Documents, like "The Northwest Ordinance of 1787", specifically state that: Government should ENCOURAGE Religion & Education. . Some of the first colonists of the nation for which the Constitution was written had been seeking to escape religious persecution. The constitutions of several of the states prohibited public support of religion (though some did explicitly support or demand adherence to Christianity). Above all, the many varying sects of Christianity in America required that to be fair to all, there could be preference to none. It would have been disgraceful for anyone to wish to leave the United States because of religious persecution. So the authors decided it best to keep the government out of religion. This is not to say that the United States was not or is not a religious nation. Religion plays a big role in the everyday life of Americans, then and now. But what the authors were striving for is tolerance... something contemporary Americans are lacking.]

or abridging the freedom of speech, or of the press;

[Congress cannot pass any laws that stop you from speaking your mind or opinion, even if some people find it offensive. Usually, offensive speech is related to some sort of problem and NO problem can be solved if it cannot be explained. And, the Truth should ALWAYS be able to be spoken - even if somebody doesn't like it. You can say what you think, provided you do not intentionally hurt someone else's reputation by making false accusations. Neither may they make irresponsible statements deliberately harmful to others, such as yelling, "Fire!" in a crowded theater when there is no fire. However, slander is another thing. If you say something that really adversely affects another's life - and it is NOT True, you can be sued civilly for Slander. Also, if you threaten someone's Life or say something that incites violence in someone else you could be liable. The First Amendment also gives you the right to disagree with what others say without fear of punishment by the government authorities. If you make an outrageous statement, such as, "The earth is flat," free speech will not keep people from making fun of you. Freedom of the press

enables us to keep informed about what goes on in government. Reporters and editors can criticize the government without the risk of punishment, provided they do not deliberately tell lies. Nothing has to be submitted for govt. inspection beforehand - censorship violates this Amendment.

The ability to speak your mind is a right that Americans take for granted. Imagine being too frightened by the possible consequences of speaking out to actually do so. Your opinion would not matter - even your vote would be corrupted. As for the press, the authors regarded a free press as almost a fourth branch of government, constantly keeping tabs on the government's activities and actions. Though today's tabloid papers and television might give one pause, this kind of trash is a small price to pay to ensure that any news organization can rest assured that it can report freely on the activities of the government. Many other organizations in other nations have to worry about toeing the state's line or be shut down. How objective do you think a reporter can be when his life could be ended because of a critical story?]

or the right of the people peaceably to assemble,

[Freedom of Assembly. makes it possible for Americans to join clubs or political parties, even if those groups represent unpopular views, and groups have the right to take collective action to pursue the interests of its members.. They can join groups to protest government interventions, imports, toxic wastes, or whatever. But, violence is another thing - it is NOT "peaceably".]

and to petition the Government for a redress

[remedy or set right of grievances. You can tell the government what you think is needed or not needed and complain to the government without fear of penalty when things don't go the way they should. Not only can you have an opinion about your government, the government must listen to you (though it need not heed you - but that's what elections are for.

Many believe the First Amendment is the single most important part of the Constitution, It protects some of the most basic human rights and reflects a view of the dangerous places government might tread. Initially, it applied only to laws enacted by Congress, and many of its provisions were interpreted more narrowly than today. Several delegates to the convention refused to sign the newly drafted constitution because it did not include a bill of rights. Bills of Rights were typically parts of the constitutions of the several States of the day (and today), placed there to ensure

that certain rights were recognized by the government. Most of the delegates did not feel such a bill was necessary, and other may have been on the fence but were weary from the months of negotiations. The lack of a bill of rights was one of the main arguments that Anti-Federalists used to try to convince the public to reject the Constitution. But the need for change was all too evident, and it was not rejected. However, some of the States sent suggestions for amendments to the Constitution to add an enumeration of certain rights. The ratification messages of the States included many varying suggestions, which the very first Congress took under consideration in its very first session.

Representative James Madison, who was so instrumental in the creation of the Constitution in the first place, drafted a Bill of Rights. He introduced the bill into the House, which debated it at length and approved 17 articles of amendment. The Senate took up the bill and reduced the number to 12, by combining some and rejecting others. The House accepted the Senate's changes, voting on September 24th and 25th, 1789; twelve articles of amendment were sent to the states for ratification.

*The first two articles were not accepted by enough states, but the last ten were. We know them today as Amendments 1 through 10. The original second article was eventually ratified as the 27th Amendment. The Original First Article defined the maximum amount of people for each member of the House of Representatives. It was never fully ratified - 11 out of the 13 did until they discovered a 'typo error' - and it has laid dormant for well over 200 years (**Ratifications do not expire**). The Founders were afraid that over 50,000 was too many - that no 'Rep' could 'feel the pulse' of the people or truly understand their needs beyond that number. Unfortunately, Congress simply decided to throw out that number around 1920 and it has now grown 15 times over to about 750,000 (from 50,000). There is a movement now, headed by TacticalCivics.com to get the required 27 more States to Ratify this Original First Amendment, which is called the "Bring Congress Home Act". Those that understand this believe that it would enormously improve the accountability of House-Reps and how well they actually represent their constituencies.]*

Amendment 2 *[Right to Bear Arms. 1791.]*

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed. [This guarantees individual states the right to maintain a well regulated militia," and citizens the right to "keep and bear arms." Ultimately, this may be the only Amendment that guarantees all the others! It enables our GOD-given Right to Self-defense. Because criminals often used unlicensed weapons to hurt others, some people have urged the national government to control the sale of guns. But, most people argue that licensing & gun control is a violation of the Second Amendment. The concept of this right existed within English common law since 1689.]

Amendment 3 *[Quartering of Soldiers. 1791.]*

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

[In peacetime, citizens will never have to keep soldiers in their homes without consenting. Before the Revolution, the British forced Americans to provide lodging and food for their troops. The colonists bitterly resented this intrusion on their privacy as well as the cost of feeding hungry soldiers.]

Amendment 4 *[Search and Seizure. 1791.]*

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

[This concern the rights of people suspected of crime. It protects citizens from improper searches of their bodies, possessions, or homes. It requires that a detailed warrant be issued by a judge listing what can be searched. There has to be probable cause, a good reason for the search. Example, if police knew someone in a

group was selling drugs they can't search the home of every person in the group, not even 1 or 2 without a court order. Search, seizure & arrest must be limited in scope to specific information supplied the issuing court,]

Amendment 5 *[Trial & Punishment, Compensation for Takings 1791.]*

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger;

[Protects the rights of anyone accused of a crime. It assumes that everyone is innocent until proven guilty. In some countries, exactly the opposite is true. Suspects must prove that they are innocent. Established that defendants must be informed of their rights (Miranda), to an attorney & against self-incrimination prior to interrogation by police. If accused of a crime for where punishment could be death, this requires a Grand Jury look at the charges before that person can be brought trial. A grand jury is a group of citizens who decide if there is enough evidence to try a person. It is intended to prevent people from being falsely accused of a serious crime. Today, grand juries consider most serious criminal charges.]

nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb;

[A person cannot be tried twice for the same crime.]

nor shall be compelled in any criminal case to be a witness against himself,

[This section has received the most publicity - the guarantee against "self-incrimination." This means people cannot be forced to testify against themselves. Law enforcement officials must produce the evidence necessary to convict a person of a crime. The accused person cannot be made to provide it. In earlier times, people were tortured until they confessed to crimes - sometimes that they may not even have committed. If an accused person tells a lie in court he risks punishment for "perjury," or lying under oath. Instead, he may refuse to testify on the grounds that they might incriminate themselves. The guarantee against self-incrimination makes sure that unfair pressure cannot be used to make a person confess. The right to remain silent also protects innocent people against ruthless accusations.]

nor be deprived of life, liberty, or property, without due process of law;

[In other words, the government must follow certain legal procedures before deciding on a penalty. It can't jail a person because it suspects that the person committed a crime. It must prove the accusation by following certain rules and methods. However, "due process of law" is a rather vague and general term. As times have changed, so has its meaning. As an example: How might the presence or absence of cameras affect a defendant's right to due process?]

nor shall private property be taken for public use, without just compensation. *[This requires the government to pay citizens when it takes over their property for a public use. The government's right to take this property is called "Eminent Domain." Suppose the state wanted to build a highway which would run right through your home. It would have to pay you a reasonable price for the property (what someone else, that wanted to buy your home, would pay - the market Value). The government could force you to move, but at least it would have to provide you with the money to relocate. However, note that it says "PUBLIC use" - most people believe it means what it says! It does NOT allow Eminent Domain for NON-Public use, and, this includes, for example, taking land for a Land Developer, whether or not he is going to use it for use by the Public.]*

Amendment 6 *[Right to Speedy Trial, Confront Witnesses. 1791.]*

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

[This guarantees a speedy, public trial by an impartial jury (not biased against you) in the area where the crime was committed (by your peers - people like you, that know the 'neighborhood'). The defendant must be informed of the charges, able to question the accusers & force favorable witnesses to testify. The accused has a right to a lawyer (paid by the Govt if he can't afford one.). What if you were falsely accused of something and had no idea who was accusing you. How could you question your accuser, defend yourself or prove your innocence? Your reputation could be hurt if you had to wait a long time.]

Amendment 7 *[Trial by Jury in Civil Cases. 1791.]*

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law. *[Guarantees you will receive a jury trial in Federal (not State) civil cases (as opposed to criminal cases) involving property worth more than \$20, a minimum of six*

members for a jury in a civil trials, & the judge CANNOT overturn a jury's findings of fact. Today, however, people rarely bring such cases to Federal Courts unless a much larger sum of money is involved.]

Amendment 8 [Cruel and Unusual Punishment. 1791.]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. [Protects people from having to pay unreasonably high (still open to interpretation) fines or "bail" (money given to pledge that a person accused of a crime can be released & will appear for trial). Finally, it outlaws cruel and unusual punishment. This requirement, as well as the Fifth Amendment's guarantee against self-incrimination, protects citizens from the use of torture. Some people argue that the death penalty is a form of cruel and unusual punishment.]

Amendment 9 [Construction of Constitution. 1791.]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people. [Concerns liberties of citizens & rights of states.. It says the Constitution & the Bill of Rights do not define all the fundamental, GOD-given, Natural Rights that ALL people have. Such rights exist whether or not they are defined.]

Amendment 10 [Powers of the States and People. 1791.]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

[Any power not SPECIFICALLY mentioned in the Constitution belongs EXCLUSIVELY to the States or The-People. This amendment is also known as the States' Rights Amendment. It is a reaffirmation of the nature of our Federal System of **Freedom** - that the states and the people have powers that are set aside and not listed item by item, called "reserved powers." These contrast with "express powers," which are specifically defined in the Constitution.

(1) This expresses the principle of **Federalism**, which strictly supports the entire plan of the original U.S. Constitution:

(2) The Federal Government was **CREATED** by The States to **SERVE** specific needs of all the States and The-People,

(3) The Powers of the Federal Government are Strictly **LIMITED** by the Constitution (to serve **ONLY** those needs)

(4) All **OTHER** Powers **REMAIN** to the States and The-People.] (In this way the Constitution allows for growth and change. With the invention of radio, television, automobiles, jet planes, computers, and satellites, what rights might the States and The-People now claim? How else can the Constitution be kept up to date? Congress has sometimes thwarted the Tenth Amendment by invoking the "Commerce Clause" in Article One or by threatening to withhold funding for a federal program from non-cooperative States.]

-----**End of Bill of Rights**-----

Amendment 11 [Judicial Limits. 1795.]

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

[This came about as a direct result of the Supreme Court decision in *Chisholm v Georgia* (2 U.S. 419) in 1793 (see the Events Page for details). Congress felt that the Supreme Court had over stepped its bounds, and feared it would do so again unless prohibited by the Constitution. The *Chisholm* case was decided in 1793, just five years after the adoption of the Constitution. The Amendment was approved by Congress on March 4, 1794, and ratified on February 7, 1795 (340 days). The Amendment limits the jurisdiction of the federal courts to automatically hear cases brought against a state by the citizens of another state. Later interpretations have expanded this to include citizens of the state being sued, as well. In *Hollingsworth v Virginia* (3 USC 378 [1798]), the passage and ratification of the 11th was challenged for two reasons. First because the President did not sign the amendment bill, and second because the amendment presented a situation where people had some legal relief before ratification that dried up after, creating an *ex post facto* situation. The Supreme Court rejected both challenges, setting some important precedent for future amendments. This Amendment was designed to prevent a citizen of one state from bringing suit against another state in federal court, modifying Article 3, Section 2, Clause 1. Over time, it has also been construed to prevent citizens of a state from bringing their own state to federal court. 11th Amendment law was in a resurgence in the 1990's as several Supreme Court cases made their mark.]

Amendment 12 [Choosing the President, Vice-President. 1804.]

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves

[this means the President & Vice-Pres can NOT be from the same State!]

; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;

The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;

The person having the greatest Number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

[The Constitution was written before political parties were a player in American politics. When John Adams was chosen for President in the 1796 election, the second-place candidate, Thomas Jefferson, became Vice President — but Adams was a Federalist and Jefferson was a Democratic-Republican. The two clashed several times during Adams's presidency, though Adams's conflicts with Hamilton, a Federalist, too, probably caused Adams more concern. In the election of 1800, the flaws of the original system became more than apparent. Jefferson and Aaron Burr both got 73 votes in the Electoral College, forcing the House of Representatives to choose. The problem? Both Jefferson and Burr were candidates of the same party, with Burr chosen to be the Vice President; some states preferred Burr, and neither was able to get the required majority until the stalemate was ultimately broken.

The result was the 12th Amendment, approved in Congress on December 9, 1803, and ratified on June 15, 1804 (189 days), in time for the new process to be in place for the 1804 election. With the 12th, Electors are directed to vote for a President and for a Vice President rather than for two choices for President.]

Amendment 13 *[Slavery Abolished.1865.]*

1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Congress shall have power to enforce this article by appropriate legislation.

[Slavery was an institution in America in the 18th and 19th centuries. The Southern states, with their agricultural economies, relied on the slavery system to ensure the cash crops (cotton, hemp, rice, indigo, and tobacco, primarily) were tended and cultivated. Slaves were not unknown in the North, but abolition in the North was completed by the 1830's. In 1808, the Congress prohibited the slave trade, not a year later than allowed in the Constitution. A series of compromises, laws, acts, and bills tried to keep the balance between the slave states and the non-slave states. South Carolina voted to secede from the United States as a result of Abraham Lincoln's election to the Presidency. Lincoln had, over time, voiced strong objections to slavery, and his incoming administration was viewed as a threat to the right of the states to keep their institutions, particularly that of slavery, the business of the states. More states seceded, eleven in all, forming the Confederate States of America. The secession movement led to the Civil War. In the waning days of the war, which ran from 1861 to 1865, the Congress approved an amendment to abolish slavery in all of the United States. Once the CSA was defeated, approval of the 13th Amendment was quick in the Northern states. By the end of 1865, eight of the eleven Confederate states had also ratified it. Proposed on January 31, 1865, it was ratified on December 6, 1865 (309 days). Eventually, all of the CSA states except Mississippi ratified the 13th after the war; Mississippi ratified the amendment in 1995.]

Amendment 14 *[Citizenship Rights. 1868.]*

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or 60 military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

[The 14th was designed to ensure that all former slaves were granted automatic United States citizenship, and that they would have all the rights and privileges as any other citizen. This is one of the most used (and, perhaps, misused) parts of the Constitution. It came out of the Civil War. Basically, it says that all men 21 or older will be counted to determine representation in Congress, with a reduction in that count for anyone not allowed to vote; that no one in the Confederate government (or any future government of insurrection) may be members of the U.S. government (unless approved by a 2/3 vote); and that all debts incurred by the U.S. to fight the Confederacy are to be paid, but none of those incurred by the Confederacy would be. It also states that no State shall make any law abridging the rights of any of its citizens without due process of law. The first clause is the most important. Prior to the 14th, states were free to ignore the Bill of Rights; a series of Supreme Court rulings made it clear that the Bill was to apply to acts of the Federal Government only. With the establishment of the 14th, the Bill, or at least parts of it, is made to apply to state law, too. This clause has resulted in some good law, such as the Voting Rights Act. But States' Rights proponents are opposed to the Amendment in parts and/or as a whole. The Supreme Court, at first, did not allow the Due Process clause to be used to expand individual liberties (1870's and 1880's). Eventually, though, it was used to protect more than just former slaves. In the 1900's and 1930's, it extended the clause to the protection of workers against state regulations, allowing national standards for work conditions and minimum wage to be set. The due process clause has been used to extend most Bill of Rights Amendments to some extent, and is the basis for the "Right to Privacy" extended in the infamous Roe v Wade decision. The Supreme Court, in the end, is the legal arbiter of Constitutional interpretation. We feel that as long as those rights don't impinge on another individual's rights, the rights of the individual must outweigh those of the state, and the Due Process clause of the 14th Amendment guarantees that.]

Note: some have tried to argue that because of the representation reduction clause and the implications on States' Rights, that the 14th Amendment is unconstitutional. However, since it is an amendment to the Constitution, it cannot possibly be unconstitutional. Some argue that it was passed in an unconstitutional way, which is an interesting and plausible argument. The fact remains, however, that it is a part of our Constitution, and deserves as much respect as any other part, unless it is at some point repealed.

Currently, Title 8 of the U.S. Code fills in those gaps. Section 1401 defines the following as people who are "citizens of the United States at birth:"

- *Anyone born inside the United States **
- *Any Indian or Eskimo born in the United States, provided being a citizen of the U.S. does not impair the person's status as a citizen of the tribe*

- Any one born outside the United States, both of whose parents are citizens of the U.S., as long as one parent has lived in the U.S.
- Any one born outside the United States, if one parent is a citizen and lived in the U.S. for at least one year and the other parent is a U.S. national.
- Any one born in a U.S. possession, if one parent is a citizen and lived in the U.S. for at least one year
- Any one found in the U.S. under the age of five, whose parentage cannot be determined, as long as proof of non-citizenship is not provided by age 21
- Any one born outside the United States, if one parent is an alien and as long as the other parent is a citizen of the U.S. who lived in the U.S. for at least five years (with military and diplomatic service included in this time)
- A final, historical condition: a person born before 5/24/1934 of an alien father and a U.S. citizen mother who has lived in the U.S.

* There is an exception in the law - the person must be "subject to the jurisdiction" of the United States. This would exempt the child of a diplomat, or ANY foreigner, whether legally or illegally in this country, for example, from this provision as they are subject to the jurisdiction of their 'natural' country.

The ratification of the 13th Amendment was a major victory for the North, and it was hoped that with the Emancipation Proclamation and the 13th Amendment, the effects of slavery in the United States would quickly diminish. The original plan to readmit States after acceptance of the 13th was supported by President Andrew Johnson, but the "Radical Republicans", as they became known, wanted more than just a return to normalcy. They wanted to keep the power they had attained during the war years. The South did not make it easy for Johnson, however, and the so-called Black Codes started to be passed in Southern states. Congressional inquiries into the Black Codes found them to be a new way of controlling ex-slaves, fraught with violence and cruelty. The ensuing Reconstruction Acts placed the former CSA states under military rule, and prohibited their congressmen's re-admittance to Congress until after several steps had been taken, including the approval of the 14th Amendment. The amendment passed Congress on June 13, 1866, and was ratified on July 9, 1868 (757 days).]

Amendment 15 [Race is No Bar to Vote. 1870.]

1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

2. The Congress shall have power to enforce this article by appropriate legislation. [The last of the Reconstruction Amendments, the 15th Amendment was designed to close the last loophole in the establishment of civil rights for newly-freed black slaves. It ensured that a person's race, color, or prior history as a slave could not be used to bar that person from voting. Though a noble idea, it had little practical effect for quite some time, as the Southern states found myriad ways to intimidate blacks to keep them from voting. The Congress passed the amendment on February 26, 1869, and it was ratified on February 3, 1870 (342 days). Though ratification of the 15th Amendment was not a requirement for re-admittance to the Congress of the Confederate states, one of the provisions of the Reconstruction Acts required that the states include a provision in their new constitutions that included a near-copy of the text of the 15th. All of the CSA states except Tennessee, which was immune from the Reconstruction Acts, eventually ratified the 15th Amendment.]

Amendment 16 [Status of Income Tax Clarified. 1913.]

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

[In 1895, in the Supreme Court case of Pollock v Farmer's Loan and Trust (157 U.S. 429), the Court disallowed a federal tax on income from real property. The tax was designed to be an indirect tax, which would mean that states need not contribute portions of a whole relative to its census figures. The Court, however, ruled that the tax was a direct tax and subject to apportionment. This was the last in a series of conflicting court decisions dating back to the Civil War. Between 1895 and 1909, when the amendment was passed by Congress, the Court began to back down on its position, as it became clear not only to accountants but to everyone that the solvency of the nation was in jeopardy. In a series of cases, the definition of "direct tax" was modified, bent, twisted, and coaxed to allow more taxation efforts that approached an income tax. Finally, with the ratification of the 16th Amendment, any doubt was removed. The text of the Amendment makes it clear that though the categories of direct and indirect taxation still exist, any determination that income tax is a direct tax will be irrelevant, because taxes on incomes, from salary or from real estate, are explicitly to be treated as indirect. The Congress passed the Amendment on July 12, 1909, and it was ratified on February 3, 1913 (1,302 days). On April 13, 2000, the organization We the People Foundation for Constitutional Education, Inc. sent delegates to the U.S. capital to present well researched evidence that the 16th Amendment was not properly ratified.]

Amendment 17 *[Senators Elected by Popular Vote. 1913.]*

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures. When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

[One of the most common critiques of the Framers is that the government that they created was, in many ways, undemocratic. There is little doubt of this, and it is so by design. The Electoral College, by which we choose our President, is one example. The appointment of judges is another. And the selection of Senators not by the people but by the state legislatures, is yet another. The Senatorial selection system eventually became fraught with problems, with the selection system being corrupted by bribery and corruption. In several states, the selection of Senators was left up to the people in referenda, where the legislature approved the people's choice and sent him or her to the Senate. The 17th Amendment did away with the ambiguity with a simple premise — the Senators would be chosen by the people, just as Representatives are. Of course, since the candidates now had to cater to hundreds of thousands of people instead of just a few hundred, other issues, such as campaign finances, were introduced. The 17th was not a panacea as it put the Representatives even farther away from the people, which opened up even more corruption and made them almost totally unaccountable. It was Ratified on April 8, 1913 (330 days).]

Amendment 18 *[Liquor Abolished. Ratified 1919.
Repealed by Amendment 1933.]*

1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.
2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.
3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

[Consumption of alcohol was discouraged by law in many of the states over the first century of the United States under the Constitution. By 1855, 13 of the 31 states had temperance, or alcohol prohibition, laws. The Civil War distracted the public from the temperance movement, but the proliferation of saloons after the Civil War, and the trappings of the saloons (like gambling, prostitution, and public drunkenness) led to the so-called "Women's War" in 1873. Over time, the movement became more organized and the Anti-Saloon League was established in 1893. In the election of 1915, ASL-sponsored candidates swept the elections for Congress, and on December 18, 1917, Congress passed the 18th Amendment. It quickly was adopted by the states, ratified in just over a year, on January 16, 1919 (394 days).]

Amendment 19 *[Women's Suffrage. 1920.]*

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on

account of sex. Congress shall have power to enforce this article by appropriate legislation.

[Though the Constitution originally made no mention of a woman's right to vote, it was implied by society — women simply did not have the right. The 14th Amendment actually made things worse, by codifying the suffrage right to men only, when its Second Clause punished the denial of suffrage to men (though this still did not officially deny women the right). As early as 1848, groups met to discuss how to further women's rights, and the franchise, it was decided, was the best place to start. But America was not ready, and the suffragists, as they were called, were branded as immoral. Famous women's rights leaders Susan B. Anthony and Elizabeth Cady Stanton tried to make a stand after the Civil War, to have the language include women, though the issue was too volatile by most, and passage was thought to be in grave jeopardy if such a provision were included. Anthony later used the 15th Amendment as rationale for voting in a New York election, and though she was tried and fined for voting, the ordeal proved an impetus for the eventual guarantee of voting rights for women. By 1918, about half the states had granted women full or partial voting rights; the stature gained by women involved in the temperance movement also helped push the suffragist movement along. The support of women to the war effort convinced many more, even President Woodrow Wilson, who had been staunchly

opposed to a federal suffrage amendment. Passed by Congress June 4, 1919, ratified on August 18, 1920 (441 days).

Amendment 20 *[Presidential, Congressional Terms. 1933.]*

1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.
2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.
3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.
4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.
5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.
6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

[The term "Lame Duck" originates in the mid 1700's. In the United States today, the President is elected in November, and inaugurated in January of the following year — the time in between if the President was not reelected, is the lame duck period. Early in the political history of the nation, this period was a small issue, with slow methods of transportation and the nature of the politician in the 18th century, the lame duck period was almost a necessity. But from the start, the lame duck period was a problem, most famously illustrated in the Marbury v Madison case, where lame-duck appointments by out-going President John Adams set the stage for a landmark Supreme Court decision with his series of late-night, last-minute appointments. The 20th Amendment cleared up this problem to a degree, by shortening the lame duck period. The Congress is sworn in on January 3 following the election, and the President is sworn in on January 20, rather than the March 4th prescribed in the 12th Amendment. The Amendment closes a gap in Presidential power by specifying what happens if a President-elect dies before he is sworn in. The 20th Amendment was passed by Congress on March 2, 1932, and was ratified by the States on January 23, 1933 (327 days).]

Amendment 21 *[Amendment 18 Repealed. 1933.]*

1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.
2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.
3. The article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

[It would be a disservice to say that the 18th Amendment was completely ineffective. It would also be a disservice to say that the 18th Amendment caused the lawlessness embodied by people like Al Capone. The 18th Amendment did reduce alcohol consumption in the United States, and it did not cause organized crime. In the Prohibition era, alcohol consumption (measured in gallons of ethanol consumed) dropped to an average of less than a gallon per person per year, down from two and a half gallons in 1915. And organized crime existed before Prohibition, and existed after it, too. That having been said, the Prohibition era did have a certain sense of lawlessness; the very fact that consumption was not eliminated is testimony to that; and the fact that organized crime manufactured and distributed the bulk of the illicit alcohol of the 1920's and early 1930's is evidence that gangsters were aided by Prohibition. A movement began to form to repeal the 18th Amendment. Prohibition of alcohol was seen as an affront to personal liberty, pushed on the nation by religious moralists. Congress passed the amendment on Feb 20, 1933 (288 days). It mandated, for the first time, that conventions of the states were to vote on the amendment, rather than the legislatures, feeling that conventions would be more apt to vote to ratify - and they did, quickly — the ratification process was complete

on December 5, 1933. The 21st Amendment repealed the 18th, the first time an amendment had been repealed by another.]

Amendment 22 *[Presidential Term Limits. 1951.]*

1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President, when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

[Since the presidency of George Washington, only one thing could be said to be totally consistent — that no President had the job for more than two full terms. Washington had been asked to run for a third term in 1796, but he made it quite clear that he had no intention of doing so; that an orderly transition of power was needed to set the Constitution in stone. And so it was for almost 150 years.

Franklin Delano Roosevelt was first elected President in 1932, and re-elected in 1936. When it came time for the Democrats to nominate a candidate for the Presidency in 1940, two things had happened. First, the Republicans had made great gains in Congress in the 1938 elections. And Hitler happened. Europe was in the throes of a great war, with trouble in the Pacific, too. A change away from Roosevelt, who had led the nation through the Great Depression, did not seem wise. He was nominated for an unprecedented third term, and won. It was not a landslide victory, however, and it is debatable that FDR would have had a third term had it not been for the war. When 1944 rolled around, changing leaders in the middle of World War II, which the United States was now fully engaged in, also seemed unwise, and FDR ran for and was elected to, a fourth term. His life was nearly over, however, and his VP, Harry Truman, became President upon FDR's death less than 100 days after his inauguration. The Congress was determined, once the war ended, to ensure that Washington's self-imposed two-term limit become the law of the land. Excepting Truman from its provisions, the 22nd Amendment passed Congress on March 21, 1947. After Truman won a second term in 1948, it was ratified on February 27, 1951 (1,439 days). Truman could have run for a third term, but bowed out early..]

Amendment 23 *[Presidential Vote for District of Columbia. 1961.]*

1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct: A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

2. The Congress shall have power to enforce this article by appropriate legislation.

[The District of Columbia has been a unique city since its founding in 1800 as the seat of the new government. When first established, it was a town of 5000, and it was assumed that it would be the center of government, and not a population center. But by 1900, over a quarter of a million people lived within its bounds. Since it is a federal district, however, and not a state, the inhabitants not only had no real local government, they had no vote in the federal government either. By 1960, when 760,000 people lived in Washington, D.C., it seemed odd that people from a dozen states, with lower populations, had more voting rights than residents of the District. As citizens, they were required to pay taxes and to serve in the military, but a vote in the Presidential election was available only to the states.

It is important to note that the 23rd Amendment does not make Washington, D.C., a state; it just confers upon its citizens the number of electors that it would have if it were a state. It also did not provide full representation in Congress for the District. Passed June 17, 1960; ratified on March 29, 1961 (285 days).]

Amendment 24 *[Poll Tax Barred. 1964.]*

1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

2. The Congress shall have power to enforce this article by appropriate legislation.

[One of the last legal vestiges of segregation was the effort to keep the blacks from participating in the vote. Most methods to keep it to a minimum were unconstitutional, so several Southern states found an answer — the poll tax - in order to vote, a certain tax must be paid. The tax is the same for all, which allowed the affluent whites access to the polls with little pain, while the poorer blacks would have trouble justifying trading food on the table for a vote in the ballot box. Worse, different kinds of poll taxes were implemented, some accumulating even if no attempt was made to vote, meaning increasingly higher back-taxes to be paid to gain the vote. In 1939, Congress began to try to get rid of the poll tax, but history was not behind them. In colonial times and when the Constitution first came into effect, land ownership was often a requirement for suffrage. Though only five states still had a poll tax by the time the amendment passed, Supreme Court rulings made it doubtful that legislation would eliminate the tax altogether. Proposed by Congress on August 27, 1962, ratified within a year and a half, on January 23, 1964 (514 days).]

Amendment 25 *[Presidential Disability and Succession. 1967.]*

1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.
2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.
3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.
4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty eight hours for that purpose if not in session. If the Congress, within twenty one days after receipt of the written declaration, or, if Congress is not in session, within twenty one days after Congress is required to assemble, determines by two thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

[The assassination of President Kennedy in 1963 shocked the nation in more ways than the obvious. The advancement of medical technology had many hoping the President could have been saved. If he had been, Kennedy could have been in a coma for an extended period of time, perhaps never able to fully function again - the President, but would not be able to fulfill his duties. The resulting power vacuum would cause a constitutional crisis — who is President? Who has the power of the Presidency? Less than two years after his death, on July 6, 1965, Congress passed the 25th Amendment. The line of succession was clarified, and what was to be done in the case of presidential disability. The selection of a VP for an empty VP seat was also provided for. The states ratified the amendment on February 10, 1967 (584 days). The second clause, the filling of a vacancy in the Vice Presidency, was used less than six years later when Gerald Ford assumed the Vice Presidency upon the resignation of Spiro Agnew.]

Amendment 26 *[Voting Age Set to 18 Years. 1971.]*

1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.
2. The Congress shall have power to enforce this article by appropriate legislation.

[The United States was in the throes of the Vietnam War and protests were underway throughout the nation. Draftees into the armed services were any male over the age of 18. There was a seeming dichotomy, however: these young men were allowed, even forced, to fight and die for their country, but they were unable to vote. The 14th Amendment only guaranteed the vote, in a roundabout way, to those over twenty-one. The Congress attempted to right this wrong in 1970 by passing an extension to the 1965 Voting Rights Act (which itself is enforcement legislation based on prior suffrage amendments) that gave the vote to all persons 18 or older, in all elections, on all levels. Oregon objected to the 18-year-old limit, as well as other provisions of the 1970 Act (it also objected to a prohibition on literacy tests for the franchise). In Oregon v Mitchell (400 U.S. 112), a

sharply divided Supreme Court ruled that the Congress had the power to lower the voting age to 18 for national elections, but not for state and local elections. The case was decided on December 1, 1970. Later, on March 23, 1971, the Congress passed the text, specifically setting a national voting age, in both State and national elections, to 18. In just 100 days, on July 1, 1971, the amendment was ratified.]

Amendment 27 *[Limiting Congressional Pay Increases. 1992.]*

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

[The 27th Amendment was originally proposed on September 25, 1789, as the 2nd Article in the ORIGINAL Bill of Rights. It did not pass the required number of states with the articles we now know as the first ten amendments. It sat, unratified and with no expiration date, in constitutional limbo, for more than 80 years when Ohio ratified it to protest a congressional pay hike; no other states followed Ohio's lead. Again it languished, for more than 100 years until 1978, Wyoming ratified the amendment, but again, no follow-up. Then, in the early 1980's, Gregory Watson, a young aide to a Texas legislator, took up the proposed amendment's cause. From 1983 to 1992, the requisite number of states ratified the amendment, and it was declared ratified on May 7, 1992 (74,003 days).]

-----END-of-Amendments-----