

# The Constitution of the United States of America

## With Study Guides

"A primary object should be the education of our youth in the science of government. In a republic, what species of knowledge can be equally important? And what duty more pressing than communicating it to those who are to be the future guardians of the liberties of the country?" -George Washington



### PREFACE

*Our Constitution embodied a UNIQUE IDEA. Nothing like it had ever been done before. The power of the idea was in the recognition that people's rights are granted directly by the Creator - not by the state - and that the people, then, and only then, grant rights to government. The concept is so simple, yet so very fundamental and far-reaching.*

**CREATOR**



**People**



**Government**

*America's founders embraced a previously unheard-of political philosophy which held that people are "...endowed BY THEIR CREATOR with certain unalienable rights.." This was the statement of guiding principle for the new nation, and, as such, had to be translated into a concrete charter for government. The Constitution of The United States of America became that charter.*

*Other forms of government, past and present, rely on the state as the grantor of human rights. America's founders, however, believed that a government made up of imperfect people exercising power over other people should possess limited powers. Through their Constitution, they wished to "secure the blessings of liberty" for themselves and for posterity by limiting the powers of government. Through it, they delegated to government only those rights they wanted it to have, holding to themselves all powers not delegated by the Constitution. They even provided the means for controlling those powers they had granted to government.*

*This was the unique American idea. Many problems we face today result from a departure from this basic concept. Gradually, other "ideas" have influenced legislation which has reversed the roles and given government greater and greater power over individuals. Early generations of Americans pledged their lives to the cause of individual freedom and limited government and warned, over and over again, that eternal vigilance would be required to preserve that freedom for posterity.*

Footnote: Our Ageless Constitution, W. David Stedman & La Vaughn G. Lewis, Editors (Asheboro, NC, W. David Stedman Associates, 1987) Part III: ISBN 0-937047-01-5

*Here is the complete text of the United States Constitution. The original spelling and capitalization have been retained. At the end of the Amendments page begins a brief Study Guide.*

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*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.

## Article I

**Section 1.** 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.

**Section 2.** 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 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 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. 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 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 of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, 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 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.

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.** 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 Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

**Section 5.** 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 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 Behaviour, 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.** 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. 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 whereof shall have been encreased 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.** 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.** The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

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

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

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

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

To establish Post Offices and post Roads;

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;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

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

To provide and maintain a Navy;

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

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

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;

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, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;--And

To make all Laws which shall be necessary 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.

**Section 9.** 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.

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.

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

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

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.

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

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, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

**Section 10.** 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.

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 of the Congress.

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.

## Article II

**Section 1.** 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 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.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be 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 chusing 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. 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.

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.

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.** 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; 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 Offences against the United States, except in Cases of 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, 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 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.** 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; 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.

**Section 4.** 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

**Section 1.** 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 Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

**Section 2.** 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.

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.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; 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 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, or Forfeiture except during the Life of the Person attainted.

## Article IV

**Section 1.** 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.

**Section 2.** 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.

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.

**Section 3.** 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; 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; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

**Section 4.** The United States shall guarantee to every State in this Union a Republican Form of Government, 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.

## Article V

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 of 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; 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; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

## Article VI

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.

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 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.

## Article VII

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

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,**

George Washington--President and deputy from Virginia

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 Brearly, 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, Jr., John Dickinson, Richard Bassett, Jacob Broom

Maryland: James McHenry, Daniel of Saint Thomas Jenifer, Daniel Carroll

Virginia: John Blair, James Madison, Jr.

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

*Source: The Pennsylvania Packet, September 19, 1787*

# *The Bill of Rights*

Amendments I - X (Adopted 1791)

## **Amendment I**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

## **Amendment II**

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.

## **Amendment III**

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.

## **Amendment IV**

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.

## **Amendment V**

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; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

## **Amendment VI**

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 defense.

## **Amendment VII**

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 reexamined in any court of the United States, than according to the rules of the common law.

### **Amendment VIII**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

### **Amendment IX**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

### **Amendment X**

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.

*[Note: There were originally 12 amendments proposed. Only these 10 were adopted.]*

# *All Other Amendments*

## **Amendment XI**

**(The proposed amendment was sent to the states Mar. 5, 1794, by the Third Congress. It was ratified Feb. 7, 1795.)**

[Judicial power of United States not to extend to suits against a state.]

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.

## **Amendment XII**

**(The proposed amendment was sent to the states Dec. 12, 1803, by the Eighth Congress. It was ratified July 27, 1804.)**

[Present mode of electing president and vice president by electors.<sup>1</sup>]

1. Amended by the 20th Amendment, Sections 3 and 4.

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; 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.

## **Amendment XIII**

**(The proposed amendment was sent to the states Feb. 1, 1865, by the Thirty-eighth Congress. It was ratified Dec. 6, 1865.)**

### **Section 1**

[Slavery prohibited.]

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.

### **Section 2**

[Congress given power to enforce this article.]

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

## **Amendment XIV**

**(The proposed amendment was sent to the states June 16, 1866, by the Thirty-ninth Congress. It was ratified July 9, 1868.)**

### **Section 1**

[Citizenship defined; privileges of citizens.]

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.

### **Section 2**

[Apportionment of Representatives.]

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.

### **Section 3**

[Disqualification for office; removal of disability.]

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or 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.

#### **Section 4**

[Public debt not to be questioned; payment of debts and claims incurred in aid of rebellion forbidden.]

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.

#### **Section 5**

[Congress given power to enforce this article.]

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

### **Amendment XV**

**(The proposed amendment was sent to the states Feb. 27, 1869, by the Fortieth Congress. It was ratified Feb. 3, 1870.)**

#### **Section 1**

[Right of certain citizens to vote established.]

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.

#### **Section 2**

[Congress given power to enforce this article.]

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

### **Amendment XVI**

**(The proposed amendment was sent to the states July 12, 1909, by the Sixty-first Congress. It was ratified Feb. 3, 1913.)**

[Taxes on income; Congress given power to lay and collect.]

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.

### **Amendment XVII**

**(The proposed amendment was sent to the states May 16, 1912, by the Sixty-second Congress. It was ratified April 8, 1913.)**

[Election of U.S. senators; filling of vacancies; qualifications of electors.]

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 appointment 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.

### **Amendment XVIII<sup>2</sup>**

**(The proposed amendment was sent to the states Dec. 18, 1917, by the Sixty-fifth Congress. It was ratified by three quarters of the states by Jan. 16, 1919, and became effective Jan. 16, 1920.)**

<sup>2</sup>. Repealed by the 21st Amendment.

#### **Section 1**

[Manufacture, sale, or transportation of intoxicating liquors, for beverage purposes, prohibited.]

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.

#### **Section 2**

[Congress and the several states given concurrent power to pass appropriate legislation to enforce this article.]

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

#### **Section 3**

[Provisions of article to become operative, when adopted by three fourths of the states.]

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 Congress.

### **Amendment XIX**

**(The proposed amendment was sent to the states June 4, 1919, by the Sixty-sixth Congress. It was ratified Aug. 18, 1920.)**

[The right of citizens to vote shall not be denied because of sex.]

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 given power to enforce this article.]

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

## **Amendment XX**

**(The proposed amendment, sometimes called the “Lame Duck Amendment,” was sent to the states Mar. 3, 1932, by the Seventy-second Congress. It was ratified Jan. 23, 1933; but, in accordance with Section 5, Sections 1 and 2 did not go into effect until Oct. 15, 1933.)**

### **Section 1**

[Terms of president, vice president, senators, and representatives.]

The terms of the President and Vice President shall end at noon on the twentieth day of January, and the terms of Senators and Representatives at noon on the third 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.

### **Section 2**

[Time of assembling Congress.]

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the third day of January, unless they shall by law appoint a different day.

### **Section 3**

[Filling vacancy in office of president.]

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 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.

### **Section 4**

[Power of Congress in presidential succession.]

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.

### **Section 5**

[Time of taking effect.]

Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

### **Section 6**

[Ratification.]

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.

## **Amendment XXI**

**(The proposed amendment was sent to the states Feb. 20, 1933, by the Seventy-second Congress. It was ratified Dec. 5, 1933.)**

### **Section 1**

[Repeal of Prohibition Amendment.]

The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

### **Section 2**

[Transportation of intoxicating liquors.]

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.

### **Section 3**

[Ratification.]

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by convention in the several States, as provided in the Constitution, within seven years from the date of the submission thereof to the States by the Congress.

## **Amendment XXII**

**(The proposed amendment was sent to the states Mar. 21, 1947, by the Eightieth Congress. It was ratified Feb. 27, 1951.)**

### **Section 1**

[Limit to number of terms a president may serve.]

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.

### **Section 2**

[Ratification.]

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.

### **Amendment XXIII**

**(The proposed amendment was sent to the states June 16, 1960, by the Eighty-sixth Congress. It was ratified March 29, 1961.)**

#### **Section 1**

[Electors for the District of Columbia.]

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.

#### **Section 2**

[Congress given power to enforce this article.]

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

### **Amendment XXIV**

**(The proposed amendment was sent to the states Aug. 27, 1962, by the Eighty-seventh Congress. It was ratified Jan. 23, 1964.)**

#### **Section 1**

[Payment of poll tax or other taxes not to be prerequisite for voting in federal elections.]

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 reasons of failure to pay any poll tax or other tax.

#### **Section 2**

[Congress given power to enforce this article.]

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

### **Amendment XXV**

**(The proposed amendment was sent to the states July 6, 1965, by the Eighty-ninth Congress. It was ratified Feb. 10, 1967.)**

#### **Section 1**

[Succession of vice president to presidency.]

In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

## **Section 2**

[Vacancy in office of vice president.]

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.

## **Section 3**

[Vice president as acting president.]

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.

## **Section 4**

[Vice president as acting president.]

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 latter 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.

## **Amendment XXVI**

**(The proposed amendment was sent to the states Mar. 23, 1971, by the Ninety-second Congress. It was ratified July 1, 1971.)**

### **Section 1**

[Voting for 18-year-olds.]

The right of citizens of the United States, who are 18 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.

## **Section 2**

[Congress given power to enforce this article.]

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

## **Amendment XXVII**

**(The proposed amendment was sent to the states Sept. 25, 1789, by the First Congress. It was ratified May 7, 1992.)**

[Congressional raises.]

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

# A Constitution Study Guide

*Following is a brief explanation of each Article of the Constitution and the Amendments taken from free sources. It is by no means a complete discussion, but is presented here by Hoosier Patriots to aid in understanding. Judging, however from the more than 200 years of success by the United States, one can easily conclude the United States Constitution represents arguably the most viable government establishing and liberty protecting document the world has ever seen. You are encouraged to search other sources and free material on the Internet. We recommend you also visit the site of the National Center for Constitutional Studies at <http://www.nccs.net>.*

**READING LIST:** While there are many publications from which to choose, we recommend only two:

1] *“The 5,000 Year Leap-A Miracle that Changed the World”* The 28 principles are listed at the conclusion of this study guide.

2] *“The Federalist Papers”* The Federalist Papers is a treatise on free government in peace and security. It is the outstanding American contribution to the literature on constitutional democracy and federalism, a classic of Western political thought. It was written by Founders specifically to explain the new Constitution to the People.

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The Constitution is often hailed as a marvel of brevity and of clarity. Written in the 18th century, many words, phrases, and euphemisms seem odd to us today. Many believe the completeness and clarity of the document is an indication the framers were assisted by Devine guidance.

But what of the Constitution itself? What does it mean? What does each article, each section, say?

This is a synopsis or summary of the Constitution, article by article, amendment by amendment. This should not be taken as a substitute for the Constitution, but is only a study guide.

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**The Preamble** to the Constitution has no force in law; instead, it establishes the "Why" of the Constitution. Why is this document in existence? It reflects the desires of the Framers to improve on the government they currently had (to be "more perfect" than the Articles of Confederation), to ensure that that government would be just, and would protect its citizens from internal strife and from attack from the outside. It would be of benefit to the people, rather than to its detriment. And, perhaps as importantly, it intended to do the same for the future generations of Americans.

**Article 1** establishes the first of the three branches of the government, the Legislature. Section 1 establishes the name of the Legislature to be The Congress, a bicameral, or two-part, body.

**Section 2** defines the House of Representatives, known as the lower house of Congress. It establishes a few minimum requirements, like a 25-year-old age limit, and establishes that the people themselves will elect the members for two years each. The members of the House are divided among the states proportionally, or according to size, giving more populous states more representatives in the House. The leader of the House is the Speaker of the House, chosen by the members.

**Section 3** defines the upper house of Congress, the Senate. Again, it establishes some minimum requirements, such as a 30-year-old age limit. Senators were originally appointed by the legislatures of the individual states, though this later changed. They serve for six years each. Each state has equal suffrage in the Senate, meaning that each state has the exact same number of Senators, two each, regardless of the population. This Section introduces the Vice-President, who is the leader of the Senate (called the President of the Senate); the Vice-President does not vote unless there is a tie.

**Section 4** says that each state may establish its own methods for electing members of the Congress, and mandates, or requires, that Congress must meet at least once per year.

**Section 5** says that Congress must have a minimum number of members present in order to meet, and that it may set fines for members who do not show up. It says that members may be expelled, that each house must keep a journal to record proceedings and votes, and that neither house can adjourn without the permission of the other.

**Section 6** establishes that members of Congress will be paid, that they cannot be detained while traveling to and from Congress, that they cannot hold any other office in the government while in the Congress.

**Section 7** details how bills become law. First, any bill for raising money (such as by taxes or fees) must start out in the House. All bills must pass both houses of Congress in the exact same form. Bills that pass both houses are sent to the President. He can either sign the bill, in which case it becomes law, or he can veto it. In the case of a veto, the bill is sent back to Congress, and if both houses pass it by a two-thirds majority, the bill becomes law over the President's veto. This is known as overriding a veto.

There are a couple more options for the President. First, if he neither vetoes a bill nor signs it, it becomes a law without his signature after 10 days. The second option is called a pocket veto. It occurs if Congress sends the bill to the President and they then adjourn. If the President does not sign the bill within 10 days, it does not become law.

**Section 8** lists specific powers of Congress, including the power to establish and maintain an army and navy, to establish post offices, to create courts, to regulate commerce between the states, to declare war, and to raise money. It also includes a clause known as the Elastic Clause which allows it to pass any law necessary for the carrying out of the previously listed powers.

**Section 9** places certain limits on Congress. Certain legal items, such as suspension of habeas corpus, bills of attainder, and ex post facto laws are prohibited. No law can give preference to

one state over another; no money can be taken from the treasury except by duly passed law, and no title of nobility, such as Prince or Marquis, will ever be established by the government.

**Section 10**, finally, prohibits the states from several things. They cannot make their own money, or declare war, or do most of the other things prohibited Congress in Section 9. They cannot tax goods from other states, nor can they have navies.

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**Article 2** establishes the second of the three branches of government, the Executive. Section 1 establishes the office of the President and the Vice-President, and sets their terms to be four years. Presidents are elected by the Electoral College, whereby each state has one vote for each member of Congress. Originally, the President was the person with the most votes and the Vice-President was the person with the second most, though this is later changed. Certain minimum requirements are established again, such as a 35-year minimum age. Presidents must also be a natural-born citizen of the United States. The President is to be paid a salary, which cannot change, up or down, as long as he is in office.

**Section 2** gives the President some important powers. He is commander-in-chief of the armed forces and of the militia (National Guard) of all the states; he has a Cabinet to aid him, and can pardon criminals. He makes treaties with other nations, and picks many of the judges and other members of the government (all with the approval of the Senate).

**Section 3** establishes the duties of the President: to give a state of the union address, to make suggestions to Congress, to act as head of state by receiving ambassadors and other heads of state, and to be sure the laws of the United States are carried out.

**Section 4** briefly discusses the removal of the President, called impeachment.

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**Article 3** establishes the last of the three branches of government, the Judiciary. Section 1 establishes the Supreme Court, the highest court in the United States. It also sets the terms of judges, of both the Supreme Court and lower courts: that they serve as long as they are on "good behavior," which usually means for life (no Justice and only a few judges have ever been impeached). It also requires that judges shall be paid.

**Section 2** sets the kinds of cases that may be heard by the federal judiciary, which cases the Supreme Court may hear first (called original jurisdiction), and that all other cases heard by the Supreme Court are by appeal. It also guarantees trial by jury in criminal court.

**Section 3** defines, without any question, what the crime of treason is.

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**Article 4** concerns the states.

**Section 1** mandates that all states will honor the laws of all other states; this ensures, for example, that a couple married in Florida is also considered married by Arizona, or that someone convicted of a crime in Virginia is considered guilty by Wyoming.

**Section 2** guarantees that citizens of one state be treated equally and fairly like all citizens of another. It also says that if a person accused of a crime in one state flees to another, they will be

returned to the state they fled from. This section also has a clause dealing with fugitive slaves that no longer applies.

**Section 3** concerns the admittance of new states and the control of federal lands.

**Section 4** ensures a republican form of government (which, in this case, is synonymous with "representative democracy," and both of which are opposed to a monarchical or aristocratic scheme - the state derives its power from the people, not from a king or gentry) and guarantees that the federal government will protect the states against invasion and insurrection.

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**Article 5** details the method of amending, or changing, the Constitution. Please see The Amendments Page for more information.

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**Article 6** concerns the United States itself. First, it guarantees that the United States under the Constitution would assume all debts and contracts entered into by the United States under the Articles of Confederation. It sets the Constitution and all laws and treaties of the United States to be the supreme law of the country. Finally, it requires all officers of the United States and of the states to swear an oath of allegiance to the United States and the Constitution when taking office.

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**Article 7** details the method for ratification, or acceptance, of the Constitution: of the original 13 states in the United States, nine had to accept the Constitution before it would officially go into effect.

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## The Amendments

**Bill of Rights.** The first ten amendments to the Constitution were all adopted at the same time and are collectively known as the Bill of Rights. The original Bill of Rights contained 12 amendments. The original first two were not adopted.

**The 1st Amendment** protects the people's right to practice religion, to speak freely, to assemble (meet), to address (petition) the government, and of the press to publish.

**The 2nd Amendment** protects the right to own guns. There is debate whether this is a right that protects the state, or a right that protects individuals.

**The 3rd Amendment** guarantees that the army cannot force homeowners to give them room and board.

**The 4th Amendment** protects the people from the government improperly taking property, papers, or people, without a valid warrant based on probable cause (good reason).

**The 5th Amendment** protects people from being held for committing a crime unless they are properly indicted, that they may not be tried twice for the same crime, that you need not be forced to testify against yourself, and from property being taken without just compensation. It also contains due process guarantees.

**The 6th Amendment** guarantees a speedy trial, an impartial jury, that the accused can confront witnesses against them, and that the accused must be allowed to have a lawyer.

**The 7th Amendment** guarantees a jury trial in federal civil court cases. This type of case is normally no longer heard in federal court.

**The 8th Amendment** guarantees that punishments will be fair, and not cruel, and that extraordinarily large fines will not be set.

**The 9th Amendment** is simply a statement that other rights aside from those listed may exist, and just because they are not listed doesn't mean they can be violated.

**The 10th Amendment** is the subject of some debate, but essentially it states that any power not granted to the federal government belongs to the states or to the people.

**The 11th Amendment** more clearly defines the original jurisdiction of the Supreme Court concerning a suit brought against a state by a citizen of another state.

**The 12th Amendment** redefines how the President and Vice-President are chosen by the Electoral College, making the two positions cooperative, rather than first and second highest vote-getters. It also ensures that anyone who becomes Vice-President must be eligible to become President.

**The 13th Amendment** abolished slavery in the entire United States.

**The 14th Amendment** ensured that all citizens of all states enjoyed not only rights on the federal level, but on the state level, too. It removed the three-fifths counting of slaves in the census. It ensured that the United States would not pay the debts of rebellious states. It also had several measures designed to ensure the loyalty of legislators who participated on the Confederate side of the Civil War.

**The 15th Amendment** ensures that race cannot be used as a criteria for voting.

**The 16th Amendment** authorizes the United States to collect income tax without regard to the population of the states.

**The 17th Amendment** shifted the choosing of Senators from the state legislatures to the people of the states.

**The 18th Amendment** abolished the sale or manufacture of alcohol in the United States. This amendment was later repealed (erased).

**The 19th Amendment** ensures that gender cannot be used as a criteria for voting. Often called "Women's Suffrage".

**The 20th Amendment** set new start dates for the terms of the Congress and the President, and clarifies how the deaths of Presidents before swearing-in would be handled.

**The 21st Amendment** repealed the 18th Amendment.

**The 22nd Amendment** set a limit on the number of times a President could be elected - two four-year terms. It has one exception for a Vice-President who assumes the Presidency after the death or removal of the President, establishing the maximum term of any President to 10 years.

**The 23rd Amendment** grants the District of Columbia (Washington D.C.) the right to three electors in Presidential elections.

**The 24th Amendment** ensured that no tax could be charged to vote for any federal office.

**The 25th Amendment** clarifies even further the line of succession to the Presidency, and establishes rules for a President who becomes unable to perform his duties while in office.

**The 26th Amendment** ensures that any person 18 or over may vote.

**The 27th Amendment** requires that any law that increased the pay of legislators may not take effect until after an election.

### **“The 5,000 Year Leap – A Miracle that Changed the World”**

“These beliefs have made possible more progress in 200 years than was made previously in over 5,000 years. Thus the title *“The 5,000 Year Leap”*.”

**The 28 principles described here from the book**, as outlined by the National Center for Constitutional Studies [ <http://nccs.net> ]

**Principle 1** - *The only reliable basis for sound government and just human relations is Natural Law.*

Natural law is God's law. There are certain laws which govern the entire universe, and just as Thomas Jefferson said in the Declaration of Independence, there are laws which govern in the affairs of men which are "the laws of nature and of nature's God."

**Principle 2** - *A free people cannot survive under a republican constitution unless they remain virtuous and morally strong.*

"Only a virtuous people are capable of freedom. As nations become corrupt and vicious, they have more need of masters." - Benjamin Franklin

**Principle 3** - *The most promising method of securing a virtuous people is to elect virtuous leaders.*

"Neither the wisest constitution nor the wisest laws will secure the liberty and happiness of a people whose manners are universally corrupt. He therefore is the truest friend to the liberty of his country who tries most to promote its virtue, and who ... will not suffer a man to be chosen into any office of power and trust who is not a wise and virtuous man." - Samuel Adams

**Principle 4** - *Without religion the government of a free people cannot be maintained.*

"Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.... And let us with caution indulge the supposition that morality can be maintained without religion." - George Washington

**Principle 5** - *All things were created by God, therefore upon him all mankind are equally dependent, and to him they are equally responsible .*

The American Founding Fathers considered the existence of the Creator as the most fundamental premise underlying all self-evident truth. They felt a person who boasted he or she was an atheist had just simply failed to apply his or her divine capacity for reason and observation.

**Principle 6** - *All mankind were created equal.*

The Founders knew that in these three ways, all mankind are theoretically treated as:

1. Equal before God.
2. Equal before the law.
3. Equal in their rights.

**Principle 7** - *The proper role of government is to protect equal rights, not provide equal things.*

The Founders recognized that the people cannot delegate to their government any power except that which they have the lawful right to exercise themselves.

**Principle 8** - *Mankind are endowed by God with certain unalienable rights.*

"Those rights, then, which God and nature have established, and are therefore called natural rights, such as are life and liberty, need not the aid of human laws to be more effectually invested in every man than they are; neither do they receive any additional strength when declared by the municipal [or state] laws to be inviolable. On the contrary, no human legislation has power to abridge or destroy them, unless the owner [of the right] shall himself commit some act that amounts to a forfeiture." - William Blackstone

**Principle 9** - *To protect human rights, God has revealed a code of divine law.*

"The doctrines thus delivered we call the revealed or divine law, and they are to be found only in the Holy Scriptures. These precepts, when revealed, are found by comparison to be really a part of the original law of nature, as they tend in all their consequences to man's felicity." - William Blackstone

**Principle 10** - *The God-given right to govern is vested in the sovereign authority of the whole people.*

"The fabric of American empire ought to rest on the solid basis of the consent of the people. The streams of national power ought to flow immediately from that pure, original fountain of all legislative authority." - Alexander Hamilton

**Principle 11** - *The majority of the people may alter or abolish a government which has become tyrannical.*

"Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes ... but when a long train of abuses and usurpations ... evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security." - Thomas Jefferson in the Declaration of Independence

**Principle 12** - *The United States of America shall be a republic.*

"I pledge allegiance to the flag of the United States of America  
And to the *republic* for which it stands...."

**Principle 13** - *A Constitution should protect the people from the frailties of their rulers.*

"If angels were to govern men, neither external nor internal controls on government would be necessary.... [But lacking these] you must first enable the government to control the governed; and in the next place oblige it to control itself." - James Madison

**Principle 14** - *Life and liberty are secure only so long as the rights of property are secure .*

John Locke reasoned that God gave the earth and everything in it to the whole human family as a gift. Therefore the land, the sea, the acorns in the forest, the deer feeding in the meadow belong to everyone "in common." However, the moment someone takes the trouble to change something from its original state of nature, that person has added his ingenuity or labor to make that change. Herein lies the secret to the origin of "property rights."

**Principle 15** - *The highest level of prosperity occurs when there is a free-market economy and a minimum of government regulations.*

Prosperity depends upon a climate of wholesome stimulation with four basic freedoms in operation:

1. The Freedom to try.
2. The Freedom to buy.
3. The Freedom to sell.
4. The Freedom to fail.

**Principle 16** - *The government should be separated into three branches .*

"I call you to witness that I was the first member of the Congress who ventured to come out in public, as I did in January 1776, in my Thoughts on Government ... in favor of a government with three branches and an independent judiciary. This pamphlet, you know, was very unpopular. No man appeared in public to support it but yourself." - John Adams

**Principle 17** - *A system of checks and balances should be adopted to prevent the abuse of power by the different branches of government.*

"It will not be denied that power is of an encroaching nature and that it ought to be effectually restrained from passing the limits assigned to it." - James Madison

**Principle 18** - *The unalienable rights of the people are most likely to be preserved if the principles of government are set forth in a written Constitution.*

The structure of the American system is set forth in the Constitution of the United States and the only weaknesses which have appeared are those which were allowed to creep in despite the Constitution.

**Principle 19** - *Only limited and carefully defined powers should be delegated to government, all others being retained by the people.*

The Tenth Amendment is the most widely violated provision of the bill of rights. If it had been respected and enforced America would be an amazingly different country than it is today. This amendment provides:

"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."

**Principle 20** - *Efficiency and dispatch require that the government operate according to the will of the majority, but constitutional provisions must be made to protect the rights of the minority.*

"Every man, by consenting with others to make one body politic under one government, puts himself under an obligation to every one of that society to submit to the determination of the majority, and to be concluded [bound] by it." - John Locke

**Principle 21** - *Strong local self-government is the keystone to preserving human freedom.*

"The way to have good and safe government is not to trust it all to one, but to divide it among the many, distributing to every one exactly the functions he is competent [to perform best]. - Thomas Jefferson

**Principle 22** - *A free people should be governed by law and not by the whims of men.*

"The end of law is not to abolish or restrain, but to preserve and enlarge freedom. For in all the states of created beings, capable of laws, where there is no law there is no freedom. For liberty is to be free from restraint and violence of others, which cannot be where there is no law." - John Locke

**Principle 23** - *A free society cannot survive as a republic without a broad program of general education.*

"They made an early provision by law that every town consisting of so many families should be always furnished with a grammar school. They made it a crime for such a town to be destitute of a grammar schoolmaster for a few months, and subjected it to a heavy penalty. So that the education of all ranks of people was made the care and expense of the public, in a manner that I believe has been unknown to any other people, ancient or modern. The consequences of these establishments we see and feel every day [written in 1765]. A native of America who cannot read and write is as rare ... as a comet or an earthquake." John Adams

**Principle 24** - *A free people will not survive unless they stay strong.*

"To be prepared for war is one of the most effectual means of preserving peace." - George Washington

**Principle 25** - *"Peace, commerce, and honest friendship with all nations -- entangling alliances with none."* - Thomas Jefferson, given in his first inaugural address.

**Principle 26** - *The core unit which determines the strength of any society is the family; therefore the government should foster and protect its integrity.*

"There is certainly no country in the world where the tie of marriage is more respected than in America, or where conjugal happiness is more highly or worthily appreciated." Alexis de Tocqueville

**Principle 27** - *The burden of debt is as destructive to human freedom as subjugation by conquest.*

"We are bound to defray expenses [of the war] within our own time, and are unauthorized to burden posterity with them.... We shall all consider ourselves morally bound to pay them ourselves and consequently within the life [expectancy] of the majority." - Thomas Jefferson

**Principle 28** - *The United States has a manifest destiny to eventually become a glorious example of God's law under a restored Constitution that will inspire the entire human race.*

The Founders sensed from the very beginning that they were on a divine mission. Their great disappointment was that it didn't all come to pass in their day, but they knew that someday it would. John Adams wrote:

"I always consider the settlement of America with reverence and wonder, as the opening of a grand scene and design in Providence for the illumination of the ignorant, and the emancipation of the slavish part of mankind all over the earth."