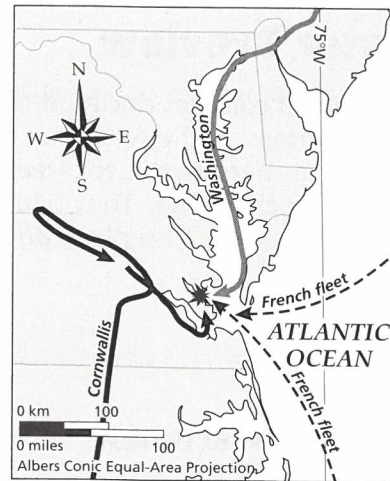


Test Yourself

- Which statement best describes the effects of the American Revolution on women?
 - The political rights of women were reduced.
 - Women had to take on many new responsibilities.
 - Many women were forced to serve in the army.
 - The Declaration of Independence granted equal rights to women.
- One effect of the Treaty of Paris was that Britain
 - gave up all its colonies in North America.
 - surrendered to the Patriots.
 - recognized American independence.
 - formed an alliance with the United States.

Refer to the map below to answer Question 3.



- What battle is shown on the map?
 - Battle of Saratoga
 - Battle of Cowpens
 - Battle of Yorktown
 - Battle of Trenton

Document-Based Questions

Task: Look at Documents 1 and 2, and answer their accompanying questions. Then, use the documents and your knowledge of history to complete this writing assignment:

Write an essay comparing the ways in which these two documents proclaim people's basic rights. How do they reflect the Enlightenment ideas of John Locke?

Document 1: This excerpt describes the basic principles behind the Declaration of Independence. According to the Declaration, what basic rights do people have?

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

—Declaration of Independence

Document 2: In 1789, on the eve of the French Revolution, the French Assembly issued the Declaration of the Rights of Man and the Citizen. As you can see from the excerpt below, this document was modeled in part on the American Declaration of Independence. According to the Declaration of the Rights of Man and the Citizen, what is the aim of government?

"The representatives of the French people . . . have determined to set forth in a solemn declaration the natural, unalienable, and sacred rights of man.

- Men are born and remain free and equal in rights. . . .
- The aim of all political association is the preservation of the natural and imprescriptable rights of man. These rights are liberty, property, security, and resistance to oppression."

—Declaration of the Rights of Man and the Citizen



Chapter Preview

In 1776, the 13 colonies declared their independence from Britain. In the American Revolution, they fought a long, hard battle for freedom. Now they faced another challenge. They had to find a new form of government to replace British rule.

Section 1

Governing a New Nation

Pages 204–209

What You Will Learn

Weaknesses in the Articles of Confederation convinced leading Americans that the country needed a strong central government.

Section 2

The Constitutional Convention

Pages 212–217

After months of intense debate, delegates to the Constitutional Convention agreed on a new plan of government.

Section 3

Debating the Constitution

Pages 218–221

The states approved the Constitution, but many of the states insisted that it also include a bill of rights.



The Constitution



U.S. Events

1777

Congress adopts Articles of Confederation.

1781

Articles of Confederation approved by last of 13 states.

1776

1780

1784



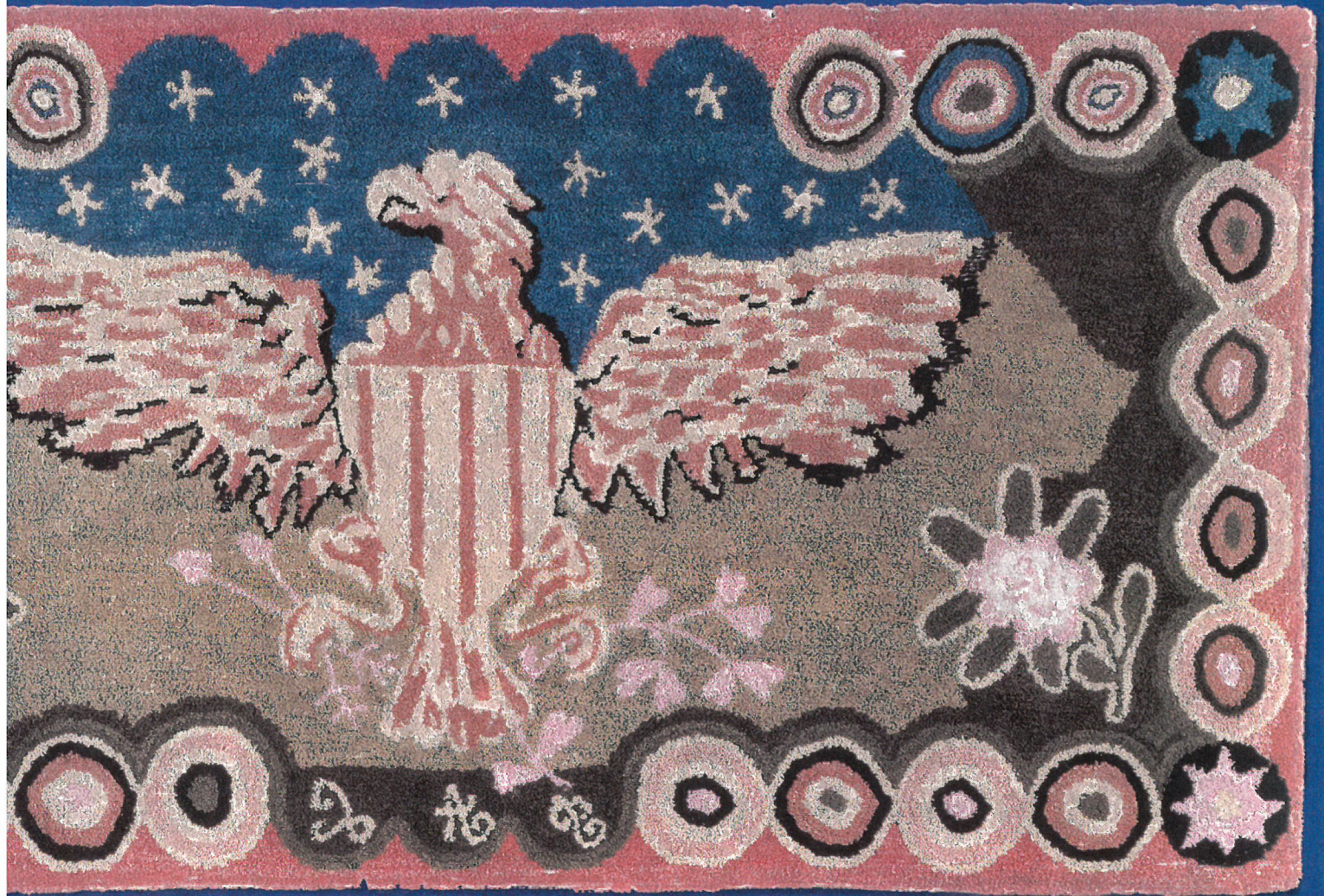
World Events

1778 France and United States sign treaty of alliance.

Quick View Video

View the chapter video for a quick preview of the main ideas.

Proud of their new nation, American artisans wove this rug featuring important patriotic symbols.



1786
Shays' Rebellion breaks out in Massachusetts.

1787
Constitutional Convention creates new plan of government.

1791
Bill of Rights goes into effect.

1784

1788

1789 French Revolution begins.

1792

1793 Emperor of China rejects British trade.



History Reading Skill Analyze Propositions and Support

What arguments had been used to support the American Revolution?

In this chapter, you will learn how to analyze propositions—arguments—and the evidence used to support them.

Primary Source

A leader in the American Revolution, Patrick Henry, argued on the eve of that conflict that England was readying itself for war despite colonial efforts to resolve the problems through diplomacy.

Ask yourselves . . . [about] . . . these warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled, that force must be called in to win back our love? Let us not deceive ourselves, sir. These are implements of war and subjugation; the last arguments to which kings resort. I ask gentlemen, sir, what means this martial array, if its purpose be not to be to force us into submission? Can gentlemen assign any other possible motives for it? Has Great Britain any enemy, in this quarter of the world, to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us; they can be meant for no other. . . .

. . . Beside, sir, we have no election [choice]. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat but in submission and slavery! Our chains are forged! . . . The war is inevitable—and let it come! I repeat it, sir, let it come!

— Patrick Henry, speech to the Second Virginia Convention, March 23, 1775

These questions support Henry's argument.

Henry sees that England is massing troops in the colonies and proposes that England is preparing to fight its colonies.

These are the supporting reasons for Henry's views.

Here, Henry states the problem that war is unavoidable and proposes that the colonies must prepare for it.

Analyze Propositions and Support

- Ask yourself what problems Patrick Henry identifies and what he proposes in response to those problems.
- Evaluate Henry's propositions and support. Does he support his propositions convincingly? Do you agree with them?

Document-Based Questions

1. When was this speech given?
2. What events were taking place in Massachusetts around this time?
3. What action do you think Henry wants the Virginia Convention to take?

Vocabulary Builder

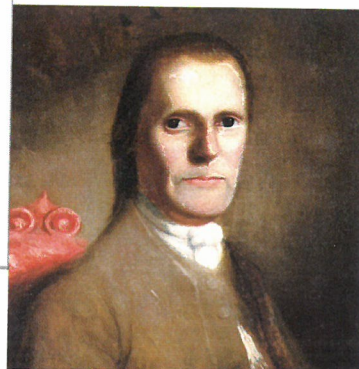
Previewing High-Use Academic Words

High-Use Word	Definition	Sample History Sentence
minimize (MIHN ah mīz) (Section 1, p. 204)	v. to reduce to the lowest possible amount	To <u>minimize</u> the chances of rebellion, England sent troops to the colonies.
devise (dee vīz) (Section 1, p. 206)	v. to think up an idea for something and figure out how it will work	Athens was the first city-state to <u>devise</u> a system of direct democracy.
contrast (KAHN trast) (Section 2, p. 214)	n. difference	In <u>contrast</u> with previous European explorers, Columbus sailed westward across the Atlantic Ocean.
emotion (ee MOH shuhn) (Section 2, p. 214)	n. strong feeling about something or someone	The people of Massachusetts reacted with <u>emotion</u> when they heard of the Boston Massacre.
flexible (FLEHKS ah bahl) (Section 3, p. 221)	adj. able to change	The Puritans of Massachusetts found it difficult to be <u>flexible</u> on religious matters.
amendment (ah MEHND mehnt) (Section 3, p. 221)	n. addition or alteration to a document	The Twenty-sixth <u>Amendment</u> allows citizens who are 18 years old to vote in state and national elections.

Previewing Key Terms and People

[constitution](#), p. 204
[executive](#), p. 205
[economic depression](#), p. 208
[Daniel Shays](#), p. 209
[James Madison](#), p. 213
[judicial branch](#), p. 213
[Roger Sherman](#), p. 214

[James Wilson](#), p. 214
[compromise](#), p. 214
[Gouverneur Morris](#), p. 217



Roger Sherman

James Wilson



[ratify](#), p. 218
[Alexander Hamilton](#), p. 218
[John Jay](#), p. 218
[George Mason](#), p. 219



Governing a New Nation

Objectives

1. Discuss the ideas that guided the new state governments.
2. Describe the government under the Articles of Confederation.
3. Explain the Ordinances of 1785 and 1787 and their importance to westward expansion.
4. Identify the problems created by a weak central government.

Main Idea

The first state constitutions were designed to support the principles fought for in the American Revolution.

Vocabulary Builder

minimize (MIHN ah mīz) *v.* to reduce to the lowest possible amount

Prepare to Read

Reading Skill

Identify Propositions The study of history often takes you inside important debates and arguments over ideas and actions. People argue—or propose—their ideas and then give reasons to support those ideas. Identifying those propositions will help you to understand the beliefs and experiences of people in an earlier time. One way to identify propositions is to ask yourself what problems people had and how they proposed solving those problems.

Vocabulary Builder

High-Use Words

minimize, p. 204

devise, p. 206

Key Terms and People

constitution, p. 204

executive, p. 205

economic depression, p. 208

Daniel Shays, p. 209

★ **Background Knowledge** You have read about the causes of the American Revolution. Leaders of the new nation remembered what they had hated about British rule. They had seen how the king and Parliament in faraway England had exerted power over elected colonial legislatures. Americans sought instead to create a republic in which the states had more power than the central government.

Government by the States

As the Continental Congress began moving toward independence in 1776, leaders in the individual states began creating governments. Eleven of the 13 states wrote new constitutions to support their governments. A **constitution** is a document stating the rules under which a government will operate. The other two states—Rhode Island and Connecticut—kept using their colonial charters. However, they removed all references to the British king.

Writing State Constitutions In writing state constitutions, Americans were well aware of the problems that had led to the Revolution. Colonists had been unhappy with governors appointed by the British Crown. Thus, the new constitutions **minimized** the powers of state governors. Instead, they gave most of the power to state legislatures elected by the people.

The governor served as the state's executive. In a government, the **executive is the person who runs the government and sees that the laws are carried out**. Governors appointed key state officials, but usually the legislature had to approve the appointments.

The new constitutions allowed more people to vote than in colonial times. Nonetheless, all but a few states barred African Americans (including those who were free) from voting. New Jersey allowed some women to vote until 1807, but women could not vote in any other state. In order to vote, white males had to be 21 or older. In most states, they also had to own a certain amount of property.

Protecting Rights The Declaration of Independence listed ways that Britain had violated the rights of colonists. To prevent such abuses, states sought to protect individual rights. Virginia was the first state to include a bill of rights in its constitution. Virginia's list included freedom of the press and the right to trial by jury, and it also barred "cruel and unusual punishments." The final clause guaranteed freedom of religion:

“That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience.”

—Virginia Bill of Rights, 1776

Many other states followed Virginia's lead. For example, the New York state constitution also included a bill of rights that guaranteed freedom of religion:

“This convention doth further, in the name and by the authority of the good people of this State, ordain, determine, and declare, that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever hereafter be allowed, within this State, to all mankind.”

—New York Constitution of 1777

Massachusetts also included freedom of religion in its bill of rights. However, Massachusetts did retain its official church. Massachusetts's bill of rights declared that people have the freedom to worship as they please, so long as they did not disturb the public peace or interfere with other people's freedom of worship.

Checkpoint Why did many state constitutions limit the power of state governors?

Protecting Rights

Virginia included a bill of rights in its constitution. The Virginia bill of rights became a model for other states and, later, for the national Constitution. **Critical Thinking: Link Past and Present** Which protections in the Virginia bill of rights are enjoyed by all Americans today?



Virginia Bill of Rights

- Freedom of Religion
- Freedom of the Press
- Trial by Jury
- Limits on Searches
- Limits on Arrests
- No Cruel and Unusual Punishment

Main Idea

The Articles of Confederation were designed to preserve liberty by restricting the powers of the federal government.



Identify Propositions

What issues concerned the framers when they were drafting the Articles of Confederation? What did they propose in response?

The Articles of Confederation

While the states were writing their constitutions, the Continental Congress created a plan for the nation as a whole. It was called the Articles of Confederation. Congress adopted the Articles in 1777.

Form of Government Instead of having three branches of government like those of most states, the government under the Articles had just one branch—a one-house legislature, called Congress. There was no executive and no system of national courts.

Within Congress, all states would be equal and each had a single vote. Moreover, for the most important matters, nine states had to agree before a law could go into effect.

Limited Government The framers of the Articles of Confederation kept in mind their complaints against Britain. Parliament had passed laws the colonists considered unfair. The new states did not want to risk giving too much power to a central government far from the people. Thus, the Articles provided for a limited central government.

Under the Articles, most power remained in the hands of the states. Congress could not regulate trade or collect taxes. Instead, it had to ask the states for the money it needed.

Congress did have some powers under the Articles. It could deal with foreign nations and with Native Americans outside the 13 states. It could make laws, declare war, coin or borrow money, and run a postal service. However, the national government had no power to enforce the laws that it made. For that, it depended on the states.



Checkpoint How did the Articles of Confederation ensure the power of the states?

Main Idea

The ordinances of 1785 and 1787 created a way for national lands to be sold to the public.

Vocabulary Builder

devise (dee viz) v. to think up an idea for something and figure out how it will work

Settling the Western Lands

The Articles had to be approved by all 13 states. But some states would not give their approval until other states dropped their claims to vast areas of land west of the Appalachian Mountains. It took years to get all the states to give up their claims to western lands. In 1781, Virginia was the final state to agree. Only then did Maryland approve the Articles of Confederation, the final state to do so.

The western lands that the states had given up were turned over to the national government. They proved to be very valuable. Land was in great demand. It could be sold off, piece by piece, to private companies seeking to develop western settlements.

Land Ordinance of 1785 Congress had to devise a system for land sales and settlement. Under the Land Ordinance of 1785, surveyors were to divide public lands into townships, 6 miles on each side. This would result in a grid of squares. Within each township there would also be a grid, 1 mile on each side. These 36 sections would be sold for no less than \$1 an acre.

Within each township, one section was set aside to support schools. This reflected the belief of the nation's leaders that democracy depended on education. Thomas Jefferson later wrote:

“If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.”

—Thomas Jefferson, letter to Charles Yancey, 1816

Northwest Ordinance of 1787 Investors were eager to buy land in the Northwest Territory, north of the Ohio River. They pressed Congress to determine how this area would be governed. In response, Congress passed the Northwest Ordinance of 1787. It guaranteed basic rights for settlers and banned slavery there.

The Northwest Ordinance set a three-step process for admitting new states. When a territory was just starting to be settled, Congress would appoint a governor, a secretary, and three judges. Once the territory had 5,000 free adult male settlers, it could elect a legislature. When the free population reached 60,000, the territory could ask to become a state. In time, five states—Ohio, Indiana, Illinois, Michigan, and Wisconsin—were carved out of the Northwest Territory. (For more on the settling of the Northwest Territory, see the Geography and History feature.)

Checkpoint How did the two ordinances turn national land into private holdings?



Western Land Claims

MAP MASTER®

Skills Activity

By 1783, several states claimed land west of the Appalachian Mountains.

- Read a Map Key** Which states had disputed land claims with New York? With North Carolina?
- Make Predictions** Based on this map, how might western land claims threaten national unity?

MapMaster Online

For: Interactive map
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KEY	
	Original 13 states
	Areas claimed
	Date ceded to the United States (1784)

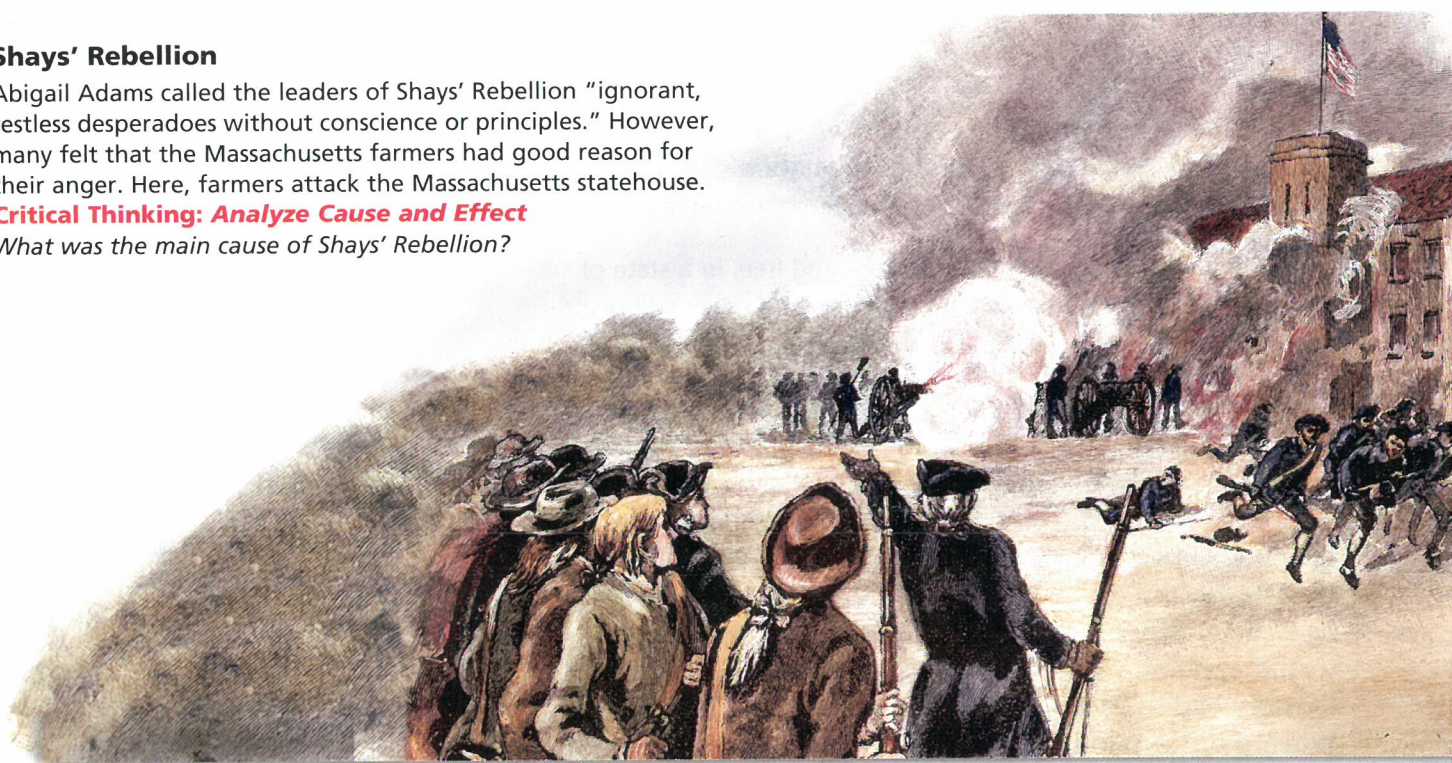
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Albers Conic Equal-Area Projection

Shays' Rebellion

Abigail Adams called the leaders of Shays' Rebellion "ignorant, restless desperadoes without conscience or principles." However, many felt that the Massachusetts farmers had good reason for their anger. Here, farmers attack the Massachusetts statehouse.

Critical Thinking: Analyze Cause and Effect

What was the main cause of Shays' Rebellion?



Main Idea

The Articles of Confederation denied the central government the power to deal effectively with several key issues facing the nation.

Growing Problems

Under the Articles of Confederation, the United States had many successes. It waged a successful war for independence, negotiated a peace treaty with Britain, and set up rules for settling new territories. But the United States faced growing problems during the 1780s. Many Americans concluded that the Articles did not give the government enough power to solve these problems.

Economic Problems Under the Articles, each state set its own trade policy. Each state tried to help its own farmers and manufacturers by setting taxes on goods brought in from other states. This practice discouraged trade among the states. In addition, each state printed its own money, making trade between states harder.

Another problem grew from the fact that the central government did not have the power to tax. As a result, there was little money to run the government. The situation grew more desperate every year.

Foreign Affairs Because the United States seemed to be weak, powerful nations viewed it with scorn. British troops continued to occupy forts in the Northwest Territory, although the peace treaty required that the forts be turned over to the United States. The Spanish, who controlled New Orleans, refused to let Americans ship products down the Mississippi River. Therefore, western farmers had to send products along the rugged trails over the Appalachian Mountains, which was far more costly.


Shays' Rebellion In the mid-1780s, a severe economic depression hit the United States. An **economic depression** is a period when business activity slows, prices and wages drop, and unemployment rises. As the depression deepened, there was widespread despair and anger.

The depression hit farmers in Massachusetts especially hard. As crop prices declined, many were unable to pay their taxes. The state government then began seizing some farms and selling them in order to get the back taxes. Angry farmers demanded that the legislature stop the farm sales. They also demanded that the state issue more paper money to make it easier to get loans. Still, the legislators took no action.

In August 1786, a former Revolutionary War captain named **Daniel Shays** led an uprising of about 1,000 Massachusetts farmers. When the farmers tried to seize arms from a state warehouse, the state called out the militia. Shays and other leaders were arrested.

Although Shays' Rebellion fizzled, it had frightened some leading Americans. They believed that a stronger central government would protect against popular unrest. In response, Congress asked the states to send delegates to a convention in Philadelphia in 1787. Their task was to revise the Articles of Confederation.

 **Checkpoint** What did Shays' Rebellion demonstrate about the strength of the national government under the Articles of Confederation?

 **Looking Back and Ahead** After 10 years of independence, some leading Americans had come to the conclusion that the Articles of Confederation needed improvement. The Philadelphia convention was called to revise the Articles. But were the Articles of Confederation worth saving? Or was an entirely new framework required? This decision would be one of the first issues that the delegates at the Philadelphia convention would confront.

Section 1 | Check Your Progress

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Comprehension and Critical Thinking

- (a) Recall** Why did the Continental Congress make the federal government weak when it drew up the Articles of Confederation?
(b) Explain Problems Why did foreign powers treat the U.S. government under the Articles of Confederation with scorn?
- (a) Recall** Why was a section of public land set aside to support public schools under the Land Ordinance of 1785?
(b) Analyze Cause and Effect How does education contribute to a successful democracy?

Reading Skill

- Identify Propositions** Reread the text following the heading "Land Ordinance of 1785." What belief did the nation's leaders have about education? What did they propose to further this belief?

Vocabulary Builder

Fill in the blanks with the correct key terms.

- After the break with Britain, each of the states wrote a new _____, a framework for the state government.

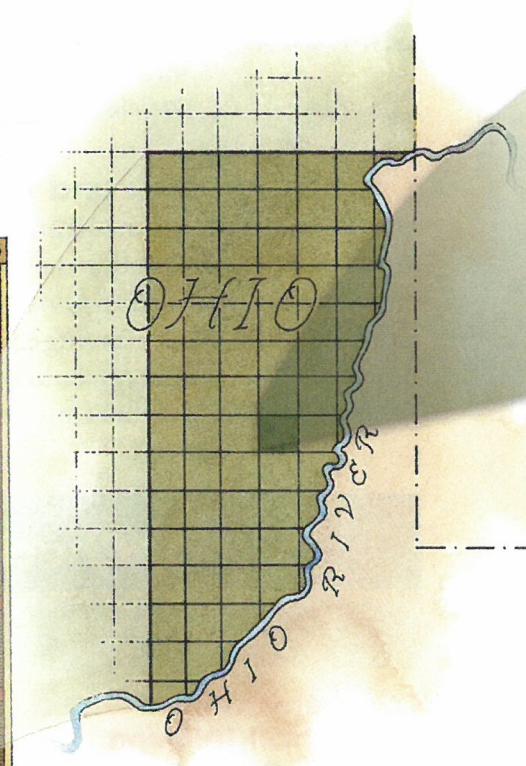
- The _____ is the person in a government responsible for carrying out the laws.
- In the 1780s, when business slowed and unemployment rose, the nation entered a period of _____.

Writing

- Identify two problems caused by the creation of a weak national government under the Articles of Confederation. Write a sentence about each problem, explaining why it was important that it be solved.

Settling the Northwest Territory

By the end of the American Revolution, the United States had acquired a vast territory west of the Appalachian Mountains. Congress passed two land ordinances, one in 1785 and another in 1787. The ordinances served as a framework for moving settlers into—and forming states out of—this Northwest Territory. The states of Ohio, Indiana, Illinois, Michigan, Wisconsin, and part of Minnesota were eventually carved out of the expanse.



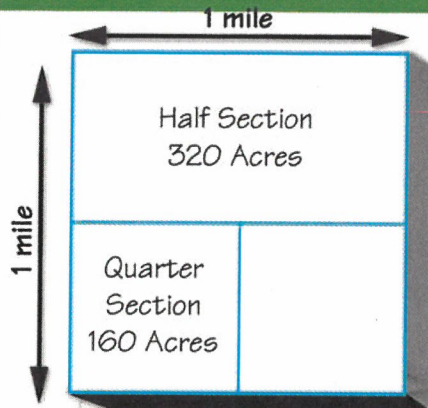
▲ A New Organization

The Land Ordinance of 1785 established a system for settling the Northwest Territory. Surveyors laid out a grid of lines spaced 6 miles apart. These lines marked off townships. Each township was divided into 36 sections, and these 1-mile square sections could be divided into smaller units for sale to farmers.

History *Interactive*

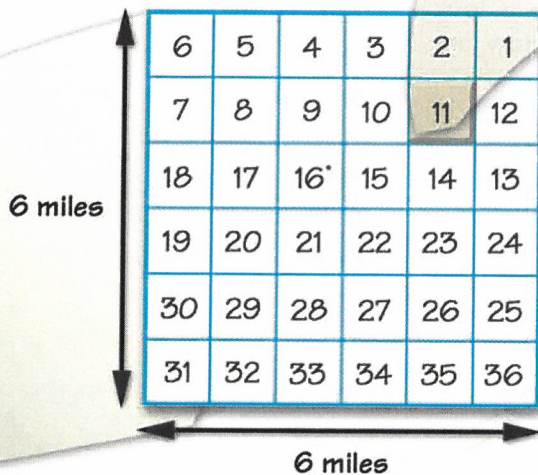
Explore the Northwest Territory

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Understand Effects: Slavery and the Northwest Ordinance

Congress banned slavery in the Northwest Territory in 1787. Eventually, five free states were formed from the territory. Decades later, the balance between free states and slave states would lead to a national crisis.



* Income reserved to support schools



▼ An Enduring Landscape

The grid established more than 200 years ago remains the basis for land division across the Midwest. Many roads and property lines still follow the straight lines and right angles the original surveyors laid out.

▲ Support for Education

The 1785 ordinance set aside one section in every township to support public schools. Lands were often reserved for school buildings like the one shown here.

Analyze GEOGRAPHY AND HISTORY

Write a pamphlet recruiting settlers to live in the Northwest Territory.



SECTION
2

The Constitutional Convention

Objectives

1. Describe the proceedings of the Constitutional Convention.
2. Identify the specifics of the Virginia Plan.
3. Explain how the Great Compromise satisfied both large and small states.
4. Describe the disputes over slavery and the compromises that were reached.
5. Discuss the drafting of the new Constitution.

Main Idea

The original aim of the Constitutional Convention was to revise the Articles of Confederation.

Prepare to Read

Reading Skill

Identify Support for Propositions

As you read about the propositions that people from history made to solve their problems and advance their ideas, look for supporting evidence. How did people try to convince those around them to support these propositions? What reasons did they give to explain their views? Identifying supporting evidence helps you understand and respond to propositions.

Vocabulary Builder

High-Use Words

contrast, p. 214

emotion, p. 214

Key Terms and People

James Madison, p. 213

judicial branch, p. 213

Roger Sherman, p. 214

James Wilson, p. 214

compromise, p. 214

Gouverneur Morris, p. 217

Background Knowledge In Section 1, you learned that many Americans worried about the weaknesses of the Articles of Confederation. These weaknesses prompted the states to call a meeting in Philadelphia to revise the Articles. In this section, you will learn how the Constitutional Convention instead led to the creation of an entirely new framework of government.

The Constitutional Convention Begins

An air of mystery hung over Philadelphia in the summer of 1787. Every day, the nation's great leaders passed in and out of the statehouse. One Philadelphia resident, Susannah Dillwyn, wrote to her father, "There is now sitting in this city a grand convention, who are to form some new system of government or mend the old one."

Aims of the Convention In fact, members of the convention did not have the authority to "form some new system of government." Congress had called the meeting "for the sole and express purpose of revising the Articles of Confederation." However, many delegates argued that revising the Articles would not be enough.

Early on, the delegates voted to keep their debates secret. Despite the heat, windows remained tightly shut. Guards kept out members of the public. The delegates would be free to speak their minds—even if their discussions took the convention far beyond its original aims.

The Delegates In all, 55 delegates from 12 states took part in the convention. Only Rhode Island did not send any representatives.

Some delegates, such as George Washington and Ben Franklin, had been respected leaders of the Revolution. Washington was quickly voted president of the convention. Most delegates, however, were younger. Alexander Hamilton of New York was only 32. Another influential delegate was 36-year-old **James Madison** of Virginia. Madison took careful notes on the meetings. Published after his death, Madison's notes became a rich source of historical information.

 **Checkpoint** Why did delegates to the Constitutional Convention keep their debates secret?

The Virginia Plan

On the third day of the convention, Edmund Randolph of Virginia proposed a plan for a new, strong central government. James Madison was the principal author of this Virginia Plan. For the next month, debate focused on this proposal.

Three Branches of Government The Virginia Plan called for the central government to have three separate branches. Congress would continue to be the legislative branch. But two additional branches would be created. The executive branch would carry out the laws. The **judicial branch would consist of a system of courts to interpret the law.**

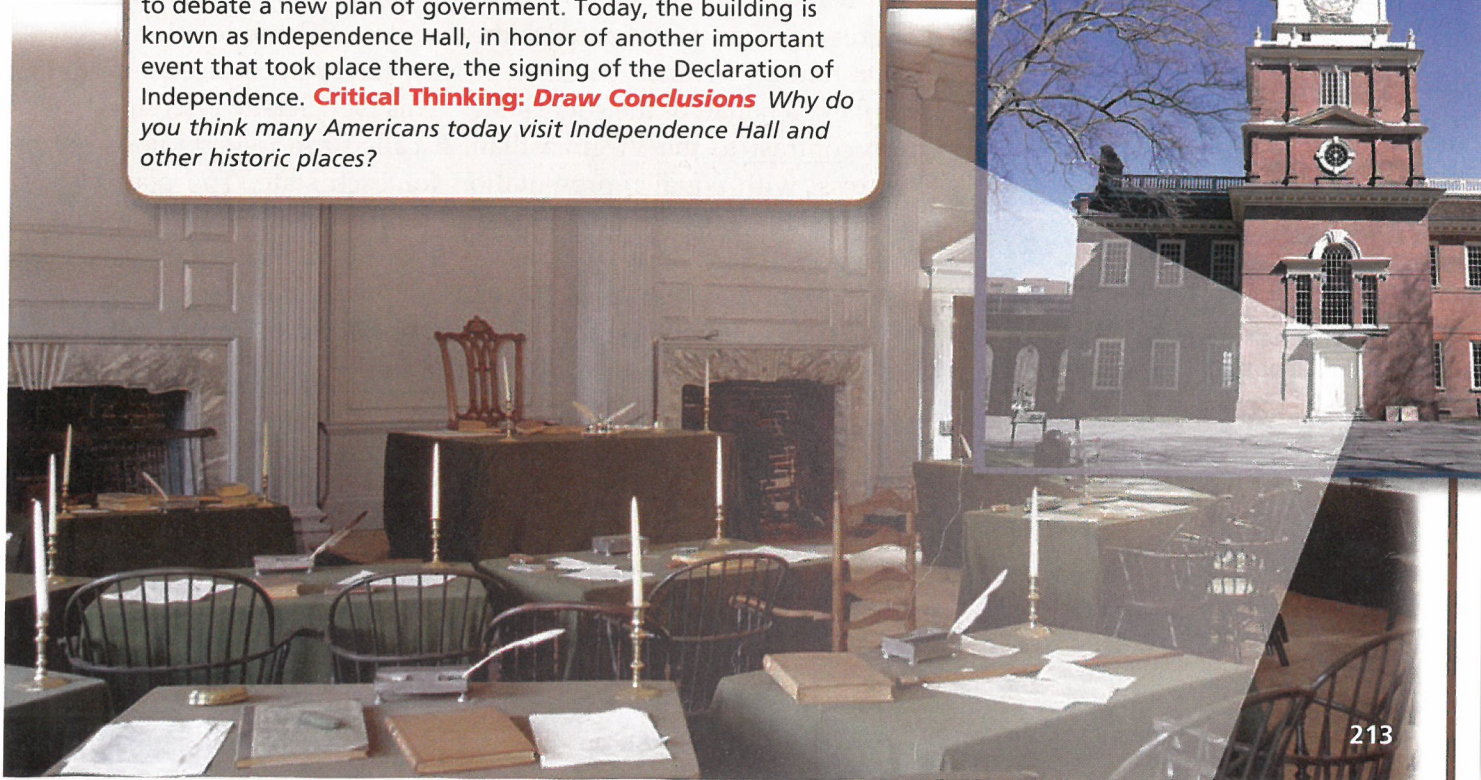
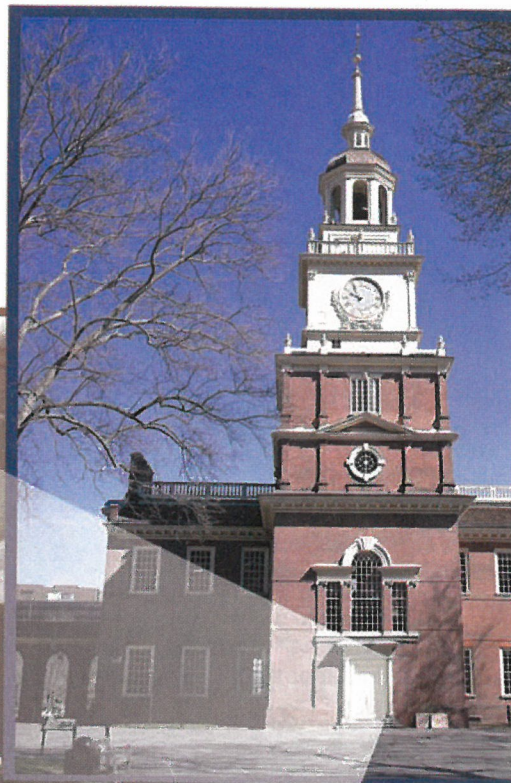
Many delegates believed that a strong executive was necessary to correct the weaknesses of the Articles of Confederation. But should the executive be one person or a group of people?

Main Idea

The Virginia Plan set forth an entirely new framework for the national government.

Birthplace of the United States

In 1787, delegates met in this room in Philadelphia's statehouse to debate a new plan of government. Today, the building is known as Independence Hall, in honor of another important event that took place there, the signing of the Declaration of Independence. **Critical Thinking: Draw Conclusions** Why do you think many Americans today visit Independence Hall and other historic places?





James Wilson

Randolph proposed that Congress appoint three people to serve jointly as chief executive. One person alone, he said, would never be able to win the people's confidence. Others objected. A single executive, they said, could act more quickly when urgent action was required. Eventually, the delegates voted to have one person, called the President, serve as executive.

A Two-House Legislature The Virginia Plan called for a change in the composition of Congress. Rather than a single legislative body, it would consist of two parts—a lower house and an upper house.

Delegates argued long and hard about methods of choosing members of the two houses. Some wanted state legislatures to elect both houses. **Roger Sherman** of Connecticut said the people “should have as little to do” with the selection process as possible because they can be misled.

On the other hand, **James Wilson** of Pennsylvania warned against shutting the people out of the process. According to Wilson, election of the legislature by the people was “not only the cornerstone, but the foundation of the fabric.”

✓Checkpoint How was the national government organized under the Virginia Plan?

Main Idea

After fierce debate, delegates agreed on a plan that satisfied both large and small states.

Vocabulary Builder

contrast (KAHN trast) *n.* difference

Vocabulary Builder

emotion (ee MOH shuhn) *n.* strong feeling about something or someone

The Great Compromise

One part of the Virginia Plan nearly tore the convention apart. The plan called for representation based on population. The more people a state had, the more seats it would have in each house. Naturally, this idea drew support from big states like Virginia, Pennsylvania, and Massachusetts.

New Jersey Plan The smaller states strongly opposed this idea. They wanted each state to have the same number of votes in Congress, as was the case under the Articles of Confederation.

On June 15, William Paterson of New Jersey introduced a modified plan on behalf of the small states. This New Jersey Plan stood in sharp contrast to the Virginia Plan. It called for a single house of Congress, with equal representation for each state. The plan also expanded the powers of Congress to raise money and regulate commerce.

In the summer heat, delegates argued day after day over the great issues at stake. Emotions ran so high that some feared the convention would fail and the Union would break apart.

Terms of the Compromise Finally, Roger Sherman of Connecticut worked out a compromise that he hoped would satisfy both the large and small states. A **compromise is an agreement in which each side gives up part of what it wants**. On July 16, 1787, delegates narrowly voted to accept Sherman's proposals, which came to be known as the Great Compromise.



Identify Support for Propositions

Roger Sherman proposed a two-house Congress, hoping to satisfy both small and large states. What support did he give to show how this solution would meet the needs of all states?

The key to Sherman’s plan was a two-house Congress. To please the large states, the lower house, called the House of Representatives, was to be based on population. Bigger states would thus have more votes. Representatives would be chosen by a vote of the people to serve two-year terms. To please the small states, each state would have two seats in the upper house, or Senate. State legislatures would choose senators, who would serve six-year terms.

The Great Compromise was a vital step in creating a new Constitution. Now, small-state delegates were willing to support a strong central government.

✓Checkpoint What was the main difference between the Virginia Plan and the New Jersey Plan?

Debates Over Slavery

Other issues also divided the delegates—none more so than the question of slavery. The issue touched off bitter debates between northerners and southerners.

Three-Fifths Compromise Southern delegates said that enslaved people should be counted in calculating how many representatives a state should have in Congress. Northern delegates said that because enslaved people could not vote, they should not be counted toward a state’s representation.

Finally, Congress agreed to a plan called the Three-Fifths Compromise. Each enslaved person would be counted as three fifths of a free person. Thus, 500 enslaved people would count as 300 free people. The Three-Fifths Compromise was a gain for the South, which got more seats in the House. Northern delegates reluctantly agreed in order to keep the South in the Union.

The Three-Fifths Compromise was a blow to African Americans. It helped preserve slavery in the new Constitution by making a distinction between “free persons” and “all other persons.” The compromise was finally overturned when slavery was banned in 1865.

Slave Trade Some northern delegates wanted to ban the buying and selling of people anywhere in the country. Southern delegates protested that a ban would ruin the South’s economy.

Once again, a compromise was reached. Ships would be allowed to bring enslaved people into the country for a period of 20 years. After 1808, Congress could bar the importation of enslaved people. But the slave trade *within* the United States was not affected.

✓Checkpoint What was the Three-Fifths Compromise?

Main Idea

Disputes among the delegates over slavery indicated just how deeply divided the North and the South were.

Links Across Time

Slavery and the Constitution

1787 Slavery was the “unfinished business” of the Constitutional Convention. Compromises postponed the debate over the issue.

1861–1865 Growing disputes between the North and the South finally led to the bloody Civil War. Slavery was banned—and erased from the Constitution—by the Thirteenth Amendment in 1865.

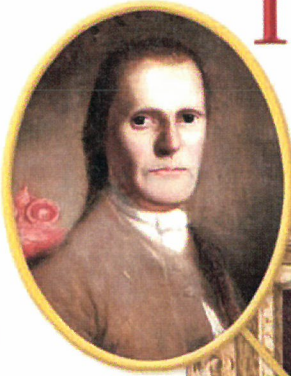
Link to Today

Compromise Today Congress still debates many difficult and troubling issues. What compromises do they reach?

For: Congressional debates in the news
Visit: PHSchool.com
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Signing the CONSTITUTION

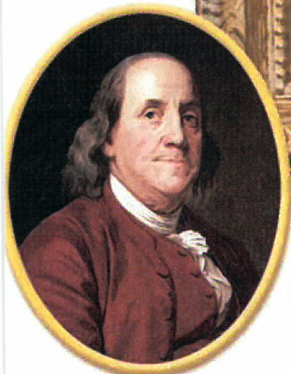
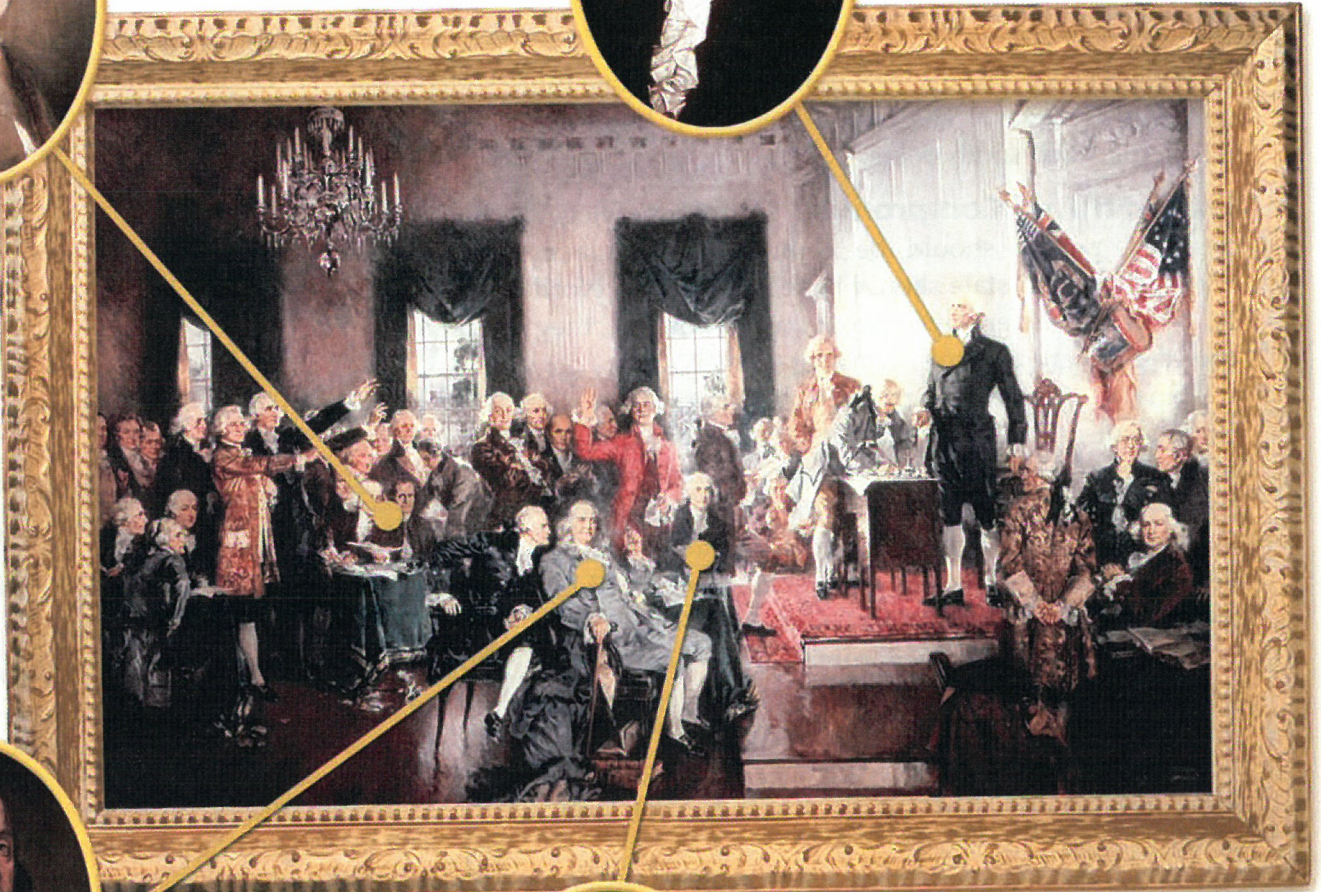
In his *Signing of the Constitution*, painter Howard Chandler Christy captured the moment on September 17, 1787, when delegates signed the historic document that has guided our government for more than 200 years.



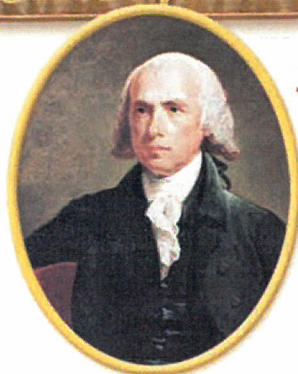
1 Roger Sherman helped draft the Great Compromise that determined how states would be represented in Congress. After months of bitter debate, the compromise satisfied both large and small states.



2 George Washington was voted president of the meeting. His firm leadership held the convention together when it seemed close to breaking up.



3 Benjamin Franklin, though frail and ailing, was one of the convention's most respected delegates. At the end, he wrote a masterful speech supporting the Constitution.



4 James Madison wrote much of the Constitution and led the fight to get it approved by the states. He is often called the Father of the Constitution.

The Constitution



Critical Thinking: Interpret Paintings
How does the artist draw attention to certain Framers?


A New Constitution

After many more weeks of debate, the delegates agreed on all the terms. A so-called Committee of Style was appointed to draw up the final wording of the new Constitution. **Gouverneur Morris**, a gifted writer, was largely responsible for writing the Preamble, or introduction.

The Preamble highlights a major difference between the Constitution and the Articles of Confederation. The Articles were a pact between separate states. By contrast, the Constitution opens with the words, "We the People of the United States, in order to form a more perfect union, . . . do ordain and establish this Constitution for the United States of America." The Constitution thus claims to take its authority from the people rather than from the states.

The aging Ben Franklin gave some final advice on the day of the signing. Because he was so ill, Franklin remained seated and another delegate read Franklin's speech. Like many other delegates, Franklin had some doubts about parts of the Constitution. Still, he said, "I agree to this Constitution with all its faults," and he urged others to do the same. At last, the delegates stepped forward to place their signatures on the document.

 **Checkpoint** What is the significance of the Constitution's first phrase: "We the People of the United States"?

 **Looking Back and Ahead** Once the Constitution had been signed, secrecy ended. Public debates began. These debates would stretch over 10 months. And, as the Constitution's supporters soon learned, the battle for approval would be hard-fought and bitter.

Main Idea

The Constitution of the United States derives its authority from "We the People of the United States."

Section 2 | Check Your Progress

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Comprehension and Critical Thinking

- (a) Summarize** Summarize the arguments for and against having a single executive.
(b) Explain Problems What problems do you think might arise during a crisis if the executive power in the U.S. government was held by three people?
- (a) Describe** How was representation in Congress to be based, according to the terms of the Great Compromise?
(b) Apply Information Why did the small states decide to support a strong central government after the compromise?

Reading Skill

- 3. Identify Support for Propositions** Reread the text following the heading "Slave Trade." What reason did southerners give to support their position against ending the slave trade?

Vocabulary Builder

Fill in the blanks with the correct key terms.

- 4.** The Virginia Plan called for a _____, or system of courts to interpret the law.

- 5.** Under a _____ between northern and southern states, Congress could bar slaves from being imported after 1808.

Writing

- 6.** Choose one of the problems that the delegates at the Constitutional Convention had to solve. List several possible solutions for that problem, and then write a few sentences explaining the solution that the convention eventually chose. What were the advantages and disadvantages of this solution?



Debating the Constitution

Objectives

1. Compare the positions of the Federalists and the Antifederalists.
2. Discuss the debate over ratification.
3. Describe the Bill of Rights and how it protects the people.

Prepare to Read

Reading Skill

Evaluate Support for Propositions When a person argues a proposition using reasons and support, listeners or readers must evaluate that support—that is, whether the evidence given really supports the proposition. As you read, ask yourself if the propositions are well supported and whether or not they convince you.

Vocabulary Builder

High-Use Words

flexible, p. 221
amendment, p. 221

Key Terms and People

ratify, p. 218
Alexander Hamilton, p. 218
John Jay, p. 218
George Mason, p. 219

Main Idea

Supporters and opponents of the new Constitution argued over the need for a strong central government.

★ Background Knowledge As you have read, the original purpose of the 1787 convention had been to revise the Articles of Confederation. Instead, the delegates produced an entirely new frame of government. How would the states greet the new Constitution?

Federalists Versus Antifederalists

The convention had set a process for states to **ratify, or approve**, the Constitution. Each state was to hold a convention. The Constitution would go into effect once it was ratified by nine states.

The Federalist Position Supporters of the new Constitution called themselves Federalists because they favored a strong federal, or national, government. James Madison, **Alexander Hamilton**, and **John Jay** published the *Federalist Papers*, a series of 85 newspaper essays in support of the Constitution.

At the heart of the Federalist position was the need for a stronger central government. For the Union to last, they argued, the national government had to have powers denied to it under the Articles of Confederation, including the power to enforce laws. Hamilton wrote:

“Government implies the power of making laws. It is essential to the idea of a law, that it be attended with . . . a penalty or punishment for disobedience. If there be no penalty . . . the resolutions or commands which pretend to be laws will, in fact, amount to nothing more than advice.”

—Alexander Hamilton, *The Federalist* No. 15



Evaluate Support for Propositions

How does Hamilton support the proposition that the national government needed more powers?

The Antifederalist Position Opponents of ratification were called Antifederalists. Leading Antifederalists, such as **George Mason** and Patrick Henry of Virginia, agreed that the Articles of Confederation were not strong enough. However, they felt the Constitutional Convention had gone too far.

Antifederalists were not all united in their reasons for opposing the Constitution. Some of their most frequent arguments included:

- **Weakening the States** Antifederalists argued that the Constitution dangerously weakened the state governments. They feared that a too-strong central government, like that of England, would wipe out state power and individual freedom. “There never was a government over a very extensive country without destroying the liberties of the people,” warned Mason.
- **No Bill of Rights** Some Antifederalists pointed out that the proposed Constitution offered no protections for basic freedoms. Unlike the constitutions of many states, it had no bill of rights.
- **President or King?** Another objection was that the Constitution provided for a President who could be reelected again and again. Said Henry, “Your President may easily become a king.”

✓Checkpoint Why did Antifederalists believe that the Constitutional Convention had gone too far?

The Ratification Debate

The debate between Federalists and Antifederalists heated up as states held their ratification conventions. Without the approval of nine states, the Constitution would not go into effect.

Delaware acted first. Its convention unanimously approved the Constitution on December 7, 1787. Pennsylvania, New Jersey, Georgia, and Connecticut quickly followed.

Antifederalists hoped to win in Massachusetts. Opposition to the Constitution was strong in the rural areas from which Shays’ Rebellion had drawn its strength. Only a major campaign by Constitution supporters won ratification by the state.

All eyes moved to Virginia. By then, Maryland and South Carolina had ratified, which made a total of eight state ratifications. Only one more was needed. But if large and powerful Virginia rejected the pact, New York and other remaining states might do so, too.

Biography Quest



George Mason
1725–1792

The author of Virginia’s bill of rights, George Mason, went to the Constitutional Convention with hopes of forming “a wise and just government.” But Mason quickly became dissatisfied. Though a slave owner himself, he favored an end to slavery and disliked the Three-Fifths Compromise. Mason was even more upset when the convention voted against his proposal to add a bill of rights. In the end, he refused to sign his name to the new Constitution.

Biography Quest online

Why is Mason called “the father of the Bill of Rights”?

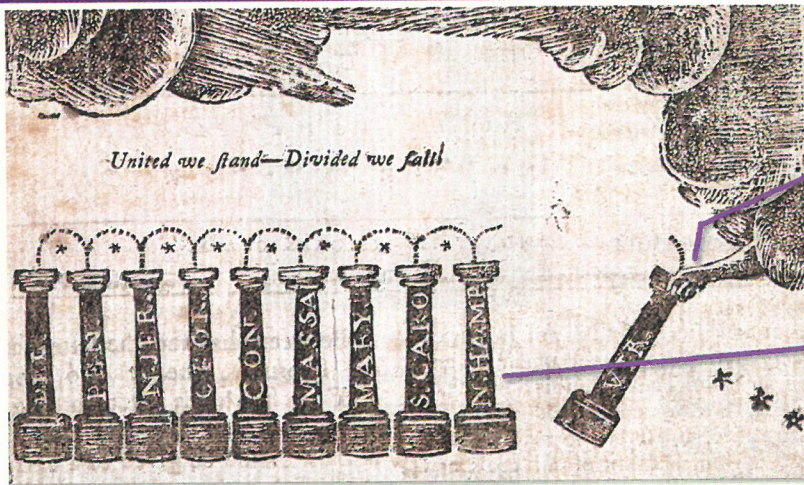
For: The answer to the question about Mason

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Main Idea

After intense debates, each of the 13 states ratified the Constitution.



A hand reaches from the heavens to put Virginia in place.



New Hampshire was the ninth state to ratify, allowing the Constitution to go into effect.

Reading Political Cartoons

Skills Activity

The cartoon above appeared in an American newspaper in 1788—at a time when the states were debating whether or not to ratify the Constitution.

- (a) **Identify Main Ideas** What do the pillars represent? Which pillar is first? What pillars are missing?
- (b) **Detect Points of View** Do you think the cartoonist favored the Federalists or the Antifederalists?

Patrick Henry led the attack on the Constitution in Virginia. “There will be no checks, no real balances, in this government,” he said. James Madison supported the Constitution and warned of the possible breakup of the Union. In the end, the Federalist view narrowly won out. Virginia’s convention approved the Constitution by a vote of 89 to 79.

Meanwhile, in June 1788—while Virginia was still debating—New Hampshire became the ninth state to ratify. The Constitution could now go into effect. In time, New York and North Carolina followed. Finally, in May 1790, Rhode Island became the last of the original 13 states to ratify the Constitution.

On July 4, 1788, Philadelphia celebrated the ratification of the Constitution. A huge parade snaked along Market Street, led by soldiers who had served in the Revolution. Benjamin Rush, a Philadelphia doctor and strong supporter of the Constitution, wrote to a friend, “Tis done. We have become a nation.”

Checkpoint Why was the vote in Virginia so important?

Main Idea

The Bill of Rights aims to protect Americans against unfair use of government powers.

The Bill of Rights

Once the ninth state had ratified the Constitution, Congress took steps to prepare for a new government. George Washington was elected the first President, with John Adams as Vice President.

During the debate on the Constitution, many of the states had insisted that a bill of rights be added. This became one of the first tasks of the new Congress that met in March 1789.

The Framers had provided a way to amend the Constitution. They wanted to make the Constitution flexible enough to change. But they did not want changes made lightly. So, they made the process fairly difficult. (You will read more about the amendment process in the Citizenship Handbook.)

In 1789, the first Congress passed a series of amendments. By December 1791, three fourths of the states had ratified 10 amendments. These amendments are known as the Bill of Rights. The Bill of Rights aims to protect people against abuses by the federal government. Many of them came out of the colonists' struggle with Britain.

The First Amendment guarantees freedom of religion, speech, and the press. The Second Amendment deals with the right to bear arms. The Third Amendment bars Congress from forcing citizens to keep troops in their homes, as Britain had done.


The Fourth Amendment protects citizens from unreasonable searches of their homes or seizure of their property. Amendments Five through Eight protect citizens who are accused of crimes and are brought to trial. The last two amendments limit the powers of the federal government to those that are granted in the Constitution.

Vocabulary Builder

flexible (FLEHKS ah bahl) *adj.* able to change

amendment (ah MEHND mehnt) *n.* addition or alteration to a document

 **Checkpoint** Why did Congress move quickly to pass the Bill of Rights?

 **Looking Back and Ahead** The delegates to the Constitutional Convention are often called the Framers because they framed, or shaped, our form of government. The Constitution they wrote established a republic that has thrived for more than 200 years. On the following pages, you will read the actual text of the Constitution and study its meaning in more detail.

Section 3 | Check Your Progress

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Comprehension and Critical Thinking

- (a) Summarize** In complete sentences, list three arguments of the Antifederalists against the Constitution.
(b) Draw Conclusions Why might the Antifederalists think the Constitution would reduce the power of the states?
- (a) Recall** Compare the attitudes of Patrick Henry and James Madison toward ratification.
(b) Apply Information How did the passage of the Bill of Rights help deal with Patrick Henry's concerns?

Reading Skill

- Evaluate Support for Propositions** Patrick Henry led the attack on the Constitution. "There will be no checks, no real balances, in this government," he said. Evaluate his supporting argument. Do you think it is an effective argument?

Vocabulary Builder

- Answer the following question in a complete sentence that shows your understanding of the key term.
- Why was it important that Virginia **ratify** the Constitution?

Writing

- Write a paragraph discussing the Bill of Rights as the solution to a problem faced by the early U.S. government after the Constitution was ratified. Complete the following topic sentence, and then write four more sentences developing this idea with specific information. **Topic sentence:** In 1789, the first Congress passed 10 amendments to the Constitution, known as the Bill of Rights, in order to protect _____.

Major historical events have both causes and effects. Sometimes causes and effects are short term. They take place shortly before or after the major event. Causes and effects can also be long term. They build up over a period of time.

CAUSES

- King George III had limited colonists' liberty.
- America had fought a revolution to protect freedoms.
- Antifederalists wanted a specific list of rights that protected citizens' basic liberties.
- Some states refused to ratify the Constitution unless a bill of rights was added later.

BILL OF RIGHTS ADDED TO CONSTITUTION IN 1791

EFFECTS

- First 10 amendments identify and guarantee basic rights and freedoms.
- The federal government cannot take away rights spelled out in the Bill of Rights.

Learn the Skill

Use these steps to analyze cause-and-effect relationships.

- 1 **Read labels.** The labels on the chart tell which event is the focus of study and which statements are the causes and which are the effects.
- 2 **Identify causes.** Causal statements give reasons why an event occurred. Major events have both long- and short-term causes.
- 3 **Identify effects.** Effect statements tell what happened because of the events. Major events have both long- and short-term effects.
- 4 **Analyze cause-and-effect relationships.** Think about why certain causes led to the event and why the event in turn had the results it did.

Practice the Skill

Answer the following questions about cause and effect based on the chart above.

- 1 **Read labels.** To what event do the causes lead?
- 2 **Identify causes.** (a) What was one cause of the Bill of Rights? (b) Was this a long- or short-term cause? Explain.
- 3 **Identify effects.** (a) What was one effect of the Bill of Rights? (b) Was this a long- or short-term effect? Explain.
- 4 **Analyze cause-and-effect relationships.** How did colonial history lead to a concern about protecting citizens' rights?

Apply the Skill

See the Review and Assessment at the end of this chapter.

Chapter Summary

Section 1

Governing a New Nation

- Many states added a bill of rights to their constitutions to protect individual freedoms.
- The Northwest Ordinance established a three-stage process for transforming a territory into a state.
- An increasing number of Americans came to believe that a stronger federal government was needed to deal with the country's pressing problems.

Section 2

The Constitutional Convention

- The Virginia Plan, calling for a strong central government with three branches, formed the basis of the U.S. Constitution.
- The Great Compromise set up a Congress with two houses, which pleased both the large and small states.

- As part of the compromise that won support for the Constitution, northern and southern delegates agreed that each enslaved person would count as three fifths of a free person.

Section 3

Debating the Constitution

- Federalists believed that three competing branches of government would keep any one part of the federal government from becoming too strong.
- Antifederalists were concerned that a strong federal government threatened states' rights and individual freedoms.
- A bill of rights was added to the Constitution to protect the people against abuses by the federal government.

Key Concepts

These notes will help you prepare for questions about key concepts.

Weaknesses of the National Government Under the Articles

- No power to tax or regulate trade
- Seen as weak by foreign powers
- Only one branch of government, the Congress
- Congress had few powers
- No means of enforcing its laws
- Unable to put down internal disturbances

Reforms of the National Government by the Constitutional Convention

- Set up three branches of government
- Congress to consist of two houses
- Established a single executive
- Expanded powers to raise money and regulate trade
- Compromise over issues related to slavery
- Constitution based on "we the people," not "we the states"

Federalists Versus Antifederalists

Federalists

- Need a stronger national government

Antifederalists

- Constitutional Convention had no authority to write a new constitution
- Constitution threatens to weaken powers of the states
- No bill of rights to protect individual freedoms
- President may become too powerful

Vocabulary Builder

Key Terms

Answer the questions in complete sentences that show your understanding of the key terms.

1. How did the **economic depression** of the mid-1780s impact farmers?
2. What is the role of the **judicial branch** in government?
3. What process did the Constitutional Convention set forth for states to **ratify** the Constitution?

Comprehension and Critical Thinking

4. (a) **Recall** Which powers did the Congress not have under the Articles of Confederation?
(b) **Apply Information** How did not having these powers make the national government weak?
5. (a) **Recall** List the three stages a territory had to go through to become a state under the Northwest Ordinance of 1787.
(b) **Draw Conclusions** How did this process help a territory prepare for statehood?
6. (a) **Describe** What were the causes of Shays' Rebellion of 1786?
(b) **Detect Points of View** Thomas Jefferson called Shays' Rebellion "a medicine necessary for the sound health of government." What do you think he meant?
7. (a) **Contrast** How did the New Jersey Plan differ from the Virginia Plan?
(b) **Link Past and Present** Which key part of the New Jersey Plan is not part of our Constitution today? Why not?
8. (a) **Recall** Describe one contribution made by each of the following to the writing and ratification of the Constitution: George Washington; James Madison; Roger Sherman; Gouverneur Morris.
(b) **Evaluate Information** Whose contribution do you think was most important? Give reasons for your answer.
9. (a) **Summarize** Which freedoms and rights are protected in the Bill of Rights?
(b) **Draw Conclusions** The Bill of Rights limited the powers of the federal government to those granted in the Constitution. Why do you think these limits were included?

History Reading Skill

10. **Analyze Propositions and Support** Reread the text under the heading "The Great Compromise." What did the Virginia Plan propose about representation in Congress? How did delegates from smaller states respond? What support did they give for their different responses? Evaluate that support.

Writing

11. **Write two paragraphs on the following topic:** Explain how the Constitution addressed weaknesses in the Articles of Confederation.

Your paragraphs should:

- include a thesis statement that expresses your main idea;
- develop that main idea with facts, examples, and other information;
- conclude by describing the lasting impact of what happened.

12. **Write a Narrative:**

You are a delegate who has just arrived in Philadelphia in May 1787. Write a letter home explaining your feelings about the upcoming convention.

Skills for Life

Analyze Cause and Effect

Use the information below to answer the questions that follow.

Cause: In 1774, the British Parliament passes an act that forces American colonists to house British troops in their homes.

Event: Bill of Rights, Third Amendment

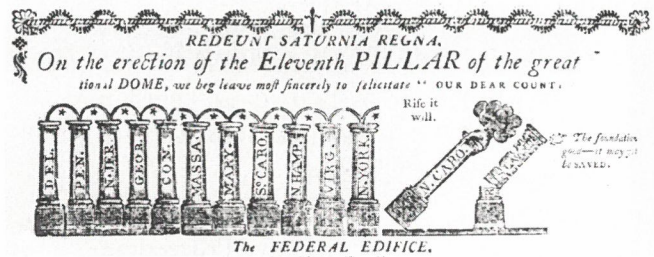
"No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law."

13. What right does the Third Amendment protect?
14. (a) What was one cause of the Third Amendment?
(b) Was this cause long term or short term? Explain.
15. How did the colonists' experiences under British rule influence their decision to change the Constitution?

Test Yourself

- The Great Compromise settled a dispute between
 - the North and the South.
 - Britain and the new United States.
 - the large states and the small states.
 - the President and Congress.
- Antifederalists opposed the Constitution because it
 - did not give the President enough power.
 - weakened the state governments.
 - contained a bill of rights.
 - could not be amended.

Study the political cartoon below to answer Question 3. Consider how it is similar to and different from the cartoon in Section 3.



- What event is the creator of this political cartoon celebrating?
 - the approval of the Constitution
 - the abolition of the slave trade
 - the failure of Shays' Rebellion
 - the passage of the Northwest Ordinance

Document-Based Questions

Task: Look at Documents 1 and 2, and answer their accompanying questions. Then, use the documents and your knowledge of history to complete this writing assignment:

Write an essay explaining why the writers of the Constitution felt it was necessary to create a new plan of government.

Document 1: This excerpt from the Articles of Confederation defines the limitations on the powers of the national Congress. *According to this excerpt, what is Congress not allowed to do without the consent of the states?*

"The United States in Congress assembled shall never engage in a war . . . nor coin money, nor regulate the value thereof, nor [spend] the sums and expenses necessary for the defense and welfare of the United States . . . nor borrow money on the credit of the United States . . . nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States [agree] to the same. . . ."

Document 2: This excerpt from the Constitution defines some of the powers granted to Congress. *Why do you think the Framers of the Constitution gave Congress the power to set standards for weights and measures, rather than leaving it up to each state?*

"The Congress shall have power:

- To lay and collect taxes . . . to pay the debts and provide for the common defense and general welfare of the United States. . . .
- To borrow money on the credit of the United States. . . .
- To coin money, regulate the value thereof, and of foreign coin, and for the standard of weights and measures. . . .
- To declare war. . . .
- To raise and support armies. . . .
- To provide and maintain a navy."

The United States Constitution: An Outline

Original Constitution

Preamble

Article I Legislative Branch

Section 1	A Two-House Legislature
Section 2	House of Representatives
Section 3	Senate
Section 4	Elections and Meetings
Section 5	Legislative Proceedings
Section 6	Compensation, Immunities, and Disabilities of Members
Section 7	Law-Making Process
Section 8	Powers of Congress
Section 9	Powers Denied to Congress
Section 10	Powers Denied to the States

Article II Executive Branch

Section 1	President and Vice President
Section 2	Powers of the President
Section 3	Duties of the President
Section 4	Impeachment

Article III Judicial Branch

Section 1	Courts, Terms of Office
Section 2	Jurisdiction
Section 3	Treason

Article IV Relations Among the States

Section 1	Full Faith and Credit
Section 2	Privileges and Immunities of Citizens
Section 3	New States and Territories
Section 4	Protection Afforded to States by the Nation

Article V Provisions for Amendment

Article VI National Debts, Supremacy of National Law, Oath

Section 1	Validity of Debts
Section 2	Supremacy of National Law
Section 3	Oaths of Office

Article VII Ratification of Constitution

Amendments

Bill of Rights

- 1 Freedom of Religion, Speech, Press, Assembly, and Petition
- 2 Bearing Arms
- 3 Quartering of Troops
- 4 Searches and Seizures
- 5 Criminal Proceedings; Due Process; Eminent Domain
- 6 Criminal Proceedings
- 7 Civil Trials
- 8 Punishment for Crimes
- 9 Unenumerated Rights
- 10 Powers Reserved to the States

Additional Amendments

- 11 Suits Against States
- 12 Election of President and Vice President
- 13 Slavery and Involuntary Servitude
- 14 Rights of Citizens
- 15 Right to Vote—Race, Color, Servitude
- 16 Income Tax
- 17 Popular Election of Senators
- 18 Prohibition of Alcoholic Beverages
- 19 Women's Suffrage
- 20 Presidential Terms; Sessions of Congress; Death or Disqualification of President-Elect
- 21 Repeal of Prohibition
- 22 Presidential Tenure
- 23 Presidential Electors for the District of Columbia
- 24 Right to Vote in Federal Elections—Tax Payment
- 25 Presidential Succession, Vice Presidential Vacancy, Presidential Inability
- 26 Right to Vote—Age
- 27 Congressional Pay



Explore More Video

To learn more about the first 10 amendments to the Constitution, view the video.

The Constitution of the United States



A Note on the Text of the Constitution

The complete text of the Constitution, including amendments, appears on the pages that follow. Spelling, capitalization, and punctuation have been modernized, and headings have been added. Portions of the Constitution altered by later amendments or that no longer apply are printed in blue. Commentary appears in the outside column of each page.

The Preamble The Preamble describes the purpose of the government as set up by the Constitution. Americans expect their government to defend justice and liberty and provide peace and safety from foreign enemies.

Preamble

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, 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 ★ Legislative Branch

Section 1 The Constitution gives Congress the power to make laws. Congress is divided into the Senate and the House of Representatives.

Section 1. A Two-House 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.

Section 2. House of Representatives

1. Election of Members 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.

Clause 1 Electors refers to voters. Members of the House of Representatives are elected every two years. Any citizen allowed to vote for members of the larger house of the state legislature can also vote for members of the House.

2. Qualifications 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.

Clause 3 The number of representatives each state elects is based on its population. An enumeration, or census, must be taken every 10 years to determine population. Today, the number of representatives in the House is fixed at 435. Clause 3 contains the Three-Fifths Compromise worked out at the Constitutional Convention. Persons bound to service meant indentured servants. All other persons meant slaves. All free people in a state were counted. However, only three fifths of the slaves were included in the population count. This three-fifths clause became meaningless when slaves were freed by the Thirteenth Amendment.

3. Apportionment 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 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.

Clause 4 Executive authority means the governor of a state. If a member of the House leaves office before his or her term ends, the governor must call a special election to fill the seat.

4. Filling Vacancies When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

5. Officers; Impeachment The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

Clause 5 The House elects a Speaker. Only the House has the power to impeach, or accuse, a federal official of wrongdoing.

Section 3. Senate

1. Composition; Term 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.

Clause 2 Every two years, one third of the senators run for reelection. The Seventeenth Amendment changed the way of filling vacancies, or empty seats. Today, the governor of a state must choose a senator to fill a vacancy that occurs between elections.

2. Classification; Filling Vacancies 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.

Clause 5 *Pro tempore* means temporary. The Senate chooses one of its members to serve as president pro tempore when the Vice President is absent.

Clause 6 The Senate acts as a jury if the House impeaches a federal official. The Chief Justice of the Supreme Court presides if the President is on trial. Two thirds of all senators present must vote for conviction, or finding the accused guilty. No President has ever been convicted. The House impeached President Andrew Johnson in 1868, but the Senate acquitted him of the charges. In 1998–99, President Bill Clinton became the second President to be impeached and acquitted.

Clause 1 Each state legislature can decide when and how congressional elections take place, but Congress can overrule these decisions. In 1842, Congress required each state to set up congressional districts with one representative elected from each district. In 1872, Congress decided that congressional elections must be held in every state on the same date in even-numbered years.

Clause 1 Each house decides whether a member has the qualifications for office set by the Constitution. A quorum is the smallest number of members who must be present for business to be conducted. Each house can set its own rules about absent members.

Portions of the Constitution altered by later amendments or that no longer apply are printed in blue.

3. Qualifications 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.

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

5. Other Officers The Senate shall choose their other officers, and also a president pro tempore, in the absence of the Vice President, or when he shall exercise the office of the President of the United States.

6. Impeachment Trials 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.

7. Penalty on Conviction 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 and Meetings

1. Election of Congress 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 choosing senators.

2. Sessions 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. Legislative Proceedings

1. Organization 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.

2. Rules 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.

3. Record 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.

4. Adjournment 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.

Clause 4 Neither house can adjourn, or stop meeting, for more than three days unless the other house approves. Both houses must meet in the same city.

Section 6. Compensation, Immunities, and Disabilities of Members

1. Salaries; Immunities 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.

Clause 1 Congress decides the salary for its members. While Congress is in session, a member is free from arrest in civil cases and cannot be sued for anything he or she says on the floor of Congress. This allows for freedom of debate. However, a member can be arrested for a criminal offense.

2. Restrictions on Other Employment 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 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.

Clause 2 Emolument means salary. A member of Congress cannot hold another federal office during his or her term. A former member of Congress cannot hold an office created while he or she was in Congress. An official in another branch of government cannot serve at the same time in Congress.

Section 7. Law-Making Process

1. Revenue Bills 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.

Clause 1 Revenue is money raised by the government through taxes. Tax bills must be introduced in the House. The Senate, however, can make changes in tax bills.

2. How a Bill Becomes Law; the Veto 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.

Clause 2 A bill, or proposed law, that is passed by a majority of the House and Senate is sent to the President. If the President signs the bill, it becomes law.
A bill can also become law without the President's signature. The President can refuse to act on a bill. If Congress is in session at the time, the bill becomes law 10 days after the President receives it.
The President can veto, or reject, a bill by sending it back to the house where it was introduced. If the President refuses to act on a bill and Congress adjourns within 10 days, then the bill dies. This way of killing a bill without taking action is called the pocket veto.
Congress can override the President's veto if each house of Congress passes the bill again by a two-thirds vote.

3. Resolutions Passed by Congress 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.

Congress's power is expressed directly in the Constitution. Numbered from 1 to 18, these powers are also known as enumerated powers.

Clause 1 Duties are tariffs. Imposts are taxes in general. Excises are taxes on the production or sale of certain goods.

Clause 3 Only Congress has the power to regulate foreign and interstate commerce. This allows a "common market" with a unified set of laws governing trade. This clause has also been interpreted as giving the federal government authority over Native American nations.

Clause 4 Naturalization is the process whereby a foreigner becomes a citizen. Bankruptcy is the condition in which a person or business cannot pay its debts.

Clause 5 Congressional power to coin money and set its value is one of the keys to creating a stable economy.

Clause 6 Counterfeiting is the making of imitation money. Securities are bonds. Congress can make laws to punish counterfeiters.

Clause 11 Only Congress can declare war. Declarations of war are granted at the request of the President. Letters of marque and reprisal were documents issued by a government allowing merchant ships to arm themselves and attack ships of an enemy nation. They are no longer issued.

Clauses 15, 16 The militia is a body of citizen soldiers. Each state has its own militia, today called the National Guard. Normally, the militia is under the command of a state's governor. However, it can be placed under the command of the President.

Portions of the Constitution altered by later amendments or that no longer apply are printed in blue.

Section 8. Powers of Congress

The Congress shall have power

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;
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;
4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;
5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;
6. To provide for the punishment of counterfeiting the securities and current coin of the United States;
7. To establish post offices and post roads;
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;
9. To constitute tribunals inferior to the Supreme Court;
10. To define and punish piracies and felonies committed on the high seas and offenses against the law of nations;
11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;
12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;
13. To provide and maintain a navy;
14. To make rules for the government and regulation of the land and naval forces;
15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;
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;
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, 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

18. 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.

Clause 18 Clause 18 gives Congress the power to make laws as needed to carry out the first 17 clauses. It is sometimes called the elastic clause because it lets Congress stretch the meaning of its power.

Section 9. Powers Denied to Congress

Clause 1 "Such persons" means slaves. In 1808, as soon as Congress was permitted to abolish the slave trade, it did so.

1. The Slave Trade 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.

Clause 2 A writ of habeas corpus is a court order requiring government officials to bring a prisoner to court and explain why he or she is being held. A writ of habeas corpus protects people from unlawful imprisonment. The government cannot suspend this right except in times of rebellion or invasion.

2. Writ of Habeas Corpus 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.

3. Bills of Attainder; Ex Post Facto Laws No bill of attainder or ex post facto law shall be passed.

Clause 3 A bill of attainder is a law declaring that a person is guilty of a particular crime. An ex post facto law punishes an act which was not illegal when it was committed. Congress cannot pass a bill of attainder or ex post facto laws.

4. Apportionment of Direct Taxes No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. Taxes on Exports No tax or duty shall be laid on articles exported from any state.

Clause 7 The federal government cannot spend money unless Congress appropriates it, or passes a law allowing it. The government must publish a statement showing how it spends public funds.

6. Special Preference for Trade 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.

7. Spending 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.

8. Titles of Nobility 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. Powers Denied to the States

Clause 1 The writers of the Constitution did not want the states to act like separate nations, so they prohibited states from making treaties or coining money. Some powers denied to the federal government are also denied to the states.

1. Unconditional Prohibitions 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.

2. Powers Conditionally Denied 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 its 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 control of the Congress.

Clauses 2, 3 Powers listed here are forbidden to the states, but Congress can pass laws that give these powers to the states.

Clause 2 forbids states from taxing imports and exports without the consent of Congress. States may charge inspection fees on goods entering the states. Any profits go to the United States Treasury.

Clause 3 forbids states from keeping an army or navy without the consent of Congress. States cannot make treaties or declare war unless an enemy invades or is about to invade.

Clauses 2, 3 Some writers of the Constitution were afraid to allow the people to elect the President directly. Therefore, the Constitutional Convention set up the electoral college. Clause 2 directs each state to choose electors, or delegates to the electoral college, to vote for President. A state's electoral vote is equal to the combined number of senators and representatives. Each state may decide how to choose its electors. Members of Congress and federal officeholders may not serve as electors. This much of the original electoral college system is still in effect.

Clause 3 Clause 3 called upon each elector to vote for two candidates. The candidate who received a majority of the electoral votes would become President. The runner-up would become Vice President. If no candidate won a majority, the House would choose the President. The Senate would choose the Vice President.

The election of 1800 showed a problem with the original electoral college system. Thomas Jefferson was the Republican candidate for President, and Aaron Burr was the Republican candidate for Vice President. In the electoral college, the vote ended in a tie. The election was finally decided in the House, where Jefferson was chosen President. The Twelfth Amendment changed the electoral college system so that this could not happen again.

Portions of the Constitution altered by later amendments or that no longer apply are printed in blue.

3. Other Denied Powers 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 ★ Executive Branch

Section 1. President and Vice President

1. Chief Executive; Term 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:

2. Electoral College 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.

3. Former Electoral Method 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 choose 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 choose 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. 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 choose from them by ballot the Vice President.

4. Time of Elections The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. Qualifications for President 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.

6. Presidential Succession 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.

7. Salary 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.

8. Oath of Office 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 the 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. Powers of the President

1. Military Powers 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 offenses against the United States, except in cases of impeachment.

2. Treaties; Appointments 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.

3. Temporary Appointments 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.

Clause 6 The powers of the President pass to the Vice President if the President leaves office or cannot discharge his or her duties. The Twenty-fifth Amendment replaced this clause.

Clause 7 The President is paid a salary. It cannot be raised or lowered during his or her term of office. The President is not allowed to hold any other federal or state position while in office.

Clause 1 The President is the head of the armed forces and the state militias when they are called into national service. So the military is under civilian, or nonmilitary, control. The President can get advice from the heads of executive departments. In most cases, the President has the power to grant reprieves and pardons. A reprieve suspends punishment ordered by law. A pardon prevents prosecution for a crime or overrides the judgment of a court.

Clause 2 The President has the power to make treaties with other nations. Under the system of checks and balances, all treaties must be approved by two thirds of the Senate.
The President has the power to appoint ambassadors to foreign countries and to appoint other high officials. The Senate must confirm, or approve, these appointments.

Section 4

Civil officers include federal judges and members of the Cabinet. High crimes are major crimes.

Misdemeanors are lesser crimes. The President, Vice President, and others can be forced out of office if impeached and found guilty of certain crimes.

Clause 1 Jurisdiction refers to the right of a court to hear a case. Federal courts have jurisdiction over cases that involve the Constitution, federal laws, treaties, foreign ambassadors and diplomats, naval and maritime laws, disagreements between states or between citizens from different states, and disputes between a state or citizen and a foreign state or citizen.

Clause 2 Original jurisdiction means the power of a court to hear a case where it first arises. The Supreme Court has original jurisdiction over only a few cases, such as those involving foreign diplomats. More often, the Supreme Court acts as an appellate court. An appellate court does not decide guilt. It decides whether the lower court trial was properly conducted and reviews the lower court's decision.

Portions of the Constitution altered by later amendments or that no longer apply are printed in blue.

Section 3. Duties of the President

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. Impeachment

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 ★ Judicial Branch

Section 1. Courts, Terms of Office

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.

Section 2. Jurisdiction

1. Scope of Judicial Power 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.

2. Supreme Court In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a 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.

3. Trial by Jury 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

1. Definition 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.

Clause 1 Treason is clearly defined. An overt act is an actual action.

2. Punishment 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 attained.

Clause 2 Congress has the power to set the punishment for the traitors. Congress may not punish the children of convicted traitors by taking away their civil rights or property.

Article IV ★ Relations Among the States

Section 1. Full Faith and Credit

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.

Each state must recognize the official acts and records of any other state. For example, each state must recognize marriage certificates issued by another state. Congress can pass laws to ensure this.

Section 2. Privileges and Immunities of Citizens

1. Privileges The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. Extradition 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.

Clause 2 Extradition means the act of returning a suspected criminal or escaped prisoner to a state where he or she is wanted. State governors must return a suspect to another state. However, the Supreme Court has ruled that a governor cannot be forced to do so if he or she feels that justice will not be done.

3. Fugitive Slaves No person held to service or labor 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 labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Clause 3 "Persons held to service or labor" refers to slaves or indentured servants. This clause required states to return runaway slaves to their owners. The Thirteenth Amendment replaces this clause.

Section 3. New States and Territories

1. 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; 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.

Clause 1 Congress has the power to admit new states to the Union. Existing states cannot be split up or joined together to form new states unless both Congress and the state legislatures approve. New states are equal to all other states.



2. Federal Lands 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 In a republic, voters choose representatives to govern them. The federal government must protect the states from foreign invasion and from domestic, or internal, disorder if asked to do so by a state.

Section 4. Protection Afforded to States by the Nation

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.

The Constitution can be amended, or changed, if necessary. An amendment can be proposed by (1) a two-thirds vote of both houses of Congress or (2) a national convention called by Congress at the request of two thirds of the state legislatures. (This second method has never been used.) An amendment must be ratified, or approved, by (1) three fourths of the state legislatures or (2) special conventions in three fourths of the states. Congress decides which method will be used.

Article V ★ Provisions for 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 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.

Congress has proposed each of the 27 amendments to the Constitution by a vote of two-thirds in both houses. The only amendment ratified by constitutional conventions of the states was the Twenty-first Amendment. State legislatures have ratified all other amendments.

Article VI ★ National Debts, Supremacy of National Law, Oath

Section 1. Validity of Debts

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.

Section 2 The “supremacy clause” in this section establishes the Constitution, federal laws, and treaties that the Senate has ratified as the supreme, or highest, law of the land. Thus, they outweigh state laws. A state judge must overturn a state law that conflicts with the Constitution or with a federal law.

Section 2. Supremacy of National Law

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, anything in the constitution or laws of any state to the contrary notwithstanding.

Portions of the Constitution altered by later amendments or that no longer apply are printed in blue.

Section 3. Oaths of Office

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 ★ Ratification of Constitution

The ratification of the conventions of nine states shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

Article VII During 1787 and 1788, states held special conventions. By October 1788, the required nine states had ratified the United States Constitution.

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.

Attest: William Jackson, SECRETARY
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 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, Jr.
John Dickinson
Richard Bassett
Jacob Broom

Maryland

James McHenry
Dan of St. Thomas Jennifer
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

The Amendments Amendments are changes. The Constitution has been amended 27 times since it was ratified in 1788. The first 10 amendments are referred to as the Bill of Rights. These amendments give rights to the people and states, thus putting limits on the power of government.

Amendments

First Amendment ★

(1791) Freedom of Religion, Speech, Press, Assembly, and Petition

First Amendment The First Amendment protects five basic rights: freedom of religion, speech, the press, assembly, and petition. Congress cannot set up an established, or official, church or religion for the nation. It cannot forbid the practice of religion, nor can it force the practice of religion.

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.

Congress may not abridge, or limit, the freedom to speak and write freely. The government may not censor, or review, books and newspapers before they are printed. This amendment also protects the right to assemble, or hold public meetings. Petition means ask. Redress means to correct. Grievances are wrongs. The people have the right to ask the government for wrongs to be corrected.

Second Amendment ★

(1791) Bearing Arms

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.

Second Amendment Americans debate the exact meaning of the Second Amendment. Some believe that it guarantees the right of individuals to own firearms. Others argue that it guarantees the right of each state to maintain a militia. Gun control, or the passage of laws to regulate the ownership and use of firearms, is one of the most controversial issues today.

Third Amendment ★

(1791) Quartering of Troops

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.

Third Amendment In colonial times, the British could quarter, or house, soldiers in private homes without permission of the owners. The Third Amendment prevents such abuses.

Portions of the Constitution altered by later amendments or that no longer apply are printed in blue.

Fourth Amendment ★

(1791) Searches and Seizures

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.

Fifth Amendment ★

(1791) Criminal Proceedings; Due Process; Eminent Domain

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 and 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.

Sixth Amendment ★

(1791) Criminal Proceedings

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.

Fourth Amendment This amendment protects Americans from unreasonable searches and seizures. Search and seizure are permitted only if a judge has issued a warrant, or written court order. A warrant is issued only if there is probable cause. This means an officer must show that it is probable, or likely, that the search will produce evidence of a crime.

Fifth Amendment This amendment protects the rights of the accused. Capital crimes are those that can be punished with death. Infamous crimes are those that can be punished with prison or loss of rights. The federal government must obtain an indictment, or formal accusation, from a grand jury to prosecute anyone for such crimes. A grand jury is a panel of between 12 and 23 citizens who decide if the government has enough evidence to justify a trial.

Double jeopardy is forbidden by this amendment. This means that a person cannot be tried twice for the same crime. However, if a court sets aside a conviction because of a legal error, the accused can be tried again. A person on trial cannot be forced to testify, or give evidence, against himself or herself. A person accused of a crime is entitled to due process of law, or a fair hearing or trial.

Finally, the government cannot seize private property for public use without paying the owner a fair price for it.

Sixth Amendment In criminal cases, the jury must be impartial, or not favor either side. The accused is guaranteed the right to a trial by jury. The trial must be speedy. If the government purposely postpones the trial so that it becomes hard for the person to get a fair hearing, the charge may be dismissed. The accused must be told the charges and be allowed to question all witnesses. Witnesses who can help the accused can be ordered to appear in court. The accused must be allowed a lawyer.

Seventh Amendment Common law refers to rules of law established by judges in past cases. This amendment guarantees the right to a jury trial in lawsuits where the sum of money at stake is more than \$20. An appeals court can set aside a verdict only if legal errors made the trial unfair.

Eighth Amendment Bail is money that the accused leaves with the court as a pledge to appear for trial. If the accused does not appear, the court keeps the money. This amendment prevents the court from imposing bail or fines that are excessive, or too high. The amendment also forbids cruel and unusual punishments, such as physical torture.

Ninth Amendment The rights of the people are not limited to those listed in the Bill of Rights. In the Ninth Amendment, the government is prevented from claiming these are the only rights people have.

Tenth Amendment Powers not given to the federal government belong to the states. Powers reserved to the states are not listed in the Constitution.

Eleventh Amendment A private citizen from one state cannot sue the government of another state in federal court. However, a citizen can sue a state government in a state court.

Portions of the Constitution altered by later amendments or that no longer apply are printed in blue.

Seventh Amendment ★

(1791) Civil Trials

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.

Eighth Amendment ★

(1791) Punishment for Crimes

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

Ninth Amendment ★

(1791) Unenumerated Rights

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

Tenth Amendment ★

(1791) Powers Reserved to the States

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.

Eleventh Amendment ★

(1795) Suits Against States

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.

Twelfth Amendment ★

(1804) Election of President and Vice President

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 the 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 a 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 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 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 a 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.

Twelfth Amendment This amendment changed the way the electoral college voted as outlined in Article II, Clause 3.

This amendment provides that each elector choose one candidate for President and one candidate for Vice President. If no candidate for President receives a majority of electoral votes, the House of Representatives chooses the President. If no candidate for Vice President receives a majority, the Senate elects the Vice President. The Vice President must be a person who is eligible to be President.

This system is still in use today. However, it is possible for a candidate to win the popular vote and lose in the electoral college. This happened in 1888 and in 2000.

Thirteenth Amendment ★

(1865) Slavery and Involuntary Servitude

Section 1. Outlawing Slavery 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. Enforcement Congress shall have power to enforce this article by appropriate legislation.

Thirteenth Amendment The Emancipation Proclamation (1863) freed slaves only in areas controlled by the Confederacy. This amendment freed all slaves. It also forbids involuntary servitude, or labor done against one's will. However, it does not prevent prison wardens from making prisoners work. Congress can pass laws to carry out this amendment.

Fourteenth Amendment ★

Fourteenth Amendment, Section 1

This amendment defines citizenship for the first time in the Constitution. It was intended to protect the rights of the freed slaves by guaranteeing all citizens "equal protection under the law."

Fourteenth Amendment, Section 2

This section replaced the three-fifths clause. It provides that representation in the House of Representatives is decided on the basis of the number of people in the state. It also provides that states which deny the vote to male citizens over age 21 will be punished by losing part of their representation in the House. This provision has never been enforced.

(1868) Rights of Citizens

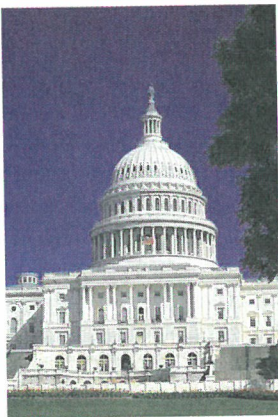
Section 1. Citizenship All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United 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. Former Confederate Officials 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 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 of emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

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



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Fifteenth Amendment ★

(1870) Right to Vote—Race, Color, Servitude

Section 1. Extending the Right to Vote 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. Enforcement The Congress shall have power to enforce this article by appropriate legislation.

Fifteenth Amendment, Section 1

Previous condition of servitude refers to slavery. This amendment gave African Americans, both former slaves and free African Americans, the right to vote. In the late 1800s, southern states used grandfather clauses, literacy tests, and poll taxes to keep African Americans from voting.

Sixteenth Amendment ★

(1913) Income Tax

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.

Fifteenth Amendment, Section 2

Congress can pass laws to carry out this amendment. The Twenty-fourth Amendment barred the use of poll taxes in national elections. The Voting Rights Act of 1965 gave federal officials the power to register voters where there was voting discrimination.

Seventeenth Amendment ★

(1913) Popular Election of Senators

Section 1. Method of Election 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.

Section 2. Vacancies 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.

Section 3. Those Elected Under Previous Procedure 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.

Sixteenth Amendment

Congress has the power to collect taxes on people's income. An income tax can be collected without regard to a state's population. This amendment changed Article 1, Section 9, Clause 4.

Seventeenth Amendment, Section 1

This amendment replaced Article 1, Section 2, Clause 1. Before it was adopted, state legislatures chose senators. This amendment provides that senators are directly elected by the people of each state.

Eighteenth Amendment ★

Eighteenth Amendment This amendment, known as Prohibition, banned the making, selling, or transporting of alcoholic beverages in the United States. Later, the Twenty-first Amendment repealed, or canceled, this amendment.

(1919) Prohibition of Alcoholic Beverages

Section 1. Ban on Alcohol 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. Enforcement The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

Section 3. Method of Ratification 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.

Nineteenth Amendment ★

Nineteenth Amendment Neither the federal government nor state governments can deny the right to vote on account of sex. Thus, women won suffrage, or the right to vote. Before 1920, some states had allowed women to vote in state elections.

(1920) Women's Suffrage

Section 1. The Right to Vote 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.

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

Twentieth Amendment ★

(1933) Presidential Terms; Sessions of Congress; Death or Disqualification of President-Elect

Twentieth Amendment, Section 1. The date for the inauguration of the President was changed to January 20th, and the date for Congress to begin its term changed to January 3rd. Prior to this amendment, the beginning of term date was set in March. The outgoing officials with little or no influence on matters were not effective in office. Being so inactive, they were called "lame ducks."

Section 1. Beginning of Terms 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 3rd 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. Congressional Sessions The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

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Section 3. Presidential Succession 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, 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.

Twentieth Amendment, Section 3. If the President-elect dies before taking office, the Vice President-elect becomes President. If no President has been chosen by January 20 or if the elected candidate fails to qualify for office, the Vice President-elect acts as President, but only until a qualified President is chosen.

Finally, Congress has the power to choose a person to act as President if neither the President-elect nor the Vice President-elect is qualified to take office.

Section 4. Elections Decided by Congress The Congress may by law provide for the case of the death of any 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. Date of Implementation Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. Ratification Period 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.

Twenty-first Amendment ★

(1933) Repeal of Prohibition

Section 1. Repeal The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. State Laws 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 Period This 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.

Twenty-first Amendment, Section 1
The Eighteenth Amendment is repealed, making it legal to make and sell alcoholic beverages. Prohibition ended December 5, 1933.

Twenty-second Amendment, Section 1

This amendment provides that no President may serve more than two terms. A President who has already served more than half of someone else's term can serve only one more full term. Before Franklin Roosevelt became President, no President served more than two terms in office. Roosevelt broke with this custom and was elected to four terms. The amendment, however, did not apply to Harry Truman, who became President after Franklin Roosevelt's death in 1945.

Twenty-third Amendment, Section 1

This amendment gives the residents of Washington, D.C., the right to vote in presidential elections. Until this amendment was adopted, people living in Washington, D.C., could not vote for President because the Constitution had made no provision for choosing electors from the nation's capital. Washington, D.C., now has three electoral votes.

Twenty-fourth Amendment, Section 1

A poll tax is a tax on voters. This amendment bans poll taxes in national elections. Some states used poll taxes to keep African Americans from voting. In 1966, the Supreme Court struck down poll taxes in state elections, also.

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Twenty-second Amendment ★

(1951) Presidential Tenure

Section 1. Two-Term Limit 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 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 Period 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 state by the Congress.

Twenty-third Amendment ★

(1961) Presidential Electors for the District of Columbia

Section 1. Determining the Number of Electors 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. Enforcement The Congress shall have power to enforce this article by appropriate legislation.

Twenty-fourth Amendment ★

(1964) Right to Vote in Federal Elections—Tax Payment

Section 1. Poll Tax Banned 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.

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

Twenty-fifth Amendment ★

(1967) Presidential Succession, Vice Presidential Vacancy, Presidential Inability

Section 1. President's Death or Resignation In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2. Vacancies in Vice Presidency 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. Disability of the 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.

Twenty-fifth Amendment, Section 1

If the President dies or resigns, the Vice President becomes President. This section clarifies Article 2, Section 1, Clause 6.

Twenty-fifth Amendment, Section 3

If the President declares in writing that he or she is unable to perform the duties of office, the Vice President serves as acting President until the President recovers.

Twenty-fifth Amendment, Section 4

Two Presidents, Woodrow Wilson and Dwight Eisenhower, fell gravely ill while in office. The Constitution contained no provision for this kind of emergency. Section 3 provided that the President can inform Congress he or she is too sick to perform the duties of office. However, if the President is unconscious or refuses to admit to a disabling illness, Section 4 provides that the Vice President and Cabinet may declare the President disabled. The Vice President becomes the acting President until the President can return to the duties of office. In case of a disagreement between the President and the Vice President and Cabinet over the President's ability to perform the duties of office, Congress must decide the issue. A two-thirds vote of both houses is needed to find the President is disabled or unable to fulfill the duties of office.

Twenty-sixth Amendment ★

Twenty-sixth Amendment, Section 1

In 1970, Congress passed a law allowing 18-year-olds to vote. However, the Supreme Court decided that Congress could not set a minimum age for state elections.

(1971) Right to Vote—Age

Section 1. Lowering the Voting Age 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.

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

Twenty-seventh Amendment ★

Twenty-seventh Amendment

If members of Congress vote themselves a pay increase, it cannot go into effect until after the next congressional election. This amendment was proposed in 1789. In 1992, Michigan became the thirty-eighth state to ratify it.

(1992) Congressional Pay

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



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Independence Hall room where the Constitution was signed