

The background of the image is a stylized American flag, featuring vertical red and white stripes on the right and a blue field with white stars on the left. A red rectangular box with a black border is centered on the image, containing white text.

Constituting America
Analyzing the Constitution
Kid's Style!
Juliette Turner

February 21, 2010 – The Preamble to the Constitution – Interpretation of Dr. David Bobb’s Essay

The Preamble to the United States Constitution

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

The Preamble is probably the most well-known part of the Constitution. But do we really know what it means? Do we thoroughly understand the actual meaning of each phrase? It is Important to know how to use and comprehend these phrases correctly.

When I read Dr. David Bobb’s essay, I was surprised to discover how little I really knew about the actual meaning of each part of the Preamble. His essay is loaded with many facts that I guarantee you do not know.

Fun Fact #1

The Preamble was the last element added to the Constitution at the Constitutional Convention. It was “roundly criticized upon announcement.” as Dr. Bobb puts it.

Fun Fact #2

The use of the words “We the People” was revolutionary and were never heard before in their time. The Articles of Confederation was an agreement among the states, but according to this new phrase, the Constitution had everything to do with the people. The Anti-Federalists argued that this phrase meant the Constitution would take away the power from the states and destroy the liberty of the people. Of course, the Constitution was written to have the exact opposite effect.

Fun Fact #3

The Preamble was composed by Pennsylvanian Gouverneur Morris, who was extremely talkative and among the most profound of all the delegates. This short paragraph sums up what the Constitution – and the Government it created – was meant to accomplish.

Fun Fact #4

Even though Gouverneur Morris wrote this in a clear, concise language, this short document was misunderstood even in the Constitutional era. Listed are the four most commonly mistaken phrases in the Preamble:

1. “to form a more perfect Union” –

A. Misconception – The Anti-Federalist (people that were against big government) took this phrase to mean that the words “perfect Union” ensued that the states would gradually be pushed out and more power would be given to the government. They also thought that when the states were thoroughly out of the picture, the three main branches of government -legislative, executive, and judicial – would become one

main power. Today the Progressive Party (people who do not consider the Constitution as relevant) uses this phrase to endorse their agenda of abandoning our “old and current” form of government with a new foundation – hence “perfecting the union.”

B. Actual Meaning – This phrase “has nothing to do with the future, but everything to do with the past.” as Dr. Bobb states. The only thing that the Constitution was intended to perfect, was the current government under the Articles of Confederation.

2. “promote the general welfare” -

A. Misconception: The Anti-Federalists thought this phrase would grant the government too much power. Today, this phrase is taken to grant “Constitutional Authority,” ending in “pork” (added “pay offs” that have nothing to do with the bill’s purpose).

B. Actual Meaning – This phrase has to be referenced in the limited government context in which it is written.

Fun Fact #5

“Limited government for the Founders did not mean a weak government.” said Dr. Bobb, they felt that it needed to be somewhat strong in order to fulfill its duty of protecting the people. The phrases “establish Justice,” “insure domestic Tranquility,” and “provide for the common defense” are examples of what the government was actually intended to do.

Gouverneur Morris leaves us with the phrase “secure the Blessings of Liberty to ourselves and our Posterity,” reminding us that we have to uphold our duties in order for the next generation to enjoy the freedoms we enjoy today.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 1 – February 22, 2011

February 22, 2010 – Article 1 Section 1 – Interpretation of Dr. Charles Rowley’s Essay

Article I, Section 1

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

Our Founding Fathers created a three-branch system of government – executive, legislative, and judicial – each branch checking each other’s actions, with the legislator giving the people representation. Article 1 Section 1, in a small, simple paragraph, describes how this Legislator is broken down into two separate branches, or as it is known, a bicameral legislature. You may think that our Founding Fathers decided which branch of our government to discuss first in a pick and choose fashion. Actually, they pondered deeply this decision. They looked back into history to the writings of John Locke (an English philosopher – 1632-1704), where he said, in short, that the first and most important branch of any government was the Legislature, for that branch represents the people. He goes on to say that every person always valued the legislature, their representation, more than their security or property.

Fun Fact #1

James Madison, known as the father of our Constitution, thought it of great importance to review all past republics that had failed, in order not to repeat their mistakes, and also, to have a written Constitution. France, who ended up in horrible bloodshed and under a ruthless dictator Napoleon, followed a different path. Although they had a written constitution, it did not have the same checks and balances that we did. James Madison, while waiting for the other delegates to arrive at the Convention, etched out the Virginia Plan, where he writes about his plan for the government. There was to be a bicameral legislature, but the number of delegates to a state would be represented by their financial contributions or their populace. When James Madison introduced this plan to his fellow delegates, it did not sit well with the representatives from states like Connecticut or Rhode Island, the smaller states. The smaller states would have delegates in an amount substantially smaller than the larger states. This argument ended in the Connecticut Compromise, or the Great Compromise of July 29, 1787. This new compromise still excepted the plan of having a bicameral legislature, but only one branch would the number of delegates be based on population – The House – and the other would have an equal amount of delegates (2) per state – The Senate.

Fun Fact #2

Under the current Articles of Confederation, the Congress operated under a unicameral legislature, so where did they get this idea of a bicameral legislator? Some came partially from the writings of British Constitution, which the delegates still admired when it was in its “mythic and uncorrupted form.” as Dr. Rowley puts it.

So, our brilliant Founding Fathers gave us the roadmap for a bicameral legislator, the House and the Senate. Since the House contained more representatives per populace of their state, their job is to listen to the peoples’ needs and desires. The Senate’s job is to make sure the House does not reach too far, and cut them back if needed. We will soon uncover the details and specific jobs of each of these branches, as we delve deeper into this wonderful document.

God Bless,
Juliette Turner

February 23, 2011 – Article I, Section 2, Clause 1-2 – Interpretation of Mr. Horace Cooper’s Essay

Article I, Section 2, Clause 1-2

*The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.
No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.*

Article 1, Section 2, Clause 1-2 is the first part of the Constitution to delve into the laws and limits of our House of Representatives. Mr. Cooper begins his essay by reminding us that the House is the “chamber closest to the public.” James Madison in the 52nd Federalist Paper states, “...the greater the power is, the shorter ought to be its duration.” This quote points out that our Founding Fathers pondered deeply on the decision of how frequent federal elections would take place. The Fun Facts that follow further explain the details of the plan our Founding Fathers left us in this Article of the Constitution.

Fun Fact #1

The House of Representatives is the largest branch of the two branches of our Congress and its elections are held the most frequently. The fact that our representatives are up for election every second year, means that they have to be more accountable to the people they represent. Their main job is to listen to the needs and wants of “We the People.”

Fun Fact #2

The second statement of Article 1, Section 2, Clause 1-2, just simply says that whatever the rules are for a person to vote in a STATE House election, are the same for a person to vote in a FEDERAL House election.

Fun Fact #3

Our Founding Fathers chose 25 to be the minimum age required to be a representative in the House. They thought that 25 was the age when a person was mature enough to perform wisely in their jobs, but they also thought that a 25 year old had the right to influence the political process with his generation.

Fun Fact #4

You only have to be a citizen of the United States for seven years to become a representative. They might have chosen this amount of years because when they wrote it, our Country was still very young and most of our population was made up of immigrants.

Fun Fact #5

This section mentions that you do have to be living in the state you will be representing at the time of the election. Nowhere does the Constitution mention how long the person has to have been living in that state. So, to re-cap: a representative only has to have lived in the United States for seven year and be living in his/her state at the time of the election. However, the Constitution does not state that the person has to be an inhabitant of his/her county or district. The issue of living in your county or district is still being debated today.

Our Founding Fathers made it fairly simple; you must obtain the age of 25, live in the U.S. for 7 years and be an inhabitant of your state. Their requirements for the House were simple but brilliant.

God Bless,
Juliette Tuner

U.S. Constitution for Kids! – Article 1, Section 2, Clause 3

February 24, 2011 – Article 1, Section 2, Clause 3 – Interpretation of Dr. W.B. Allen's Essay

Article 1, Section 2, Clause 3

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.

Article 1, Section 2, Clause 3, is probably the most misinterpreted clause of the Constitution. This clause of the Constitution is known as the “three-fifths clause.” In the facts below we will break down how this clause is so misunderstood and we will learn the real meaning of this important section.

Fact #1

This clause just simply reveals the method to determining how many representatives each state receives and determines the bases for taxation. It does not deal with voting rights. The states will receive representatives and the bases for taxation, according to the amount of people they have. According to this clause, you add up the number of free people, indentured servants, excluding Indians and $\frac{3}{5}$ of all other persons.

Fact #2

This clause originated from the language of the Articles of Confederation. In the Confederation Congress (1783 not 1787), the issue arose of how to assign representation and taxes. Their first idea was to base it on land value, but back then it was extremely difficult and tedious to survey land. So scratch that off! They decided to base it on population, resulting in a proposal for an eighth article: (Remember!: This is the Articles of Confederation) “expenses shall be supplied by the several states in proportion to the whole number of white and other free inhabitants, of every

age, sex, and condition, including those bound to servitude for a term of years, and three fifths of all other persons not comprehended in the foregoing description, except Indians not paying taxes in each state.” It’s essentially the same thing right, with a little extra definition and confusing wordage?

Fact #3

Now, let’s break it down! Let’s read backwards, starting with the “three-fifths” language. Yes, at first glance it looks like they made all African-Americans count as a fractional human. But, look again. “whole number of free persons”...what does it say in the Article of Confederation, “white and other free inhabitants.” Does that not include free African-Americans? It certainly does. Between 1776-1787, there were approx. 10,000 free African-Americans. Thus, they were included in the “whole number of free persons” category. Our Founding Fathers knew they couldn’t delve into the issue of slavery at that time, because if they did, the Southern states would have never voted in favor of the Constitution.

However by counting the slaves as three-fifths of a person the founders limited the number of House Members that could come from pro-slavery states. The pro-slavery states received 2/5 fewer votes in the House of Representatives because the Constitution didn’t allow pro-slavery states to receive a full population count for people they didn’t treat as full citizens. Yes this was a compromise. Without this compromise, the union would have dissolved! Slaves being counted as “three-fifths” was a sad part of our history, but it is interesting to understand the true meaning of all aspects of the clause.

So now we worked out the kinks of the “three-fifths clause” and upon reading it again...guess what? We have a new understanding for aspects of this clause. Phew! So, now you have more knowledge about this clause if a debate ever arises.

Fact #4

In addition, it is important to know that this particular clause was amended two different times: Amendment 14 and Amendment 26. Let’s start with Amendment 14. First off, this amendment ties representation and voting rights together. (Remember: The original clause only discussed the issue of representation.) Amendment 14 takes away, once and for all, the “three-fifths” clause, no person will be accounted for in fractions now. It then lists that you must be 21 to vote. Amendment 26 changes nothing but the age to vote, you now only have to be 18 years old to vote.

Amendments are a very important piece of our Constitution. Our Founding Fathers knew that the Constitution was not a perfect document, and there were things that would later need to be changed, such as slavery. So they left us with the ability to fix it through the Amendment Process. Let us continue delving in to Article 1 tomorrow.

God Bless,
Juliette Turner

February 25, 2011 – Article 1, Section 2, Clause 4 – Interpretation of Mr. William Duncan’s Essay

Article 1, Section 2, Clause 4

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

I know exactly what you are thinking: “Wow, that is short” Yes, I thought so too, but what a short phrase with a “Kaboom!” of importance. The following Fun Facts will help us break Article 1, Section 2, Clause 4 down so we will further understand it.

Fun Fact #1

Well, first of all, what are “writs”? Well, my dictionary tells me that it is a noun, and it is a “legal document issued by a court or judicial officer.” But, in my words, it is a piece of legal paper giving authority. So, now that we understand that the phrase “..the Executive Authority thereof shall issue Writs of Election...” just simply means that that Executive Authority of that state will call for an election to fill the vacancy.

Fun Fact #2

A fascinating, fun, fact is one that Mr. Duncan points out in his essay. This issue came up in our Founding Father’s time period when William Pinkney, a representative from Maryland, resigned from the House. In Britain’s House of Commons, resignation was not allowed. Were our Founding Fathers going to take that route? No, if a representative wanted to resign, they would be allowed to do so. In this Clause, our Founding Fathers give the governor of the state in which this situation is occurring permission to issue an election, when he/she sees that there is a vacancy. (News Flash: this authority was granted to the state governor, not an executive on the federal level).

Fun Fact #3

So, in short, this clause simply gives the governor of the state from which the representative who is resigning is from, the right to call an election to take place to fill that representative’s seat in the House.

Didn’t our Founding Fathers write down instructions for almost every single malfunction that might take place? All we need to do is look to this document in times of our country’s distress and it will lead us on the right path. Thank you Founding Fathers!

God Bless,
Juliette Turner

February 28, 2011 – Article 1, Section 2, Clause 5 – Interpretation of Professor William Morrisey’s Essay

Article 1, Section 2, Clause 5

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

You are most likely looking at this essay and thinking: “How many Clauses are there in Article 1, Section 2?” Well, only 5. Today is our last day of Article 1, Section 2. It is sad really. I have grown a connection with this short section. I mean, after four whole essays, who wouldn’t? But this short, ending paragraph, certainly proves that people save the best for last. Or in this case the most important for last. In the following Fun Facts, we will learn to understand this short sentence almost word, for word.

Fun Fact #1

Professor Morrisey begins his essay with a, well, Fun Fact. Under the Articles of Confederation, our three federal powers – Legislative, Executive, and Judicial – were combined into one body, the Congress. Today, under the Constitution, only the Legislative resides in the Congress, or in other words, all three branches – Legislative, Executive, and Judicial – are separated. Our Founding Fathers changed this portion of the Articles of Confederation because they realized that the person that resided over this one branch would, inevitably, become a tyrant. So, they created a three branch system, perfectly in the cycle of checking and balancing the other.

Fun Fact #2

Professor Morrisey then points out another wonderful fact. Our Founding Fathers specifically gave the House the authority to choose their speaker (or leader of the house). They could have given that authority to the President of the United States or the Electoral College, as Professor Morrisey says. The way our founders laid it out for us, secures the fact that the House leader will be respected by the House majority, and they will be in agreement on more issues, than not.

Fun Fact #3

How our founders assigned the power of impeachment – the removal of a government official due to an offense – is not as straight forward as it seems. Article 1, Section 2, Clause 5 gives the power of impeachment to the House of Representative. Simple as that, right? However, Professor Morrisey points out that our Founding Fathers had a much more complex plan in mind. The House has the power to call for an impeachment, but the particular person’s trial – the person being impeached – will take place on the Senate floor. What more, the Chief Justice of the United States Supreme Court will be the one presiding over the senatorial trial.

Fun Fact #4

So, to sum this up: our Founding Fathers gave the House the authority to choose their speaker; they gave the House the power of impeachment, but the trial will take place in the Senate under the supervision of the U.S. Chief Justice. Is this not another fascinating example of the checks and balances in place?

Congratulations! We finished Article 1, Section 2. Now, onto Section 3.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 3, Clause 1 – February 28, 2011

February 28, 2011 – Article 1, Section 3, Clause 1 – Interpretation of Professor William Morrisey's Essay

Article 1, Section 3, Clause 1

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.

Notice something different? We have moved on to the Senate! The second branch of our legislature. Article 1, Section 2 laid out the laws of the land for the House of Representatives. Now our Founding Fathers are introducing the world of the Senate. In the following Fun Facts, will we begin to break down Article 1, Section 3, Clause 1.

Fun Fact #1

Professor Morrisey first points out that America's new form of Republic, where the people were sovereign, had not been "seen since antiquity." as the professor states it. It gave the average person, not only Kings and Queens, the ability to own their own property and reap the benefits of their land.

Fun Fact #2

America was the first country to have "states men" or Senators. Our Founding Fathers wanted the states to be represented as well as the people. Their plan to have both these entities represented in a Republican fashion is a true reflection of their brilliant minds.

Fun Fact #3

Their plan was actually fashion after John Adams' Massachusetts' Constitution, where he draws up the plan for a bicameral legislator, instead of a unicameral legislator as used during the Articles of Confederation. Gouverneur Morris also agreed with this plan, (Pop Quiz! Where have we heard his name before?), but he thought that the Senate should represent the merchants, financiers, and gentlemen, and the House should represent the middle class and farmers. That doesn't sound quite right does it? Then James Madison jumped in and proposed the plan that the Senate should represent the states, no particular class of people – our founders were very careful to banish classes from the Constitution.

Fun Fact #4

Who was to choose the members of the Senate? The house was already representing the people and was chosen by the people. If senators were chosen by the House, the bicameral legislator wouldn't be as defined – the Senate would closely resemble the House if House representatives chose the Senate members. So, our Founding Fathers decided that the State Legislatures would elect the Federal Senate. This would later be changed by the Amendment process, but we will arrive at that debate soon enough.

Fun Fact #5

Deciding that the Senate should represent the states, a new question arose, wouldn't the larger states overpower the small ones? (Remember: The Connecticut Compromise) This is when our founders presented us with, yet another, brilliant design. They chose the amount of two Senators per state, each voting individually, not combined.

So, to sum this up: to create equality between the states, there would be an even number of two Senators per state, elected by their state legislator, each Senator receiving an individual vote, and they would be up for election every six years. What else will Article 1, Section 3 bring?

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 3, Clause 2 – March 1, 20115

March 1, 2011 – Article 1, Section 3, Clause 2 – Interpretation of Mr. Joe Postell's Essay

Article 1, Section 3, Clause 2

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.

OK, this is a lot longer than we are use to, but we can do it! It is truly not as large as it seems! Follow me into the world of Fun Facts and come out more enlightened about our Senatorial system.

Fun Fact #1

Our Senatorial Elections are definitely different than any other election in our government. Our Founding Fathers set up the Senate so that all senators would be split into three sections, think if you are cutting a pie into thirds. In the first Senatorial cycle, in 1789, they had to initiate this “thirds” process. Think of it as our Founding Fathers eating a pie, they are going to eat the first third of their pie in two days, the second third in four days, and the last third in six days. Or, in

Senate terms, the first third of the senators in 1789 will be up for election in two years, the second third of the senators in four years, and the last third of the senators in six years. Now present day, each Senator has a six year term, but their elections are in staggered years.

Fun Fact #2

Why did our Founding Fathers set it up this way? Remember: all the representatives in the House are up for election all at once, every two years! The answer is simple, they wanted to make sure our government would be stable. In the 1780s our founders were encountering a huge problem of constantly changing laws that were almost never the same the next election! On top of that, there was a huge turnover of representatives every election cycle, due to the fact they all were up for election at once under the Articles of Confederation. This resulted in major instability in the government. So, when writing the Constitution, they wanted to provide a system that would prevent such instability – resulting in our Senatorial system. (“Instability” is our Word of the Day!)

Fun Fact #3

You might be asking yourself: “Why are constantly changing laws so bad?” Well, it results in extreme instability but, let’s allow James Madison to explain. James Madison in his 62 Federalist Papers lays out five reasons why the constantly changing laws and “instability” are bad:

1. Instability would be harmful to our foreign policy. The Senate plays a huge role in our foreign policy matters. The new group of senators might totally disagree with what the previous senators were doing, and change where America stands on foreign policy. This would make us look, to other countries, that we could not be trusted in important, long lasting matters. We would be changing our minds all the time!
2. If laws were constantly changing no person would ever know what the laws would be, and we would live in fear that the law would be one thing before the election and something totally different after the election!
3. Think, this would put some people at a disadvantage, right? So, if you were a really wealthy person, you could hire some of your friends to go and attend all the political lunches and parties right? So, then you would be in the loop on all the issues. But, if you were not fortunate enough to be able to hire people like that, you would not be as informed as the “in the know” wealthy person. If the laws were solid and not changing, the person “not in the know” would at least be able to recognize what the laws and rules were. This is kind of the rule of thumb.
4. If you didn’t know what the laws or rules were or what would change after every election cycle, would you want to start your own business? No! You would not want to take the chance of creating a business that you might not be able to maintain in a few years with a new legislature. So, instability would dampen entrepreneurship, which would make our economy collapse.
5. Worst of all, the people would begin to distrust their legislature due to the lack of instability. We would begin to lose faith in our legislature and government as a whole.

All around, if our Founding Fathers had not staggered the election cycles, our Legislative branch would not be as trust worthy and co-operative as it is today. Thank you Founding Fathers for this brilliant and wise decision!

God Bless, Juliette Turner

March 2, 2011 – Article 1, Section 3, Clause 3 – Interpretation of Mr. Andrew Langer’s Essay

Article 1, Section 3, Clause 3

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.

Do you think this looks a little familiar? I do. Article 1, Section 3, Clause 3, closely resembles Article 1, Section 2, Clause 1-2. But, can you find the major differences between these two clauses? Check your answers with the Fun Facts below.

Fun Fact #1

First off, Mr. Langer begins his essay with a fascinating fact. Our Senate was closely fashioned after Britain’s parliament. Did you know that? Our Founding Fathers were careful not to repeat their mother country’s mistakes, but the Senate is one thing that resembles their British roots.

Fun Fact #2

Once again, we realize that we are discussing the Senate’s rules and laws – instead of the US House. Clause 3 explains the requirements for becoming a “states man” or Senator. The first requirement outlined, is age. We first notice that the age for being a Senator is greater than the age for being a Representative in the House. Why did our Founding Fathers do this? Well, they wanted the Senate to have more “stability of character” as James Madison states in Federalist 62. They felt that if you are 30, you might have more “stability,” than if you were only 25. It is true that in the 18th century, there “was a tremendous leap of maturity” between these two ages, as Mr. Langer states. But, still, there is another reason. Our founders wanted to give a person seeking to serve their country in the political arena, the option of become a Representative in the House first, for the minimum of five years, before they worked themselves up the Totem Pole to becoming a Senator.

Fun Fact #3

Upon further inspection, we see that we arrive at the requirement of being a U.S. citizen. Now, it is for nine years. Mr. Langer says in his essay, that our founders might have chosen a longer number of years for the Senate, because they wanted to make sure that there were no ties to a “mother country” that would make the Senator work against his duty of solely representing the United States of America.

Fun Fact #4

Once again, a Senator must be an inhabitant of the state which he is representing, but there are no requirements on living in your county or district. Our Founding Fathers most likely made living in the represented state a requirement because they wanted to make sure the states men would have their state’s – or the state they are representing - best interest at heart.

Straightforward and relevant? I believe so! Let us see what the rest of Article 1, Section 3 holds for our U.S. Senate.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 3, Clause 4-5 – March 3, 2011

March 3, 2011 – Article 1, Section 3, Clause 4-5 – Interpretation of Mr. David Addington's Essay

Article 1, Section 3, Clause 4-5

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

⁵*The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.*

In clause 4 of Article 1 Section 3, our Founding Fathers lay down another piece of the road for which our Senate is to follow. In the Fun Facts below, we will break down this clause to find out exactly what it means.

Fun Fact #1

This is the first time our Founding Fathers mention the role of Vice President in the Constitution. John Adams once described the role of Vice President as “the most insignificant Office that ever the Invention of Man contrived or his Imagination conceived.” In other words, he found his job as Vice President as very insignificant, and a very boring role to play. But, really, our Founding Fathers gave two very important jobs over to the VP.

Fun Fact #2

The first thing the Vice President is required to do is to reside over the Senate. This is most likely what John Adams called the dull part of his job. The VP is to have no vote on normal bills and laws being passed through the Senate. In other words, have no say on any issues. But remember, I said “normal” bills.

Fun Fact #3

There is one exception to the restriction of voting placed on the Vice President. If there is a tie, or an even vote on a bill or law, the VP is given the authority to cast his ballot and break this tie. You might be thinking that this doesn't happen a lot. But as Mr. Addington shows us in his essay: John Adams, our first VP, “cast tie-breaking votes in the Senate 29 times.” That is a great number of bills being past just because of one vote. Richard Cheney, the VP under President George W. Bush, cast his tie-breaking votes eight times! So, having the authority to break an even vote, is no little responsibility.

Fun Fact #4

Now, we see the words “pro tempore” in Article 1, Section 3, Clause 4. What does that mean? It is a Latin phrase, meaning, essentially, temporary. So, a President “pro tempore” would be a temporary President. Our Founding Fathers gave the Senate the capability to choose a temporary President if ever the Vice President was incapable of performing his job.

Fun Fact #5

Today, Senate rules (not Constitutional Rules) are in place that give the President pro tempore the ability to give his assignment of residing over the Senate to another senator, who gives it to some other senator, and so on. So essentially, Mr. Addington points out that, senators from the majority party just take turns residing over the Senate.

Interesting, right? Do you think this is what our Founding Fathers intended to happen? Do you think that the new “Senate rules” in place are complying with our Constitution? From what we have read so far in Article 1 Section 3, I think not. What do you think?

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 3, Clause 6-7 – March 4, 2011

March 4, 2011 – Article 1, Section 3, Clause 6-7 – Interpretation of Judge James Rogan’s Essay

Article 1, Section 3, Clause 6-7

⁶The 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.

⁷Judgment 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.

Today we find another Constitutional reference to the laws of impeachment. In Article 1, Section 2, Clause 5, we talked about how the House has “sole power of impeachment.” We lightly referenced that the Senate and Supreme Court played vitally important roles also. But, in the Fun Facts below, we will thoroughly understand the last two clauses of Article 1, Section 3 on impeachment.

Fun Fact #1

We have learned that the House has the power to call for an impeachment of a government officer. But, they do not have the authority to impeach them alone. In the first line of Clause 6, we see that our Founding Fathers give the Senate the authority to “try all Impeachments.” Meaning that the impeached individual's trial will take place on the Senate floor.

Fun Fact #2

When we read further, we find that when the officer is being tried, he has to be under and “Oath or Affirmation.” This just simply means that the officer has to take an oath that he will be completely truthful and honest when being questioned.

Fun Fact #3

We also see upon further investigation that the Chief Justice of the US Supreme Court will preside over the trial if the President is the individual impeached. Our founders made sure that each branch of our government had a say in the issue of impeachment.

Fun Fact #4

In the last sentence of Clause 6, our Founding Fathers make sure that no officer will be impeached without the agreement of two-thirds of all Senate members present. (Interesting...: the Constitution does not say two-thirds of all the Senate members have to agree, instead, it states that there should be an agreement among two-thirds of the Senate members that are present.)

Fun Fact #5

Clause 7 says that the officer that was successfully impeached will no longer be able to serve his/her country in the political realm. However, once he/she is impeached he/she can still be tried in a court of law.

The impeachment process is a very important piece of the Constitution, because it holds our politicians accountable and it preserves the honesty and integrity of our government: maintaining our Republic. Congratulations! We have now finished learning about Article 1, Section 3 about the US Senate. Now onto Section 4!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 4, Clauses 1-2 – March 7, 2011

Article 1, Section 4, Clause 1-2 – March 7, 2011 – Interpretation of Professor Knipprath’s Essay

Article 1, Section 4, Clause 1-2

¹*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*The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December,5 unless they shall by Law appoint a different Day.*

Article 1, Section 4, Clause 1-2 is certainly an interesting section in the Constitution. Professor Knipprath in his essay today made some very fascinating points. In the Fun Facts below, we will try to figure out the true meaning of this section.

Fun Fact #1

Article 1, Section 4, Clause 1 gives the states the authority to choose the place, time, and manner of Legislative elections. However, the Amendment process changed this, with Amendment 17. Our Founding Fathers, in the second half of clause 1, gave Congress the authority to pass a law that would supersede the time and place that the states had chosen, which they did through the Amendment. This clause, however, gives states the sole power to choose the place of their election, the government cannot change this. Today, all legislative elections are held on the same day at the same time, but the place of the election is up to the states.

Fun Fact #2

Professor Knipprath points out a very interesting debate that took place in the Supreme Court in 1995 called *U.S. Term Limits v. Thornton*. Since I am not a scholar or a professional in this area, I suggest that you reference Professor Knipprath's essay to further investigate this case. But, the short summary is that it was over states' rights. In the 10th Amendment, the Constitution gives the states all the power unless it is distinctly given to the government or denied to the states.

Fun Fact #3

So here, it appears in Article 1, Section 4, Clause 1, the Constitution is saying that the states have this power but Congress can override it. Which is what Congress did. So, is not this clause irrelevant? No, not at all. Up until 1842, the Congress left the power up to the states. However, the states were not adhering to their duties and they were not holding regular elections and were inconsistent in sending representatives to Washington.

Fun Fact #4

States still have a vast amount of power in regard to the election process. They have the sole power of recounting the votes in a very close election. (We all know how important this is). Also, each state has different rules on replacing candidates that drop out of the races unexpectedly right before the election.

Fun Fact #5

The second clause of Section 4, gives order to the Legislative branch that they must meet at least once a year. The Constitution designated the first Monday in December unless they voted on a different day. My mother promptly pointed out that this date was right splat dab in the middle of winter, and she wondered why in the world our Founding Fathers picked that time of year to make the long trek up to the Capital. Does anyone have any ideas?

So, we have now finished FOUR whole Sections of Article 1! Now, let us plunge forward into Section 5.

God Bless,
Juliette Turner

March 8, 2011 – Article 1, Section 5, Clause 1 – Interpretation of Mr. William Duncan’s Essay

Article 1, Section 5, Clause 1

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.

Today we discuss Article 1, Section 5, Clause 1. We find in the Fun Facts below that this small clause has been referred to often in recent times and is another great example of our Constitution’s relevancy. Read on to further understand Section 5, clause 1, of Article 1 of our Constitution.

Fun Fact #1

Clause 1 give our Legislature the ability to determine whether or not a new representative meets the Constitutional requirements for becoming a Senator or a Representative. In other words, after an election is held, the new representative voted into the legislature is then reviewed with a “Constitutionality Check” so to speak. Our legislature has to make sure that there has not been a mistake, e.g. under age citizen was placed in office.

Fun Fact #2

The Legislative branch can only judge the newly elected officials by the requirements that the Constitution states. They cannot simply think up a new requirement to judge by without it previously written in the Constitution. If this weren’t the case, a new elected official might go to Washington without knowing that he did not meet all the requirements.

Fun Fact #3

Now we find the “Quorum” part of Clause 1. A quorum is simply the number of people that have to be present in order for the legislature to continue with their business. Mr. Duncan points out in his essay that Oliver Ellsworth, in the Constitutional Convention, proposed that the quorum should always be the majority of the members. He thought this because he felt that if the quorum only required a small number of the representatives/senators, the people would feel that the laws were being written by the minority of the legislature. Of course, that would be the case! So, we can thank Oliver Ellsworth for making the quorum of the legislature the majority, not minority.

Fun Fact #4

So, in the modern day U.S. Senate, there are one hundred Senators, and the quorum is set at 51% or 51 members. That’s the majority...but just barely! The forty-nine other Senators are allowed to adjourn, or leave, for a few days, but the majority is authorized to call them back to the Senate when needed.

Fun Fact #5

This is all very timely, due to the events taking place in Wisconsin. Some members of the State Legislature have fled the state of Wisconsin, leaving the members in Wisconsin not meeting the quorum standards. Meaning, there is not a majority present. The Wisconsin legislature was at a standstill until the members returned to the state they were representing. What would our Founding Fathers think of this?

Fascinating as always and very, very relevant. Literally to today! Let us continue delving into the great founding document.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 5, Clause 2 – March 9, 2011

March 9, 2011 – Article 1, Section 5, Clause 2 – Interpretation of Dr. Paul Teller's Essay

Article 1, Section 5, Clause 2

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

Today we find that Article 1, Section 5 contains more than one clause. Article 1, Section 5, Clause 2 appears straightforward, but as Dr. Teller points out the abilities and power that this clause grants are very important in today's Legislature.

Fun Fact #1

The beginning of this clause gives each House (the House of Representatives and the Senate) the ability to determine, and make, its own rules. Dr. Teller points out two ways that this, small part of this clause is so vitally important.

Fun Fact #2

The most obvious purpose of this clause is to keep one branch of the legislature from making the rules for the other. As we have learned in the previous Sections of Article 1, the House was designed to become the quicker, and more active branch of the government. The Senate was designed to move slower, ponder upon the bills and laws that are before them longer, so they can make more prudent decisions. These two branches are so obviously, very different from each other. Now, think, if the Senate had the authority to make the House's rules, they could say that the House had to review this certain bill for five days, instead of one. If the House had the authority to make the Senate's rules, they could take away their right to filibuster. In essence, everything would become backwards!

Fun Fact #3

The second point that Dr. Teller pointed out is that each new Legislature writes their own rules. Article 1, Section 5, Clause 2, keeps the previous legislature from controlling what the next legislature will do. For example, if clause two did not exist, a new Congress would still be under the rules of the Congress that came before them. But, clause two gives a new Congress the power to write a new set of laws to act under, or revise the previous one.

Fun Fact #4

The second half of clause two gives the legislature the power to punish a member if their actions are disorderly. But if things get really bad, the member can be expelled if two-thirds of the house vote in favor of it.

Article 1, Section 5, Clause 2 is a very important piece of the Constitution. Guess what? We are approximately half way through Article 1! I wonder what else Article 1 will reveal?

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 5, Clause 3-4 – March 10, 2011

March 10, 2011 – Article 1, Section 5, Clauses 3-4 – Interpretation of Mr. Scot Faulkner's Essay

Article 1, Section 5, Clause 3-4

³*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*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.*

Article 1, Section 5, Clause 3 is a very fascinating part of the Constitution that I, personally, never knew existed. Mr. Faulkner's essay is filled to the brim with fun facts, so without further ado...here we go!

Fun Fact #1

Mr. Faulkner pointed out in today's essay that our Founding Fathers had more than enough examples of governments (or civilizations for that matter) that recorded their works. The Sumerians in 2500 BC, to the Egyptians, to the British parliament, people have recorded their doings in documents. So, it is of little or no surprise that our Founding Fathers made this a requirement in both the Articles of Confederation and the Constitution.

Fun Fact #2

The transcripts of the Legislature's doings was first begun by private businesses. From 1789-1873, there were three different transcripts on the Legislature's business. In the 36th Congress (which ended in 1861), it was decided that the transcripts should be reprinted as the Congressional Record and funded by federal funds. Hence, the existence of the Congressional Record that we use today to track Congress.

Fun Fact #3

Now that the government was in charge of transcribing what they, themselves, said, there was a little editing taking place. Members of the Legislature would, after the debate had already taken place, add what they "meant to say" or "clarify" what they had said. Interesting, right?

Fun Fact #4

Now, once again we have a privately owned transcript business, CSPAN. CSPAN began filming the House in 1979, and began to film the Senate in 1986.

Fun Fact #5

In clause 4, we discover that one branch cannot adjourn without the consent of the other. In other words, the House cannot adjourn without the Senate agreeing. Mr. Faulkner wrote in detail the differences between adjourning and recess.

Adjourn: an adjournment is a formal end to the business that is taking place on the chamber floor. When they return, they will not resume where they left off, they will pick up on a new subject. BUT!, if one member asks to return to the previous subject, they must, without filibuster or delay, return to the subject they had adjourned with.

Recess: a recess is just a temporary halt from activity or debate on the floor. When they all return, they will pick up where they left off.

Both of these can last from either 12 minutes, to a number of weeks.

Fun Fact #6

Mr. Faulkner also mentions that a break from activity on the floor, opens the door from the President to act. The President, in the time the Legislative branch is wiping the sweat off their foreheads, sometimes quickly makes a new appointment of a new officer, or quickly veto a bill. It is unconstitutional for the President to do both of these actions without giving the Legislative branch an opportunity to respond. However, if it is during an adjournment, he can just simply say, "They were on an adjournment!" and get away with it.

Fascinating isn't it? I wonder what else our wonderful Constitution will reveal tomorrow?

God Bless,
Juliette Turner

March 11, 2011 – Article 1, Section 6, Clause 1 – Interpretation of Mr. William C. Duncan’s Essay

Article 1, Section 6, Clause

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.

Fun Fact #1

Mr. Duncan points out that the issue of how to pay representatives was first debated in the Articles of Confederation. “Under the Articles of Confederation members of Congress were paid by the states they represented.” Mr. Duncan states. In the Constitutional Convention, this issue arose again. Our founders agreed that the representatives should be paid, not from the states they represented, but from the national Treasury (or the federal government’s bank). They had decided that the national Government should pay instead of the states because a lot had happened since the Articles of Confederation had been written. First off, Rhode Island (or Rouge Island as President George Washington called the state) had failed to pay their representative, and hence was not represented in the Confederation Congress. Also, new states were arising from west of the Ohio River. Our brilliant founders knew these states would not have as much money as the older states, and would perhaps not have the funds to pay their representatives.

Fun Fact #2

Mr. Duncan points out that another issue is how much the Federal Government would pay the representatives. If you glance back to the actual clause, you will see that no amount is mentioned. Our founders left it up to each individual congress to choose how much they will receive in pay. The representatives must take heed, though, that the voters are watching what price tag they put on their salaries. This is mentioned further in Amendment 27, but we will delve into that when we get there.

Fun Fact #3

The second portion of clause one, deals with the issue of the protection of our representatives. This is referred to as the “Speech or Debate Clause.” This issue was mentioned in the English Bill of Rights or 1689 and article 5 of the Articles of Confederation. Our Founding Fathers wrote this into the Constitution because they wanted to make sure that our Representatives and Senators could not be punished for any argument or debate they held on the House or Senate floor.

Fun Fact #4

Mr. Duncan points out in his essay what Todd B. Tatelman, in a CRS Report for Congress in 2007, says. The legislators are protected while “speaking on the House or Senate floor, introducing and voting on bills and resolutions, preparing and submitting committee reports, acting at committee meetings and hearings, and conducting investigations and issuing subpoenas.” I think that sums it up best.

Isn't amazing that our Founding Fathers wrote such detailed instructions on such important issues as the payment and protection of our representatives? Think where our Country would be without this wonderful document?

God Bless,
Juliette Turner

U.S. Constitution for Kids! – Article 1, Section 6, Clause 2 – March 14, 2011

March 14, 2011 – Article 1, Section 6, Clause 2 – Interpretation of Mr. Steven H. Aden's Essay

Article I, Section 6, Clause 2

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.

Mr. Aden's Essay reveals many great facts about Article 1, Section 6, Clause 2, and its history. In the Fun Facts below, we will break down this important clause and brush upon many fascinating historical facts.

Fun Fact #1

This clause has two different names. The first half is known as the “Emoluments Clause” and second half is known as the “Incompatibility Clause.”

Fun Fact #2

The first part of clause two, or the emoluments clause, is greatly misused. Please refer to Mr. Aden's essay to read more fascinating examples of how this clause is misused. James Madison saw this clause as a very important check on potential illegal or secret cabinet appointments by the President. Our Founding Fathers wanted to make sure that the President would not be able to create new cabinet positions for sitting members of Congress. Also, they wanted to prevent a congressman/woman from voting to raise the salary of a position and then be appointed to the same position.

Fun Fact #3

This has happened actually many times in our Country's history. One example is when President Taft in 1909 nominated Senator Philander Knox to be Secretary of State. Knox had just voted to increase the salary of that position by \$4,000! Congress then lowered the salary from \$12,000 to the original \$8,000 and Knox took the position.

Fun Fact #4

The second half of this clause, the incompatibility clause, makes sure that a representative does not hold two political positions at once. President George Washington wanted to appoint Senator William Patterson to the Supreme Court, but Patterson was still in the middle of his Senatorial term. So, President Washington waited until his term expired to appoint him to the Supreme Court.

Fascinating, right? Relevant, yes! Let us continue plunging forward into this wonderful Article 1 of our Constitution.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 7, Clause 1 – March 15, 2011

March 15, 2011 – Article 1, Section 7, Clause 1 – Interpretation of Professor Knipprath's Essay

Article I, Section 7, Clause 1

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.

This short clause not only sets the stage for Section 7, (a section that lays out the rules and laws for the legislation that can be passed by Congress), but it also has a load of history! Professor Knipprath, in his essay, reveals fascinating, fun, facts about the detailed history of this short clause.

Fun Fact #1

The clause itself states that all bills relating to raising money for the national government are to originate in the House of Representatives. Then, the states men in the Senate have the ability to amend the bill, if they so choose, by adding an Amendment.

Fun Fact #2

We always here the phrase “no taxation without representation.” This Revolutionary-Era phrase was uttered by the American colonists in their argument against the taxes set upon them by the King of England, King George III. But, what does this phrase really mean? The colonists knew that the taxes being imposed upon them were unfair, for they had no representation back in the English House of Commons, or the Parliament.

Fun Fact #3

Going back further in history, we find that English taxes were called “gifts.” “Gifts from the commons to the crown.” Professor Knipprath states. They were called gifts because they were not forced onto the people, or the commoners, the commoners were supposed to “give” money to their government. Later, the House of Commons held the job of voting on the amount of the “gift” and then offering the money to the crown.

Fun Fact #4

Now, the House of Commons were to represent the common man, (kind of like our House of Representatives), and the House of Lords were to represent the landlords. (Slight resemblance to the Senate, for originally the Senate was to solely represent the States). When the House of Commons, in England, decided on the “gift” to the crown, they did not consult the House of Lords at all. Now, when we read Article 1, Section 7, Clause 1, we find that we have reached the difference between these two governments in this area, at last.

Fun Fact #5

Our framers allowed the Senate to amend a bill that was composed and passed in the House. Now, why did they do this? The most obvious reason is that they wanted the balance of power to come into play in every way possible. Sadly, today, this clause is misused. Instead of the Senate adding an amendment to the bill, they alter the bill until, sometimes, the original meaning of the House’s bill has been erased. Professor Knipprath says in his essay, that sometime the Senate amendment, this erases, everything in the original bill except “Be It Hereby Enacted” (the first four words in every bill).

Is it not fun to learn about the history of the clauses in our Constitution? Is it not great to become aware how these clauses are sometimes misused?

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 7, Clause 2 – March 16, 2011

March 16, 2011 – Article 1, Section 7, Clause 2 – Interpretation of Mr. George Schrader’s Essay

Article 1, Section 7, Clause 2

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; ...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.

Today, we have a very special guest essayist. Mr. Schrader is a student at Hillsdale College. He is studying Political Science and his essay is truly wonderful. It is refreshing to see a young adult so passionate about the Constitution. He points out in his essay that Article 1, Section 7, Clause 2 is a clause in the Constitution that is extremely important and, sadly, is taken for granted.

Fun Fact #1

We have arrived at the clause about the Presidential Veto! Yea! Mr. Schrader points out that we first have to understand our founder's intent about the separation of powers. Each branch of our government has a very specific job to uphold. "Congress is granted the sole ability to legislate, the President the sole authority to execute the laws, and the courts the sole power to judge according to those laws" as Mr. Schrader simply states.

Fun Fact #2

Our founders were very intent on preventing tyranny. They wanted two things, the branches to be separate enough not to be agents of oppression because of their inability to take action, and for the separate branches not to become so separate that they become "miniature tyrants." They saw in history that when governments tried to tie two branches together it resulted in the former and when the branches had a specific power that only they controlled it resulted in the latter.

Fun Fact #3

Our founders found their happy medium in the power of the veto. The Congress is in control of creating legislation, but the President has the power to approve or not approve. The President has the power to prevent a bill from becoming a law that he feels is detrimental. Thus, resulting in the balance of power.

Fascinating and relevant! Thank you Mr. Schrader for the wonderful essay! Let us continue delving into Article 1.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 7, Clause 3 – March 17, 2011

March 17, 2011 – Article 1, Section 7, Clause 3 – Interpretation of Professor Kyle Scott's Essay

Article I, Section 7, Clause 3

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.

Checks and Balances! What a wonderful document our Constitution is and what brilliant men our Founders were! Professor Scott's Essay explains why our founders wrote this clause into this wonderful document.

Fun Fact #1

A bill or law must first be voted on by the House, or the people's chamber. Then, the bill is handed over to the Senate, originally this was to be the "State's Senate," who vote on it. If the bill passes in both Houses, Fun Fact #2 comes into play.

Fun Fact #2

The bill is then passed from the Senate to the President's desk. There it awaits his approval. If he finds the bill or law runs against the Country's best interest, he is supposed veto it.

Fun Fact #3

"Not so fast Mr. President!" says the Congress. Our founders didn't trust giving the executive branch complete authority over whether a bill became law or not (maybe after their troubles with King George III) so they made sure that a vetoed bill could be reconsidered by the House and Senate, and if it passes in both Houses by a 2/3rds majority, it will become a law without the President's consent.

Our Founding Fathers thought of everything! Let us continue to learn about our wonderful Constitution! It is the law of the land after all.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 8, Clause 8 – March 18, 2011

March 18, 2011 – Article 1, Section 8, Clause 1 – Interpretation of Professor John S. Baker's Essay

Article 1, Section 8, Clause 1

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

Professor Baker's Essay wins the award for the "WOW" essay! The detail he dives into and the fascinating subject he reveals are truly remarkable. He points out that this clause has always been one that sparks debate in every realm imaginable.

Fun Fact #1

Professor Baker first states that since the Constitution writes out specifically what abilities the Congress is to have, it states that our government is one of limits. What does he mean? Well, if the Constitution were to be silent on what powers the government has, it would be ensuing that the government has unlimited powers. The government only has whatever power the Constitution says it has. Fascinating, right?

Fun Fact #2

Professor Baker then brings to our attention the issue of “To” and “to.” If you look closely, literally examining every word, you will find that one “to” is capitalized and one is not. No, this is not just a mistake by the typist. I have always wondered why some words in the Constitution are capitalized when they normally are not. The Professor brilliantly answers this question.

Fun Fact #3

Every enumerated (or named) power given after this begins with a capitalized “To.” Fascinating right? Now, when we take this into consideration the meaning comes out differently.

Fun Fact #4

There are two ways you can look at this clause. The first is as follows:

-There is only one power granted in the first half of this clause. Congress can issue and collect taxes, impost, and excises so they can pay the debts, provide for the common defense, and promote the general welfare of the United States.

Or, you can look at it this way:

-There are four powers granted in the first half of this clause. Congress can issue and collect taxes, impost, and excises, and they can pay debts, and they can provide for the common defense, and they can promote the general welfare.

(Now, if you find that your brain feels like mush, and the words are crawling around the page, don't worry! It took me 12 hours to thoroughly figure this out.)

Fun Fact #5

Now, which approach is the right one. This is the question! This debate began all the way back to James Madison and Alexander Hamilton. Madison that it was just one power, and Hamilton thought that the powers named were separate. Now, if they, the people who wrote it, had a hard time deciphering the meaning, we shouldn't feel bad.

Fun Fact #6

Now, so to the modern day question! Does the Government have the authority to create Medicaid or Medicare,? I know for certain that our Founding Father never intended for the government to “take care” of the states. Hamilton, thinking that the powers were separate, just thought “General Welfare” consisted of things like building roads. Things that joined the states together. Sadly, since our Founders are no longer sitting in Independence Hall, we will not be able to know for certain which was the true intention.

Now, if you are wondering about that last sentence that tags along, it just means that the Federal Government cannot tax one state more than another state, e.g. they cannot tax California 20% and Rhode Island 5%.

Phew! That's a mouth full isn't it! But, fascinating as always.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 8, Clause 2 – March 21, 2011

March 21, 2011 – Article 1, Section 8, Clause 2 – Interpretation of Professor Knipprath's Essay

*Article 1, Section 8, Clause 2
To borrow Money on the credit of the United States;*

Today, we discuss Article 1, Section 8, Clause 2 of the Constitution. Do you notice that this clause begins with a capital "To"? Yes, so this initiates that we have come across a new grant of power from the Constitution to Congress. I would like to thank Professor Knipprath for generously giving his time to write his many essays for our forum. So let's begin!

Fun Fact #1

"To borrow Money on the Credit of the United States." It pretty much says it all. This clause grants Congress the constitutional ability to borrow money based on the United States' credit. You might be asking what our Founding Fathers meant by credit, since they had not heard of a "Credit Card." Well, as my mother put it, if you walk into a bank and ask to "borrow money," they will look at your credit. Your credit is the record containing information about if you paid your bills on time, how much money you make, etc. If they see you always pay your bills two months late, they will say you have "bad credit" and they most likely will not give you the loan. Now, in Congressional terms: if we ask France for 2 million dollars to fund a new road program (borrow the money), they will look at the U.S.'s credit, and then assess the loan.

Fun Fact #2

Professor Knipprath really explains the history of our country's banking system. During the Revolutionary War, the colonies were in a fix. Since we had previously been under the rule of England, and English banks for that matter, and the British had disabled our banking system, correctly thinking America posed a threat to their world dominance, we did not have the money to fund the war. However, John Adams and a handful of other founders, traveled to the Netherlands and negotiated with the Dutch to grant us a loan, in which they succeeded. Now, Alexander Hamilton saw that we needed a solid banking system. Under the Articles of Confederation, Congress was not allowed to grant charters to banks or other corporations. So, Alexander Hamilton's first idea for the Bank of North America failed, due to the fact he could not obtain a charter for the bank. But, the pattern was set, as Professor Knipprath stated, for his second Bank, The Bank of the United States (or the BUS).

Fun Fact #3

Alexander Hamilton thought that the bank needed to become something that people could trust and believe in. The bank needed to have good credit! Hamilton feared a Government owned bank, but he did not trust a privately own bank. He felt that his BUS, his Bank of the United States, contained the balance.

Fun Fact #4

Today, after Hamilton's bank has come and gone (due to the works of President Andrew Jackson), the federal government is bent on borrowing and as a result our debt has skyrocketed. Professor Knipprath points out in his essay that, forty years ago, an author stated the horrific state of the national debt, and then it was \$450 Billion. Today, that sounds like almost nothing in comparison. Professor Knipprath ends his essay warning that if the government continues on this path of extravagant spending, Hamilton's goal of a trustworthy bank, will be crushed.

So we must listen to our Constitution and our Founding Fathers. Borrowing based on our credit. How much credit do we have now? What would our Founding Fathers think of the fiscal mess we are in today. I feel that Alexander Hamilton did not have this in mind.

God Bless,
Juliette Turner

March 22, 2011 – Article 1, Section 8, Clause 3 – Interpretation of Professor John S. Baker’s Essay

Article 1, Section 8, Clause 3

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

Article 1, Section 8, Clause 3! We have arrived at another grant of power from the Constitution to the Congress. It begins with a capital “To,” too. I want to thank Professor Baker for another wonderfully insightful essay. Without further a-do, let us break down the meaning of this clause.

Fun Fact #1

Now, let’s begin with the first thing Congress will do on the subject of commerce, regulate commerce with other nations. (By the way commerce just means trade). Professor Baker states in his essay, that under the Articles of Confederation, the States were not abiding by their treaties with other countries. In other words, under the Articles, the government could not “prevent States from violating treaty obligations.” Our Founding Fathers, writing clause three, gave the Congress ability to regulate trade with other nations and keep the states in track with their agreements.

Fun Fact #2

Professor Baker then explains regulating commerce among the states. This gives Congress the ability to regulate the trade between the states, but to what degree? The debate is, what say do the States have in this area. There have been Supreme Court cases galore on this issue, as Professor Baker points out.

Fun Fact #3

Before we enter into the Supreme Court rulings, Thomas Jefferson and Alexander Hamilton debated this issue in regard to Hamilton’s Bank. In Jefferson’s view, Congress had no ability to create a corporation. Plus, he believed that this clause, known as the Commerce Clause, did not allow Congress to initiate Hamilton’s Bank. Neither did the “Necessary and Proper Clause” (we are going to learn about this clause soon). Congress could only do what was ‘absolutely necessary’. Hamilton, on the other hand, argued that Congress did have the ability, under clause one of section eight. He argued that the Constitution limited what kind of powers Congress contained, but if the power was granted, it was not limited.

Fun Fact #4

Then, we find the Supreme Court cases such as *Gibbons v. Ogden*. This case was called the “Steamboat case” where a river barge was granted a monopoly over the river crossing by New York State. In other words, only the barge could transport goods and people over the river, by means of a barge. Then, a steamboat business came along and wanted to cross at the same place. So, to the Supreme Court they go! Chief Justice John Marshall ruled that the monopoly granted the barge was unconstitutional, and that the federal government had the authority to butt into this issue because, the river provided transportation of goods, for the river crossed into New Jersey.

So, a company could use this river to get his/her product into another state. So, to re-cap because the river was a way of transportation, one state could not prevent residents of another state from using the river for commercial purposes. That was authority the Constitution gave to Congress, because the river crossed into multiple states.

Fun Fact #5

Another Supreme Court Ruling, in 1942, *Wickard v. Filburn*, was a case where the Supreme Court Justices ruled that Congress could regulate how much wheat a farmer could grow. Well, the wheat will be sold as a means of commerce, correct? The question is, how far did our Founding Fathers intend our federal government to take this clause?

Fascinating as always and ever, very relevant! Thank you Professor Baker showing us such wonderful examples of how this clause is used constantly in our Court's History.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 8, Clause 4 – March 23, 2011

March 23, 2011 – Article 1, Section 8, Clause 4 - Interpretation of Mr. Horace Cooper's Essay

Article 1, Section 8, Clause 4

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

Article 1, Section 8, Clause 4 grants two very important powers to Congress. I would like to thank Mr. Cooper for his wonderful, insightful essay with such great historical references.

Fun Fact #1

Naturalization is the process of becoming a citizen. Drawing a distinction between a citizen and an alien (a visitor or temporary resident) was very common among European Nation and goes back in history as far as the Roman Empire. So, it is no surprise that our Founding Father thought this issue of utmost importance.

Fun Fact #2

Under the Articles of Confederation, Naturalization was left up to the states. James Madison posited that this was a major default in many ways: -1: If the States were in charge of Naturalization policies, a person might have trouble moving from one state to the next if they policies were different; e.g. if South Carolina had different Naturalization rules than Virginia, a new citizen might have to go through the citizenship process again to transfer states. -2: New citizens would feel more like they were a citizen of any particular state, instead of a whole nation.

So, our Founding Father decided to grant this power to Congress so there would be a uniform citizenship policy for all states.

Fun Fact #3

Now, turning to the issue of bankruptcy, it is interesting to turn to British history. But, first, let us clarify that bankruptcy is the term to describe the position of a person who cannot pay off his debts to his creditors. In 1542, under Henry VIII, a bankrupt person was considered a criminal and was thrown into debtor's prison, or potentially hanged. However, in the beginning of the 1800, the British adopted a new way of thinking and decided that a bankrupt person would not be punished, but would be made to pay his debts to the extent he could afford.

Fun Fact #4

Under the Articles of Confederation, states were still throwing debtors in jail, like the British. Many influential figures, such as the signer of the Declaration, Robert Morris, was thrown in debtor's prison.

Fun Fact #5

Now, since the power was granted to Congress, the debtor's prison was abolished and citizens now have a right to initiate bankruptcy themselves, instead of waiting for their creditor to initiate it. Debtors still have to pay their debts to the best of their affordability.

Is it not fascinating to learn about the history of the powers that are granted in the Constitution? As John Adams' says: "Liberty cannot be preserved without a general knowledge among the people." We are most definitely educating ourselves about this wonderful, wise, document.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 8, Clauses 5-6 – March 24, 2011

March 24, 2011 – Article 1, Section 8, Clause 5-6 – Interpretation of Dr. Troy Kickler's Essay

Article 1, Section 8, Clauses 5-6

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

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

Today we receive another important grant of power from the Constitution to Congress. Dr. Kickler's Essay is very insightful and in the Fun Facts below, we will decipher what this clause really means.

Fun Fact #1

Our Founding Fathers wrote the Constitution to correct the obvious and unobvious mistakes that were in the Articles of Confederation. One of them, they felt, was that the Articles of Confederation allowed the states to coin their own money. Now, if you look at Europe, you would see what the United States would be if our wonderful founders had not written and brilliantly composed the Constitution. Our Founding Fathers saw that the states were up a creek after the Revolutionary War. They had all accumulated masses of debt and were printing money out the kazoo! Inflation began to emerge as a hot topic, just as it is today. So, our framers found the perfect solution, or so it was back then: they took the power of coining money from the states and placed it into the federal government's hands.

Fun Fact #2

So, now that the Federal Government had the exclusive power to coin money, a new issue arose. The issue was related to foreign coins and money. They felt that there needed to be a uniformity regarding the value of Foreign Coins. So, they gave congress the ability to regulate the value of foreign coins, instead of the states individually.

Fun Fact #3

Now, you are probably wondering what the deal is with this counterfeiting clause. Well, counterfeiting is when someone illegally prints or coins money. In England, they considered counterfeiting as a treasonous act. The Constitution does not state that counterfeiting is treason, it just gives Congress the ability to choose the punishment for the person committing this act of counterfeit.

Fun Fact #4

Now, one last Fun Fact to leave you with. Now, if you look closely at the wording of the Constitution, you will find that Congress is granted the ability to coin money. Today, Congress is printing money. Does this mean that their acts of printing money is unconstitutional? Hugh Williamson, the founder of North Carolina, stated that he felt that the printing and passing out of paper money ruins the economy, in his essay "Remarks on the New Plan of Government" in 1788.

So, does this mean that our Congress is committing unconstitutional acts every day? The Supreme Court in rulings that took place in the late 1800s such as *Knox v. Lee*, states that Congress could print money..

Fascinating and thought provoking!

God Bless,
Juliette Turner

March 25, 2011 – Article 1, Section 8, Clause 7-8 – Interpretation of Ms. Allison Hayward's Essay

Article 1, Section 8, Clause 7-8

⁷To establish Post Offices and post Roads;

⁸To 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;

I would like to thank Ms. Allison Hayward, who is the first woman to write an essay in this forum, for joining us and giving her time to write such a wonderful essay. Clause eight is very interesting to me, but before we get to why, we have to discuss little clause seven.

Fun Fact #1

Clause seven of Article 1, Section 8 seems very small and simple, right? Well, Ms. Hayward reveals a very interesting fact about this clause. Thomas Jefferson was against the power this clause granted Congress. He felt that to give Congress the ability to establish a small thing like post roads, would open the door to a limitless control the government would hold on the states and “a bottomless abyss of public money.” Jefferson was not entirely wrong, as Ms. Hayward points out, but our Founding Fathers wrote this with good intentions at heart. They felt that post roads and post offices joined the states together thus providing for the General Welfare. Post roads would provide transportation for communication between the several states. They also saw that if they left this power up to the states, the states would build their roads in such a fashion that it would just benefit their state, and not the country as a whole.

Fun Fact #2

Clause eight really brings home the relevancy of our Constitution for me. I am currently reading Ayn Rand's Atlas Shrugged, which is about the slow, insidious take over by Communism. I truly implore every one of you to read this book (and overlook the fact that it is 1,000 pages long) for it is so important to educate ourselves about how Communism can take over Democracy. But, back to my point. One of the things the communist take away is the right to own your own works and inventions. The communist society stripped the business owners of their work trying to make sure everybody had the same chance to become the prosperous businessman – trying to make everyone equal. This is impossible and is like writing a death sentence for all civilization. In communism, the government took over the private businesses. So, when our Founding Fathers wrote clause eight, it was obvious that they wanted America to prosper, because when people own the rights to their work, and reap the benefits of their labor, and are free to work with government out of the way, more people want to invent and work which makes the economy grow.

Fun Fact #3

I think it is interesting that clause eight grants Congress the authority to “promote to the progress of science and useful arts” only by staying out of the way of the scientist and artist. Government was to play no role in this arena except by allowing the inventors to own their own works for a limited time.

This clause is the foundation of what made America great: freedom to reap the benefits of your own labor. In England, your work ended up in the King’s hands and you never saw the benefits. Let us thank our Founding Fathers for giving us the right to work freely without to government in the way of our inventions.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 8, Clause 9 – March 28, 2011

March 28, 2011 – Article 1, Section 8, Clause 9 – Interpretation of Dr. Charles K. Rowley’s Essay

Article I, Section 8, Clause 9

⁹To constitute Tribunals inferior to the supreme Court;

I would like to thank Dr. Rowley for his fascinating essay. He reveals truly interesting facts about the precise language of the Constitution. He begins his essay by stating that this small clause means a lot more than it may appear at first glance. Let’s figure out why.

Fun Fact #1

Dr. Rowley states in his essay that this clause has a sister in Article III (which we will soon break down in this forum) which reads: 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. Now you may think that this clause is just a more complex and descriptive version of today’s clause nine. However, if you look closely, you will find two small, intricate differences.

Fun Fact #2

The first difference in these two clauses is that Article I (today’s clause) uses the word “Tribunals,” and Article III uses the word “Courts.” So, is there a difference? Dr. Rowley states in his essay that “tribunal” comes from the word “tribunate,” which was the Roman’s word for a platform “on which the seats of magistrates were placed.” “Court” is a word that our framers learned from the English and the French governments. However, in the dictionaries of our founders’ time, these two words were synonymous. So, our founders did not have any hidden meaning in changing these words.

Fun Fact #3

Another wordage change is the instance when Article I uses “constitute” and Article III uses “ordain and establish.” When our founders used the word “constitute” they were most likely granting Congress the authority to either create a new inferior judicial body under the Supreme Court, or they could designate a pre-existing judiciary body to an inferior tribunal. When they used “ordain and establish,” they were granting the authority to create new courts that were to be inferior to the Supreme Court.

Fun Fact #4

So, when our framers wrote this clause, they were giving Congress the sole power to constitute, ordain, and establish new courts that were never to supersede the powers of the Supreme Court.

Is it not fascinating to learn about the intricate wording of our Constitution? I cannot wait until we delve into Article III so we can learn more about this fascinating subject.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 8, Clauses 10-13 – March 29, 2011

March 29, 2011 – Article 1, Section 8, Clause 10-13 – Interpretation of Mr. Horace Cooper’s Essay

Article 1, Section 8, Clause 10-13

¹⁰*To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;*

¹¹*To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;*¹

²*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;*

How can someone say that the Constitution is not relevant when they look at these clauses! They are literally being discussed today on the news. I thank Mr. Horace Cooper for writing such a clarifying essay on these oh-so-relevant clauses.

Fun Fact #1

Mr. Cooper states in his essay that regarding the debate taking place today, Congress has the power to declare war, but it does not have the authority to “participate” in the decisions of that military engagement.

Fun Fact #2

Under the Articles of Confederation, war power of the national government relied heavily on the participation of the states. Below you can read Article III of the Article of Confederation: They said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever. Our Founding Fathers saw this needed to be fixed, so they gave the war powers to Congress

Fun Fact #3

It is extremely interesting that our Founding Fathers granted the war powers to Congress (the Legislative Branch) instead of the President (the Executive Branch). You can see clearly why they chose to do this, however. Our founders were afraid that a monarch (or a president for that matter) would enter into a war without the people's consent. By giving the power to Congress, who are solely to represent the people and states, they felt that they compromised between the danger of the monarchs in Europe and the dangers of the Articles of Confederation.

Fun Fact #4

Now, you might be wondering about that clause talking about something like granting a "Letter of Marque and Reprisal." Well, Mr. Cooper states it best: "Congress can authorize a private person or private army – not a part of the United States armed forces – to conduct reprisal military-like operations outside the borders of the U.S."

Fun Fact #5

One more subject to leave you with: clauses twelve and thirteen, Congress' power regarding the army and navy. Mr. Cooper states in his essay that in Europe, only the King could declare war, and he/she also had the sole power to raise and support the armies. So, our founders gave this power, instead to a single person – the President – to a group of people who represent the respective states and the people – the Congress.

Fun Fact #6

You might be wondering what the deal is with clause twelve when it mentions that no appropriations "to that Use shall be for a longer Term than two Years." The reason why our founders inserted this clause into the Constitution was because they wanted to suppress the fear of a standing army. The Founders didn't want an army to stand for longer than was needed. By setting it for two years, they just wanted Congress to be able to support and maintain an army in times of war, instead of the president.

Fascinating as always and (let me hear it) very, very relevant!

God Bless,
Juliette Turner

March 30, 2011 – Article 1, Section 8, Clause 14-16 – Interpretation of Mr. George Schrader's Essay

Article 1, Section 8, Clause 14-16

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;*

Now, you remember Mr. Schrader, do you not? He is a student of Political Science at Hillsdale College! I thank him for yet another wonderful essay and showing us that college students do care about the Constitution. However, today's assigned clauses are very similar to yesterday's in regard to the fact that all of the clauses have to do with Congress and the U.S. Military. By reading the fun facts below, you will begin to understand why our Founding Fathers were so intent on the checks and balances of military control.

Fun Fact #1

Our Founding Fathers knew their history. That is one of the reasons why our Constitution had stood for as long as it has stood, and has never faltered. Our framers made a specific point to study past governments, and learn from their mistakes. In regard to military control, they found, if one body – such as the president – had sole power over the military, the chances would almost be inescapable that this one person would become a tyrant. If you look to the Republic of Rome, you see this in action; it was military control that threw Caesar into power. If you look at France you find the same military take over put in play by Napoleon. So, our founders wanted to try to make sure that this tyrannical take over would never occur in the United States. But how?

Fun Fact #2

(Remember: The role the legislature plays in the game of government, is to create laws. It is not their job, however, to enforce them.) Our founders did not want sole control of the military in the president's hands; the states were not able to control the military by themselves – they would be too spread out and disorganized; and Congress could not have sole control. So who was left? They found their happy medium in a compromise between the President and the Congress.

Fun Fact #3

To recap – the president is commander and chief of our military, but to prevent tyranny, Congress must authorize the war and see to it that it is funded, providing the check and the balance. Congress is in charge of declaring war, but once in war, it is in the president's hands.

Is it not wonderful, and are we not benefiting from it today, that our Founding Fathers created such wonderful checks and balances for our government? We are only of Article One and we have seen and heard so much already about this wonderful document!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 8, Clause 17 – March 31, 2011

March 31, 2011 – Article 1, Section 8, Clause 17 – Interpretation of Mr. William C. Duncan’s Essay

Article 1, Section 8, Clause 17

¹⁷To 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

Mr. Duncan wrote a very interesting essay today on clause seventeen. This clause addresses the issue of where the General Government’s seat is to be located. In the Fun Facts below we will discuss clause seventeen and the steps our founders took to find the perfect place for our National capitol and what regulatory practices needed to be put in place.

Fun Fact #1

During the Constitutional Convention, our founding fathers saw two states as potential candidates for the National Capitol: New York City and Philadelphia. So, you might ask, why is the capitol not in one of those states?

Fun Fact #2

The answer to the question above is that our founding fathers did not want the federal government to be dependent on any state. However, how could they prevent this?

Fun Fact #3

Some of our Founding Fathers wanted the federal government to be located in a “district,” instead of a state. Then again, there were those that disagreed and thought that if the federal government controlled its own district without state supervision, it would be more prone to tyrannical control.

Fun Fact #4

Virginia and Maryland ended up giving some of their land to become what is now known as the District of Columbia. Did you know that George Washington chose the exact location for the capitol building after it was decided that it was to be near the Potomac River? I didn’t!

Fun Fact #5

Now, our founders knew that people would live in this area, so they let D.C. have “a municipal legislature for local purposes...” as James Madison states in Federalist Paper 43. In other words they were given a state legislature for their local needs. After the Home Rule Act of 1973, D.C. was allowed a mayor.

Fun Fact #6

Now there is one more issue that arose. Did the government have the right to take land from the states for federal purposes? Our founding fathers did not think it was right for the government to be able to seize land without consultation. They allowed government to purchase state property as long as they contained the consent of the particular state’s State legislature.

Is it great that our Founding Fathers even wrote a clause on where the capitol was to be located? What else will Article 1 hold?

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 8, Clause 18 – April 1, 2011

April 1, 2011 – Article 1, Section 8, Clause 18 – Interpretation of Professor Joerg Knipprath’s Essay

Article 1, Section 8, Clause 18

¹⁸To 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.

I would like to thank Professor Knipprath for yet another wonderful and insightful essay! Today, we discuss Article 1, Section 8, Clause 18 of the Constitution. Read the Fun Facts below and I guarantee you will find facts you didn’t know before.

Fun Fact #1

This clause is known as the “necessary and proper” clause. This clause is hotly debated over its true meaning. However, what is its true meaning?

Fun Fact #2

When our founding fathers wrote this clause into the Constitution, they could foresee that this was going to spark debate and could possibly be taken out of context. Thomas Jefferson was against this clause because he felt that Congress would stretch this clause to allow them to enforce unconstitutional legislature. He said, “Congress are authorized to defend the nation. Ships are necessary for defense; copper is necessary for ships; mines, necessary for copper; a company necessary to work the mines...” In other words, Congress would take their role of defending the nation, and use that to take over, as Jefferson says, the shipping, copper, mining, and worker companies just because, they would say, all of that is used to defend the nation.

Fun Fact #3

When James Madison was confronted by his fellow framers about the dangers of this clause, he first argued that Congress could only make laws and legislation about issues that were “indispensably necessary” and “required.” However, after further debate, Madison gave in and too warned about how citizen had to remain alert of Congress’s usurpations of this clause.

Fun Fact #4

This clause was written only to re-enforce that Congress was to create laws only on their powers vested in the Constitution. Today, though, Congress uses this clause to expand their federal power by saying the exact things that Jefferson forewarned us about. They are stretching this clause into such strange and disfigured shapes, using it to cover their legislation in ways the founders never contemplated.

Fun Fact #5

Recently, in a Supreme Court U.S. v. Comstock, Congress has used this clause to allow their actions of federally controlling out prison systems. Their excuse: “to protect the public from dangers created by the federal criminal justice and prison systems.” Is this one of Congress’s jobs vested in the Constitution?. They are supposed to defend the country through national defense, so does this fit under that category? This seems to justify the fears of Thomas Jefferson.

Fun Fact #6

It is truly pathetic, the way our Constitution is treated by some congressional officials. Our Constitution has been disgracefully called “an obstacle to social advancement” by political figures tracing back to Woodrow Wilson, who began the Progressive Era. So, we must watch for the usurpations of Congress, as Madison warned, and defend our Constitution.

Fascinating as always and ever relevant!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 9, Clause 1 – April 4, 2011

April 4, 2011 – Article 1, Section 9, Clause 1 – Interpretation of Dr. W.B. Allen’s Essay

Article 1, Section 9, Clause 1

¹The 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.

Today’s essay, by Dr. W.B. Allen, is intricate and insightful. I do not want to delay delving deep into the history of this clause, however, because it is so fascinating and fun. I have to thank Dr. Allen for writing about this clause and revealing the meaningful history of it.

Fun Fact #1

Article 1, Section 9, clause 1 is known as the “slave trade clause.” It is most likely the first major stepping-stone to the abolition of slavery by the Constitutional Convention. The debate taken place in the Constitutional Convention over this clause spanned from August 21, 1787-August 25, 1787. In this short span of time, our Founding Fathers accomplished an almost impossible task: keeping both the North and the South happy.

Fun Fact #2

Before we talk about the history and the compromises from which this clause arose, we need to know exactly what it means. This clause deals with slavery, mainly the importation of slaves into the United States of America. Congress, from the year 1808 onward, was allowed to prohibit slave importation. Congress was also allowed to impose a slight, modest tax, on the importation of slaves.

Fun Fact #3

Now that we have the clear knowledge of what this clause means, it is interesting to learn about its history in the early years of our Country. Now, most of our Founding Fathers were against slavery, even if just deep down in their heart. They had the knowledge and foresight of correctly judging that if they were to deal with the issue of slavery at the time of the Constitution, or incorporate the absolute abolition of slavery in the document, the South would never vote in favor and our Constitution would never have been ratified. However, our Founding Fathers thought this clause was a slight toe-in-the-door, so to speak, into the room of the abolition of slavery. James Wilson – one of our Founding Fathers – proclaims, “I will tell you what was done, and it gives me high pleasure, that so much was done. . . [B]y this article after the year 1808, the congress will have the power to prohibit such importation, notwithstanding the disposition of any state to the contrary. I consider this as laying the foundation for banishing slavery out of this country; and though the period is more distant than I could wish, yet it will produce the same kind of gradual change which was pursued in Pennsylvania.”

Fun Fact #4

When the year 1807 arose, however, our Founding Fathers encountered a block in the road. The issue resonated from the question, what was to happen to ships and slave cargo when they arrived after Congress passed the abolition of the slave trade? Were the slaves to be freed upon arrival, or were they to go into slavery nonetheless? This sparked a heated debate in the House of Representatives in 1807, in which our Country first battled the long seesawing issue of the South wanting more freedom to carry out its slavery policy free from federal government interference and the growing sentiment among Americans elsewhere that slavery must end. The north won this battle, in their amended proposal to free the slaves, at first only in the north, but then all states.

Fun Fact #5

It was only Jefferson and Madison that contained the foresight in seeing that the “migration” area of the clause would be the spark of debate; for they had all agreed on the abolition in 1808, but not on what to do with the slaves that “migrated” after the abolition of the slave trade legislation was passed.

Fascinating as always and relevant today by helping us today, deal with the issue of race, which has continued as a hot topic through the centuries. How brilliant our Founding Fathers were to write this clause of our Constitution in such a way as to lay the foundation for the long battle over slavery that they saw was to come.

God Bless,
Juliette Turner

April 5, 2011 – Article 1, Section 9, Clause 2-3 – Interpretation of Professor Joerg Knipprath's Essay

Article 1, Section 9, Clause 2 and 3

²The 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. ³No Bill of Attainder or ex post facto Law shall be passed.

Today we discuss the fascinating subject of the Writ of Habeas Corpus. This has confused me for a very long time, but thanks to Professor Knipprath's insightful essay, it finally makes sense in my mind! Please read the following Fun Facts to expand your knowledge on this ever relevant clause.

Fun Fact #1

The Writ of Habeas Corpus – also known as the Great Writ – is traced, by some historians back to the Magna Charta. However, this clause is more commonly traced back to the Habeas Corpus Act of 1679 under the reign of Charles II.

Fun Fact #2

If you read the language of this clause very carefully, you will discover that our founders did not “create” the writ in the Constitution, rather the Constitution “assumes the existence of the writ,” as Professor Knipprath states, “but provides for its limited suspension.”

Fun Fact #3

Professor Knipprath points out in his essay that in the days of the 19th century, this Writ was held such an essential role in our judiciary system, that the federal courts could issue this writ even if Congress did not recognize the power.

Fun Fact #4

You may be wondering, as I did myself – What is this Writ of Habeas Corpus? What does it do? Well, to answer your questions, the Habeas Corpus Writ is a tool used to test the constitutionality of the detention of a prisoner. This writ is not used to help adjudicate if the possible detainee is guilty or innocent, it is just a test of the constitutionality of the detainment.

Fun Fact #5

The use of Habeas Corpus has been the subject for controversial debate in the past years.

Professor Knipprath states two of the contexts in which this writ is debated:

1. The issue of federal courts to challenge state criminal proceedings:

The Supreme Court, on the basis of Amendment 14, thought it their duty to supervise the states' criminal proceedings. This opened the door for lawyers and detainees to presents their Habeas Corpus cases to the Supreme Court, if their state court's rulings ruled against them. In 1953, roughly 400 to 500 Habeas Petitions were brought before the federal court by people in state custody. “By the end of the Warren Court, that number increased to 12,000 per year,” according to Professor Knipprath.

2. The applicability of Habeas Corpus to military detainees:

This debate traces back all the way to the Civil War and President Abraham Lincoln. When Lincoln, after debating the issue with the Supreme Court after an action he committed – suspending the Writ to a portion of Maryland – he and his attorney general declared that the judiciary branch was inadequate to deal with organized rebellion. Hence, Lincoln’s attorney general, Edward Bates, claimed (in disagreement with the Supreme Court’s claim that Article 1, Section 9, Clauses 2&3 only gave the power of the Writ to Congress) that this clause in the Constitution “did not specify which branch could suspend the writ, only the conditions under which it could be suspended.” Today, the Supreme Court is ruling on the issue of Habeas Corpus in regard to detainees at Guantanamo. In a 5-4 opinion, the Court ruled that an Act passed through Congress in 2006 was unconstitutional, stating that denying the detainees in Guantanamo the Writ of Habeas Corpus, is unconstitutional.

Wow! This is a complex subject but a hot topic on today’s political grounds. Is it not great to have the opportunity to educate ourselves on such issues? Fascinating and ever relevant!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 9, Clause 4-7 – April 6, 2011

April 6, 2011 – Article 1, Section 9, Clause 4-6 – Interpretation of Ms. Allison Hayward’s Essay

Article 1, Section 9, Clause 4-6

⁴*No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.*

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

⁶*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.*

Today’s clause deals with the issue of apportioning taxes and the limitations under which Congress is able to issue them. Ms. Hayward’s essay clearly describes why our founding fathers incorporated these clauses into our Constitution.

Fun Fact #1

When you read clause four, you may wonder about the phrase “Capitation Tax.” Ms. Hayward states in her essay that a capitation tax is also known as a “poll tax.” These taxes are a tax on individuals to help fund local needs, e.g. roads, schools, etc. Now that we have cleared that roadblock, we can move on to the actual meaning of the clause: Congress is not allowed to issue taxes unless they are based on the population.

Fun Fact #2

Clause five was incorporated into the Constitution to prevent Congress from issuing a tax on exported goods from states. This is important because a cotton producing state such as South Carolina, might export more goods than a state such as New York.

Fun Fact #3

Clause six was important to states like Maryland. Maryland bound ships had to pass through Virginia ports in order to reach their final destination. Ms. Hayward states “Under clause 6, Congress would lack the power to regulate a disfavored state’s maritime commerce out of existence.”

Fun Fact #4

It is fascinating to note that “income taxes” which are so prevalent today, are only constitutional due to Amendment Sixteen. This leads me to ponder on whether our founders would like the idea of taxes citizens’ income.

Are you not feeling so knowledgeable, learning all these wonderful facts about Article I?

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 9, Clause 7 – April 7, 2011

April 7, 2011 – Article 1, Section 9, Clause 7 – Interpretation of Mr. Dan Morenoff’s Essay *Article 1, Section 9, Clause 7*

“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.”

Today’s essay is extremely important in the world of fiscal politics. Mr. Morenoff’s insightful essay intricately describes the historical facts behind this clause.

Fun Fact #1

“No Money shall be drawn from the Treasury, but in the Consequences of the Appropriations made by Law;...” This phrase in clause seven can be traced back in history to the England’s Glorious Revolution where Parliament stated, in the English Bill of Rights, that raising and levying money for the Crown without Parliaments consent, is illegal. Our founding fathers followed their mother country’s lead by incorporation Article 1, Section 9, Clause 7 into the Constitution.

Fun Fact #2

Money cannot be taken out of the National Treasury without Congress passing an “appropriations bill.” Meaning Congress has to pass a bill that allows the designated amount of money mentioned in the bill to be removed from the Treasury.

Fun Fact #3

There is debate on this first section of clause seven (surprise!) about whether or not the President has authority to refuse to spend the money taken out of the Treasury by the appropriations bill.

Fun Fact #4

“and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.” This is equally as self-explanatory, but fascinating in its history. This clause orders Congress to keep a log on all receipts and spending sprees of the public’s money. Our founders incorporated this clause because they felt that this would force Congress to become a little more prudent in their spending, since it was to be logged and published.

Fun Fact #5

Now, the history of this clause rolls out the timeline thousands of years, way back to the time of Moses and the Israelites. This phrase in clause seven is proof of biblical influence on the Constitution. In Exodus, “Moses himself came back after the construction of the Ark of the Covenant with a report on how the funds raised were actually spent” according to Mr. Morenoff!

Fascinating as always!

God Bless,
Juliette Turner

U.S. Constituion for Kids – Article I, Section 9, Clause 8 – April 8, 2011

April 8, 2011 – Article 1, Section 9, Clause 8 – Interpretation of Professor Kyle Scott

Article 1, Section 9, Clause 8

⁸No 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.

In Article 1, we have found that Section 8 refers to the enumerated powers of Congress, and Section 9 refers to the restrictions on Congress’s enumerated powers. Let us read the Facts below and discover the true meaning of the last clause in Section 9.

Fun Fact #1

In reading Article 1, Section 9, Clause 8, we find a fascinating and history filled clause where the Constitution states that no title of nobility can be granted by the United States. In other words, The U.S. cannot king any citizen or give them any title of nobility.

Fun Fact #2

This clause also states that a person obtaining any political office shall not receive the title of nobility from a foreign country without the Consent of Congress.

Fun Fact #3

Professor Scott states an interesting question in his essay: Would the current “czars” under the Presidential Administration be Constitutional? The answer, because of Section 9, Clause 8, is no. A czar is a citizen that has ties to the president and they are “insulated from the public,” meaning they are not elected officials.

Fun Fact #4

Our Founding Father fought a war for a nation that would abide under this clause. They wanted to make certain that no King or nobility would cease America. You can see how far we have already drifted away from the Constitution by the example of “czars.” These appointments should never have been allowed, they are clearly unconstitutional.

Now, off to Section 10!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 10, Clause 1 – April 11, 2011

April 11, 2011 – Article 1, Section 10, Clause 1 – Interpretation of Professor Joerg Knipprath’s Essay

Article 1, Section 10, Clause 1

¹No 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.

Clause one of Article 1, Section 10 is a restriction on states that is straight forward and to the point. In the facts below, we will break down this clause and touch on the history of their meaning.

Fun Fact #1

In the first part of this clause, “No State shall enter into any Treaty, Alliance, or Confederation;” the Constitution places a small prohibition on the states on an international scale. Why is this important? This small phrase is like the small screw that holds a house together. If states were allowed to enter into agreements on their own, there would be a sever lack of unity among all the states and the name “United States of America” would mean nothing, for the states would become different entities, e.g. Europe.

Fun Fact #2

Now, reading on into clause one, we find that we are dealing with money. Yes, the issue of money tied with states comes up often in the Constitution. However, this is important to, and even more so in the time of the Constitutional Convention. We have learned that over the course of the war, the states had amassed separate debts and, later, all the debt was removed from the

states and then given to the national government. So, this clause deals with debt and money matters on the state level.

Fun Fact #3

It never fails to shock me when I see statement such as “make any Thing but gold or silver Coin a Tender in Payment of Debts;” in our Constitution. This statement proves how much lack of faith our founders had in paper money. Once again, their foresight proves legitimate. Today, our dollar has weakened and gold and coin money has strengthened.

Fun Fact #4

The last six words of this clause bring a smile to my face, “or grant any Title of Nobility.” This issue has already risen in Section 9, but on a national level. This here proves our founding father’s determination to prevent any line of nobility in America, on a National and State level.

I never knew that all these, small, intricate details were incorporated into our Constitution! Let us continue to delve forward and learn about the limitations and powers of our governments so we may be educated and ready to debate when someone states that our Constitution is old and antiquated.

God Bless,
Juliette Turner

U.S. Constitution for Kids! – Article 1, Section 10, Clause 2 – April 12, 2011

April 12, 2011 – Article 1, Section 10, Clause 2 – Interpretation of Mr. Justin Butterfield’s Essay

Article 1, Section 10, Clause 2

²No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it’s inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

Today we discuss Article 1, Section 10, Clause 2 of the Constitution. Guess what? We only have one day left of Article 1! You may think that is impossible, but Thursday we will start Article II. However, today’s clause is very important to our culture, but taken for granted. Mr. Butterfield’s essay clearly lays out the history behind the clause and why it is of such importance.

Fun Fact #1

First off, let us decipher what this clause means. This clause grants Congress the sole authority to lay taxes on imports and exports; and makes all profit off taxes on imports and exports go to the federal government.

Fun Fact #2

I find it utterly fascinating what Mr. Butterfield writes in his essay: “Under the Articles of Confederation, the first attempt at a government for the United States of America, power was so decentralized that each state almost operated as an independent nation. States were entering into their own treaties with foreign nations; states were coining their own money; and states were setting their own tariffs, both for goods from other nations and from other states.” Our founding fathers saw how the states acted under the Articles of Confederation, and they knew that something had to change. Foreign nations did not want to trade with the United States because each state would tax them differently; there was so little unification, that the states were warding the trading countries off. Not only was there unrest between other countries and the “United” states, the states themselves were not wanting to trade with each other any longer. Some states resorted to trying to grow their own goods instead of trading with other states.

Fun Fact #3

Under the Articles of Confederation, each state had the authority to lay its own taxes on imports and exports, as we now know. Instead of the government laying a uniform tax, each state had its own tax rules on imported and exported goods. Our founding fathers had no other choice than to take away the states’ rights of laying taxes of imports and exports, after their actions under the Articles, and place it in the hands of the federal government. This important action might just have saved our Country by unifying the states and ridding them of their extreme division.

We must thank our founding fathers for incorporating Article 1, Section 10, Clause 2 into the Constitution! What an important step they took to create a firm foundation for our country.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article 1, Section 10, Clause 3 – April 13, 2011

April 13, 2011 – Article 1, Section 10, Clause 3 – Interpretation of Ms. Julia Shaw’s Essay *Article 1, Section 10, Clause 3*

³No 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.

Today we celebrate the completion of Article I! Is it not surreal? We have been studying Article I for thirty-seven days! We have expanded our knowledge so much, in regard to the limitations and requirements for Congress. Today’s clause sums up the limitations of state governments discussed in Section 10.

Fun Fact #1

Our founders were very cautious to lay out limitations for both state and federal governments. Hence, the fact that Section 1 through Section 9 discusses the limitation on the federal government, and Section 10 discusses state government limitations.

Fun Fact #2

In this clause, you will find many limitations that our Constitution puts on the states:

1. States cannot lay taxes on tonnage – preserving Congress' commerce power
2. States cannot maintain a standing army – our Founder found a standing army as a possible infringement on citizens' rights. However, states are allowed to maintain a militia
3. States cannot engage in any agreements with foreign powers or other states – under the Articles of Confederations, states were allowed this ability, but it was required that Congress approved of it. Now, our President is to negotiate treaties, and then it is to be approved by the House and then the Senate (who originally was to solely represent the states)
4. States cannot engage in war individually, unless they are invaded or in imminent danger.

Wow! Are you sitting back in your chair and trying to recap in your mind everything we have learned in Article I? I am! Let us continue on to Article II.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article II, Section 1, Clause 1 – April 14, 2011

April 14, 2011 – Article II, Section 1, Clause 1 – Interpretation of Mr. Lawrence J. Spiwak's Essay

Article II, Section 1, Clause 1

¹The 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

Article II! On to the President's Article. In this article, we will learn about the limitations and rules of the presidency. Mr. Spiwak's essay is very insightful and he incorporates many wonderful excerpts from Alexander Hamilton's 69th Federalist Paper. In the Fun Facts below, we will discover the differences between our President and a King that Hamilton describes in Federalist 69.

Fun Fact #1

Hamilton explains that the President is only in power for as long as the people of the United States elect him, whereas a King is in power for as long as he lives, for a King's power is hereditary.

Fun Fact #2

Hamilton also explains that a President can be impeached for disorderly behavior, through a clean, civilized process – thanks to Congress. A King, on the other hand, can rarely be punished without a national revolution within his land.

Fun Fact #3

Thanks to the beauty of our Constitution, the President can rarely have the final say: if he vetoes a piece of legislation, Congress can override the veto by passing the bill in both houses if two-thirds of the body's consent. A King, however, contains absolute authority over his Parliament and Parliamentary Legislation.

Fun Fact #4

The President can only appoint officers and generals with the “advice and consent of the Senate” according to Hamilton. A King's authority allows him to create and appoint offices and officers without any consent of the Parliament.

Fun Fact #5

Even though the President's nom de plume is “Commander in Chief,” only Congress has the authority to declare war (as we have learned from our previous Article). Remember, only Congress has the authority to raise an army, and raise funds, not the Commander in Chief. A King has complete control and can enter into sieges and wars, create armies, raise funds, without anyone's consent.

Fun Fact #6

A President can only make treaties with other countries with the advice and consent of the Senate. A King, on the other hand, has the sole ability to agree on treaties and create them on his own accord.

Mr. Spiwak leaves us with an uplifting note: even though, during periods of time, we may not agree with our President, our founders created our Constitution in such a way, that Article II serves as a bulwark for America against tyrannical monarchs. We will always enjoy the freedom granted us in the Constitution, as long as We the People, ourselves, swear to preserve, protect, and defend the Constitution.

God Bless,
Juliette Turner

April 15, 2011 – Article II, Section 1, Clause 2 – Interpretation of Mrs. Tara Ross’s Essay

Article II, Section 1, Clause 2

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.

Today’s reading of Article II is sincerely insightful. Clause two describes in detail a very important process in our Presidential Elections. Mrs. Ross breaks this clause down, literally sentence by sentence, and explains the meaning of this clause.

Fun Fact #1

“Each state shall appoint...a number of Electors...” What exactly is an elector, you might ask. Our founding fathers wanted to provide America with a Presidential Election process like non-other. With this motive in mind, they created the “Electoral College.” On Election Day, many Americans believe that they are voting directly for the candidate whom they want to become President. This, in technical ways, is incorrect. The President is elected by a body called the Electoral College, which is made up of representatives from each state, who vote for the candidate who received the majority vote in their state.

Fun Fact #2

“Each state shall appoint...a number of Electors...” Returning back to this line, we ask ourselves the question: how do the states elect these citizens? Our Constitution leaves it solely up to the states to elect their “electors.” Each election is slightly different, based on which state you inhabit. For example, the Virginia Legislature split their state into twelve (12) districts, exclusively for the election of the electorates. (There are normally ten districts in Virginia, however, for the normal federal congressional elections) Maryland, on the other hand, elects the electorate from designated locations in the state.

Fun Fact #3

The way the populace of the state votes in the popular election, in most states, decides how the electors will vote; e.g. if the majority of California’s populace votes for Barak Obama, California’s fifty-five electoral college members will vote en mass for Obama. This is called a “Winner-takes-all” mode of operation, which many states go by.

Fun Fact #4

“In such a Manner as the Legislature thereof may direct...” There is debate about the literal meaning of this clause. When our founders used the word “legislature,” did they intend to incorporate the governor and the legislature of the state, or just the legislative body? Mrs. Ross states in her essay that the Supreme Court has not directly dealt with this issue, but has come down on both sides.

Fun Fact #5

“Equal to the whole number of Senators and Representatives to which the State may be entitled in Congress...” This part of clause two is generally self-explanatory, stating: each state will receive one elector for every congressman and senator representing their state in the Federal legislature. In short, the following equations “sums” it up: # of Congressman in Federal Legislature + both Senators in the Federal Legislature of Electors present in the Electoral College representing the specified state.

Fun Fact #6

“But no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.” Our founders incorporated this vital phrase into clause two for several reasons:

1. Since the Electors identities are hidden until the last possible day, our founders wanted to ensure that the electors could not be bribed corrupted by a candidate to vote a certain way.
2. Our founders wanted to ensure that the candidate elected into the office of the Presidency would not be indebted to any specific legislator for casting their favorable vote. This would be the case if Senators and Congressmen were allowed to be elected as “electors.”

The Electoral College is very important to America’s Election System, and sadly, many Americans are uneducated about the College’s role, and hence, take it for granted. Our Founders wanted the Electoral College in place to prevent Texas, New York, and California, from dominated the elections. These states still do contain more electorates than states like Wyoming or Montana, but the playing field is lowered from a gap of millions of votes, to a gap of only tens of votes.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article II, Section 1, Clause 3 – April 18, 2011

April 18, 2011 – Article II, Section 1, Clause 3 – Interpretation of Professor Joerg Knipprath’s Essay

Article II, Section 1, Clause 3

3: The Electors shall meet in their respective States, and vote by Ballot for two persons, of whom one at least shall not lie an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in

chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.

The Electoral College was designed to prevent citizens at large from electing “unqualified flatterers” who persuade the people with “promises of favors” or candidates basing their campaigns on “soaring, but empty, rhetoric.” Hamilton, in Federalist 68, wrote that the Electoral College prevented candidates from gaining power with “talents for low intrigue, and the little arts of *popularity*” [emphasis ours]. One major backlash of electing a President who based their campaign, and winning the nomination, on popularity, is that he would not do what was best for the country, but what would best advance his political standing. However, through our Electoral College system, our election cycle is buffered from popularity-based elections as can happen in other democracies.

Fun Fact #1

When creating the Electoral College system, our founders wanted to avoid elections directly by Congress or State Legislators. They used both in the long run, however, but they divided the power into three separate hands. The first hand is the state legislatures would elect the electors who would then be sent to the Electoral College. The second hand is the Electoral College who then nominates and elects their choice of candidate (basing their decision on the sway of opinion in their state). The third hand is the Congress, who serves as the “Backup Plan” if something goes awry, such as, two nominees receive the same number of electoral votes, or no nominee receives a majority of the votes. In the former instance, the Congress, who serves as the tiebreaker in this sense, decides the fate of the two nominees who received the same number of electoral votes. In the latter instance, the Congress shall choose the winner from the top five nominees on the list.

Fun Fact #2

Since the time of our founders, the election of the electors has transferred from the hands of the state legislatures to the populace. Though popular voting for electors was becoming wide spread, it was not until 1960, when South Carolina succeeded from the Union that the state legislatures lost their ability to elect the electors.

Fun Fact #3

The 12th amendment changes the elements of this structure of the Electoral College. The twelfth amendment was ratified after the discovery of two elements. One, it was discovered, with the Presidency of John Adams and Vice-Presidency of Thomas Jefferson, that presidents and vice-presidents from opposing parties do not work well together. Two, when the election of 1800, where the election was handed off to Congress, due to a tie, where the election was placed into a deadlock of political factions.

Fun Fact #4

The creation of the Electoral College lowered the chances of corruption by multiple elements:

1. The Electoral College is a select number of people who are less likely to be swayed by the “sweet talk” of some political candidates, thus resulting in the election of the more qualified candidates.
2. The Electoral College is buffered from bribes and other such things that candidates may hand out to win votes from the electorate, for each year the electors change.
3. Electors meet in their own states, preventing pressure from other states of differing opinions.
4. Federal officials and federal officeholders are restricted from being elected as a member of the Electoral College, hence preventing any electorate from having “friends” in Washington.

A great tool the Electoral College is to prevent the uprising of a leader who was elected solely on “popularity” bases. Today, many people are trying to downgrade the electoral college into near abolition; and this is due to lack of knowledge of how important this element is to our election process.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article II, Section 1, Clause 4 – April 19, 2011

April 19, 2011 – Article II, Section 1, Clause 4 – Interpretation of Mr. Gary McCaleb’s Essay

Article II, Section 1, Clause 4

⁴The 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.

Article II, Section 1, Clause 4 is very important to our electoral system. This small, straightforward phrase is proof that our Founding Fathers thought of everything. How? Read on to reveal the answer.

Fun Fact #1

A literally fun fact is one that Mr. McCaleb stated in his essay. This clause (clause 4) was originally a “clause 3.” During America’s first two presidential elections (1796 & 1800) the candidate who received the highest number of electoral votes became President and the candidate who received the second highest number of votes became Vice President. This resulted in a President from one party and the Vice President from the other, opposing party. This issue wrought nothing but chaos and ill tempers to our Government. So, shortly after the election of 1800, this was changed: Article II, Section 1, Clause 3 was created (the clause we discussed previously) and today’s clause was bumped up to become a “clause 4.” Phew, this is wordy!

Fun Fact #2

Now, to the actual clause itself! As I stated in the introduction, this clause is proof of our forefathers' genius. By leaving it up to Congress to choose a date, they prevented a disorderly, tedious process of having to amend the date by adding an Amendment.

Fun Fact #3

Congress, true to its job, chose a specified date to elect the President of the United States. Now, remember, the date for electing Senators and Congressmen is left up to the states. Congress decided to choose the date of "the first Monday after the second Wednesday in December next following their appointment at such place in each State as the legislature of such State shall direct." So, there you have it. However, you might be slightly perplexed. You know that you (or your parents) vote in November, not December. Yes, that is true. However, remember, the real election does not include the general citizenry, only a lucky few who claim the title of "The Electoral College." Ok, to recap, we the people vote in November, but the Electoral College votes on the first Monday after the second Wednesday in December.

There we have it! We now know how the choosing of the Electoral College's voting date came about! Let us thank our Founding Fathers for writing such a relevant clause into our Constitution!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article II, Section 1, Clause 5 – April 20, 2011

April 20, 2011 – Article II, Section 1, Clause 5 – Interpretation of Mr. James D. Best's Essay

Article II, Section 1, Clause 5

5: 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.

You might notice that the issue this clause refers to has been hotly debated in the recent days. It is yet another example of how our Constitution remains relevant today! However, have we thoroughly inspected and delved into this clause to learn the true definition? If your answer is no, follow along and read on to the Fun Facts below!

Fun Fact #1

This clause discusses the requirements that a candidate has to meet to be eligible to become the President of the United States. There are only three of them, and they are simple, yet vitally important.

Fun Fact #2

The candidate has to be a natural born citizen:

A natural born citizen is just a fancy way of saying “born in the United States.” Now, there are only two exceptions to this Constitutional requirement: 1. The candidate was born before the ratification of the Constitution, today making the candidate more than two hundred years old and the oldest person to ever run for office. 2. If both of the candidates parents are natural born citizens, the candidate can still be born outside of the United States and be eligible.

Fun Fact #3

The candidate had to be thirty-five years old or older:

Thirty-five might seem very young to us today to have the huge responsibility and title of the President of the United States of America. However, in retrospect, Alexander Hamilton, during the Constitutional Convention in 1787, was only thirty, James Madison was thirty-five. Plus, President John F. Kennedy was only forty-three at the time of his election.

Fun Fact #4

The candidate has to have been a resident of America for fourteen years:

Our founders wanted to insure that the candidate had lived in his mother country for at least fourteen years. According to Mr. Best “it is generally accepted that the fourteen years can be cumulative” meaning, it is not required to be all at once.

I love reading this clause because it is such proof that our Constitution is relevant and important to our everyday lives! I wonder what else Article II will hold?

God Bless,
Juliette Turner

U.S Constitution for Kids – Article II, Section 1, Clause 6 – April 21, 2011

April 21, 2011 – Article II, Section 1, Clause 6 – Interpretation of Mr. Joe Postell’s Essay

Article II, Section 1, Clause 6

⁶In 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.

Article II, Section 1, Clause 6 of the United States Constitution is a very vital piece to the complex puzzle of our Presidential system. Our founders wanted to confirm that the transfer of power, in the case of our President's death, would not be solved by the sword, but by the law. In the fun facts below, we will try to learn what exactly the "law" is on this matter

Fun Fact #1

This clause is generally straightforward in its language. However, upon further investigation, we find two issues that have caused heated debates in the past.

Fun Fact #2

The first issue that arises is due to the small intricacies of the language of the Constitution. It is true that if the President passes, resigns, or is unable to complete his duties, the Vice President is next in line to fill his spot. However, here arises the debate, for how long? Was it our founder's intent for the Vice President to become the President, or just fill the job of the presidency until a special election takes place? This issue was resolved first by a precedent, then, later, and Amendment. President William Henry Harrison passed away in 1841, literally months after his inauguration. His Vice President, John Tyler, then assumed the office of Presidency, declaring himself the new President. Tyler was criticized for his actions, but, nevertheless, created a precedent which future VPs would follow. Later Amendment Twenty-Five, passed in 1967, finalizes, once and for all, that in the case of the President's death, resignation, or inability to complete his duties, the VP assumes the Presidency, and becomes the President of the United States, period. No special election needed.

Fun Fact #3

The second debated issue in regard to this clause is as follows: what exactly did our founding fathers have in mind when they wrote "inability" into Article II, Section 1, Clause 6? This question has been tossed back and forth until, in 1967, Amendment Twenty-Five stated that the President can declare himself disabled, and then later resume his duty when he has recovered. However, in the case that the President is unable or unwilling to claim the fact that he is disabled, the Vice President and the majority of his cabinet decide. If the President disagrees with his Vice President and Cabinet's decision, the ball is tossed into the Congress's court where they decide the fate of the Presidency.

Now, take a breath, pause, and drink some water if you need to! This is a lot of words and complex subjects to absorb.

Now, on an ending note, I love what Mr. Postell writes in his conclusion to his essay. He reminds us how important this clause is and that it prevents any fighting or "arbitrary force" over the Presidency in the case of the President's death. Our founders wanted to ensure that law would always be the guiding hand over all turbulent issues.

God Bless,
Juliette Turner

April 22, 2011 – Article II, Section 1, Clause 7 – Interpretation of Mr. William C. Duncan's Essay

Article II, Section 1, Clause 7

⁷The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased 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.

Today we learn about Article II, Section 1, Clause 7. This clause deals with the issue of the President's Salary. In the Fun Facts below, we will break down this clause and learn some very interesting history.

Fun Fact #1

John Adams wrote the Massachusetts Constitution in 1780, including in it an article regarding the compensation (or salary) for an executive. It noted that the salary would prevent the executive from being distracted by benefactors or the need to earn money and keep his focus on his duty. It is fascinating to note that our Constitution closely resembles Massachusetts' in this regard.

Fun Fact #2

Benjamin Franklin was opposed to the idea of a compensated President for the following reasons: 1. He feared that the desire for money would attract the wrong kinds of Presidential candidates 2. He feared that the President's compensation might grow to become so large, that he might use his power to levy higher taxes. Franklin, to back up his argument, proposed the example of George Washington who was unpaid for his services in the Revolutionary War.

Fun Fact #3

Franklin's argument about presidential salary was paid no heed in the Constitutional Conventions. Why? Well, Franklin had been the main architect of the failed Pennsylvania Constitution, and our founding fathers had learned not to trust Franklin. The clause passed with a unanimous vote. Franklin did score a small victory, however, with the addition to this clause preventing the President from collecting any pay from the states or national government

.

Fun Fact #4

The President's salary is on a fixed rate, meaning it does not and will not rise and fall during his Presidency.

Fun Fact #5

Now, why is it vital that the States does not pay our President? I think Mr. Duncan states it best, "...[T]his clause helps to preserve the system of federalism by preventing one states form seeking undue favor through payments to the [P]resident (which would, of course, look like, if indeed they were not, bribes)."

Fun Fact #6

As an ending note, it is interesting to discuss that the Constitution does not mention the payment of the Vice President. However, our Founding Fathers did agree to pay a small sum to the VP.

Is it not fun to learn about such details such as the payment of our President? I wonder what clause eight reveals?

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article II, Section 1, Clause 8 – April 25, 2011

April 25, 2011 – Article II, Section 1, Clause 8 – Interpretation of Professor Joerg Knipprath's Essay

Article II, Section 1, Clause 8

8: Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:–“I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”

The President's Oath of Affirmation is written out in Article II, Section 1, Clause 8 of our United States Constitution. The President recites the oath of office, as custom today, when he is first elected into office. However, a Venetian custom is that when the new duke of Venice assumes power, the duke of Venice recites the Venetian oath of office that explicitly describes all the limitations of power that are placed on the new duke. Not only that, the Venetian oath of office is recited to the duke of Venice every two months, just as a reminder of his limitations of power. However, the United States Presidential Oath of Affirmation is required to be recited only once, and that is before the President “can execute the functions of his office.”

Fun Fact #1

It is an interesting piece of trivia that President George Washington did not take the Oath of Office until April 30, over a month after he took office on March 3. George Washington was most likely just following the ways of his British roots, for the British constitution does not require that the oath be taken instantly, thus resulting in the oath of office not being sworn until “some time” after the monarch's rise to power.

Fun Fact #2

The oath of office has been used by many Presidents to buttress their actions. One example is when President Abraham Lincoln, after executing several questionable actions during the start of the Civil War (such as ordering 2 million dollars of unappropriated funds be “paid out of the Treasury”), claimed that he was executing his duty to “preserve, protect, and defend” the Constitution by preserving the Union.

Fun Fact #3

A debate that has arisen around the oath of office is what was intended to be the top priority of the President: to defend the Constitution, or, since the Constitution orders so, to enforce the laws passed by Congress? You may be wondering why this is important. The reason is, for example, what is to happen if a current President refuses to defend the constitutionality of a law, which was passed by a past Congress and signed by a past President? This instance occurred when President Obama announced that he would not back the constitutionality of DOMA (the Defense of Marriage Act). This bill was passed by Congress, and signed by President Bill Clinton. So, does President Obama have the right to reject the act, even though the act was constitutionally accepted by past congressional officials and past presidents?

Fun Fact #4

This leads us to another subject, one that occurred in the time of President Thomas Jefferson when he stated that each branch of government “must have a right in cases which arise within the line of its proper functions, where, equally with the others, it acts in the last resort without appeal, to decide on the validity of an act according to its own judgment, and uncontrolled by the opinions of every other department.” This theory stated that each branch was the sole interpreter of its constitutional powers. Thus, if the President states that the oath of affirmation in the Constitution validates his actions, then it is so. The Supreme Court has not upheld Jefferson’s view.

Fun Fact #5

On the subject of the President’s duty to enforce laws, President Obama recently signed into law a bill that was passed by Congress, which, among other budgetary legislation that was incorporated in the bill, restricted the funding for four of the President’s “czars.” However, in blatant disregard to the legislation, President Obama stated that he would continue designating “czars” – that would have to receive funding – even though he signed a bill that cut off the funding. Instead of enforcing some aspect of the bill (like the budgetary aspects) and ignoring others (the “czar” aspects), a better alternative would have been to simply veto the bill.

The President’s Oath of Office, even though it may be construed at times to validate the actions of the President in ways our founding fathers never intended, is a constitutional tool that holds the President accountable to the United States Constitution.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article II, Section 2, Clause 1 – April 26, 2011

April 26, 2011 – Article II, Section 2, Clause 1 – Interpretation of Mr. Andrew Baskin’s Essay

Article II, Section 2, Clause 1

¹The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments,

upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

Today we are discussing a clause that deals with the President's title of "Commander in Chief." What does this name mean? What kind of power does it ensue? Read the Fun Facts below to find out.

Fun Fact #1

Checks and Balances. We hear that a lot, correct? Our founding fathers were dead set intent on this phrase. We see this at work on the issue of declaring war. We learned from our studies of Article 1 that Congress has the sole power to declare war. So, what role does the President play as Commander in Chief? Well, our founding fathers saw how disorganized our Revolutionary War was with all of the states acting as different countries, so they thought that having one head, solitary person in charge of commanding war. So, Congress officially declares war, and raises the funds, but what is the exception? Keep reading to find out.

Fun Fact #2

Now, we know Congress is in charge of declaring war, but if a foreign country attacks the United States first, the President can deploy troops without the consent of Congress.

Fun Fact #3

There have been many upset about this clause, concerning the President's actions. Circa 1850, after the creation of the standing army, President James Polk deployed an army into the Mexican/American War without the consent of Congress, when Mexico had not attacked first. Congress was then placed in an uncomfortable position where they could either raise funds for the army that was already engaged in battle, or refuse to raise funds and leave a war with no financial support. Congress decided with the former and the Mexican/American War was written into the history books.

Fun Fact #4

The same situation has occurred more recently in history under the Presidency of Ronald Reagan where he invaded Lebanon before consulting Congress, and under the Presidency of Barack Obama when he invaded Libya where he consulted with the United Nations instead of Congress for a Congressional vote.

Another clause that has been used as recently as the year 2011! Oh so relevant! I am learning so much through these studies and I hope you are to!

God Bless,
Juliette Turner

April 27, 2011 – Article II, Section 2, Clause 2 – Interpretation of Professor William Morrisey’s Essay

Article 2, Section 2, Clause 2

2 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.

Today we discuss Article II, Section 2, Clause 2 of the United States Constitution. As Professor Morrisey writes in his insightful essay, this clause is great proof of the checks and balances incorporated into our national government. Read the Fun Facts that are to follow to learn more.

Fun Fact #1

We hear the words “checks and balances” often in our studies of the Constitution, but I really have never clearly understood it as well as I did after reading Professor Morrisey’s essay. Here is the great explanation: Montesquieu’s writings was one our Founding Fathers looked to while deciding the fate of America and writing the Constitution. Montesquieu wrote that the separations of power should not be so drastic as for each branch of government be independent, but, instead, dependent on each other. He stated that one department should “possess the whole power of another department.” So here lies the influence of our separation of power.

Fun Fact #2

What Montesquieu wrote had a great impact on how strong our Constitutional Government is today. Think is each of our branches did not check each other, resulting in a balance of power? Today, as we read Clause 2, we find that the President has the power to negotiate treaties, but the Senate must concur by passing the “soon-to-be-treaty” by a two-thirds majority. Hence, here is a check! However, let us first learn a little history on this. Under the Articles of Confederation, senators were nominated to go and negotiate treaties. One of the major problems with this method however, is that this would leave some states without representation for a good period of time. Our founding fathers fixed this pending issue by granting the President the authority over treaty negotiations, but, including the vital element of the two-thirds concurrence by the Senate, providing an area for the States to sound their voice on the issue.

Fun Fact #3

The second half of clause two deals with the President’s ability to nominate men and women to aid him during his presidency. However, our founders knew, that if the President was left up to his own devices, he could nominate any citizen into a governmental job as a “favor,” henceforth corrupting the system. Our founding fathers, found a cure for this potential road obstruction by allowing the President to nominate his desired citizen to fill the job, but the Senate has to approve the nomination by a vote. Thus, a check on the presidency to balance out government.

Fun Fact #4

Now, referring to Fun Fact #3, I find an issue today that relates to this clause, thus a constitutional issue. We have all hear the term “czar” in reference to the President’s staff that he appoints without the consent of the Senate, or the people. These presidential jobs, “czars,” are exactly the type out Founding Fathers feared. These are elected officials that are buffered from public opinion, thus, have the ability to do as they choose.

I heard about the “czar” issue a few months back, but until this week, I had no idea that it was an issue that dealt with the Constitution! Did you know that such a blatant break of constitutional law was happening before our very eyes?

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article II, Section 2, Clause 3 – April 28, 2011

April 28, 2011 – Article II, Section 2, Clause 3 _ Interpretation of Professor Joerg Knipprath’s Essay

Article II, Section 2, Clause 3

3: 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.

Article II, Section 2, Clause 3 of the United States Constitution addresses the issue of what happens if a vacancy occurs in our federal government when the United States Senate is in recess. The answer is quite simply, yet, today, it is been construed to constitutionally support actions of our legislative branch in ways our founding fathers never intended.

Fun Fact #1

We begin clause three of the second section of Article II with, “The President shall have Power to fill up all Vacancies.” What did our founding fathers intend when they used the words “vacancies”? If a federal official holding an office in the executive branch resigns from their office for any named reason, and our Senate (who is vitally instrumental in the process of nominating replacement officials) happens to be on recess, the duty of “filling” the vacancy falls into the hands of the president. Filling vacancies are rather common in our Legislative and Executive branches, however, in our Judiciary Branch, vacancies do not occur as often during Senatorial recesses. The most recent judiciary “replacement” occurred under President George W. Bush who appointed two judges during a Senatorial recess; before him President Bill Clinton nominated one judge; and way before the previous two Presidents, President Dwight D. Eisenhower elected *three* court justices, including a Chief Justice, during a Senatorial recess.

Fun Fact #2

As we move on along clause three, we find the phrase, “that may happen during the Recess of the Senate.” The phrase states that the President only has this capability if the Senate is in recess. Here, arises a constitutional issue. President Obama, recently, when the Senate was off duty in a

recess, nominated a SEIU lawyer by the name of Craig Becker into a vacant slot in the United States Senate. You may be wondering about the uprising in this case. In this case, the debate is in the details, for President Obama nominated Mr. Becker during the Senatorial recess, after the Senate, while still in session, had *rejected* the nomination of Mr. Becker. This clause of Article II, Section 3 was intentionally only supposed to apply to vacancies that “arose” during a Senatorial recess, in opposed to one that was still “pending” during a Senatorial recess.

Fun Fact #3

When the Senate is in recess for such a short amount of time, like holiday weekends or even a month long break, for this short span of time would barely give the President time to start putting in place a nomination, let alone officially nominate a citizen to a vacant slot in our federal government.

Fun Fact #4

The last phrase of clause three states that, if our Senate does not approve a nomination by the President, the nominee, rather than being whisked away from their newly earned status, can serve until the end of the legislative session (December in the case of our Legislative branch) until they must resign from power. In the case of Craig Becker, who has yet to be approved by the Senate, if President Obama is just dead set on having this specific nominee in our Legislative branch, President Obama can elect the nominee once more when the Senate adjourns at the end of the year.

A fascinating clause that is hidden in the midst of the wonderful Article II, which legislates and enumerates powers to the President of the United States, the Executive branch. Such clauses as clause three, assuredly insures that our executive branch officials will be quickly replaced if ever a vacancy arises. Another balance by our Constitution that allows one branch of government (the executive) to reinforce officials into the other branches if “vacancies...happen during the Recess of the Senate.”

God Bless,
Juliette Turner

U.S. Constitution for Kids! – Article II, Section 3, Clause 1 – April 29, 2011

April 29, 2011 – Article II, Section 3, Clause 1 – Interpretation of Professor Charles K. Rowley’s Essay

Article II, Section 3, Clause 1

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 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.

Today we discover Article II, Section 3, Clause 1 of the United States Constitution. There are many different and diverse subjects dealt with in this clause, and Professor Rowley writes about the history behind this clause and how past executives have dealt with it. In the Fun Facts below we will delve into the detail of this fascinating clause.

Fun Fact #1

In the first subject in clause one, we find a familiar phrase, "State of the Union." We have heard this phrase following the word "Address" in reference to a speech the President executes in which he talks about the, well, state of the union, or what is happening in the United States during his presidency. There are two vital and important words that make this "State of the Union" role a democratic one. When the British Monarchs addressed the opening of a new Parliament, he would "mandate" rules for the Parliament to follow. However, our founding fathers prevented this from ever happening in the United States by one small change in wordage, they used "recommendation." This is the first important requirement regarding the State of the Union Address. Now, all our President can do during his State of the Union Address, is recommend for Congress to do a certain job, our president cannot mandate, or force, our Congress to do anything during his address. The second requirement our President has to follow in lieu of the State of the Union, is that he must write, or oratorically preform this address "from time to time."

Fun Fact #2

Now, I found a fascinating subject in the midst of Professor Rowley's Essay. It deals with the precedents our past Presidents have set on the matter of the State of the Union Address. President George Washington set the precedent for "from time to time" when he gave his State of the Union Address at year intervals. Now, I, before I read this clause and essay by Professor Rowley, thought that the State of the Union was always intended to be a speech given by the President to address the matters of the United States. Actually, President Washington and President Adams, our first two presidents, gave an oratory State of the Union! President Thomas Jefferson however, wrote his State of the Union, forcing Congress to read the State of the Union Address. The following Presidents followed in Jefferson's footsteps until 1913 in which Woodrow Wilson resumed the oratorical State of the Union. Once more, this method caught on, and our Presidents now preform their State of the Union with dramatic oratorical skills and flashy language instead of focusing on their real job of telling Congress what is going on in the Union at the time.

Fun Fact #3

Now, moving on from our detailed State of the Union lesson, we see that the President can convene, or call to order, both Houses at any time he sees fit, or just one of the Houses of Congress. This grant of power has been put to use and our President has convened our Congress multiple times. However, we also find that our President can adjourn our Congress, albeit, this has never been put into play.

Fun Fact #4

Our president is also in charge of the Ambassadors to foreign nations. Our president is allowed to appoint and, also, dismiss foreign ambassadors.

Fun Fact #5

The last section in clause one of section three is one that has given our President a load full of power our founders never intended our President to maintain. The eight words “take care that the laws be faithfully executed” has been the phrase our Presidents have used as an excuse for their actions. Many of our Presidents, ranging from Jefferson, to FDR, to Nixon, have refused to spend the money appropriated by our Congress. Lincoln has also “faithfully executed” the laws by suspending the writ of habeas corpus, during the Civil War. Constitutionally, suspending the writ of habeas corpus was to be left to Congress, and after much pressure, Lincoln was forced to receive consent from the Congress on his actions.

Fun Fact #6

Even though our President may have more power than our founders intended, and although our President has crossed many lines, along with Congress, to lessen separation of power, our Executive branch is still checked and balanced by our Judiciary. With this, we can rest assured, that as long as we elect a President who will rightfully appoint Supreme Court judges, our systems of checks and balances will always counter act any severe action of our government.

Phew! This clause is so vital to our governmental foundation, and so jam-packed with information! Now, onward to Article II, Section 4!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article II, Section 4 – May 2, 2011

May 2, 2011 – Article II, Section 4 – Interpretation of Ms. Julia Shaw’s Essay

Article II, Section 4

⁴The 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.

To clearly understand Article II, Section 4, we have to look back in our studies to Article 1 in Sections two and three. Article 1 describes how the Senate and the House go about the impeachment process, however Article II, Section 4 reiterates who can be impeached and for what.

Fun Fact #1

Ms. Shaw states a fascinating fact in her essay that “impeachment” is not equivalent to immediate removal: “Impeachment refers to the House’s vote to bring charges against an officer...” After the House votes in favor of the impeachment (as we have learned before) the process travels over to the Senate where the senators vote on the impeachment under the Chief Justice who is presiding over the process.

Fun Fact #2

Our founding fathers created the power of impeachment because they believed that, e.g., if the President knows he can be impeached at any moment, he is more apt to act more responsibly.

Fun Fact #3

Impeachment is used to discipline the President, Vice President, or an officer for disorderly conduct. However, what is disorderly conduct, exactly? In the Constitutional Conventions, catch phrases were thrown out, such as “malpractice and neglect of duty” or “high crimes and misdemeanors.” Our founding fathers still were more specific in their definition of an impeachable act by stating in article two “...Treason, Bribery...” as two examples.

Fun Fact #4

Two President have been impeached (excluding Richard Nixon, for he resigned before the House voted to impeach him), however, no President has been successfully removed from power. Other officers, however, have been impeached and removed from power.

Ms. Shaw states in her essay that impeachment is a very “grave constitutional act” that has been rarely used. Though, as Publius says in Federalist Paper #77 “being at all times liable to impeachment” it might help keep our elected officials in line.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article III, Section 1, Clause 1 – May 3, 2011

Article III, Section 1, Clause 1 – May 3, 2011 – Interpretation of Professor Kyle Scott's Essay

Article III, Section 1, Clause 1

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

Today, we open the doorway to our last and final stop in the climb up our branches of government. We now have passed by and thoroughly absorbed the grant and limitations on Congress, our Legislative Branch (Article I), on our President, Executive Branch (Article II), and now finally, our Judiciary System, or our Judicial branch (Article III). However, without further ado, let us inspect the grants of power to our Supreme Court and other inferior courts.

Fun Fact #1

On the issue of our judicial branch, our founders' two most influential people were John Locke and Baron de Montesquieu. On their theory, our founder built the cornerstones for our Supreme Court. However, the Constitution itself only mentioned that judicial power should be vested in a Supreme Court. No details, and no restrictions, as of yet. In the Judiciary Act of 1789, Congress

established the U.S. Federal Judiciary. This act stated that the Supreme Court was to have “five associate justices and one chief judge.” The Judiciary Act of 1789 also established district courts, which have original jurisdiction (meaning they hear the case for the first time), and it established district courts, which have appellate jurisdiction (meaning they review the lower, or district court’s, decision. Also under this act, Supreme Court judges had to “ride circuit” meaning they had to serve of both the Supreme and circuit courts – this ended with the Judiciary Act of 1891.

Fun Fact #2

The number of Supreme Court Justices has obviously risen from the original six, to nine over the years. Some of our Presidents have increased the number of justices to benefit their party by appointing more justices from their party. You may, now, wonder why our founding fathers did not set a fixed number on the number of justices. The answer, they “recognized that a growing nation would need a court to grow with it,” to quote Professor Scott.

Fun Fact #3

Our founders felt that the Judicial Branch was “peripheral in the political process” meaning it was not center on the stage of importance. President Washington had a difficult time finding citizens to fill the slots for Supreme Court Justices because citizens of the day felt that state legislator, or circuit court judges were of higher importance than the Supreme Court. Another fascinating fact that literally forced me to L.O.L. was that the Supreme Court was originally located in the basement of the Merchant Exchange Building in NYC, and later in the US Capitol. Not until President Taft did the Supreme Court receive its own individual building to judge from.

Fun Fact #4

Now, so far, all of governmental officials, except the President’s cabinet, are to be elected by either the people of the United States, or the States themselves. However, here in Article II, we find a change: the President appoints Supreme Court Judges. This can cause some dangers in our system. Our founding father, of course, had a back up plan to every slight mishap that could happen. By leaving the number of Supreme Court Judges up to the Congress of the day, they gave Congress a pull on the direction of our Supreme Court.

I really enjoy learning about our Judicial Branch, for I knew so little about it! I don’t know about you, but I love learning about such intricate details such as where our Supreme Court was first located! What else will our Constitution grant our Judicial Branch?

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article III, Section 2, Clause 1 – May 4, 2011

May 4, 2011 – Article III, Section 2, Clause 1 – Interpretation of Professor Joerg Knipprath’s Essay

Article III, Section 2, Clause 1

1: 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; 10 —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.

Article III, Section 2, Clause 1 describes in detail the world of our federal court system. If you've ever wondered what types of cases are "federal court eligible," look no further than Article III, Section 2.

Fun Fact #1

Section 2 states which cases go to our federal courts (federal courts being either the Supreme Court or other inferior federal courts created by Congress). Section 2 describes the acceptable cases either by the nature of their cause or by the parties involved in the case. For example, Section 2 first describes cases by the *nature of their cause* – "all cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and the Treatise made, or which shall be made, under their authority." Section 2 second handedly describes cases by the members of the case, for example "between a State and a Citizen of another State." The Supreme Court or other federal courts rarely hear cases that do not fall under these guidelines without the case first going through state and local courts.

Fun Fact #2

It is interesting to note that, in the time of our founding fathers, "diversity" jurisdiction – cases that involved states and citizens of another state – were more significant than "federal question jurisdiction" – cases that involved federal statutes. Today, however, this has flipped, for there are few cases that involve lawsuits between states and citizens of other fellow states – for there is not as much prejudice between states as there was in the 1700s – and more federal statute cases.

Fun Fact #3

The fact that the Constitution enumerates the powers of the federal judiciary system is proof that our federal courts are ones of limited jurisdiction, meaning that they can only hear cases that are either approved by Congress or cases that the Constitution itself allows them to hear.

Fun Fact #4

America's court system is a "decentralized" court system, meaning that any state and federal "Article III" court can decide constitutional questions. It is important to note that a judges' ruling on a constitutional matter, even though the people should respect the ruling, does not make that judges' opinion the Constitution itself.

The Judiciary Branch is of vital importance to America's system of checks and balances. Without the Supreme Court, whose main job is to decipher the Constitutionality of the laws passed by Congress and the President, who knows how many unconstitutional laws would have slipped past Congress and the President due to a slight factional majority.

God Bless, Juliette Turner

May 5, 2011 – Article III, Section 2, Clause 2 – Interpretation of Professor Charles E. Rice’s Essay

Article III, Section 2, Clause 2

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

During the Constitutional Convention, the question arose, which cases should be heard by the Supreme Court? As the “supreme” court of the land, the answer is not exactly what one would call straightforward. However, the somewhat mumble-jumbled language is quite easy with a small dose of help...plus some comedic analogies.

Fun Fact #1

The second clause of the second section of the third amendment begins with stating, “*In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction.*” This statement calls that all legal disputes involving a State, Ambassador, or any other citizen holding a high ranking federal office, can be taken to the Supreme Court.

Fun Fact #2

Let’s take states for example: If Nebraska enters into a legal dispute with Texas – this scenario in that case of the absence of clause two – Nebraska will want to take the issue to the Nebraska state courts, for a court full of Corn Huskers would be more likely to rule on their side of their home state, and Texas, on the other hand, would want to take the issue to a Texas court, for the same reason. However, since we have the above clause in our Constitution, the legal dispute between the Corn Huskers and the Longhorn would not be taken to a state court, rather it would be taken directly to the Supreme Court of the United States.

Fun Fact #3

Now, let’s take a legal dispute that would affect an Ambassador. Let’s say that an Ambassador to China is stuck in a legal dispute with a citizen from North Carolina. Taken that this Ambassador is from the state of West Virginia, he will want to take the case to his hometown, however the North Carolinian will want to stay rooted in his/her state. Now, just as in the above scene, the nine Justices that sit on the bar of the Supreme Court would decide the legal dispute between the Ambassador and the North Carolinian. This applies to all high-ranking federal officials (“other public Ministers and Consuls”).

Fun Fact #4

Now, if you’re just an everyday citizen in the state of Texas in a dispute between another everyday citizen in the state of Texas, you don’t receive that free pass to the Supreme Court. An everyday citizen must “ride the circuit,” taking his/her dispute to their statewide court first. Now,

if one of the people involved in the case does not agree with the verdict and wishes to seek another opinion, then the legal dispute can be taken to the Supreme Court.

All legal disputes can be taken to the Supreme Court, or a federal court, eventually; but cases involving federal officials, ambassadors, or states *immediately* rise to the federal court level. Small details like this clause ensure a fair trial to everyone, including states! Our founding fathers wanted to ensure that every legal dispute had a court that would hear its case in a fair and unprejudiced fashion.

God Bless,

Juliette Turner

**A special thank you to Mr. Horace Cooper who assisted in the analogies used above. Thank you Mr. Cooper!

U.S. Constitution for Kids – Article III, Section 2, Clause 3 – May 6, 2011

May 6, 2011 – Article III, Section 2, Clause 3 – Interpretation of Professor Kyle Scott's Essay

Article III, Section 2, Clause 3

³The 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.

Today we are going to learn about Article III, Section 2, Clause 3 of the United States Constitution. So, put on your thinking caps and let us get started. In the Fun Facts below we will learn about how this clause is affecting our political system today and the debates this clause has sparked.

Fun Fact #1

There are two issues that are debated today that this clause sheds light on...a little.

Fun Fact #2

The first of these is called "Plea Bargaining." Professor Scott states best the definition, "Rather than facing the full charge of the maximum penalty, the accused can plead guilty to a lesser charge in exchange for a lighter penalty." However, this agreement is reached without a trial or juries. Plea bargaining is an option for an accused criminal when he is before a court. Wait...stop there. Doesn't the Constitution say that all trials of crimes shall be by jury? Plea bargaining has not been found to be unconstitutional, but that does not mean it is not. The argument is this: it really depends on how you read this clause and access our Founding Father's intent. Plea bargaining is not forced upon any accused person, it is simply a choice – this supports its constitutionality. Though, if you read the clause literally, you find that our founders thought a jury trial to be the best way to justice. So, by using plea-bargaining, are we deserting the path our founders thought was the best way to justice? Or are we just taking a shortcut?

Fun Fact #3

Another issue that this clause sheds the first small sparkles of light on is the treatment of suspected terrorists. One side of the argument is that terrorists were arrested as enemy combatants and should be treated in a military setting and that the rights protected by the Constitution only apply to American citizens. The other side of the argument, albeit, is how does one determine who is an enemy combatant and how would any trial be executed through consent with the Constitution? Sadly, we have no answer to this question either. One can only pick their personal favorite.

Fun Fact #4

However, as citizens, our rights to a fair trial by jury, will be protected by this clause. We should be happy that a clause like this is incorporated into our Constitution to insure our rights and protect our liberties! Let us continue learning about our judicial process!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article III, Section 3, Clause 1-2, May 9, 2011

May 9, 2011 – Article III, Section 3, Clause 1-2 – Interpretation of Mr. Horace Cooper's Essay

Article III, Section 3, Clause 1-2

¹Treason 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. ³The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

AND NOW...FOR THE MOMENT....YOU HAVE ALL....BEEN WAITING....FOR....(drum roll)...Article III, Section 3, Clause 1-2 on Treason! We have arrived at last. We have heard treason here, and treason there, but now we will finally learn what treason is all about. So, Fun Facts here we go!

Fun Fact #1

Now, it is a big deal to be disloyal to one's own country. Our founding fathers knew this, and they intended to punish an American citizen who committed treason. However, they had to be careful. British Monarchs used to use treason as a way to convict innocent people and just wipe them away from the scene. This resulted in our Founding Fathers still obtain the same hate for treason, but being very careful in the conviction process.

Fun Fact #2

Now, the Constitution says that treason is any act of war against the United States. However, an American citizen can also support any of America's enemies in any way you can imagine, and that is also an act of treason.

Fun Fact #3

The conviction process is fairly simple. If there are two people who witnessed the treasonous citizen in action, they simply say "He did this and this" and there we go! Or, if Mr. Treasonous was really in hiding the whole time, he has to confess in front of a Court.

Fun Fact #4

Now, the second clause of our treason lesson is what happens and who calls for the punishment. Here is what our first United States congress felt the punishment for treason should result in: "If any person or persons, owing allegiance to the United States of America, shall levy war against them, or shall adhere to their enemies, giving them aid and comfort within the United States, or elsewhere, and shall be thereof convicted on confession in open Court, or on the testimony of two witnesses to the same overt act of the treason whereof he or they shall stand indicted, such person or persons shall be adjudged guilty of treason against the United States, and SHALL SUFFER DEATH;" Pretty severe, huh?

Fun Fact #5

However, if you are wondering about the "Corruption of Blood," as I was, it means that if the Mr. Treasonous left his home, homestead, or special belongings to his children or family, Congress *cannot* take that away from the family.

As an ending note, let us read this not-so-uplifting quote from Cicero: "A nation can survive its fools, and even the ambitious. But it cannot survive treason from within."

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article IV, Section 1 – May 10, 2011

May 10, 2011 – Article IV, Section 1 – Interpretation of Professor Cynthia Dunbar's Essay

Article IV, Section 1

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Today we have moved on from Article III about our United States Supreme Court. Article IV begins with the "Full Faith and Credit Clause." This clause is very important in keeping our sovereign states bound into one, *United States*. Why? Read the Fun Facts below to figure out how this clause is so important.

Fun Fact #1

Each state in the United States of America has its own court system, just as America has its Supreme Court. If a legal issue arises within the state of Utah, the Utah court system deals with the issue first, and if it is not resolved, it then moves up the ranks until it possibly reaches the Supreme Court.

Fun Fact #2

If there were a lawsuit in the state of North Dakota between Joe James and Jack Doe, the North Dakota court system would hear the case. Now, if Joe James moves to Minnesota during the case, Jack Joe would be able to “execute the judgment against [Joe James] in [Minnesota] without having to relitigate the entire case in Arizona.” Meaning, the Minnesota and North Dakota judicial systems will work together. Instead of remaining sovereign states, they would become two states of the United States of America.

Fun Fact #3

In the history aspect of Article IV, Section 1, we find that our founding fathers borrowed this clause from the Articles of Confederation. Once taken from the Articles of Confederation, they expanded it and adapted it to how they saw fit. The ending product, voila! Article IV, Section 1

It is the small clauses like this that keep our Country united as a whole. It is truly providential that the states of the 1700s and 1800s, the sovereign, fiery states, would agree on a clause that united them. They were able to see the broader picture, and they saw how it would protect their new nation for future generations. Now, in the 21 century, we are able to see the Constitution still in work more than two hundred years later.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article IV, Section 2 – May 11, 2011

May 11, 2011 – Article IV, Section 2 – Interpretation of Professor Joerg Knipprath’s Essay

Article IV, Section 2, Clause 1-3

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

2: 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.

3: No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

The second section of the fourth article in the United States Constitution has three clauses, which, at first glance, seem as if nothing could be more diverse! From clause one, which tells

states that they must treat all citizens equally, to clause two, which states that no criminal can seek protect in another state if they have fled the state in which they committed the crime, to clause three, the fugitive slave clause. However, there is one similarity that threads through all three amendments.

Fun Fact #1

Let us begin with clause one, or the Privileges and Immunities Clause (we will borrow a phrase and call this amendment the “P&I Clause”). This clause originated from Article IV of the Articles of Confederation, and the only alteration that occurred when the clause was transferred to the Constitution, was almost extreme editing on behalf of the Constitutional Convention. In their attempts to clarify the clause by using less language, their actions resulted in the exact opposite effect.

Fun Fact #2

It is almost shocking that such a small clause can, as it is today, be construed as to mean so many different things. The first clause of Article IV, Section 2 has been known to have four different meanings, some more reliable than the others.

1. The first definition of clause one is that it was intended to be used as a restriction on Congress “not to pass laws that discriminate among different states and the citizens thereof.” Albeit Supreme Court Justice Catron adopted this interpretation during the *Dred Scott Case*, this interpretation is constitutionally invalid today.
2. The second definition, one that was rejected by the Supreme Court over a century ago, states that this clause “guarantees the citizens of each state various rights that are enjoyed by citizens in any other state. We are getting closer, but that is still pretty far from the true meaning, as we understand it today.
3. The third interpretation is that this clause ensures the rights of a citizen to exercise his residential state’s rights even when visiting another state. For example, if Johnny Joe is able to speak about his religion in his hometown’s town square, when he visits another state, that right cannot be denied. However, after that long explanation, the United States Supreme Court, just about around the time the previous interpretation was rejected, branded this interpretation as “invalid.”
4. The fourth interpretation of this clause states that this clause was intended to prohibit certain discrimination against citizens imposed by a state in which the citizen does not reside. Ding, ding, ding! This is correct! This interpretation has constitutionally accepted as the true intentional definition.

We will find, that when we begin our study on the 14th Amendment, that this clause closely (but not entirely) resembles the amendment. So, in the eyes of our founders who saw the Constitution without the 14th Amendment, this clause was the sole protection of citizen’s rights when they crossed state lines.

Fun Fact #3

You may be wondering about how far our founding fathers intended this clause to go in regard to *exactly* what rights this clause protects. This is the question! Do to the fact our Founding Fathers were so brief on this issue, it is up to us to guess which of our rights are assuredly protected as we cross state lines. This quote for example, from Justice Bushrod Washington in the 1823

circuit court case, *Corfield v. Coryell*, somewhat answers the question...though in broad terms: “What these fundamental principles are, it would perhaps be more tedious than difficult to enumerate.” (This is probable how our founding fathers felt) “They may, however, be all comprehended under the following general heads: Protection by the government; the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety; subject nevertheless to such restraints as the government may justly prescribe for the general good of the whole.”

Fun Fact #4

Now, moving on from our elongated study of the small clause one, we find clause two, or the extradition clause. The extradition clause was originally intended to prevent criminals from seeking refuge in another state, separate from the one in which they committed their crime. However, after a 1861 Supreme Court ruling, state governors have considered it their liberty to refuse requests for extradition, when justice so demands.

Fun Fact #5

Now, clause three of the second section of the fourth clause of the United States Constitution is known as the Fugitive Slave Clause. The Fugitive Slave Clause was used to prohibit Northern states from protecting slaves who had fled their enslavement in the Southern states. This however, was repealed by the 13th amendment.

Article IV, Section 2 deals with the issue of states and citizens. Through the Fourth Article, we can rest assured that our fundamental rights are protected whenever we drive or fly across state lines.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article IV, Section 3 – May 12, 2011

May 12, 2011 – Article IV, Section 3 Clause 1-2 – Interpretation of Mr. Dan Morenoff’s Essay

Article IV, Section 3, Clause 1-2

¹New States may be admitted by the Congress into this Union; but no new State 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.

²The 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.

Today we are going to learn about clause one and two of Article IV, Section 3 about the process of admitting states into the Union. This clause has a past of fascinating history that we will talk about in the following Fun Facts.

Fun Fact #1

This clause lays the framework for the process of admitting states into the Union of the United States. How is Congress supposed to go about this? A state has to be admitted by Congress; Congress cannot take a piece of an existing state, or join two states, to create a new state without the existing state's or states' consent; Congress has the power to create or alter any regulations as long as they respect the existing territory belonging to the United States. Last but not least, our Founding Fathers add a small adage onto the end of clause two stating that nothing in the Constitution can be used to "[p]rejudice any [c]laims of the United States or of any particular State."

Fun Fact #2

Congress has done a fairly approvable job of playing by the rules, but, well, of course, there has been some rule breaking. The first scenario was in 1791 under the Presidency of George Washington when Vermont became a state. Vermont had previously been a territory claimed by both New York and New Hampshire. However, Vermont had been self-governing for 14 years.

Fun Fact #3

The next was when Kentucky was admitted into the Union. Kentucky was originally a group of Western counties of Virginia that wanted to become a separate state.

Fun Fact #4

Now, the issue of slavery snuck into the back door and infringed on the admittance of states. Congress, from circa 1790s to 1860s, paired states when they were admitted. Why? Congress wanted to keep the national legislature balanced by admitting one pro-slavery state and one abolitionist state. So, when Congress admitted Missouri, a pro-slavery state, they had to also admit an abolitionist state. However, the north part of the country was booked up. To continue the balance of power, Congress split the northern portion off of Massachusetts to create a new state, Maine. Massachusetts, agreeing with Congress's action to balance power, agreed to losing a large portion of their state.

Fun Fact #5

Another state hood issue regards West Virginia. During the Civil War, West Virginia did not want to join Virginia in seceding from the Union. So, the representatives from the counties revolting against their mother state, gathered in Wheeling Virginia and decided to become a state of their own and call it "West Virginia." West Virginia's state hood legality has been set aside, albeit, and West Virginia has joined the group of misfit states.

Fun Fact #6

The next state is near and dear to my heart, Texas. Texas became a state in a backwards fashion. After breaking off from Mexico, Texas became "The Republic of Texas." After some long, hard thought, Texas decided they wanted to join the large happy family of the United States. After consulting with Congress, Texas became a part of the United States. Did you catch the snag?

Texas was never a territory. However, this is not unconstitutional, it is just out of the ordinary. I found a fascinating subject in regard to Texas' annexation, the U.S. Congressional joint resolution including this provision: "New States of convenient size not exceeding four in number, in addition to said State of Texas and having sufficient population, may, hereafter by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution." This states that Texas, at any time it pleases, can split into five different states, hence receiving eight more Senate seats.

I think this clause is fun and fascinating at the same time. Learning about Texas' annexation and how West Virginia was born is truly interesting to learn about!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article IV, Section 4 – May 13, 2011

May 13, 2011 – Article IV, Section 4 – Interpretation of Professor William Morrisey's Essay

Article IV, Section 4

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Today we will learn about how our Founding Fathers intended the United States government to protect the states and protect a republican form of government. In the following fun facts, we will figure out exactly what this means.

Fun Fact #1

The first half of this clause really stands out in the midst of all the clauses we have been studying. In this clause, our founding fathers voiced that they wanted to insure a "Republican Form of Government" to every state. It is fascinating that they not only wanted our national government to be based on Republican principles, they wanted our state governments to be under a republican form of government also.

Fun Fact #2

Now, when you read on, still in the first half of this clause, we find again a section of the Constitution where our national government is order to protect the states of the Union. In this case, if a foreign enemy is invading a state, the United States government is ordered by the Constitution to aid the state and protect it.

Fun Fact #3

Now, in the second half of Article IV, Section 4, we find that the United States government is to protect against domestic violence, such as rebellions and revolts.

Our founding fathers wanted to ensure that a republican government ruled both our states and our nation. No longer will a tyrannical monarch or dictator rule America or America's people, as long as we learn about our Constitution and protect it.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article V – May 16, 2011

May 16, 2011 – Article V – Interpretation of Professor Joerg Knipprath's Essay

Article V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Article V of the United States Constitution is perhaps the most important and unique portion of our Founding Document. Through Article V, our Founding Fathers left us with an invaluable process with which we can amend the great document that they left for us, their prosperity. Unlike the British "Charter of Rights" which is unwritten and can be altered as if it is any other day-to-day legislation passed by British Parliament, our Constitution not only clearly describes the checks and balances of our government and the protection of America's citizens in writing, it also leaves a clear-cut path on which America can amendment any portion of the document.

Fun Fact #1

Before the Revolutionary War, American colonists were ruled under royal charters, or British law, which created a "legal" relationship between the Crown and the colonies. Local, colony-wide laws were only valid as long as they corresponded with the British charters. The colonist viewed the charters as "laws" because they were: a. written; b. fundamental; and, c. not amendable by ordinary legislation. Having a written charter was very important to the legitimacy of the document because signing a written charter bound all participants to the document. Charters were fundamental because they organized how the political process would run in the new colonies; and charters were "not amendable by ordinary legislation" like other legal documents because all people had to agree on altering the document, either through unanimity or a supermajority, making it more difficult to abridge the legislation in the charter.

Fun Fact #2

The founding fathers carried some of these traits over into the Articles of Confederation. One of the many flaws in the Articles of Confederation was that it was extremely difficult, to the extent

that it was almost impossible, to amend the document. The authors of the Articles of Confederation adopted the British “charter-like” way of only allowing the document to be amended if all signers of the Articles of Confederation agreed on amending the document.

Fun Fact #3

When the authors of the Constitution were dabbling over the issue of the amendment process they had two objects at which they looked: they wanted some sort of unanimity, as the English charters, however, they did not want the complete paralysis of the amendment process as had happened under the Articles of Confederation. The framers also knew that they needed to prevent the amendment process from becoming too accessible and falling into the hands of radicals if they contained the majority in the Congress. Our founding fathers’ brilliant brainstorming resulted in an amendment process that either required the legislation to pass through the Congress, who then proposed it to the states, who then had the option of ratifying the amendment, or, there could be a state constitutional convention. The option of the state Constitutional Convention has been mainly avoided due to the fear that, if a state constitutional convention was to arise, that the Constitution as a whole could be amended and significantly altered, as happened in 1787 Constitution Convention.

Fun Fact #4

You may notice, that our Constitution still requires a unanimous vote, however, it is a vote from the states instead of the people.

The amendment process is one of the miraculous designs of our Constitution. Our founding fathers assuredly knew that the Constitution was an imperfect document, thus they left to their prosperity the ability to amend its impurities. The amendment process must never be taken for granted, for We the People, through our elected officials in Congress and the state legislatures, can, at any time, amend the Constitution for the better.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article IV – May 17, 2011

May 17, 2011 – Article VI – Interpretation of Mr. Nathaniel Stewart’s Essay

Article VI

¹*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.*

²*This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.*

³*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 IV, the last article in the Constitution. Our last destination through the world of Articles, Sections, and Clauses is in sight! Only two more Articles to go through. Albeit, we still have this one to decipher, so let us without further delay, study the Supremacy Clause, the Oath Clause, the No Religious Test Clause, plus more.

Fun Fact #1

The first clause in Article IV of the Constitution is in regard to the pecuniary obligations of the United States under the new Constitution. This clause sets in place a law that all debts owed, all engagements entered into, before the Constitution's ratification, will still be held as valid. Exempli Gratia, if a debt was owed to France under the Articles of Confederation, that debt would still be held accountable after the Constitution's ratification. This clause was set in place to prevent the United States, and the states embodied, from dropping out of obligations, thus lowering the creditability of the United States.

Fun Fact #2

Moving on to the second clause of Article IV, the "Supremacy Clause." The Supremacy Clause is a vital instrument in the complex network of lawmaking in the United States. This clause states that the Constitution, any laws ratified under, and in pursuance with the Constitution, all constitutional treaties made under the authority of the United States, shall be the *supreme law of the land*. This prevents state laws, and other minute laws not in pursuance with the Constitution from being the supreme law over the citizens of the states. Our founders wanted to ensure that there was one base of laws that was to be the supreme law over all the several states, and the citizens within.

Fun Fact #3

The Supremacy Clause was debated in the Revolutionary era. Richard Henry Lee issued a rebuttal against this clause in his "Federal Farmer IV" stating that this clause would "do away" with state laws and customs, if not in adherence with the Constitution, and replace them with a Constitutional "supreme" law. Alexander Hamilton and James Madison, in the ever-prevalent Federalist Paper, debated Lee's rebuttal in the 33rd and 44th Federalists. Alexander Hamilton argued that the reason a supreme law was necessary was because any law made under a large political institution, would need to be the supreme law over all the individuals of the land. These laws would need to be adherent with the Constitution, and the laws embodied in it. Madison argued alongside Hamilton in stating that if the Constitution was not the supreme law, other laws would arise in conflict to the Constitution, thus leading citizens in all different directions, creating a "a monster, in which the head was under the direction of the members."

Fun Fact #4

Many Supreme Court rulings have come to pass concerning the Supremacy Clause. The Supreme Court, loyal to the Constitution, has ruled that the Constitution is supreme over state laws, and that the Constitution has the final say on the issues.

Fun Fact #5

Moving on now to the next clause of Article IV, we arrive at the “Oath Clause.” This clause commands that all Senators, Congressmen/women, members of the State Legislature, Executive and Judicial Officers (state and national), will take the oath of affirmation to uphold the Constitution.

Fun Fact #6

The “No Religious Test Clause” is added on to the end of clause three of Article IV. This clause reflects what our founding fathers intended of the United States, and how we were building a different path for our government. In Britain, the “Test Act” of 1672 required “all public officers to swear a conspicuously anti-Catholic oath declaring disbelief in any transubstantiation in the sacrament of the Lord’s Supper,” to quote Mr. Stewart. Even before the Constitution’s ratification, several of the United States required a religious oath of their elected officials. However, our founding fathers, once and for all, with our Constitution, discontinued the tradition of the religious test. Some argued, albeit, that elected officials should have faith in God or Christ. However, in a statement, Oliver Ellsworth says it all, “If we mean to have those appointed to public offices, who are sincere friends to religion, we, the people who appoint them, must take care to choose such characters; and not rely upon such cob-web barriers as test-laws are.”

As citizens of the United States, it is our duty to help uphold the Articles, Sections, and Clauses of the United States Constitution. We must continue to live by them, hold them as our “Supreme Law,” and protect the foundation of our Government.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Article VII – May 18, 2011

May 18, 2011 – Article VII – Interpretation of Mr. Dan Morenoff’s Essay

Article VII

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

Congratulations! We have now arrived at the end of our journey through the Articles, Sections, and Clauses of the United States Constitution. What a journey it has been. Tomorrow, we begin discussing the Amendments to the United States Constitution. However, we still have Article VII to decipher, and our founders saved the most interesting for last.

Fun Fact #1

First off, it is interesting to note that the United States was an independent society for thirteen years before our Constitution was ratified. It is also necessary to mention that, yes, George Washington was the first president under the Constitution, albeit, there were fourteen presidents before him, seven of which were in office under the Articles of Confederation. Congress, the body under the Articles of Confederation, held the “power to act for America.”

Fun Fact #2

Congress was the brain behind the Constitutional Convention. Congress was the one to call the convention into being, by summoning that each state send delegates to Philadelphia to “simply abridge” the Articles of Confederation. “...for the sole purpose of revising the articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall, when agreed to in Congress and confirmed by the States, render the federal Constitution adequate to the exigencies of government and the preservation of the Union.”

Fun Fact #3

The United States government still had to abide by the Articles of Confederation, which stated in Article XIII “the Articles of this confederation shall be inviolably observed by every State, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a congress of the united States, and be afterwards confirmed by the legislatures of every State.” In 1789, that time had arrived.

Fun Fact #4

All of the states sent delegates to the Constitutional Convention except for the one, always-rebelling state, Rhode Island (or as George Washington, called it “Rogue Island”). Our founders discovered right then and there that to obtain a unanimous consent from the states, as the Articles required, would too simply write “doom” over their hard works. Article VII proved to be their solution.

Fun Fact #5

Article VII called for only nine out of the thirteen states to ratify the Constitution, allowing some buffer room around Rhode Island. New Hampshire was the ninth state to ratify the Constitution of June 21, 1788, preceding Virginia and New York who slowly ratified by the end of July.

Fun Fact #6

Washington was elected President, a new Congress was also elected, and the Constitution was set in place on April 30, 1789, despite the looming fact that North Carolina and Rhode Island had not yet ratified the new law of the land.

Our founders began in the Constitutional Convention to simply re-work and alter the Articles of Confederation, but emerged from Independence Hall with a new governing document that had governed the United States fairly for over two hundred years.

We did it! We have done it at last. Our last Article has been studied, now we move on to the twenty-seven amendments to the Constitution.

God Bless,
Juliette Turner

May 19, 2011 – Amendment I – Interpretation of Mr. Kelly Shackelford

First Amendment to the U.S. Constitution

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.

The Bill of Rights, a list of amendments that secure the rights of the individual. We now begin our journey into the land of individual rights. Up to this point we have been studying the enumerated powers of the government. We have turned in a 180, away from the rights government, toward our, We the People's rights. The first Amendment to the Constitution, the first article of the Bill of Rights, is the first cobblestone in the road of freedom for the American citizenry.

Fun Fact #1

By now we know that the Constitution consists of “enumerated powers” for our federal government. Let's take a quick refresher course on enumerated powers: the statement “enumerated powers” means that the federal government only has the power to do acts that are named in the Constitution. Exempli gratia, if the Constitution does not state anything about the federal government owning a candy shop, the federal government cannot own a candy shop; the federal government would only be able to own a candy shop if the Constitution explicitly states “the federal government has the right to own a candy shop.”

Fun Fact #2

After our mini-review, you may be wondering, “If the Constitution does not state anything that allows federal government to prohibit the freedom of speech, why do we need to have an amendment reinstating that fact?” Well, you see, the citizens of the newly born United States of America, in the late 1700s, were a little war-weary and wary of any form of government after just defeating a longtime dictator. The delegates of the Continental Congress realized this fact and knew, in order for the states to ratify the Constitution, they would need much more than the “lack of permission” for Congress, to secure their rights.

Fun Fact #3

Here, the Bill of Rights was born. The delegates proposed twelve articles, of which the last ten were ratified, creating the Bill of Rights, (the second article proposed to the states was later ratified in 1992, making the 27th amendment).

Fun Fact #4

The first amendment to the Constitution begins with the words, “Congress shall make no law...” Here we find a fascinating point. By stating Congress, our founding fathers obviously intended this amendment to be geared toward the federal government, rather than the state government. It is interesting to note that for a while, some states did have statewide religions, meaning that Maryland was one religion, New York another. Our founding fathers intended this amendment only affect the federal government. However, the Supreme Court, in 1925, altered this fact. The

The five clauses of the First Amendment prohibit the government from infringing upon the citizenry's rights. This insures for America's citizens the right to pursue life, liberty, and the pursuit of happiness without the hands of government looming ominously above them.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment II – March 20, 2011

May 20, 2011 – Amendment II – Interpretation of Professor David B. Kopel's Essay

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

The right to bear arms was a right that was unanimously approved by our Founding Fathers. Even though the Federalist felt that adding the Bill of Rights to the United States Constitution would result in a repetitive statement that would protect the rights of citizens from the federal government who had not been given permission to infringe them in the first place, both Anti-Federalist and Federalist agreed that protecting the citizen's rights to bear arms in self-defense was of utmost importance; for they knew too well the "disarmament was a direct path to slavery."

Fun Fact #1

In England, the notorious King George III, feeling the rebellious spirit of the colonists, stripped most of the inhabitants of the colonies of their right to bear arms through "an aggressive gun control program in 1774-[17]76." England banned the import of guns and ammunition by the colonies, confiscated the colonists' personal guns and gunpowder alongside confiscating the colonial towns' central repositories that served as a "holding room" for the town's guns and powder. British soldiers, in addition to the previous heinous acts, placed Boston under military occupation, confiscated all firearms of the Bostonians, searched Lexington and Concord for firearms by going house-to-house. Plus the British navy bombarded and destroyed the towns of coastal New England if they refused to surrender all of their firearms. You can now see why citizens' right to bear arms was so dear to their hearts.

Fun Fact #2

It is interesting to note that James Madison, the author of the second amendment, was dead-set on keeping the federal government's new power over the United States Militia, against the will of the Anti-Federalist. When he proposed the second amendment to Congress, it read as follows: "The right of the people to keep and bear arms shall not be infringed; a well-armed and well-regulated militia being the best security of a free country: but no person religiously scrupulous of bearing arms shall be compelled to render military service in person." This language passed through the House of Representatives with ease, yet upon arrival in the Senate, the second amendment was chopped up and re-organized until it could barely be recognized! Three major alterations were applied to the second amendment as James Madison first envisioned the amendment:

1. The Senate removed both the “religiously scrupulous” language and the phrase “composed of the body of the people”
2. The Senate replaced “a well armed and well regulated militia being the best security of a free people” with “A well regulated Militia, being necessary to the security of a free State...”
3. The Senate also refused a proposal to add “for the common defense” after “the right of the people to keep and bear arms.” By doing so, the Senate ensured the fact that the right to keep and bear arms was not solely on military service.

After all of these alterations, the final product of James Madison’s second amendment stated that, “*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.*”

Fun Fact #3

When James Madison first introduced the “amendments” to the Constitution to the Congress, he voiced that he felt that the “amendments” be placed in various places in the Articles; e.g. he voiced his opinion that the “right to bear arms” amendment be placed in Article 1, Section 9, right after the 3rd clause. Clauses 2 and 3 of Article 1, Section 9 protect citizens against the writ of habeas corpus, bills of attainder, and ex post facto laws. However, his fellow members of Congress disagreed with this view, claiming that if the original language of the Constitution were altered, it would “imply that the original language of the Constitution had been defective.”

Fun Fact #4

A political ally of Madison’s, Tench Coxe, penned: “As civil rulers, not having their duty to the people duly before them, may attempt to tyrannize, and as the military forces which must be occasionally raised to defend our country, might pervert their power to the injury of their fellow-citizens, the people are confirmed by the next article in their right to keep and bear their private arms.”

Fun Fact #5

Virginia jurist St. George Tucker (1752-1827) also voiced his opinion of the second amendment in *Blackstone’s Commentaries, with Notes of Reference to the Constitution and Laws of the federal Government of the United States, and of the Commonwealth of Virginia* (1803): “. . . This may be considered as the true palladium of liberty The right of self defence is the first law of nature: in most governments it has been the study of rulers to confine this right within the narrowest limits possible. Wherever standing armies are kept up, and the right of the people to keep and bear arms is, under any colour or pretext whatsoever, prohibited, liberty, if not already annihilated, is on the brink of destruction. In England, the people have been disarmed, generally, under the specious pretext of preserving the game: a never failing lure to bring over the landed aristocracy to support any measure, under that mask, though calculated for very different purposes. True it is, their bill of rights seems at first view to counteract this policy: but the right of bearing arms is confined to protestants, and the words suitable to their condition and degree, have been interpreted to authorise the prohibition of keeping a gun or other engine for the destruction of game, to any farmer, or inferior tradesman, or other person not qualified to kill

game. So that not one man in five hundred can keep a gun in his house without being subject to a penalty.”

Amendment II of the United States Constitution is among one of the most cherished rights of American citizens. If the right to bear arms is infringed upon, the availability for tyrannical control of America increases greatly, It is a God-given gift that our founding fathers incorporated this right into our Constitution.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment III – May 23, 2011

May 23, 2011 – Amendment III – Interpretation of Mr. Robert Chapman-Smith’s Essay

Amendment III of the United States Constitution

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

Amendment III of the United States Constitution. The third amendment of the Bill of Rights; an amendment that the states of America thought to be of utmost importance in keeping tyranny out of America’s government. Why was this amendment so important to the citizens of the new nation of America? What is the history behind this amendment?

Fun Fact #1

It is probably best to start with the history behind this amendment. Quartering soldiers has been a hot issue since the early 12th century (actually, it was during the 1066 Norman Conquests that the issue of quartering entered into the lives, and households of the people). Many an ancient charter inadequately addressed the issue of involuntary quartering, naming it unlawful, but the charter was ignored by the despots as quickly as it was written. For example, under the rule of Charles I, parliament refusing to fund his many wars, English soldiers were forced to lodge in private homes and use private buildings as barracks.

Fun Fact #2

Quartering seeped over into the American colonists’ lives when, in the mid-18th century, at the close of the French-Indian War, England’s parliament, in attempt to force the colonists to pay for the cost of defending the colonies borders, passed the Quartering Act which demanded that the colonists “bear all the costs of housing troops.” This act allowed English soldiers to lodge in private buildings without the consent of the colonists. The English Parliament then passed a second Quartering Act in 1774, allowing English soldiers to lodge in private *homes*. You can now see the reason, that once America was separated from Britain, the colonists were pretty set on abolishing quartering from America’s new government.

Fun Fact #3

Patrick Henry stated, “One of our first complaints, under the former government, was the quartering of troops upon us. This was one of the principal reasons for dissolving the connection with Great Britain. Here we may have troops in time of peace. They may be billeted in any manner—to tyrannize, oppress, and crush us.” In result, during the ratification of the Constitution, and the composition of the Bill of Rights, the states more than suggested that quartering be addressed in the new Constitution. When James Madison addressed the issue of quartering in the third amendment, it was little debated in the House, as for this issue was agreed upon by most citizens during this time period. All they wanted was an amendment that secured, once and for all, that the issue of quartering would not have to be addressed in the lives of American citizens.

Fun Fact #4

The third amendment has seen little debate in the course of its life. However, there are three instances: 1. During the war of 1812, Congress failed to “provide any regulations governing the practice of billeting [or quartering]” thus causing private property to be used by the army. However, after the war, Congress paid just compensation to the citizens whose land was used during the war. 2. During the Civil War, Congress once again never provided regulations governing the practice of quartering, thus forcing the Union army to quartering in private homes of both the rebel and union states. This action was never resolved as it was in 1812. 3. There is debate on whether state National Guards would be obligated to follow the third amendment. This issue was addressed in a Supreme Court ruling, *Engblom v. Carey*, but there is still no definite answer.

The third amendment addresses an issue that citizens today are unfamiliar with. However, our founding fathers were all too familiar with quartering. The fact that this amendment addresses an issue that is not dealt with today does not make it irrelevant. Who is to say that if we did not have Amendment III that we wouldn't have soldiers barging into our private homes and declaring that they have a right to be there? It is amendments like Amendment III that secure subtle liberties that help make America's citizens breathe more freely.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment IV of the United States Constitution – May 24, 2011

May 24, 2011 – Amendment IV – Interpretation of Jeffery Reed's Essay

Amendment IV of the United States Constitution

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

One right of an American citizen's, one granted to them by the Bill of Rights, is the right to be protected from unreasonable searches and seizures. We now know that Amendment IV is the amendment from which this right comes. In the Fun Facts below, we will learn more detail on what this amendment really protects and how it is applicable to us today.

Fun Fact #1

This amendment protects Americans from unreasonable searches and seizures and demands that warrants be supported by probable cause. However, this is more complicated than it seems. For, where does one draw the line between protection and privacy? We witness this dilemma today in our transportation systems, most notably our airports. There has recently been uproar as security in our airports had multiplied and there are new regulations, strict regulations, as people's two choices are either a screening where possibly unfavorable pictures are stored into the airport's computer, or a very touchy-feely pat down. Is this in violation to the Fourth Amendment?

Fun Fact #2

Now, what did our founders mean when they said "unreasonable searches and seizures"? What did they mean when they talked about "warrants" and "probable cause." Well, since they aren't around to fully explain themselves, the Supreme Court has taken the privilege of determining their true intent. In the Supreme Court case *Katz v. United States*, the government wiretapped a telephone booth. The court ruled that this was an unreasonable search because, a. the government did not obtain a search warrant from the court, and, b. Katz expected that his phone conversation had been between him and the person on the other line, not expecting his conversation to be tapped.

Fun Fact #3

The issue in *Katz v. United States* was that the government did not obtain a warrant to tap the telephone booth. You may be wondering, how does one obtain a warrant? The answer: an investigating officer must, under oath, and before a judge, state the "he has reason to believe that the search will uncover criminal activity or evidence of a crime." The judge then, if he finds that there is a "probable cause" for the search, issue a search warrant for the officer.

Fun Fact #4

Now, what about seizures? We have now learned about warrants and searches, but we are still lacking an explanation of seizures. A seizure is when property or a person is taken into custody. However, in America, under the Fourth Amendment, before an officer can arrest a citizen, they must have a probable cause based on trustworthy information.

Fun Fact #5

There is one form of searching that we haven't addressed yet, searching a person when police see suspicious conduct. In the Supreme Court Case *Terry v. Ohio*, the Supreme Court ruled that police may "conduct a limited warrantless search on a level of suspicion less than probable cause when they observe 'unusual conduct'." It is reasonable: if there is someone in a public place, acting suspicious, it would kind of defeat the purpose of having police if they walked off and asked a judge to give them a warrant to search the suspicious person.

Fun Fact #6

In a recent Supreme Court case, the court ruled that police can enter into a house if they suspect drugs or if they believe drug evidence is being destroyed.

We are blessed in the United States to know that we have small things like the Fourth Amendment protecting us from unreasonable imprisonment. So far in the Bill of Rights, Americans have the right to express their freedom of conscience, to own self-defense weapons, to not quarter soldiers, and protection of unreasonable searches and seizures.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment V – May 25, 2011

May 25, 2011 – Amendment V – Interpretation of Mr. Andrew Langer’s Essay

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment V of the Constitution is an amendment that abruptly bridges two distinctly different concepts, combining it into one amendment. However, the two concepts this amendment addresses are very prevalent in the American way of life. Albeit, one is under attack today, so let us learn about Amendment V so we can protect and ensure our liberties.

Fun Fact #1

The concepts that the Fifth Amendment to our Bill of Rights first addresses are the protections for an accused individual. In one amendment, an accused individual is ensured three things:

1. The promise of a “grand jury indictment before trial”
2. The protection from perpetual trials if the court’s rules “not guilty”
3. The protection from being forced to testify (or witness) against oneself

Fun Fact #2

Let’s take number two and discuss that for a moment. What exactly is a perpetual trial? Well, if something is perpetual, it goes round and round without end. A perpetual trial would then be a trial that continues on forever. What does that mean? Take for instance: Betty Sue was charged with stealing a pack of gum from a gas station. The jury ruled that the evidence proved otherwise, and so Betty Sue was now off the hook, being proved “not guilty.” Now, if the Fifth Amendment didn’t protect citizens from perpetual trial, the government, or any individual for that matter, could bring Betty Sue into court once more on the same charge. However, the Fifth

Amendment to the Constitution *does* protect citizens against perpetual trial, so if the jury ruled that Betty Sue was innocent on the charge of stealing a pack of gum, she is innocent of that crime and always will be. No person can take her back to court on that charge.

Fun Fact #3

Now, in the first paragraph of this essay, I stated that Amendment V bridges two different concepts. We have already addressed the first concept of the protections of an accused citizen, but what is the other concept? The second concept addressed in Amendment V is one that clearly describes the American dream: the protection of one's property. Upon reading the last words of Amendment V, you find that the Constitution clearly protects private property by stating "*nor shall private property be taken for public use, without just compensation.*" *Pretty clear and obvious, right? Well, think again.*

Fun Fact #4

The last three words of Amendment V are the words that have been stretched to almost black out the nine words that come before it. "Without just compensation" has been used as the excuse of all infringements on private property rights. The last phrase of Amendment V protects individual private property from being taken by the government. Originally, the "taking" of private property was only lawful if under the following three requirements.

1. Private property can be taken if it will be used for the construction of public roads, public buildings, or public places – such as parks.
2. Private property can be taken if the owner (or owners) of the property being taken is consulted and given a fair hearing or process where there can be negotiations.
3. Private property can be taken if the owner (or owners) of the property is given "just compensation."

Fun Fact #5

Now, we find that the first requirement has been altered by Supreme Court rulings such as *Kelo v. City of New London* where a woman (Suzette Kelo) was stripped of her house when a *private* (not public) enterprise wanted to use the area as a parking lot. The Supreme Court ruled in opposition to Suzette Kelo, thus altering Amendment V. This was an infringement on private property rights because the government was only to strip one of their property if it was for the use of *public* use, not *private* use.

Fun Fact #6

In 2005, the Supreme Court ruled in favor of a ruling that stated that private property could be seized for anything, by anything, if it resulted in a "net increase in a city's tax rolls." This was the huge infringement on property rights, and a ruling in violation of the Fifth Amendment.

One of the great gifts that the Constitution gives America's citizens is the right of private property. Now, however, this is under attack, so we must protect Amendment V so that future generations may own their own land and live the American Dream.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment VI – May 26, 2011

May 26, 2011 – Amendment VI – Interpretation of Mr. Marc S. Lampkin’s Essay

Amendment VI

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

There are seven elements in Amendment VI that describe our judiciary system and the way it is supposed to work. Like Amendment Five, the Sixth Amendment to the Bill of Rights protects the rights of the accused citizen, however, this time in a more specific way.

Fun Fact #1

The framers of the Constitution were all too familiar with the ways a tyrant deals with imprisoning people: if you had a different opinion than the king in power, you were imprisoned; if you tried to speak up against the king, you were imprisoned; etc. Our founders wanted to secure that this would never happen in America. Our founders brilliantly did so with seven elements in the Sixth Amendment to our Constitution.

Fun Fact #2

The first element to the Sixth Amendment is that of a Speedy Trial. By requiring that an accused citizen have the right to a quick trial, our founders ensured three things:

1. The right to a Speedy Trial prevents the accused from going through a lengthy period of confinement before their trial.
2. The right to a Speedy Trial shortens the time frame in which public accusation can build up against the accused before the trial takes place.
3. The right to a Speedy Trial ensures that so much time does not pass as to result in the defendant not being able to defend his/herself due to the sickness, death, or loss of memory of a witness.

Fun Fact #3

The second element to the Sixth Amendment is that of a Public Trial. There are two points that reveal the importance of a Public Trial:

1. A Public Trial is uniquely different from any other form of trial as it allows the media, press, and the public to watch on and record the trial.
2. The Public Trial dates back before English common law and “possibly even before the Roman legal system.” A public trial (instead of a private trial) has been used as a tool to prevent the government from using the court systems in corrupt ways to imprison innocent people in private.

Fun Fact #4

The third element to the Sixth Amendment is that of an Impartial Jury (or a fair and unbiased jury). Just like the Public Trial, an Impartial Jury is dated back to ancient times. However, in the case of an American Impartial Jury there are three requirements:

1. The normal size of a jury is assumed to be twelve people. A jury on a state criminal trial, however, can be made up of as little as six people. In Ancient Greece the number of jurors on criminal cases could number up to 500 persons!
2. Other than the size of the juries the only other requirement is that the jurors be free of prejudice and bias against the defendant. They should be a representation of the population from which the accused person inhabited at the time of the crime.

Fun Fact #5

The fourth element to the Sixth Amendment is that of a Notice of Accusation. The Notice of Accusation is another element that makes America's court system uniquely different from the rest. What is a Notice of Accusation, though? Why is it so important?

1. Under the Sixth Amendment to the United States Constitution, it is law for the government to explain the charges that are being held against the accused individual.
2. The government must also outline the charges and explain in explicit detail all the charges held against the individual so that the individual will have the opportunity to defend him/her against the charges.

Fun Fact #6

The fifth element of the Sixth Amendment is the first of what I like to call the three C's (Confrontation, Compulsory Process, & Counsel). The first is Confrontation.

1. Confrontation allows the defendant to cross-examine the witnesses who have testified against him/her in front of the jury.
2. Confrontation, like the Impartial Jury and Public Trial, predate the English legal system.

Fun Fact #7

The sixth (and second to last) element to the sixth amendment is the Compulsory Process. Compulsory Process is also the second C in the C trio. You may be wondering, "What in the world does Compulsory Process mean?"

1. The Compulsory Process allows the defendant to summon witnesses who will testify on their behalf. The interesting detail of the Compulsory Process, however, is that the state can subpoena the witness (or force the witness to come before court) even if he wishes not to.
2. If the Compulsory Process was not incorporated in the Sixth Amendment, a person who knew facts that would lead to the accused individual's innocence could simply wish to not become involved in the case and refuse to go before court, then possibly leading to a conviction against the accused individual due to lack of evidence showing his innocence.

Fun Fact #8

The last element to the Sixth Amendment, the last C, is that of the right to a Counsel. The right to a counsel includes the right of the accused individual to hire an attorney of their choice to represent them in a criminal case.

1. The framers ensured to any accused individual, by writing the sixth amendment, the right to hire any attorney they choose to represent them.
2. They not only thought it important for them to have any type attorney represent them, but they thought it important that the accused individual had the right to hire the best attorney.

The sixth amendment to the Bill of Rights promises to any accused individual seven elements that secure a fair and unbiased trial in court

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment VII – May 27, 2011

May 27, 2011 – Amendment VII – Interpretation of W. David Stedman & LaVaughn G. Lewis's Essay

Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment VII to the Bill of Rights once again discusses the framework of our judiciary system, but this time in regard to civil cases (or common law). This amendment is very similar to Amendment VI; however, Amendment VI discusses the outline for criminal cases.

Fun Fact #1

Let us first learn the differences between a criminal case and a civil case:

1. Civil Case- a case that involves a legal dispute between two or more parties.
2. Criminal Case- a case that involves a crime of any kind.

Fun Fact #2

Amendment VII clearly states upfront that any common law dispute should have the right to go before a court, having the right to a “trial by jury,” meaning that the case will be heard before a jury of twelve citizens. Unlike a criminal case where the jurors have to be unanimous on their decision, a civil case is just required to have a majority.

Fun Fact #3

Amendment VII leaves us with stating that, in the instance of a civil case, the jurors' conclusion cannot be set aside, or overridden, by the judge.

A simple, but very important Amendment to the Constitution, Amendment VII ensures the promise of a fair and just judicial branch with limitations that protect the American people from a court system corrupted by an arbitrary government.

I want to leave you with a quote from the Continental Congress of 1774 where our founding fathers brilliantly and timelessly stated:

“The first grand right is that of the people having a share in their own government by their representatives chosen by themselves, and...of being ruled by laws which they themselves approve, not by edicts of men over whom they have no controul...”

“The next great right is that of trial by jury. This provides that neither life, liberty nor property can be taken from the possessor, until twelve of his...countrymen...shall pass their sentence upon oath against him.”

John Adams called these two rights *“The heart and lungs...and without them...the government must become arbitrary.”*

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment VIII – May 30, 2011

May 30, 2011 – Amendment VII – Interpretation of Professor Joerg Knipprath's Essay

Amendment VIII

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

Amendment VIII is the last amendment in the Bill of Rights that enumerates a citizen's right to protection and freedom from the Federal Government. The fourth consecutive amendment that discusses the protection of the people from the Judiciary Branch of government, the eighth amendment is probably the most quoted of the “court” related amendments. The statement “...nor cruel and unusual punishment inflicted” has been debated in regard to what is considered a “cruel and unusual punishment.” Does this amendment apply to the death penalties that are sporadically used today? What about the application of this amendment on the basis of enhanced interrogations of terror suspects?

Fun Fact #1

Our founding fathers incorporated this amendment into the Bill of Rights to protect America's citizens from severe and torturous punishment such as whipping, branding, ear cropping, drawing, and quartering. However, did our founding fathers consider a death penalty a “cruel and unusual punishment”? In the context of Amendment V, which states “nor shall any person...be deprived of life, liberty, or property without due process of law,” the founding fathers clearly voiced their

opinion that a criminal, if duly convicted by America's court system, can be stripped of their liberty, property, and/or life.

Fun Fact #2

The second question that arises under Amendment VIII is that whether or not enhanced interrogations are considered "cruel and unusual punishment." The answer is based on in which context the enhanced interrogation is used. If enhanced interrogation is used to accumulate information on threats to national security, or other such information, the action is constitutional. The only circumstance in which enhanced interrogation would be unlawful and unconstitutional would be if the interrogation was used simply to punish the individual.

Fun Fact #3

Looking toward the beginning of amendment eight, we find that neither excessive bail, nor excessive fines can be used to hold a citizen captive in jail.

This amendment is proof of how cautious and conscientious the framers of our Constitution were about the powers of the Judiciary branch and the court systems of the United States. They wanted to ensure that if a citizen is suspected of a crime, they cannot be denied their rights to remain free during trial by unreasonably high bail, and if convicted, they cannot be unusually or severely punished.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment IX – May 31, 2011

May 31, 2011 – Amendment IX – Interpretation of Mr. Steven H. Aden's Essay

Amendment IX

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

"The Ninth Amendment is that rare creature in American politics, a success story conceived in humility..." ~Steven H. Aden

Fun Fact #1

There were two forces at work during the ratification process of the Constitution of the United States: that of the Anti-Federalists and the states, and that of the Federalist.

1. The Federalists (the creators of the Constitution) thought it to be irrelevant to create a Bill of Rights, for the Constitution was made up of enumerated powers. Thus, their reasoning was that if the Constitution did not state that the federal government could prohibit the freedom of speech, there was no need for an amendment protecting free speech from the government.

2. The Anti-Federalist (the states) stood firmly on their belief that a Constitution of “enumerated powers” was not strong enough to protect their valuable rights such as the freedom of speech.

This debate concluded with a Bill of Rights, the argument ending with the Federalist giving a little just so the Constitution would be ratified by the states.

Fun Fact #2

It is interesting to note that the first eight amendments to the Bill of Rights declare and protect the freedoms of the individuals of America. However, the last two amendments are declaring that there are more rights out there in the universe that are not mentioned in the Bill of Rights.

Fun Fact #3

Amendment IX states simply that a citizen of the United States will not be denied any right to freedom by the government, even if the Bill of Rights does not enumerate it (as long as they are not prohibited by the Constitution). Why is this Amendment necessary? Well, if the Federalist waved “enumerated powers” as their banner, what was to happen if a citizen’s right was not enumerated in the Bill of Rights? With the Ninth Amendment, our founding fathers state, in crystal clear language, that the enumeration of certain rights “shall not be construed to deny or disparage others retained by the people.”

With the ninth amendment to the Constitution of the United States, our founding fathers intricately expose their intention for the Constitution: to limit the federal government, but protect the liberties of the people.

“Despite 220 years of constitutional interpretation, there really isn’t much one can say about the Ninth Amendment. And that’s just what James Madison and the Framers intended.” ~Steven H. Aden

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment X – June 1, 2011

June 1, 2011 – Amendment X – Interpretation of Mr. Andrew Langer’s Essay

Amendment X

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

“States are not mere political subdivisions of the United States. State governments are neither regional offices nor administrative agencies of the Federal Government. The positions occupied by state officials appear nowhere on the Federal Government’s most detailed organizational chart. The Constitution instead “leaves to the several States a residuary and inviolable sovereignty,” [39 Federalist Paper] reserved explicitly to the States by the Tenth Amendment.”
The Supreme Court in New York v. United States

Fun Fact #1

Alongside amendment nine, amendment ten does not explicitly enumerate a freedom or privilege enjoyed by the populace of the United States, as does the previous eight amendments.

Amendment X is, instead, used as a bulwark for the states against the national government. In amendment ten, our founding fathers clearly voice their plan for the United States: a group of sovereign states; a government made up of three separate branches that are limited by their enumerated powers and the process of checks and balances that are in place; a people ruled under a Constitution that protects their rights as an individual against a tyrannical government.

Fun Fact #2

Under the Articles of Confederation, America was a “loose confederacy of sovereign states.” When the Constitutional Convention gathered to compose the Constitution, they still envisioned America as a group of sovereign states, but in addition, they added a government of separated branches that constantly would check and balance each other. However, to ensure that this new form of government would not overpower the sovereignty of the states, the founding fathers of America added the tenth amendment to the Bill of Rights.

Fun Fact #3

The tenth amendment forever prohibits the federal government from intruding on the freedoms of the sovereign states, the federal government cannot “out-and-out compel a state to act in an area in which the states hold their own sovereign power.”

Fun Fact #4

Amendment X is most applicable to today in the area of the healthcare debate: does the federal government have the right to tell the states what healthcare they can use; can the federal government force a healthcare program upon the states? Under the tenth amendment, I think the answer would be no.

“[T]he Constitution protects us from our own best intentions: it divides power among sovereigns and among branches of government precisely so that we may resist the temptation to concentrate power in one location as an expedient solution to the crisis of the day.” ~Sandra Day O’Connor, the first female justice to be appointed to the United States Supreme Court.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XI – June 2, 2011

June 2, 2011 – Amendment XI – Interpretation of Mr. Kevin Theriot’s Essay

Amendment XI

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

Amendment XI is the first amendment that succeeds the Bill of Rights. The eleventh amendment once again addresses our judicial system, however, this time in regard to suits and states.

Fun Fact #1

Amendment Eleven to the United States Constitution was ratified by the states in the year 1794. All states participated in the ratification process, excluding the states of Pennsylvania and New Jersey.

Fun Fact #2

Originally, Amendment XI prevented a citizen from one state from suing another state. For example, under the eleventh amendment, Paul Doe (or any other inhabitant) from New Hampshire could not sue the sovereign state of Nebraska. However, in the court case *Hans v. Louisiana*, the eleventh amendment's original intention was stretched. The Supreme Court ruled that a private citizen was also prohibited from suing the state in which they resided. Yet, there is still a way to take your state to court! The Supreme Court also ruled, if a citizen of Nebraska has been wronged by Nebraska and wants to file suit, the citizen must simply take the head executive (governor) of the state to court, in place of the state at large.

Fun Fact #3

You may be why the Supreme Court ruled that a citizen could *not* take his or her own state to court, yet at the same time, a citizen could take the state's governor to court. Their logic: governmental officials should always be held accountable for their actions and should never feel as if they are above the law.

Fun Fact #4

Still, however complex and twisted Supreme Court rulings may become, Amendment XI, in its original intent, prohibits a citizen from taking a state, which they don't inhabit, to court.

It is interesting to note the numerous amendments to our constitution that deal with our judiciary system. Through this fact it is evident that the framers of the constitution cared greatly that America was based upon a foundation of a solid court systems that would be fair and unbiased, serving as a vital element to our government's system of checks and balances.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XII – June 3, 2011

June 3, 2011 – Amendment XII – Interpretation of Professor Joerg Knipprath's Essay

Amendment XII

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as

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

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

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

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

The election process set in place by Article II, Second 1, Clause 3 of the United States Constitution had given American three smooth Presidential Election cycles “*The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.*

Fun Fact #1

Congress proposed Amendment XII to the several states in 1803 on the ninth day of December. Nearly seven months later, on the 15th day of June of the year 1804, the twelfth amendment to

the Constitution was ratified by the states. By the end of July, all of the states that were a part of the Union in the early 1800s unanimously ratified the amendment, excluding Delaware, Massachusetts, and Connecticut, who rejected the amendment.

Fun Fact #2

The first debacle in our Presidential Election cycle happened in 1800 – between Federalist John Adams, and Democratic Republican Thomas Jefferson – this election was the first time there was a change of “party” in the White House, the three previous elections had elected Washington, and then Adams, Federalist nominees. The reason for the debacle was because the election was not clear-cut. Had one of the nominees received the clear majority of votes, history might have played out differently. Yet, the election of 1800 reached its first dilemma when Thomas Jefferson and Aaron Burr (who was the intended Vice-Presidential nominee, but simply made the personal decision that he wanted to be President instead of Vice-President) received the same number for electoral votes. Thus, under Article II of the Constitution, the election was handed to Congress. After long delay, Jefferson was elected President, defeating Burr and Adams.

Fun Fact #3

Beside the confusion in the election of 1800, another element that played toward the ratification of the twelfth amendment was that, under Article II, the runner-up in the election was nominated Vice-President. As history revealed with the Presidency of John Adams, and with his Vice-President Jefferson – the runner-up under Adams in the 1786 election – that having a President and a Vice-President from two different parties did not spell “cooperation” as a definition of the executive branch. By the passing of the Twelfth amendment, the runner-up in Presidential elections would no longer become V.P. The Vice-President would now be elected separately.

The electoral system is a vital part to the United States election system. With the amendment process, we the people, through our elected representatives, were able to amend a problem that was found through trial and error. With these two glorious elements of our United States Constitution, we are now able to participate in a sturdy, trustworthy election system for our President.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XIII – June 6, 2011

June 6, 2011 – Amendment XIII – Interpretation of Ms. Hadley Heath’s Essay

Amendment XIII

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.

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

“All men are created equal...”

“...they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.”

America, in 1776, laid the first rock in the cobblestone path of equality by penning the four words “all men are created equal” in the Declaration of Independence. Those four words were revolutionary and enlightening; those four words changed the path of the world. It would take one hundred years for slavery to be abolished, but the first candle was lighted by our founding fathers when they declared men “are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.”

Fun Fact #1

The idea of equality for all mankind was introduced in our Declaration of Independence, in 1776. Four years later, in 1780, under the pressure of the anti-slavery Quakers, Pennsylvania passed the “Act for the Gradual Abolition of Slavery.” Following both of these American examples, the English in 1833, ended slavery in Great Britain with the Slavery Abolition Act, then, 15 years later, France abolished slavery as well, in 1848.

Fun Fact #2

The thirteenth amendment to the United States Constitution was ratified in 1865 on the 18th day in December.

Fun Fact #3

President Abraham Lincoln proclaimed, in his Emancipation Proclamation, that all slaves would be free. Sure enough, the thirteenth amendment was ratified, abolishing, for once and for all, slavery and involuntary servitude. Combined with the fourteenth and fifteenth amendments, Amendment XIII greatly expanded civil rights for all people.

Slavery is a permanent stain in American history. However, it is important to note that America did not invent slavery. To quote William J. Bennett in his book America: the Last Best Hope, where he discussed the days of Christopher Columbus, “Slavery was a pervasive fact of life among the Europeans, but also particularly among the Arabs, the Africans, and the Indians [American] themselves. In Asia, slavery had always existed.”

Behind the dark days of slavery was the promise that was written into the Declaration of Independence. Through the Civil War, and through a wonderful process our founding fathers left for us – the amendment process – equality of mankind was finally upgraded from a promise, to reality.

“One might conclude, that far from being slavery’s *worst* practitioners, westerners led the world to end the practice.”

~William J. Bennett

God Bless,
Juliette Turner

June 7, 2011 – Amendment XIV – Interpretation of Mr. Kevin Theriot’s Essay

Amendment XIV

- 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*
- 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.*
- 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.*
- 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.*
- 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.*

Most likely the longest amendment in the Constitution, Amendment XIV is a further protection of civil rights. A continuation of amendment thirteen in that it deals with the aftermath of the Civil War, amendment fourteen touches on four diverse issues that confronted the citizens of the United States in America’s antebellum time period. Amendment fourteen’s four subsections touch on everything from citizenship to debt issues that faced the war-weary states in the late 1800s.

Fun Fact #1

Amendment XIV was ratified in 1868, on the ninth day of July when it was ratified by twenty-eight of the thirty-seven states, reaching the appropriate number of states for ratification.

Fun Fact #2

The first subsection of the fourteenth amendment to the Constitution begins with stating that all persons who are born (or naturalized – immigrated here and obtained citizenship) in the United States are citizens of the United States. Now, as we continue reading, we find that this first subsection deals with much more than citizenship. We then find that this subsection forbids the states from passing any legislature that would abridge the rights or privileges of any citizen to obtain life, liberty, or property. The only way a state could do this was if the citizen had gone through a due process of law. Subsection 1 then declares that the laws of the United States equally protect all citizens.

Fun Fact #3

It is interesting to note that the fourteenth amendment has a different voice than all the other amendments. Amendment 14 begins to tell the states what they can and cannot do. Before, the amendments were geared toward either protecting the rights of citizens (from the federal government) or restraining the power of the federal government. When amendment fourteen was ratified, it changed the way the amendments worked. Instead of the first amendment just prohibiting the federal government from abridging individual worship, it now prohibited the states.

Fun Fact #4

Now, moving on to subsection two on amendment fourteen. This subsection addresses the issue of apportioning representation. A wee bit on the long side, this subsection can be very confusing. However, it is somewhat easier to understand if we take the “President” “Vice-President” and “Representative” wordage. Here is the narrowed down version of subsection two:

“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....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.”

OK! Is it somewhat easier to understand now, or could still use some more breaking down? Let’s break this subsection down into three little sections and see if it is any clearer.

1. By looking at the first sentence of subsection two, we find “whole number of persons.” By stating these four words, the fourteenth amendment erases the “two-thirds clause.” All persons are counted for as whole numbers now.
2. In the next sentence, we find that the age 21 is mentioned in reference to voting. Remember: the voting age was not lowered to eighteen until the twenty-sixth amendment.

There, does that make things clearer?

Fun Fact #5

Subsection three! Subsection three is easier to explain in a short story, so take this for example: Representative Sam is a representative in Washington D.C. from Mississippi. Representative Sam, following usual protocol, recited the oath of affirmation when he was sworn into office.

However, during the Civil War, Representative Sam ignored his Constitutional duties and joined the Confederate States of America, thus engaging in the rebellion against the Union. The war is now over and Representative Sam wants his seat in Congress again. Under Amendment XIV, he is prohibited to do so, unless the Congress decides to forgive Representative Sam by voting for his forgiveness. If Congress votes with a two-thirds majority in favor of Representative Sam's forgiveness, he is free to run for his seat again.

Fun Fact #6

Subsection four of amendment fourteen addresses the debt of America in the time of the Civil War. The point that was attempting to be made through this subsection was that the United States or any of the United States would not pay for the debt or obligation that was accumulated in favor of the rebellion against the United States. For example: a blacksmith made five hundred dollars worth of ammunition for the Confederate Army on the basis that he would be paid once the war was over. Since the ammunition was used for rebellious causes against the United States, the obligation to pay the blacksmith would be considered void.

Even though this amendment was geared toward dealing with the aftermath of the Civil War, there are still elements in it that are applicable to today, such as subsection one, where it proclaims that *all* citizens have the right to enjoy the privileges of freedom that is granted in the United States by our Constitution.

God Bless,
Juliette Turner

U.S. Constitution of Kids – Amendment XV – June 8, 2011

June 8, 2011 – Amendment XV – Interpretation of Mr. Colin Hanna's Essay

Amendment XV

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.

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

Amendment XV completes the three part series of civil rights amendments. Amendment fifteen promises, to all male citizens, that the right to vote will not be infringed upon or denied. The right to vote is a right that is cherished by all Americans, for, as the saying goes, "your vote is your voice." By the ratification of the fifteenth amendment, hundreds of thousands of Americans were given their "voice" by being able to vote for their representatives. It would take fifty more years, however, for women to earn their right to vote, but the fifteenth amendment is a large leap in the right direction, toward the equality of rights.

Fun Fact #1

The United States Congress passed the fifteenth amendment to the Constitution in 1869, on the 26th day of February. However, it was almost a year before this amendment was ratified by the states on February 3rd of 1870.

Fun Fact #2

It is interesting to note that many people are taught to believe that the fifteenth amendment *grants* citizens the right to vote. (In the event that they had been previously denied the right to vote “on account of race, color, and previous condition of servitude”) The truth is that this amendment simply *verifies* that no citizen can be *denied* his/her voting *rights* on account of race, color, or previous condition of servitude. A right is something one is born with, not something that is granted. This amendment secures the promise that this right will never be infringed.

Fun Fact #3

Even though the amendment was ratified in 1870, it was not until 1965, with the passage of the Voting Rights Act, that the legislation of the fifteenth amendment was solely put into practice. Prior to the Voting Rights Act, states could prohibit citizens to vote with barriers such as the literacy test, with which some states prohibited citizens from voting if they could not read and write. There were also barriers like the poll tax and property ownership requirements.

The fifteenth amendment is a highlight of American history. By the passage of the fifteenth amendment, America was slowly evolving toward the words of the Declaration of Independence; America was slowly evolving toward her goal of freedom and justice for all.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XVI – June 9, 2011

June 9, 2011 – Amendment XVI – Interpretation of Mr. Horace Cooper’s Essay

Amendment XVI

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.

The sixteenth amendment to the United States Constitution addresses the issue of income taxes. The income tax is a direct tax, meaning that the tax money leaves the individual’s pocket and goes straight to the government. A direct tax is different from an indirect tax – taxes such as import/export taxes and sales taxes. Learning about the income tax is very important because income taxes are still used today and are very prevalent in our monetary lives.

Fun Fact #1

Since the beginning of our country, direct taxes (not to mention taxes alone) have been frowned upon by the population. Our founding fathers, too, feared the government’s use of direct taxes. They felt that allowing the government to use direct taxes unconditionally would empower Congress to distribute a tax on the people with no cap to the price tag of the tax. Our founding fathers decided to turn to indirect taxes and use indirect taxes as the main source of revenue for the federal government. Direct taxes are ones that citizens *could* avoid if they made an eager

attempt. What do I mean? A direct tax is unavoidable, directly effecting the citizen, for it could include taxes on everything from income to cattle to land; however, an indirect tax is a tax on purchases which does not directly affect the citizen, for the citizen could avoid taxes on purchases if they, per se, did not buy any products that were taxed.

Fun Fact #2

Direct taxes were not mentioned until the time period Civil War where Congress needed a way to increase revenue. In 1861, the Congress passed the temporary Revenue Act, which “levied a flat tax of 3% on annual income above \$800 (or \$20,000 in today’s dollars).” However, this was only a temporary direct tax, expiring in 1893. Shortly afterwards, Congress attempted to distribute a federal tax “on income derived from real estate.” The Supreme Court, in the 1895 *Pollock v. Farmer’s Loan and Trust* case, ruled that the income tax was unconstitutional.

Fun Fact #3

After the turn of the century, around 1909, President William Taft requested, through a formal message, that Congress adopt an income tax amendment. Congress, who was already searching for more profitable source of income, accepted the idea with open arms. The sixteenth amendment was approved by the House of Representative with only 14 in dissent out of the 318 total congressmen, and was approved by the Senate unanimously. Ratified by 36 states, in the second month of 1913, the income tax legislation was placed sixteenth in the line of amendments.

Fun Fact #4

In the years after the amendment was ratified, lets take for example 1936, only 5% of the population paid an income tax. Today, practically all adults and some young adults pay an income tax to the federal government.

Under the sixteenth amendment, income tax is another way for the federal government to collect revenue. Most states *also* collect an income tax, however, some states – like Texas – only used indirect taxes, just like our founding fathers intended.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XVII – June 10, 2011

June 10, 2011 – Amendment XVII – Interpretation of Professor John S. Baker Jr.’s Essay

Amendment XVII

1: 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.

2: 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.

3: 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.

The ratification of the seventeenth amendment altered the way our federal government was intended to function. Our founding fathers assigned the branches of government, the election processes, and the enumerated powers in a way they thought would be most productive. The way they designed our government had sustained the country for one hundred and twenty-six years without any considerable changes to the foundation, before this amendment was ratified. Around the time of the ratification of Amendment XVII, there was no need for such an earth shattering alter to the Constitution.

Fun Fact #1

The seventeenth amendment to the Constitution of the United States was adopted in the year of 1913, on the eighth day of the month of April.

Fun Fact #2

The seventeenth amendment was a result of a long erosion of the process of electing Senators to the federal Congress. As we have learned from the previous chapters, the House of Representatives was always intended to represent the individual people of America, hence they were elected by the people themselves. The Senate was always intended to be the *state's* house; hence, Senators were to be selected by the state legislature. Of course, our founding fathers set up this regimen keeping in mind that no elected official should be buffered by the public. Having the state legislatures did not buffer Senators from the public, not one bit. If the people were dissatisfied with who was being sent to Washington as a Senator, all the people need do was elect different members of the state legislature. Through this process, both the states, and the people were represented in separate houses, but still, in a roundabout way, the people elected both houses in Congress.

Fun Fact #3

You may wonder, what was the force at work behind the seventeenth amendment? The force at work was a slowly enlarging, anti-constitutional movement called the "Progressive Movement." By their title, you can relatively guess their motive: to progressively move the populace away from the Constitution and the founding principles. Their goal was to enlarge the federal government. In order to achieve their goal, they had to remove the largest boulder in their path: the states. The Progressive Movement was the quite voice behind the scenes that persuaded Americans that federalism, the separation of the branches of government, the Constitution of enumerated powers, the checks and balances, was bad. In fact, their voice was so persuasive, that they persuaded the states themselves to give their power to the ever-hungry hands of the federal government.

Fun Fact #4

The election process worked foolproof for many years, but at the time of the Civil War, things began to change. The previous decade to the Civil War and even after the war, some southern state legislatures failed to elect and send Senators to Washington. With this issue at hand, and

other charges that Senators were being corruptly elected, some states adopted a “de facto” system for electing Senators, resulting in this method being ratified by the state legislatures. This method allowed the public to elect Senators instead of the state legislatures. Even though the public at large was now electing some of the Senators, *most* Senators were still being elected by the state legislatures. Thus, when an amendment arose for Senators to be elected by the public, it hit a dead end with the Senate who remained loyal to their electors. However, over time, more and more Senators began being elected by this “de facto” process, resulting in more and more publically elected Senators who would vote in favor of an amendment.

Fun Fact #5

Now, if you look at the ratification process, you see that the amendment first has to be adopted by the House, then it is voted on by the Senate, then it is given to the states, who have the final say in the ratification process. It is hard to fathom that the states would ever pass an amendment that would strip them of their say in the federal government. Yet, the truth is, the seventeenth amendment was passed through the House of Representatives, through the Senate, and was ratified by more than the required number of states.

Fun Fact #6

The seventeenth amendment literally muted the states. The states no longer have any pull in the national government. If the system of government had never been altered from its original intention, legislation such as the unfunded mandates would never have made it through the Senate. Sadly, the Progressives won the war over the states. With the states now out of the picture – the seventeenth amendment still in affect – the federal government has been happily rolling down the path of expansion.

The election process of our Senators, as it was originally intended, was part of the concrete foundation of America. In the years following the ratification of our Constitution, America, the tall statue of federalism, began to reach into sky and shine for the entire world to see, rising up with the strong foundation of the Constitution beneath it. After the ratification of the seventeenth amendment, though, a large chunk of America’s concrete foundation began to crumble. With the original checks and balances of power altered, and with the sovereign states slowly being edged out of the picture, the government is growing larger every day.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XVIII – June 13, 2011

June 13, 2011 – Amendment XVIII – Interpretation of Professor Joerg Knipprath’s Essay

Amendment XVIII

1: After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

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

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

Prohibition began as a state based issue, but rose to the national level when Congress, in 1913, by passing the Webb-Kenyon Act, prohibited the shipment of liquor to the states who had adopted prohibition. Prohibition first emerged into the scene if life in the mid-1800s, yet, it was not addressed federally until the early 1900s.

Fun Fact #1

Congress passed the eighteenth amendment to the Constitution, which prohibits the transportation and consummation of alcoholic beverages in the United States, in 1917 on the 18th day of December. It took little over a year, however, for the states to ratify the amendment, reaching the required amount of states (36 of the 48) on January 29th, 1919. By the end of March of the same year, all 48 states had ratified the amendment, but one, which never ratified the amendment; that state is Rhode Island!

Fun Fact #2

It is interesting to note that, by 1857, thirteen states had passed legislation that prohibited the sale of alcohol (one of them, shockingly, was New York). However, during the Civil War, and for a short time after, the prohibition movement quieted down, for most of the population, after the conclusion of the long, hard war, was, “yearning for a return to normalcy.” However, prohibition did return, joining forces with the women’s rights groups, and waved high their banner to defeat “demon rum.”

Fun Fact #3

Now, you may remember the name “Progressive” from our previous lesson on amendment seventeen. The Progressive Movement, (the powerful force behind the ratification of Amendment XVII), did not just slip out of the picture, after it completed its task of stripping the states of their hold in the federal government. The progressive movement was still alive and well during the early 1900s and the push for the eighteenth amendment. The Progressive movement was acting as a magnet and attracting American citizens from every walk of life. Their goal had now changed: “The Progressives looked to the power of the state, not to individuals or private groups, to get things done efficiently. For many of their leaders, such as Princeton professor (and eventual U.S. President) Woodrow Wilson and his later advisers, such as Herbert Croly, the old institutions, such as the Constitution and the courts, were anachronisms that prevented the emergence of a better order, led by an enlightened and [P]rogressive elite.”

Fun Fact #4

Amendment eighteen is pretty straight forward in that it prohibits alcohol in the United States. However, you may be wondering about the subsection in Amendment XVIII that requires that this amendment be ratified within the course in seven years. This subsection was taken to the Supreme Court – due to the question of constitutionality in regard to Article V – and in the 1921 case *Dillon v. Gloss*, where Justice Willis Van Devanter concluded that the subsection was “not

apart of the amendment, but part of Congress's resolution of submission of the amendment to the states." This same issue will arise again in regard to the nineteenth amendment where Congress, after the amendment failed to pass in the original seven years, added an additional three years to the timetable. Opponents of Congress's action in regard to the nineteenth amendment proclaim that this was an overreach by the federal Congress, or worse, an unconstitutional act.

Fun Fact #5

It is interesting to watch Amendment XVIII come full circle in the course of American history. Congress and the states first thought prohibition to be such a wonderful idea that it deserved its own amendment in the Constitution. Yet, shortly thereafter, not even twenty years later, Congress and the states completely changed their view on prohibition and repealed it with yet another amendment. The eighteenth amendment is a wonderful example of trial and error.

The eighteenth amendment was a radical, in its way: the only amendment that restricted citizens' rights, and the only amendment in the Constitution that was repealed by a latter amendment. However, it is the amendment process at work. Our founders left us with the amendment process so that, at any time, we (or through our representatives in Congress) can amend the Constitution or add amendments so that our government is kept in check with its founding principles.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XIX – June 14, 2011

June 14, 2011 – Amendment XIX – Interpretation of Ms. Carol Crossed's Essay

Amendment XIX

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

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

On August 18, 1920, women received the golden pass to their inalienable right to sound their voice through America's election process. Not even two months later, women from all walks of life, joined the rest of the country in walking into polling booths and dropping their ballot into that voting box, joining the rest of the citizen in practicing America's Republican form of government. You can simply imagine the faces of the women as they slipped their ballot into the voting box for the first time, as they realized that their voice was finally being heard, finally being accounted for.

Fun Fact #1

Congress passed the nineteenth amendment to the Constitution, the amendment that forever prohibited the constraint on women's voting rights, in 1919, on the fourth day of June. A little over a year later, on the eighteenth day of August in 1920, the required number of states (36 out of 48) ratified the amendment, landing women's rights nineteenth in the line of amendments to the Constitution.

Fun Fact #2

It is hard to fathom that women, approximately half the population of America, were still restricted from voting only ninety years ago. According to the *New York Times*, in the first election in which women were free to vote – the Presidential election of 1920 – some districts accumulated more women voter than men voters!

Fun Fact #3

Unlike the 26th amendment to the Constitution, whose ratification process was a little over three months in time, women all over the United State fought for their unalienable rights for seventy-two years. The main reason women wanted their voting rights to be free from infringement, was because they wanted their voice to be heard on issues such as child labor laws and universal education.

Fun Fact #4 ^[1]

It is amazing to see how far women have come in ninety years of having their right to vote. A total of 276 women have served in the Legislative branch of our federal government (237 congresswomen, 39 senators). Belva Lockwood, in 1884 and 1888 (yes, before women could even vote), was the first women to ever run for the presidency, actually receiving the electoral votes from the state of Indiana (sadly they were overturned), and receiving more than one thousand popular votes from New York and Illinois! In 2007, Rep. Pelosi was the first woman ever elected to serve as Speaker of the House. These are just two examples of how women are running up the ranks, no longer prohibited from sounding their voice in the political world. By the passing of the nineteenth amendment, women received their voting voice and were able to fly into the world of politics. The nineteenth amendment was another giant leap toward liberty and justice for all.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XX – June 15, 2011

June 15, 2011 – Amendment XX – Interpretation of Mr. William C. Duncan’s Essay

Amendment XX

- 1: The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.*
- 2: The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.*
- 3: If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have*

qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

4: The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

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

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

The twentieth amendment to the United States Congress attempts to do away with “lame-duck” sessions of Congress. You may be wondering what a duck has to do with a Congressional session. Well, a “lame-duck” session is the time period, subsequent to the Congressional and Senatorial elections, where the “old” Congress (“old” meaning some members of Congress have been voted out as the result of the prior election), while waiting for the “new” Congress to come claim their seats, are busy “cleaning house” and passing unresolved legislation that they know will not pass when the newly elected Congress begins its term. Now, what does this have to do with Amendment XX?!

Fun Fact #1

Congress proposed this amendment to the several states, in the year of 1932, on the second day of March. This legislation was placed as the twentieth amendment to the United States Constitution on the 23rd day of January in the year 1933, when the states ratified it, 327 days after the original proposal.

Fun Fact #2

Prior to the twentieth amendment, the terms of the newly elected president, vice-president, senators, and representatives, according to the laws of the Constitution, did not begin until March. This resulted in a four-month lag time between when the votes were added together and when the newly elected officials took office. This time period was the lame-duck session we were discussing earlier.

Fun Fact #3

The first subsection of the twentieth amendment specifies when the terms of the President and Vice-president shall end (the 20th day of January, when the clock strikes noon). Senators’ and Representatives’ terms shall end a few days earlier on the third day of January, once again at noontime. However, the year this all happens remains the same as the year previously mentioned in the Articles of the Constitution.

Fun Fact #4

Now, the second subsection of Amendment XX changes when Congress is required to meet. It is still only required to meet once a year, but now on January 3. So, now, when one term

terminates, the newly elected officials are required to immediately begin. The date Congress meets can change however if Congress passes a law determining another date. This was added into Amendment XX to try to shorten the “lame-duck” sessions.

Fun Fact #5

Subsection three is interesting. However, to sum it up into a few short and sweet sentences, when the time arrives for the new term to begin for the President-elect, if the President-elect has died or is unqualified for his job, the Vice President-elect takes charge until another President is elected. Now, if something really strange goes on where both the President-elect and the Vice President-elect are unqualified or pass-away, then Congress takes charge and appoints a temporary President and Vice-President until a new batch is elected.

Fun Fact #6

It is interesting to note that after the passage of the twentieth amendment, if something does happen to both the President-elect and the Vice President-elect, the newly elected Congress, instead of the “old” Congress, will appoint the temporary replacement.

Amendment XX is one of those amendments that is rarely debated in the political world and is taken for granted. Amendment twenty so subtly alters our election system that we the voters rarely realize it. However, it is still very important to the election system and the way it is supposed to work!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XXI – June 16, 2011

June 16, 2011 – Amendment XXI – Interpretation of Mr. Andrew Langer’s Essay

Amendment XXI

- 1: The eighteenth article of amendment to the Constitution of the United States is hereby repealed.*
- 2: The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.*
- 3: 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.*

Amendment twenty-one to the United States Constitution repealed the eighteenth amendment to the Constitution that prohibited the consumption and sale of alcohol. Amendment XXI is the only amendment to date that repeals another previous amendment to the Constitution.

Fun Fact #1

Congress proposed this amendment to the states in 1933 on the twentieth day of January. The several states subsequently ratified the amendment that repealed the prohibition of alcohol on the

fifth day of December of the same year. South Carolina was the sole state that rejected the amendment.

Fun Fact #2

Sixteen years after the ratification of the eighteenth amendment, it was obvious that the attempts to outlaw alcoholic beverages were failing. Instead of prohibiting alcohol, it sparked a string of smugglers who would sneak the drink across state lines. However, since the nation had the great idea of making prohibition a national issue by way of a Constitutional amendment, rather than keeping it as a statewide issue, it was not easy to fix the temperance problem. The only way to repeal prohibition was by passing another amendment that declared the lift of the ban on alcohol. This was done in the 1930s in the twenty-first amendment.

Fun Fact #3

Now, in previous amendments, we have gone through the amendment processes as follows: first the House votes on whether to pass the proposed legislation, and then the Senate votes on the proposed amendment, then Congress as a whole proposes the amendment to the state legislatures where they have the final say on whether the amendment is ratified. However, there is another method that we rarely talk about. This is the method of the state constitutional conventions. The method the architects of Amendment XXI used to ratify the amendment was the method of the state constitutional conventions. You may be wondering: why was this method used in place of the more popular, state legislature route? To answer the question, we must look at the eighteenth amendment. The eighteenth amendment was passed as a result of the great political pressures that the temperance movement had placed on the state legislatures. So, the architects of Amendment XXI, in order to avoid the political pressures that were still holding the state legislatures in favor of prohibition, decided to turn away from the state legislatures, and toward the state constitutional convention.

Fun Fact #4

The first subsection of amendment twenty-one repeals the ban on alcoholic beverages. Yet, in subsection two, the architects of the amendment attempted to place the issue of prohibition back into the hands of the states. However, this was a sad failure, for it was decided by the Supreme Court that states do not have the right to totally ban the consumption of alcohol, for, if consuming an alcoholic beverage was part of a religious service, then states could not deny the religion that right; for, if they did, that would be an infringement on their first amendment right.

Fun Fact #5

Prohibition was an “individual mandate,” meaning that the amendment directly affected the individual. Today, another individual mandate is being debated on the national scale: the issue of health care. Congress made an attempt to force the health care law upon the states and the individuals. Yet, the states quickly caught Congress in action and took the issue to court where it is currently being debated.

Amendment eighteen and twenty-one should be warning labels for anyone seeking to amend the Constitution: when it comes to prohibiting individuals of any of their freedoms, it is better to leave it in the hands of the states.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XXII – June 17, 2011

June 17, 2011 – Amendment XXII – Interpretation of Mr. Marc S. Lampkin’s Essay

Amendment XXII

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

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

For years, Presidents either followed President George Washington’s example by not seeking a third term, or their career as President was terminated by the voters at the end of their first or second term in office. For 150 years, two terms were the maximum number of terms a President every reached or strove to reach. It was not until Franklin Delano Roosevelt that a President occupied the White House for more than eight years.

Fun Fact #1

Amendment XXII was passed by the Congress in 1947 on the twenty-first day of March. One thousand, four hundred and thirty-nine days later, the amendment was ratified by the states, on February 27, 1951, adding the Presidential term limitation amendment as twenty-second in the line of amendments.

Fun Fact #2

Amendment XXII prohibits any president from seeking more than two terms in office (or eight years). However, if a situation occurs where the President succeeds into the office of the Presidency (take the situation of FDR’s Vice-president Harry Truman when he assumed the role of the presidency when FDR passed away), his succeeding term being greater than two years, then he (or she) can only seek one more term as President.

Fun Fact #3

Amendment twenty-two is the first mention of term limiting on the President of the United States; you will not find this issue mentioned anywhere else in the Constitution. It may appear at first as if the Founding Fathers outright ignored this issue, or plainly did not think of it. However, this is not the case. The issue of term limitation on the President of the United States was mentioned multiple times in the Constitutional Convention. In fact, the Constitutional Convention rejected three times the idea of limiting the number of terms in which the President can occupy the White House. Our founding fathers believed that if a leader was popular enough to be elected for multiple terms, then allow the voters to elect him as many times as they choose. Our founding fathers carefully set up the framework of our country so that, if a President is elected multiple times resulting in a long reign, frequent elections would keep the President in check.

Fun Fact #4

President Franklin Delano Roosevelt was the first and only president to ever occupy the White House for more than eight years. In fact, FDR was elected five times! However, FDR died approximately one hundred days into his fifth term in office. During his thirty-two years in office, under FDR's supervision the federal government expanded more than it ever had in any other time period in history. Coming out of the Great Depression, FDR began multiple public work programs and created the federal minimum wage. This, among other things, greatly enlarged our federal government. FDR was elected largely due to the fact that he was President during the Great Depression, and Democrats, when asked to elect their party nominee for president, were nervous to elect any other person as their nominee for they greatly feared that if another leader assumed the title of Commander in Chief, it would threaten the nation's efforts to come out of the Depression and set back America's cause in WWII. Thus, Democrats stuck with FDR.

It is interesting to learn how most American Presidential leaders followed President George Washington's heroic, humble, and courteous example of not seeking a third term. It is also interesting to note that the framers of the Constitution were opposed to term limitations. However, without such limitations on the Presidency, our federal government grew expansively when one human being occupied the White House for an extensive amount of time.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XXIII – June 20, 2011

June 20, 2011 – Amendment XXIII – Interpretation of Mr. Horace Cooper's Essay

Amendment XXIII

1: The District constituting the seat of government of the United States shall appoint in such manner as the Congress may direct: A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a state, but in no event more than the least populous state; they shall

be in addition to those appointed by the states, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a state; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

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

Amendment XXIII grants residents of Washington D.C. the authority to vote in Presidential elections and send electors to the Electoral College. Our founding fathers intended that the District of Columbia would serve as the capitol of the United States and as the home of the Congress and the President. Originally, the United States Congress was to reside over the aspects of the districts – as its sole body of government – and not the residents themselves. The residents of D.C. originally did not enjoy privileges such as sending members to Congress, voting for President, electing City Councils, etc. With the passing of the 23rd amendment, however, residents of our nation’s capital were granted one of the privileges of a United States citizen.

Fun Fact #1

Congress proposed amendment 23 to the states in 1960, on the seventeenth day of June. The ratification process was complete when the required number of states (38 of the 50) ratified the amendment on March 29, 1961.

Fun Fact #2

Article 1, Section 8, Clause 17 allows Congress to reside over the District and “exercise exclusive legislation in all cases whatsoever.” However, the residents of the capitol of the U.S. were not, and are still not, allowed to vote in Congressional and Senatorial elections. Neither does the small district have a voting representative in Congress! (It was not until 1970 that D.C. received its one and only *non*-voting representative.) By the ratification of amendment XXIII, the residents of the District of Columbia are now allowed to vote in presidential elections and are now allowed to be represented in the Electoral College. Yet, D.C. is restricted to the number of electors of that of the least populous state, which is Wyoming, who had just three electors in 2010.

Fun Fact #3

In the House Report, that went alongside the ratification of the amendment, noted that this amendment does not make the District of Columbia a state, and does not grant the district any privileges of a state, except the right to be represented in the Electoral College.

Fun Fact #4

Alongside their voting rights in the Presidential election, D.C. residents received a Mayor and City Council by the passage of the Home Rule Act in 1973 (an original push for Mayor and City Council was made as early as the 1820s!). D.C. residents also have the right to elect a School Board.

The Constitution, in its initial form, did not allow the residents of Washington D.C. many political rights that citizens of the several states enjoy (other than the unalienable rights like free speech, etc.). Though with the passing of the twenty-third amendment and other acts of Congress, DC residents now enjoy some of the rights they would be entitled to enjoy if they lived in any other location of the United States.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XXIV – June 21, 2011

June 21, 2011 – Amendment XXIV – Interpretation of Professor Joerg Knipprath's Essay

Amendment XXIV

1: The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any state by reason of

failure to pay any poll tax or other tax.

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

The poll tax was one of the infamous required tests a citizen had to take before he/she was able to place his/her vote. A citizen, under the poll tax, could only vote if he/she paid the fee that was collected from them before they cast their ballot, and if the voter demonstrated that he/she had paid the poll tax in previous elections. If the citizen had not paid the fee in past elections, they would have to pay the total sum of all their unpaid poll taxes before they could proceed to vote. The poll tax was a revenue source for state and federal governments; the poll tax was a tax directly on the person, instead of a tax on their land, and so forth. A poll tax was sometimes a large fee, or sometimes – as it was in Virginia just before the Supreme Court ruled that the tax was unconstitutional – as little as \$1.50 per person (or \$10.00 in today's money).

Fun Fact #1

Amendment XXIV to the United States Constitution was passed by the United States Senate on the twenty-seventh day of March in the year 1962. The amendment was then proposed to the House who passed the legislation exactly five months later of the same year. The amendment received the required ratifications, thirty-eight of the fifty state legislatures, on January 23, 1964. It is interesting to note that the State Legislature of North Carolina did not ratify this amendment until May 3 of 1989, twenty-five years after the ratification of the amendment to the Constitution.

Fun Fact #2

The issue of the poll tax was a hot topic throughout the early-mid and late 1900s due to two factors:

1. Some people thought that, under the 15th amendment (prohibiting one from denying another their right to vote due to racial discrimination), the poll tax was unconstitutional. You may be puzzled as to how a tax turns into a racial issue. Well statistics show that the

tax effectively hit the lower class, and, most especially, Southern African Americans, whose voting rate dropped to less than 5% during the early 1900s. In short, the first major factor that took part in pushing for the repeal of the poll tax was that, with poll taxes intact, African America voting rates dropped considerably.

2. The second major issue is that the poll tax does not prove anything about the citizen's eligibility to vote in an election, besides seeing if the citizen carried a bulk of cash in their pocket. Our Founding Fathers wanted to ensure that America was not based on a class system form of government, and most definitely would have frowned upon a poll tax. Other requirements that existed in the day, such as the literacy test, could be more excusable, for "having a literate electorate was a significant community interest...[and] [l]iteracy provided a foundation to acquire the knowledge needed for a wise and effective participation" of the voting populace.

Fun Fact #3

The push for the abolition of the poll tax began in the 1930s with President FDR, who sided with the Republican Party (not his base party, the Democrats), in their movement to rid the whole nation of the poll tax. The House of Representatives composed legislation that abolished the poll tax, but it was not passed in the Senate, due to a Southern led Senate filibuster that blocked the amendment. In 1944, the House tried once more to abolish the poll tax, however, the House ran into a rather large problem. In Article 1, the Constitution places vote qualification in the hands of the several states, and with the 15th and 19th amendment already under their belt, some people, even opponents of the tax, thought that the states' power over vote qualification was being quickly usurped and ordered that any legislation limiting the state's power be a constitutional amendment.

Fun Fact #4

The constitutional amendment was a little late coming, for by the 1960s, all but five states had already abandoned the poll tax. So be it, the twenty-fourth amendment finally passed through the Senate, avoiding another filibuster, then through the House, and then ratified by the states. It is very interesting to note that though the 24th Amendment prohibits the use of the poll tax, it only does so on a federal level. The twenty-fourth amendment does not prohibit the poll tax in state elections; this was left in the state's hands. However, the Supreme Court changed this in the 1966 Supreme Court Case, *Harper v. Virginia Board of Directors*, prohibited Virginia from having poll taxes on their statewide elections.

Fun Fact #5

It is interesting to look at voting rights in the light of our "fundamental rights" that the founders viewed as "pre-political"; consisting of speech, religion, self-defense, etc. However, voting is not considered a "fundamental right" per se, Amendment 24 and the extensive litigation before the United States Supreme Court result in voting rights having many similarities with other fundamental rights.

Amendment XXIV once again guarantees the voting rights of America's citizens. Now, alongside not being able to prohibit one from voting on account of gender or race, one cannot be prohibited from voting due to the lack of the ability to pay a poll tax.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XXV – June 22, 2011

June 22, 2011 – Amendment XXV – Interpretation of Mr. William C. Duncan's Essay

Amendment XXV

- 1: In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.*
- 2: Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.*
- 3: Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.*
- 4: Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President. Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty eight hours for that purpose if not in session. If the Congress, within twenty one days after receipt of the 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.*

The issue of what happens if the President of the United States is no longer able to live up to the duties asked of him as Commander in Chief has been a confusing puzzle for years. However, with the ratification of the twenty-fifth amendment to the Constitution, the question of when the Vice President is allowed to assume the Presidency, was answered. Amendment XXV answers the following four questions: what happens if a death occurs in the Presidency; what happens if

the slot of the Vice Presidency is vacated; what happens if the citizen filling the slot of Commander in Chief knowingly is unable to fulfill the duties asked of him (or her); and what happens if the President, who is being labeled as incompetent, refuses to surrender his/her power.

Fun Fact #1

Before we learn the details about the ratification about this amendment, it is interesting to note that this amendment was ratified by the Congress in somewhat of a backwards form. This amendment was first proposed to the *Senate* in Senate Joint Resolution No. 1. The Senate later approved it first (usually it is the House) on the nineteenth day of February in 1965. Then this amendment moved into the House where the People's House passed the legislation, in amended form, in 1965, on the 13th day of April. The several states then proceeded on to ratify the amendment, reaching the required thirty-nine of fifty states on the tenth day of February in 1967, essentially a year after the amendment was first proposed in the Senate.

Fun Fact #2

Now, from previous chapters, you may remember that there always was some uncertainty about when the Vice President is supposed to assume the slot of the Presidency and whether or not the Vice President is supposed to remain as President. With the passing of the twenty-fifth amendment, regardless of our founding fathers true intent, the issue of the Vice president's role was set into stone. The first thing that Amendment XXV clarifies is what happens if the President of the United States passes away during his/her term in office. According to Amendment 25, it is the duty of the Vice President to assume the role of Commander in Chief if the original President passes. You may remember that President John Tyler assumed the Presidency in this way. (President William Henry Harrison died shortly after his inaugural address, and John Tyler, his Vice President, assumed the Presidency and claimed that he had the right to remain as president. Tyler got his way and served as the precedent for future Vice Presidents and for amendment twenty-five.)

Fun Fact #3

The second issue that Amendment XXV clarifies is that of what is supposed to occur if the slot of the Vice President is vacant. This could occur in multiple ways: the Vice President passes away, the Vice President resigns, or the Vice President has to assumed the Presidency. In the course of American history, seven Vice Presidents have passed away, two Vice Presidents have resigned, and eight have had to assume the Presidency. In any case, Amendment 25 states that the President is to appoint another Vice President and the appointee can assume his position once and only if the Congress confirms the appointment.

Fun Fact #4

The third issue that Amendment XXV addresses is that of what is supposed to occur if the President of the United States knowingly is unable to fulfill the duties asked of him/her. Let's take for example, if the President of the United States knows that on, say, April 17th, he/she will be having surgery and will have to be in recovery for a week or so, the President can issue a statement to the President of the Senate and the Speaker of the House stating the previous information and that the Vice President will take his place for the days he/she will be unable to serve as President.

Fun Fact #5

The fourth issue that is clarified by the passing of this amendment is what is supposed to occur if the President is unable to serve as Commander in Chief, yet will not transfer his/her powers to the Vice President. It is not necessarily an easy process. First, what must happen, is that the Vice President, and a large portion of the President's principle officers must issue a statement to Congress stating the inadequateness of the President. However, the President is then allowed to object, and issue a statement clarifying that he/she is totally capable of serving as President. Then, if the Vice President and the other principle officers rebuttal once again by issues a statement saying, "No really, this guy is incapable of serving as President," an already confused Congress will decide the matter. Two-thirds of the Congress must agree in favor of the Vice President in order for the President to be removed from power. Yet, if Congress cannot obtain that two-thirds majority, the President will continue serving as usual.

It is interesting to note that this issue has arisen many times in the course of the history of the presidency: President Garfield was in a coma for eighty days before he finally passed due to assassination; Woodrow Wilson was sickened by a debilitating stroke approximately a year and a half before his term was completed; and President Eisenhower suffered from a heart attack and a stroke while serving the United States as President.

Amendment XXV, finally, after many years of uncertainty, finalizes the Vice Presidents role and some of the "what if's" of the Presidency. Can you believe it? We are so close to completing our study of the Constitution, nearing the end of the line of Amendments. Twenty-five down, two more to go.

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XXVI – June 23, 2011

June 23, 2011 – Amendment XXVI – Interpretation of Mr. Andrew Langer's Essay

Amendment XXVI

- 1: The right of citizens of the United States, who are 18 years of age or older, to vote, shall not be denied or abridged by the United States or any state on account of age.*
- 2: The Congress shall have the power to enforce this article by appropriate legislation.*

Amendment XXVI, the second to last amendment to the United States Constitution, lowers the required age to receive voting eligibility from age 21 to age 18. There were two main reasons as to why the voting age requirement was lowered: first, because in the late 1900s, young citizens, most who were already working and feeding families, were anxious to voice their opinions in the polling booths; second, because of the army drafts that were occurring during the war, young adults felt that if they could be drafted into the army, they should be able to vote; hence the statement, "If I'm old enough to be drafted to fight for my country, I ought to be able to vote those policies facing my country."

Fun Fact #1

Amendment XXVI was approved by the Senate on the tenth day of March in 1971, and then passed by the House of Representatives thirteen days later. Then the amendment was proposed to the several states of the United States of America, reaching the required thirty-nine of the fifty states on July 1, 1971, thus completing the amendment process for amendment twenty-six.

Fun Fact #2

President Eisenhower was the first president to push for a lowering of the voting age requirement, however, when Congress proceeded to attempt to require all states to lower the age, the Supreme Court ruled this action unconstitutional. The Court ruled that Congress would have to propose a constitutional amendment issuing the decrease in the age requirement, resulting in it being passed by the states, in order to nationally lower the age. Why? Our founding fathers had initially left the issue of voting requirements and eligibilities in the states hands, not in the federal government's hands. Obeying the Supreme Court's commands, Congress lower the voting age requirement when Richard Nixon was in occupancy of the White House in the 1970s

Fun Fact #3

In the election that succeeded the ratification of Amendment XXVI – the election of 1972 – the new young citizens eagerly flooded the voting booths, resulting in the 18 to 21 age range reaching its highest voting rates during that election cycle. From thence forth, voter turnout in the 18 to 21 age range has decreased and is now tremendously low.

It is of vital importance that young American citizens understand the importance of their voting rights. Every citizen's vote counts, and their right to express their opinion through the voting booths should not be taken for granted. The fact that, due to the brilliant framework of the Constitution, Americans are able to elect their leaders should be a prevalent thought in the minds of all Americans, especially on Election Day!

God Bless,
Juliette Turner

U.S. Constitution for Kids – Amendment XXVII – June 24, 2011

June 24, 2011 – Amendment XXVII – Interpretation of Professor Charles K. Rowley's Essay

Amendment XXVII

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

Amendment XXVII, the last amendment to the United States Constitution, was actually one of the first Amendments ever to be proposed to the states by the federal Congress. Amendment twenty-seven was introduced to the states originally as the second amendment in the Bill of Rights, (remember there were originally twelve amendments in the Bill of Rights when it was

submitted to the states in 1789?) However, this amendment was not ratified by the states and discarded for over two hundred years until the issue arose again in 1969.

Fun Fact #1

This amendment by far has the longest ratification process of all the ratified amendments to the Constitution. The 1st Congress of the United States first proposed the amendment in 1789 on the twenty-fifth day of September. (It is interesting to note that when first proposed in 1789, this amendment received a few, but not a sufficient number of state ratification. Only six states, Delaware, Maryland, North Carolina, South Carolina, Vermont, & Virginia, ratified the amendment) It was not until 1992, on the seventh day of May, a few months shy of 203 years later, that the amendment managing the pay raises of Senators' and Representatives' salaries, received the required thirty-nine out of the fifty- states. It is also of interest to note that Massachusetts, Pennsylvania, and New York have yet to ratify the amendment!

Fun Fact #2

The amount of money of our Congressional and Senatorial representative receive as result of being members of our Congress in Washington, according to Article 1, Section 6 of the United States Constitution, is left up to Congress itself. This, in a way, is like a boss telling his employees that they can choose whatever salary they desire. However, in real life, Congress cannot truly raise their salaries to whatever they want. Our Founding Father knew that Congress, if they raised their pay in too large a sum, would be checked by the people of America who would check the Legislative branch of government with their vote.

Fun Fact #3

In the time period between when this amendment was originally proposed and a few years before its ratification, Congress raised their pay twenty-two times! Members of the Congress were originally paid per diem, or per day. The first annual salary received by Congressional Members was in 1815: the pay being a small sum of \$1,500. More than one hundred and fifty years later, in 1968, Congressional salaries rose to the rate of \$30,000. In 2009, Congressional pay rates stood at \$174,000.

Fun Fact #4

What exactly does Amendment XXVII do on the issue of Congressional paychecks? Amendment twenty-seven prohibits an increase in Congressional pay from going into effect during the terms of our U.S. Congressmen and Congresswomen. For example, if Congress does pass legislation in which it orders higher salaries, the date in which the new salary alterations would go into effect must be after the following election of Congressmen/women. What does this do? This prohibits Representatives from passing legislation in which they raise the salaries of Congress members and directly benefitting from the legislation passed.

Fun Fact #5

You may be wondering how in the world this amendment essentially rose from the dead and became a hot topic two hundred years after it had already been debated. It was actually due to the actions of a young citizen by the name of Gregory Watson, who was attending the University of Texas at the time. It all began when he wrote a term paper in which he argued for the ratification of this amendment. He soon after "embarked on a one-man campaign for the amendment's

ratification” by writing letters to several state legislatures of different states across the nation. Gregory Watson is proof of how one man can make a difference, for shortly thereafter, approximately a year after Watson’s college term paper, Maine and then Colorado ratified the amendment. Then, as if this was the straw that broke the camel’s back, more and more states, ranging from two to seven per year, ratified the amendment.

Fun Fact #6

As you might imagine, members of Congress who had just been stripped of their rights to raise their salaries at any given time, were a little upset. Actually, “a little” is probably an understatement. Some legislators were upset enough as to challenge the validity of the amendment, taking it as far as to the Supreme Court! The Supreme Court ruled, though, in *Coleman v. Miller* in 1936, when asked if the amendment was still valid after all these years had passed, that if an amendment did not have a “due date,” so to speak, the amendment could be passed at any time.

The question, “Who guard the guardian?” is very interesting in the context of this amendment. Amendment twenty-seven of the United States Constitution places yet another check on the Legislative Branch, which serves as the check to the Executive branch of our government.

Even though amendment twenty-seven was passed by the states two hundred years after its proposal, it is not any less important than the other amendments that precede it. For, if amendment twenty-seven was not in place, who knows to what extent Congress members would be sucking up tax payer money for their own personal benefit!

God Bless,
Juliette Turner