

# American Documents

## THE DECLARATION OF INDEPENDENCE

In Congress, July 4, 1776.

The unanimous Declaration of the thirteen United States of America,

**W**hen in the Course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,

That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.

Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

### Preamble

The Preamble tells why the Declaration was written. It states that the members of the Continental Congress believed the colonies had the right to break away from Britain and become a free nation.

### A Statement of Rights

The opening part of the Declaration tells what rights-the members of the Continental Congress believed that all people have. All people are equal in having the rights to life, liberty, and the pursuit of happiness. The main purpose of a government is to protect the rights of the people who consent to be governed by it. These rights cannot be taken away. When a government tries to take these rights away from the people, the people have the right to change the government or do away with it. The people can then form a new government that respects these rights.

### Charges Against the King

The Declaration lists more than 25 charges against the king. He was mistreating the colonists, the Declaration says, in order to gain total control over the colonies.

The king rejected many laws passed by colonial legislatures.



The king made the colonial legislatures meet at inconvenient times and places.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

The king and the king's governors often dissolved colonial legislatures for disobeying their orders.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

The king stopped people from moving to the colonies and into the western lands.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

The king prevented the colonists from choosing their own judges. The king chose the judges, and they served only as long as the king was satisfied with them.

He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

The king hired people to help collect taxes in the colonies.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

The king appointed General Thomas Gage, commander of Britain's military forces in the Americas, as governor of Massachusetts.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

The king expected the colonists to provide housing and supplies for the British soldiers in the colonies.

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

The king and Parliament demanded that colonists pay many taxes, even though the colonists did not agree to pay them.

For imposing Taxes on us without our Consent:

Colonists were tried by British naval courts, which had no juries.

For depriving us in many cases, of the benefits of Trial by Jury:

Colonists accused of treason were sent to Britain to be tried.

For transporting us beyond Seas to be tried for pretended offenses:

For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:



For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do.

The king allowed General Gage to take military action to enforce British laws in the colonies.

The king hired Hessian mercenaries and sent them to fight the colonists.

The king's governor in Virginia promised freedom to all enslaved people who joined the British forces. The British also planned to use Indians to fight the colonists.

The Declaration explained the efforts of the colonists to avoid separation from Britain. But the colonists said that the king had ignored their protests. Because of the many charges against the king, the writers of the Declaration concluded that he was not fit to rule free people.

**A Statement of Independence**  
The writers declared that the colonies were now free and independent states. All ties with Britain were broken. As free and independent states, they had the right to make war and peace, to trade, and to do all the things free countries could do.



To support the Declaration, the signers promised one another their lives, their fortunes, and their honor.

And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

John Hancock

NEW HAMPSHIRE

Josiah Bartlett  
William Whipple  
Matthew Thornton

MASSACHUSETTS

John Adams  
Samuel Adams  
Robert Treat Paine  
Elbridge Gerry

NEW YORK

William Floyd  
Philip Livingston  
Francis Lewis  
Lewis Morris

RHODE ISLAND

Stephen Hopkins  
William Ellery

NEW JERSEY

Richard Stockton  
John Witherspoon  
Francis Hopkinson  
John Hart  
Abraham Clark

PENNSYLVANIA

Robert Morris  
Benjamin Rush  
Benjamin Franklin  
John Morton  
George Clymer  
James Smith  
George Taylor  
James Wilson  
George Ross

DELAWARE

Caesar Rodney  
George Read  
Thomas McKean

MARYLAND

Samuel Chase  
William Paca  
Thomas Stone  
Charles Carroll of Carrollton

NORTH CAROLINA

William Hopper  
Joseph Hewes  
John Penn

VIRGINIA

George Wythe  
Richard Henry Lee  
Thomas Jefferson  
Benjamin Harrison  
Thomas Nelson, Jr.  
Francis Lightfoot Lee  
Carter Braxton

SOUTH CAROLINA

Edward Rutledge  
Thomas Heyward, Jr.  
Thomas Lynch, Jr.  
Arthur Middleton

CONNECTICUT

Roger Sherman  
Samuel Huntington  
William Williams  
Oliver Wolcott

GEORGIA

Button Gwinnett  
Lyman Hall  
George Walton

Members of the Continental Congress stated that copies of the Declaration should be sent to all Committees of Correspondence and to commanders of the troops and that it should be read in every state.

Resolved, That copies of the Declaration be sent to the several assemblies, conventions, and committees, or councils of safety, and to the several commanding officers of the continental troops; that it be proclaimed in each of the United States, at the head of the army.



# THE CONSTITUTION OF THE UNITED STATES OF AMERICA

## Preamble\*

**W**e the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

## ARTICLE I THE LEGISLATIVE BRANCH SECTION 1. CONGRESS

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

### SECTION 2. THE HOUSE OF REPRESENTATIVES

(1) 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.

(2) 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.

(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*]. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every 30,000, but each state shall have at least one Representative [*; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts eight; Rhode Island and Providence Plantations one; Connecticut five; New York six; New Jersey four; Pennsylvania eight; Delaware one; Maryland six; Virginia ten; North Carolina five; South Carolina five; and Georgia three*].

\*Titles have been added to make the Constitution easier to read. They did not appear in the original document.

\*\*The parts of the Constitution that no longer apply are printed in italics within brackets [ ]. These portions have been changed or set aside by later amendments.

### Preamble

The introduction to the Constitution states the purposes for writing it. The writers wanted to set up a fairer form of government and to secure peace and freedom for themselves and for future generations.

### Congress

Congress has the authority to make laws. Congress is made up of two groups of lawmakers: the Senate and the House of Representatives.

### (1) Election and Term of Members

Qualified voters are to elect members of the House of Representatives every two years. Anyone whom state law allows to vote for a state's legislators may also vote for its representatives to Congress.

### (2) Qualifications

Members of the House of Representatives must be at least 25 years old. They must have been citizens of the United States for at least seven years. They must live in the state that they will represent.

### (3) Determining Apportionment

The number of representatives a state may have depends on the number of people living in each state. Every ten years the federal government must take a census, or count, of the population in every state. Every state will have at least one representative.



**(4) Filling Vacancies**  
 If there is a vacancy in the House of Representatives, the governor of the state involved must call a special election to fill it.

**(5) Special Authority**  
 The House of Representatives chooses a Speaker as its presiding officer. It also chooses other officers as appropriate. The House is the only government branch that may impeach, or charge, an official in the executive branch or a judge of the federal courts for failing to carry out his or her duties. These cases are then tried in the Senate.

**(1) Number, Term, and Selection of Members**  
 Each state is represented by two senators. Until Amendment 17 was passed, state legislatures chose the senators for their states. Each senator serves a six-year term and has one vote in Congress.

**(2) Overlapping Terms and Filling Vacancies**  
 One-third of the senators are elected every two years for a six-year term. This grouping allows at least two-thirds of the experienced senators to remain in the Senate after each election. Amendment 17 permits state governors to appoint a replacement to fill a vacancy until the next election is held.

**(3) Qualifications**  
 Senators must be at least 30 years old. They must have been citizens of the United States for at least nine years. They must live in the state that they will represent.

**(4) President of the Senate**  
 The Vice President acts as chief officer of the Senate but does not vote unless there is a tie.

**(5) Other Officers**  
 The Senate chooses its other officers and a president pro tempore, who serves if the Vice President is not present or if the Vice President becomes President. *Pro tempore* is a Latin term meaning "for the time being."

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

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

SECTION 3. THE SENATE

(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.

(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.*]

(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.

(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 choose their other officers, and also a President *pro tempore*, in the absence of the Vice President, or when he shall exercise the office of the President of the United States.



(6) The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

**(6) Impeachment Trials**

If the House of Representatives votes in favor of impeachment, the Senate holds a trial. A two-thirds vote is required to convict a person who has been impeached.

(7) Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

**(7) Penalty for Conviction**

If convicted in an impeachment case, an official is removed from office and may also be banned from ever holding office in the United States government again. The convicted person may also be tried in a regular court of law for any crimes.

**SECTION 4. ELECTIONS AND MEETINGS**

(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].

**(1) Holding Elections**

Each state makes its own rules about electing senators and representatives. However, Congress may change these rules. Today congressional elections are held on the Tuesday after the first Monday in November, in even-numbered years.

(2) The Congress shall assemble at least once in every year, [and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day].

**(2) Meetings**

The Constitution requires Congress to meet at least once a year. That day is the first Monday in December, unless Congress sets a different day. Amendment 20 changed this date to January 3.

**SECTION 5. RULES OF PROCEDURE**

(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.

**(1) Organization**

Each house of Congress may decide if its members have been elected fairly and are entitled to hold office. Each house may do business only when a quorum—a majority of its members—is present. By less than a majority vote, each house may compel absent members to attend.

(2) Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

**(2) Rules**

Each house may decide its own rules for doing business, punish its members, and expel a member from office if two-thirds of the members agree.

(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.

**(3) Journal**

The Constitution requires each house to keep records of its activities and to publish these records from time to time. The House Journal and the Senate Journal are published at the end of each session. How each member voted must be recorded if one-fifth of the members ask for this to be done.



**(4) Adjournment**

When Congress is in session, neither house may take a recess for more than three days without the consent of the other.

**(1) Pay and Privileges**

Members of Congress set their own salaries, which are to be paid by the federal government. Members cannot be arrested or sued for anything they say while Congress is in session. This privilege is called congressional immunity. Members of Congress may be arrested while Congress is in session only if they commit a crime.

**(2) Restrictions**

Members of Congress may not hold any other federal office while serving in Congress. A member may not resign from office and then take a government position created during that member's term of office or for which the pay has been increased during that member's term of office.

**(1) Money-Raising Bills**

All money-raising bills must be introduced first in the House of Representatives, but the Senate may suggest changes.

**(2) How a Bill Becomes a Law**

After a bill has been passed by both the House of Representatives and the Senate, it must be sent to the President. If the President approves and signs the bill, it becomes law. The President can also veto, or refuse to sign, the bill. Congress can override a veto by passing the bill again by a two-thirds majority. If the President does not act within ten days, one of two things will happen. If Congress is still in session, the bill becomes a law. If Congress ends its session within that same ten-day period, the bill does not become a law.

**(3) Orders and Resolutions**

All attempts by Congress to make law must be submitted to the President for the President's agreement or veto. Congress may decide on its own when to end the session. Other such acts must be signed or vetoed by the President.

(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.

## SECTION 6. PRIVILEGES AND RESTRICTIONS

(1) 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.

(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.

## SECTION 7. MAKING LAWS

(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.

(2) Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same bill 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.

(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.



## SECTION 8. POWERS DELEGATED TO CONGRESS

The Congress shall have power

(1) To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

(2) To borrow money on the credit of the United States;

(3) To regulate commerce with foreign nations, and among the several states and with the Indian tribes;

(4) To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

(5) To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

(6) To provide for the punishment of counterfeiting the securities and current coin of the United States;

(7) To establish post offices and post roads;

(8) To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

(9) To constitute tribunals inferior to the Supreme Court;

(10) To define and punish piracies and felonies committed on the high seas and offenses against the law of nations;

### (1) Taxation

Congress has the authority to raise money to pay debts, defend the United States, and provide services for its people by collecting taxes or tariffs on foreign goods. All taxes must be applied equally in all states.

### (2) Borrowing Money

Congress may borrow money for the federal government's use. This is usually done by selling government bonds.

### (3) Commerce

Congress can control trade with other countries, with Indian nations, and between states.

### (4) Naturalization and Bankruptcy

Congress decides what requirements people from other countries must meet to become United States citizens. Congress can also pass laws to protect people who are bankrupt, or cannot pay their debts.

### (5) Coins, Weights, and Measures

Congress can coin money and decide its value. Congress may also decide on the system of weights and measures to be used throughout the nation.

### (6) Counterfeiting

Congress may pass laws to punish people who make fake money or bonds.

### (7) Postal Service

Congress can build post offices and make rules about the postal system and the roads used for mail delivery.

### (8) Copyrights and Patents

Congress can issue patents and copyrights to inventors and authors to protect the ownership of their works.

### (9) Federal Courts

Congress can establish a system of federal courts under the Supreme Court.

### (10) Crimes at Sea

Congress can pass laws to punish people for crimes committed at sea. Congress may also punish United States citizens for breaking international law.



**(11) Declaring War**

Only Congress can declare war.

(11) To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

**(12) The Army**

Congress can establish an army, but it cannot vote money to support it for more than two years. This part of the Constitution was written to keep the army under Congressional control.

(12) To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

**(13) The Navy**

Congress can establish a navy and vote money to support it for as long as necessary. No time limit was set because people thought the navy was less of a threat to people's liberty than the army was.

(13) To provide and maintain a navy;

**(14) Military Regulations**

Congress makes the rules that guide and govern all the armed forces.

(14) To make rules for the government and regulation of the land and naval forces;

**(15) The Militia**

Each state may organize some or all of its citizens into a militia, or military force, capable of fighting to protect the state. The militia can be called into federal service by the President, as authorized by Congress, to enforce laws, to stop uprisings against the government, or to protect the people in case of floods, earthquakes, and other disasters.

(15) To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

**(16) Control of the Militia**

Congress may help each state arm, train, and organize its citizens into an armed military force. Each state may appoint its own officers and train this force according to rules set by Congress.

(16) To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

**(17) National Capital and Other Property**

Congress may pass laws to govern the nation's capital (Washington, D.C.) and any land owned by the government.

(17) To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; —and

**(18) Other Necessary Laws**

The Constitution allows Congress to make laws that are necessary to enforce the powers listed in Article I. This clause has two conflicting interpretations. One is that Congress can only do what is absolutely necessary to carry out the powers listed in Article I and in other parts of the Constitution. The other view is that Congress can do whatever is reasonably helpful to carrying out those powers, so its authority becomes very broad though not unlimited.

(18) To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.



## SECTION 9. POWERS DENIED TO CONGRESS

(1) *[The migration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by the Congress prior to the year 1808; but a tax or duty may be imposed on such importation, not exceeding 10 dollars for each person.]*

(2) The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

(3) No bill of attainder or ex post facto law shall be passed.

(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.

(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.

(8) No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

### (1) Slave Trade

Some authority is not given to Congress. Congress could not prevent the slave trade until 1808, but it could put a tax of ten dollars on each slave brought into the United States. After 1808, this section no longer applied, and Congress banned the slave trade.

### (2) Habeas Corpus

A writ of habeas corpus entitles a person to a hearing before a judge. The judge must then decide if there is good reason for that person to have been arrested. If not, that person must be released. The government is not allowed to take this privilege away except during a national emergency, such as an invasion or a rebellion.

### (3) Special Laws

Congress cannot pass laws that impose punishment on a named individual or group. Congress also cannot pass laws that punish a person for an action that was legal when it was done.

### (4) Direct Taxes

Congress cannot set a direct tax on people—as opposed to taxes on transactions, such as on imports into the country, or on sales of certain goods—unless it is in proportion to the total population. Amendment 16, which provides for the income tax, is an exception.

### (5) Export Taxes

Congress cannot tax goods sent from one state to another or from a state to another country.

### (6) Ports

When making trade laws, Congress cannot favor one state over another. Congress cannot require ships from one state to pay a duty to enter another state.

### (7) Public Money

The government cannot spend money from the treasury unless Congress passes a law allowing it to do so. A written record must be kept of all money spent by the government.

### (8) Titles of Nobility and Gifts

The United States government cannot grant titles of nobility. Government officials cannot accept gifts from other countries without the permission of Congress. This clause was intended to prevent government officials from being bribed by other nations.



## SECTION 10. POWERS DENIED TO THE STATES

**(1) Complete Restrictions**

The Constitution does not allow states to act as if they were individual countries. No state government may make a treaty with other countries. No state can print or coin its own money.

**(2) Partial Restrictions**

No state government can tax imported goods or exported goods without the consent of Congress. States may charge a limited fee to inspect these goods, but profits must be given to the United States Treasury.

**(3) Other Restrictions**

No state government may tax ships entering its ports unless Congress approves. No state may keep an army or navy during times of peace other than its citizen-soldier militia. No state can enter into agreements, or "compacts," with other states without the consent of Congress.

(1) No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

(2) No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

(3) No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II

## THE EXECUTIVE BRANCH

## SECTION 1. PRESIDENT AND VICE PRESIDENT

**(1) Term of Office**

The President has the authority to carry out our nation's laws. The term of office for both the President and the Vice President is four years.

**(2) The Electoral College**

This group of people is to be chosen by the voters of each state to elect the President and Vice President. The number of electors in each state is equal to the combined number of senators and representatives that state has in Congress.

**(3) Election Process**

This clause describes in detail how the electors were to choose the President and Vice President. In 1804 Amendment 12 changed the process for electing the President and the Vice President.

(1) The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice President, chosen for the same term, be elected as follows:

(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.

(3) *[The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President the votes shall be taken by states, the representation from each state having one vote: A quorum for this purpose shall consist*



of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.]

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

(5) 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 the President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

(6) [In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.]

(7) The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

(8) Before he enter on the execution of his office, he shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States."

## SECTION 2. POWERS OF THE PRESIDENT

(1) The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

### (4) Time of Elections

Congress decides the day the electors are to be elected and the day they are to vote.

### (5) Qualifications

The President must be at least 35 years old, be a citizen of the United States by birth, and have been living in the United States for 14 years or more.

### (6) Vacancies

If the President dies, resigns, or is removed from office, the Vice President becomes President.

### (7) Salary

The President receives a salary that cannot be raised or lowered during a term of office. The President may not be paid any additional salary by the federal government or any state or local government. Today the President's salary is \$400,000 a year, plus expenses for things such as housing, travel, and entertainment.

### (8) Oath of Office

Before taking office, the President must promise to perform the duties faithfully and to protect the country's form of government. Usually the Chief Justice of the Supreme Court administers the oath of office.

### (1) The President's Leadership

The President is the commander of the nation's armed forces and of the militia when it is in service of the nation. All heads of government departments must respond to the President's requests for their opinions. The President can pardon people, or excuse them from punishment for crimes they committed.



**(2) Treaties and Appointments**

The President has the authority to make treaties, but they must be approved by a two-thirds vote of the Senate. The President nominates justices to the Supreme Court, ambassadors to other countries, and other federal officials with the Senate's approval. Congress may allow the President to appoint some officials without Senate confirmation. It may also let courts or heads of federal departments appoint some officials.

(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.

**(3) Filling Vacancies**

If a government official's position becomes vacant when the Senate is not in session, the President can make a temporary appointment.

(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.

**Duties**

The President must report to Congress on the condition of the country. This report is now presented in the annual State of the Union message. The President is also responsible for enforcing federal laws.

**SECTION 3. DUTIES OF THE PRESIDENT**

He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

**Impeachment**

The President, the Vice President, or any government official will be removed from office if impeached, or accused, and then found guilty of treason, bribery, or other serious crimes.

**SECTION 4. IMPEACHMENT**

The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

**ARTICLE III  
THE JUDICIAL BRANCH**

**Federal Courts**

The authority to decide legal cases is granted to a Supreme Court and to a system of lower courts established by Congress. The Supreme Court is the highest court in the land. Justices and judges are in their offices for life, subject to good behavior.

**SECTION 1. FEDERAL COURTS**

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

**SECTION 2. AUTHORITY OF THE FEDERAL COURTS**

**(1) General Authority**

Federal courts have the authority to decide cases that arise under the Constitution, laws, and treaties of the United States. They also have the authority to settle disagreements among states and among citizens of different states.

(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;*]



between citizens of different states; —between citizens of the same state claiming lands under grants of different states, [and between a state or the citizens thereof, and foreign states, citizens, or subjects.]

(2) 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.

(3) The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

### SECTION 3. TREASON

(1) Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

(2) The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

## ARTICLE IV RELATIONS AMONG STATES

### SECTION 1. OFFICIAL RECORDS

Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

### SECTION 2. PRIVILEGES OF THE CITIZENS

(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.

#### (2) Supreme Court

The Supreme Court can decide certain cases being tried for the first time. It can review cases that have already been tried in a lower court if the decision has been appealed, or questioned, by one side.

#### (3) Trial by Jury

The Constitution guarantees a trial by jury for every person charged with a federal crime. Amendments 5, 6, and 7 extend and clarify a person's right to a trial by jury.

#### (1) Definition of Treason

Acts that may be considered treason are making war against the United States or helping its enemies. A person cannot be convicted of attempting to overthrow the government unless there are two witnesses to the act or the person confesses in court to treason.

#### (2) Punishment for Treason

Congress can decide the punishment for treason, within certain limits.

#### Official Records

Each state must honor the official records and judicial decisions of other states.

#### (1) Privileges

A citizen moving from one state to another has the same rights as other citizens living in that person's new state of residence. In some cases, such as voting, people may be required to live in their new state for a certain length of time before obtaining the same privileges as citizens there.

#### (2) Extradition

At a state governor's request, a person who is charged with a crime in a state and who tries to escape justice by crossing into another state may be returned to the state in which the crime was committed.



**(3) Fugitive Slaves**

The original Constitution required that runaway slaves be returned to their owners. Amendment 13 abolished slavery, eliminating the need for this clause.

**(1) Admission of New States**

Congress has the authority to admit new states to the Union. The Supreme Court has held that all new states have the same rights as existing states.

**(2) Federal Property**

The Constitution allows Congress to make or change laws governing federal property. This applies to territories and federally owned land within states, such as national parks.

**Guarantees to the States**

The federal government guarantees that every state shall have a republican form of government. The United States must also protect the states against invasion and help the states deal with rebellion or local violence.

**Amending the Constitution**

Changes to the Constitution may be proposed by a two-thirds vote of both the House of Representatives and the Senate or by a national convention called by Congress when asked by two-thirds of the states. For a proposed amendment to become law, the legislatures or conventions in three-fourths of the states must approve it.

**(1) Public Debt**

Any debt owed by the United States before the Constitution went into effect was to be honored.

**(2) Federal Supremacy**

This clause declares that the Constitution, federal laws, and treaties are the highest law in the nation. Whenever a state law and a federal law are found to disagree, the federal law must be obeyed so long as it is constitutional.

(3) [No person held to service or labor in one state, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.]

SECTION 3. NEW STATES AND TERRITORIES

(1) New 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.

(2) The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

SECTION 4. GUARANTEES TO THE STATES

The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

ARTICLE V

AMENDING THE CONSTITUTION

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 1808 shall in any manner affect the first and fourth clauses in the Ninth Section of the First Article; and that] no state, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI

GENERAL PROVISIONS

(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, anything 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 VII RATIFICATION

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

Done in convention by the unanimous consent of the states present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty seven and of the independence of the United States of America the Twelfth. In witness whereof we have hereunto subscribed our names.

George Washington—President and deputy from Virginia

### DELAWARE

George Read  
Gunning Bedford, Jr.  
John Dickinson  
Richard Bassett  
Jacob Broom

### MARYLAND

James McHenry  
Daniel of St. Thomas Jenifer  
Daniel Carroll

### VIRGINIA

John Blair  
James Madison, Jr.

### NORTH CAROLINA

William Blount  
Richard Dobbs Spaight  
Hugh Williamson

### SOUTH CAROLINA

John Rutledge  
Charles Cotesworth Pinckney  
Charles Pinckney  
Pierce Butler

### GEORGIA

William Few  
Abraham Baldwin

### NEW HAMPSHIRE

John Langdon  
Nicholas Gilman

### MASSACHUSETTS

Nathaniel Gorham  
Rufus King

### CONNECTICUT

William Samuel Johnson  
Roger Sherman

### NEW YORK

Alexander Hamilton

### NEW JERSEY

William Livingston  
David Brearley  
William Paterson  
Jonathan Dayton

### PENNSYLVANIA

Benjamin Franklin  
Thomas Mifflin  
Robert Morris  
George Clymer  
Thomas FitzSimons  
Jared Ingersoll  
James Wilson  
Gouverneur Morris

ATTEST: William Jackson, secretary

### (3) Oaths of Office

All federal and state officials must promise to follow and enforce the Constitution. These officials cannot be required to follow a particular religion or satisfy any religious test.

### Ratification

In order for the Constitution to become law, 9 of the 13 states had to approve it. Special conventions were held for this purpose. The process took 9 months to complete.



**Freedom of Religion, Speech, Press, Assembly, and Petition**

The Constitution provides for the freedoms of religion, speech, the press, peaceable assembly, and petition for redress of grievances. It also prohibits Congress from establishing religion.

**Weapons**

People disagree about the meaning of this amendment. Some think it protects the right of state governments to arm their own state militias. Others think it protects the right of individual people to own guns, as a means of maintaining an armed citizenry that can act as a check and balance on government power.

**Housing Soldiers**

The federal government cannot force people to house soldiers in their homes during peacetime. However, Congress may pass laws allowing this during wartime.

**Searches and Seizures**

This amendment protects people's privacy and safety. Subject to certain exceptions, a law officer cannot search a person or a person's home and belongings unless a judge has issued a valid search warrant. There must be good reason for the search. The warrant must describe the place to be searched and the people or things to be seized, or taken.

**Rights of Accused Persons**

If a person is accused of a crime that is punishable by death or of any other serious crime, a grand jury must decide if there is enough evidence to hold a trial. People cannot be tried twice for the same crime, nor can they be forced to testify against themselves. No person shall be fined, jailed, or executed by the government unless the person has been given a fair trial. The government cannot take a person's property for public use unless fair payment is made.

**AMENDMENT 1 (1791)\*\*\*****FREEDOM OF RELIGION, SPEECH, PRESS, ASSEMBLY, AND PETITION**

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

**AMENDMENT 2 (1791)****WEAPONS**

A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

**AMENDMENT 3 (1791)****HOUSING SOLDIERS**

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 4 (1791)****SEARCHES AND SEIZURES**

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

**AMENDMENT 5 (1791)****RIGHTS OF ACCUSED PERSONS**

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

\*\*\* The date beside each amendment is the year that the amendment was ratified and became part of the Constitution.



## AMENDMENT 6 (1791)

### RIGHTS RELATED TO CRIMINAL TRIALS

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

## AMENDMENT 7 (1791)

### JURY TRIAL IN CIVIL CASES

In suits at common law, where the value in controversy shall exceed 20 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 8 (1791)

### BAIL AND PUNISHMENT

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

## AMENDMENT 9 (1791)

### RIGHTS OF THE PEOPLE

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

## AMENDMENT 10 (1791)

### POWERS OF THE STATES AND THE PEOPLE

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.

## AMENDMENT 11 (1798)

### SUITS AGAINST STATES

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States or citizens of another state, or by citizens or subjects of any foreign state.

### Rights Related to Criminal Trials

A person accused of a crime has the right to a public trial by an impartial jury, locally chosen. The trial must be held within a reasonable amount of time. The accused person must be told of all charges and has the right to see, hear, and question any witnesses and to call his or her own witnesses. The government must allow the accused to have a lawyer. This has also been interpreted as requiring the government to provide a lawyer free of charge to a person who is accused of a serious crime and who is unable to pay for legal services.

### Jury Trial in Civil Cases

In most federal civil cases involving more than 20 dollars, a jury trial is guaranteed. Civil cases are those disputes between two or more people over money, property, personal injury, or legal rights. Usually civil cases are not tried in federal courts unless they involve a federal law, rather than just state law, or much larger sums of money are involved.

### Bail and Punishment

Courts cannot punish convicted criminals in cruel and unusual ways and cannot impose fines that are too high. Bail is money put up as a guarantee that an accused person will appear for trial. In certain cases bail can be denied altogether.

### Rights of the People

People disagree about the meaning of this amendment. Some think it authorizes courts to protect certain individual rights even though those rights are not expressly stated in the Bill of Rights. Others think the amendment recognizes that state laws may protect a wide range of individual rights that are not mentioned in the Bill of Rights but that those unenumerated rights may be defined or repealed by the democratic process in each state.

### Powers of the States and the People

Any powers not given to the federal government or denied to the states belong to the states or to the people.

### Suits Against States

A citizen of one state or of a foreign country cannot sue another state in federal court.



**Election of President and Vice President**

This amendment replaces the part of Article II, Section 1, that originally explained the process of electing the President and Vice President. Amendment 12 was an important step in the development of the two-party system. It allows a party to nominate its own candidates for both President and Vice President.

**AMENDMENT 12 (1804)****ELECTION OF PRESIDENT AND VICE PRESIDENT**

The electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of 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 a number be a majority of the whole number of electors appointed; and if no person have such majority; then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. [*And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President.*] The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then, from the two highest numbers on the list the Senate shall choose the Vice President; a quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

**AMENDMENT 13 (1865)****END OF SLAVERY****SECTION 1. ABOLITION**

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

**SECTION 2. ENFORCEMENT**

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

**AMENDMENT 14 (1868)****RIGHTS OF CITIZENS****SECTION 1. CITIZENSHIP**

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

**End of Slavery**

People cannot be forced to work against their will unless they have been tried for and convicted of a crime for which this means of punishment is ordered. However, there are historical exceptions where compulsory work is permitted, such as the military draft and jury duty. Congress may enforce this by law.

**Citizenship**

All persons born or naturalized in the United States are citizens of the United States and of the state in which they live. State governments may not deny any citizen the full rights of citizenship. This amendment also guarantees that no state may take away a person's life, liberty, or property without following the procedure prescribed by law. All citizens must be protected equally under law.



## SECTION 2. NUMBER OF REPRESENTATIVES

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

## SECTION 3. PENALTY FOR REBELLION

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

## SECTION 4. GOVERNMENT DEBT

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

## SECTION 5. ENFORCEMENT

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

## AMENDMENT 15 (1870)

### VOTING RIGHTS

#### SECTION 1. RIGHT TO VOTE

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

#### SECTION 2. ENFORCEMENT

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

## AMENDMENT 16 (1913)

### INCOME TAX

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

#### Number of Representatives

Each state's representation in Congress is based on its total population. Any state denying eligible citizens the right to vote will have its representation in Congress decreased. This clause abolished the Three-fifths Compromise in Article I, Section 2. Later amendments granted women the right to vote and lowered the voting age to 18.

#### Penalty for Rebellion

No person who has rebelled against the United States may hold federal office. This clause was originally added to punish the leaders of the Confederacy for failing to support the Constitution of the United States.

#### Government Debt

The federal government is responsible for all federal public debts. It is not responsible, however, for Confederate debts or for debts that result from any rebellion against the United States.

#### Enforcement

Congress may enforce these provisions by law.

#### Right to Vote

No state may prevent a citizen from voting because of race or color or condition of previous servitude.

#### Income Tax

Congress has the power to collect taxes on its citizens, based on their personal incomes, rather than requiring the states to impose and collect such taxes.



**Direct Election of Senators**

Originally, state legislatures elected senators. This amendment allows the people of each state to elect their own senators directly. The idea is to make senators more responsible to the people they represent.

**AMENDMENT 17 (1913)****DIRECT ELECTION OF SENATORS****SECTION 1. METHOD OF ELECTION**

The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

**SECTION 2. VACANCIES**

When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: *Provided*, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

**SECTION 3. EXCEPTION**

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

**AMENDMENT 18 (1919)****BAN ON ALCOHOLIC DRINKS****SECTION 1. PROHIBITION**

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

**SECTION 2. ENFORCEMENT**

*[The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.]*

**SECTION 3. RATIFICATION**

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

**Prohibition**

This amendment made it illegal to make, sell, or transport liquor within the United States or to transport it out of the United States or its territories. Amendment 18 was the first to include a time limit for approval. If not ratified within seven years, it would be repealed, or canceled. Many later amendments have included similar time limits.

**Women's Voting Rights**

This amendment protected the right of women throughout the United States to vote.

**AMENDMENT 19 (1920)****WOMEN'S VOTING RIGHTS****SECTION 1. RIGHT TO VOTE**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

**SECTION 2. ENFORCEMENT**

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

**Terms of Office**

The terms of the President and the Vice President begin on January 20, in the year following their election. Members of Congress take office on January 3. Before this amendment newly elected members of Congress did not begin their terms until March 4. This meant that those who had run for reelection and been defeated remained in office for four months.

**AMENDMENT 20 (1933)****TERMS OF OFFICE****SECTION 1. BEGINNING OF TERMS**

The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.



## SECTION 2. SESSIONS OF CONGRESS

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

### Sessions of Congress

Congress meets at least once a year, beginning at noon on January 3. Congress had previously met at least once a year beginning on the first Monday of December.

## SECTION 3. PRESIDENTIAL SUCCESSION

If, at the time fixed for the beginning of the term of the President, the President-elect shall have died, the Vice President-elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, 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 be qualified.

### Presidential Succession

If the newly elected President dies before January 20, the newly elected Vice President becomes President on that date. If a President has not been chosen by January 20 or does not meet the requirements for being President, the newly elected Vice President becomes President. Congress may enact a law that indicates who will temporarily serve as President if neither the newly elected President nor the newly elected Vice President meets the requirements for office.

## SECTION 4. ELECTIONS DECIDED BY CONGRESS

The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

## SECTION 5. EFFECTIVE DATE

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

## SECTION 6. RATIFICATION

*[This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three fourths of the several states within seven years from the date of its submission.]*

## AMENDMENT 21 (1933)

### END OF PROHIBITION

#### SECTION 1. REPEAL OF AMENDMENT 18

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

#### SECTION 2. STATE LAWS

The transportation or importation into any state, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

#### SECTION 3. RATIFICATION

*[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 Congress.]*

### End of Prohibition

This amendment repealed Amendment 18. This is the only amendment to be ratified by state conventions instead of by state legislatures. Congress felt that this would give people's opinions about prohibition a better chance to be heard.



**Two-Term limit for Presidents**

A President may not serve more than two full terms in office. Any President who serves less than two years of a previous President's term may be elected for two more terms.

**AMENDMENT 22 (1951)  
TWO-TERM LIMIT FOR PRESIDENTS  
SECTION 1. TWO-TERM LIMIT**

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

**SECTION 2. RATIFICATION**

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

**Presidential Electors for District of Columbia**

This amendment grants three electoral votes to the national capital.

**AMENDMENT 23 (1961)  
PRESIDENTIAL ELECTORS FOR DISTRICT OF COLUMBIA  
SECTION 1. NUMBER OF ELECTORS**

The District constituting the seat of Government of the United States shall appoint in such manner as Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a state, but in no event more than the least populous state; they shall be in addition to those appointed by the states, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a state, and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

**SECTION 2. ENFORCEMENT**

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

**Ban on Poll Taxes**

No United States citizen may be prevented from voting in a federal election because of failing to pay a tax to vote. Poll taxes had been used in some states to prevent African Americans from voting.

**AMENDMENT 24 (1964)  
BAN ON POLL TAXES  
SECTION 1. POLL TAX ILLEGAL**

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

**SECTION 2. ENFORCEMENT**

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

**Presidential Vacancy**

If the President is removed from office or resigns from or dies while in office, the Vice President becomes President.

**AMENDMENT 25 (1967)  
PRESIDENTIAL SUCCESSION  
SECTION 1. PRESIDENTIAL VACANCY**

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



## SECTION 2. VICE PRESIDENTIAL VACANCY

Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take the office upon confirmation by a majority vote of both houses of Congress.

### Vice Presidential Vacancy

If the office of the Vice President becomes open, the President names someone to assume that office and that person becomes Vice President if both houses of Congress approve by a majority vote.

## SECTION 3. PRESIDENTIAL DISABILITY

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.

### Presidential Disability

This section explains in detail what happens if the President cannot continue in office because of sickness or any other reason. The Vice President takes over as acting President until the President is able to resume office.

## SECTION 4. DETERMINING PRESIDENTIAL DISABILITY

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 48 hours for that purpose if not in session. If the Congress, within 21 days after receipt of the latter written declaration, or, if Congress is not in session, within 21 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.

### Determining Presidential Disability

If the Vice President and a majority of the Cabinet inform the Speaker of the House and the president pro tempore of the Senate that the President cannot carry out his or her duties, the Vice President then serves as acting President. To regain the office, the President has to inform the Speaker and the president pro tempore in writing that he or she is again able to serve. But, if the Vice President and a majority of the Cabinet disagree with the President and inform the Speaker and the president pro tempore that the President is still unable to serve, then Congress decides who will hold the office of President.

## AMENDMENT 26 (1971)

### VOTING AGE

#### SECTION 1. RIGHT TO VOTE

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.

#### SECTION 2. ENFORCEMENT

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

### Voting Age

All citizens 18 years or older have the right to vote. Formerly, the voting age was 21 in most states.

## AMENDMENT 27 (1992)

### CONGRESSIONAL PAY

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

### Congressional Pay

A law raising or lowering the salaries for members of Congress cannot be passed for that session of Congress.



"The Star-Spangled Banner" was written by Francis Scott Key in September 1814 and adopted as the national anthem in March 1931. The army and navy had recognized it as such long before Congress approved it.

During the War of 1812, Francis Scott Key spent a night aboard a British warship in the Chesapeake Bay while trying to arrange for the release of an American prisoner. The battle raged throughout the night, while the Americans were held on the ship. The next morning, when the smoke from the cannons finally cleared, Francis Scott Key was thrilled to see the American flag still waving proudly above Fort McHenry. It symbolized the victory of the Americans.

There are four verses to the national anthem. In these four verses, Key wrote about how he felt when he saw the flag still waving over Fort McHenry. He wrote that the flag was a symbol of the freedom for which the people had fought so hard. Key also told about the pride he had in his country and the great hopes he had for the future of the United States.

## THE NATIONAL ANTHEM

### The Star-Spangled Banner

(1)

Oh, say can you see by the dawn's early light  
 What so proudly we hail'd at the twilight's last gleaming,  
 Whose broad stripes and bright stars through the perilous fight  
 O'er the ramparts we watch'd were so gallantly streaming?  
 And the rockets' red glare, the bombs bursting in air,  
 Gave proof through the night that our flag was still there.  
 Oh, say does that star-spangled banner yet wave  
 O'er the land of the free and the home of the brave?

(2)

On the shore dimly seen through the mists of the deep,  
 Where the foe's haughty host in dread silence reposes,  
 What is that which the breeze, o'er the towering steep,  
 As it fitfully blows, half conceals, half discloses?  
 Now it catches the gleam of the morning's first beam,  
 In full glory reflected now shines in the stream.  
 'Tis the star-spangled banner, oh, long may it wave  
 O'er the land of the free and the home of the brave!

(3)

And where is that band who so vauntingly swore  
 That the havoc of war and the battle's confusion  
 A home and a country should leave us no more?  
 Their blood has wash'd out their foul footsteps' pollution.  
 No refuge could save the hireling and slave  
 From the terror of flight or the gloom of the grave,  
 And the star-spangled banner in triumph doth wave  
 O'er the land of the free and the home of the brave.

(4)

Oh, thus be it ever when freemen shall stand  
 Between their lov'd home and the war's desolation!  
 Blest with vict'ry and peace may the heav'n-rescued land  
 Praise the power that hath made and preserv'd us a nation!  
 Then conquer we must, when our cause it is just,  
 And this be our motto, "In God is our Trust,"  
 And the star-spangled banner in triumph shall wave  
 O'er the land of the free and the home of the brave.



## THE PLEDGE OF ALLEGIANCE

I pledge allegiance to the Flag  
of the United States of America,  
and to the Republic  
for which it stands,  
one Nation under God, indivisible,  
with liberty and justice for all.

The flag is a symbol of the United States of America. The Pledge of Allegiance says that the people of the United States promise to stand up for the flag, their country, and the basic beliefs of freedom and fairness upon which the country was established.

