

Notes on the Amendments

Mr. Lewis
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First Amendment 1791

- “Congress shall make no law”
- No established religion
- Free exercise of religion
- Free speech

First Amendment 1791--continued

- Free press
- Freedom to assemble
- Freedom to petition the government

Second Amendment 1791

- Right to bear arms
- “a well-regulated militia”
- “shall not be infringed”

Third Amendment 1791

- Quartering troops
- Reaction to British "Quartering Act"

Fourth Amendment 1791

- Search and Seizure
- "unreasonable search and seizure"
- "probable cause"
- "secure in...persons, houses, papers and effects"

Fifth Amendment 1791

- Rights of Accused Persons
- Grand Jury must indict for felonies
- Double jeopardy

Fifth Amendment 1791--continued

- People cannot be forced to incriminate themselves
- "due process of law"
- Compensation for eminent domain

Sixth Amendment
1791

- Right to a speedy and public trial
- Jury from the state and district where the crime occurred
- Right to confront witnesses
- Right to a lawyer

Seventh Amendment
1791

- Trial by jury
- Right to jury trial in criminal AND civil cases
- Double jeopardy

Eighth Amendment
1791

- No excessive bail
- No "cruel and unusual punishment"

Ninth Amendment
1791

- Rights of the people
- People are not limited to ONLY the rights spelled out in the Constitution
- *Roe v. Wade*

Tenth Amendment 1791

- Anything not spelled out in the Constitution as a power of the government is a power reserved for the states and/or the people.

Eleventh Amendment 1795

- People of one state can't sue another state in Federal court.
- People of foreign countries can't sue a state in Federal court.

Twelfth Amendment 1804

- This is how we now elect presidents
- The Electoral College process is outlined.
- If there is a tie in the EC for President, the House of Representatives votes for the President
- If there is a tie in the EC for VP, the Senate votes.

Thirteenth Amendment 1865

- One of the three Civil Rights Amendments
- Abolished slavery in the USA

Fourteenth Amendment 1868

- One of the three Civil Rights Amendments
- Anyone born in the USA is a citizen
- “no state shall make or enforce any law which shall abridge the privileges or immunities of citizens..nor deprive any person of life, liberty or property without due process of law”
- “Equal protection of the laws”

Fourteenth Amendment pt. II

- All people including African Americans (but not counting Native Americans) count equally for apportioning members of Congress.
- Confederate officers ineligible for some Federal offices
- USA not obligated to pay Confederate debts

Fifteenth Amendment 1870

- One of the three Civil Rights Amendments
- Right to vote shall not be denied based on “race, color or previous condition of servitude”
- African-American MEN could vote, even if they had been slaves
- No mention of women

Sixteenth Amendment 1913

- Gave Congress the right to have a nationwide income tax

Seventeenth Amendment 1913

- Direct election of Senators
- Made the Senate more responsive to citizens

Eighteenth Amendment 1919

- Made illegal the “manufacture, sale or transportation of intoxicating liquors”
- Culmination of decades of work to make alcoholic drinks illegal

Nineteenth Amendment 1920

- Gave women the right to vote in state and Federal elections.

Twentieth Amendment 1933

- Presidential inauguration from March 4th to January 20th.
- Made government more responsive.
- Eliminated excessive “lame duck” Presidencies-newly elected leaders to work faster.
- Done during the Depression, when America wanted faster Executive action.

Twenty-First Amendment 1933

- Repealed, or made invalid, the 18th Amendment.
- The 18th is the only Amendment later made completely invalid.

Twenty-Second Amendment 1951

- Limits term of the President to 2 full terms plus two years.
- Made in reaction to Franklin Roosevelt, who had been elected to 4 terms (though he died 3 months into the 4th).

Twenty-Third Amendment 1961

- Finally (1961) gave residents of Washington DC the right to vote in Presidential elections
- DC residents still have no one representing them in the House or Senate.



Twenty-Fourth Amendment 1964

- Prohibited "poll taxes".
- These taxes were used to keep African-Americans from voting in the South.

Twenty-Fifth Amendment 1967

- Finally established rules for succeeding a President (or VP) who dies in office, is impeached and convicted, or resigns.
- Established rules for if a President should be declared “unable to discharge his duties”.

Twenty-Sixth Amendment 1971

- Gave 18 year olds the right to vote in state and Federal elections.

Twenty-Seventh Amendment 1992

- This Amendment took 203 years to pass!
- No pay raise for members of Congress can go into effect until an election has taken place.