



The Constitution of The United States of America

This entry is intended to provide the reader with an overview of the Constitution and a couple of sources of information for those of you who might be interested in learning more on the subject.

In appendix I have included a historical perspective of how the Constitution came about. Appendix II there is a discussion on the amendments to the Constitution highlighting the first ten amendments known as the “Bill of Rights”.

Firstly, let us jump head long into the Constitution.

The Constitution of the United States of America:

Preamble:

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

Now to the Constitution itself:

There are seven Articles contained in the Constitution. They are:

- Article I (1) The Congress (bicameral)
 - Comprised of a House of Representatives and Senate
 - This Article clearly delineates the powers of both branches of Congress
 - Section 2 Gives the power of Impeachment to the House
 - Section 3 says the Senate shall try Impeachments and says the Chief Justice shall preside over Impeachment of the President and Vice-president.
 - Section 7 Gives the power of the purse to the House
 - Section 8 describes the majority of the powers of congress
- Article II (2) Executive
 - Defines the duties and powers given to the President (The President cannot create laws only the Congress can do that.

- Article III (3) Judicial
 - Defines the duties and power of the Supreme Court and gives Congress the power to create ‘inferior’ courts as it sees fit.
- Article IV (4) Relationship of the States and the Federal Government (Federalism)
 - Establishes the relationship between the laws and citizens of the individual states and the federal government. It requires states to give “full faith and credit” to the laws (public acts), records, and court proceedings of the other states.
 - The “privileges and immunities clause” prohibits state governments from discriminating against citizens of other states in favor of resident citizens and extradition of criminals from one state to another.
 - New States may be added but they cannot change their boundaries without the consent of congress
 - The United States shall guarantee that all states shall maintain a Republican form of government and shall protect each of them from invasion and domestic violence
- Article V (5) Amendments
 - Defines how the Constitution can be changed through amendments. Allows Congress to propose changes –with a 2/3 vote of members of both houses and ratification of three-fourths of the states. The States can call for changes with a two-thirds vote of the states.
- Article VI (6) General Provisions
 - This Article discusses the public debt All debts that each of the states have taken on are now the debt of the Nation
 - The supreme law of the land will be this constitution – Includes treaties made before and subsequent to the signing of the constitution by the United States are considered as part of the supreme law under this constitution
 - No religious test required for administering the oath of office or for holding any federal or state office
- Article VII (7) Ratification of the Constitution:
 - Discusses the process by which the then 13 states will have to sign the constitution in order for it to be ratified (remember there were only 13 states at that time and 9 states represented a three-fourths vote)
 - The Constitution was eventually ratified by all 13 states
 - Official Certification by the Convention occurred on 17 September 1787
 - The 9th state (New Hampshire) ratified the Constitution on 21 June 1788 making it the official constitution of the United States

Discussion on the Constitution:

The main body Constitution clearly defines the duties, responsibilities and powers of each branch of the Government. Also defined here is the limitations on the new Government and provides for 'separation of powers and checks and balances' between the branches of government. These two principals have been the stabilizing factor that has kept our government alive and thriving (arguably up to now) for over 230 years.

What this main body of the Constitution does not do is define are the rights of the people. This principal of the people's rights was a sticking point for many of the Delegates to the Convention. Not everybody at the Convention liked the document that it generated. George Mason said "I would rather cut off my right hand than use it to sign this document". Of the 50 delegates 16 did not sign. The big sticking point was the desire for a section defining the rights of the people. So it was agreed that after this document was ratified a "Bill of Rights" would be created – and it was created and in ratified in 1794.

Amendments to the Constitution:

Today there are 27 amendments to our Constitution. As I have said previously the first 10 are known as the "bill of Rights". The text of the 27 Amendments is provided here.

Amendment I

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

Amendment II

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

Amendment III

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

Amendment IV

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

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be

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

Amendment VI

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

Amendment VII

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

Amendment VIII

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

Amendment IX

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

Amendment X

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

Amendment XI

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

Amendment XII

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; — the President of the Senate shall, in the

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

Amendment XIII

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.

Amendment XIV

Section 1

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

Section 2

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

Section 3

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

Section 4

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

Section 5

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

Amendment XV

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

Amendment XVI

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

Amendment XVII

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

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

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

Amendment XVIII

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.

Amendment XIX

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

Amendment XX

Section 1

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

Section 2

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

Section 3

If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4

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

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

Amendment XXI

Section 1

The eighteenth article of amendment to the Constitution of the United States is hereby repealed.
(Ended prohibition)

Amendment XXII

No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by 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.

Amendment XXIII

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.

Amendment XXIV

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 poll tax or other tax.

Amendment XXV

Section 1

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

Section 2

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

Section 3

Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers

and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4

Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

Amendment XXVI

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Amendment XXVII

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

This ends the text of the Constitution. For further discussion on the Constitution and amendments I suggest that the reader go to the website of the Heritage Foundation as they have a comprehensive discussion. Here is a link to the site. <https://www.heritage.org/constitution#!/>

Additionally, Hillsdale College offers several good courses on this subject and other relevant topics.

Appendix 1

The History of the creation of the Constitution:

The date of July 4, 1776 is celebrated as the birthday of this Nation but it is not the birthday of the Constitution.

An abbreviated history lesson is in order here. Firstly, the War for Independence actually started in April of 1775 with the Battle at Lexington/Concord outside of Boston. The British army attacked a bunch of rebels who had been collecting arms and ammunition. One well might ask, why were the rebels collecting arms? The answer to that question is because of the taxes that were being levied against the Colonies.

In the years leading up to the Revolution the British Government pretty much left the Colonies alone and was content to trade with the Colonies even though the Colonies fell under the rule of the British Government. In 1750 the British went to War with the French and Indians in what is now known as the Great Lakes Region including parts of Canada. This war raged on for several years until 1763. Finally, the British prevailed but at great expense. As a result of this war the British had accumulated not only large debt but also a significant number of troops and forts in the Americas.

To pay for the war the British Parliament and the King decided that because they had saved the Colonies from the French that it was fitting that the Colonies should help pay for the war. The British started levying taxes on a great number of goods being shipped to the Colonies such as tea, glass and other commodities. The British passed the Townsend Acts (taxes) and sent tax collectors to collect these taxes. When the people resisted they sent troops to guard the tax collectors. To house these troops they merely took over people's homes and moved their soldiers in. As you can imagine between taxes and troops the people of the Colonies were not happy. The real clincher was that the Colonies had no representation in the Parliament thus the slogan "No taxation without representation".

These actions fermented the Boston Massacre and the Boston Tea Party. Both of these actions by the rebels caused the British to even further escalate the presence of troops. In 1775 the Colonies decided to send representatives to a convention called The First Continental Congress. At this gathering a letter to the King was drafted that outlined the grievances that the Colonies had with the British. This letter was ignored by the King and only spurred the King to send more troops. Additionally, The First Continental Congress appointed George Washington as Commander of the Continental Army. Actually, the Continental Army consisted of Militias from several of the colonies, mostly from the Boston area.

In the spring of 1776 The Second Continental Congress came together to decide what to do about the situation. There were several proposals discussed but the eventual outcome was to declare our independence from the British Empire. A group of five representatives were selected to write a formal Declaration of Independence. As we all know Thomas Jefferson wrote a draft that was ratified by the Convention on July second and formally declared on July fourth of 1776. What is of course, most noteworthy is that this document forms the basis of the government and

constitution we now enjoy. The concept of divine rights of the people and self-rule are outlined in the second paragraph.

I present that paragraph here for your consideration: “***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, ...***”. (Emphasis added)

As stated above, the birth of the Constitution and our current form of government is September 17, 1787. What happened in between July 4, 1776 and September 17, 1787?

A war for independence was fought and won by the Colonies (I will not go into detail about the war as it would take pages and is somewhat irrelevant to the topic at hand - The Constitution). What is relevant is that during the war the Colonies saw themselves as independent countries (states) and had adopted (kind of) a ruling document called the Articles of Confederation and Everlasting Unity. Unfortunately, this document was basically ignored by the Colonies and certainly did not create everlasting unity.

After the War for Independence the states began to act as separate countries. There was no single army, no set of universal laws and worst of all no single form of money. The Confederation of States (Not to be confused with the Confederation that formed and fought the Civil War) did not send any money to the central government. They entered into treaties with foreign countries. The monetary situation was so dire that the French Colony of New Orleans stopped trading with the new government. People committed crimes in one state and fled to another state to avoid the law. Worst of all were the factions that were forming in the individual states. Factions of the wealthy and politically connected passed laws against the “common” people. The wealthy had loaned the country the money to fight the war and wanted repayment. These wealthy and well connected people started confiscating the property of the patriots who fought the war and selling it off. Even though the law said that the ‘loyalists’ would not be punished their property was the first to be taken. In upstate New York several farmers resisted this takeover and started “Shay’s Rebellion”.

The situation was dire and fledgling country was a mess – something had to be done.

What finally brought the country to this realization was when Maryland and Virginia were battling over which state controlled the Potomac and Chesapeake Bay waterways. These two States (countries) were on the verge of war over this issue. There were several meetings on the subject but the situation remained unresolved. So, in January of 1787, George Washington called for meeting of delegates from both states to come to Mount Vernon for a conference to iron out the problem. From this meeting a new Conventions of States was formed that convened in June of that year for the purpose of fixing the Articles of Confederation. After much prodding George Washington agreed to preside over the gathering.

Several states gave their delegates explicit instructions to just modify these Articles. After several days of deliberation (fighting) it was decided to scrap the old Articles and create a new document. I will not bore you with a lot of the discussions that went on as the deliberation went

on for several weeks. Of that deliberation it has been said that it was a “gathering of 50, mostly obese, old men crammed in a space too small for the gathering and held in one of the hottest summers on record”.

The Preamble to the Constitution best summarizes the problems with the Articles of Confederation. I repeat it here to save the reader from having to refer back to it:

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

This preamble summarizes the situation in a nutshell. Hence the creation of the basic Constitution. The Preamble was written after the Constitution was penned.

This document was finally approved by the convention on September 17 of 1787. To prevent the factions (mentioned earlier) from preventing the adoption of the Constitution it was NOT sent to the states directly for approval but rather to the people of the individual states. This is the only law ever approved by the people of the United States.

Some states readily approved the document, but the most important states of Virginia and New York were slow to ratify. To encourage the voters of these two states to approve three of the writers of the Constitution published a series of letters (85 in total) to the newspapers of New York to explain the intent of the Constitution. These three people were: Alexander Hamilton, James Madison and John Jay. These articles were published under the pen-name Publius. These letters have been combined into what is known as the Federalist Papers. Hamilton wrote most of the first several articles. Madison penned many of the others. John Jay only wrote five because of a health problem. Of these articles Thomas Jefferson said ‘These documents are the best description of a government ever written’.

Again, I will not discuss these “Federalist Papers” here as when compiled they comprise over one hundred pages in small print and the vernacular of the day is foreign to our ears today.

The Bill of Rights:

Unfortunately, all too many of the American people really do not understand the content, intent and purpose of the Bill of Rights. If asked ‘what is the Bill of Rights’ all too frequently people have little or no idea what is in these Amendments and what is their purpose. There are ten (10) amendments in what has become known as the “Bill of Rights”. All of the amendments in the bill of rights are important to our freedoms. Provided here is a discussion of each of these important amendments – and some other amendments that are equally important.

I have not always included the exact wording of the amendments because they are stated above.

When it was written the Constitution of the United States was structured so as to define the powers, and the limitations on powers granted, to the fledgling government. During the creation and ratification of the constitution, many people and states demanded a formal statement of the people’s and states’ rights. Many others contended that the Constitution in its very nature guaranteed these rights by limiting the power of the government. However, several state legislatures refused to ratify the Constitution if they were not promised a written and formalized statement of these rights. James Madison came down on the side, of the argument contending that the Constitution was so restrictive on the government and that a Bill of Rights was not required. In spite of these arguments. John Adams, with the help of several other people, set about creating these amendments. These ten Amendments were proposed in a single group and ratified as one but in fact each is a standalone document.

Amendment I (1) says:

“Congress shall pass no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or the press, or the right of the people to peacefully assemble, and to Petition the Government for redress of grievances”. This short paragraph is monumental in its content and effect on this country.

Freedom of religion means that people are free to practice any or no religion. Today this freedom is being assailed by the progressive left. A simple example is, demanding of people no longer say “Merry Christmas”. This simple greeting is seen by the progressive movement as condoning Christianity over religions that do not celebrate the holiday, so it must be eliminated.

Freedom of speech means that you are free to express ideas that you believe. To progressive’s freedom of speech is only free if what people say does not offend anyone – so called “hate speech”. This was not the intent of the amendment. Who is to say what hate speech is. Today college and even school campuses have “hate speech police” patrolling their grounds. Freedom of speech means that if someone is offended by what someone is saying they can just move on and not listen to rhetoric that they might find offensive.

Freedom of the press means just what it says. This amendment was intended to allow the press to be free to publish the actual news no matter who it might harm or offend. The American people cannot be free to form opinions if the press does not keep them informed. Unfortunately, many of the so called news outlets have become the mouthpiece for a political agenda. A well informed electorate is essential in a free country.

Freedom to peacefully assemble means that any group may peacefully assemble to rally people to their cause. Again, we see this right being denied by radical socialist leftists like ANTIFA. All

too often peaceful gatherings are invaded by these thugs who beat people senseless because that person may have an opinion different than theirs.

Petitioning the government means that a private citizen can challenge the government, to reverse actions taken by our government, in court if need be, when they believe have been harmed by the government.

Amendment II (2)

Freedom to bear arms: This amendment is one that has drawn the most ire from the left. This is particularly true after tragedies like attacks on schools and other public gathering places perpetrated by psychotic individuals. After these heinous acts the news media renders no real solutions other than renewed cries for ever more restrictive gun control laws. Be assured these are heinous crimes and their impact on humanity should never be understated. However, passing more gun laws usually only results in private law abiding people becoming criminals. Chicago, a city that has some of the most restrictive laws regarding guns, is one of the most violent cities in the country.

Again let us go back to the premise of the founders on this issue. The amendment states "... the right of the people to keep and bear arms shall not be infringed". Why was this amendment so important to the creators of the amendment? The stated reason was 'In order to maintain a well-regulated militia'. Thomas Jefferson saw this amendment as critical in the prevention of the government from becoming tyrannical. When people are armed the government is much less likely to attack the citizenry.

Historically, when dictatorships are being formed one of the first thing they do is to unarm the people. Unarmed people are easily controlled. Adolph Hitler is quoted as saying 'Now that we have unarmed the citizenry the streets of Berlin are once again safe to walk at night'. The Jewish population, as did the world, pay a high price of this action by the German government.

Amendment III (3)

Simply put this article states that only in times of war can troops be housed in people's homes without the home owner's permission. Why this protection? Before the Revolutionary war, when the British still ruled the colonies the British sent tax collectors and troops to the colonies. To house these people the British took people's homes and property including food and other necessities. The writers of the Bill of Rights wanted to prevent the United States government from repeating this travesty of justice.

Amendment IV (4) Reads:

'The right of the people to secure their persons, houses, papers and effects from unreasonable search and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath of affirmation, and particularly describing the place to be searched, and the person or thing to be seized'.

This Amendment basically says that you have the right to privacy in your own home in your personal life. Too search you or your property or your person, be it the local, state or federal government, this agency must go before a judge and secure a warrant stating what, who and why the person is to be searched and also what they expect to find.

Today this extremely important safeguard of privacy is being somewhat disregarded by the United States' government. A recent documentary presented on One America News Network discussed in detail how the U. S. Government is abusing this Constitutional right.

Amendment V (5) says:

“No person shall be held to answer for a capital, or otherwise infamous crime, unless on the presentment, or indictment of a Grand Jury ...”, nor shall any person be subject for the same offence to be twice be put in jeopardy for life or limb, nor shall be compelled in any case be a witness against himself, or be deprived of life, liberty or property, without due process of law, or shall private property be taken for public use, without just compensation.”

Sorting out all the protections provided in this run-on paragraph is not difficult. In essence what it says is: For major crimes you can only be charged through a Grand Jury proceeding; You may not be tried twice for the same crime; You may not be forced to testify against yourself; You may not be deprived of “life, liberty or property” without due process; Finally, your property cannot be taken by the government without “just” compensation.

As can be seen there are several stipulations in this amendment that protect you from the government. Commonly, when people say they are taking “the fifth” they are saying that they will not testify to avoid the possibility of giving self-incriminating testimony.

Amendment VI (6) says:

“In criminal prosecutions the accused shall enjoy the right of a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed ...” Also included in this Amendment is the right of the defendant to be informed of the crime to which they are accused of having committed, face witnesses against them, and present witnesses and testimony on their behalf and be represented by legal counsel.

Amendment VII (7)

“In suits at common law where the value in controversy shall exceed twenty dollars the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any Court of the United States than according to the rules of the common law”

This Amendment allows people who have a complaint against another person that exceeds a monetary value greater than \$20.00 can demand a jury proceeding and the outcome of the jury trial cannot be revisited. This Amendment does not prevent a loser in a civil case from appealing a monetary decision rendered by the court.

Amendment VIII (8)

“Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted”

This Amendment is provides that a bail amount established in a court by a judge shall be in line with the crime that the person is accused of having committed. Also any fine levied shall be fitting of the offense. Probably the most important wording of the Amendment is that “nor cruel and unusual punishment inflicted” meaning that the punishment must fit the crime and that unusual punishment may not be used.

Amendment IX (9)

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

What this Amendment says in essence is that; any right that the people would expect and ought to retain, will remain as a right of the people. This limits the government to the rights defined in

the Constitution and unless the Constitution gives right or power to the government the government cannot usurp those rights that properly belonging to the people.

Amendment X (10)

“The powers not delegated to the United States by the Constitution, not prohibited to the states are reserved by the States and respectively to the people”.

This says, States and the people therein shall retain all rights not explicitly given to the U. S. government in the Constitution.

Prior to the presidency of Theodore Roosevelt the governments many states were larger than that of the National Government. Roosevelt was the first “progressive” President in what has become a long line of progressives in our government. Under their leadership the role of the U. S. Government has changed drastically. The most prevalent idea of progressives is that people have changed and so too should the role of the federal government. Further, the Constitution is outmoded and should be abandoned. The Federal Government should control almost everything and that the people should have only those rights given to them by the government.

This concludes the discussion on the Bill of Rights. However, several very important amendments were added later to the Constitution.

Other important Amendments: Most notably were the Thirteenth, Fourteenth and Fifteenth Amendments.

The Thirteenth Amendment abolished slavery and indentured servitude within the United States and all states and territories under the jurisdiction of the U.S...

The Fourteenth Amendment states in the first sentence, ‘all persons born in the United States and under the jurisdiction thereof are citizens of the United States’. What was intended was that anyone born here of people who were in the United States legally were citizens. This sentence was intended to prevent states from declaring that slaves were not citizens. What has happened is that the “under the jurisdiction thereof” is being totally ignored.

The Fifteenth Amendment gave the right to vote to all “MEN”. Sorry women but you would have to wait until the ratification of the Nineteenth Amendment in 1920 to secure the right to vote.

Also noteworthy are the Sixteenth and Seventeenth Amendments. The Sixteenth Amendment gave the government the right to collect income taxes from individuals. The Seventeenth Amendment put the election of Senators in the hands of the people. Previous to these amendments the government could not tax individuals or companies, and, the State governments appointed Senators. Many people feel that these Amendments were mistakes.