Amendment Re-Do

Grade Level(s): 12

Subject(s):

- Social Studies/US Government

Description:

This lesson is a culminating activity to be used at the end of a unit on the Bill of Rights. It allows my students to become aware of the main ideas and importance of the remaining 18 amendments not covered in class. I have used this lesson as an individual writing assignment, but find it much more effective and fun used as an in-class activity.

Goal:

The purpose of the activity is to ask students to look critically at the 23 amendments. Are some more important than others? Can we live without some of them? Do some of them address similar issues?

Objectives: By the end of the activity, the students will;

a. Be able to identify the topics of amendments not covered in class.

b. Compare and contrast topics covered in the 29 amendments and group them according to similar topics.

c. Evaluate amendments in terms of importance to their daily lives or to the everyday function of the government.

Materials: Textbook that contains all 23 amendments.

Procedure:

1. After covering the first ten amendments in class in previous lessons, inform the students that they will be role-playing a Constitutional Convention that has been charged with reorganizing the 23 amendments back to 10.

2. Break class into groups of 3 or 4 students. Tell each group that they may reorganize the amendments in any way that they want. They may delete amendments that currently exist, combine amendments that have similar topics, or introduce new amendments. Allow groups at least one class period to work on their task.

3. After the small groups have completed their task, bring the class back together. Each group then introduces their proposal, justifying their positions regarding deleting, combining or creating new amendments.

4. The class is then given time for informal debate and discussion over the various proposals. At this point the large group must formally debate and vote on the amendments they want to keep.

Tying it All Together:

After the students finish their debate and vote, open class up for discussion over their feelings as to how things went. You will find that their will have been quite a bit of disagreement as to what's important and what isn't.
Original Ten Amendments: The Bill of Rights

Passed by Congress September 25, 1789. Ratified December 15, 1791.

Amendment I
Freedoms, Petitions, Assembly
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 of the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

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

Amendment III
Quartering of 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 IV
Search and arrest
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
Rights in criminal cases
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
Right to a fair trial
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 VII
Rights in civil cases
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
bail, fines, punishment
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

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

Amendment X
States' rights
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.
Later Amendments

Amendment 11
Lawsuits against states
The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.
Ratified February 7, 1795.

Amendment 12
Presidential elections
The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.] The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.
Ratified June 15, 1804.
Superseded by Section 3 of the Twentieth Amendment

Amendment 13
Abolition of slavery

Section 1. 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. Congress shall have power to enforce this article by appropriate legislation.
Ratified December 6, 1865.

Amendment 14
Civil rights

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 power to enforce, by appropriate legislation, the provisions of this article.
Ratified July 9, 1868

Amendment 15
Black suffrage

Section 1. 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. The Congress shall have power to enforce this article by appropriate legislation.
Ratified February 3, 1870.

Amendment 16
Income taxes

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.
Ratified February 3, 1913.

Amendment 17
Senatorial elections

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 legislature.

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.
Ratified April 8, 1913.

Amendment 18
Prohibition of liquor

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

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

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.
Ratified January 16, 1919. Repealed by the Twenty-First, December 5, 1933

Amendment 19
Women's suffrage

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

Congress shall have power to enforce this article by appropriate legislation.
Ratified August 18, 1920.

Amendment 20
Terms of office

Section 1. The terms of the President and Vice President shall end at noon 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 elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

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.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

Ratified January 23, 1933.

Amendment 21
Repeal of Prohibition

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

Section 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

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

Ratified December 5, 1933.

Amendment 22
Term Limits for the Presidency

Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

Ratified February 27, 1951.

Amendment 23
Washington, D.C., suffrage

Section 1. The District constituting the seat of government of the United States shall appoint in such manner as the Congress may direct:

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

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


Amendment 24
Abolition of poll taxes

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.
Section 2. The Congress shall have power to enforce this article by appropriate legislation.  

Amendment 25
Presidential succession

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 26
18-year-old suffrage

Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

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

Amendment 27
Congressional pay raises

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.
Ratified May 7, 1992.
The Bill of Rights (Amendments 1 through 10)
As noted on the Constitutional Convention Topic Page, several delegates to the convention refused to sign the newly drafted constitution because it did not include a bill of rights. Bills of rights were typically parts of the constitutions of the several states of the day (and today), placed there to ensure that certain rights were recognized by the government. Most of the delegates did not feel such a bill was necessary, and other may have been on the fence but were weary from the months of negotiations.

The lack of a bill of rights was one of the main arguments that Anti-Federalists used to try to convince the public to reject the Constitution. But the need for change was all too evident, and it was not rejected. However, some of the states sent suggestions for amendments to the Constitution to add an enumeration of certain rights. The ratification messages of the states included many varying suggestions, which the very first Congress took under consideration in its very first session.

Representative James Madison, who was so instrumental in the creation of the Constitution in the first place, drafted a bill of rights. Though he originally opposed the idea, by the time he ran for a seat in the House, he used the creation of a bill as part of his campaign. He introduced the bill into the House, which debated it at length and approved 17 articles of amendment. The Senate took up the bill and reduced the number to 12, by combining some and rejecting others. The House accepted the Senate's changes, voting on September 24th and 25th, 1789; twelve articles of amendment were sent to the states for ratification.

The first two articles were not accepted by enough states, but the last ten were. We know them today as Amendments 1 through 10. The second article was eventually ratified as the 27th Amendment. The first ten amendments, collectively known as the Bill of Rights, were ratified on December 15, 1791 (811 days). A photographic image of the badly-faded original Bill is available on this site.

11th Amendment
The 11th Amendment came about as a direct result of a Supreme Court decision in Chisholm v Georgia (2 U.S. 419) in 1793 (see the Events Page for details). Feeling that the Supreme Court had over stepped its bounds, and fearing that it would do so again unless prohibited in the Constitution. The Chisholm case was decided in 1793, just five years after the adoption of the Constitution. The Amendment was approved by Congress on March 4, 1794, and ratified on February 7, 1795 (340 days). The Amendment limits the jurisdiction of the federal courts to automatically hear cases brought against a state by the citizens of another state. Later interpretations have expanded this to include citizens of the state being sued, as well.

In Hollingsworth v Virginia (3 USC 378 [1798]), the passage and ratification of the 11th was challenged for two reasons. First because the President did not sign the amendment bill, and second because the amendment presented a situation where people had some legal relief before ratification that dried up after, creating an ex post facto situation. The Supreme Court rejected both challenges, setting some important precedent for future amendments.

12th Amendment
The Constitution was written before parties were a player in American politics. When John Adams was chosen for President in the 1796 election, the second-place candidate, Thomas Jefferson, became Vice President - but Adams was a Federalist and Jefferson was a Democratic-Republican. The two clashed several times during Adams's presidency, though Adams's conflicts with Hamilton, a Federalist, too, probably caused Adams more concern.

In the election of 1800, the flaws of the original system became more than apparent. Jefferson and Aaron Burr both got 73 votes in the Electoral College, forcing the House of Representatives to choose. The problem? Both Jefferson and Burr were candidates of the same party, with Burr chosen to be the Vice
President; some states preferred Burr, and neither was able to get the required majority until the stalemate was ultimately broken.

The result was the 12th Amendment, approved in Congress on December 9, 1803, and ratified on June 15, 1804 (189 days), in time for the new process to be in place for the 1804 election. With the 12th, Electors are directed to vote for a President and for a Vice President rather than for two choices for President.

13th Amendment
Slavery was an institution in America in the 18th and 19th centuries. The Southern states, with their agricultural economies, relied on the slavery system to ensure the cash crops (cotton, hemp, rice, indigo, and tobacco, primarily) were tended and cultivated. Slaves were not unknown in the North, but abolition in the North was completed by the 1830's. In 1808, the Congress prohibited the slave trade, not a year later than allowed in the Constitution. A series of compromises, laws, acts, and bills tried to keep the balance between the slave states and the non-slave states. For a more thorough history of slavery, see the Slavery Topic Page.

South Carolina voted to secede from the United States as a result of Abraham Lincoln's election to the Presidency. Lincoln had, over time, voiced strong objections to slavery, and his incoming administration was viewed as a threat to the right of the states to keep their institutions, particularly that of slavery, the business of the states. More states seceded, eleven in all, forming the Confederate States of America. The secession movement led to the Civil War. In the waning days of the war, which ran from 1861 to 1865, the Congress approved an amendment to abolish slavery in all of the United States. Once the CSA was defeated, approval of the 13th Amendment was quick in the Northern states. By the end of 1865, eight of the eleven Confederate states had also ratified it. Proposed on January 31, 1865, it was ratified on December 6, 1865 (309 days). Eventually, all of the CSA states except Mississippi ratified the 13th after the war; Mississippi ratified the amendment in 1995.

14th Amendment
The ratification of the 13th Amendment was a major victory for the North, and it was hoped that with the Emancipation Proclamation and the 13th Amendment, the effects of slavery in the United States would quickly diminish. The original plan to readmit states after acceptance of the 13th was supported by President Andrew Johnson, but the Radical Republicans, as they became known, wanted more than just a return to normalcy. They wanted to keep the power they had attained during the war years. The South did not make it easy for Johnson, however, and the so-called Black Codes started to be passed in Southern states. Congressional inquiries into the Black Codes found them to be a new way of controlling ex-slaves, fraught with violence and cruelty.

The ensuing Reconstruction Acts placed the former CSA states under military rule, and prohibited their congressmen's readmittance to Congress until after several steps had been taken, including the approval of the 14th Amendment. The 14th was designed to ensure that all former slaves were granted automatic United States citizenship, and that they would have all the rights and privileges as any other citizen. The amendment passed Congress on June 13, 1866, and was ratified on July 9, 1868 (757 days).

15th Amendment
The last of the Reconstruction Amendments, the 15th Amendment was designed to close the last loophole in the establishment of civil rights for newly-freed black slaves. It ensured that a person's race, color, or prior history as a slave could not be used to bar that person from voting. Though a noble idea, it had little practical effect for quite some time, as the Southern states found myriad ways to intimidate blacks to keep
them from voting. The Congress passed the amendment on February 26, 1869, and it was ratified on February 3, 1870 (342 days).

Though ratification of the 15th Amendment was not a requirement for readmittance to the Congress of the Confederate states, one of the provisions of the Reconstruction Acts required that the states include a provision in their new constitutions that included a near-copy of the text of the 15th. All of the CSA states except Tennessee, which was immune from the Reconstruction Acts, eventually ratified the 15th Amendment.

16th Amendment
In 1895, in the Supreme Court case of Pollock v Farmer's Loan and Trust (157 U.S. 429), the Court disallowed a federal income tax. The tax was designed to be an indirect tax, which would mean that states need not contribute portions of a whole relative to its census figures. The Court, however, ruled that the income tax was a direct tax and subject to apportionment. This was the last in a series of conflicting court decisions dating back to the Civil War. Between 1895 and 1909, when the amendment was passed by Congress, the Court began to back down on its position, as it became clear not only to accountants but to everyone that the solvency of the nation was in jeopardy. In a series of cases, the definition of "direct tax" was modified, bent, twisted, and coaxed to allow more taxation efforts that approached an income tax.

Finally, with the ratification of the 16th Amendment, any doubt was removed. The text of the Amendment makes it clear that though the categories of direct and indirect taxation still exist, any determination that income tax is a direct tax will be irrelevant, because taxes on incomes are explicitly to be treated as indirect. The Congress passed the Amendment on July 12, 1909, and it was ratified on February 3, 1913 (1,302 days).

17th Amendment
One of the most common critiques of the Framers is that the government that they created was, in many ways, undemocratic. There is little doubt of this, and it is so by design. The Electoral College, by which we choose our President, is one example. The appointment of judges is another. And the selection of Senators not by the people but by the state legislatures, is yet another. The Senatorial selection system eventually became fraught with problems, with consecutive state legislatures sending different Senators to Congress, forcing the Senate to work out who was the qualified candidate, or with the selection system being corrupted by bribery and corruption. In several states, the selection of Senators was left up to the people in referenda, where the legislature approved the people's choice and sent him or her to the Senate. Articles written by early 20th-century muckrakers also provided grist for the popular-election mill.

The 17th Amendment did away with all the ambiguity with a simple premise - the Senators would be chosen by the people, just as Representatives are. Of course, since the candidates now had to cater to hundreds of thousands, or millions, of people instead of just a few hundred, other issues, such as campaign finances, were introduced. The 17th is not a panacea, but it brings government closer to the people. The Amendment was passed by Congress on May 13, 1912, and was ratified on April 8, 1913 (330 days).

18th Amendment
Consumption of alcohol was discouraged by law in many of the states over the first century of the United States under the Constitution. By 1855, 13 of the 31 states had temperance, or alcohol prohibition, laws. The Civil War distracted the public from the temperance movement, but the proliferation of saloons after the Civil War, and the trappings of the saloons (like gambling, prostitution, and public drunkenness) led to the so-called "Women's War" in 1873. Over time, the movement became more organized and the Anti-
Saloon League was established in 1893. The ASL's goal was national prohibition, and it set up an office in Washington to that end - it even established its own publishing house in Westerville, Ohio.

The ASL polled candidates on their stand on the temperance question, endorsing candidates with a pro-temperance stance. In the election of 1915, ASL-sponsored candidates swept the elections for Congress, and on December 18, 1917, Congress passed the 18th Amendment. It quickly was adopted by the states, being ratified in just over a year, on January 16, 1919 (394 days).

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19th Amendment

Though the Constitution originally made no mention of a woman's right to vote, it was implied by society - women simply did not have the right. The 14th Amendment actually made things worse, by codifying the suffrage right to men only, when its Second Clause punished the denial of suffrage to men (though this still did not officially deny women the right). As early as 1848, groups met to discuss how to further women's rights, and the franchise, it was decided, was the best place to start. But America was not ready, and the suffragists, as they were called, were branded as immoral.

Famous women's rights leaders Susan B. Anthony and Elizabeth Cady Stanton tried to make a stand after the Civil War, to have the language of the 14th Amendment include women, though the issue was thought too volatile by most, and passage of the amendment was thought to be in grave jeopardy if such a provision were included. Anthony later used the 15th Amendment as rationale for voting in a New York election, and though she was tried and fined for voting, the ordeal proved an impetus for the eventual guarantee of voting rights for women. By 1918, about half the states had granted women full or partial voting rights; the stature gained by women involved in the temperance movement also helped push the suffragist movement along. The support of women to the war effort convinced many more, even President Woodrow Wilson, who had been staunchly opposed to a federal suffrage amendment. On June 4, 1919, the 19th Amendment was passed by Congress, and it was ratified on August 18, 1920 (441 days).

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20th Amendment

The term "Lame Duck" originates in the mid 1700's. It is applied to an elected official who has not been reelected, but still holds office. For example, in the United States today, the President is elected in November, and inaugurated in January of the following year - the time in between if the President was not reelected, is the lame duck period. Early in the political history of the nation, the period between the election and swearing-in of elected officials was a small issue. With slow methods of transportation and the nature of the politician in the 18th century, the lame duck period was almost a necessity. In fact, once the November election was established, it was more than a year before newly elected congressmen met in December.

But from the start, the lame duck period was a problem, most famously illustrated in the Marbury v Madison case, where lame-duck appointments by out-going President John Adams set the stage for a landmark Supreme Court decision with his series of late-night, last-minute appointments. The 20th Amendment cleared up this problem to a degree, by shortening the lame duck period. The Congress is sworn in on January 3 following the election, and the President is sworn in on January 20, rather than the March 4th proscribed in the 12th Amendment. The Amendment also closes a gap in Presidential power by specifying what will happen if a President-elect dies before he is sworn in. The 20th Amendment was passed by Congress on March 2, 1932, and was ratified by the states on January 23, 1933 (327 days).

The 20th reached some notoriety during the impeachment proceedings of President Bill Clinton in 1998; the final House vote was taken after the 1998 elections, and the Senate was not scheduled to hear the case until after the swearing-in of the next Congress in 1999. Arguments that the 20th conceptually required a revote by the new House were fruitless, however.
21st Amendment
It would be a disservice to say that the 18th Amendment was completely ineffective. It would also be a disservice to say that the 18th Amendment caused the lawlessness embodied by people like Al Capone. The 18th Amendment did reduce alcohol consumption in the United States, and it did not cause organized crime. In the Prohibition era, alcohol consumption dropped to an average of less than a gallon of alcohol per person per year, down from two and a half gallons in 1915. And organized crime existed before Prohibition, and existed after it, too.

That having been said, the Prohibition era did have a certain sense of lawlessness; the very fact that consumption was not eliminated is testimony to that; and the fact that organized crime manufactured and distributed the bulk of the illicit alcohol of the 1920's and early 1930's is evidence that gangsters were aided by Prohibition. Enforcement was spotty, with stills and speakeasies popping up in every population center. Over-zealous police and federal agents violated civil rights when searching for and destroying the paraphernalia of alcohol. While most Americans respected the law, were in favor of the law, the shine of "dry" began to wear off, especially as the Great Depression set in.

A movement began to form to repeal the 18th Amendment. Prohibition of alcohol was seen as an affront to personal liberty, pushed on the nation by religious moralists. Alcohol was also seen as a source of revenue for the local and national governments. The effort to elect "wet" legislators was as grand as that to elect "dry" ones almost two decades earlier. The Congress passed the amendment on February 20, 1933 (288 days). It mandated, for the first time, that conventions of the states were to vote on the amendment, rather than the legislatures, feeling that conventions would be more apt to vote to ratify - and they did, quickly - the ratification process was complete on December 5, 1933. The 21st Amendment repealed the 18th, the first time an amendment had been repealed by another.

22nd Amendment
Since the presidency of George Washington, only one thing could be said to be totally consistent - that no President had the job for more than two full terms. Washington had been asked to run for a third term in 1796, but he made it quite clear that he had no intention of doing so; that an orderly transition of power was needed to set the Constitution in stone. And so it was for almost 150 years.

Franklin Delano Roosevelt was first elected President in 1932, and re-elected in 1936. When it came time for the Democrats to nominate a candidate for the Presidency in 1940, two things had happened. First, the Republicans had made great gains in Congress in the 1938 elections. And Hitler happened. Europe was in the throes of a great war, with terrible in the Pacific, too. A change away from Roosevelt, who had led the nation through the Great Depression, did not seem wise. He was nominated for an unprecedented third term, and won. It was not a landslide victory, however, and it is debatable that FDR would have had a third term had it not been for the war. When 1944 rolled around, changing leaders in the middle of World War II, which the United States was now fully engaged in, also seemed unwise, and FDR ran for and was elected to, a fourth term.

His life was nearly over, however, and his Vice President, Harry Truman, became President upon FDR's death less than 100 days after his inauguration. Though FDR's leadership was seen by many as a key reason that the U.S. came out of WWII victorious, the Congress was determined, once the war ended, to ensure that Washington's self-imposed two-term limit become the law of the land. Specifically excepting Truman from its provisions, the 22nd Amendment passed Congress on March 21, 1947. After Truman won a second term in 1948, it was ratified on February 27, 1951 (1,439 days). Truman could have run for a third term, but bowed out early before campaigning began.
23rd Amendment
The District of Columbia has been a unique city since its founding in 1800 as the seat of the new government. When first established, it was a town of 5000, and it was assumed that it would be the center of government, and not a population center. But by 1900, over a quarter of a million people lived within its bounds. Since it is a federal district, however, and not a state, the inhabitants not only had no real local government, they had no vote in the federal government either. By 1960, when 760,000 people lived in Washington, D.C., it seemed odd that people from a dozen states, with lower populations, had more voting rights than residents of the District. As citizens, they were required to pay taxes and to serve in the military, but a vote in the Presidential election was available only to the states.

It is important to note that the 23rd Amendment does not make Washington, D.C., a state; it just confers upon its citizens the number of electors that it would have if it were a state. It also did not provide full representation in Congress for the District. The Congress passed the amendment on June 17, 1960; the amendment was ratified on March 29, 1961 (285 days).

24th Amendment
One of the last legal vestiges of segregation was the effort to keep the black population from participating in the vote. With most methods for keeping the black vote to a minimum declared unconstitutional, several Southern states found an answer - the poll tax. The poll tax has a long history, and was often used in Europe to raise funds. With a poll tax, in order to vote, a certain tax must be paid. The tax is the same for all, which allowed the generally more affluent white population access to the polls with a minimum of pain, while the generally poorer black population would have trouble justifying trading food on the table for a vote in the ballot box. Worse, different kinds of poll taxes were implemented, some accumulating even if no attempt was made to vote, meaning increasingly higher back-taxes to be paid to gain the vote.

In 1939, Congress began to try to get rid of the poll tax, but history was not behind them. After all, in colonial times and when the Constitution first came into effect, land ownership was often a requirement for suffrage. Though only five states still had a poll tax by the time the amendment passed Congress, Supreme Court rulings made it doubtful that mere legislation would eliminate the tax altogether. Proposed by Congress on August 27, 1962, the 24th Amendment was ratified within a year and a half, on January 23, 1964 (514 days).

25th Amendment
The assassination of President Kennedy in 1963 shocked the nation in more ways than the obvious. The advancement of medical technology had many hoping that the President could have been saved after being shot. That was not the case, but if he had been, Kennedy could have been in a coma for an extended period of time, perhaps never able to fully function again. He would be the President, but would not be able to fulfill his duties. The resulting power vacuum would cause a constitutional crisis - who is President? Who has the power of the Presidency?

Less than two years after Kennedy's death, on July 6, 1965, the Congress passed the 25th Amendment, where the line of succession was not only clarified, but what was to be done in the case of presidential disability was addressed. The selection of a Vice President for an empty Vice Presidential seat was also provided for. The states ratified the amendment on February 10, 1967 (584 days). The second clause, dealing with the filling of a vacancy in the Vice Presidency, was used less than six years later when Gerald Ford assumed the Vice Presidency upon the resignation of Spiro Agnew.
26th Amendment
The United States was in the throes of the Vietnam War and protests were underway throughout the nation. Draftees into the armed services were any male over the age of 18. There was a seeming dichotomy, however: these young men were allowed, even forced, to fight and die for their country, but they were unable to vote. The 14th Amendment only guaranteed the vote, in a roundabout way, to those over twenty-one.

The Congress attempted to right this wrong in 1970 by passing an extension to the 1965 Voting Rights Act (which itself is enforcement legislation based on prior suffrage amendments) that gave the vote to all persons 18 or older, in all elections, on all levels. Oregon objected to the 18-year-old limit, as well as other provisions of the 1970 Act (it also objected to a prohibition on literacy tests for the franchise). In Oregon v Mitchell (400 U.S. 112), a sharply divided Supreme Court ruled that the Congress had the power to lower the voting age to 18 for national elections, but not for state and local elections. The case was decided on December 1, 1970. Within months, on March 23, 1971, the Congress passed the text of the 26th Amendment, specifically setting a national voting age, in both state and national elections, to 18. In just 100 days, on July 1, 1971, the amendment was ratified.

Close Up, an organization dedicated to involving youth in government, has produced a PDF pamphlet on the 26th Amendment and history. You can find the pamphlet on their web site.

27th Amendment
The 27th Amendment was originally proposed on September 25, 1789, as an article in the original Bill of Rights. It did not pass the required number of states with the articles we now know as the first ten amendments. It sat, unratified and with no expiration date, in constitutional limbo, for more than 80 years when Ohio ratified it to protest a congressional pay hike; no other states followed Ohio’s lead, however. Again it languished, for more than 100 years.

In 1978, Wyoming ratified the amendment, but there was again, no follow-up by the remaining states. Then, in the early 1980’s, Gregory Watson, an aide to a Texas legislator, took up the proposed amendment’s cause. From 1983 to 1992, the requisite number of states ratified the amendment, and it was declared ratified on May 7, 1992.