

Simplified United States Constitution and Bill of Rights

"We the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

1. The Constitution gives the power of making laws to Congress.

Congress shall consist of two houses, a *Senate* and a *House of Representatives*.

The House of Representatives:

Term of members: two years

A member must be at least twenty-five years old, seven years a citizen of the U.S., and when elected, an inhabitant of the state in which he or she was elected. Representation and direct taxes are decided according to the number of people living in each state. Originally persons not free (meaning black slaves) counted as three-fifths of a free persons for those purposes, but since the *14th Amendment* this is no longer the case.

Not more than one representative for every thirty thousand people. The House shall choose its Speaker and other officers.

The Senate

Term of senators: six years (one out of every three senators completes his or her term every two years.)

A senator must be thirty years of age, nine years a citizen of the U.S., and an inhabitant of the state in which he or she was chosen.

The Vice President of the U.S. is President of the Senate, but only votes when there is a tie.

Privileges or Rights of Congress

Members cannot be arrested when attending sessions or going to or returning home. Members cannot be questioned in any other place for any speech or debate in either House.

Lawmaking

Money bills must start in the House. Then they have to be approved by the Senate.

When a bill passes both Houses it goes to the President for approval. If signed by the President, it becomes law. If the President does not want to sign it, the bill should be returned to Congress, which can pass it over the President's *veto* by a two-thirds vote in both Houses. If the bill is not returned to Congress in 10 days, it becomes law without the President's signature. But if Congress has already adjourned and the President fails to return it, it is not a law (*pocket veto*).

Powers of Congress

To lay and collect taxes

To pay the debts

To provide for the common defense and general welfare of the U.S.

To borrow money

To regulate commerce with foreign nations and among the states

To establish uniform rules of naturalization (making people not born in U.S. American citizens)

To coin money

To set up lower federal courts

To declare war

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To raise and support an army and a navy
To provide for calling out the state militia to carry out the laws of the U.S., put down rebellion and repel invasions
To govern an area not to exceed ten miles square to become the Capital of the U.S. (This became Washington, D.C.), and to govern forts, arsenals, dockyards, and other "needful buildings"
To admit new states into the Union
To make rules and regulations for the territories of the U.S.
"To make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

2. The Constitution gives the *executive power* to the *President*.

Term of the President is four years.

Election by an *electoral college*. The person having the greatest number of votes to be President: second highest, Vice President. In case no one has a majority of the electoral votes, then the House of Representatives shall pick a President from the top five. The House shall vote by states and a majority is needed to elect. The *12th Amendment* (1804) provided that the electors state who their choice was for President and who it was for Vice President.

A President must be "a natural born citizen" or a citizen of the U.S. at the time of the adoption of the Constitution. A president must also be at least thirty-five years old and a resident within the U.S. for fourteen years. In case the President is removed from office, is unable to carry out the duties of the office, or dies, the Vice President shall act as President. Before entering office the President is re-required to take an oath to "preserve, protect, and defend the Constitution of the United States."

Powers of the President

The President is commander-in-chief of the army and navy and of the state militia when called into the service of the U.S.
The President may pardon persons punished for offenses against the U.S.
The President can make treaties, but two-thirds of the Senators must agree to them.
The president appoints public officials, ambassadors, Supreme Court judges, etc., with the advice and consent of the Senate.
The President can call both Houses together on very special occasions.
The President is to carry out the laws of the U.S. faithfully.

Removal:

The President and all other civil officials can be removed from office on impeachment for, and conviction of "treason, bribery, or other high crimes and misdemeanors." The house of Representatives presents the charges against an official, who is tried in the Senate. In an impeachment trial of the President, the Chief Justice presides over the Senate and a two-thirds vote is needed for conviction.

3. The Constitution gives "judicial power," the power for judging, to a *Supreme Court* and lower courts.

Term of the judges: They shall hold office "during good behavior" - that is to say, they cannot be dismissed unless they do wrong.

The U.S. courts can hear suits between states, between a state and a citizen of another state, between citizens of different states, and between a state or citizen and a foreign state or a foreign citizen. They can also try cases arising from matters on the high seas (admiralty).

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All crimes, except impeachment of office-holders, shall be tried by jury. Treason against the U.S. shall consist of making war or joining the enemies of the U.S. or "giving them aid and comfort." No person shall be convicted of treason unless two witnesses saw that person commit the act, or unless he or she confesses in court.

4. The Constitution *forbids the states*

To make a treaty or alliance with a foreign country

To issue paper money

To keep contracts from being carried out

To grant titles of nobility (Congress also is not allowed to do this)

To levy taxes on imports or exports

To keep troops or ships of war in times of peace

To go to war without the consent of Congress

5. To change or amend the Constitution two ways are provided:

a) Congress by a *two-thirds* vote can propose an amendment

b) A Convention can be called by two-thirds of the states to propose amendments

In either case, *three-fourths of the state legislatures* must approve the change before it becomes a part of the Constitution.

6. The Constitution, the laws of the U.S., and Treaties shall be "the supreme law of the land," binding on every judge in every state.

7. Nobody shall be required to belong to a particular religion in order to hold an office in the U.S. government.

The Amendments

(Dates tell when the amendments became part of the Constitution.)

The Bill of Rights (or First Ten Amendments) (1791)

1. Congress is forbidden to pass any law setting up a religion or interfering with religious freedom or with free speech or with the right of people to get together peacefully and petition the government to have their grievances looked into.

2. The right of the people to keep and bear arms shall not be interfered with.

3. No soldier in time of peace shall be assigned to live in a private home without the consent of the owner, nor in time of war except in a lawful manner.

4. The people are protected against search and seizure without a warrant.

5. A grand jury is provided for in serious crimes. Persons are protected from being tried twice for the same offense, or from having to testify in criminal cases against themselves, or from being deprived of life, liberty, or property without lawful means.

6. A fair and speedy trial for the accused is guaranteed in criminal cases.

7. A jury trial is provided for in civil suits exceeding \$20.

8. Very high bail, stiff fines, or cruel punishment are forbidden.

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9. Just because certain rights of the people have been stated in the Constitution does not mean that they do not have still others not mentioned there.

10. All powers not given by the Constitution to the U.S. nor forbidden to the states are reserved to the states or to the people.

Later Amendments

11. Forbids the citizens of another state or of a foreign country from suing a state in the U.S. courts (1798).

12. Provides that the electors should state on their ballots the person they want for President and the person for Vice President (1804).

13. Forbids slavery and "involuntary servitude" (1865).

14. Forbids states from passing laws depriving *any* person of life, liberty, or property "without due process of law" or of not giving to each person the equal protection of the law (1868).

15. Forbids the U.S. or any state from preventing a person from voting because of "race, color, or previous condition of servitude" (1870).

16. Permits the income tax (1913).

17. Provides for the election of Senators *by the people* instead of by the state legislatures (1913).

18. Forbids the manufacture, sale, or shipment of intoxicating liquors (the *Prohibition Amendment*) (1919).

19. Gives women the right to vote (1920).

20. The term of the President ends on January 20. If the President elect dies before the term begins, the Vice President elect shall become President (1933).

21. Repeals the 18th Amendment; once more allows the making and sale of liquor (1933).

22. Bars any President from serving more than *two terms*. Where a Vice President has become President on the death of the President and has served more than two years of the President's term, the Vice President shall not be allowed to run for more than one term in addition (1951).

23. Gives the District of Columbia three electoral votes for the election of President and Vice President (1961).

24. *Section 1.* Forbids the United States or any state to abridge or deny any citizens the right to vote for the President or Vice President or for any state representative in Congress because of failure to pay a poll or any other tax.

Section 2. Gives Congress the power to enforce this article by appropriate legislation (1964).

25. Sets up a plan for the Vice President to take over the duties of the President when the latter is unable to perform them (1967).

26. Permits voting by eighteen-year-olds (1971).