



Documents That Influenced the U.S. Constitution

For Grades 6-8

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ARTICLE

United States Constitution

Britannica Note:

Read the section "Its Deep-Rooted Origins" to learn about the earlier documents that influenced the framers of the United States Constitution.

Many people think of the United States as a young country. Yet it has the oldest written constitution among the major countries of the world. Moreover, the U.S. Constitution was the first in history to specifically limit the powers that the federal government would be able to exercise over its citizens.



The United States Constitution and other original documents of the federal government are on display ...

National Archives; photo, Hugh Talman

Soon after the 3 million people who lived in the United States had won the American Revolution, various groups among them became discontented with the Articles of Confederation, the first U.S. constitution. The government under the Confederation seemed too weak to control the people at home or to make the new republic respected abroad.

In both the Articles of Confederation and the Constitution that replaced it, the country's Founding Fathers tried to fulfill the ideals of the Declaration of Independence. The Declaration proclaims a set of rights that are held by all people and that the government must protect. It then lists acts of tyranny, or oppressive power, by the king of Britain that violated these rights. When the Articles of Confederation were written, the American colonists were wary of giving the federal government too much power. They were afraid that doing so might allow the new government to become tyrannical—like the British king. To protect the rights of the people, they limited the power of the federal government. However, the new country soon found that the government created under the Articles of Confederation was too weak to function well.

One difficulty was that Congress lacked sufficient power to raise money: it could only make requests of the states. It was always poor, while generous states such as New York and Pennsylvania complained that they paid more than their share. Congress also had no authority to regulate commerce. When some of the states began laying tariffs and other burdens on the shipping trade of their neighbors, it caused heavy losses.

All states were supposed to abide by the Articles of Confederation; yet some states violated them. They made treaties with the Indians and agreements with each other. They ignored foreign treaties made by Congress and regulated the value of money.

Need for a Stronger Government

By 1785 it seemed to many patriotic citizens of the United States that the Confederation was a failure. George Washington, Alexander Hamilton, John Jay, James Madison, and other leaders repeatedly declared that the government ought to be strengthened. In 1782 the assembly of New York, and in 1785 the legislature of Massachusetts, voted in favor of a constitutional convention.

Some Americans had special reasons for wanting a stronger government. One group was made up of the Westerners, who after the American Revolution moved into Kentucky, Tennessee, and the new Northwest Territory (now the Midwest). They wanted a powerful federal government to protect them from the American Indians, Spaniards, and the British.

Others who speculated in western lands believed that a strong government would make these lands more valuable. Another group consisted of merchants, traders, and shipowners who suffered from tariff wars among the states and from injurious British laws. Other men, who had lent money to the government during the war or just after it, felt a stronger government would be more likely to repay them.

Perhaps the most important group was made up of well-to-do men who owned mortgages and notes. They feared that state legislatures controlled by poor debtors would issue huge sums of worthless paper money or would protect debtors who refused to pay their debts. They wanted a strong national government to take complete control of the currency and to prevent any state laws impairing the obligation of contracts. In 1786 the money issue flared into riots in Vermont and New Hampshire and caused Shays's Rebellion in Massachusetts.

Pre-Convention Activity

The convention that wrote the Constitution was prepared for by a number of small steps. The first was a meeting in 1785 between representatives of Virginia and Maryland, called the Alexandria Conference, to settle disputes over the navigation of the Potomac River. Washington and Madison took the lead in having this meeting called. It proved so successful that Maryland went a step further and proposed that Pennsylvania, Delaware, Maryland, and Virginia should all appoint commissioners to meet and adopt a uniform commercial system. The shrewd Madison saw the opportunity of doing something still more important. He proposed a convention not of four states, but of all the states, to discuss the commercial conditions of the time and to devise an amendment to the Articles of Confederation. This convention was to meet in Annapolis, Maryland, in 1786.

When the time came, only five states sent representatives to the convention in Annapolis, and their opinions were far from harmonious. But Madison and Hamilton were both present and looking toward the future. They persuaded the representatives before adjourning to issue a call for a general convention of all the states to meet in Philadelphia, Pennsylvania, on the second Monday of May 1787. This was to be the Constitutional Convention. But because many people were suspicious of any such action, the call had to be made cautiously. It proposed that the gathering should "take into consideration the situation of the United States," and devise improvements in the government. Congress, after some hesitation, finally endorsed the plan, declaring that the states should send delegates for the sole and express purpose of revising the Articles of Confederation.

The plan for the convention had the warm support of Washington, Benjamin Franklin, and other eminent men. Virginia was the first state to choose delegates, and it contributed greatly to the success of the undertaking by selecting Washington. Before the date set, 11 states had named their delegates. New Hampshire did not send its members until the work was well begun. Rhode Island refused to send any at all. The legislatures, not the people, chose the delegates.

A Notable Assembly

The convention was not a large gathering, for only 55 men, from first to last, attended. But it was a body of very remarkable ability. Any American who, in the summer of 1787, happened to be in the city of Philadelphia, with its broad leafy streets and red brick buildings, would have seen such a collection of statesmen as could hardly then be matched in any other country. One would have seen George Washington striding at the head of the Virginia group—James Madison, Edmund Randolph, George Mason, George Wythe, John Blair, and James McClurg. One would have noticed Benjamin Franklin talking with the other Pennsylvania delegates, including James Wilson, who was one of the ablest lawyers in America; Robert Morris, the financial leader of the Revolution; and Gouverneur Morris.

New York contributed, along with two “States’ Rights” delegates who soon withdrew, the brilliant Alexander Hamilton. From South Carolina came John Rutledge, Charles Pinckney, and C.C. Pinckney. Massachusetts sent Elbridge Gerry and Rufus King; and Connecticut sent Roger Sherman and Oliver Ellsworth. It was a body of men well fitted to produce a great document. Many were lawyers. Most of them had had experience in government. Nearly all of them were either men of large property interests or close to men who had such interests.

Rule for Secrecy

The convention opened tardily on May 25, in the brick State House in Philadelphia, where the Declaration of Independence had been signed. Washington was unanimously elected to preside, a fact that prevented him from taking active part in the debates. Three principal rules were adopted. The votes were to be taken by states, each state having one vote. Seven states were to constitute a quorum (the minimum number required to conduct business). Finally, strict secrecy was to be preserved. The delegates wished to be safe from outside criticism or pressure. The official journal kept was the merest record of motions and votes, and it was not published until 1819.

These rules having been adopted, the delegates turned to a task upon which there was no general agreement. The overshadowing question was whether they should merely revise the Articles of Confederation or should make a new constitution. Most delegates had been elected upon the understanding that they were merely to revise the existing government, and some had specific instructions to that effect. But Washington advised against “temporizing expedients” (easily taken measures that serve some immediate need but put off addressing the matter in full). Within a week the convention resolved in committee of the whole that “a national government ought to be established consisting of a supreme legislative, executive, and judiciary,” and such leaders as Madison and Hamilton calmly assumed that this meant a complete new constitution.

This done, the convention faced two problems that loomed up above all others. If a strong federal government was established, how was it to be given authority? Was it to be permitted to coerce the different states? If so, just how? In the second place, how was power to be adjusted between the large states, such as Pennsylvania, and the small states, such as Delaware? As the work progressed, other questions arose and had to be settled by a process of give and take. The Constitution in its final form was a bundle of compromises, but the great compromise was that between the large and the small states.

Two important plans shortly came before the convention. One was the so-called Virginia plan. Largely the work of Madison, it was presented to the convention by Edmund Randolph. The other was the New Jersey plan, a series of seven resolutions submitted by William Paterson of New Jersey. The Virginia plan represented the standpoint of the large states and involved writing an entirely new constitution. The New Jersey plan represented the ideas of the small states and was simply a set of amendments to the old Articles of Confederation.

Under the Virginia plan there was to be a national legislature, or Congress, of two chambers. The states were to be represented in Congress in proportion either to their money contributions or to their free populations. The members of the lower house were to be elected by the people and were to choose the upper house out of lists submitted by the state legislatures. The chief executive was to be elected by the national Congress, for a single term, and there were to be a Supreme Court and a system of lower courts.

The New Jersey plan provided for a national congress of one house, with each state to have a single vote. The chief executive was to be chosen by Congress, and there was to be a system of federal courts.

Still another plan was presented by Charles Pinckney. The draft of this plan has been lost, however, so historians do not agree on the extent of Pinckney's influence on the Constitution. Hamilton also offered suggestions. His "propositions" indicated a very powerful central government, with a chief executive and a senate chosen for life terms and with the states reduced to a very weak position. Of all the schemes presented, however, the Virginia plan was the most important.

The Great Compromise

The debate on the Virginia and New Jersey plans revealed the dangerous jealousy between the large states, demanding representation according to population, and the small states, insisting upon equal representation. Men on each side repeatedly threatened to break up the convention and go home. The large states were the stronger and carried a resolution against equal representation in the lower house of Congress.

Then Connecticut delegates Roger Sherman and Oliver Ellsworth brought forward a successful compromise, called the Connecticut, or Great, Compromise. They proposed that the states be equally represented in the Senate and represented according to population in the lower chamber or House. After much grumbling the large states accepted this scheme.

Then followed a series of additional compromises. In computing the population of the states for representation in the lower chamber, should slaves be counted? The Southern states naturally demanded that they should, while the Northern states wished them passed over as mere property. The Continental Congress had already provided a method of settling this dispute. In 1783 it had proposed an amendment to the Articles of Confederation by which the money requisitions upon the states were to be based upon population, with three-fifths of the slaves counted. This amendment had been accepted by 11 states. It was now decided that in determining representation in the House of Representatives, five slaves should count for three free persons.

Another compromise dealt with the federal regulation of commerce. The Northern states, which had suffered from commercial chaos, wished to give Congress ample powers to regulate business activities. In the Southern states, however, farmers feared that Congress might lay an export tax upon their cotton and tobacco. The result was that Congress was given wide powers over navigation, foreign and interstate trade, and custom duties, but it was specifically forbidden to levy export duties.

Still another compromise had to do with the importation of black slaves from Africa. Though slavery was not yet a sectional issue, some Northerners would gladly have seen this cruel slave trade abolished. Moreover, Virginia and Maryland "bred" slaves for the market and wished to stop the African competition. When Georgia and the Carolinas protested, a compromise provided that Congress might stop the importation in 1808 but not sooner.

Little by little, as the summer wore on, a strong central government was hammered out on the forge of the convention. The now familiar features—the representatives chosen for two years and the senators for six; the president serving four years, with possible reelection; and the federal judges appointed for life—were agreed on. One striking feature of the new Constitution was the large power given to Congress over economic and financial affairs. Not only was Congress authorized to regulate commerce, but it was given the right to raise money by taxation, to borrow on the national credit, and to coin

money and regulate its value. Strict provisions were inserted forbidding the states to issue paper money or to pass laws impairing the obligation of contracts. These clauses reflected the unhappy recent history of some states. The debts contracted under the Confederation were recognized as valid. The unanimity of opinion on these features was striking. There was no struggle in the convention between creditor groups and debtor groups, between representatives of the poor and of the wealthy.

The great problem of how to give the federal government proper authority was finally solved with surprising ease. This was done by providing that the new government should operate not upon the states, but directly upon the people. Its mandates were to be carried out not by orders and demands upon a set of semi-independent state governments but by the quiet activity of its own administrative officers, attorneys, marshals, and courts.

The Virginia plan, the New Jersey plan, and the Pinckney plan had all proposed some method of coercing the states. All schemes for state coercion, however, were obviously dangerous and futile. They would be sure to break down. Madison wisely saw that it would be sufficient to give the new federal government the power to proceed against individuals all over the country. The two systems, state and federal, would for the most part operate on parallel lines. Whenever they did come into conflict, the Constitution would define their respective powers.

Preventing Tyranny

The Constitution created a strong central government. To protect against abuses of government power, the makers of the Constitution provided for a “separation of powers.” This means that the government is divided into three separate and independent bodies—the executive, legislative, and judicial branches. Through a system of “checks and balances,” each branch of government is able to prevent actions by the other branches. In this way, the branches of government are made to share power, and no one branch gets too powerful. For example, the president (the head of the executive branch) can veto, or prohibit, laws passed by Congress (the legislative branch). Congress can then override the president’s veto if at least two-thirds of the members of each house vote to do so. The separation of powers as well as checks and balances were designed to prevent tyranny and to secure the people’s liberties—and thus to uphold the principles of the Declaration of Independence. John Adams stated: “It is by balancing each of these powers against the other two, that the efforts in human nature toward tyranny can alone be checked and restrained, and any degree of freedom preserved in the constitution.”

The Constitution Is Drafted



The signing of the U.S. Constitution by 39 members of the Constitutional Congress on September 17,...

Architect of the Capitol

By September the work of the Constitutional Convention was nearly done. The essentials of the Constitution, based on the Virginia plan, had first been thrashed out in committee of the whole. The work of this body was reported to the convention

for full debate and amendment. Then near the end of July, the draft of the Constitution was handed over to a committee on detail, which gave it many finishing touches. As a final step, Gouverneur Morris went over the completed Constitution to put it in the clearest and most precise English. On September 17, 1787, it was signed by 39 members and was ready for the people to approve or reject.

At the outset it seemed doubtful whether the Constitution would be ratified, or approved, by the nine states that the convention declared would suffice to make it effective. For almost a year the American people were interested in nothing so much as whether the “new roof” would be accepted. It was discussed in taverns, in shops, and on the streets. Everyone knew that most of the rich people who owned fine houses and estates were for it; so were the professional men—most of the lawyers, doctors, and ministers; and so were nearly all the merchants. The creditors both of the state governments and of the Confederation strongly favored it. On the other hand, the poor people, workers, farmers, and many backwoodsmen, were in large part suspicious of it. Such leaders as Patrick Henry and Samuel Adams, who were proponents of local liberty, showed hostility to the Constitution because they feared an undue concentration of authority. Many people declared, and with reason, that the Constitution was faulty because it contained no guarantee of the simplest human rights—freedom of speech, of the press, of assemblage, and of worship.

Fight for Ratification

If the Federalists, as the advocates of the Constitution were called, had not used the cleverest tactics, they would have been defeated. One by one the states held conventions to debate the document. A favorable impression was produced when the first five conventions readily voted for ratification. Delaware came under the “new roof” on December 7, 1787; Pennsylvania on December 12; New Jersey on December 18; and within the first two weeks of 1788, Georgia and Connecticut. In other states, however, hard fighting was required. In Massachusetts a majority of the delegates was at first unfriendly, and the convention wrangled for almost a month. The Federalists were led by Rufus King, General Benjamin Lincoln, and others. By determined argument, by bringing special influences to bear on the influential Samuel Adams and John Hancock, and by consenting to nine suggested amendments, they finally won. The minimum number of nine states was assured when New Hampshire ratified the Constitution on June 21, 1788.

Of the four remaining states, however, two were considered vital to success—Virginia and New York. In Richmond, Virginia, Patrick Henry and George Mason argued against the Constitution while James Madison, John Marshall, and George Washington skillfully directed the Federalist forces. Finally, on June 25, 1788, Virginia voted for ratification by a close margin.

The hardest battle of all occurred in New York, where only the genius of Alexander Hamilton won the victory. He hit upon the happy idea of publishing in the New York newspapers a series of essays explaining and defending the Constitution. These were later issued in book form under the title *The Federalist*. Madison and John Jay contributed some of them, but Hamilton wrote the great majority. No better exposition of the Constitution has ever been penned. When the convention met in Poughkeepsie, New York, the Anti-Federalists had a two-thirds majority. Opposed to them were Hamilton and his able lieutenants Jay and Robert R. Livingston. Their irresistible arguments were helped by the fact that all but two other states had already ratified the Constitution, and it was a question of union or disunion. On July 26, 1788, by a vote of 30 to 27, New York accepted.

The Constitution that thus became the supreme law of the land seemed then to contain marked imperfections. Later it was realized that the Convention of 1787 had done its work better than it knew. The strength and symmetry of its handiwork have been admired ever since and have had a profound influence in many parts of the globe. The British statesman William Gladstone paid tribute to the Constitution as “the most wonderful work ever struck off at a given time by the brain and purpose of man.”

It is true that in some respects the makers of the Constitution miscalculated. One major error, hardly avoidable because of public opinion, was their refusal to define more precisely the sphere and rights of the states, including the so-called “right of secession.” This contributed later to the catastrophe of the Civil War. So, too, did the Constitution’s leaving to the individual states the question of whether slavery would be permitted. The careful plan for indirect election of the president by an electoral college was shortly nullified by the growth of political parties, and custom has made the electors mere nonentities. No one saw at the time what a powerful place would be occupied by the Supreme Court. Although a majority of the leading men of the convention seem to have believed that the Court would possess the right to pass upon the constitutionality of acts of Congress, there was no explicit statement to that effect.

There were also grave questions the Constitution failed to treat. It contained no provision regarding the future annexation of territory, nor did it grant clear title to the offshore areas of coastal states. Naturally, many commercial questions that arose in later generations could not have been foreseen by the authors of the Constitution. They did not expect the federal government to become as strong, at the expense of the states, as it has become. On the whole, the “fathers of the Constitution” did well.

Its Deep-Rooted Origins

One reason for the success of the Constitution lay in the fact that it was not really, as Gladstone said, “struck off at a given time,” but was rather the result of generations of growth. It was like a tree that rose from the two great taproots of English and colonial self-government. Almost everything in it can be traced back to earlier sources—the balance between the legislative, executive, and judicial departments; the special duties and powers assigned to each; the methods of operation prescribed; even such features as the electoral college, which was borrowed from Maryland.

The makers of the Constitution were inspired by many sources, including the writings of political philosophers of the Enlightenment. These included John Locke of England and Charles de Montesquieu of France. English charters, notably the Magna Carta and the English Bill of Rights, were a considerable influence. The Magna Carta, signed in 1215, guaranteed political liberties to the people of England and required the king to follow the law. The English Bill of Rights of 1689 limited the power of the monarch and granted more power to Parliament. Under this bill of rights, the British king or queen needed Parliament’s permission to change the laws, to have a standing army, or to tax the people.

American traditions were also a major influence. The Mayflower Compact, an agreement made in 1620, was the foundation of the government of Plymouth colony. With its basic principles of self-government and common consent, the Mayflower Compact was an important step in the evolution of democratic government in America. The Constitutional Convention profited by the colonial charters and, in particular, the work of the states in making their own constitutions. Between 1775 and 1787 every state except Rhode Island and Connecticut (which took over their colonial charters) had written at least one constitution, and some had adopted two or three. These experiments by the states furnished many helpful lessons to the delegates who met in Philadelphia in 1787.

Even before all the states had ratified the Constitution, the machinery of the new government was put in motion. During September, Congress fixed the dates for the choice of presidential electors, the election of the president, and the inauguration of the machinery of administration. Although there was some delay, it was not serious. On February 4, 1789, Washington was elected president, and on April 30 he took the oath of office. Soon afterward North Carolina and Rhode Island, the two last states, ratified the Constitution, and the circle of the original 13 colonies was completed.

No constitution can long exist without change and growth. Some of the most important alterations in the U.S. Constitution have taken place quietly and without the adding or dropping of a single phrase. They were changes in custom and interpretation. Other changes were made by formal amendment, for which the Constitution provides several different methods. The government had hardly been launched before the first 10 amendments were adopted.

Amendments to the Constitution

Provisions in Article V of the Constitution allow for the document to be officially changed by amendments. Amendments may be proposed by Congress if at least two-thirds of the members of both houses vote in favor. Alternatively, Congress can call a constitutional convention to propose an amendment if the legislatures of at least two-thirds of the states vote to request the convention. To date, all the amendments to the Constitution have been proposed by Congress, not by constitutional convention. In order to become part of the Constitution, proposed amendments must be ratified, or approved, by at least three-fourths of the states. Congress decides between two ratification processes. An amendment may be ratified by three-fourths of the state legislatures or by conventions in three-fourths of the states. All the existing amendments except for one, the Twenty-first Amendment, were ratified by state legislatures.

The Bill of Rights

The first 10 amendments to the Constitution form what is called the Bill of Rights. These amendments guarantee a variety of individual rights and place limitations on government. In securing these liberties, the Bill of Rights realizes principles that had been set forth in the Declaration of Independence.

The makers of the Constitution had considered it unnecessary to forbid some elementary invasions of personal liberty and property rights. They believed that the states were already protecting most basic freedoms well enough. Many of the people, however, wanted just such reassurances. They remembered the long struggle in England to secure these rights and the difficulty in America of protecting them against the crown and the royal governors. Virginia and other states, in ratifying the Constitution, made it plain that they expected a bill of rights to be added, and Madison led the movement in the first Congress.

Twelve amendments were proposed and all but the first two were ratified in time to go into effect on December 15, 1791. They provided for freedom of speech, of the press, and of worship; for the right of the states to establish militia; for the security of people in their homes against unreasonable search and seizure; and for trial by jury. Particularly important is the Tenth Amendment, declaring that powers not delegated to the United States or prohibited to the states should be reserved to the states or to the people.

Two More Early Amendments

The next two amendments, made within 10 years, furnished a remedy for defects that experience had brought to light. In 1793 the Supreme Court had held that a citizen of one state could sue another state in the federal courts. This shocked everyone who held strong states' rights views, for it seemed a violation of state sovereignty. In 1798 the Eleventh Amendment was adopted, declaring that no citizen of a state and no foreigner could bring a state government into the federal courts to be sued.

The Twelfth Amendment met a much more serious flaw in the Constitution. It had been provided that the presidential electors would meet in their respective states and vote for two persons. The one having the most votes (if a majority) would be president, and the one with the second largest number would be vice president. This led in 1800 to a tie between Thomas Jefferson and Aaron Burr, both Democratic-Republicans, for the presidency. Everyone had understood, however, that Jefferson was the candidate for president and Burr for vice president. The Twelfth Amendment, ratified in 1804, therefore provided that the electors would vote for president on one ballot and for vice president on another.

Amendments After the Civil War

No additional amendments were made until 1865. In that year, however, the end of the Civil War made it necessary for the United States to deal with a group of questions about slavery and African Americans. African Americans' freedom had to

be assured. Their rights as citizens had to be guaranteed. Many Northerners believed that blacks should be given the vote. The result was the ratification of three amendments that defined the place of freed slaves in national life. The first, the Thirteenth Amendment, abolished slavery. It declared simply that neither slavery nor involuntary servitude, except as punishment for a crime, should ever exist in the United States. This amendment was ratified on December 6, 1865.

The Fourteenth Amendment—the so-called civil rights amendment—was accepted with far greater reluctance in the South. Many Northerners feared that despite the abolition of slavery, blacks would soon be reduced to nearly their former position—to serfdom or peonage (being forced to work off debts). This fear increased when several Southern states passed laws that greatly restricted the rights of blacks. Congress therefore drafted an amendment that granted citizenship to African Americans and freed slaves, including them under the phrase “all persons born or naturalized in the United States.” The amendment also declared that no state should abridge the rights of any citizen of the United States, or “deprive any person of life, liberty, or property, without due process of law,” or deny any person the equal protection of the laws. In short, the amendment was intended to make sure that black citizens would have the same civil rights as white citizens. This amendment, which also excluded certain supporters of the Confederacy from holding office, was bitter medicine to the South. Nevertheless, it was ratified on July 28, 1868.

Meanwhile, radical feeling was growing in the North on the question of how the country should be rebuilt, or reconstructed, in the wake of the American Civil War. The growth of this radical feeling and the desire of the Republicans to gain the black vote made Congress insist that the Southern states must give blacks the right to vote. The Southern states had to do this before they were allowed to send representatives to sit in Congress. It was generally believed, however, that the South planned to get around this provision. In 1869, therefore, Congress passed the Fifteenth Amendment, which declared that the right of citizens to vote should not be denied on account of “race, color, or previous condition of servitude.” Much to the anger of most Southern whites, this amendment was ratified on February 3, 1870.

Many years passed without further amendment. Then within a decade, in the William Howard Taft and Woodrow Wilson administrations, four more amendments were added. One, the Sixteenth Amendment, enabled Congress to impose an income tax. Such taxes had actually been levied during the Civil War. When Congress passed a new income tax law in the early 1890s, however, the Supreme Court declared it unconstitutional. This produced much indignation, especially in the West. The agitation for an amendment authorizing such a law grew until it became part of the Constitution in February 1913. In the same year the Seventeenth Amendment provided that United States senators should be elected by vote of the people instead of the legislatures. It was believed that this would give the country abler and more honest senators.

The Eighteenth and Nineteenth amendments were the products of great popular movements extending over many decades. The Eighteenth Amendment, prohibiting the manufacture and sale of intoxicating liquor for beverage purposes, was ratified in January 1919 and went into effect a year later (*see* Prohibition). The Nineteenth Amendment, giving women the right to vote, was ratified on August 18, 1920 (*see* woman suffrage, “United States”).

In 1933 two more amendments were added. The Twentieth Amendment changed the dates when the president and members of Congress take office. It was designed to remove the excessively long period of time a defeated politician would continue to serve after a failed effort to be reelected. Because they had been voted out of office, defeated politicians were considered “lame ducks,” incapable of effectively representing the people or affecting public policy. The Twenty-first Amendment repealed the prohibition amendment (the Eighteenth).

The Twenty-second Amendment was added in 1951. It limited the president to two terms or to a maximum of 10 years in office. The Twenty-third Amendment, added in 1961, granted residents of Washington, D.C., the right to vote in presidential elections. The Twenty-fourth, or anti-poll tax amendment, added in 1964, provided that citizens could not be denied the right to vote in presidential or congressional elections because of failure to pay a tax. The Twenty-fifth Amendment, added in 1967, established procedures for the appointment of a vice president if that office should fall vacant. It also provided for the vice president to become acting president if the president should prove unable to perform

his duties. In 1971 the Twenty-sixth Amendment reduced the voting age to 18 years. (In most states, the voting age had been 21 years.)

The Twenty-seventh Amendment was finally ratified in 1992, more than 202 years after James Madison had introduced it. It restrains Congressional salaries by barring Congress from giving itself midterm pay raises.

In the United States there are two methods, other than amendment, of adjusting the Constitution to new conditions. One is by custom. It was custom, for example, that established a method of electing presidents different from that laid down in the Constitution. The other method of adjustment is through the Supreme Court's interpretations of the Constitution.

The Supreme Court and the Constitution

Since the days of John Marshall, the fourth chief justice, the Supreme Court has been helping the Constitution to meet new demands arising from national growth and changes in public opinion. The Constitution is a written document whose words cannot be changed except by the process of amendment described in Article V. But the meaning of the words is not always interpreted in the same way by members of opposing political parties or by persons engaged in lawsuits. Thus it has been necessary for someone to interpret it. This duty is entrusted to the Supreme Court. It provides that the Constitution and the laws made "in pursuance thereof, shall be the supreme law of the land."

The Supreme Court therefore has two kinds of duties: one, to decide cases of law; the other, to decide what the Constitution means. Sometimes people who have been dissatisfied with decisions made by the Supreme Court have said that the power to determine the meaning of the Constitution ought to be exercised by Congress. Since a law inconsistent with the Constitution cannot be a valid law, however, it must not be enforced. Only the court before which the enforcement of such a law comes can easily make the decision. Early in its history the Supreme Court was obliged to face this situation. In the case of *Marbury v. Madison* (1803) the Court declared an act of Congress void because the act was incompatible with the Constitution. The power of the Supreme Court to decide whether a law is constitutional is known as judicial review. This power is not mentioned in the Constitution. Rather, judicial review began when John Marshall asserted in *Marbury v. Madison* that the court had this power. Judicial review indicates the difference between the United States government, with a fixed basic law, and a constitutional government such as that of Britain, in which the constitution at any moment consists of all the laws that have been passed.

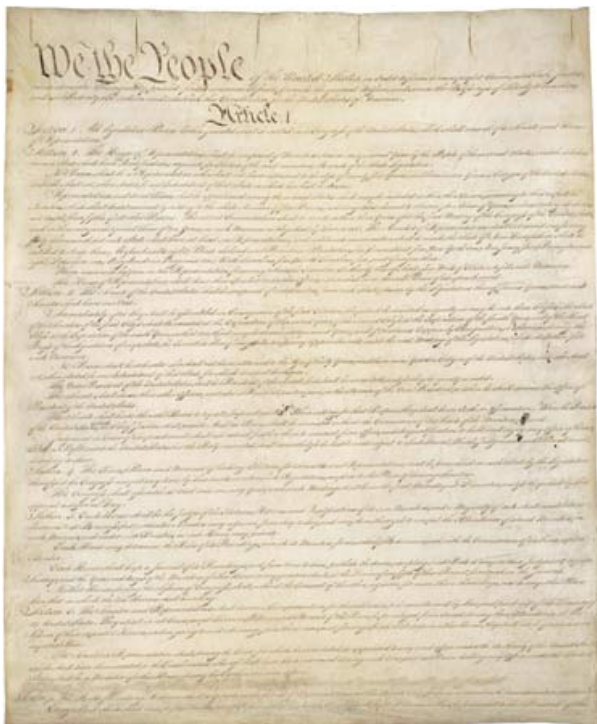
The Constitution has twice been amended because the people did not like the interpretation given it by the Supreme Court. After the decision in *Chisholm v. Georgia* (1793), in which the Court ruled that a state might be sued by a private citizen of another state, the Eleventh Amendment was promptly adopted forbidding this sort of suit. Governments do not permit themselves to be sued as though they were private individuals. Again, when the income tax of 1894 was declared unconstitutional in *Pollock v. Farmers' Loan and Trust Company* (1895), the Sixteenth Amendment was brought forward to authorize such an income tax.

On a third occasion it might have been necessary to amend the Constitution if the Supreme Court had not taken a broad view of its meaning. Thomas Jefferson thought the Louisiana Purchase was unconstitutional because the right to acquire territory is not enumerated in the Constitution. The Supreme Court decided, however, in *American Insurance Company v. Canter* (1828) that the right to annex territory may be derived from either the power to declare war or the power to conclude treaties. Later, when the annexation of the Philippines raised the question of the right to govern them, the decision in the Insular Cases (1901) upheld the authority of the government.

John Marshall, while chief justice, made many of the most significant constitutional decisions because the problems that came before the Supreme Court in his day were new. One of these concerned the power of Congress to create a national bank. In *McCulloch v. Maryland* (1819), his judgment contained what is perhaps the most important interpretation of the meaning of the Constitution: "Let the end be legitimate, let it be within the scope of the Constitution, and all means which

are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional." In other words, Congress has not only the powers specifically granted to it by the Constitution but also all authority "appropriate" to carry out such powers. This is called the doctrine of "implied powers."

Text of the United States Constitution*



An original copy of the Constitution of the United States of America is housed in the National...
National Archives, Washington, D.C.

**Text taken from the literal print issued by the Department of State.*

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.

Article. I.

Section. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and

within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section. 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article. II.

Section. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case

of Removal, Death, Resignation or Inability, both of the President and Vice President declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article. III.

Section. 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation which shall not be diminished during their Continuance in Office.

Section. 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Article. IV.

Section. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Article. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior

to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Article. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Article. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth IN WITNESS whereof We have hereunto subscribed our Names,

Amendments to the Constitution

Articles in addition to, and Amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the Original Constitution.

The 10 Original Amendments

The first 10 amendments to the Constitution were proposed by Congress September 25, 1789, and became effective December 15, 1791. Together they are known as the Bill of Rights, though only the first eight amendments guarantee individuals specific rights and liberties.

Amendment 1

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

Amendment 2

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

Amendment 3

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

Amendment 4

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

Amendment 5

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 6

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 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 re-examined in any Court of the United States, than according to the rules of the common law.

Amendment 8

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

Amendment 9

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

Amendment 10

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

The dates given for the following amendments are the days on which the certificates of adoption (formerly called proclamations) were published.

Amendment 11

(January 8, 1798)

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 12

(September 25, 1804)

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 list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes 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.

Amendment 13

(December 18, 1865)

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.

Amendment 14

(July 28, 1868)

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.

Amendment 15

(March 30, 1870)

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.

Amendment 16

(February 25, 1913)

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 17

(May 31, 1913)

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 18

(January 29, 1919; repealed December 5, 1933)

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.

Amendment 19

(August 26, 1920)

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.

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

Amendment 20

(February 6, 1933)

Section 1. The terms of the President and Vice-President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the third 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 third 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.

Amendment 21

(December 5, 1933)

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

Amendment 22

(March 1, 1951)

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.

Amendment 23

(April 3, 1961)

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

(February 4, 1964)

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

(February 10, 1967)

Section 1. In case of the removal of the President from office or 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 the 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 48 hours for that purpose if not in session. If the Congress, within 21 days after receipt of the latter written declaration, or, if Congress is not in session, within 21 days after Congress is required to assemble, determines by two-thirds vote of both houses that the President is unable to discharge the powers and duties of his office, the Vice-President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

Amendment 26

(June 30, 1971)

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 any state on account of age.

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

Amendment 27

(May 7, 1992)

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

Citation (MLA style):

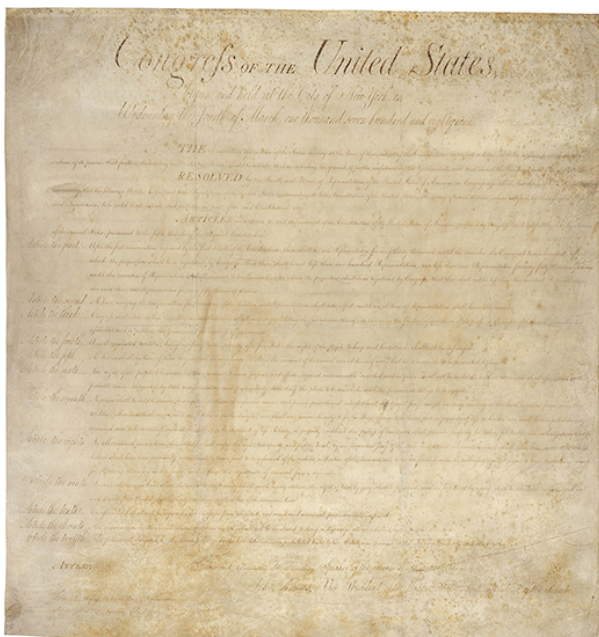
"United States Constitution." *Britannica LaunchPacks: Documents That Influenced the U.S. Constitution*, Encyclopædia Britannica, 30 Sep. 2015. packs.eb.com. Accessed 14 Oct. 2020.

While every effort has been made to follow citation style rules, there may be some discrepancies. Please refer to the appropriate style manual or other sources if you have any questions.

ARTICLE

bill of rights

A written statement that spells out the rights of citizens and the limitations of government is commonly called a bill of rights. The term rights is used, basically, in two senses: natural rights and civil rights. Natural rights are those rights that any person can claim by virtue of his or her humanity; the right to life is most basic of these. Civil rights are those rights granted to citizens by their government. The right to vote is a civil right: in the United States persons 18 years of age and older may vote; younger citizens may not vote.



The U.S. Bill of Rights was created in 1791.

National Archives, Washington, D.C.

For most of human history, there was no clear distinction between civil and natural rights. The reason for this is that most societies in the ancient and medieval world regarded the state as supreme over its citizens. This does not mean that citizens did not have rights, but that the rights they did have were exercised at the behest of the government and could be withdrawn or altered at any time.



King John signs the Magna Carta on June 15, 1215, at Runnymede, England.

© Photos.com/Thinkstock

Late in the Middle Ages a change in attitude began to take place concerning the matter of human rights. The power of kings was increasing at the expense of the other classes in society. To offset the power of the monarchy, the feudal nobles of England confronted King John in 1215 and demanded that he sign a statement guaranteeing them certain rights—rights with which he could not interfere except by legally constituted procedures. The document that the king signed was called the Great Charter, or Magna Carta. It was a landmark document in the field of human rights because it put down in writing the fact that at least some of the king's subjects had rights that limited the power of government over them.

The fact that the king signed the Magna Carta had the effect of putting him under the law, not above it. Magna Carta was therefore the first clear assertion of the thesis that the state exists for its citizens, not vice versa.

In the next few centuries the notion of human rights became entwined with the struggle in many countries for representative government. Philosophers and legal scholars such as John Locke, Hugo Grotius, and Montesquieu clarified the distinction between natural and civil rights. They maintained, as the United States Declaration of Independence states, that all people are “endowed by their Creator with certain unalienable rights.” The word unalienable means that no one can arbitrarily be deprived of his or her rights by government without just cause.

As the drive to self-government progressed in England, the United States, France, and later in other countries, a number of historically significant bills of rights were promulgated. Among these were: the English Bill of Rights (1689), the Virginia Declaration of Rights (1776), the French Declaration of the Rights of Man (1789), and the United States Bill of Rights (1791). These documents, although intended only for application within a single state or country, have had far-reaching influence in other countries.

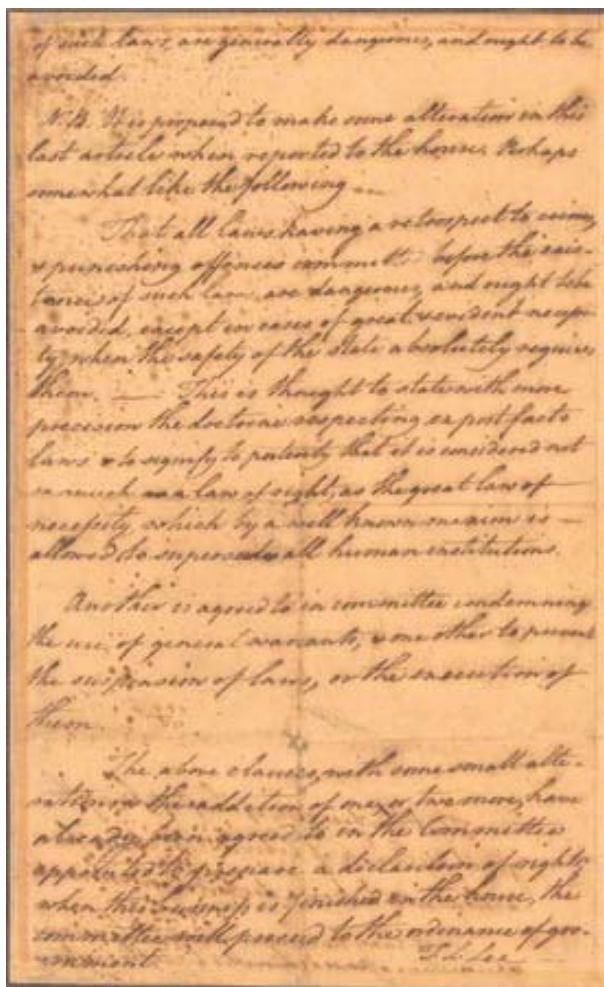
English Bill of Rights

The determination of King James II, who ruled from 1685 to 1688, to reestablish the Roman Catholic Church in England proved to be his undoing. Having lost the support of Parliament and his subjects, he was forced to abdicate. Parliament offered the throne to William III and Mary II, prince and princess of Orange.

In 1689 Parliament passed “An act declaring the rights and liberties of the subject and settling the succession of the crown.” This bill of rights settled the succession to the throne by providing that the crown should pass to the heirs of Mary and that the monarch must be Protestant. The monarchy was thus placed upon a parliamentary and conditional basis. The bill further clarified the rights of Parliament by stating that: the king could not raise money without a grant from Parliament; election to Parliament must be free; the freedom of proceedings in Parliament could not be impeached or questioned in any court or place outside of Parliament; and the keeping of a standing army in time of peace without the consent of Parliament is illegal.

The English Bill of Rights did not bestow new rights on individuals, but it restated rights that Englishmen already enjoyed: the right of subjects to petition the king, the right of (Protestant) subjects to bear arms for their defense, a prohibition against excessive bail or fines and against cruel and unusual punishments, the right to a jury trial in capital cases, and the right to seek redress of grievances and to seek amendment of laws. Therefore, the net effect of the English Bill of Rights was to clarify existing law and to provide a written formulation of freedom from arbitrary and capricious government.

Virginia Declaration of Rights



The Virginia Declaration of Rights was written mostly by George Mason.

Library of Congress, Washington, D.C.

In the spring of 1776 the 13 American Colonies were debating the issue of declaring independence from Great Britain. A state convention in Virginia, meeting in May, unanimously adopted a resolution favoring independence. The convention then called upon one of its members, George Mason, to draw up a Declaration of Rights and a new constitution.

Mason, one of the most brilliant students of government in the colonies, composed what has since been called the Virginia Declaration of Rights, a document that proved to be one of the most influential of its time. It was used as a source by Thomas Jefferson when he wrote the Declaration of Independence. It was also copied by other colonies in their new constitutions, and it became the basis of the Bill of Rights added to the United States Constitution in 1791. The Revolutionary government in France after 1789 used the Declaration of Rights in framing its own Declaration of the Rights of Man.

As adopted by the Virginia Constitutional Convention on June 12, 1776, the Declaration of Rights contained 16 sections. The declaration stated the basis of government as derived from the people, explained the rights of individuals, and set specific limitations on the powers of government.

Section 1 of the Declaration of Rights stated: "That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."

Sections 2 through 6 deal with the basis, powers, and form of government. Section 5, for instance, provides for the separation of powers—that the legislative and executive powers of the state should be separate from the judiciary. Section 6 stipulates the rights of suffrage and free election.

Section 7 declares that "all power of suspending laws, or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights and ought not to be exercised."

Sections 8 through 16 list the rights of individuals that may not be infringed upon by government without just cause. Among these rights are: the right to a trial by jury, a provision against excessive fines or bail and against cruel and unusual punishments, freedom of the press as "one of the great bulwarks of liberty," the need for a well-regulated militia, opposition to standing armies in time of peace, civilian control of the military services, and the separation of church and state.

A reading of the Declaration of Independence, wherein are listed the abuses of power by the British government, suggests why the American colonists thought it vitally necessary to have written bills of rights in their constitutions. In Massachusetts, for instance, the new constitution of 1778 was defeated because it contained no bill of rights. A second constitution, drafted in 1780, was accepted because it contained a bill of rights that spelled out precisely the relation of people to their government.

Declaration of the Rights of Man

The French Revolution began on July 14, 1789, with the storming of the Bastille. Although the monarchy was not immediately overthrown, within a month the National Assembly had drafted and approved a declaration of rights that became, in 1791, the preface to a new French constitution. Considered one of the major charters that deals with human liberty, it contained all the principles that inspired the Revolution.

As a document, the French declaration drew heavily upon American statements of rights that had come into existence in the previous two decades, particularly the Virginia Declaration of Rights. In addition, it relied on the numerous and detailed writings of such political theorists as Locke, Montesquieu, Jean-Jacques Rousseau, and Voltaire. The French declaration was drawn up as an attempt to outline and define the specific principles that underlie the relationship of people to their governments and to isolate the safeguards that individuals who are living in a sovereign state ought to have.

Although primarily intended as an attack upon the pre-Revolutionary monarchical government, the Declaration of the Rights of Man and of the Citizen contained many of the significant political ideas that were current in the 18th century. This document declared in the first two articles that all men are born and remain free, and have equal rights, and that the purpose of political association, or government, is to preserve the natural and inalienable rights of man—liberty, private property, the inviolability of the person, and the right to resist oppression.

There are several articles defining liberty and the function of law in society, after which the specific rights of individuals are stated: no one can be indicted, arrested, or detained except for offenses legally defined; no one can be punished for offenses except through proper judicial procedures; no one must suffer for his opinions, even religious opinions; the rights of free speech and free press; the right to hold private property; the right to a fair tax policy; and the right to require of every public official an account of his administration. Such rights are still central tenets of all free nations.

The influence of the Declaration of the Rights of Man, as seen within the context of the French Revolution, can hardly be overestimated. Within a period of two years, an extreme form of democracy had been established and all titles of privilege abolished. In subsequent decades, based on the achievements of the Revolution, political theorists began suggesting even more dramatic changes in government—changes that would later be called socialism, communism, and anarchism. It is no exaggeration to say that subsequent revolutions in Europe, especially the Russian Revolution of 1917, had their antecedent in the ideas and practices that were spawned by the French Revolution.

United States Bill of Rights



The signing of the U.S. Constitution by 39 members of the Constitutional Congress on September 17,...

Architect of the Capitol

The Constitution of the United States, as drafted at Philadelphia in 1787, did not contain a bill of rights. This fact alarmed many Americans at the time, because they feared that without such a bill the new central government might, by arbitrary decisions, encroach on their newly won freedoms. Thomas Jefferson was one of the men who criticized the framers of the new government. In December 1787 he wrote to his friend James Madison, the main architect of the Constitution, stating that: "A bill of rights is what the people are entitled to against every government on earth . . . and what no just government should refuse or rest on inference." As the processes of ratification of the Constitution went on, it became commonly accepted in the states that a bill of rights would be added to the Constitution as soon as the new government was inaugurated. In 1791 the Bill of Rights, containing 10 articles of the 12 drafted by Madison, was adopted and ratified by the states. (For the text of the Bill of Rights, [click here](#).)

Based on such notable earlier statements of rights as the Magna Carta, the English Bill of Rights, and the Virginia Declaration of Rights, the United States Bill of Rights contains the following provisions: (1) freedom of religion, speech, the press, and public assembly; (2) the right to bear arms; (3) a prohibition against the quartering of soldiers on householders in peacetime; (4) freedom from unreasonable search and seizure; (5) trial only after indictment by a grand jury; (6) a prohibition against double jeopardy; (7) a prohibition against witnesses being forced to testify against themselves; (8) no punishment except by due process of law; (9) no confiscation of property without just compensation; (10) a speedy public trial in the state where an offense was committed; (11) trial by jury in civil suits of more than \$20 and jury findings of fact to be final; (12) excessive bail and cruel and unusual punishments prohibited; (13) the enumeration of rights does not disparage or deny other rights retained by the people; (14) powers not given or prohibited to the federal government are retained by the states or the people.

Until the end of the American Civil War, in 1865, there were doubts among constitutional experts about the authority of the federal courts to enforce the provisions of the Bill of Rights against state laws and court decisions. In 1868 that problem was resolved by the 14th Amendment. It provided that "no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States." State and local laws became subject to federal judicial review.

Two other clauses of the 14th Amendment have had a significant impact on judicial interpretations of the Bill of Rights: the due process clause and the equal protection clause. The amendment 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." These clauses have enabled the federal courts to implement guarantees against state action in matters of freedom of speech, religion, the press, and association; fair trials; and the right to counsel in criminal proceedings. A major example of the use of the equal protection clause occurred in 1954 when the United States Supreme Court ruled, in the case of *Brown v. Board of Education of Topeka*, that states practicing racial segregation in public education were in violation of the Constitution.

The rights stated in the Constitution are not all considered absolute; that is, they may not be exercised without any restraint whatsoever. Freedom of speech and the press, for instance, do not extend to uttering slander and libel or to inciting a riot. Freedom of religion does not serve as a protection against such practices as polygamous marriages or avoidance of taxes. Nor are parents free to ignore laws about child labor or education on religious grounds.

Other Statements on Human Rights

Treaties

The use of international treaties to define human rights dates back at least to the 17th century when, at the end of the Thirty Years' War, in 1648, the Peace of Westphalia set forth the principle of equality of rights for both Roman Catholics and Protestants in Germany.

During the 19th century a number of treaties were drawn up with the intent of abolishing slavery and the slave trade in the Western world. Finally, in 1926, the League of Nations approved the international Slavery Convention. All signatories to this treaty agreed to suppress the slave trade and to work for the abolition of slavery everywhere.

Laws of war have also been codified by treaty. Through the efforts of the International Committee of the Red Cross, the Convention for the Amelioration of the Condition of the Wounded in Armies in the Field was signed at Geneva, Switzerland, in 1864.

After World War I a series of so-called minorities treaties were drawn up to protect the rights of ethnic groups in Central and Eastern Europe. The various countries in these areas were asked to guarantee their nationals equal protection of the laws and the right to enjoy the same political and civil rights without regard to race, language, or religion.

Universal Declaration of Human Rights

The countries of the world have traditionally viewed the matter of human rights as belonging within their respective jurisdictions. Nevertheless, in 1948, the Commission on Human Rights of the United Nations published the Universal Declaration of Human Rights as a standard for all countries. Consisting of a preamble and 30 articles, it is a virtual compendium of all civil and political rights derived from past constitutional and legal systems. In addition to restating the provisions of the United States Bill of Rights, it deals with such matters as: the right to marriage, freedom to leave one's country and return to it, the right of asylum from persecution, the right to take part in government, the right to social security, the right to work, the right to equal pay for equal work, the right to rest and leisure, the right to an adequate standard of living, the rights of children, the right to an education, the right to participate in the cultural life of the community, and the right to social and international order.

The Universal Declaration is not a treaty and therefore has no force of law in any society. It has been used by governments and international organizations to judge how well human rights are observed around the world.

The Helsinki Accords

Known officially as the Final Act of the Conference on Security and Cooperation in Europe, the Accords were drawn up for a 35-country summit conference that met in Helsinki, Finland, in 1975. Like the Universal Declaration, the document signed at Helsinki was not legally binding on signatory countries, but it was an attempt to set forth principles of cooperation that would assure peace and settle post-World War II national boundaries in Europe.

The Accords reiterated the basic human rights of free speech, conscience, and religion and the rights of minorities. They also called for free exchange of ideas and information between countries, the right to travel from one country to another, and the right to marriage between nationals of different states.

Additional Reading

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"Bill of rights." *Britannica LaunchPacks: Documents That Influenced the U.S. Constitution*, Encyclopædia Britannica, 8 Aug. 2020. packs.eb.com. Accessed 14 Oct. 2020.

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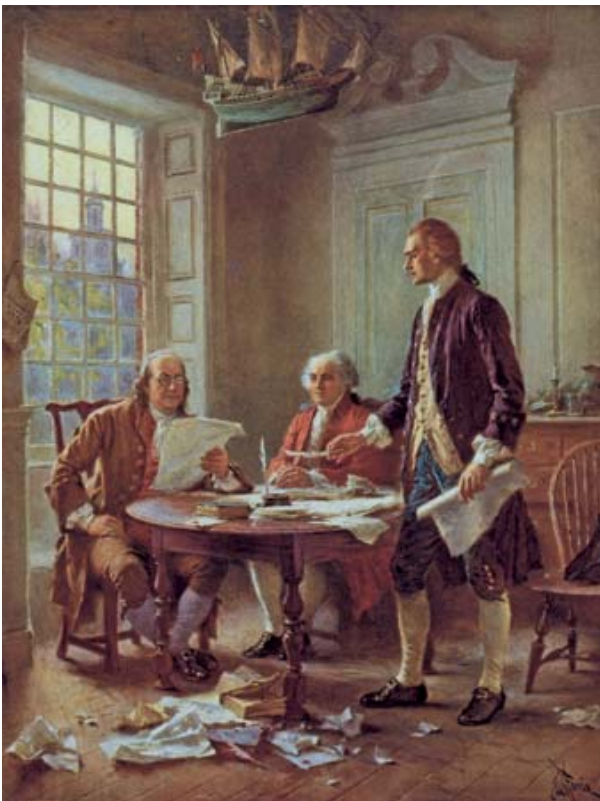
ARTICLE

Declaration of Independence

On July 4, 1776, the members of the Continental Congress assembled at the State House in Philadelphia, Pennsylvania, to take up a matter of vital importance. Two days earlier the Congress had voted to declare the 13 American colonies to be "free and independent states," with no ties to Great Britain. Now they were considering how to announce that fact to the world. By the end of the day, the final wording had been determined and the Congress voted to adopt one of history's greatest documents—the Declaration of Independence.



Image of the Declaration of Independence (1776) taken from an engraving made by printer William J...
National Archives, Washington, D.C.



Benjamin Franklin (left), John Adams (center), and Thomas Jefferson (right) discuss a draft of the...
Library of Congress, Washington, D.C. (digital file no. 3g09904u)

Several years of armed combat secured international recognition of what the Declaration had proclaimed: the American colonies became independent of Great Britain and formed the United States of America. The Declaration has since become a source of pride for the American people, who have embraced it as an enduring symbol of the country's founding principles.

For the text of the Declaration of Independence, click [here](#).

Movement Toward Independence

When war broke out between Britain and the colonists at Lexington and Concord, on April 19, 1775, few colonists desired independence. Most of them wanted only a larger measure of self-government within the British Empire. In June 1775 General George Washington promised to work for “peace and harmony between the mother country and the colonies.” As late as September, Thomas Jefferson “looked with fondness towards a reconciliation.” Although the war ultimately became known as the American Revolution, the conflict began as a civil war.



British ships guard Boston Harbor in 1774. One of the Intolerable Acts, passed by Parliament that...

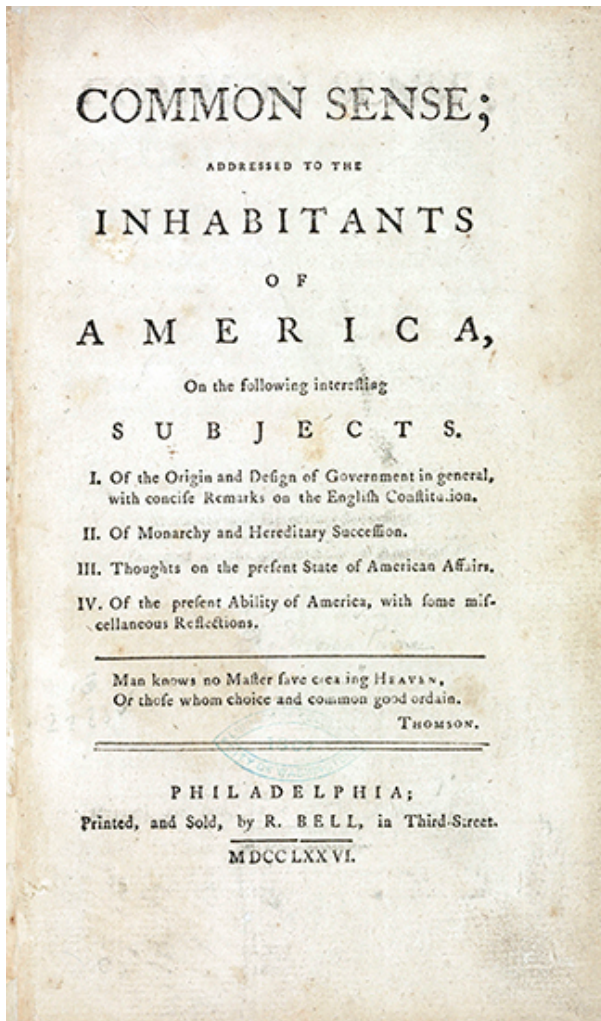
North Wind Picture Archives/Alamy

Most of the colonies wanted to remain in the British Empire but insisted that they have the right of self-government. As the year 1775 wore on, however, it became clear that both of those goals could not be achieved. The British Parliament would not repeal the “Intolerable Acts,” measures that imposed stricter British control over the colonies in response to their acts of defiance, or agree that only local assemblies would be able to tax the colonists. In August the British king declared that the colonies were in a state of rebellion. By the end of the year, he had removed them from his protection and blockaded their ports.

The ravages of war made the colonists more and more bitter. In October 1775 the British burned the town of Portland, Maine, destroying the homes of a thousand people just at the approach of winter. The siege of Boston, Massachusetts, inflicted severe hardships on its people. Then came the news that Britain had hired 20,000 German troops to put down the revolt. “The king,” wrote Jefferson, “has plundered our seas, ravaged our coasts, burnt our towns, and destroyed our people.” The German mercenaries were intended “to complete his works of death, desolation, and tyranny.”

If the colonists had to preserve their rights by fighting, then they had to have the means of making war and trading with other countries. They could not, however, secure aid abroad so long as they were British subjects, nor could they make a treaty of commerce with a foreign state.

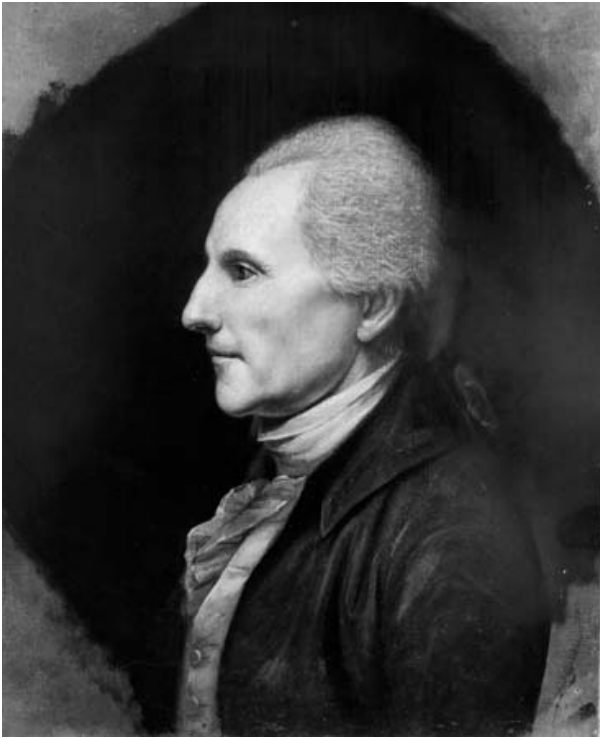
Resolution for Independence



Thomas Paine's pamphlet *Common Sense*, published in January 1776, helped to inspire the American...

Library of Congress, Washington, D.C.

The time was ripe. In January 1776 Thomas Paine wrote a forceful and highly influential pamphlet called *Common Sense*. How, he asked, could the people at once fight against the king and profess their loyalty to him? The day of compromise had passed. "The blood of the slain, the weeping voice of Nature cries, 'Tis time to part'. Here is the vast continent of North America, suited to become the home of a race of free men; let it no longer lie at the feet of an unworthy king." Thousands of people read this challenge and accepted the idea of complete separation from Great Britain.



A portrait of Richard Henry Lee was painted by Charles Willson Peale in 1784. It is in the...
Courtesy of the Independence National Historical Park Collection, Philadelphia

In the spring of 1776 North Carolina was the first of several states to direct its delegates in Congress to declare for independence. As a result, on June 7, 1776, Richard Henry Lee of Virginia introduced the dramatic resolution. It declared that “these United Colonies are, and of a right ought to be, free and independent states, that they are absolved from all allegiance to the British Crown, and that all political connection between them and Great Britain is and ought to be totally dissolved.”

Framing of the Declaration



The Declaration of Independence committee is depicted working at a table. The members were (from...
Library of Congress, Washington, D.C. (LC-DIG-pga-04793)

The resolution could not be adopted immediately because not all the states had yet told their delegates to vote for independence. Therefore a committee was appointed to prepare a statement of the American case. It was made up of John Adams, Thomas Jefferson, Benjamin Franklin, Roger Sherman, and Robert R. Livingston. Jefferson was chosen to draw up the necessary declaration.

Jefferson began the document by proclaiming a set of natural rights held by all and the responsibility of the government to protect those rights. He then cited the specific ways in which King George III had violated the colonists' rights, which formed their justification for seeking independence.

Natural Rights

The ideas in the Declaration were not new. Jefferson drew heavily on the political theories that English philosopher John Locke had outlined in his book *On Civil Government*, a defense of the English Revolution of 1688. The Declaration of Independence states three basic ideas: (1) God made all men equal and gave them the rights of life, liberty, and the pursuit of happiness (instead of Locke's "pursuit of property"); (2) the main business of government is to protect these rights; (3) if a government tries to withhold these rights, the people are free to revolt and to set up a new government.

Charges Against the King

The colonists had good reasons for taking their stand of protest against the king. If the Declaration had attacked the British Parliament, the colonists would be attacking the representatives of the British people, particularly in the elected House of Commons. The Americans, therefore, leveled their charges against the person of the king. It was George III, they said, who had no real power over the American colonies. Thus they sought to gain the sympathy of the British people.

The king had powerful enemies at home who might help the colonists if they believed that the Americans were fighting solely against the monarch. To foreigners the Revolution would not seem to be a revolt against the authority of the British Parliament, but a revolt against the tyranny of the British king. It would seem to be only a defense of rights long enjoyed and impossible to give up.

Adoption of the Declaration



Members of the Continental Congress adopt the Declaration of Independence in Philadelphia,...

Architect of the Capitol

The committee added to Jefferson's list of charges against the king and made a few other minor revisions. Their final draft was brought to the floor of Congress on June 28, 1776. On July 2 Lee's resolution was adopted and debate on Jefferson's declaration began.

The most heated debate was over the issue of slavery. In the list of charges against George III, Jefferson had attacked the king for his role in the slave trade. The clause began: "He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere or to incur miserable death in their transportation thither." Representatives from slaveholding Southern colonies refused to accept this clause. Some New England delegates representing merchants who

profited from the slave trade also objected. The issue threatened to divide the colonies at a time when unity was crucial. To ensure the support of all the colonies for the Declaration and the war for independence, the delegates dropped the clause.

The Declaration of Independence was adopted on July 4, a date subsequently celebrated in the United States as Independence Day. An official copy of the Declaration was written out on parchment. This formal document was signed on August 2 by members of Congress present on that date. Those who were absent signed later.

The Declaration did not establish the independence of the American colonies. It only stated an intention and the cause for action. Complete separation would have to be accomplished by force. Once the Declaration had been adopted, however, there was no turning back.



The Liberty Bell is rung to announce the first public reading of the Declaration of Independence, on ...

Library of Congress, Washington, D.C. (Digital file no. cph 3a04729)

When the Declaration was adopted, racing horsemen and the noise of cannon fire carried the news far and wide. General Washington had the document read to the army, and its ringing sentences strengthened the morale of his troops. On July 8, 1776, the people of Philadelphia gathered at the State House (later renamed Independence Hall) to hear a reading of the Declaration of Independence. They were called together by the ringing of the Liberty Bell in the belfry of the building. (It has been said that the bell cracked on that joyful occasion. This is not true, however.)



The Declaration of Independence is displayed at the National Archives in Washington, D.C.

Hisham F. Ibrahim/Getty Images

The original parchment document of the Declaration of Independence is carefully preserved in an argon-filled glass case. It is on public display at the National Archives in Washington, D.C.

Citation (MLA style):

"Declaration of Independence." *Britannica LaunchPacks: Documents That Influenced the U.S. Constitution*, Encyclopædia Britannica, 5 Dec. 2019. packs.eb.com. Accessed 14 Oct. 2020.

While every effort has been made to follow citation style rules, there may be some discrepancies. Please refer to the appropriate style manual or other sources if you have any questions.

ARTICLE

Magna Carta

The Magna Carta is a basic document that states liberties guaranteed to the English people. It proclaims rights that have become a part of English law and are now the foundation of the constitution of every English-speaking country. The Magna Carta, which means "great charter" in Latin, was drawn up by English barons (nobles) and church leaders to limit the king's power. They forced the tyrannical King John to agree to it, under threat of civil war, on June 15, 1215. The Magna Carta stated that the king must follow the law and could not simply rule as he wished. It was one of the first documents to state that citizens had such rights.



The opening of the preamble to the Magna Carta of 1215, in the British Library (Cotton MS Augustus...

Reproduced by permission of the British Library Board



King John signs the Magna Carta on June 15, 1215, at Runnymede, England.

© Photos.com/Thinkstock



A memorial stands in the field where King John signed the Magna Carta in what is now the county of...

WyrLight.com

King John's cruelty and greed united the powerful feudal nobles, the church leaders, and the townspeople against him. He demanded too much money in taxes. While the king was waging a disastrous war in France, the leading barons of England met secretly and swore to compel him to respect the rights of his subjects. When John returned, they presented him with a series of demands. John tried to gather support in order to avoid giving in to the demands, but almost all his followers deserted him. Too weak to resist the barons and bishops, at last he met with them along the south bank of the Thames River, in a meadow called Runnymede. King John affixed his seal to the Magna Carta on June 15, 1215. The document then underwent further modifications, with the final version agreed to on June 19.

In many of their demands, the barons and bishops who forced the Magna Carta on King John quite naturally acted in their own best interests. Careful provision was made for limiting royal taxes and assessments, for reforming laws and judicial

procedures, and for suppressing the misuse and extension of forest law. In addition, the Magna Carta provided certain guarantees for the people as a whole. The document has a total of 63 sections. Although much of it deals with feudal rights and duties, it also includes provisions that protect the rights of the church, merchants, and townspeople. One of the sections protecting merchants reads, translated from the original Latin: "All merchants shall be able to go out of and come into England safely and securely and stay and travel throughout England . . .for buying and selling ... free from all evil tolls, except in time of war and if they are of the land at war with us." The Magna Carta also guaranteed the rights of women and children who inherited property. It stated that people could not be punished for crimes unless they were lawfully convicted. Finally, the Magna Carta gave barons the right to declare war on the king if he did not follow the charter's provisions.

The Magna Carta meant less to people of the 1200s than it has to subsequent generations. It has become a symbol and a battle cry against oppression, with each generation reading into it a protection of its own threatened liberties. The charter was the first step in establishing England's constitution, and many other countries later used the principles of the Magna Carta in their constitutions too. The Magna Carta is considered a forerunner of the English Bill of Rights, the U.S. Declaration of Independence, and the French Declaration of the Rights of Man and of the Citizen. In the United States both the national constitution and the state constitutions show ideas and even phrases directly traceable to the Magna Carta.

Citation (MLA style):

"Magna Carta." *Britannica LaunchPacks: Documents That Influenced the U.S. Constitution*, Encyclopædia Britannica, 11 May. 2018. packs.eb.com. Accessed 14 Oct. 2020.

While every effort has been made to follow citation style rules, there may be some discrepancies. Please refer to the appropriate style manual or other sources if you have any questions.

ARTICLE

Mayflower Compact

The Mayflower Compact is a document that the passengers on the English ship *Mayflower* signed. The passengers were sailing to North America to set up an English colony. They signed the Mayflower Compact on November 21, 1620, before they landed at Plymouth, Massachusetts. The signers pledged to form a government for the colony and to follow the laws that the government set. The Mayflower Compact was the first document to include the principles of self-government in the land that would become the United States.



A painting shows passengers on the Mayflower agreeing to the Mayflower Compact in 1620.

Prints and Photographs Division/Library of Congress, Washington, D.C. (digital. id. cph 3g07155)

The *Mayflower* left England with a charter from the Virginia Company. It gave the passengers the right to settle near the Hudson River, in what is now New York. However, storms caused the ship to turn toward what is now Cape Cod, Massachusetts. Because of the change of course, the passengers were no longer under the authority of the charter. Tensions arose between the English Separatists (Pilgrims) and the others over how they would govern themselves. Some of the people threatened to leave the group and settle on their own.



A sculptural relief on a memorial in Provincetown, Massachusetts, shows the signing of the Mayflower ...

Peter Whitlock

Pilgrim leaders—among them William Bradford and William Brewster—wanted to ease the conflict and keep the group united. They drafted the Mayflower Compact as the ship was anchored at Provincetown harbor, at the tip of Cape Cod. The document was only about 200 words. It united the signers for the purpose of forming a government. It also pledged them to abide by any laws that would later be established “for the general good of the colony.” Nearly all of the *Mayflower*’s adult male passengers (41 of a total of 102 passengers) signed the document. The signers subsequently chose John Carver, who had helped organize the expedition, as governor of the new colony. (For the text of the Mayflower Compact, [click here.](#))

The Mayflower Compact became the foundation of Plymouth’s government. It remained in force until the colony became part of the Massachusetts Bay Colony in 1691. The compact has been interpreted as an important step in forming democratic government in America.

The original version of the Mayflower Compact was lost. The oldest known source in which the text of the document can be found is *Mourt’s Relation* (1622). It is an account of Plymouth’s settlement written by Bradford and Edward Winslow.

Citation (MLA style):

"Mayflower Compact." *Britannica LaunchPacks: Documents That Influenced the U.S. Constitution*, Encyclopædia Britannica, 2 Aug. 2018. packs.eb.com. Accessed 14 Oct. 2020.

While every effort has been made to follow citation style rules, there may be some discrepancies. Please refer to the appropriate style manual or other sources if you have any questions.

PRIMARY SOURCE

Mayflower Compact : 1620

Britannica Note:

Signed on November 21, 1620, the Mayflower Compact was the first framework of government written and enacted in the territory that is now the United States of America.

The following document is courtesy of Encyclopaedia Britannica's publishing partnership with the Lillian Goldman Law Library's Avalon Project at Yale Law School.

Mayflower Compact : 1620

Agreement Between the Settlers at New Plymouth : 1620

IN THE NAME OF GOD, AMEN. We, whose names are underwritten, the Loyal Subjects of our dread Sovereign Lord King *James*, by the Grace of God, of *Great Britain, France, and Ireland*, King, *Defender of the Faith*, &c. Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country, a Voyage to plant the first Colony in the northern Parts of *Virginia*; Do by these Presents, solemnly and mutually, in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation, and Furtherance of the Ends aforesaid: And by Virtue hereof do enact, constitute, and frame, such just and equal Laws, Ordinances, Acts, Constitutions, and Officers, from time to time, as shall be thought most meet and convenient for the general Good of the Colony; unto which we promise all due Submission and Obedience. **IN WITNESS** whereof we have hereunto subscribed our names at *Cape-Cod* the eleventh of November, in the Reign of our Sovereign Lord King *James*, of *England, France, and Ireland*, the eighteenth, and of *Scotland* the fifty-fourth, *Anno Domini*; 1620.

Mr. John Carver,
 Mr. William Bradford,
 Mr Edward Winslow,
 Mr. William Brewster.
 Isaac Allerton,
 Myles Standish,
 John Alden,
 John Turner,
 Francis Eaton,
 James Chilton,
 John Craxton,
 John Billington,
 Joses Fletcher,
 John Goodman,
 Mr. Samuel Fuller,
 Mr. Christopher Martin,
 Mr. William Mullins,
 Mr. William White,
 Mr. Richard Warren,
 John Howland,
 Mr. Steven Hopkins,

Digery Priest,
Thomas Williams,
Gilbert Winslow,
Edmund Margesson,
Peter Brown,
Richard Britteridge
George Soule,
Edward Tilly,
John Tilly,
Francis Cooke,
Thomas Rogers,
Thomas Tinker,
John Ridgdale
Edward Fuller,
Richard Clark,
Richard Gardiner,
Mr. John Allerton,
Thomas English,
Edward Doten,
Edward Liester.

Source:

The Federal and State Constitutions Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies Now or Heretofore Forming the United States of America
Compiled and Edited Under the Act of Congress of June 30, 1906 by Francis Newton Thorpe
Washington, DC : Government Printing Office, 1909.

Citation: No citation is available for this resource

 PRIMARY SOURCE

Declaration of Independence

Britannica Note:

In the Constitution of the United States, the country's Founding Fathers tried to fulfill the ideals of the Declaration of Independence.



[Image of the Declaration of Independence \(1776\)](#)

[taken from an engraving made by printer William J....](#)

Image of the Declaration of Independence (1776) taken from an engraving made by printer William J....

National Archives, Washington, D.C.

In Congress, July 4, 1776

The Unanimous Declaration of the Thirteen United States of America

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.--We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.--That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States.

To prove this, let Facts be submitted to a candid world.--He has refused his Assent to Laws, the most wholesome and necessary for the public good.--He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.--He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.--He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.--He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.--He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.--He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.--He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.--He has made judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.--He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.--He has kept among us, in times of peace, Standing Armies, without the Consent of our legislatures.--He has affected to render the Military independent of and superior to the Civil power.--He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:--For quartering large bodies of armed troops among us:--For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:--For cutting off our Trade with all parts of the world:--For imposing Taxes on us without our Consent:--For depriving us in many cases, of the benefits of Trial by Jury:--For transporting us beyond Seas to be tried for pretended offences:--For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:--For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:--For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.--He has abdicated Government here, by declaring us out of his Protection and waging War against us.--He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.--He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.--He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.--He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions. In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people. Nor have We been wanting in attentions to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind. Enemies in War, in Peace Friends.--

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of

these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do.--And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

John Hancock

New Hampshire

Josiah Bartlett

Wm. Whipple

Matthew Thornton

Massachusetts Bay

Saml. Adams

John Adams

Robt. Treat Paine

Elbridge Gerry

Rhode Island

Step. Hopkins

William Ellery

Connecticut

Roger Sherman

Sam"el Huntington

Wm. Williams

Oliver Wolcott

New York

Wm. Floyd

Phil. Livingston

Frans. Lewis

Lewis Morris

New Jersey

Richd. Stockton

Jno. Witherspoon

Fras. Hopkinson

John Hart

Abra. Clark

Pennsylvania

Robt. Morris

Benjamin Rush

Benja. Franklin

John Morton

Geo. Clymer

Jas. Smith

Geo. Taylor

James Wilson

Geo. Ross

Delaware

Caesar Rodney

Geo. Read

Tho. M^rKean

Maryland

Samuel Chase

Wm. Paca

Thos. Stone

Charles Carroll of Carrollton

Virginia

George Wythe

Richard Henry Lee

Th. Jefferson

Benja. Harrison

Ths. Nelson, Jr.

Francis Lightfoot Lee

Carter Braxton

North Carolina

Wm. Hooper

Joseph Hewes

John Penn

South Carolina

Edward Rutledge

Thos. Heyward, Junr.

Thomas Lynch, Junr.

Arthur Middleton

Georgia

Button Gwinnett

Lyman Hall

Geo. Walton

Note.--Mr. Ferdinand Jefferson, Keeper of the Rolls in the Department of State, at Washington, says: "The names of the signers are spelt above as in the facsimile of the original, but the punctuation of them is not always the same; neither do the names of the States appear in the facsimile of the original. The names of the signers of each State are grouped together in the facsimile of the original, except the name of Matthew Thornton, which follows that of Oliver Wolcott."--
Revised Statutes of the United States, 2nd edition, 1878, p. 6.

Citation: No citation is available for this resource



Mayflower Compact



Pilgrims sign the Mayflower Compact in 1620.

Prints and Photographs Division/Library of Congress, Washington, D.C. (digital. id. cph 3g07155)

Citation (MLA style):

Mayflower Compact. Image. Britannica LaunchPacks: Documents That Influenced the U.S. Constitution, Encyclopædia Britannica, 8 Aug. 2020. packs.eb.com. Accessed 14 Oct. 2020.

While every effort has been made to follow citation style rules, there may be some discrepancies. Please refer to the appropriate style manual or other sources if you have any questions.



U.S. Constitution



The signing of the U.S. Constitution by 39 members of the Constitutional Congress on September 17, 1787, is depicted in a painting by Howard Chandler Christy.

Architect of the Capitol

Citation (MLA style):

U.S. Constitution. Image. Britannica LaunchPacks: Documents That Influenced the U.S. Constitution, Encyclopædia Britannica, 8 Aug. 2020. packs.eb.com. Accessed 14 Oct. 2020.

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IMAGE

Magna Carta signing



King John signs the Magna Carta on June 15, 1215, at Runnymede, England.

© Photos.com/Thinkstock

Citation (MLA style):

Magna Carta signing. Image. *Britannica LaunchPacks: Documents That Influenced the U.S. Constitution*, Encyclopædia Britannica, 8 Aug. 2020. packs.eb.com. Accessed 14 Oct. 2020.

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VIDEO

Magna Carta



Video Transcript

NARRATOR: The Magna Carta was signed by King John of England in 1215. A copy from that year is on display in the British Library in London. The Magna Carta limited the power of the monarchy. From then on the king had to follow the law; he could no longer simply rule as he wished. The Magna Carta was a first step toward the creation of England's constitution.

King John signed the Magna Carta in 1215.

Encyclopædia Britannica, Inc.

Citation (MLA style):

Magna Carta. Video. *Britannica LaunchPacks: Documents That Influenced the U.S. Constitution*, Encyclopædia Britannica, 8 Aug. 2020. packs.eb.com. Accessed 14 Oct. 2020.

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