

Constitution Corner #3

[Reminder to teacher, or reader, that everything in red is information for the teacher only. The rest is your script. Teacher or Reader-- please print handout, "One Page Outline", for each class member.]

Welcome once again, Great Patriots, to our very relevant Constitution Corner #3.

Be sure you have your labeled **Personal Constitution** next to you with pencil or pen in hand, and paper or tablet to take notes. Also, the handout for this class, the "ONE PAGE Outline" of the Constitution".

The **FACTS** that we have learned are really adding up fast. Let's review them. **[You, as teacher, may want to use these facts as a quiz, or provide members a printout. If you'd like to save time, skip the facts review, see page 2 below, "START CLASS HERE".]**

FACTS LEARNED SO FAR...

(From Session #1)

1. There are only seven Articles in the entire Constitution.
2. The Constitution was finished and signed on September 17th, 1787, as stated in the 7th Article.
3. A "sovereign" state is a geographical area that is independent and has supreme power over itself. The USA is a sovereign nation, but each of its states are also sovereign, united together to be protected by the USA Constitution.
4. The PREAMBLE states the intent and the basic principles in the Constitution, authored by Gouverneur Morris.
5. **LEJ-SAR** -- Each letter stands for the subject of each Article. **Extra -- Can you name them? [Answer: Legislative, Executive, Judicial, States, Amending, Supremacy Law & Debts, Ratification.]**

(From Session #2)

6. Labeling makes the Constitution my personal copy. **Did you complete last session's assignment to finish labeling Article I?**
7. Article. Section. Clause = I. 2. 4
8. A House Representative must be 25-years-old, and a Senator must be 30.
9. States were to be **taxed as a whole**, using a CENSUS every 10 years, to determine a state's percentage of the share to fund the federal government. The CENSUS also determines the number of **House Representatives** from each state. The original 13 colonies are listed here. **Extra -- Can you name them? See the end of I.2.3.**
10. ONLY Congress can make our laws. President--NO on Executive Orders outside of his executive office. Supreme Court—NO on "judicial activism"!

Guess what? You now know more about our Constitution than many members of Congress!

[* START CLASS HERE IF YOU SKIPPED THE FACTS REVIEW ABOVE***]**

As we continue through the longest article in the Constitution, *Article I*, let's get something straight about **slavery** right away:

Most of the founding fathers, especially those living in the northern states, but some in the South **also**, were very clear that they **wanted to abolish slavery as soon as possible**. However, when the southern states wanted to count their slaves, in order to obtain more Representatives in their state, and yet wanted NOT to count slaves as people, when it came to *taxing* their state (both things determined by the Census) a compromise was definitely needed. That compromise, one of the few in the Constitution, is found in **I.2.3**, which counts each slave as 3/5 of a person, merely to solve that problem. Madison and other founding fathers gave speeches during the convention to make this very clear. When slavery was officially abolished, the 3/5 idea was stricken by the 13th and 14th Amendment's, where *all* persons were by law, counted as whole persons.

Now, on to finishing the labeling of *Article I*. Your handout, the One Page Outline, contains all the headings for both articles and sections. You will need to keep it handy.

By the way, how many members do we have in the House right now? **[Answer: 435]** Write this number near Section 2, labeled "HOUSE". Amazingly, this number, 435 members, always stays the same, even with population growth. Some states lose people as the census will show, and some states gain people. A mathematical calculation keeps this number of Representatives at 435 so that it doesn't become a body of thousands as our nation continues to grow. In 1787, each Congressman in the House represented 30,000 people. In the year of 2021, each one represents about 712,000 people! Make that correction note in the margin, so you will be up-to-date.

Note that in **I.2.5**, the **House** is given "sole power of impeachment". We have certainly seen this, twice, during Trump's two impeachments. But remember that **impeachment** is only finding evidence of, and then after voting on it, submitting that evidence, or charges to the Senate. This process in the House helps to decide if a trial in the Senate is necessary or even proper. If 51% of the House votes to impeach, all evidence is sent over to the Senate. It is the Senate's job to decide if a President will be removed from office, by examining those charges. Impeachment is NOT a conviction. Both times, in Trump's case, the Senate voted "NO" to conviction, and therefore, no conviction occurred. However, Trump was impeached in the House. But he was not convicted (by the Senate).

Section 3 of *Article I* is all about the "**SENATE**". Did you label it as such? Note that TWO senators only -- in both big and little states -- were originally appointed by the legislature of each state. **The 17th Amendment** 😊 has taken away this important safety measure that was to guard states, as a whole, against encroachment by the Federal Government. (More on this when we cover Amendments.) Since we have 50 states, this makes our Senate chambers always having the number of **100** members.

How many years does a senator serve? **[Answer: 6]**. How old must he be? **[Answer: 30]**. The president of the **Senate** is automatically appointed according to Clause 4 in Section 3. Who is that person? **[Answer: The V.P. of the United States.]** What is the Vice President's name in 2021? **[Answer: Kamala Harris]** The Vice President can be very busy. But Clause 5 foresaw that -- **[Read Clause 5 together for that solution.]**

Section 3 -- Clause 6 turns all Senators into a **JURY**. Instead of 12, we have **100 people** to decide if an impeachment charge sent to them from the House is indeed legitimate. When the Senate trial is held, two thirds of the Senate are needed to convict a President of the United States of what? **[Answer: See **II.4.1** -- Treason, Bribery, High Crimes, or Misdemeanors.]** Four times in our U.S. History, CONVICTION has NOT occurred after impeachment: Pres.

Andrew Johnson (who became President after Lincoln died and had opposed many of Lincoln's ideas), Pres. Bill Clinton, and twice with Pres. Donald Trump. All were impeached, or charged, but none were convicted.

Section 4 -- Label "ELECTIONS". Make a note that the 20th Amendment has changed the date for Congress to assemble from the original December date, to January 3rd at noon. That is why Congress was already in session on January 6th, the day set aside for the official counting of electoral votes by the Senate, with then V.P. Pence at the podium as President of the Senate. (Because the Jan 20th inauguration date had not yet occurred, Pence was officially still the V.P., and therefore still President of the Senate.)

Section 5 -- Label "RULES OF ORDER". Note that in Clause 3 each house is to keep a journal of its proceedings. This became the "Congressional Record".

Section 6 -- Label "PAY" \$

Section 7 -- Label "HOW BILLS BECOME LAW". Note that when a bill is **not** signed by the President within 10 days because the Congress adjourned before those 10 days were up, that bill cannot become a law with no Presidential signature. It's as if the President put the bill in his pocket, saying, "Oops, I didn't have time to review this before you adjourned. So sorry!" Write "Pocket Veto" at the end of **I.7.2**.

Section 8 -- Label "POWERS". There are about 20 powers in the next twenty clauses that **ONLY** Congress is authorized to deal with. This is a secret that many in Congress would like for you **NOT** to know! Congress has obviously overreached these powers a thousand times! Let's take the time next class session to go over some of these powers individually. We will find out which powers herein are being violated, and which powers don't even exist, and therefore have no legal right to exist in our federal Congressional debates and bills. Our Congress today is unlawfully handling local situations that should be debated and put into law by the states, counties, or cities -- people who are closer to the situation with their own local ideas, feelings and morals.

For now, let's finish up by labeling *Article I*, with just two more sections to go. Use the "One Page Outline" and write in the headings to sections 9 and 10.

Both sections are worthy to discuss in our next session, along with the 20 exclusive and "enumerated" (specifically numbered) Congressional powers from Section 8. You will be shocked to know what Congress is doing, that they have no lawful business doing!

Don't forget to label all the clauses with tiny circled numbers.

You have done some great extensive labeling!

There are many more than five facts that you have learned in this particular lesson! Can you name some? **[Let class members pinpoint some facts they have learned if there is time after this somewhat lengthy session!]**

Thank You for your patience and extreme endurance in making your Constitution a personal book of knowledge. Along the way, while labeling, we have learned a lot.

[Time permitting, you can use the following FACTS review for this time, or save it for next time, or even print it out for this sessions or next session.]

Here are five facts from our session today:

Fact #1. The 3/5 slave fraction was merely a compromise between counting population for taxes, and determining a state's number of Representatives.

Fact #2 . There are always 435 members of Congress. But now, in 2021, each Congressman represents about 712,000 people.

Fact #3. The House is given the sole power of impeachment, which only CHARGES a President, but does not convict him.

Fact #4. The Senate members were originally chosen by the legislature of each state! That was dangerously changed by Amendment 17.

Fact #5. The Senate becomes a jury of 100 when holding a trial for any President who has been impeached or charged in the House.

ASSIGNMENT: Be sure you have labeled all of *Article I* so that we can discuss it next time by being able to look in different sections and clauses for the last time! See the handout from Session #2, to see an example of labeling Don't forget to number the clauses with a little tiny circle. (See example.)

Also, see the very useful "**One-Page Outline of the Constitution**", sent as a handout for this session #3. It has all the Section LABELS for *Article I*, written in the outline, plus the entire Constitution, outlined on JUST ONE PAGE. It will be useful for the Constitution Corner Classes as we move ahead at breakneck speed!

Stay tuned for more!

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(253) 376-4525 ----text questions-- I'll be so happy to answer!