

Amendments to the united states constitution

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The Declaration of Independence was the creation of the Second Continental Congress. Before adjourning the first Continental Congress in October 1774, the delegates of that Congress agreed to reconvene the following May if the Parliament of Great Britain failed to address their grievances. Following the condemnation of Massachusetts and Suffolk Resolves by King George III on November 30, 1774, the need for Congress to reconvene became obvious (E Pluribus Unum, n. d.). Four and a half months later, on April 19, 1775, the Battle of Lexington began in Lexington, Massachusetts, marking the beginning of the Revolutionary war. On May 10, 1775, Congress reconvened in Philadelphia. In addition to the original delegates, the Second Continental Congress included Benjamin Franklin, John Hancock, and Lyman Hall (Massachusetts Historical Society, 2008). Although the Declaration of Independence does not name an author, many consider Thomas Jefferson to be the author. The Declaration of Independence is composed of four basic elements, the preamble, the list of abuses, the petitions, and the declaration. The writings of John Locke greatly influenced Jefferson and Locke's Two Treatises on Government written in 1690 inspired much of what he included in the preamble. In the preamble of the Constitution, the Jefferson explains the Congress' collective philosophy of who should determine the governing officers of a nation, from whom those officers derive their power, and the necessity for overthrowing the current monarchical government of Great Britain. In the Declaration of Independence, the preamble suggests that a need exists for the American states to

separate themselves from Great Britain. Jefferson explains the laws of nature and the laws of nature's God entitled the States of America to equality among nations. Jefferson repeats an idea from Locke's writing wherein he paraphrases Locke's assertion that, "creatures of the same species and rank, promiscuously born to all the same advantages of Nature, and the use of the same faculties, should also be equal" (chapt. 2, § 4) by writing "all men are created equal" (para. 2). The preamble also asserts that their creator grants all men certain rights from which no power can separate them. Jefferson states that governments can only derive their power from those whom they govern, another repeat for Locke's work (Patterson, 2009). At this point, Jefferson begins to focus on the wrongs of Great Britain. In the second half of the preamble, Jefferson suggests that the people have the right to alter or abolish any form of government if it becomes destructive and to develop a new form of government that will likely secure their happiness and security. Jefferson asserts that people likely will not change an established form of government over trivial matters or temporary situations. He states that people are inclined to continue tolerating the suffering to which they have become accustomed as long as the suffering remain tolerable. However, when tyrannical governing persists, the people have a duty to overthrow the governing entity and prove a new means for ensuring their future security. The preamble states that such conditions now exist for the colonies, which necessitates the alteration of the present system of government. Up to this point, Jefferson has worded the preamble in general terms. At his point however, he states absolutely that "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" (para. 2). This is the point at which the Declaration of Independence identifies 27 specific abuses of which King George III is guilty. The 27 grievances listed in paragraphs 23 through 29 of the Declaration of Independence goes into detail in describing the way in which King George III interfered with the colonists' right to self-govern and to establish a fair judicial system. They describe how the King, acting with Parliament enacted legislation that levied taxes on the colonies, required colonists to house British soldiers, removed the colonists right to trial by jury, and preventing trade with the rest of the world, all without the colonies' consent. The grievances also hold the King and Parliament accountable for the destruction of American life and property, for engaging foreign mercenaries to carry out further the Kings tyranny, and for forcing colonists to take up arms against their fellow citizens. The petitions recount the numerous failed attempts by the colonial governments to resolve their differences with Great Britain. This section of the Declaration of Independence points out that the British government ignored all petitions for peaceful resolution despite their common heritage, which necessitates the colonies' separation from Great Britain. The final paragraph of the Declaration of Independence contains the formal declaration that the United Colonies of the States of America are and should be free and independent. The declaration formally announces the dissolution of all political connection with Great Britain and proclaims the states' power to levy war, form alliances, establish free trade, and conclude peace. The Declaration of Independence concludes with a pledge of life, fortunes, and honor for support of the Declaration. The Second Congress voted in favor of

the Declaration of Independence on July 2, 1776. The signing of Declaration of Independence began in August of the same year and concluded in November of that year (Handwerk, 2011). The Declaration of Independence the corner stone of what would become the United States Government and provide the foundation of the U. S. Constitution. The first three articles of the U. S. Constitution define a government made up of three branches, a legislative branch, an executive branch, and a judicial branch. Much of the legislative branch was already in place, consisting of selected representatives from each of the colonies. The Constitution defines the process in which the people would elect their representatives, the terms of the offices each representative held, and the conditions that would call for the dismissal of government officers. The legislative branch of government would be responsible for enacting laws, determining fair taxation, regulating foreign commerce, and declaring war as needed to ensure the protection and security of the people. The executive branch of government would be responsible for regulating and enforcing the laws of the people as enacted by the legislative branch. The judicial branch would be responsible for interpreting the nature of the laws of the people and ensuring that those accused of violating the law received a fair trial by jury. The fourth article of the Constitution establishes rules for interstate relationships and provides for the protection of all stated by the national government. The fifth article of the Constitution defines the process by which Congress proposes amendments to the Constitution. Such amendments may occur whenever two-thirds of both the Senate and the Congress deem them necessary. Before a proposed Amendment becomes part of the Constitution, legislatures

of three-fourths of states must ratify it. In writing this article of the Constitution, the authors recognized that they were not immune to error or inadvertent omission. Although the Constitution defined a clear separation of power within the national government, it failed to delineate the rights of those it governed and failed to define laws designed specifically to protect those rights. The omission became an obstacle in the ratification of the Constitution and in 1789, Congress passed the first ten amendments to the Constitution, known as the Bill of Rights. Ratification of the Bill of Rights occurred in 1791 (Bill of Rights and Later Amendments, n. d.). As suggested to the preamble to the Bill of Rights, a number of the states that adopted the Constitution wanted to see additional restrictions added to the Constitution to prevent any abuse of the powers granted therein. The amendment provided for basic human rights, such as freedom to practice a religion of one's own choosing, the right to a fair and speedy trial by jury encumbered by excessive bail, and the right to bear arms. These amendments also protected the people from unwarranted search and seizure of personal property and protected their homes from forced occupation by the military. The ninth amendment to Constitution recognizes that people have more rights than those identified in the amended Constitution. The rights of people are difficult to quantify. The attempting to list them all would be impossible as the number would vary depending who provided it and their interpretation of the word "right". The tenth amendment states that the federal government has no powers other than those identified in the Constitution and that all other powers belong to the states or the people. Although the Bill of Rights has served as an ideal to which people and other governments can

aspire, it has also been the subject of much controversy. Various interpretations of the second amendment, which recognizes the right of people to keep and bear arms has led to legal battles and other legislative actions spanning decades. The federal government clearly violated the fourth amendment rights of thousands of Japanese Americans when they removed them from their homes and placed them in internment camps following a congressional declaration of war with Japan in 1941. As the newly formed United States of American continued to evolve, officers of the government recognized that additional amendments to the Constitution would be necessary. For example, following a proclamation by Abraham Lincoln that the United Stated should abolish slavery, Congress began to consider an amendment that would make the abolition of slavery constitutional law. Lincoln and his constituents convinced a slim majority of the Congress the slavery must end and in 1864, Missouri Senator John Henderson introduced and amendment to the Constitution to abolish slavery. In 1865, ratification of the thirteenth amendment ended slavery in the United States. In 1866, Congress ratified the fourteenth amendment to the Constitution, which ensured equal protection of the rights of all U. S. citizens, born or naturalized, regardless of race and provided for due process of law for all citizens. The fourteenth amendment achieved ratification in July 1868. The fifteenth amendment gave voting rights to all citizens of the United States regardless of race or previous enslavement. These later amendments along with the Bill of Rights were the keystones in the archway to a truly free nation. The early founders of the United States recognized that true freedom depended on separate from Great Britain. The preamble and list of King

George III's abuses served as the foundation of the Constitution of the United States. The Constitution divided the governing powers of the government among three separate branches and provided laws by the people would elect the officers of the government and the laws by which those officers would operate. Although the Constitution defined clearly these rules, it failed to define clearly laws to protect the rights of the people. Article V of the Constitution outlined a means for amending the Constitution and in 1871 the states ratified the first 10 amendments known as the Bill of Rights ensuring some of the basic rights of the American citizens. Subsequent amendments abolished slavery and extended these rights to all citizens of the United States regardless of race or religion. * * * References Bill of Rights and Later Amendments. (n. d.). Historic Documents. USHistory. org. Retrieved from <http://www.ushistory.org/documents/amendments.htm>. The Declaration of Independence. (1776). Retrieved from <http://www.archives.gov/exhibits/charters/declaration.html>. E Pluribus Unum. (n. d.). U. S. History Pre-Columbian to New Millennium. USHistory. org. Retrieved from <http://www.ushistory.org/us/10.asp>. Handwerk, B. (2011, July 4). Fourth of July: Nine Myths Debunked. National Geographic Daily News [Web log post]. Retrieved from <http://news.nationalgeographic.com/news/2011/07/110704-fourth-of-july-myths-google-doodle-nation-independence-day>. Locke, J. (1690). Two Treatises on Government. Retrieved from <http://www.lonang.com/exlibris/locke/loc-202.htm>. Patterson, T. E. (2009). The American Democracy (9th ed.) New York, NY: McGraw-Hill