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BILL JONES
Secretary of State
State of California

April 25, 2001

Dear Educator:

Enclosed is a new lesson plan entitled "Constitutional Amendments" as part of the California C.I.V.I.C.S. program. The lesson plan is a new addition and should be placed in the "Voter Registration and Voting Information" section of the C.I.V.I.C.S. Teacher's Guide. In addition to the new lesson plan, we have also enclosed one additional page (page 18) that should replace the existing page in your C.I.V.I.C.S. Teacher's Guide. The law in California recently changed regarding the deadline to register to vote and the new page contains the current information.

Please don't forget that we are always looking for stories about students who are making a difference in their communities so that we may include their story in an upcoming edition of the California C.I.V.I.C.S. newsletter. Please feel free to contact me at (916) 657-2166 or at CIVICS@SS.CA.GOV if you have any questions or comments about the C.I.V.I.C.S. Teacher's Guide or if you would like to pass along a story to be included in a future edition of the C.I.V.I.C.S. newsletter.

Sincerely,

A handwritten signature in black ink that reads "Dawn Mehlhaff".

Dawn Mehlhaff
Director, Outreach Programs

Enclosures

Handout



California CIVICS

Answers

1. How do you register to vote?

In California you may register to vote by completing a voter registration card.

2. Where do you register to vote?

You may register to vote at any location that has voter registration forms available. This may include the post office, library, county elections official's office, or by calling the Secretary of State's toll-free hotline at 1-800-345-VOTE and requesting that a form be mailed to you for you to complete. You may complete an .on-line registration form at www.ss.ca.gov/elections/votereg1.html.

3. What is the name and address of your county registrar of voters?

Local county elections officials' addresses are located in the back of this guide under the "Resources" section.

4. What are the qualifications for registering to vote?

In order to register to vote in California, a person shall be a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election.

5. When do you have to re-register?

You need to re-register to vote if you move, change your name, or change your political party affiliation.

6. Why register at all – why not just show up on election day?

In order to vote in California you must be registered to vote by at least 15 days prior to an election. Once you register to vote you usually won't need to re-register unless you move, change your name, or change your political party affiliation.

7. How many polling places are there in your county?

This will vary depending on which county you are in. This information may be obtained by contacting your local county elections official.

8. What is absentee voting and how does it work?

Voting by mail is the same as voting by absentee ballot. Rather than go to the polls to cast a ballot on election day, you may request an absentee ballot, which you fill out and return to your local elections official. You don't need a reason to vote by mail. Any registered voter may apply for an absentee ballot.



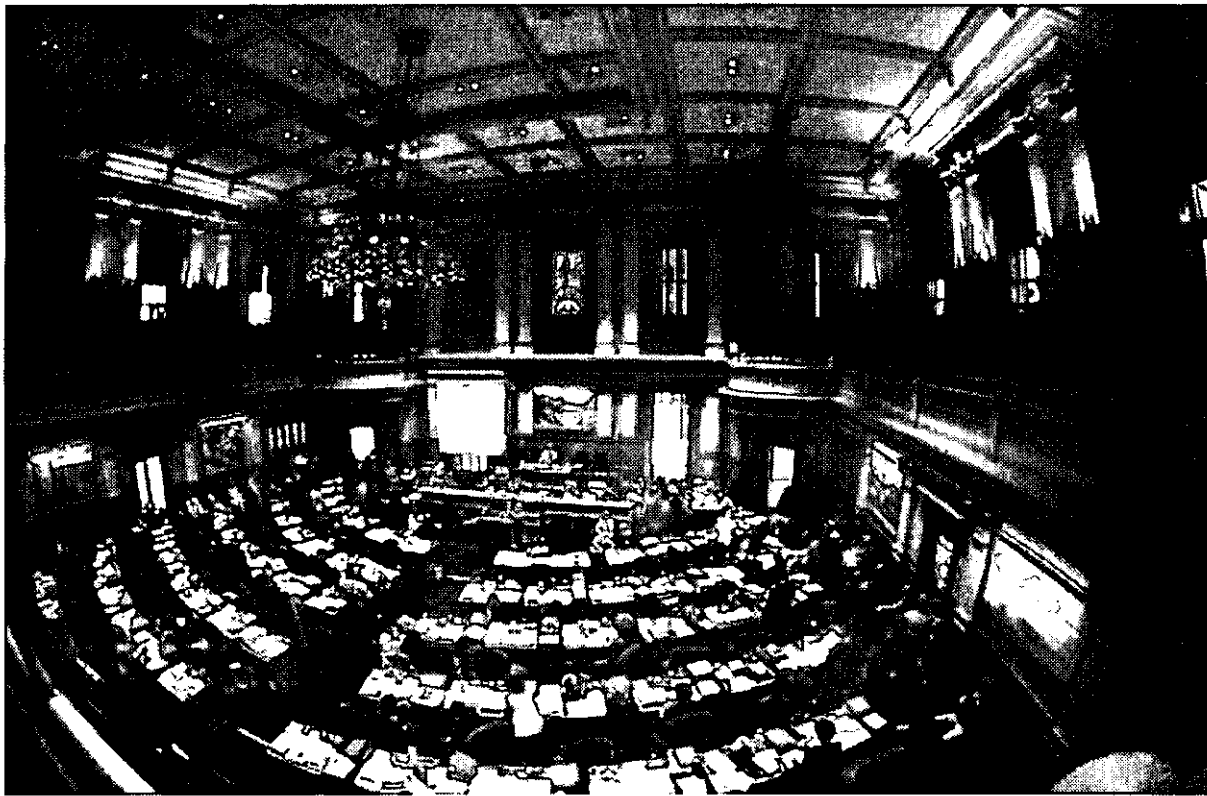
Constitutional Amendments



Teacher Overview

The Constitution of the United States is a system of fundamental laws. The Constitution was drawn up by 55 delegates to the Constitutional Convention in Philadelphia in 1787 and ratified by the states in 1788. The U.S. Constitution defines distinct powers for Congress, the president, and the federal courts. This division of authority is known as a system of checks and balances, and it ensures that none of the branches of government can dominate the others.

The authors of the Constitution were aware that changes would need to be made from time to time in order for the Constitution to endure and keep pace with the growth of the nation. Their solution to making the U.S. Constitution a flexible, living document was to devise a way by which the Constitution could be revised. The requirements for amending the Constitution are listed in Article 5 of the Constitution.



State standards to which this section relates:

12.4: Students analyze the unique roles and responsibilities of the three branches of government as established by the U.S. Constitution.

(2) Explain the process through which the Constitution can be amended.

12.6: Students evaluate issues regarding campaigns for national, state, and local elective offices.

(6) Analyze trends in voter turnout; the causes and effects of reapportionment and redistricting, with special attention to spacial districting and the rights of minorities; and the function of the Electoral College.

Constitutional Amendments



Teacher Overview

Article 5 of the Constitution provides that the Constitution may be amended by two methods:

1) Congress may, by a two-thirds vote in each house, propose a constitutional amendment. It must then be ratified by three-quarters of the state legislatures or special state conventions, whichever Congress specifies. State conventions have ratified a constitutional amendment only once, the 21st Amendment, which repealed Prohibition.

2) Two-thirds of the states may call a special constitutional convention. Amendments proposed by such a convention must then be ratified by the legislatures in three-quarters of the states. This method has never been used; all amendments to date have originated in Congress.

However an amendment is proposed, it does not become part of the Constitution unless it is ratified by three-quarters of the states (either the legislatures thereof, or in amendment conventions).



Since the ratification of the U.S. Constitution, thousands of amendments have been proposed. However, only thirty-three have ever been passed by Congress and only twenty-seven were then ratified by the states. Amendments continue to be proposed in Congress on a regular basis.

Constitutional Amendments

- I. Freedom of Religion, Speech, Press, Assembly, and Petition
- II. Right to Keep Arms
- III. Quartering of Troops
- IV. Search and Seizure; Warrants
- V. Rights of Accused Persons
- VI. Right to a Speedy Trial
- VII. Jury Trial in Civil Cases
- VIII. Bail, Fines, Punishments
- IX. Rights Not Listed are Retained by the People
- X. Powers Not Listed are Reserved to the States
- XI. Suits Against States
- XII. Election of President and Vice-President
- XIII. Slavery Abolished
- XIV. Citizenship Defined and Protected
- XV. Right to Vote with No Racial Barriers
- XVI. Income Tax Authorized
- XVII. Election of Senators by Direct Popular Vote
- XVIII. National Prohibition of Intoxicating Liquors
- XIX. Right to Vote Given Nationwide to Women
- XX. "Lame Duck" Amendment
- XXI. Repeal of National Prohibition
- XXII. Two-Term Limit for Presidents
- XXIII. Presidential Vote for District of Columbia
- XXIV. Poll Tax Banned in Federal Elections
- XXV. Presidential Disability and Succession
- XXVI. Voting Age Lowered to 18 Years
- XXVII. Congressional Pay

Assignment



Teacher Overview

The following is a list of suggested activities designed to offer students insight into the U.S. Constitution and the changes it has undergone.

1. Comparative Study -

Have students engage in a comparative study of several different constitutions from around the world to measure the depth and effectiveness of representative government in the U.S. Constitution. Have them research whether other constitutions provide for constitutional amendments.

2. Amendment Research -

Break the class into several groups. Have each group research a different constitutional amendment. Each group should answer the following questions:

- How did this amendment come to be ratified? Write a historical outline.
- Why do you think people supported or opposed this amendment?

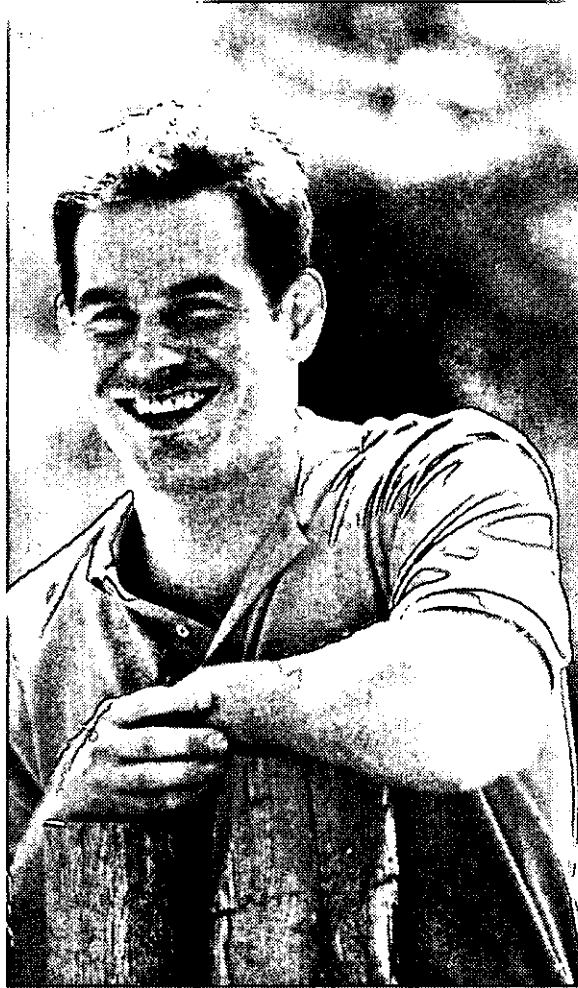
The students should then present their findings orally to the class.

3. Amendment Proposals -

Assign groups of students the task of researching a current social inequity that might be addressed by a new constitutional amendment. After research and planning, have each group write a proposal for their amendment in which they make a case for why it should be added to the constitution. Then, have each group give a class presentation on why they think their proposal should be passed. The other students should respond to each group presentation by writing a brief essay on why they support or oppose the proposed amendment.

4. Ratification vs. Failure -

Have the students research a historic amendment that was ratified and a historic amendment that failed. Students should then write a paper comparing and contrasting the two. Have them write about why they think one amendment achieved ratification, while the other failed.



The 26th Amendment



Teacher Overview

"Some 11 million young men and women who have participated in the life of our nation through their work, their studies, and their sacrifices for its defense now are to be fully included in the electoral process of our country. I urge them to honor this right by exercising it - by registering and voting in each election."

- President Richard Nixon in response to final ratification of the 26th Amendment

Historical Background:

In 1971, the 26th Amendment, which granted 18 to 20-year-olds the right to vote, swept through Congress and the states faster than any previous constitutional amendment. The driving force behind the measure came in large part from the country's youth who raised troubling questions about the legitimacy of a representative government that asked 18 to 20-year-olds to fight and die in the Vietnam War, but denied them the right to vote on war-related issues. The voting issue had emerged during both World War II and the Korean Conflict, but never before had youth joined in the public debate with such passion and conviction.



There was little disagreement in Congress about the wisdom of lowering the voting age; instead, the focus was on how best to accomplish it. The clearest path was to enact a constitutional amendment. In the congressional debate, the arguments in favor of lowering the voting age were distilled into five basic points: 1) Eighteen-year-olds deserve to vote; 2) Eighteen-year-olds are treated as adults in other respects; 3) Eighteen-year-olds are well qualified; 4) Granting the vote will combat youth alienation; and 5) Eighteen-year-old voters will benefit democracy.

The proposed constitutional amendment reached the floor of both houses of Congress in March 1971; the Senate passed the resolution by a vote of 94 to 0, and almost two weeks later the House of Representatives followed suit by a vote of 401 to 19. State legislatures then set about ratifying the 26th Amendment in record time. In total, ratification by the states took only ninety-nine days - twice as fast as the ratification of any previous amendment.

The Decline in Youth Voting:

The high expectations associated with the adoption of the 26th Amendment have not yet been realized. Today, American youth are less likely to exercise the most basic tool of political participation - the vote. Youth voting has declined significantly since the 1972 election, when almost 50 percent of 18 to 24-year-olds cast a ballot.

Source: Close-Up Foundation. Reprinted by permission.

Handout



Write an essay on the following:

1. Youth voting has declined significantly since the 1972 election, when almost 50 percent of 18 to 24-year-olds cast a ballot. Why do you think, in light of the 1971 ratification of the 26th Amendment, that there has been such a decline in youth voting?

2. At the end of the 1960s, many young people felt disaffected and disenfranchised, as if they had no stake in the political process. Many inside and outside of Congress argued that granting 18-year-olds the vote would redirect the energy and anger of America's youth into electoral politics. Do you feel that the 26th Amendment has achieved this goal of combating youth alienation?

3. The first effort to lower the voting age came soon after the Civil War, when a delegate to the New York Constitutional Convention argued that 18-year-olds should be granted the vote because "we hold men at 18 liable to the draft and require them to peril their lives on the battlefield." How would you feel if you were drafted to fight for America and the 26th Amendment, granting you the right to vote, did not exist?

4. One of the points made in the congressional debate arguing in favor of lowering the voting age was that eighteen-year-old voters would benefit democracy. The idealism and commitment of young people were viewed as benefits for the political process by bringing a new viewpoint into the political debate. In what ways do you think young voters have been able to benefit democracy?