

Lesson 41: Union of the States & Amendment Process (Less. Time 41:40)
[for Sunday, December 20, 2015] Reading: *The Making of America*, pages 629-650

(Chapter 26) Union of the States & Amendment Process

Pre-lesson questions for homework study and review: [*Supplemental* notes are bracketed]
[287 Constitution Provisions “principles” in text.]

1. EXPLAIN THE "FULL FAITH AND CREDIT" CLAUSE OF THE CONSTITUTION. WHY IS THIS CALLED A "NATIONALIZING" CLAUSE? (PAGE 630)

190 – States to give Full Faith and Credit to other states acts

o a great unionizing clause

o prevents citizens from avoiding duties simply by moving to another state

2. WHO IS AUTHORIZED TO ESTABLISH THE FORM AND MANNER IN WHICH OFFICIAL PAPERS ARE TO BE PREPARED IN ORDER TO BE ACCEPTED IN ALL OTHER AMERICAN STATES? (631)

191 – Congress to prescribe proof for official acts

o By an official seal

3. EXPLAIN THE EQUALITY OF PRIVILEGES AND IMMUNITIES ENJOYED BY THE CITIZENS OF THE SEVERAL STATES.

192 – Citizens entitled to same rights in all states as it own state

o common rights: (unionizing)

- protection of life

- pass through

- habeas corpus [not imprisoned without court and charges named]

- property

SHOULD THIS BE REGARDED AS ANOTHER "NATIONALIZING" CLAUSE? (631-32)

o Not Common

- Tuition to state school

- hunting and fishing licenses

4. WHAT PROVISION DOES THE CONSTITUTION CONTAIN TO PREVENT A CRIMINAL FROM ESCAPING JUSTICE BY FLEEING TO ANOTHER STATE? (632-33)

193 – Return of Fugitives

o Called extradition

- must be based on actual crime

5. CAN A GOVERNOR REFUSE TO EXTRADITE AN ACCUSED CRIMINAL?

194 – Governor may refuse extradition

o implied by courts in Constitution

IF SO, ON WHAT BASIS? (633)

o if governor feels could lead to injustice

6. WHAT DID THE ORIGINAL CONSTITUTION SAY ABOUT SLAVES ESCAPING TO ANOTHER STATE TO OBTAIN FREEDOM?

195 – Fleeing slaves to be returned to owner

o Northern states did not want word “slave” to be used

o Slaves considered personal property

o Obsolete after 13th amendment.

CAN YOU NAME THE THREE PROVISIONS IN THE CONSTITUTION DEALING WITH SLAVERY? (634)

3/5 slaves counted in population count/ no prohibition of slaves before 1808/ #195

7. UNDER WHAT CONDITIONS MAY NEW STATES BE ADMITTED TO THE UNION? (635-36)

196 – New states authorized from territories meeting requirements

o To be admitted “on an equal footing with original states”

- Louisiana Purchase 1803

- Florida 1819

- Texas 1845 (may divide itself into 5 states [current status even])

- Mexican territory 1848

- Alaska 1867

- Hawaii 1893

- Puerto Rico, Guam 1898

- Virgin Islands 1917

8. HOW DOES THE CONSTITUTION PROTECT AN EXISTING STATE AGAINST CONGRESSIONAL INFRINGEMENT ON ITS TERRITORY? (636-37)

197 – No new state [can be] formed within a state without consent of state legislature

198 – No new state [can be] formed by joining two states or parts thereof without consent of state legislatures

9. OVER WHAT PROPERTY OR TERRITORY DOES THE CONGRESS HAVE CONSTITUTIONAL AUTHORITY? (637-38)

199 – Congress to make all rules for territories

o Officers appointed by President

- governor

o Legislature elected by the people

o Example of provisions passed by Congress is Northwest Ordinance (quote)

10. HOW MAY U.S. TERRITORY OR PROPERTY BE DISPOSED OF? (638)

200 – Congress to dispose of property of U. S.

o Both houses

o Panama Canal Treaty violated [this provision!]

11. HOW DID THE ADOPTION OF THE CONSTITUTION AFFECT THE EXISTING TERRITORIAL CLAIMS OF THE STATES OR OF THE UNITED STATES? (639)
- 201 – Protected existing claims
- o States claimed certain territory
12. WHAT FORM OF GOVERNMENT DOES THE CONSTITUTION GUARANTEE TO EACH OF THE STATES? WHO ENFORCES THIS GUARANTEE? WHY DO THE INITIATIVE AND REFERENDUM PROVISIONS OF SOME STATES TECHNICALLY VIOLATE THIS FORM OF GOVERNMENT? (639-40)
- 202 – US guarantees a republican form of government
- o Republic – gov by freely elected representatives of the people
 - o Prevent oligarchy, aristocracy, monarchy
 - o Initiatives and Referendums violate this provision
13. WHEN CAN A STATE CALL ON THE NATIONAL GOVERNMENT FOR MILITARY HELP?
- 203 – Guarantee states protection from invasion
- o From another state or foreign power
- CAN THE NATIONAL GOVERNMENT INTERVENE ON ITS OWN INITIATIVE? (642-44)
- 204 – State can call fed gov for help in domestic violence
- o Can fed gov intervene on own? (quotes)
14. DESCRIBE THE FIRST METHOD OF AMENDING THE CONSTITUTION. (644-47)
- 205 – Amend Constitution by 2/3 of Congress and 3/4 of states
- o No approval of the president
 - o Designed to make peaceful change
 - o Can state approve *then rescind*?
15. DESCRIBE THE SECOND METHOD OF AMENDING THE CONSTITUTION. WHY DID THE FOUNDERS FEEL THIS ALTERNATIVE WAS NECESSARY? (647-49)
- 206 – Amend Constitution by states only
- o Protection against hierarchy of power (reference)
 - o 2/3 states petition for convention
 - o Congress shall [set] time and place
 - o Convention passes out amendment
 - o 3/4 states to ratify
16. WHAT TWO RESTRICTIONS WERE IMPOSED ON THE AMENDMENT PROCESS IN THE ORIGINAL CONSTITUTION? (649-50)
- 207 – No amendment can alter restriction on importing slaves before 1808
- 208 – No amendment depriving states of equal representation

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QUIZ - LESSON 41

1. THE CONSTITUTION REQUIRES EACH STATE GIVE FULL _____ & _____ TO THE OFFICIAL ACTS OF OTHER STATES.
2. HOW ARE OFFICIAL STATE RECORDS AUTHENTICATED? _____
3. CITIZENS ARE ENTITLED TO ENJOY THE SAME PRIVILEGES AND IMMUNITIES AS ALL OTHER CITIZENS IN THE SEVERAL STATES. GIVE AN EXAMPLE OF HOW STATES CAN TREAT CITIZENS AND NON-CITIZENS DIFFERENTLY.

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4. THE PROCESS OF RETURNING A FUGITIVE TO THE STATE WHERE HE COMMITTED HIS CRIME IS CALLED _____ .
 5. WHEN CAN A GOVERNOR REFUSE TO RETURN A FUGITIVE?

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6. IN ADMITTING NEW STATES, THE FOUNDERS INTENDED THEM TO COME IN TO THE UNION ON AN _____ FOOTING WITH THE EXISTING STATES. HOW HAVE WESTERN STATES BEEN DEPRIVED OF THIS REQUIREMENT? _____
 7. NO NEW STATE CAN BE FORMED AFFECTING THE BOUNDARIES OF AN EXISTING STATE WITHOUT THE CONSENT OF TWO ENTITIES. NAME THEM :

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8. WHAT FORM OF GOVERNMENT DOES THE CONSTITUTION GUARANTEE EACH STATE WILL HAVE? _____
 9. DESCRIBE THE TWO STAGES (WITH FRACTIONS) IN THE FIRST METHOD TO AMEND THE CONSTITUTION.

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10. DESCRIBE (WITH FRACTIONS) THE SECOND METHOD OF AMENDING THE CONSTITUTION.

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11. WHY WAS THE SECOND METHOD ADDED?

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12. THERE ARE TWO RESTRICTIONS ON AMENDING THE CONSTITUTION IN ARTICLE V. NAME ONE. _____