

Name _____



First Changes Made - Amendments of the 1800s

By Phyllis Naegeli

It's a good thing the framers of our Constitution made a way to change it. Before it was approved by the states, changes were needed. In 1791, the Bill of Rights became the first ten amendments to our Constitution. As America grew, other areas needed to change too. Since that time, seventeen amendments have been added. The first changes happened in the 1800s.



Amendment 11 was passed to change a Supreme Court decision on state rights. When a citizen of South Carolina sued the state of Georgia, the Supreme Court took the case. It decided against Georgia. Many people were upset. They said that states could not be sued. Congress stepped in and proposed Amendment 11. It changed part of Article III, Section 2 of the Constitution. The federal courts can no longer hear cases where a citizen of one state sues another state. The federal courts are also barred from hearing cases brought against a state by a foreign nation. A state must agree to a suit. That suit must be heard in the state's court system.

Amendment 12 changed the way the Electoral College was used to choose our president and vice president. Article 2, Section 1 of the Constitution states electors are to meet in their states and cast a ballot for president. The winner would be president, and the runner-up would be vice president. At first, the process went smoothly. George Washington unanimously won the first two elections. The next two elections also were without problems. However, the election of 1800 wasn't as simple. By this time, political parties had been formed in America. Loyalties were divided between the two parties. When Aaron Burr and Thomas Jefferson received an equal number of electoral votes, the House of Representatives had to decide who would be president. They voted on thirty-six different ballots before they finally chose Thomas Jefferson.

Congress knew we needed a change. They quickly passed the 12th Amendment. Now, electors choose the president and vice president separately. When no candidate receives a majority of electoral votes, the House of Representatives chooses the president from the top three candidates. Only an absolute majority will decide the winner. In addition, each state receives only one vote. This causes the representatives from the same state to work together to choose a candidate. Under these same circumstances, the Senate chooses the vice president from the top two candidates for the office. The Amendment passed Congress on December 9, 1803, and was ratified on September 25, 1804.

The next three amendments became known as the Reconstruction Amendments. Prior to the Civil War, slavery was accepted in America. Individual states had the right to decide whether to allow slavery or not. After the War Between the States, it was time for change. America needed to be united once again. Some state rights had to be limited for the sake of the whole country. The following three amendments helped to reunite America.

Amendment 13 abolished slavery in America. Although President Lincoln had signed the Emancipation Proclamation, it carried no legal weight to keep the slaves free. On January 31, 1865, Congress passed the 13th Amendment and sent it to the states. It was ratified by December 6 of the same year. Slavery was no longer allowed in America. Congress had the power to enforce the law.

Amendment 14 defined the rights of citizens of the United States. Even though the slaves were free, some Southern States had laws restricting the rights of black people. Congress needed to act to ensure the former slaves would have certain rights as citizens. These rights included freedom to enter into contracts, own property, have the right to use the courts, and be allowed to move freely about the country.

Confederate States were required to accept this amendment in order to return to the Union. Some readily ratified it. Others rejected it and then changed their minds. A few attempted to withdraw their acceptance. By July 9, 1868, ratification was complete. The 14th Amendment was added to the Constitution. The amendment contains four sections. The first defines citizenship. It says that all people born or naturalized in the United States are citizens of the country and the state in which they live. States cannot change these rights. All people were given the right to "life, liberty, and property" and "equal protection of the laws." Section 2 outlined the way representatives for the state were allotted. It also defined those eligible to vote as "male

Name _____



citizens twenty-one years of age and over." Section 3 barred Confederate leaders who were in an official federal or state office from holding office again. Section 4 states that all debts incurred by the Union in fighting the Civil War were valid. It also invalidated Confederate debts and barred any claims for losses incurred by the freeing of slaves. Congress was given the power to enforce this amendment.

Amendment 15 prohibited denying the right to vote based on "race, color, or previous condition of servitude." However, it did not give anyone the right to vote. States were still allowed to establish standards of who could and could not vote. It merely says that states could not use "race, color, or previous condition of servitude" as the standard. Congress approved the amendment on February 26, 1869. It was ratified on February 3, 1870. Again, Confederate States that had not returned to the Union were required to accept the amendment to rejoin the United States.

These early amendments fixed some difficult problems in America. The changing face of our country made them necessary. However, more amendments would be needed as America continued to grow and change.

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Questions

- _____ 1. Amendment 11 is a part of the Bill of Rights.
- A. false
 - B. true

- _____ 2. How did Amendment 12 change the way we elect our president?
- A. It now says that Congress will choose the president.
 - B. It changed the method to a direct method.
 - C. It changed the way electors vote for president and vice president.
 - D. It changed the method to an indirect method.
- _____ 3. Amendments 13, 14, and 15 are called the _____ Amendments.
- A. Repealed
 - B. Repeated
 - C. Ratification
 - D. Reconstruction
4. Why did we need to add the 13th Amendment to end slavery?
- _____
- _____
- _____
- _____ 5. Confederate States were required to ratify all the Reconstruction Amendments in order to return to the Union.
- A. true
 - B. false
- _____ 6. Which two amendments changed parts of the original Constitution?
- A. 11 and 12
 - B. 11 and 13
 - C. 13, 14, and 15
 - D. 12 and 14
- _____ 7. Under the 14th Amendment, men aged twenty-one and over had the right to vote.
- A. true
 - B. false

Name _____



8. Define "citizenship" based on the wording of the 14th Amendment.
