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## More Changes Needed - Amendments of the 1900s, Part 1

By Phyllis Naegeli

The Twentieth Century brought many changes to America and the world. Two World Wars were fought. The United States grew, expanded, and became a world power. Twelve additional amendments were added to the Constitution. Most of these increased the power of the federal government, while limiting the rights of individual states. One main change was occurring - a trend toward nationalism.



Amendment 16 allows Congress to levy an income tax. After the Civil War, Congress passed an income tax to help pay war debts. The Supreme Court upheld this tax for a time. Then in 1895, the court nullified income taxes calling them direct taxes. Direct taxes needed to be apportioned according to population under Article 1, Section 2 of the Constitution. Instead of waiting to see if the Supreme Court would flip-flop again, Congress decided to act. They passed the 16th Amendment on July 12, 1909. It was ratified on February 3, 1913. The amendment gives Congress the power to tax incomes without dividing it up based on population. This amendment gave the federal government an increasing source of funds. It helped to fund the many programs our federal government has today.

Amendment 17 changed the way senators are elected. Up until this time, senators were elected by state legislatures. When the 17th Amendment was ratified on April 8, 1913, the process changed. Now, the people would directly elect the senators for their state. This amendment reduced the influence individual states have on the federal government and furthered the cause of democracy in America. In addition, it outlined a way to fill vacancies that might occur. It did not

change the terms or elections that occurred prior to its ratification. With the people electing their senators, the hope was that the men who took office would be more accountable for their actions. The jury is out on whether this actually occurred.

Amendment 18 ushered in the Prohibition period in our country. The amendment prohibited the "manufacture, sale, and transportation of intoxicating liquors..." For many years, a number of organizations had protested the liquor industry. They felt that alcoholic beverages contributed to poor family life and immorality. These groups influenced Congress to propose an amendment to the constitution. It passed Congress on December 18, 1917, and was ratified on January 16, 1919. Congress was given the power to enforce the amendment and passed the Volstead Act to do so. It was a futile attempt, however. The federal government lacked the manpower to handle enforcing the law on a national scale. In addition, many believed that the 18th Amendment deprived people of their own personal liberty. Some even felt it conflicted with the 5th Amendment's guarantee of "life, liberty, or property, without due process of law." The 21st Amendment repealed the 18th Amendment in 1933. It is the only Amendment that has been repealed.

Amendment 19 gave women the right to vote. In the early 1800s, women began to speak out about political issues such as slavery and alcohol. Yet without the right to vote, they felt stifled in their work. A movement to give women equal rights began with the primary focus of obtaining the right to vote. Women who participated in this action were called "suffragettes." They held rallies, conventions, protests, and even hunger strikes. When the Wyoming Territory granted women the right to vote, it added fuel to the fire of the movement. The first amendment to give women this right was introduced to Congress in 1877. It gained little support and the battle continued. When World War I came, women were called to take over many of the jobs left by the men who served in the armed forces. Because of their enormous sacrifice and help, sentiments about giving them the rights they desired began to change. Their dreams finally came true on August 26, 1920 when the 19th Amendment was ratified.

Amendment 20 changed the dates when presidents, senators, and representatives would take office. It is called the "Lame Duck" Amendment. The period from Election Day to inauguration can be a "lame duck" period for a retiring or defeated president or member of Congress. Many people do not like that a "lame duck" president or member of Congress can make important decisions for our country. It is felt that they are not accountable for these decisions if they are leaving office. Prior to this amendment, the president and vice

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president took office on March 4. This created a lengthy time between an election and the changing of power. It was not possible to eliminate the "lame duck" period, but the amendment did shorten it. The 20th Amendment placed a president-elect in office on January 20th. The amendment also sets the date for senators and representatives to take office as January 3 after an election. It is possible the new senators and representatives could be called on to choose a president and vice president in the Electoral College. This could cause some confusion. However, this has not posed a problem to date.

Amendment 21 repealed Amendment 18.

These first changes in the 1900s moved us toward nationalism. As the century continued, our "living" constitution would be changed six more times.

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## Questions

\_\_\_\_\_ 1. Which direct tax did Congress institute with the 16th Amendment?

- A. gasoline taxes
- B. import taxes
- C. business taxes
- D. income taxes

2. What is a "direct tax"?

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\_\_\_\_\_ 3. How did the 17th Amendment change the way we elect our senators?

- A. They are now directly elected by the people.
- B. They are chosen by the governor of each state.
- C. They are chosen by the legislatures of each state.
- D. They are now indirectly elected by electors.

\_\_\_\_\_ 4. Which amendment was the only one to be repealed?

- A. Amendment 18
- B. Amendment 17
- C. Amendment 21
- D. Amendment 16

5. Why was it difficult for Congress to enforce prohibition?

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6. What is a "lame duck" period?

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\_\_\_\_\_ 7. On which date does a president-elect take office?

- A. March 4
- B. January 3
- C. November 15
- D. January 20

\_\_\_\_\_ 8. What major event in our history changed the sentiments about giving women the right to vote?

- A. World War I
- B. World War II
- C. the Civil War
- D. None of the above