

# THE PARTIAL CONSTITUTION

**W**E the People of the States of New-Hampshire, Massachusetts, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, do ordain, declare and establish the following Constitution for the Government of Ourselves and our Posterity.

**A R T I C L E I.**  
The title of this Government shall be, "The United States of America."

The Government shall consist of Supreme legislative, executive and judicial powers.

The legislative power shall be vested in a Congress, to consist of two separate and distinct bodies of men, a House of Representatives, and a Senate; ~~and shall be seated in the city of Washington, in the State of Maryland.~~ The Legislature shall meet on the first Monday in December ~~and adjourn at a day to be appointed by the~~ ~~and adjourn by law.~~

Art. 1. The Members of the House of Representatives shall be chosen every second year, by the people of the several States comprehended within this Union. The qualifications of the electors shall be the same, from time to time, as those of the electors in the several States, of the most numerous branch of their own legislatures.

Sec. 1. Every Member of the House of Representatives shall be of the age of twenty-five years at least; shall have been a citizen of the United States for at least seven years before his election; and shall be, at the time of his election, a citizen of the State in which he shall be chosen.

Art. 3. The House of Representatives shall, at its first formation, and until the number of citizens and inhabitants shall be taken in the manner herein after described, consist of forty-five Members, of whom three shall be chosen in New-Hampshire, eight in Massachusetts, one in Rhode-Island and Providence Plantations, five in Connecticut, six in New-York, four in New-Jersey, eight in Pennsylvania, one in Delaware, six in Maryland, one in Virginia, five in North-Carolina, five in South-Carolina, and three in Georgia.

Adjustments of the proportions of members for the different States will also from time to time; as some of the States may increase or decrease; as others may be enlarged by addition of territory; as two or more States may be united; as new States will be erected within the limits of the United States, the Legislature shall, in each of their cases, regulate the number of representatives by the number of inhabitants, according to the proportion of one for every thousand.

Art. 5. All bills for raising or appropriating money, and for fixing the salaries of the officers of government, shall originate in the House of Representatives, and shall not be altered or amended by the Senate. No money shall be drawn from the public Treasury, but in pursuance of appropriations that shall originate in the House of Representatives.

Art. 6. The House of Representatives shall have the sole power of impeachment. It shall choose its Speaker and other officers.

Art. 7. Vacancies in the House of Representatives shall be supplied by written election from the executive authority of the State, in the representation from which they shall happen. V.

# CASS R. SUNSTEIN

# The Partial Constitution

**S Nieto**

## **The Partial Constitution:**

**The Partial Constitution** Cass R. Sunstein, 1993 This was not always the case as Sunstein demonstrates nor was it the intention of the country's founders. Instead, the Constitution often served as a catalyst for public deliberation about its general terms and aspirations, and Sunstein makes a strong case for reviving this broader understanding of the Constitution's role.

Constitutional Review under the UK Human Rights Act Aileen Kavanagh, 2009-05-07 Under the Human Rights Act, British courts are for the first time empowered to review primary legislation for compliance with a codified set of fundamental rights. In this book, Aileen Kavanagh argues that the HRA gives judges strong powers of constitutional review similar to those exercised by the courts under an entrenched Bill of Rights. The aim of the book is to subject the leading case law under the HRA to critical scrutiny whilst remaining sensitive to the deeper constitutional political and theoretical questions which underpin it. Such questions include the idea of judicial deference, the constitutional status of the HRA, the principle of parliamentary sovereignty, and the constitutional division of labour between Parliament and the courts. The book closes with a sustained defence of the legitimacy of constitutional review in a democracy, thus providing a powerful rejoinder to those who are sceptical about judicial power under the HRA.

**Material Law** John Brigham, Law is part of the process by which people construct their views of the world. In *Material Law*, distinguished scholar John Brigham focuses on the places where law and material life intersect and how law creates and alters our social reality. Brigham looks at an eclectic group of bodies and things from maps and territories and trends in courthouse architecture to a woman's womb and a judge's body to make connections between the material and the legal. Theoretically sophisticated and consistently fascinating, *Material Law* integrates law and society, political science and popular culture in a truly interdisciplinary fashion. Brigham examines how the meaning of law is influenced by politics, reviewing, for example, whether the authority of global law supersedes that of national law in the context of Anglo-American cultural colonialism. What emerges is a well-reasoned look at how the authority of law constitutes what we see as real in our lives.

Statutes of California and Digests of Measures California, 1972    The Code of Federal Regulations of the United States of America, 1965 The Code of Federal Regulations is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

**Harvard Law Review: Volume 128, Number 5 - March 2015** Harvard Law Review, 2015-03-10 The Harvard Law Review March 2015 is offered in a digital edition. Contents include Article Creating Around Copyright Joseph P. Fishman Book Review Growing Up Outside the Law Stephen Lee Book Review Property Is the New Privacy The Coming Constitutional Revolution Suzanna Sherry Note Working Together for an Independent Expenditure Candidate Assistance with Super PAC Fundraising In addition, the issue features student commentary on Recent Cases and policy positions including such subjects as defining government instrumentality under the Foreign Corrupt Practices Act, invalidation of New York soda portion cap, whether the Federal Energy Regulatory Commission lacks jurisdiction over rates for nonconsumption of energy,

standard of review for compelled disclosures under commercial speech doctrine Alien Tort Statute claims against an Abu Ghraib contractor preemption of local zoning ordinances banning hydrofracking and the Department of Justice's new presumption of electronically recording custodial interviews Finally the issue features several summaries of Recent Publications The Harvard Law Review is a student run organization whose primary purpose is to publish a journal of legal scholarship The Review comes out monthly from November through June and has roughly 2500 pages per volume The organization is formally independent of the Harvard Law School Student editors make all editorial and organizational decisions This issue of the Review is March 2015 the fifth issue of academic year 2014 2015 Volume 128 The digital edition features active Contents linked notes and proper ebook and Bluebook formatting

**Constitutional Ethos** Alexander Tsesis, 2017-02-27

Judges courts and scholars in the United States agree that the Constitution is the supreme law of the land but there is much disagreement about its meaning So what seems to be incontestable truth is riddled with disagreements about every day questions of decision making on matter such as whether people are entitled to government created programs what rights are fundamental the criteria for voting the three branches of governments several responsibilities and even who should have the final say in defining the Constitution's meaning Constitutional Ethos is a groundbreaking investigation into the fundamental principles of constitutional principle meaning and interpretation It explores the core purposes of American representative democracy in light of historical sources recent precedents and contemporary debates Alexander Tsesis argues that a central norm of U.S. law can be derived from the Declaration of Independence and Preamble This book develops a theory of constitutional law structured on the public duty to protect individual rights for the general welfare The maxim of constitutional governance synthesizes the protection of individual and public rights The ideal is neither solely theoretical nor customary but tied to a firm foundation that the people then build upon by lobbying elected officials and petitioning appointed judges Representative government has an interlinked obligation to the individual and the general welfare This paradigm for responsible governance sets the baseline against which citizens can hold policy makers accountable to the structural and normative commitments of the Constitution A pluralistic system must respect human dignity and govern for the betterment of the body politic Those mandates set the terms for exercising legitimate power at the federal state and local levels to protect individual rights to achieve the common good of civil society Tsesis demonstrates that ethos is binding on the conduct of all three branches of government and their officeholders His argument challenges the more common U.S. perspective among academics and judges who typically discount the existence of any objective constitutional value regarding the document as a construct of social norms To the contrary Tsesis shows that the people established the terms of the nation's founding documents to protect universal unalienable rights The structure of government provides the mechanisms of those in a pluralistic state to set reasonable limitations for the betterment of society as a whole Understanding the Constitution's special place in American legal culture is essential for resolving a host of contemporary issues including those involving

marital gender and voting equalities The state is a means of optimizing the well being of individuals Human productivity can best flourish in a society of equals where talents can be brought to bear in the betterment of self and other members of the community The Constitution does not create rights but protects those universal ideals of representative democracy first set out in the Declaration of Independence It further grants authority to political institutions for the enforcement of policies and concrete laws for the betterment of society or some relevant segment of it Many scholars with leanings in legal realism and process theory believe the authority of government is a social construct created by popular majorities Tsesis convincingly demonstrates to the contrary that even those laws enacted by popular majorities are not authoritative unless they accord with a central maxim of constitutionalism which is the protection of individual rights for the common good

**The**

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