

Protecting Democracy and Rights

The Functions of Government and the Principles of Democracy: How Are These Fundamental Concepts Expressed In and Protected By The U.S. Constitution and Bill Of Rights, the German Basic Law, and the European Charter of Fundamental Rights?

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Stage 1: Essential Understandings

The Unit Focus or Theme:

Protecting democracy and rights - how are the concepts of the functions of government and the principles of democracy expressed in and protected by the U.S. constitution and bill of rights, the German basic law, and the European charter of fundamental rights?

Big Concepts:

Functions of government
Principles of democracy

An Essential Understanding:

Students will understand that the functions of government and the principles of democracy are expressed in and protected by constitution, basic law and charter.

Essential Questions:

What are the functions of government? And how do the preambles of the U.S. Constitution and the German Basic Law address the functions of government?

What are the principles of democracy? And how do the U.S. Constitution, German Basic Law, and the European Union Charter of fundamental rights protect the principles of democracy?

Florida State Content Standard and Performance Indicator:

5. Trace the evolution of the relationship between majority rule and individual rights.

SS.C.2.4.5	Understand how personal, political, and economic rights are secured by constitutional government and by such means as the rule of law, checks and balances, an independent judiciary, and a vigilant citizenry.
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8. Demonstrate an understanding of the importance of participation in community service and political activities.

SS.C.2.4.3	Understand issues of personal concern: the rights and responsibilities of the individual under the U.S. Constitution; the importance of civil liberties; the role of conflict resolution and compromise; and issues involving ethical behavior in politics.
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Designing for Understanding

Unit Title

Functions of government and the principles of democracy: how are these concepts expressed in the U.S. Constitution and Bill of Rights, the German Basic Law, and the European Charter of Fundamental Rights?

Stage 2: Individual Summative Assessment

Assessment type:

Students will demonstrate their knowledge gained through investigation and document analysis by creation of visual and graphic representations accompanied by text. Students will also share their knowledge with lower-grade students.

Short scenario for the individual summative assessment:

Students will display and explain their investigation results to lower-grade classes in connection with observances of constitution day, bill of rights day, and/or human rights day. In addition to sharing their acquired knowledge with other students, the student visual presentations will be displayed at a history fair-type gathering. Audience will be other students, other teachers, school administration, parents, and local community members.

Directions/criteria:

Now that you have completed the investigation into the functions of government, the principles of democracy and how the U.S. Constitution, the German Basic Law, and the European Union Charter of Fundamental Rights express and protect people's democratic rights, create a visual representation of this acquired understanding:

Visually and graphically organize a display on which you present:

- A. The functions of government and how the preambles of the U.S. Constitution and the German basic law express the functions of government
- B. The principles of democracy and how the us constitution, German Basic Law, and the European Union Charter of Fundamental Rights protect the principles of democracy

The display must contain visual and graphic information accompanied by illustrative text. Choose images and graphics that are eye-catching and clearly present your understanding of the points A - D. Since you are creating a visual display, be sure to choose a font that is easy to read from a distance of at least 2 feet. The display board must be a minimum of 3 x 3 feet; maximum size is 3x5 feet.

You will then share your acquired knowledge with a class of lower-grade students in connection with observances of constitution day, bill of rights day, and/or human rights day.

In addition to sharing their acquired knowledge with other students, student visual presentations will be displayed in a "history fair". Audience will be other students, other teachers, school administration, parents, and local community members.

Directions for the "Go Beyond"

If you wish to exceed the standard, include analysis and graphic representation that examines how the United Nations Declaration of Rights expresses and protects the principles of democracy.

Standards-Based Rubric

Protecting democracy and rights - the functions of government and the principles of democracy: how are these fundamental concepts expressed in and protected by in the U.S. Constitution and Bill of Rights, the German Basic Law, and the European Charter of Fundamental Rights?

Stage 2: Individual Summative Assessment Rubric

Standard and Performance Indicator:

Florida Sunshine State Standards to be achieved:	1: Does not meet the standard	2: Partially meets the standard	3: Meets the standard	4: Exceeds the standard
<p>Trace the evolution of the relationship between majority rule and individual rights. SS.C.2.4.5 Understand how personal, political, and economic rights are secured by constitutional government and by such means as the rule of law, checks and balances, an independent judiciary, and a vigilant citizenry.</p>	<p>Student fails to complete and submit the display, OR Student completes only one of the four required parts of the project, OR Student does not demonstrate understanding of the functions of government or the principles of democracy and how the US Constitution, Basic Law, or EU Charter protects democracy.</p>	<p>Student is only able to complete only two of the four required elements, OR Student is able to correctly explain the functions of government or the principles of democracy, but is unable to explain how the US Constitution, the German Basic Law, or the EU Charter of Fundamental rights protects democracy.</p>	<p>Student correctly explains the functions of government and the principles of democracy, and clearly explains how the US Constitution, the German Basic Law, or the EU Charter of Fundamental rights protects democracy. Student also provides eye-catching graphic representations of these concepts.</p>	<p>Student meets the standards in the previous column; In addition, the student included a graphic and textual representation of how the UN Declaration of Human Rights also expresses and protects democracy.</p>
<p>Florida Sunshine State Standards to be achieved:</p>	<p>1: Does not meet the standard</p>	<p>2: Partially meets the standard</p>	<p>3: Meets the standard</p>	<p>4: Exceeds the standard</p>
<p>Demonstrate an understanding of the importance of participation in community service and political activities. SS.C.2.4.3 Understand issues of personal concern: the rights and responsibilities of the individual under the U.S. Constitution; the importance of civil liberties; the role of conflict resolution and compromise; and issues involving ethical behavior in politics.</p>	<p>Student fails to complete and submit the display, OR Student completes only one of the four required parts of the project, OR Student does not demonstrate understanding of the functions of government or the principles of democracy and how the US Constitution, Basic Law, or EU Charter protects democracy.</p>	<p>Student is only able to complete only two of the four required elements, OR Student is able to correctly explain the functions of government or the principles of democracy, but is unable to explain how the US Constitution, the German Basic Law, or the EU Charter of Fundamental rights protects democracy.</p>	<p>Student correctly explains the functions of government and the principles of democracy, and clearly explains how the US Constitution, the German Basic Law, or the EU Charter of Fundamental rights protects democracy. Student also provides eye-catching graphic representations of these concepts.</p>	<p>Student meets the standards in the previous column; In addition, the student included a graphic and textual representation of how the UN Declaration of Human Rights also expresses and protects democracy.</p>

Formative Assessment(s):

Students will be evaluated for participation in the small group and class discussions dealing with the essential questions. Their written notes and evaluations of documents regarding the essential questions can be collected and examined to determine whether students are achieving the standards.

List of resources: web sites useful for the lessons and extension - sources for the U.S. Constitution, the German Basic Law, the European Union Charter of Fundamental Rights, and the United Nations Declaration of Human Rights.

European Union Charter of Fundamental Rights

- http://www.europarl.europa.eu/charter/pdf/text_en.pdf#search=%22EU%20CHARTER%20OF%20FUNDAMENTAL%20FREEDOMS%22
- http://www.europarl.europa.eu/charter/pdf/text_en.pdf
- http://ec.europa.eu/justice_home/unit/charte/index_en.html
- <http://news.bbc.co.uk/1/hi/world/europe/1166218.stm>
- http://www.europarl.europa.eu/comparl/libe/elsj/charter/default_en.htm
- <http://www.eucharter.org/>
- <http://www.hrcr.org/hottopics/eucharter.html>
- http://ec.europa.eu/justice_home/fsj/rights/charter/fsj_rights_charter_en.htm
- http://news.bbc.co.uk/1/hi/in_depth/europe/2000/nice_summit/nice_summit_glossary/1054073.stm

FAQ

- <http://www.evropa.bg/en/del/europe-a-to-z/questions-answers/qa-charter-of-fundamental-rights.html>

EU Factsheets

- <http://www.civitas.org.uk/eufacts/index.php>

Gateway to the European Union

- http://europa.eu/index_en.htm

EU Glossary

- <http://civitas.org.uk/eufacts/glossary.php>

German Embassy in Washington, DC

- <http://www.germany.info/relaunch/index.html>
- <http://www.deutschland.de/home.php?lang=2>
- http://www.hrcr.org/national/g_k/germany.html

U.S. State Department background notes on Germany

- <http://www.state.gov/p/eur/ci/gm/>
- <http://www.state.gov/r/pa/ei/bgn/3997.htm>

Federal Republic of Germany

- <http://www.state.gov/p/eur/ci/gm/>

U.S. Constitution

- <http://www.constitutioncenter.org/explore/TheU.S.Constitution/index.shtml>

- <http://www.law.cornell.edu/constitution/constitution.overview.html>
- <http://www.archives.gov/national-archives-experience/charters/constitution.html>
- <http://www.usconstitution.net/>
- <http://rs6.loc.gov/ammem/help/constRedir.html>
- <http://www.findlaw.com/cascode/constitution/>
- <http://www.constitutioncenter.org/constitutionday/display/MainS/Home>

Interactive U.S. Constitution

- <http://www.constitutioncenter.org/constitution/>

Bill of Rights

- <http://www.billofrightsinstitute.org/>
- <http://rs6.loc.gov/ammem/help/constRedir.html>
- http://www.archives.gov/national-archives-experience/charters/bill_of_rights.html
- <http://www.yale.edu/lawweb/avalon/rights1.htm>
- <http://www.ourdocuments.gov/doc.php?flash=true&doc=13>
- <http://www.loc.gov/rr/program/bib/ourdocs/billofrights.html>

Constitutional Rights Foundation

- <http://www.crf-usa.org/>

Human Rights Library at the University Of Minnesota

- <http://www1.umn.edu/humanrts/index.html>

Universal Declaration of Human Rights

- http://www.hrcr.org/docs/universal_decl.html
- <http://www.un.org/Overview/rights.html>

Constitutional Rights Web Resources Gateway

- <http://www.hrcr.org/resources.html>

ESSENTIAL QUESTION # 1:

What are the functions of government? And how do the preambles of the U.S. Constitution and the German Basic Law express the functions of government?

Concepts and Complex Thinking Skills:

Comparing and contrasting, summarizing, predicting, classifying, generalizing, and assessing.

BASIC FACTS AND KNOWLEDGE: (per the topic, concepts, essential question and essential understanding)

- The U.S. Constitution took effect in April, 1789; the German Basic Law took effect on 23 May, 1949; and the European Union Charter of Fundamental Rights was signed on 7 December 2000.
- The preambles for all three documents will be provided to the students. See appendix for the documents.

INSTRUCTIONAL STRATEGIES AND LEARNING ACTIVITIES:

Students will brainstorm functions of government in small groups. Ideas will be generated and recorded for sharing with the larger group. Brainstorming sessions will focus on generating ideas; analyzing and developing sophisticated language for the functions will occur in the larger group after each small group shares. Each group's ideas will be written on the board; for duplicate ideas, a system to indicate the number of times repeated will be employed. Students will be instructed to write on paper the finalized listing of government functions.

Students will be prompted to think of ways the identified functions are achieved by governments. Students will begin to express how laws and structures are created to ensure the functions are accomplished in a given State. Students will be directed to the US Constitution in their textbook or on handouts. They will read the Preamble to determine whether the agreed upon functions of government are addressed in the Preamble. In writing, they will match the Preamble's functions with the class-generated list.

Students will then be provided with copies of the Preambles for the German Basic Law and the European Union Charter of Fundamental Rights. They will again be directed to examine the two Preambles to determine whether the class-generated functions of government are also addressed. They will make suitable notations on their written list.

Students will then discuss as a class the three Preambles and their consonance with the functions of government they determined in earlier discussion. Students may also be presented the Preambles without identifying titles and sources if teachers wish to provoke discussion without accessing prior knowledge or discrimination for one Preamble over another. Before revealing the Preambles' identities, teachers may wish to ask student preference by a show of hands.

FORMATIVE ASSESSMENT(s):

Students will be evaluated on their contributions to small group brainstorming, and participation in large group discussion to refine the functions of government listing.

Teachers can collect students' written work to determine the level of student involvement and understanding.

RESOURCES NEEDED:

Copies of the preambles for the U.S. Constitution, the German Basic Law, and the European Union Charter of Fundamental Rights. (See appendix for the documents. Also available from any of the web sites provided.)

Chalkboard, or whiteboard and marker.

ESSENTIAL QUESTION #2:

What are the principles of democracy? And how do the U.S. Constitution, German Basic Law, and the European Union Charter of Fundamental Rights protect the principles of democracy?

Key Concepts and Complex Thinking Skills

Comparing and contrasting, summarizing, predicting, classifying, generalizing, and assessing.

BASIC FACTS AND KNOWLEDGE:

- The background of Democracy's origins in Athens, and subsequent expressions and variations in Rome, certain Republics throughout history to the United States, Germany and other European States and the European Union.
- Democracy bestows rights and protections on citizens who have responsibilities to ensure Democracy flourishes.

INSTRUCTIONAL STRATEGIES AND LEARNING ACTIVITIES

Students will brainstorm the meaning of democracy in small groups. Ideas will be generated and recorded for sharing with the larger group. Brainstorming sessions will focus on generating ideas; the analysis and development of sophisticated language for the principles of democracy will occur in the larger group after each small group shares. Each group's ideas will be written on the board; for duplicate ideas, a system to indicate the number of times repeated will be employed. Students will be instructed to write on paper the finalized listing of principles of democracy.

Students will be prompted to think of ways the identified principles of democracy are achieved by governments. Students will begin to express how laws and structures are created to ensure democracy is expressed and protected in a given State. Students will be directed to the US Constitution in their textbook or on handouts. They will examine the Constitution to determine which Articles and Amendments explicitly address and protect the principles of democracy. In writing, they will match the principles of democracy with particular aspects of the Constitution.

Students will then be provided with copies of the German Basic Law and the European Union Charter of Fundamental Rights. They will again be directed to examine the German Basic Law and the European Union Charter of Fundamental Rights to determine which specific Articles and passages address and protect the class-generated principles of democracy. They will make suitable notations on their written list.

Students will then discuss as a class the three documents and their explicit protections of democracy they determined in earlier discussion. Students may also be presented the documents without identifying titles and sources if teachers wish to provoke discussion without accessing prior knowledge or discrimination for one document over another. Before revealing the documents' identities, teachers may wish to ask student preference by a show of hands.

FORMATIVE ASSESSMENTS:

Students will be evaluated on their contributions to small group brainstorming, and participation in large group discussion to refine the functions of government listing.

Teachers can collect students' written work to determine the level of student involvement and understanding.

RESOURCES NEEDED:

Copies of the preambles for the U.S. Constitution, the German Basic Law, and the European Union Charter of Fundamental Rights. (See appendix for the documents. Also available from any of the web sites provided.)

Chalkboard, or whiteboard and markers.

Optional: A Graphical Representation of the Unit

Lesson 1:

Small group and large group discussion of:

What are the functions of government? And how do the preambles of U.S. Constitution and the German Basic Law address the functions of government?

Materials:

The Preambles of the US Constitution, the German Basic Law, and the European Charter of Fundamental Rights.

Methods:

- Brainstorming, generation and exchange of ideas, assessment and evaluation of ideas to develop a student-generated functions of government listing.
- Student evaluation of how the Preambles of the documents explicitly address the functions of government.

Lesson 2:

Small and large group discussion of:

What are the principles of democracy? And how do the U.S. Constitution, German Basic Law, and the European Union Charter of Fundamental Rights protect the principles of democracy?

Materials:

The Preambles of the US Constitution, the German Basic Law, and the European Charter of Fundamental Rights.

Methods:

- Brainstorming, generation and exchange of ideas, assessment and evaluation of ideas to develop a student-generated principles of democracy listing.
- Student evaluation of how each document explicitly addresses and protects the principles of democracy.

Lesson 3:

Students demonstrate their new knowledge through creation of and display of visual and graphic representations of the essential questions. Students will include appropriate text to accompany the visual representations using eye-catching graphics and fonts. Students will share their knowledge with lower-grade students, and participate in a history fair to which parents, students, teachers, administration and the public are invited.

APPENDIX A

U.S. Constitution's preamble, Bill of Rights and subsequent amendments. Other sources for the U.S. Constitution can be found in a U.S. government text or at one of the web sites provided earlier in this document.

Constitution for the United States of America

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Bill of Rights

The conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added.

Article the first [Not Ratified]

After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

Article the second [Amendment XXVII - Ratified 1992]

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

Article the third [Amendment I]

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article the fourth [Amendment II]

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Article the fifth [Amendment III]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Article the sixth [Amendment IV]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article the seventh [Amendment V]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Article the eighth [Amendment VI]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Article the ninth [Amendment VII]

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Article the tenth [Amendment VIII]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article the eleventh [Amendment IX]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article the twelfth [Amendment X]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Notes:

4. In the Congressional Statutes at Large, Vol. 1, Page 97, at <http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=220>, the first and third commas are omitted, so that it reads:

A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.

The question remains open of where those additional, and grammatically spurious, commas came from, but they do not change the legal meaning of the provision, and it would not be erroneous to omit them.

[Additional Amendments to the Constitution]

ARTICLES in addition to, and Amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

[Article. XI.]

[Proposed 1794; Ratified 1798]

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

[Article. XII.]

[Proposed 1803; Ratified 1804]

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; — The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; — The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. — The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

[Contested Article.]

[Proposed 1810; Possibly Ratified 1819, but evidence lacking, and it seems most likely that the number of ratifying states did not reach 3/4 of the states as new states were admitted.]

If any Citizen of the United States shall accept, claim, receive or retain any Title of Nobility or Honour, or shall, without the Consent of Congress, accept and retain any present, Pension, Office or Emolument of any kind whatever, from any Emperor, King, Prince or foreign Power, such Person shall cease to be a Citizen of the United States, and shall be incapable of holding any Office of Trust or Profit under them, or either of them.

[Unratified Article.]

[Proposed 1861; Endorsed by Lincoln while president-elect; Unratified]

Article Thirteen.

No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.

Article. XIII.

[Proposed 1865; Ratified 1865]

Section. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section. 2. Congress shall have power to enforce this article by appropriate legislation.

Article. XIV.

[Proposed 1866; Allegedly ratified 1868. See Fourteenth Amendment Law Library for argument it was not ratified.]

Section. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Article. XV.

[Proposed 1869; Ratified 1870]

Section. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section. 2. The Congress shall have power to enforce this article by appropriate legislation.

Article. XVI.

[Proposed 1909; Questionably Ratified 1913]

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

[Article. XVII.]

[Proposed 1912; Ratified 1913; Possibly Unconstitutional (See Article V, Clause 3 of the Constitution)]

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Article. [XVIII.]

[Proposed 1917; Ratified 1919; Repealed 1933 (See Amendment XXI, Section 1

Section. 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Article. [XIX.]

[Proposed 1919; Ratified 1920]

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

[Unratified Article.]

[Proposed 1926; Unratified]

Article —

Section. 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

Section. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

Article. [XX.]

[Proposed 1932; Ratified 1933]

Section. 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

Article. [XXI.]

[Proposed 1933; Ratified 1933]

Section. 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Article. [XXII.]

[Proposed 1947; Ratified 1951]

Section. 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

Article. [XXIII.]

[Proposed 1960; Ratified 1961]

Section. 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of

President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section. 2. The Congress shall have power to enforce this article by appropriate legislation.

Article. [XXIV.]

[Proposed 1962; Ratified 1964]

Section. 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section. 2. The Congress shall have power to enforce this article by appropriate legislation.

Article. [XXV.]

[Proposed 1965; Ratified 1967]

Section. 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

Article. [XXVI.]

[Proposed 1971; Ratified 1971]

Section. 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section. 2. The Congress shall have power to enforce this article by appropriate legislation.

[Inoperative Article.]

[Proposed 1972; Expired Unratified 1982]

Article —

Section. 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section. 3. This amendment shall take effect two years after the date of ratification.

[Inoperative Article.]

[Proposed 1978; Expired Unratified 1985]

Article —

Section. 1. For purposes of representation in the Congress, election of the President and Vice President, and article V of this Constitution, the District constituting the seat of government of the United States shall be treated as though it were a State.

Section. 2. The exercise of the rights and powers conferred under this article shall be by the people of the District constituting the seat of government, and as shall be provided by the Congress.

Section. 3. The twenty-third article of amendment to the Constitution of the United States is hereby repealed.

Section. 4. This article shall be inoperative, unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

Article. [XXVII.]

[Proposed 1789; Ratified 1992; [Second](#) of twelve Articles comprising the Bill of Rights]

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

Notes:

1. See R. Alton Lee, "The Corwin Amendment In the Secession Crisis", *Ohio Historical Quarterly*, Vol. 70 No. 1, Jan. 1961. [Link](#)

APPENDIX B: The German Basic Law

Basic Law for the Federal Republic of Germany (Grundgesetz, GG)

In the version promulgated on 23 May 1949 (first issue of the *Federal Law Gazette*, dated 23 May 1949), as amended up to and including 20 December 1993.

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<http://www.iuscomp.org/gla/statutes/GG.htm#Preamble>

Foreword by the Federal President

On 3 October 1990 Germany achieved national unity. By virtue of a sovereign, conscious decision of the people, the Basic Law became the constitution for the whole nation. The successful democratic revolution in the former German Democratic Republic had achieved its goals: human dignity, civil rights, fundamental freedoms and democracy for the entire German people in a society based on the rule of law tempered by social justice.

We overcame the division of Germany within the wider framework of a radical transformation in Europe. The creation of the European Union entails new challenges and opportunities for us all. Both our country's increasing integration and the completion of its national unity were bound to have repercussions on our constitutional law. The fact that only adjustments were necessary attests to the Basic Law's excellent quality as the foundation of our polity from its inception. Its liberal, democratic, federal and welfare elements enabled our country to acquire economic prosperity and social security while maintaining internal stability.

The constitution can only set the standards and provide a framework of law and order. It cannot solve specific problems directly. If it is not to be rendered insignificant it must remain committed to fundamental principles.

The Basic Law has proved its worth. It is the most liberal constitution the Germans have ever had and has served as a model for many other democratic constitutions. We Germans have every reason to be proud of our Basic Law and to defend it to the best of our ability.

Bonn, November 1994

Roman Herzog

Preamble

Conscious of their responsibility before God and man,

Inspired by the determination to promote world peace as an equal partner in a united Europe, the German people, in the exercise of their constituent power, have adopted this Basic Law.

Germans in the Länder of Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hesse, Lower Saxony, Mecklenburg-Western Pomerania, North Rhine-Westphalia, Rhineland-Palatinate, Saarland, Saxony, Saxony-Anhalt, Schleswig-Holstein, and Thuringia have achieved the unity and freedom of Germany in free self-determination. This Basic Law thus applies to the entire German people.

I. Basic Rights

Article 1 [Human dignity]

- (1) Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.
- (2) The German people therefore acknowledge inviolable and inalienable human rights as the basis of every community, of peace and of justice in the world.
- (3) The following basic rights shall bind the legislature, the executive, and the judiciary as directly applicable law.

Article 2 [Personal freedoms]

- (1) Every person shall have the right to free development of his personality insofar as he does not violate the rights of others or offend against the constitutional order or the moral law.
- (2) Every person shall have the right to life and physical integrity. Freedom of the person shall be inviolable. These rights may be interfered with only pursuant to a law.

Article 3 [Equality before the law]

- (1) All persons shall be equal before the law.
- (2) Men and women shall have equal rights. The state shall promote the actual implementation of equal rights for women and men and take steps to eliminate disadvantages that now exist.
- (3) No person shall be favored or disfavored because of sex, parentage, race, language, homeland and origin, faith, or religious or political opinions. No person shall be disfavored because of disability.

Article 4 [Freedom of faith, conscience, and creed]

- (1) Freedom of faith and of conscience, and freedom to profess a religious or philosophical creed, shall be inviolable.
- (2) The undisturbed practice of religion shall be guaranteed.
- (3) No person shall be compelled against his conscience to render military service involving the use of arms. Details shall be regulated by a federal law.

Article 5 [Freedom of expression]

- (1) Every person shall have the right freely to express and disseminate his opinions in speech, writing, and pictures and to inform himself without hindrance from generally accessible sources. Freedom of the press and freedom of reporting by means of broadcasts and films shall be guaranteed. There shall be no censorship.
- (2) These rights shall find their limits in the provisions of general laws, in provisions for the protection of young persons, and in the right to personal honor.
- (3) Art and scholarship, research, and teaching shall be free. The freedom of teaching shall not release any person from allegiance to the constitution.

Article 6 [Marriage and the family; children born outside of marriage]

- (1) Marriage and the family shall enjoy the special protection of the state.
- (2) The care and upbringing of children is the natural right of parents and a duty primarily incumbent upon them. The state shall watch over them in the performance of this duty.
- (3) Children may be separated from their families against the will of their parents or guardians only pursuant to a law, and only if the parents or guardians fail in their duties or the children are otherwise in danger of serious neglect.
- (4) Every mother shall be entitled to the protection and care of the community.
- (5) Children born outside of marriage shall be provided by legislation with the same opportunities for physical and mental development and for their position in society as are enjoyed by those born within marriage.

Article 7 [School education]

- (1) The entire school system shall be under the supervision of the state.
- (2) Parents and guardians shall have the right to decide whether children shall receive religious instruction.

(3) Religious instruction shall form part of the regular curriculum in state schools, with the exception of non-denominational schools. Without prejudice to the state's right of supervision, religious instruction shall be given in accordance with the tenets of the religious community concerned. Teachers may not be obliged against their will to give religious instruction.

(4) The right to establish private schools shall be guaranteed. Private schools that serve as alternatives to state schools shall require the approval of the State and shall be subject to the laws of the Länder. Such approval shall be given when private schools are not inferior to the state schools in terms of their educational aims, their facilities, or the professional training of their teaching staff, and when segregation of pupils according to the means of their parents will not be encouraged thereby. Approval shall be withheld if the economic and legal position of the teaching staff is not adequately assured.

(5) A private elementary school shall be approved only if the educational authority finds that it serves a special pedagogical interest or if, on the application of parents or guardians, it is to be established as a denominational or interdenominational school or as a school based on a particular philosophy and no state elementary school of that type exists in the municipality.

(6) Preparatory schools shall remain abolished.

Article 8 [Freedom of assembly]

(1) All Germans shall have the right to assemble peacefully and unarmed without prior notification or permission.

(2) In the case of outdoor assemblies, this right may be restricted by or pursuant to a law.

Article 9 [Freedom of association]

(1) All Germans shall have the right to form corporations and other associations.

(2) Associations whose aims or activities contravene the criminal laws, or that are directed against the constitutional order or the concept of international understanding, shall be prohibited.

(3) The right to form associations to safeguard and improve working and economic conditions shall be guaranteed to every individual and to every occupation or profession. Agreements that restrict or seek to impair this right shall be null and void; measures directed to this end shall be unlawful. Measures taken pursuant to Article 12a, to paragraphs (2) and (3) of Article 35, to paragraph (4) of Article 87a, or to Article 91 may not be directed against industrial disputes engaged in by associations within the meaning of the first sentence of this paragraph in order to safeguard and improve working and economic conditions.

Article 10 [Privacy of correspondence, posts and telecommunications]

(1) The privacy of correspondence, posts and telecommunications shall be inviolable.

(2) Restrictions may be ordered only pursuant to a law. If the restriction serves to protect the free democratic basic order or the existence or security of the Federation or of a Land, the law may provide that the person affected shall not be informed of the restriction and that recourse to the courts shall be replaced by a review of the case by agencies and auxiliary agencies appointed by the legislature.

Article 11 [Freedom of movement]

(1) All Germans shall have the right to move freely throughout the federal territory.

(2) This right may be restricted only by or pursuant to a law, and only in cases in which the absence of adequate means of support would result in a particular burden for the community, or in which such restriction is necessary to avert an imminent danger to the existence or the free democratic basic order of the Federation or of a Land, to combat the danger of an epidemic, to respond to a grave accident or natural disaster, to protect young persons from serious neglect, or to prevent crime.

Article 12 [Occupational freedom; prohibition of forced labor]

(1) All Germans shall have the right freely to choose their occupation or profession, their place of work, and their place of training. The practice of an occupation or profession may be regulated by or pursuant to a law.

(2) No person may be required to perform work of a particular kind except within the framework of a traditional duty of community service that applies generally and equally to all.

(3) Forced labor may be imposed only on persons deprived of their liberty by the judgment of a court.

Article 12a [Compulsory military or alternative service]

(1) Men who have attained the age of eighteen may be required to serve in the Armed Forces, in the Federal Border Police, or in a civil defense organization.

(2) Any person who, on grounds of conscience, refuses to render military service involving the use of arms may be required to perform alternative service. The duration of alternative service shall not exceed that of military service. Details shall be regulated by a law, which shall not interfere with the freedom to make a decision in accordance with the dictates of conscience, and which shall also provide for the possibility of alternative service not connected with units of the Armed Forces or of the Federal Border Police.

(3) Persons liable to compulsory military service who are not called upon to render service pursuant to paragraph (1) or (2) of this Article may, when a state of defense is in effect, be assigned by or pursuant to a law to employment involving civilian services for defense purposes, including the protection of the civilian population; they may be assigned to public employment only for the purpose of discharging police functions or such other sovereign functions of public administration as can be discharged only by persons employed in the public service. The employment contemplated by the first sentence of this paragraph may include services within the Armed Forces, in the provision of military supplies, or with public administrative authorities; assignments to employment connected with supplying and servicing the civilian population shall be permissible only to meet their basic requirements or to guarantee their safety.

(4) If, during a state of defense, the need for civilian services in the civilian health system or in stationary military hospitals cannot be met on a voluntary basis, women between the ages of eighteen and fifty-five may be called upon to render such services by or pursuant to a law. Under no circumstances may they render service involving the use of arms.

(5) Prior to the existence of a state of defense, assignments under paragraph (3) of this Article may be made only if the requirements of paragraph (1) of Article 80a are met. In preparation for the provision of services under paragraph (3) of this Article that demand special knowledge or skills, participation in training courses may be required by or pursuant to a law. In this case the first sentence of this paragraph shall not apply.

(6) If, during a state of defense, the need for workers in the areas specified in the second sentence of paragraph (3) of this Article cannot be met on a voluntary basis, the right of German citizens to abandon their occupation or place of employment may be restricted by or pursuant to a law in order to meet this need. Prior to the existence of a state of defense, the first sentence of paragraph (5) of this Article shall apply *mutatis mutandis*.

Article 13 [Inviolability of the home]

(1) The home is inviolable.

(2) Searches may be authorized only by a judge or, when time is of the essence, by other authorities designated by the laws, and may be carried out only in the manner therein prescribed.

(3) If particular facts justify the suspicion that any person has committed an especially serious crime specifically defined by a law, technical means of acoustical surveillance of any home in which the suspect is supposedly staying may be employed pursuant to judicial order for the purpose of prosecuting the offense, provided that alternative methods of investigating the matter would be disproportionately difficult or unproductive. The authorization shall be for a limited time. The order shall be issued by a panel composed of three judges. When time is of the essence, it may also be issued by a single judge.

(4) To avert acute dangers to public safety, especially dangers to life or to the public, technical means of surveillance of the home may be employed only pursuant to judicial order. When time is of the essence, such measures may also be ordered by other authorities designated by a law; a judicial decision shall subsequently be obtained without delay.

(5) If technical means are contemplated solely for the protection of persons officially deployed in a home, the measure may be ordered by an authority designated by a law. The information thereby obtained may be otherwise used only for purposes of criminal prosecution or to avert danger and only if the legality of the measure has been previously determined by a judge; when time is of the essence, a judicial decision shall subsequently be obtained without delay.

(6) The Federal Government shall report to the Bundestag annually as to the employment of technical means pursuant to paragraph (3) and, within the jurisdiction of the Federation, pursuant to paragraph (4) and, insofar as judicial approval is required, pursuant to paragraph (5) of this Article. A panel elected by the Bundestag shall exercise parliamentary control on the basis of this report. A comparable parliamentary control shall be afforded by the Länder.

(7) Interferences and restrictions shall otherwise only be permissible to avert a danger to the public or to the life of an individual, or, pursuant to a law, to confront an acute danger to public safety and order, in particular to relieve a housing shortage, to combat the danger of an epidemic, or to protect young persons at risk.

Article 14 [Property, inheritance, expropriation]

(1) Property and the right of inheritance shall be guaranteed. Their content and limits shall be defined by the laws.

(2) Property entails obligations. Its use shall also serve the public good.

(3) Expropriation shall only be permissible for the public good. It may only be ordered by or pursuant to a law that determines the nature and extent of compensation. Such compensation shall be determined by establishing an equitable balance between the public interest and the interests of those affected. In case of dispute respecting the amount of compensation, recourse may be had to the ordinary courts.

Article 15 [Socialization]

Land, natural resources, and means of production may for the purpose of socialization be transferred to public ownership or other forms of public enterprise by a law that determines the nature and extent of compensation. With respect to such compensation the third and fourth sentences of paragraph (3) of Article 14 shall apply mutatis mutandis.

Article 16 [Citizenship; extradition]

(1) No German may be deprived of his citizenship. Citizenship may be lost only pursuant to a law, and against the will of the person affected only if he does not become stateless as a result.

(2) No German may be extradited to a foreign country.

Article 16a [Right of asylum]

(1) Persons persecuted on political grounds shall have the right of asylum.

(2) Paragraph (1) of this Article may not be invoked by a person who enters the federal territory from a member state of the European Communities or from another third state in which application of the Convention Relating to the Status of Refugees and of the Convention for the Protection of Human Rights and Fundamental Freedoms is assured. The states outside the European Communities to which the criteria of the first sentence of this paragraph apply shall be specified by a law requiring the consent of the Bundesrat. In the cases specified in the first sentence of this paragraph, measures to terminate an applicant's stay may be implemented without regard to any legal challenge that may have been instituted against them.

(3) By a law requiring the consent of the Bundesrat, states may be specified in which, on the basis of their laws, enforcement practices, and general political conditions, it can be safely concluded that neither political persecution nor inhuman or degrading punishment or treatment exists. It shall be presumed that a foreigner from such a state is not persecuted, unless he presents evidence justifying the conclusion that, contrary to this presumption, he is persecuted on political grounds.

(4) In the cases specified by paragraph (3) of this Article and in other cases that are plainly unfounded or considered to be plainly unfounded, the implementation of measures to terminate an applicant's stay may be suspended by a court only if serious doubts exist as to their legality; the scope of review may be limited, and tardy objections may be disregarded. Details shall be determined by a law.

(5) Paragraphs (1) through (4) of this Article shall not preclude the conclusion of international agreements of member states of the European Communities with each other or with those third states which, with due regard for the obligations arising from the Convention Relating to the Status of Refugees and the Convention for the Protection of Human Rights and Fundamental Freedoms, whose enforcement must be assured in the contracting states, adopt rules conferring jurisdiction to decide on applications for asylum, including the reciprocal recognition of asylum decisions.

Article 17 [Right of petition]

Every person shall have the right individually or jointly with others to address written requests or complaints to competent authorities and to the legislature.

Article 17a [Restriction of certain basic rights by laws respecting defense and alternative service]

(1) Laws respecting military and alternative service may provide that the basic right of members of the Armed Forces and of alternative service freely to express and disseminate their opinions in speech, writing, and pictures (first clause of paragraph (1) of Article 5), the basic right of assembly (Article 8), and the right of petition (Article 17) insofar as it permits the submission of requests or complaints jointly with others, be restricted during their period of military or alternative service.

(2) Laws respecting defense, including protection of the civilian population, may provide for restriction of the basic rights of freedom of movement (Article 11) and inviolability of the home (Article 13).

Article 18 [Forfeiture of basic rights]

Whoever abuses the freedom of expression, in particular the freedom of the press (paragraph (1) of Article 5), the freedom of teaching (paragraph (3) of Article 5), the freedom of assembly (Article 8), the freedom of association (Article 9), the privacy of correspondence, posts and telecommunications (Article 10), the rights of property (Article 14), or the right of asylum (Article 16a) in order to combat the free democratic basic order shall forfeit these basic rights. This forfeiture and its extent shall be declared by the Federal Constitutional Court.

Article 19 [Restriction of basic rights]

(1) Insofar as, under this Basic Law, a basic right may be restricted by or pursuant to a law, such law must apply generally and not merely to a single case. In addition, the law must specify the basic right affected and the Article in which it appears.

(2) In no case may the essence of a basic right be affected.

(3) The basic rights shall also apply to domestic artificial persons to the extent that the nature of such rights permits.

(4) Should any person's rights be violated by public authority, he may have recourse to the courts. If no other jurisdiction has been established, recourse shall be to the ordinary courts. The second sentence of paragraph (2) of Article 10 shall not be affected by this paragraph.

APPENDIX C

The European Union Charter of Fundamental Rights (see attached PDF)

APPENDIX D

Useful graphics courtesy of the Goethe-Institut and *American Government: Continuity and Change*, O'Connor and Sabato; Pearson Publishing 2006. (see attached file of photos)