

National University of Ireland, Maynooth

From the Selected Works of Seth Barrett Tillman

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Extract from United States Code Annotated,
Section on Article V, citing Tillman's A Textualist
Defense

Seth Barrett Tillman



Available at: https://works.bepress.com/seth_barrett_tillman/82/

United States Code Annotated [Currentness](#)
Constitution of the United States
Annotated
Article V. Amendments

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

LAW REVIEW COMMENTARIES

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Amending the Constitution: A letter to a Congressman. Charles L. Black, Jr., 82 Yale L.J. 189 (1972).

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Exercising the amendment power to disapprove of Supreme Court decisions: Proposal for a “republican veto”. Thomas E. Baker, 22 Hastings Const.L.Q. 325 (1995).

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General theory of Article V: the constitutional lessons of the Twenty-seventh Amendment. Michael Stokes Paulsen, 103 Yale L.J. 677 (1993).

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Political implications of amending clauses. Sanford Levinson, 13 Const.Commentary 107 (1996).

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Rejecting conventional wisdom: Federal ambivalence in the framing and implementation of article V. Kurt T. Lash, 38 Am.J.Legal Hist. 197 (1994).

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A textualist defense of Article I, Section 7, Clause 3: Why *Hollingsworth v. Virginia* was rightly decided, and why *INS v. Chadha* was wrongly reasoned. Seth Barrett Tillman, 83 Tex. L. Rev. 1265 (2005).

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