

June 1, 2009

Extract from United States Code Service, Section on Article I, Section 6, Clause 2, citing Tillman's The Federalist Papers as Reliable Historical Source Material for Constitutional Interpretation and the Calabresi-Tillman and the Prakash-Tillman exchanges on the Incompatibility Clause

Seth Barrett Tillman, *None*

CONSTITUTION OF THE UNITED STATES OF AMERICA
ARTICLE I. LEGISLATIVE DEPARTMENT

USCS Const. Art. I, § 6, Cl 2

Sec. 6, Cl 2. Holding other offices.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

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Calabresi; Larsen. One Person, One Office: Separation of Powers or Separation of Personnel? 79 Cornell L Rev 1045, 1053-62, July 1994.

Tillman. Why Our Next President May Keep His or Her Senate Seat: A Conjecture on the Constitution's Incompatibility Clause. 4 Duke J. Const. L. & Pub. Pol'y 107, 2009.

Bangalore Prakash. Why the Incompatibility Clause Applies to the Office of President. 4 Duke J. Const. L. & Pub. Pol'y 143, 2009.

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Tillman, Calabresi. Debate, The Great Divorce: The Current Understanding of Separation of Powers and the Original Meaning of the Incompatibility Clause, 157 U Pa L Rev PENNumbra 134, 2008.

Currie. Through the Looking-glass: The Confederate Constitution in Congress, 1861-1865. 90 Va L Rev 1257, September 2004.

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