

Amending the Constitution

Chapter 3 Sections 2 & 3

Formal Amendments

1. First Method

- a. Proposed by Congress by a two-thirds vote in both houses.
- b. Ratified by three-fourths of the state legislatures.

Formal Amendments

2. Second Method

- a. **Proposed by Congress by a two-thirds vote in both houses.**
- b. **Ratified by special conventions in three-fourths of the states.**

Formal Amendments

3. Third Method

- a. Proposed at a national convention when requested by two-thirds of the state legislatures.
- b. Ratified by three-fourths of the state legislatures.

This method has never been used

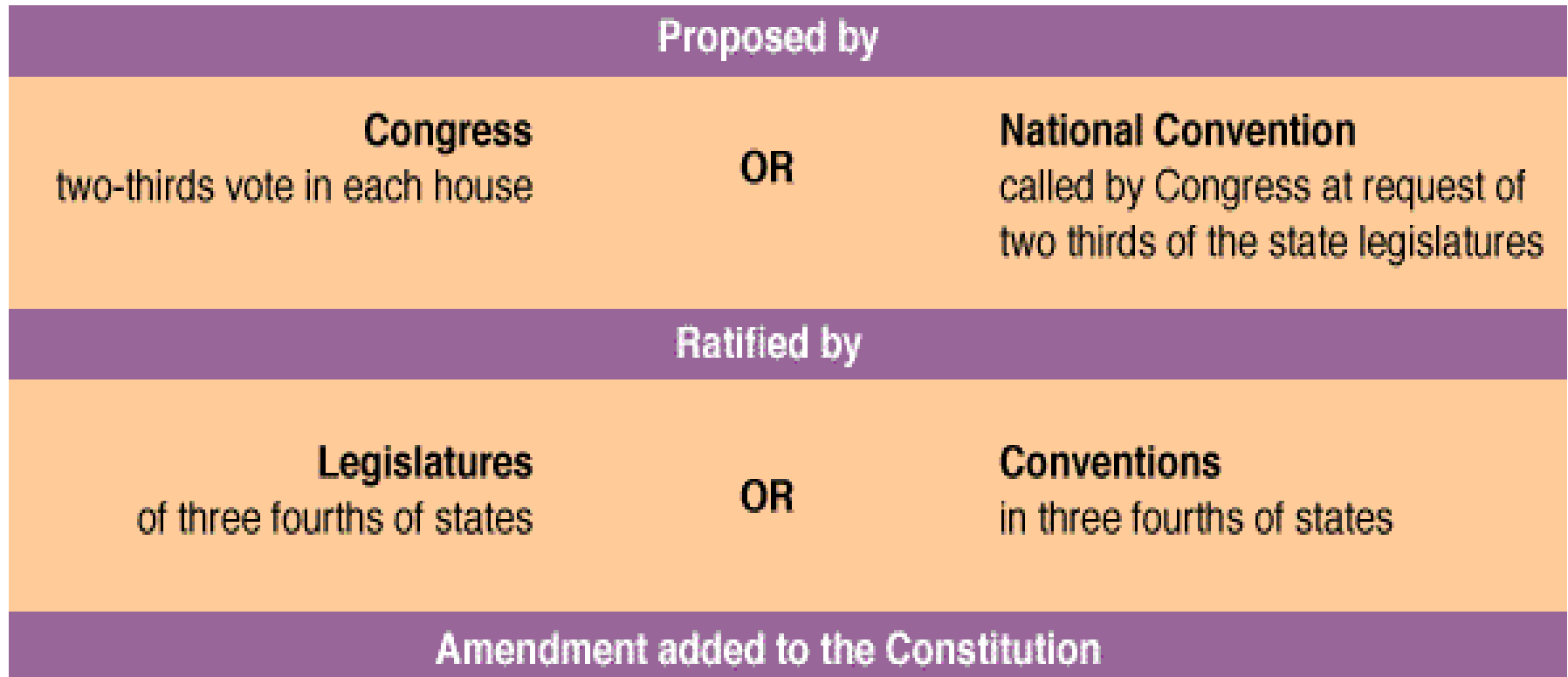
Formal Amendments

4. Fourth Method

- a. Proposed at a national convention.
- b. Ratified by special conventions in three-fourths of the states.

This method has never been used

Amending the U.S. Constitution



Informal Amendments

Five types

1. Basic Legislation – passage of laws that refine or define words of the Constitution

Ex. Establishing the court system; defining regulation of interstate commerce

2. Executive Action – using the President's power to act independently of Congress

Ex. Expanding the President's war making powers; making pacts with foreign leaders w/o advice and consent of the Senate

Informal Amendments

Five types

3. Court Decisions – using court cases to interpret the Constitution

Ex. *Marbury v. Madison* and establishment of judicial review

4. Custom – upholding long-held customs as constitutional necessity

Ex. Making executive department heads the President's Cabinet

Informal Amendments

Five types

5. Party Practices – using practices of political parties to change political processes

Ex. Nominating presidential candidates at national conventions