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XXth Amendment - Missing?

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Signature Track

· 14 days ago 🔗

Did I nod off at some crucial moment, or did Prof. Amar not discuss the XXth Amendment at all? If he did, when did he do it?

It's rather a strange, highly technical 1930s Amendment, to do largely with unlikely possibilities in Presidential elections. Yet, yet: it very nearly came into play during the *Bush v Gore* fiasco, when it looked for a while that we could not reach agreement on who should succeed Mr Clinton.

Gary B.

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[Joel Kovarsky](#) · 14 days ago 🔗

Gary,

He did discuss it briefly (cannot remember exact moment), and most of it followed the comments here: <http://www.heritage.org/constitution/#!/amendments/20/essays/182/presidential-terms> . Prof. Amar (in addition to his comments in our first book) has published on this subject:

Akhil R. Amar, *Presidents, Vice Presidents, and Death: Closing the Constitution's Succession Gap*, 48 Ark. L. Rev. 215 (1995)

http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1972&context=fss_papers

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[+ Comment](#)[Zoe](#) · 14 days ago 🔗

I don't remember when he did that but in my notes he jumped from the 19th to the 21st Amendment. It must have been a fast one because in the video I don't remember hearing it--unless I went deaf at that moment. :-)

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Joel Kovarsky · 14 days ago 

It turns out it was in the 2nd lecture on "Progressive Reforms":


"There's an amendment about having the presidential term begin in January, rather than January 20th after the November election rather than in March. I'm going to say a little bit more about that amendment in my next pair of lectures.

Because that amendment was designed to reduce the lame duck period. Someone gets elected in November but they have to wait all the way til January before taking office. It turns out and before the 20th Amendment they had to wait all the way' til March. It turns out there's a way of having the person who won the election, let's say Romney had won the election against Obama, having that person take office not in January, but the day after the election. Turns out there's a way to do that."

I pulled this from the text transcripts on the video lectures pages.

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Anthony Gary Brown Signature Track · 14 days ago 

And then I think he forgot to actually come back to it (or a discussion was edited out.....).





Gary B

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