

[Forums](#) / [Lecture Material](#)[Help](#)

Why aren't Reps allowed to be "inhabitants" of the States they are elected from?

✉ You are subscribed. [Unsubscribe](#)

✔ RESOLVED

Sort replies by: [Oldest first](#) [Newest first](#) [Most popular](#)[constitution](#) × [houserepresentative](#) ×[+ Add Tag](#)[PandaCat](#) · a month ago 🗨

Why does the Constitution require an elected Rep NOT to be a resident of the state s/he's from?

"No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and *who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.*"

↑ 0 ↓ · flag

[Barbara Saunders](#) · a month ago 🗨

You're parsing the syntax wrong. No person may elected who is not 25, who is not a citizen for 7 years, and who is not an inhabitant of the state he or she would represent = a person must be all of those things.

↑ 0 ↓ · flag


[+ Comment](#)[PandaCat](#) · a month ago 🗨

facepalm

thx Barbara!

↑ 0 ↓ · flag

[+ Comment](#)

[Gary Romer](#) · a month ago 

I think that's "face plant".

↑ 0 ↓ · flag

[+ Comment](#)



Anthony Gary Brown

Signature Track

· a month ago

Double (and sometimes triple) negatives can sometimes flatten the most attentive reader....

Later in the books Prof. Amar refers to "disestablishmentarianism". I long for him to get onto "antidisestablishmentarianism" - not just a famously long word, but one that means "being against being against establishment of religion".

Gary B.

↑ 1 ↓ · flag



Mark Heyne · a month ago

Anthony, i think it means being against the dis-establishment of the Church [of England], which may be what you just said...but parsing complex sentences may have important outcomes; as in the second amendment, which cannot be separated out, so the first object, the 'well-regulated militia', is indeed the object of the second half, 'shall not be be infringed' ...right?

↑ 0 ↓ · flag

Anonymous · a month ago

I, myself, am an anti-antidisestablishmentarianist; I'm not particularly *for* *disestablishmentarianism* but I'm opposed to its opposition because I want a longer adjective to describe me.

(And Mark Heyne is correct about the nature of the word; antidisestablishmentarianism doesn't mean "being opposed to being opposed to establishing" it is "being opposed to disestablishing." There's historical weight to the context; The Anglican Church had already been established. The Disestablishment movement sought to remove it as the official Church of England, Wales, Ireland, and (I think) Scotland...someone might have to check me on the last one. The Antidisestablishmentarianists sought to oppose the dissolution of the Church.)

↑ 0 ↓ · flag

[+ Comment](#)

Anonymous · a month ago

[This is by me, Gary Brown - don;t know why I've suddenly become "Anonymous" in the "from" pane above !]

As to Church issues, you are correct: I didn't not mean what you say!

2nd Amendment - my own view is that the first half of the sentence explains the principle reason why the right in the second half of the sentence must not be infringed. But the un-infringable right identified in the second half does not depend on the first half for its existence. That is, the need for a militia is a sufficient - but not necessary - condition for the people's right to keep and bear arms being sacrosanct.

Gary B.

↑ 0 ↓ · flag

[Scott Robinson, MD](#) · a month ago 🔗

Well, the two views of the 2nd amendment are the nut of the present day dispute over the right to bear arms.

Some such as Sen. Feinstein (and Piers Morgan) have moved on to the need to regulate types of weapons.

↑ 0 ↓ · flag



[Anthony Gary Brown](#) Signature Track · a month ago 🔗

Of course, when I said "sacrosanct", I mean it in the *Law101* sense of "No right is truly absolute - you can't cry Fire! in a crowded theater." As even Scalia said in *Heller*, few folk think a locality can't propose reasonable, but as-limited-as-possible, restrictions on 'fundamental' rights, especially in those cases where one man's right can easily become another man's burden.

Gary B.

↑ 0 ↓ · flag

[Anonymous](#) · a month ago 🔗

Rights actually *are* **absolute** and **universal**; if you find yourself coming into an exception, what you are really identifying is that what you held as your prior rule was not a "right."

You bring up the fact that you can't cry fire in a crowded theater (I assume you are implying no presence of a fire). What you state there is very true, and such a thing is a fraud. But, it's speech! Free speech is a right! No it isn't. It never was. What was written down in the First Amendment was sloppily worded (surprise, surprise) and had the improper cardinality to identify as a "right." Rights do not exist in the positive space, they can only exist in the negative space...[you have the right to not have {x} done to you] because absent another person to take offense, your options in the positive space are endless. Rights only come in when a second person comes into context and they serve to identify prohibitions on individual actions that would otherwise be executable were there not another person around.

In this normalized and well-formed manner, you can easily see that no one has the "right" to freely speak. You are human, and you have language; therefore, you can speak. The positive act of speaking requires no protection; however, you have the right *not to be forced to speak* and you have the right *not to be forced* to be subjected to someone else's speech against your will.

Consider the approach of methodological individualism for just a second. Assume you are stranded on a deserted island. There are no other humans present. What are your rights? Are they limitless or null?

Do you have a "right" to swing a sword willy nilly through the air, thrusting it about in a stabbing motion? No, but there's no justification for declaring you cannot unless there's another person in (or very near) the thrusting zone. *It is their right to have you not initiate an act of aggression upon them* that prevails and your actions thrusting your sword, which you would otherwise be able to do were they not there, are in this case, prohibited.

↑ 0 ↓ · flag

[+ Comment](#)

New post

To ensure a positive and productive discussion, please read our [forum posting policies](#) before posting.

B	<i>I</i>			Link	<code>	Pic	Math		Edit: Rich ▼	Preview
<div></div>										

This thread is marked as resolved. Staff are no longer monitoring this thread. If the problem is not fixed, please start a new thread [here](#) to let staff know that there is still a problem.

☐ Make this post anonymous to other students

☒ Subscribe to this thread at the same time

Add post

Why aren't Reps allowed to be "inhabitants" o...

<https://class.coursera.org/conlaw-001/forum/...>