

## Selected excerpts of the Tennessee Constitution

[Since the Tennessee Constitution is foundational in establishing limits to the authority of state government, knowledge of it is essential for comprehending the Tennessee Code Annotated. Get a copy of the entire Constitution (about 20 pages) and highlight the portions relevant to your freedoms to educate your children. Without knowledge it is difficult to defend the rights of the oppressed. In the words of Thomas Jefferson, "eternal vigilance is the price of liberty."]

### ARTICLE I (Declaration of Rights)

**Sect. 1.** That all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; for the advancement of those ends they have at all times, an unalienable and indefeasible right to alter, reform, or abolish the government in such manner as they may think proper.

**Sect. 2.** That government being instituted for the common benefit, the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind.

**Sect. 3.** That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience; that no man can of right be compelled to attend, erect, or support any place of worship, or to maintain any minister against his consent; that no human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given, by law, to any religious establishment or mode of worship.

**Sect. 6.** That the right of trial by jury shall remain inviolate . . .

**Sect. 7.** That the people shall be secure in their persons, houses, papers and possessions, from unreasonable searches and seizures; and that general warrants, whereby an officer may be commanded to search suspected places, without evidence of the fact committed, or to seize any person or persons not named, whose offenses are not particularly described and supported by evidence, are dangerous to liberty and ought not be granted.

**Sect. 8.** That no man shall be taken or imprisoned, or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the judgment of his peers, or the law of the land.

**Sect. 9.** That in all criminal prosecutions, the accused hath the right to be heard by himself and his counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof, to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favor, and in prosecutions by indictment or presentment, a speedy trial, by an impartial jury of the county in which the crime shall have been committed, and shall not be compelled to give evidence against himself.

**Sect. 14.** That no person shall be put to answer any criminal charge but by presentment, indictment or impeachment.

**Sect. 17.** That all courts shall be open; and that every man, for injury done him in his lands, goods, person, or reputation shall have remedy by due course of law, and

right and justice administered without sale, denial or delay. Suits may be brought against the state in such manner and in such courts as the legislature may by law direct.

**Sect. 19.** . . . The free communication of thoughts and opinions, is one of the invaluable rights of man and every citizen may freely speak, write, and print on any subject, being responsible for the abuse of that liberty.

**Sect. 20.** That no retrospective law, or law impairing the obligations of contracts, shall be made.

**Sect. 23.** That the citizens have a right, in a peaceable manner, to assemble together for their common good, to instruct their representatives, and to apply to those invested with the powers of government for redress of grievances, or other proper purposes, by address of remonstrance.

**Sect. 25.** . . . That martial law, in the sense of the unrestricted power of military officers, or others, to dispose of the persons, liberties or property of the citizen, is inconsistent with the principles of free government, and is not confided to any department of the government of this state.

### ARTICLE IX (Disqualifications)

**Sect. 1.** Whereas Ministers of the Gospel are by their profession, dedicated to God and the care of souls, and ought not to be diverted from the great duties of their functions; therefore, no Minister of the Gospel, or priest of any denomination whatever, shall be eligible to a seat in either House of the Legislature

**Sect. 2.** No person who denies the being of God, or a future state of rewards and punishments, shall hold any office in the civil department of this state.

### ARTICLE XI (Miscellaneous Provisions)

**Sect. 12.** *The State of Tennessee recognizes the inherent value of education and encourages its support. The General assembly shall provide for the maintenance, support, and eligibility standards of a system of free public schools.* The General Assembly may establish and support such post-secondary educational institutions, including public institutions of higher learning, as it determines.

**Sect. 16.** The declaration of rights hereto prefixed is declared to be a part of this Constitution of this State, and shall never be violated on any pretense whatever. And to guard against transgression of the high powers we have delegated, we declare that everything in the bill of rights contained is excepted out of the General powers of the government, and shall forever remain inviolate.

