

The Odd Clauses - Jay Wexler

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If the United States Constitution were a zoo, and the First, Fourth, and Fourteenth amendments were a lion, a giraffe, and a panda bear, respectively, then The Odd Clauses would be a special exhibit of shrews, wombats, and bat-eared foxes. Past the ever-popular monkey house and lion cages, Boston University law professor Jay Wexler leads us on a tour of the lesser-known clauses of the Constitution, the clauses that, like the yeti crab or platypus, rarely draw the big audiences but are worth a closer look. Just as ecologists remind us that even a weird little creature like a shrew can make all the difference between a healthy environment and an unhealthy one, understanding the odd clauses offers readers a healthier appreciation for our constitutional system. With Wexler as your expert guide through this jurisprudence jungle, you'll see the Constitution like you've never seen it before. Including its twenty-seven amendments, the Constitution contains about eight thousand words, but the well-known parts make up only a tiny percentage of the entire document. The rest is a hodgepodge of provisions, clauses, and rules, including some historically anachronistic, some absurdly detailed, and some crucially important but too subtle or complex to get popular attention. This book is about constitutional provisions like Section 2 of the Twenty-first Amendment, the letters of marque and reprisal clause, and the titles of nobility clauses—those that promote key democratic functions in very specific, and therefore seemingly quite odd, ways. Each of the book's ten chapters shines a much-deserved light on one of the Constitution's odd clauses: its history, its stories, its controversies, its possible future. The Odd Clauses puts these intriguing beasts on display and allows them to exhibit their relevance to our lives, our governments' structure, and the integrity of our democracy.

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