## WHAT TRUMP CAN TEACH US ABOUT CON LAW Bad Faith President

**ROMAN MARS:** So, it is Wednesday, July 16th, at 1:45 PM as we're recording this. What are we going to be talking about today?

**ELIZABETH JOH:** Well, in March of 1970. Gino Jacobelli gave an interview with the Associated Press about his job. And his life was not easy. Gino's take-home pay after 14 years as a U.S. postal clerk in Hackensack, New Jersey, was \$109 a week. He had to support his wife, his adult daughter, and his two grandchildren. Now, according to the interview, Gino's ambitions weren't too grand. But he complained that "most nights, dinner was pork and beans or beans and bacon." And what he really wanted was what he called a "halfway decent meal," maybe a hamburger or a steak. And Gino told the AP reporter that 27 of his fellow postal workers had applied for food stamps, and he was getting pretty close to it himself. Now, postal worker salaries were low because Congress had only raised their wages in small amounts. In the 1960s, it wasn't uncommon for postal workers to have multiple jobs. By the time of Gino's interview, many postal workers were just above the poverty line. Yet, in early 1970, Congress proposed a bill that would give postal workers a 5.4% raise--less than the rate of inflation. This was the same Congress that had voted in themselves a 41% raise the year before. In New York City, postal workers in the largest branch of the National Letter Carriers Union demanded a strike. But their union leaders refused. One reason was it was actually illegal for postal workers to strike. But the members took a vote, and they decided to strike anyway.

**ROMAN MARS:** A wildcat strike!

ELIZABETH JOH: And thus began, on March 18th--that's right--1970, the largest wildcat strike in American history: a postal workers strike that began in New York and then spread to Chicago, Milwaukee, San Francisco, and other cities within days. Now, you have to remember, this was 1970. There's no internet--no online life as we know it today. And so all of the ordinary things we all do online today--pay bills, get paid, receive benefits, and transact business--completely happened through the mail, which in some cities had completely stopped. So, the Nixon administration went to court and a judge ordered the workers to stop. But remember, it was illegal for them to strike. Eh, the postal workers ignored what the court said. And the stock market slid. One trader on Wall Street said, "I don't see how we're going to operate without the mail." And so, on March 23rd, 1970, President Nixon addressed the public on TV and announced a national emergency. He would be sending the military to New York City to deliver the mail. On TV, Nixon said, "As president, I shall meet my constitutional responsibility to see that those services are maintained." That's right. President Nixon authorized the deployment of thousands of members of the Army, Air Force, Navy, Marine Corps, and the National Guard to implement what was called Operation Graphic Hand. And under Nixon's Executive Proclamation 3972, 26,000 troops were sent to New York City to sort mail and to deliver mail to businesses. But the problem was the soldiers were not very good at it.

ROMAN MARS: [LAUGHING] You don't say!

**ELIZABETH JOH:** In 1970, the Postal Service often relied on hand sorters, who could handle more than a thousand letters an hour. But when the New York Times interviewed Specialist Arnold Gray in Brooklyn, here's what he said: "You've heard of the Boston Massacre and the My Lai Massacre. Tomorrow you're going to see the Newark Mail Massacre. I don't know a thing about the post office. I'm a medic." The forces of Operation

Graphic Hand did process 12.8 million pieces of mail--very slowly. Luckily for Nixon, the strike didn't last very long. The wildcat postal strike of 1970 ended on March 25th, just eight days after it began. And postal union leaders promised to negotiate with the federal government. Ultimately, Congress did approve a pay raise for postal workers. And Nixon eventually signed the Postal Reorganization Act, which recognized their rights to collective bargaining. And it created the U.S. Postal Service that we know today. And I'd like to think that Gino Jacobelli was able to have a steak now and then as a result.

**ROMAN MARS:** Yeah, let's hope so.

**ELIZABETH JOH:** And as president, Nixon used his powers as commander in chief over the military. But in the wildcat postal strike of 1970, we weren't at war or in any foreign commitment. How could Nixon order troops, including the National Guard, to deliver the mail? And what do those powers have to do with President Trump's mass deportation program? Time to find out.

ROMAN MARS: Let's do it.

## [THEME SONG]

**ROMAN MARS:** This is What Trump Can Teach Us About Con Law--an ongoing monthly series, where we look at what the Postal Strike of 1970 has to do with sending Marines into Los Angeles and use it to examine our Constitution like we never have before. Our music is from Doomtree Records. Our professor and neighbor is Elizabeth Joh. And I'm your fellow student and host, Roman Mars.

**ELIZABETH JOH:** Let's begin with some core principles. In our legal system, we have this really deeply held belief that the military shouldn't be used in civilian law enforcement. In fact, it's one of the long list of complaints in the Declaration of Independence, right? One of the things we've complained about was that King George kept among us, in times of peace, standing armies without the consent of our legislatures. And it's that deep suspicion about standing armies in domestic affairs that's one of the reasons our Constitution puts a civilian—the president—in control of the military. But on the other hand, the Constitution also imposes responsibilities on the federal government when it comes to the security of the states. So, for instance, the Guarantee Clause of the Constitution requires the federal government to provide states with protection from foreign invasion and from what the clause calls "domestic violence." And Congress has the authority to call out the militia under the Constitution to enforce federal law. And so the major way we protect against having a standing army against civilians—but also having some power for emergencies—is the Posse Comitatus Act. And it's just one sentence. So, Roman, why don't you read it?

**ROMAN MARS:** I mean, it's a long sentence. But it's one sentence. So... "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army, the Navy, the Marine Corps, the Air Force, or the Space Force," so that's a new addition, "as the posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both." So, where does this come from? And when did we add Space Force to this list?

**ELIZABETH JOH:** Pretty recently, right?

ROMAN MARS: [CHUCKLES] Yeah, I guess that's right.

**ELIZABETH JOH:** So, the term "posse comitatus" actually refers to the power in English common law--so we're going back a long time--the power of the sheriff to command local men in the community to help him enforce the law. So, if you've ever seen, like, an old Western movie where the sheriff says, "Hey, everybody, we're gonna get a posse together to catch the bad guy," that's the same idea, right? But with the Posse Comitatus Act, the act itself has a history that's intertwined with the Civil War and racism, actually. During Reconstruction, federal troops occupied the former Confederacy. And that included Black soldiers who were part of those federal troops. And they were all there to ensure that the federal laws would be respected, especially when it came to protecting voting rights. And Southerners saw these troops as a humiliation. So, I'm condensing a lot of Civil War history here, but in order to settle the hotly contested 1876 presidential election, which Rutherford Hayes barely won, Hayes ended up agreeing to remove federal troops from the South.

**ROMAN MARS:** Which pretty much effectively ended Reconstruction at that point.

**ELIZABETH JOH:** Exactly. It ends Reconstruction and the promise of securing rights for Black Americans in the South after the Civil War. But of course, if you read the act, you'd never know that. So, you have this act with less than savory origins--but nevertheless a federal law that does uphold an important principle in our legal system. And apart from some minor changes, like the inclusion of the Space Force, it has remained mostly unchanged since it was originally passed.

**ROMAN MARS:** How exactly does it prevent the problem? Like, what is it laying out here?

**ELIZABETH JOH:** So, the act expresses this general idea--this presumption--that we should not have a standing army in the United States. But the problem is that the law permits exceptions. You can't have a Posse Comitatus unless "expressly authorized by the Constitution or Act of Congress." Now, the "authorized by Constitution" part doesn't mean much because there's actually nothing in the Constitution that specifically allows us to do this. On the other hand, Congress has passed laws that create exceptions to the Posse Comitatus Act. In other words, Congress may sometimes say, "Here are situations where the president can use the military in a civilian context."

**ROMAN MARS:** And this threat of imprisonment... Who is going to be imprisoned in this act?

**ELIZABETH JOH:** That's a good question because we don't know. There haven't been any prosecutions like that. So, that remains kind of a mystery.

**ROMAN MARS:** And what are some of these exceptions that would allow for a posse to be formed?

**ELIZABETH JOH:** Well, the primary exception to the Posse Comitatus Act is called the Insurrection Act. It's the name we give to a series of laws that were first passed in 1792. And the Insurrection Act allows the president to use federal troops--and that includes federalized national guard troops--in three situations. The first is when a state asks for federal help to suppress what the law calls an "insurrection." The second is when the president determines that you need the military to enforce the laws of the United States or to suppress rebellion. And the third is when the president uses the military in a state to address what the law calls "any insurrection, domestic violence, unlawful combination, or conspiracy that hinders the execution of federal law." So, the important thing here for us is

to note that the military here can include the National Guard. Now, the National Guard is normally under the authority of each state. But the president is allowed to federalize these troops in the right circumstances. So, when the president does that, the National Guard essentially becomes no different than the rest of the military.

**ROMAN MARS:** So, considering these three exceptions, how many times has this been used? And maybe which one is the most common one? I imagine the state asking for it is the most common one.

**ELIZABETH JOH:** Yeah, that's right. The exceptions have been used quite a bit. Most often, presidents have used the Insurrection Act to send federal troops in times of civil unrest. And it's happened about 30 times. And so, for example, the first President Bush, in 1992, invoked the Insurrection Act to send out federal troops during the Rodney King riots in LA. So, in that kind of situation, you can see that that happens with the request or at least the consent of the state's governor. The one notable time in American history when a president did not do that was in 1965, when LBJ sent troops to Alabama. But that was to protect civil rights activists who were marching from Selma to Montgomery. And the non-consenting governor was George Wallace, who was a pretty open segregationist and racist. So, you can understand why he did that.

**ROMAN MARS:** And so the easiest way to make this the most smooth is for the governor to be on board with this because that automatically gets you into the territory of it being acceptable.

**ELIZABETH JOH:** Right. So, you need the two things--politically acceptable in terms of the governor going along with it, but then also those certain conditions have to be met under the Insurrection Act. So, to sum up, under federal law, we have a 19th century statute from after Reconstruction that stops the president from calling out the military against civilians unless Congress has recognized an exception. And the major exception here to the Posse Comitatus Act is the Insurrection Act.

ROMAN MARS: Okay.

**ELIZABETH JOH:** So, now let's turn to what's happening now, right? So, you and I and everyone has seen the ratcheting up of immigration enforcement by ICE officers. So, there have been these viral videos about masked ICE officers looking for undocumented people at restaurants, Home Depots, farms, even schools, and sometimes even at court ordered appearances--just sort of snatching people and taking them away. It's been terrible.

**ROMAN MARS:** Yeah, it's disgusting.

**ELIZABETH JOH:** So, in some cities, people have been protesting these raids. And in early June, large protests began in downtown Los Angeles after several ICE raids had taken place. Now, there were definitely some clashes with the Los Angeles Police Department, but they were mostly peaceful. But on June 7th, President Trump issued an official memorandum that authorized the federalization of the National Guard and the deployment of active duty armed forces to what the memo said were "locations where protests are occurring." The idea here is that armed forces would provide the muscle in making sure that ICE officers could make their arrests. And so Secretary of Defense Pete Hegseth called several thousand members of the California National Guard into federal service for 60 days. On June 8th, 300 California National guard troops arrived in downtown

LA, and they were joined by many others later. And that included 700 active duty Marines who also went to LA as part of this proclamation.

**ROMAN MARS:** So, is Trump relying on the Insurrection Act to make this legal?

**ELIZABETH JOH:** Well, everybody thought he might, but the surprising answer is no. He could have easily done what presidents have done dozens of times. And that's the strange thing. Trump is not relying on this pretty well-recognized exception. Even if the Insurrection Act is controversial in some uses, it's definitely been used before. So instead, Trump is relying on a different statute. It's called 10 U.S.C. § 12406.

**ROMAN MARS:** Catchy.

**ELIZABETH JOH:** Yeah, very catchy. It's an act that allows a president to call up the National Guard in a case of what that law says is "a rebellion or danger of a rebellion against the United States" or if the president is unable with the regular forces to execute federal law. But the weird thing about this law is that it's typically been used as almost kind of, like, a technical call up for the National Guard. So, presidents have typically used the Insurrection Act as kind of the legal reason why they're calling up the National Guard. And then they use this law in conjunction with the Insurrection Act as the technical "and now we're calling up the National Guard"--kind of a way to shift control of the National Guard from the state's governor to the president.

**ROMAN MARS:** So, is Trump the first person to do this type of maneuver?

**ELIZABETH JOH:** Well, apparently, it has been used one time before--during the 1970 wildcat postal strike.

**ROMAN MARS:** Oh, here we go.

**ELIZABETH JOH:** In fact, that is the example we see cited by the state of California in their lawsuit against the Trump administration--a lawsuit that was filed in federal court just a day after the first federalized National Guard troops arrived in Los Angeles. The state argues that this statute--again, 10 U.S.C. § 12406--has only been used by a president once and for what the state calls highly unusual circumstances not presented here. And so from what we've just talked about, you can see there are enormous differences. We were not thinking in the 1970s that the soldiers called up in that emergency proclamation were going to be used for anything but the most beneficial, innocuous purposes, which was deliver the mail, right?

**ROMAN MARS:** Right, right, right. Although it does seem like calling the wildcat strike of the poster workers a "rebellion against the U.S." seems a little far reaching, too.

**ELIZABETH JOH:** Oh, well, so presumably that would have been not that basis, but remember it's also if you're unable to execute federal law. And since, like, delivering the mail is an essential part of-- It's even in the Constitution that we would establish post offices; mail not being delivered at all was not being able to execute federal law.

**ROMAN MARS:** Got it. So, is the state of California suing Trump because he's not invoking the Insurrection Act? Or what is the basis of the lawsuit?

**ELIZABETH JOH:** Okay, so that's a good question. So, California here is saying, "Look, what is Trump relying on?" He's relying on this not typically used statute. And even if you look at that statute, the required bases are not here when it comes to ICE engaging in their immigration raids and people mostly peacefully protesting against them. So, the state is not challenging the use of the law, saying that Trump can never use this--ever. They're saying it's just that the right conditions are not present here. But let's think about what the complaint is actually doing or what the federal lawsuit's about. California says, "Look, 12406--that's the federal statute--only allows the president to call up the National Guard when there's an invasion by a foreign country, when there is a rebellion, or when the president can't enforce federal law." Now, obviously, there's been no invasion by a foreign country, so we can toss that out immediately. And California argued, "Look, this isn't even a rebellion. Even if there were some people who were arrested during the protest, that doesn't transform a protest into a rebellion against the United States. And second, it's not even true that the Trump administration can't enforce the law because ICE officers did, in fact, still arrest and detain people nevertheless, right?"

So, the state of California initially asked the federal court for a TRO, a Temporary Restraining Order, to have the Trump administration immediately stop what it was doing--in other words, stop calling up the National Guard. And on June 12th, the federal district judge agreed with California that this was, in fact, an illegal order and granted the temporary restraining order. The judge--that's Judge Charles Breyer--was especially worried that the Trump Administration seemed to be targeting the mere act of protesting as some form of rebellion. And he said, "Look, I'm really troubled by the implication inherent in the administration's argument that protest, which is a core civil liberty protected by the First Amendment, can justify a finding of rebellion." Or remember, this is a trial court, right? It's just the lowest level in the system. The Trump administration immediately appealed that temporary restraining order and asked the appeals court for an emergency stay or a stop of the stop--to actually let them keep going.

**ROMAN MARS:** [CHUCKLES] This is my least favorite part of our discussions--the stopping of the stopping of the stopping--it just spins my head every single time.

**ELIZABETH JOH:** I know. It's very lawyerly, but the idea is, like, they wanted to keep on going, right?

**ROMAN MARS:** Exactly.

**ELIZABETH JOH:** So, at this stage, you know, it's not about revisiting the entire case. The appeals court just looked to see whether the administration was likely to succeed on their appeal only about the temporary injunction. In other words, they're not saying, "Let's look at everything that California is arguing here." It's just a narrow question of should there be a temporary restraining order or not. And the appeals court sided with the Trump administration, primarily because they said, "In this kind of situation, we have to defer to the President." They looked at cases going back to the 19th century. And the appeals court said, "Look, when it comes to this kind of statute, the role of the court is not to second guess every single thing the President does. Instead, we have to be extremely deferential to the President," in other words, give Trump the benefit of the doubt. "So, if Trump determined that ICE was unable to execute federal immigration law under the statute, then that was enough," said the appeals court. "We're not in a position to say, 'That doesn't seem right,' or, like, 'Sure, you arrested people so that you didn't qualify.""

**ROMAN MARS:** Yeah. And I can understand the soundness of that logic in a general sense because, if it's an ongoing emergency, you have to defer to the person who's thinking of it as an emergency and has to actually change the state of play on the ground. That kind of makes sense.

**ELIZABETH JOH:** Yeah, I mean, in the abstract, for sure. It makes sense.

**ROMAN MARS:** In the abstract. No, totally.

**ELIZABETH JOH:** That's right. And so the court is trying to say, "Look, in our job, in looking at prior cases and similar types of situations, we have been deferential, so we have to do the same thing." So, they put a stop on the stop. And the Trump administration's allowed to do what it was doing before.

**ROMAN MARS:** So, now that this stop has stopped and it can go forward under 10 U.S.C. § 12406, what happened next?

**ELIZABETH JOH:** Well, California's lawsuit against the Trump administration actually does continue in the federal trial court--in the Federal District Court. The appeals court just dealt with that emergency. So, the trial court judge could decide, for instance, to issue a non-emergency, longer lasting pause on the use of federal troops. Judge Breyer said that he might consider whether the use of troops violated the Posse Comitatus Act. That was one of the claims that California has made. And the appeals court did not address that issue at all in its emergency decision. So, there is a possibility that the federal trial court judge could say, "Well, there's another reason I'm going to order a pause on what the Trump administration is doing in Los Angeles." And on July 15th, the Pentagon announced that it would reduce the number of national guard troops by half--those who were being posted in Los Angeles. So, that reduces the military force down there, but there's still plenty--hundreds--of troops that are still there in Los Angeles, presumably providing the muscle for ICE arrests and just basically standing around with firearms and with weapons and looking kind of scary and terrifying people.

**ROMAN MARS:** We'll be right back.

## [AD BREAK]

**ROMAN MARS:** So, this particular case is happening in California, but the ICE raids and stuff are happening everywhere. Is this something that-- Does this apply all across the United States?

**ELIZABETH JOH:** Well, I think no matter what happens in this specific lawsuit, what's happening in Los Angeles actually has pretty far reaching implications for the whole country. Let's return to that memo--that official proclamation that Trump made on June 7th. Now, the memo--if you take a closer look at it--there is no mention of Los Angeles. It simply talks about "rebellions against the authority of the United States." And Trump's call-up of the National Guard is for what his memo says is "any location where protests are occurring or likely to occur based on current threat assessments."

ROMAN MARS: Wow.

**ELIZABETH JOH:** So, under the logic of the memorandum, troops could be sent anywhere in the United States, not even where there are current protests, but where the

Trump administration determines that protests are likely to be happening based on their own assessment. The other part of it is there is no mention of the fact that they will send troops if there is demonstrated violence or a demonstrated threat of violence. They simply seem to be targeting protesting. So, the memo really seems to be a kind of implied threat against any city where aggressive ICE enforcement is openly protested or might be protested by the community. And the memo doesn't require that there have to be reports of violence. And so that's particularly disturbing. It really seems to be targeting plain old protesting. And then second, many people have seen these videos of these masked ICE officers--sometimes in uniform and sometimes in plain clothes--seemingly rounding up everybody they see in a parking lot or a workplace based on their appearance or an accent they might have. Now, they have the military behind them if the Trump administration decides that that's what they want to do. These are authoritarian tactics, sending the signal that no dissent will be tolerated--that any kind of dissent or protest is essentially a rebellion in the eyes of the administration.

**ROMAN MARS:** And so if Judge Breyer were to say that this is somehow in violation of the Posse Comitatus Act, would that apply all around the country as well?

**ELIZABETH JOH:** No, not necessarily, right? So, it would just apply to what's happening there. But if there were another decision by the Trump administration to send another set of troops--another federalized National Guard--to another state, presumably that would be another kind of fact intensive inquiry of what's happened there, what kind of protest occurred there, and what determination has the Trump Administration made. And kind of based on what the Ninth Circuit has done--the appeals court--if we're giving a pretty deferential look at what the President does, it seems like Trump has a pretty free hand to send troops if he wants to, which is kind of disturbing. And I think that leads to the other problem. If you think about the Posse Comitatus Act and the exceptions, it's kind of a balancing, right? Well, we don't want to have a standing army against civilians because soldiers have one kind of training. They're trained to defeat an enemy, right? They're not trained to respect civil liberties or to protect people. First and foremost, they're primarily there to defeat an enemy. That's the scary part of having military, and that's why we don't want them in domestic law enforcement. We balance that with having protection when there's an emergency within the United States. So, this is not an emergency. This is not even like the postal service shutting down and potentially wrecking the economy in 1970. This is a completely manufactured political emergency by the Trump administration. I think the big problem--the biggest problem--that we see in the memo is that if what we see in Los Angeles counts as an emergency, then anything can be an emergency. Then Trump can declare any part of the United States a place where he has to send troops. And it's about to get much worse.

**ROMAN MARS:** Much worse how? This seems pretty awful already! So, much worse how?

**ELIZABETH JOH:** Well, it's about to get worse because a lot of attention has been paid to Trump's--I hate their name for it--so-called "Big Beautiful Bill" that became law on July 4th. And most of the attention has been paid to the massive tax breaks for the wealthy and the big cuts to the social safety net, like cuts to Medicaid and food stamps. But the bill also includes more than \$75 billion in new funds to ICE--just ICE alone--over the next four years. That includes \$45 billion for immigration detention--that's a quadrupling of their current budget--and more than \$30 billion to expand the number of ICE officers and to fund their enforcement activities. So, there's a few problems with this. First, there's very little oversight in the bill over the use of how these funds are going to be

distributed--whether there's going to be any oversight for waste or fraud. But as a result, ICE becomes essentially the largest law enforcement agency in the country. So, you have not only the motivation here to send ICE officers everywhere with the support of the military when necessary in the eyes of the Trump administration, it's really that what we've seen in LA could become much more commonplace with ICE officers out in communities. And you have this massive deportation machine that, once this funding is here and you have the building of even more detention facilities and the hiring of thousands of more ICE officers, is a structure that can't easily be dismantled, even after Trump is no longer president. Once you have a giant agency like this that's dedicated to immigration enforcement in this aggressive way, it's hard to think of how that ever goes away.

**ROMAN MARS:** I mean, could the next person defund it all? I'd vote for that person.

**ELIZABETH JOH:** Well, you'd have to get Congress to decide to shrink the agency. But historical experience kind of shows that we tend not to do that when it comes to law enforcement agencies. Even if it does go away, it will take such a long time and so much effort. But in the interim, you have a lot of suffering and a lot of--frankly--terrifying actions on the part of the administration.

**ROMAN MARS:** Yeah. Yeah. And then just adding so much fuel to the fire, all this money that sends so many people out there for potential conflict or even the perception that there might be future conflict, if that's the rationale that they're using to send out National Guard, is really terrifying. It's just adding so much fuel to a fire.

**ELIZABETH JOH:** And that's not the only problem. When the appeals court decided in favor of the Trump administration, as we've already discussed, they said, "Look, no matter what may be really happening, we have to be deferential to the President. This law allows the President to address emergencies." But what's noteworthy here is that the appeals court said, "We presume that a president who relies on this statute is acting in," what the court called, "good faith in the face of an emergency." But here's the problem. Immigration is an important policy problem--no question--but it's not an emergency, nor do we have a "good faith president."

**ROMAN MARS:** Absolutely true. I mean, the one, you know, countervailing force that could emerge through all this is this sort of almost centuries-long aversion to standing armies. I mean, this started in English Commonwealth. It happened-- I mean, like, there wasn't a British standing army in the U.S. for a really long time, until the French and Indian War. And then we could handle that for almost--I don't know--maybe 10 years before we freaked the fuck out and started a revolution because of the standing army almost as much as anything else. I mean, is there a sense that, once you ratchet up this level of standing arminess in the country, that just creates such a groundswell of, like, rejection of it? That is our nature as much almost anything else--rejecting a standing army. I don't know.

**ELIZABETH JOH:** I think that's right. I mean, I think, like, you can have a groundswell for change for something that seems so scary. But I guess what's really different from between now and then is that we all need a shared reality if we're going to sort of engage and get together and say, "This is not what we want." I'm not sure that we're living in that world, at least in that moment right now.

**ROMAN MARS:** Yeah. Yeah. Well, this is terrifying. I'm glad we're talking about it, nonetheless. But thank you so much for talking with me. This has been really enjoyable, you know, like, in a way.

**ELIZABETH JOH:** Thanks, Roman.

**ROMAN MARS:** Join us next month where we'll tackle Article I, which establishes the legislative branch of the government. So much to cover!

**ELIZABETH JOH:** The 99% Invisible Breakdown of the Constitution is produced by Isabel Angell, edited by committee, music by Swan Real and from Doomtree Records, mixed by Martín Gonzalez.

**ROMAN MARS:** This show is produced by Elizabeth Joh, Isabel Angell, and me, Roman Mars. It's mixed by Martín Gonzalez. Our executive producer is Kathy Tu. You can find us online at learnconlaw.com.

Our theme music is provided by Doomtree Records, the Midwest Hip-Hop Collective. You can find out more about Doomtree Records, get merch, and learn about who's on tour at doomtree.net.

And if you want more constitutional law content, check out our series The 99% Invisible Breakdown of the Constitution. We're going through the Constitution month by month, digging into each article and analyzing all the phrases and clauses to better understand what's in it. That's in the 99PI feed.

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