

## Module 2: The Constitution Topic 4 Content: The Articles

### Introduction



**Demi Tracy:** The seven Articles of the United States Constitution organize the structure of the government. In today's episode, we will examine each of these Articles. Jamie Madson returns with another segment of *The Constitutional Connection*.

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### The Constitutional Connection

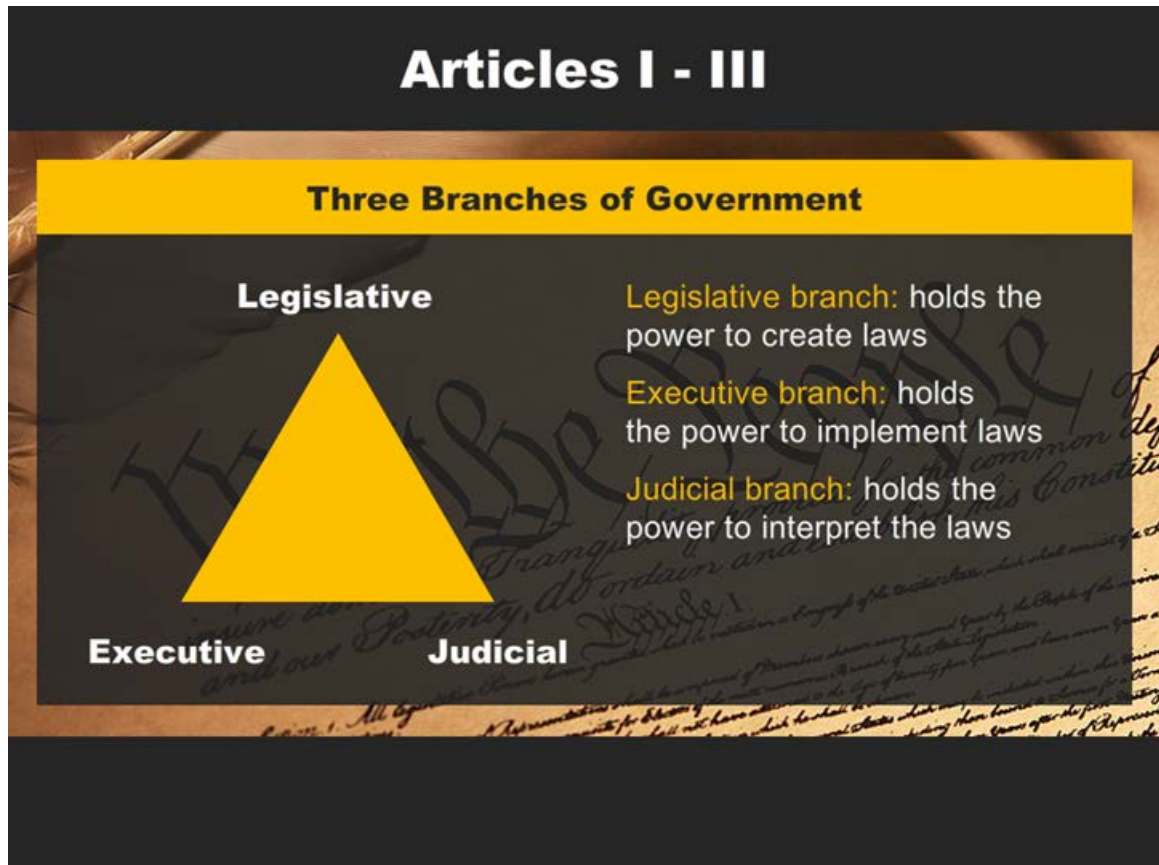


**Jamie Madson:** The Articles of the Constitution detail the framework for American government. The specifics of these articles may vary, but they represent principles such as the separation of powers, checks and balances, federalism, and the rule of law, among others. To gain a better understanding of how American government is structured, we will review each of the seven Articles of the Constitution.

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#### Articles I - III



**Jamie Madson:** The first three Articles establish three separate branches of government. The framers of the Constitution separated the powers of the national government into three branches:

- the legislative branch, which holds the power to create laws;
- the executive branch, which holds the power to implement laws; and
- the judicial branch, which holds the power to interpret the laws.

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#### Article I

### Articles I - III

#### Article I

“All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives...”

- Establishes the legislative branch of the national government
- Senate is the upper house
- The House of Representatives is the lower house
- The upper and lower houses are collectively known as Congress
- Expresses 27 specific powers possessed by Congress

Article I    Article II    Article III

**Jamie Madson:** “All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives...”

Article I establishes Congress, the legislative branch of the national government. This lawmaking branch of government consists of an upper house, known as the Senate, and a lower house, known as the House of Representatives. Collectively, these two houses are known as Congress. In addition to organizing the legislative branch of the government, Article I expresses 27 specific powers possessed by Congress.

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#### Article II

**Articles I - III**

**Article II**

“The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years... together with the Vice President, chosen for the same Term...”

- Creates the executive branch of government
- Responsible for implementing laws passed by Congress
- States the qualifications and responsibilities of holding the office of President

Article I    Article II    **Article III**

**Jamie Madson:** “The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years...together with the Vice President, chosen for the same Term...”

Article II creates the executive branch of government, which is responsible for the implementation of the laws passed by Congress. Article II also elaborates on the qualifications and responsibilities of holding the office of President of the United States. Things like the President's term being set at four years and the requirement of being a natural born U.S. citizen are outlined here.

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#### Article III

The screenshot shows a digital interface with a dark background and a yellow header. The header contains the text "Articles I - III" in white. Below the header is a yellow bar with the text "Article III" in black. The main content area is a dark grey box with white text. It starts with a quote: "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish..." followed by a bulleted list of three points. The first point is "Creates the United States Supreme Court and allows Congress to establish lower Federal Courts". The second point is "Judicial branch has the power to settle disputes involving the interpretation of the Constitution". The third point is "Judicial review: the authority to determine if the actions of another branch of government violate the Constitution". At the bottom of the interface are four buttons: "Article I", "Article II", "Article III", and "Next". The "Next" button is highlighted with a yellow border.

### Articles I - III

#### Article III

"The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish..."

- Creates the United States Supreme Court and allows Congress to establish lower Federal Courts
- Judicial branch has the power to settle disputes involving the interpretation of the Constitution
- **Judicial review:** the authority to determine if the actions of another branch of government violate the Constitution

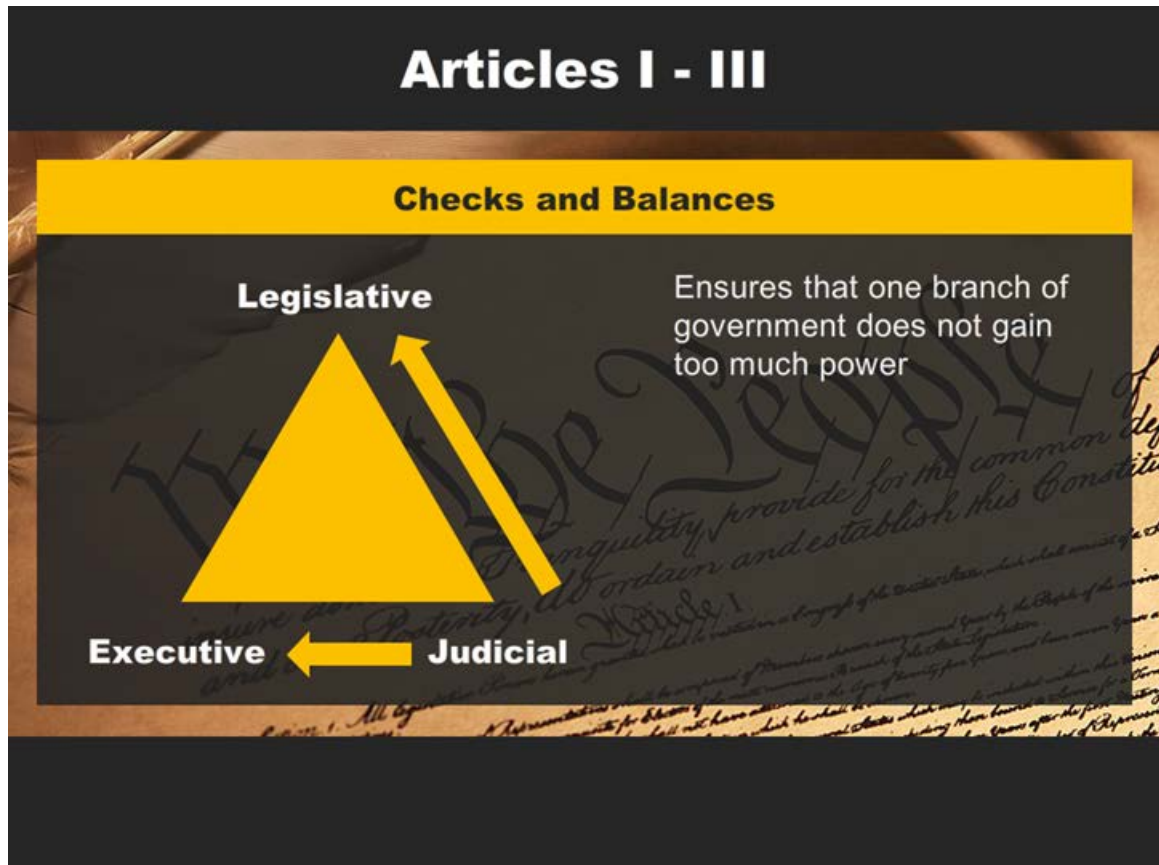
Article I   Article II   Article III   **Next**

**Jamie Madson:** "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish..."

Article III creates the United States Supreme Court and gives Congress the power to establish lower Federal Courts to interpret the laws. The judicial branch has the power to settle disputes, involving the interpretation of the Constitution. Arguments that arise between states and the national government, between citizens of different states, or between different state governments can be heard in federal courts. Judicial review is the authority to determine if the actions of the executive branch or legislative branch violate the Constitution.

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### Check and Balances



**Jamie Madson:** The first three Articles of the Constitution contain a system of checks and balances among the three branches of government. These checks and balances ensure that one branch of government does not gain too much power.

For example, the executive branch nominates judges to the Supreme Court and can veto Congressional legislation. The legislative branch must approve presidential nominations, including nominees to the President's cabinet, government agencies, and The Supreme Court. The legislative branch may also vote to impeach the President or Supreme Court Justices, which can result in their removal from office. The judicial branch can declare legislation passed by Congress unconstitutional. The Supreme Court can also declare presidential actions unconstitutional.

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#### Article IV

### Articles IV - VII

#### Article IV

“Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State...”

- Details the guidelines of the relationship between the states
- Requires states to respect the laws and judgments of other states

“The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion...and...against domestic Violence.”

- Ensures each state establishes a form of representative government and offers protection and security

Article IV    Article V    Article VI    Article VII

**Jamie Madson:** “Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State...”

Article IV details the guidelines of the relationship between the states. States must respect and honor the laws and judgments of other states. If you have a Virginia driver’s license and decide to take a road trip to North Carolina, the state of North Carolina will honor your Virginia driver’s license.

“The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion...and...against domestic Violence.”

Article IV of the Constitution also ensures that each state establishes a form of representative government and offers each state protection and security.



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#### Article V

**Articles IV - VII**

**Article V**

Amendments to the Constitution can be proposed in two ways:

1. Two-thirds of the Senate and two-thirds of the House vote in favor
2. Constitutional convention called by two-thirds of the state legislatures

Once an amendment has been proposed, it can be ratified in two ways:

1. Three-fourths of the state legislatures approve the amendment
2. Elected conventions in at least three-fourths of the states approve the amendment

Article IV    Article V    **Article VI**    **Article VII**

**Jamie Madson:** Thomas Jefferson argued that it was necessary to include a method of modifying the Constitution. He believed that the Constitution was an attempt at drafting a plan for government, but it was not a perfect plan. Inevitable changes to society through the passing of time would create new government issues. The Constitution, which was ratified in 1787, could not possibly predict government issues hundreds of years later. Therefore, the Constitution included a plan for amending it based on the needs of a changing nation. Jefferson felt that amendments, or formal revisions to the Constitution, should only be made if absolutely necessary. The Amendment Process is completed in two steps: proposal and ratification.

Amendments to the Constitution can be proposed, or suggested, in two ways:

1. Congress can propose an amendment to the Constitution if two-thirds of the Senate and two-thirds of the House of Representatives vote in favor.
2. A constitutional convention may be called by two-thirds of the state legislatures.

Once an amendment has been proposed, it can be ratified, or approved, in two ways:

1. Three-fourths of the state legislatures approve the amendment.
2. Citizens of each state elect representatives to conventions. If conventions in at least three-fourths of the states approve the amendment, the amendment will be ratified.

As of 2015, there have been 27 amendments to the US Constitution.

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#### Article VI

### Articles IV - VII

#### Article VI

“...This Constitution, and the Laws of the United States...shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding...”

- Referred to as the supremacy clause
- Explains that the Constitution is the “supreme Law of the Land”
- Federal law overrides state law
- Explains how the national debt will be handled and the purpose of the oath of office

Article IV    Article V    Article VI    **Article VII**

**Jamie Madson:** “...This Constitution, and the Laws of the United States...shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding...”

Article VI is often referred to as the supremacy clause, as it explains that the Constitution is the “supreme Law of the Land.” If there is ever a conflict between state law and federal law, the federal law will be upheld. Article VI also explains how the national debt will be handled and explains the purpose of the oath of office.

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#### Article VII

The screenshot shows a digital interface for learning about Article VII. At the top, a dark banner contains the text "Articles IV - VII" in white, with a yellow-bordered button labeled "Next" to its right. Below this is a yellow header bar with "Article VII" in black. The main content area has a dark background with white text: "The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same." Below the text is a bulleted list: "Explains that the ratification of nine states is sufficient to make the Constitution the governing document of the United States". The background of the text area features a faint, large watermark of the words "WE THE PEOPLE" and a smaller, handwritten-style quote: "insure domestic Tranquility, provide for the common defence and our Posterity, do ordain and establish this Constitution". At the bottom, there are four dark buttons with white text: "Article IV", "Article V", "Article VI", and "Article VII".

**Jamie Madson:** “The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.”

Article VII explains that the ratification of nine states is sufficient to make the Constitution the governing document of the United States.

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### Ending of Episode



**Demi Tracy:** Thank you for that excellent segment, Jamie. It is interesting to see how the seemingly complex structure of our government is broken down into only seven different Articles. Have a great day, America! We'll see you next time.