

# The Constitution: What Does it Say?

The Constitution of the United States contains a preamble and seven articles that describe the way the government is structured and how it operates. The first three articles establish the three branches of government and their powers: Legislative (Congress), Executive (office of the President,) and Judicial (Federal court system). A system of checks and balances prevents any one of these separate powers from becoming dominant. Articles four through seven describe the relationship of the states to the Federal Government, establish the Constitution as the supreme law of the land, and define the amendment and ratification processes.

## Article I

Article I assigns the responsibility for making laws to the Legislative Branch (Congress). Congress is divided into two parts, or “Houses,” the House of Representatives and the Senate. The bicameral Congress was a compromise between the large states, which wanted

representation based on population, and the small ones, which wanted the states to have equal representation.

## **Article II**

**Article II details the Executive Branch and the offices of the President and Vice President. It lays down rules for electing the President (through the Electoral College), eligibility (must be a natural-born citizen at least 35 years old), and term length. The 12th and 25th Amendments modified some of these rules.**

## **Article III**

**Article III establishes the Judicial Branch with the U.S. Supreme Court as the federal court system's highest court. It specifies that Federal judges be appointed for life unless they commit a serious crime. This article is shorter than Articles I and II. The Federal Convention left much of the work of planning the court system to the First Congress. The 1789 Judiciary Act created the three-tiered court system in place today.**

## **Article IV**

**Article IV outlines states' powers in relationship to each other. States have the authority to create and enforce their own laws but must respect and help enforce the laws of other states. Congress may pass Federal laws regarding how states honor other states' laws and records.**

## **Article V**

**Article V explains the amendment process, which is different and more difficult than the process for making laws. When two-thirds of the Senate and two-thirds of the House of Representatives vote to change the Constitution, an amendment goes to the state legislatures for a vote. Alternatively, two-thirds of the state legislatures can submit an application to Congress, and then Congress calls a national convention at which states propose amendments. Three-fourths of the state legislatures or state conventions must vote in favor of an amendment to ratify it.**

## **Article VI**

**Article VI states that Federal law is supreme, or higher than, state and local laws. This means that if a state law conflicts with a Federal law, Federal law takes precedence.**

## **Article VII**

**Article VII describes the ratification process for the Constitution. It called for special state ratifying conventions. Nine states were required to enact the Constitution. Rhode Island became the 13th state to ratify the Constitution in 1790.**



