

The Constitution of the United States of America

When the delegates met in 1787, they had no intention of writing a completely new document. They generally assumed that the Articles of Confederation lacked the power necessary to govern their new nation, but their primary intent was to amend that document in such a way as to allow the government to function more effectively. What instead was created would be the longest constitution of the modern world, and the cornerstone of American Government and Society for over two centuries.

Article 1

Article 1 of the Constitution created the laws and powers of the legislative branch of government, known collectively as Congress. The Congress is to be divided into two separate Houses, the House of Representatives, and the Senate. The House of Representatives award seats to states based on their size. The larger a state is, the more representatives it has. Currently, North Carolina has 13 seats in the House of Representatives. The largest state (California) has 53 seats, while the smallest states have only one representative.

Representatives are voted for every two years, and must be 25 years old and residents of the state they are representing. The Senate gives two seats to all states, regardless of population. Senators serve six year terms, must be 30 years old, and must also be residents of the state they are representing.

Several important powers are given to Congress. All bills regarding taxation must originate from the House of Representatives. The Constitution also gives Congress the responsibility to create currency, establish post offices and roads, declare war, raise and support the army, and to make laws. The power to declare war and control money, often referred to as “the power of the purse” gives Congress a powerful balance against the power of the President. The Constitution also states that no state is to make any treaty without the consent of Congress.



The US Capitol Building, where both the House of Representatives and Senate meet when in session.

Article 2

Article 2 of the Constitution created the executive branch of government, known as the President. The President (and Vice-President) can serve four-year terms, must be a citizen of the country from the time of their birth (“natural-born citizen,”) must have lived in the country for at least fourteen years, and must be at least 35 years old. The original Constitution did not specify how many terms a President could serve, although this has been amended to allow for only 2 terms. There has been some debate over whether the requirement of “natural-born citizen” requires the President to have been born in America, but most Constitutional

scholars agree that this is not the original legal meaning of the word, and that anyone who is born in or out of the country can be considered “natural-born” as long as they were a citizen at birth through one of their parents.

Article 2 also creates the Electoral College, which actually elects the President. Each state is given the same number of electoral votes as they have seats in Congress (House of Representatives + Senate.) These electors are the people actually responsible for voting for President, and are appointed by their states. In order to become President, a candidate must receive a majority of the electoral votes. If no candidate receives a majority of electoral votes, the President is decided by the House of Representatives.



The Presidential Seal

Presidents have the responsibility of being the chief military leader of the United States (although they cannot declare war.) It is also the President's responsibility to negotiate treaties with other countries, although all treaties must be approved by the Senate. The President's main responsibility is to enforce the laws written by Congress.



The Supreme Court has 9 Justices, in order to prevent ties.

Article 3

Article 3 of the Constitution created the Supreme Court of the United States and inferior federal courts, collectively called the judicial branch of government. The only limit or qualification to be a court justice in the Constitution is based on their "good Behavior." The judicial branch's main responsibility is to issue rulings when there are court hearings involving different states against each other, individuals or groups against a state or

states, or citizens of different states. The main purpose of the judicial branch is to hear cases regarding the Constitution and to issue rulings regarding the interpretation of what each Article means in its daily practice.

Articles 4-7

Article 4 essentially ties the economies of all of the states together under the federal government. It also guarantees that a person who is a citizen of any of the States has legal citizenship standing in the United States. Section 2 of Article 4 also guarantees that a "person held to service or labour in one State" will be "delivered up to Claim of the Party to whom service may be due." This became the basis for many fugitive slave laws which forced Northern States that had abolished slavery to return escaped slaves to their masters. Article 4 also gave Congress the power to create new states from new territory (but not to take land from an existing state to create a new state.)

Article 5 gives both the Congress and the states a way to add to the Constitution, called "Amendments." It requires that in order to amend the Constitution, two-thirds of all States must be present to write the amendment, and that 75% of all states must accept the changes made. Article 5 prohibits the changing of the representation in the Senate without all states agreeing.

Article 6 provided for the debts of all of the states to be transferred to the United States. It establishes that when a state law directly contradicts the Constitution, that the State law is invalid. It also bans religious tests as a part of any qualification to be an officer or official of the United States Government.

Article 7 simply stated that as long as nine states ratified (approved) the Constitution, it would be accepted as the law of the land. On June 21st, 1788, New Hampshire became the 9th state to ratify the Constitution, making it the official law of the United States of America. North Carolina refused to ratify the Constitution until the Bill of Rights (Amendments 1-10) were officially added to the Constitution, and therefore did not ratify the Constitution until November 21st, 1789.

Reading Comprehension Questions

1. What is the main function or purpose of Congress?
2. What are the only requirements to be President of the United States?
3. How was Article 4 used to continue the practice of slavery in the States, even when it was outlawed in the North?

Write About It.

Why do you think the Founders made the requirements for President that they did? Which requirements do you agree or disagree with and why?