

Preamble

The Preamble of the Constitution answers the question "Why?" The reasons for writing the Constitution are as follows:

- To make a better country
- Make sure the country is fair and just
- Make peace inside the country
- Provide for a defense from outside attacks
- Promote the well-being of the people
- Ensure freedom for the people and their descendants

Article I

Article I establishes the first of three branches of the government.

Section 1

The first branch of government is the legislative branch, made up of The Congress, which contains the Senate and House of Representatives.

Section 2

The House of Representative is made up of members who are elected every two years by each state. Only people who are over the age of 25, have been a U.S. citizen for at least seven years, and live in the state from which they are elected may become a member. The number of representatives elected from each state depends on how many people live in the state (The more people in the state, the more representatives they get, and the fewer people in the state, the fewer representatives they get). The House of Representatives chooses the Speaker of the House and other officers. Only the House of Representative can impeach an official.

Section 3

The Senate is comprised of two Senators from each state, regardless of population. Each Senator serves a term of six years, and every two years one third of the spots are up for election. Only people who are over the age of 30, have been a U.S. citizen for at least nine years, and live in the state from which they are elected may become a member. The [Vice President](#) is the leader of the Senate, but cannot vote unless there is a tie. Like the House, the Senate chooses all its officers, including the President pro tempore, which is just a fancy name for the guy who takes over if the Vice President is gone. Whereas the House of Reps has the only power to impeach, the Senate is the body that tries those impeachments. It takes a two-thirds vote for an official to be removed from office.

Section 4

Each state chooses when, where, and how elections take place within their own state.

Also, Congress must meet at least once every year.

Section 5

Each house of Congress must have a majority of members present to meet together. Penalties can be imposed on members who are not present or for bad behavior. It takes a two-thirds vote for a house to kick out a member. Both the House of Representatives and the Senate are required to keep a journal of what happens in the meeting and of votes. Neither house can delay the meeting without the consent of the other house.

Section 6

Senators and Representatives will get paid by the U.S. Treasury and cannot be arrested during a session of Congress, or while traveling to and from a session, except for "Treason, Felony, and Breach of the Peace." Senators and Representatives are also not allowed to hold any other political office while in Congress.

Section 7

All revenue bills (a proposed law regarding the raising of money, like taxes) must start in the House of Representatives. After the House of Representatives and the Senate approve any bill, they send it to the President. If the President likes it, he can sign it and it becomes a law. He can also veto it and send it back to Congress. If two-thirds of each house votes for the proposed law, it overrides the President's veto and becomes a law. If a bill is not returned by the President within ten days, it becomes a law. However, if Congress ends its session and the President does not sign the bill within ten days, it does not become a law.

Section 8

This section lays out the powers of Congress. These are known as the "enumerated powers." Powers given to Congress include:

- Impose and collect taxes
- Borrow money
- Regulate foreign and interstate commerce (known as the Commerce Clause)
- Make rules on naturalization (the process of becoming a U.S. Citizen)
- Coin money
- Set up punishment for counterfeiting
- Set up post offices
- Hold tribunals (courts of justice) under the Supreme Court
- Define and punish offenses committed on the high seas
- Declare war
- Raise and maintain an army and navy
- Organizing a militia
- To make "all laws which shall be necessary and proper" (called the necessary and proper clause)- which means that Congress can make any law that they deem needed for the wellbeing of the country

Section 9

This section explains what Congress can **not** do. The writ of habeas corpus (which keeps a person from being jailed without just cause) may not be taken away, except in cases that public safety require. No bill of attainder (the loss of rights for a person sentenced for a serious crime) or ex post facto law (people can not be punished for doing something before a law is passed prohibiting such an act) can be passed. No tax can be put on goods exported from a state. No preference should be given to one state or the other. No money can be taken from the treasury except by law. No title of nobility can be given to anyone by the United States.

Section 10

This section prohibits states from doing many of the things granted to Congress in Section 8. For example, no state can enter a treaty or alliance or coin money. Like Congress, no state may pass a bill of attainder or ex post facto law, nor can a state grant a title of nobility. States are also prohibited from taxing imports from other states and keeping troops in times of peace.

Article II

Article II establishes the executive branch of the United States.

Section 1

The President of the United States of America holds the executive office along with the Vice President for a four year term.

Each state has a number of electors equal to the number of representative for the respective state in the House of Representatives and the Senate. These electors submit votes for the next President of the United States. These votes are read in front of the Senate and House of Representatives. The person with the greatest number of votes, if it is a majority, becomes the next President. If it is a tie, or if no candidate gets the majority of electoral votes, the House of Representatives votes with only one vote for each state, and the winner becomes President. In the original Constitution, the second highest recipient of votes became the Vice President. However, a later amendment changed this to the President and Vice President being selected as a pair.

Section 8 also states that the only eligible people for the Presidency are a natural-born citizen of the United States, at least 35 years old, and a resident in the United States for at least 14 years. If the President leaves the office for some reason during his term (such as death, resignation, or removal from office), the Vice President will take over. The President will receive pay for his services, which cannot be changed during his term. Also, before entering office, he must take an oath, called the Oath of Affirmation.

Section 2

This section outlines some important powers of the President. Although only Congress can declare war, the President is the Commander in Chief of the armed forces and militia. The President is also allowed to pardon, or forgive, criminals. In fact, after his resignation, ex-President Richard Nixon was pardoned by President Ford after his involvement in the Watergate scandal. The President also has the power to make treaties and appoint judges and other government officials, pending approval by the Senate.

Section 3

The President must, every once in a while, give a State of the Union Address to Congress. In this speech, the President addresses certain concerns of the nation and possible legislative actions to be taken in the upcoming year. He may also convene either or both houses of Congress to resolve a dispute. He also receives foreign ambassadors and ministers and is charged with making sure the laws are carried out.

Section 4

The President, Vice President, and other government officials can be impeached and removed from office for being convicted of committing crimes.

Article III

Article III establishes the third and final branch of the government, the judicial branch.

Section 1

The judicial branch consists of one Supreme Court and various lower courts which will get paid for their services. Their term lasts for life, provided they have "good Behaviour."

Section 2

This section sets up the power of the judicial branch. The Supreme Court has what is called original jurisdiction in cases involving ambassadors, public ministers and consuls, and ones involving a state as a whole. This means that the case can go directly to the Supreme Court. In all the other cases, the Supreme Court has

appellate jurisdiction, which means that the case must first go up through lower courts until it eventually reaches the Supreme Court. Trials are guaranteed to be tried by a jury, except in a few cases like impeachment.

Section 3

This section defines treason as levying war against the United States or giving aid and comfort to the enemies of the U.S. No person can be convicted of treason without the testimony of two witnesses or a confession by the accused.

Article IV

Section 1

Each state should give "Full Faith and Credit" to the public acts, records and judicial proceedings of the other states (meaning that states honor and recognize the actions of other states). In other words, a person guilty of a crime in one said is also guilty of the crime in all other states. The same is true for public records, like a driver's license.

Section 2

This section states that citizens have the same "Privileges and Immunities" in one state as they do in all others. This ensures that citizens be treated fairly in each state. Also a person who committed a crime in one state and is caught in another state must be returned to the state that the person crime in to be prosecuted.

Section 3

Congress has the power to commit new states to the Union. However, no new state may be formed inside another state, in an area belonging to two or more states, or in parts of states without the consent of the states involved and Congress. Congress can make rules regarding territory and other property that belong to the United States.

Section 4

The government guarantees to the states a democratic government and protection from invasion.

Article V

Article 5 details how the Constitution can be changed. There are two ways in which an amendment can be proposed: a two-thirds vote of both houses in Congress and a two-thirds vote by conventions of the states. There are also two ways in which an amendment can be passed: by being ratified by a vote of three-fourths the states' legislatures and by being ratified by a vote of three-fourths state conventions.

Article VI

Article VI says that all debts gained before the ratification of the Constitution will be assumed by the United States. It also declares the Constitution the "Supreme Law of the Land" which means that all states and courts are subject to it. All people taking public office in the United States must take an oath or affirmation, pledging support to the Constitution. Added is that no religious test shall be required to take public office.

Article VII

Article VII puts forth how the Constitution should be ratified, or accepted. It would take a vote by the conventions of nine of the thirteen original states for it to be ratified.

Amendments

The first ten amendments are known as the Bill of Rights and were ratified on December 17, 1791.

Amendment I

The first amendment guarantees that individuals' rights to practice religion freely, speak freely, freedom of the press, assemble (meet together) peacefully, and petition (ask for a change) the government.

Amendment II

This amendment protects the rights to "bear arms." This means that people can own guns, not that they can have their arms replaced by a grizzly's arms.

Amendment III

Home owners cannot be forced to give shelter to soldiers without their consent.

Amendment IV

A person's property cannot be searched or seized without a search warrant with "probable cause" (a good reason to think that they committed some crime).

Amendment V

No person can be tried for the same crime twice (double jeopardy), forced to be a witness against himself, or have property taken without being paid for it. It also includes the right to due process of law which guarantees a fair trial.

Amendment VI

All criminally accused have the right to a speedy and public trial, an unbiased jury, to be notified of what crime is being accused, to be able to confront witnesses against him or her, and have a lawyer.

Amendment VII

In a common law case (cases defined by judges and previous legal actions instead of by legislation), individuals have the right to a trial by jury.

Amendment VIII

Punishments, bails (payment to be released from custody), and fines will be fair.

Amendment IX

This amendment talks about the "enumerated powers," which just means that there are rights of the people not mentioned in the Constitution that should not be stepped on.

Amendment X

This says that rights not delegated, or given, to the United States by the Constitution are reserved for the states. This has caused disputes along with the "necessary and proper clause" in Article I, Section 8. Because the clause is so vague, people have argued over whether several things are "necessary and proper" or if they should be given to the states.

Amendment XI

The federal judicial powers do not extend to a suit between one state against citizens of another.

Amendment XII

This amendment changed the process of election from voting simply for the President, and the second highest vote-getter took the position of Vice President, to voting for the President and Vice President. It also said that the Vice President must meet the same requirements for becoming the President (see Article II, Section 1).

Amendment XIII

This abolished (got rid of) slavery in the United States and gave Congress the right to enforce it by making laws.

Amendment XIV

This guaranteed the rights of all citizens of the United States, born or naturalized, and does not allow states to infringe upon these rights. It also got rid of the three-fifths that slaves counted for and made all citizens counted as one whole person. It also provided for a way to remove people disloyal to the United States. The United States will not take any of the debt of the states that rebelled during the Civil War. Congress has the power to enforce, by making laws, this amendment.

Amendment XV

This ensures that no citizen would be denied the right to vote by race, color, or being previously a slave.

Amendment XVI

Congress has the power to collect income taxes (taxes based on how much money a person earns).

Amendment XVII

The election of Senators is decided by a vote from the people of a state.

Amendment XVIII

This amendment set forth prohibition. Prohibition was the period of time when it was illegal to make, sell, or transport alcohol.

Amendment XIX

This gave women the right to vote.

Amendment XX

This amendment sets specific days for when the President, Vice President, Senators, and Representatives end their terms and successors take over. Congress shall assemble every year on January 3rd. If the elected President dies before his term actually begins, the elected Vice President shall become the President.

Amendment XXI

This repealed the 18th Amendment (Prohibition).

Amendment XXII

A person can only be elected as President to two four-year terms. However, if a person is finishing someone else's term (like if the President dies and the Vice President takes over), it does not count against him or her.

Amendment XXIII

The District of Columbia (Washington, D.C.) gets electors for electing the President and Vice President equal to the number that it would have if it was a state, but not more than the lowest state.

Amendment XXIV

The right to vote cannot be denied because of failure to pay a tax to vote.

Amendment XXV

The Vice President becomes the President is removed from office for any reason. If there is no Vice President, the President can nominate a Vice President who will take office pending approval by Congress. The Vice President can take over as President if the President is unable to perform his duties, and procedures are set as to how to go about doing this.

Amendment XXVI

Citizens who are eighteen years old or older may vote.

Amendment XXVII

A law changing the pay of Senators and Representatives will not take effect until after an election.