

Summary of Article I of the U.S. Constitution:

Article I establishes the legislative branch of the U.S. government, outlining its structure, powers, and limitations. It divides Congress into two chambers: the Senate and the House of Representatives.

1. Section 1: Legislative Powers

It grants all legislative powers to a bicameral Congress, meaning lawmaking authority is split between the House of Representatives and the Senate.

Text: *"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."*

2. Section 2: The House of Representatives

- Members of the House are elected every two years.

"The House of Representatives shall be composed of Members chosen every second Year by the People of the several States..."

- Representatives must be at least 25 years old, a citizen for at least seven years, and a resident of the state they represent.

"No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States..."

- The number of Representatives per state is based on population (with the Three-Fifths Compromise originally affecting this count).

"Representatives... shall be apportioned among the several States which may be included within this Union, according to their respective Numbers..."

- The House holds the sole power of impeachment.

"The House of Representatives shall have the sole Power of Impeachment."

3. Section 3: The Senate

- Each state has two Senators, elected for six-year terms.

"The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years..."

- Senators must be at least 30 years old, a citizen for nine years, and reside in the state they represent.

"No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States..."

- The Vice President serves as the President of the Senate but votes only in the case of a tie.

"The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided."

- The Senate holds the power to try impeachments.

"The Senate shall have the sole Power to try all Impeachments."

4. Section 4: Elections and Meetings

- Congress has the power to regulate the time, place, and manner of elections, although states handle most of these details.

"The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations..."

- Congress must meet at least once a year.

"The Congress shall assemble at least once in every Year..."

5. Section 5: Rules and Procedures

- Each chamber sets its own rules, judges its members' elections and qualifications, and may discipline members, including expulsion.

"Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members..."

"Each House may determine the Rules of its Proceedings..."

"Each House may... punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member."

- A majority is required for a quorum to conduct business.

"A majority of each [House] shall constitute a Quorum to do Business..."

6. Section 6: Compensation, Privileges, and Restrictions

- Members of Congress are paid from the U.S. Treasury.

"The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States..."

- They are immune from arrest in most cases while attending sessions or traveling to/from Congress.

"They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses..."

- Members cannot hold other civil office during their term.

"No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States..."

7. Section 7: The Legislative Process

- All bills related to revenue must originate in the House, though the Senate can propose amendments.

"All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills."

- A bill becomes law if both houses pass it and the President signs it; if vetoed, Congress can override the veto with a two-thirds majority in both houses.

"Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States..."

"If he approve he shall sign it, but if not he shall return it... [and] the Congress may reconsider the Bill... [If] two thirds of that House shall agree to pass the Bill, it shall become a Law."

8. Section 8: Powers of Congress

This section outlines Congress's specific powers, such as the power to:

- Lay and collect taxes, borrow money, regulate commerce, coin money, declare war, raise armies and navies, and more.

"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States..."

"To regulate Commerce with foreign Nations, and among the several States..."

"To declare War..."

"To raise and support Armies..."

- It also includes the "Necessary and Proper Clause," which allows Congress to pass laws required to carry out its enumerated powers.

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers..."

9. Section 9: Limits on Congress

- Congress cannot pass laws that favor one state over another, issue titles of nobility, or pass ex post facto laws and bills of attainder.

"No Bill of Attainder or ex post facto Law shall be passed."

"No Title of Nobility shall be granted by the United States."

- The importation of slaves could not be prohibited before 1808, but taxes could be imposed on such imports.

"The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight..."

- Habeas corpus cannot be suspended except in cases of rebellion or invasion.

"The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."

10. Section 10: Limits on the States

- States cannot enter into treaties, coin money, or pass laws that violate federal authority (e.g., bills of attainder, ex post facto laws).

"No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts..."

- States cannot engage in war or enter into agreements with other states or foreign powers without Congress's consent.

"No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State..."

Socratic Questions to Explore Article I:

1. **How does the division of powers between the House and the Senate reflect the Founders' concerns about both popular representation and checks on that power?**
 - Consider why Congress was structured to balance more direct representation (House) with a more deliberative body (Senate).
 - *"The House of Representatives shall be composed of Members chosen every second Year by the People of the several States..."* (Section 2)

- *"The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years..."* (Section 3)
This distinction shows the differing representation models—one based on population, one equally representing states.

2. In what ways does the "Necessary and Proper Clause" expand or limit the power of Congress, and how might this have been both empowering and concerning to the states at the time?

- Explore the flexibility and potential controversy surrounding the scope of Congress's powers.

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States..." (Section 8)

- This broad language has sparked debates about the flexibility of Congressional power, both expanding it and inviting limits through judicial interpretation.

3. Why do you think the Founders included specific limitations on the powers of both Congress and the states in Article I, and how might these limitations serve the broader goals of the Constitution?

- Think about the rationale behind limiting governmental authority and how it ties into themes of federalism and the protection of rights.

"No Bill of Attainder or ex post facto Law shall be passed." (Section 9)

"No State shall enter into any Treaty, Alliance, or Confederation..." (Section 10)

These restrictions on legislative power reveal the Framers' intent to prevent abuses of authority and ensure federalism, balancing state and national powers.
