Julie Alarcon

Instructor Name

United States Law

5 November 2019

Article One of the US Constitution

The makers of the US constitution have separated political powers in the US Government among three branches of states. The executive powers are kept by the President, the judicial powers are kept by the courts of the land, and the legislative powers are in the possession of the Congress. There is a complex system of checks and balances among the branches of the state which is discussed in the further related articles of the constitution. Article One of the Constitution of the United States of America gives the basic framework of the Legislative organ of the government (WhiteHouse). Congress is given the power to debate on an act before passing and enforcing on the people who have elected them. It is composed of ten sections which are further divided into various numbers of subsections accordingly.

**Section One: Congressional Powers**

The powers of the US congress are discussed in detail in Article One. The Congress is described as a branch divided further into two separate houses called the Senate and the House of Representatives. Before the making and enforcement of the constitution, the Continental Congress was the torchbearer of the legislative, and it had one body. The bifurcation of the branch into two parts was intended to create a balance of power among the states and the general population. Logic dictates that people with more population should have representation according to their numbers. That is why the aforementioned have population-based members in the Congress whereas the Senate has two members from each state so that the legislative process is fair and easily approvable unless vetoed by the President.

One of the important points in the first section is that congress cannot delegate its powers of lawmaking to the other branches of the US Government. However, this should be noted that the branches of the US government are not completely segregated. In some cases, the various branches of the US Government need to come together due to the nature of the issue. An important example that can be cited in this regard is the power of veto held by the president that he used to pardon criminals of capital punishment and to stop legislative degree issued by the Congress if he believes that they would be damaging to US interests. Another more important issue that is discussed in the first section is the ambit of powers of the Federal Government. If the constitution does not specify a power held by Washington, then it automatically means that the states have that particular discretionary power.

**Section Two: House of Representatives’ Members**

The second section of the US Constitution is based on the important details regarding the honorable members of Congress. This section is further subdivided into five clauses discussing important details regarding the members of the House of Representatives like their elections, qualifications, apportionments, and their appointments to various portfolios like the speaker of the House of Representatives.

Under section two, the basic requirement to appoint a member of the House of Representative are discussed. The Member should be the citizen of the US for at least seven years, he or she must be living in the state that he or she chooses to contest from, and he or she should, at the minimum, be twenty-five years of age. This section also gives the right to vote to the people in the congressional elections, added by the US Supreme Court in 1966. In addition to that, the questions related to a slave right's in the participation of the Congressional elections were also discussed. This was particularly important as there was a difference of opinion among the northern and the southern states at the time. The Southern wanted to use slaves to bolster their vote counts, and as they were counted as property, therefore could be put to rather unethical and unfair use in the electoral process. After some debating, the famous three-fifths compromise was reached which was documented (Gary C. Jacobson). An important point should be noted that the word slave was never used in the US Constitution concerning this or any other law. This subclause was deleted after the North won the Civil War.

This section also started the practice of conducting a survey every ten years to decide how many seats should be allocated to a state. This law was highly effective for the original thirteen states of the union until the practice of gerrymandering began.

Section two also specifies the rules under which the House of Representatives was to operate. For example, if any member died during his tenure, the governor calls for a special election to fill his seat. The house also has a set procedure with regards to the appointment of his speaker, who is considered to fill the president's shoes if the latter and his deputy somehow stand disqualified for their portfolio or if they are killed during their tenure, as was the case with President John F. Kennedy.

Lastly, an important detail that should not be forgotten is that the House of Representation gets the final say if the President is to be impeached (Gerhardt). The vote regarding the impeachment of the President is taken in the House of Representatives after the conduction of the trial in the Senate. We can cite the case of President William (Bill) Jefferson Clinton. The House acted as a prosecutor in the Senate trial regarding his relationship with the Whitehouse Intern Monica Lewinsky. President evaded impeachment due to lack of the two-third affirmative votes in the House and proceeded to complete his second term as the President of the United States.

# Works Cited

Gary C. Jacobson, Jamie L. Carson. *The Politics of Congressional Elections*. Rowman & Littlefield, 2019.

Gerhardt, MJ. *The federal impeachment process: A constitutional and historical analysis*. University of Chicago Press, 2019.

WhiteHouse. "The Constitution of the United States: The Bill of Rights and all Amendments." n.d. *Whitehouse.gov.*