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ARTICLE 3

Multiple Choice Quiz

ABOUT THIS QUIZ



Article 3

This quiz is about Article 3 of the Constitution.

All questions have 4 possible answers of which only 1 is correct.

You may read the article over the next few pages to freshen up before taking the quiz!

At the back of the book, will be an answer sheet.

For more information, go to:
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Article 1 and Article 2 dealt with the legislative and executive branches of the federal government.

But, what is Article 3 of the Constitution?

Article 3 covers the judicial branch. What that means is, that it deals with the courts and law and order.

Read on to find out how Article 3 manages to act as such a strong check and balance to avoid corruption.

Article 3 Summary

Article 3 of the US Constitution lays down the framework of the federal government's judicial branch and contains three main sections.

The sections of Article 3 are separated into clauses. They each detail different aspects of judicial and legal structure and procedure.

Article 3, Section 1

Article 3, Section 1 of the Constitution establishes the Supreme Court. The Supreme Court is at the head of the judiciary branch of the federal government. It also allows Congress to establish lower courts as needed.

Judiciary Act of 1869

It is important to note that Article 3 of the US Constitution does not establish the number of Supreme Court justices. However, the Judiciary Act of 1869 established the current limit of nine Supreme Court justices and has been the accepted number since.

If Congress repeals the Judiciary Act of 1869, the wording of Article 3, Section 1 allows for altering the number of Supreme Court justices. Government offices must be held in good order.

Section 1 further states that all judges in the Supreme Court and any lower federal courts established by Congress must hold their offices in good order. It also entitles them to a salary during their service that cannot be decreased during their time in office.

Compensation for Judges

While the US Constitution only establishes compensation for judges during their service, the Judiciary Act of 1869 establishes additional compensation options for judges by allowing them to retire with a pension.

Article 3, Section 2

Clause 1

Article 3, Section 2, Clause 1 establishes the wide-ranging authority of the Supreme Court and any other courts established by Congress. It establishes the Supreme Court as the final arbiter in cases regarding the US Constitution. It also gives the Supreme Court the final say regarding any law passed in the United States or any treaty established.

While the US Constitution can be somewhat ambiguous at times, Section 2, Clause 1 goes on to give a very detailed list of examples of what would fall under the Supreme Court's authority to leave no doubt as to their role as the final arbiter on all legal matters.

The Supreme Court is expressly given the authority in all legal cases surrounding:

- Ambassadors
- Public ministers
- Maritime jurisdiction
- Disputes between states
- Disputes between a state and a citizen of another state
- Citizens of different states
- Citizens of the same state
- Any controversy where the United States is a party

While the massive scope of authority granted to the Supreme Court may seem concerning at first, a close examination of the first sentence of Section 2, Clause 1 reveals a limitation on its power.

The first sentence states explicitly that:

“The Judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution”.

Therefore, the Supreme Court can only interpret the laws of the United States as legal cases arise and are prohibited from creating legal cases themselves to strike down laws or make new ones.

Clause 2

Article 3, Section 2, Clause 2 gives the Supreme Court jurisdiction over any case involving ambassadors or other public ministers.

It also gives jurisdiction where one or both parties in the legal case comprise a state. In all other legal cases, the Supreme Court functions as an appellate court, providing that Congress can make laws to set guidelines regarding when cases can be appealed.

While the US Constitution does not establish any other courts other than the Supreme Court, it does state the appellate nature of the Supreme Court. There is also a provision in Section 1 of Article 3 allowing Congress to establish more courts as needed. These two things strongly imply that the founders of the Constitution expected that more courts would be created at the outset of the nation's founding.

Clause 3

Article 2, Clause 3 specifies that any trial other than impeachment must be held with a jury in the state where the offenses were allegedly committed.

If the crimes were not committed in a specific state, the location would be determined by the laws and regulations passed by Congress for such a circumstance.

Article 3, Section 3

Clause 1

Article 3, Section 3, Clause 1 defines what constitutes treason against the United States and sets guidelines for how an individual can be convicted of this crime.

What Is Treason?

It is clearly stated that treason involves a citizen waging war against the United States, allying with enemies of the United States, or giving any form of aid or help to enemies of the United States.

Two Witnesses Needed for a Conviction of Treason

An individual can only be convicted of this crime on the testimony of at least 2 witnesses or by confession in open court. However, the confession in open court can only be voluntary and not compelled, as the 5th Amendment to the Constitution guaranteed to the accused, including those accused of treason, the right against self-incrimination.

Treason is the only crime expressly defined and addressed in the US Constitution, implying that while the Constitution is the supreme law in the land, it is only a basic foundation.

The Need To Establish Additional Laws

The founders realized that true effective governance of the nation would arise out of the additional laws and measures passed by the federal and state governments.

Law and order would begin and end with the Constitution. Still, future citizens, Congresses, state and local governments, and amendments to the Constitution would need to address every point in between.

Clause 2

Article 3, Section 3, Clause 2 gives Congress the power to determine the punishment of the individual convicted of treason.

However, the punishment is limited to only the person who committed the crime. It cannot be imposed on any family, friends, or associates of the guilty individual as long as they weren't involved in the crime.

Finally, while Congress is given the right to confiscate the individual's property convicted of treason while they are still living when the convicted person dies, their property must be returned to their next of kin.

Multiple Choice Quiz

1. What branch of government does Article 3 of the US Constitution address?

- A. Legislative
- B. Executive
- C. Judicial
- D. Administrative

2. How many main sections does Article 3 contain?

- A. 2
- B. 3
- C. 4
- D. 5

3. What is the only official legal body created by Article 3?

- A. Supreme Court
- B. Federal Court
- C. Appellate Court
- D. Tribunal Court

4. How many Supreme Court justices currently serve on the court?

- A. 5
- B. 7
- C. 8
- D. 9

5. What legislation sets the number of Supreme Court justices at its current amount?

- A. Judiciary Act of 1867
- B. Judiciary Act of 1869
- C. Appeals Act of 1904
- D. Legal Act of 1928

6. How specifically are judges on the Supreme Court and other lower federal courts if established to hold their office?

- A. In good order
- B. In good faith
- C. In clear conscience
- D. In total morality

7. What is the Supreme Court in relation to all legal cases regarding the US Constitution?

- A. Advisory committee
- B. Mediation board
- C. Final arbiter
- D. Final mediator

8. Which of the following types of legal cases is not listed as the authority of the Supreme Court?

- A. Disputes between states
- B. Disputes between foreign allies
- C. Maritime Jurisdiction
- D. Disputes between a state and a citizen of another state

9. Which of the following is not a requirement for all non- impeachment trials in the United States?

- A. All trials must have a jury
- B. All trials must be held in the state where the crime was committed
- C. Congress is given purview to determine the location for trials if the crime was not committed in a specific state
- D. All jury decisions must be unanimous

10. Which of the following characteristics does not describe treason, according to the US Constitution?

- A. A citizen refusing to fight in a war the United States is involved in
- B. A citizen waging war against the United States
- C. A citizen allying with enemies of the United States
- D. A citizen giving help or aid to an enemy of the United States

11. How many witnesses are required to be able to convict an individual of treason?

- A. 2
- B. 3
- C. 4
- D. 5

12. In the absence of witnesses, how else can an individual be convicted of treason?

- A. Private confession to the police
- B. Public confession in front of Congress
- C. Confession in open court
- D. Public confession to the president

Multiple Choice Quiz Answers

1. C
2. B
3. A
4. D
5. B
6. A
7. C
8. B
9. D
10. A
11. A
12. C