**The Constitution of the United States
Article III**

**Section 1 - The Text**

*The judicial Power of the United States shall be vested in one supreme Court and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.*

**Section 1 - The Meaning**

Article III establishes the federal court system. The first section creates the U.S. Supreme Court as the federal system’s highest court. The Supreme Court has final say on matters of federal law that come before it. Today, the U.S. Supreme Court has nine justices who are appointed by the
president with the approval of the Senate.
Congress has the power to create and organize the lower federal courts. Today, there are lower federal courts in every state. A case is filed and tried in the federal district courts and in some
specialty courts, like admiralty or bankruptcy courts. The trial courts look at the facts of the case
and decide guilt or innocence or which side is right in an argument or dispute. The courts of
appeal hear appeals of the losing parties. The appellate courts look at whether the trial was fair,
whether the process followed the rules, and whether the law was correctly applied.
To assure that they are insulated from political influence, federal judges are appointed for life as
long as they are on “good behavior.” This generally means for as long as they want the job or
until they are impeached for committing a serious crime. In addition, the Constitution specifies
that Congress cannot cut a judge’s pay. This prevents members of Congress from punishing a
judge when they do not like one of his or her decisions.

**Section 2**

**Section 2 - The Text**

*The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution,*

*the Laws of the United States, and Treaties made, or which shall be made, under their*

*Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all*

*Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall*

*be a Party;—to Controversies between two or more States;—[between a State and Citizens of*

*another State;-]8 between citizens of different States;—between Citizens of the same State*

*claiming Lands under Grants of different States [and between a State, or the Citizens thereof;—*

*and foreign States, Citizens or Subjects.]9 In all Cases affecting Ambassadors, other public
Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have
original Jurisdiction.
In all other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both
as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall
make.
The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall
be held in the State where the said Crimes shall have been committed; but when not committed
within any State, the Trial shall be at such Place or Places as the Congress may by Law have
directed.*

*8. Modified by Amendment XI.*

*9. Modified by Amendment XI.*

**Section 2 - The Meaning**

The federal courts will decide arguments over how to interpret the Constitution, all laws passed
by Congress, and our nation’s rights and responsibilities in agreements with other nations. In
addition, federal courts can hear disputes that may arise between states, between citizens of
different states and between states and the federal government.
In 1803, in the case of Marbury v. Madison, the Supreme Court, in an opinion written by Chief
Justice John Marshall, interpreted Article III and Article VI to give the federal courts final say
over the meaning of the federal Constitution and federal laws and the power to order state and
federal officials to comply with its rulings. The federal courts can only make decisions on cases
that are brought to them by a person who is actually affected by the law. Federal courts are not
allowed to create cases on their own—even if they believe a law is unconstitutional nor are they
allowed to rule on hypothetical scenarios.
Almost all federal cases start in federal district courts, where motions are decided and trials held.
The cases are then heard on appeal by the federal courts of appeal and then by the Supreme
Court if four justices of the nine-member Court decide to hear the case. Congress can limit the
power of the appeals courts by changing the rules about which cases can be appealed. State cases
that involve an issue of federal law can also be heard by the Supreme Court after the highest
court in the state rules (or refuses to rule) in the case. The Supreme Court accepts only a small
number of cases for review, typically around eighty cases each year. In a small number of
lawsuits—those involving ambassadors, public ministers and consuls, or where a state is a
party—the Supreme Court is the first court to hear the case.

The federal courts also have final say over guilt or innocence in federal criminal cases. A
defendant in a criminal case, except impeachment, has a right to have his or her case heard by a
jury in the state where the crime occurred.

**Section 3**

**Section 3 - The Text**

*Treason against the United States, shall consist only in levying War against them, or in adhering
to their Enemies, giving them Aid and Comfort. No person shall be convicted of Treason unless
on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.
The Congress shall have Power to declare the Punishment of Treason, but no Attainder of
Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person
attainted.*

**Section 3 - The Meaning**

Treason is the only crime specifically defined in the Constitution. According to Article III,
Section 3, a person is guilty of treason if he or she goes to war against the United States or gives
“aid or comfort” to an enemy. He or she does not have to physically pick up a weapon and fight
in combat against U.S. troops. Actively helping the enemy by passing along classified
information or supplying weapons, for example, can lead to charges of treason.
Vocal opposition to a U.S. war effort through protest and demonstration, however, is protected
by the free speech clause in Amendment I. A conviction of treason must be based either on an
admission of guilt in open court or on the testimony of two witnesses.
Congress may set the punishment, but it must be directed only at the guilty person and not at his
or her friends or family if they were not involved in the crime