

Primary Source: Article III of the Constitution

- I can explain the structure and function of the federal judiciary as outlined in Article III of the Constitution.
- I can analyze the relationship between the federal judiciary and the other branches of government, including the system of checks and balances.
- I can identify key principles of the American legal system as established in Article III of the Constitution.

Building Context: Having been established by England, the American colonies inherited the English legal tradition. The colonists proceeded to establish local courts to resolve disputes, maintain justice, protect the right to trial by jury, and preserve the rule of law, all of which were part of English law. But their first attempt at creating a national government, the *Articles of Confederation*, lacked a national judiciary. The Framers of the Constitution created an independent national judiciary and outlined its powers and jurisdiction. The Framers also gave Congress powers to create the federal court system and to regulate the courts, such as by establishing the number of justices on the Supreme Court. The courts had the judicial power to interpret the law and apply it to cases. As Alexander Hamilton wrote in *Federalist #78*, the judiciary “may truly be said to have neither FORCE nor WILL, but merely judgment.”



The Constitution

The Constitution A Primary Source Library Of American Citizenship

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