

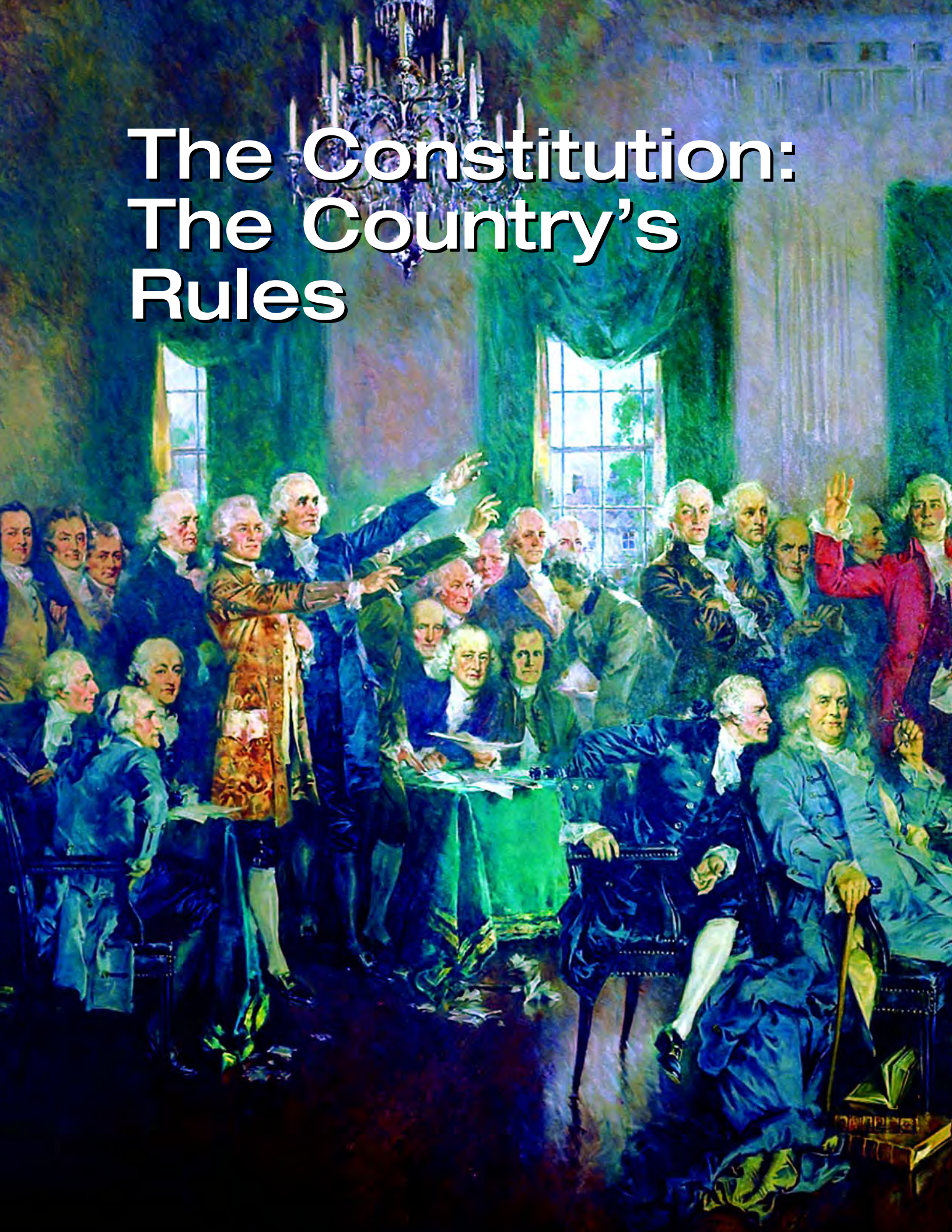
We the People

Constitution Day

ACROSS THE COUNTRY ★ SEPTEMBER 17 ★ ★ ★ constitutionday.civiced.org



The Constitution: The Country's Rules





ABOUT CONSTITUTION DAY

In 1952, President Harry S. Truman signed a bill that moved I Am an American Day from the third Sunday in May to September 17 in order for the holiday to coincide with the signing of the U.S. Constitution in 1787. Congress renamed the holiday Citizenship Day. A joint resolution passed in 1956 requested that the president proclaim the week beginning September 17 and ending September 23 each year as Constitution Week.

In 2004, Senator Robert C. Byrd of West Virginia entered an amendment to the Consolidated Appropriations Act of 2005 to change the name of the September 17 holiday to Constitution Day and Citizenship Day. The purpose of Constitution Day and Citizenship Day is to commemorate the creation and signing of the supreme law of the land and to honor and celebrate the privileges and responsibilities of U.S. citizenship for both native-born and naturalized citizens.

Byrd's amendment, known as Public Law 108-477, requires that all schools receiving federal funds hold an educational program for their students on September 17 of each year. This lesson, which is adapted from curricular materials on the Constitution produced by the Center for Civic Education, is designed to assist schools and federal agencies to meet the requirements of this law.

OBJECTIVES

Students will develop an awareness of the Constitution by exploring what it is and why it is important.

TERMS TO KNOW + IDENTIFY

citizens

Congress

Constitution

Framers

judges

laws

president

rights

rules

MATERIALS

- 1 Classroom rules poster
- 2 “The Constitution Poem” (page 12)
- 3 Images of the following. These can be taken from any magazine or newspaper or downloaded and printed from the Internet.
 - U.S. Constitution (page 8)
 - President of the United States
 - A multicultural group of people of different ages
 - Congress in session
 - Supreme Court or a judge
 - The signing of the U.S. Constitution (pages 2 and 3)

- 4 Drawing paper
- 5 Pencils
- 6 Crayons
- 7 Paper towels
- 8 Pretzels with three sections
- 9 Red, white, and blue glitter
- 10 Glue
- 11 Gold ribbon or string
- 12 Recording of a patriotic song or two

PROCEDURE

By now, your classroom is up and running, and your classroom rules have been established with the help of your students.

- 1 Display your classroom rules poster. Take a few minutes to review how and why your class rules were developed. Remind students that the class made rules so that everyone could be safe, learn, and have fun. Tell students that our country also made rules, called laws, so people could be safe and free.
- 2 Show the image of the U.S. Constitution. Identify the document, and tell students the Constitution is the law, or rules, of the United States. The Constitution was written over two hundred years ago and signed on September 17, 1787.
- 3 Display the other images listed in the materials section. Read “The Constitution Poem” and point to the displayed prints as they are mentioned in the poem.

After reading the poem, you may want to go back and add details. For example:

- **Job of the president**—to enforce the laws
- **Job of Congress**—to make the laws
- **Job of the judge**—to decide what the laws means when there are questions

Explain to students how these jobs represent the three branches of government described in the Constitution. Tell students how important it is for all the branches to work together to create, enforce, and follow the law of the United States.

- 4 Ask students: “What are rights?” Have students share what they think rights are. Tell students that rights are what people have just because they are alive. Help students identify the protection of rights as one of the most important ways that the Constitution protects us, the citizens.

Tell students that the Constitution protects important ideas. For example, it lets you think for yourself, keeps you safe, and lets you gather with your friends and talk.

- 5 Identify some of the authors, or Framers, of the Constitution such as George Washington, Benjamin Franklin, and James Madison (see pages 9–11).
- 6 Encourage students to read with you as you reread the poem.
- 7 Sing or listen to one of your favorite patriotic songs, or play the songs softly in the background as the students draw the picture described in procedure 8.

- 8 Have each student draw a picture of himself or herself following a school or neighborhood rule. The illustration should include a label or caption telling about the picture.

- 9 As students are drawing their pictures, work with small groups of children to make a Constitution necklace.

Each student will need a labeled paper towel. Place a pretzel on the towel. Put glue on the pretzel. Each ring of the pretzel will be covered with a different color of glitter: one red, one white, and one blue to represent the three branches of government. After the pretzels dry, loop an appropriate length of gold ribbon or string through each pretzel and tie to create a necklace.

Students can wear their Constitution necklaces as they share their illustrations showing good citizen behavior with the class.

NOTES FOR THE TEACHER

The following content is provided as teacher background for the lesson on the Constitution.

What Is a Constitution?

A constitution is a set of fundamental customs, traditions, rules, and laws that set forth the basic way a government is organized and operated. Most constitutions are in writing, some are partly written and partly unwritten, and some are not written at all.

If you study the constitution of a government, you will be able to answer the following questions about the relationship between the government and its citizens.

Government

- What are the purposes of the government?
- How is the government organized?
- How is the government supposed to go about doing its business?

Citizens

- Who is a citizen?
- Do citizens have any power or control over the government? If so, how do citizens exercise their powers?
- What rights and responsibilities do citizens have?

By this definition of a constitution, nearly every nation has a constitution. Good governments and bad governments have constitutions. Some of the worst governments have constitutions that include lists of the basic rights of their citizens. A list of rights does not mean that the citizens actually enjoy those rights.

What Is a Constitutional Government?

Having a constitution does not mean that a nation has a constitutional government. If, for example, a constitution provides for the unlimited exercise of political power by one, a few, or many, it would not be the basis for a constitutional government. If a constitution says that power is to be limited, but it does not include ways to enforce those limitations, it also is not the basis for a constitutional government.

The principles of constitutional and limited governments are intertwined. Limited governments are characterized by restraints on power, such as laws that both the rulers and the governed must obey, and free and periodic elections. The opposite is unlimited government, in which those who govern are free to use their power as they choose, unrestrained by laws or elections. Aristotle described unlimited government as tyranny. Today the terms *autocracy*, *dictatorship*, or *totalitarianism* frequently are used to describe such governments.

What Are the Characteristics of the Higher Law?

In a constitutional government, the constitution, or higher law, has the following characteristics:

- It sets forth the basic rights of citizens.
- It establishes the responsibility of the government to protect those rights.
- It establishes limitations on how those in government may use their powers with regard to citizens' rights and responsibilities, the distribution of resources, and the control of conflict.
- It can be changed only with the widespread consent of the citizens and according to established and well-known procedures.

Constitution for the United States of America.
Center for Civic Education, 1987.

What Are Rights?

Rights are moral or legal claims justified in ways that are generally accepted within a society or the international community.

Where Do Rights Come From, and How Do They Relate to One Another?

Rights set individuals or groups apart from each other and entitle them to be treated in a particular way. Most Americans think about their place in society and the world in terms of their rights. However, rights are complicated.

Who May Hold Rights?

Rights may be held by individuals, classes or categories of individuals, or institutions.

- **Individuals** The idea that individuals can hold rights reflects the belief that humans should be considered autonomous and self-governing. This includes the belief that each individual should possess certain fundamental rights, such as those to freedom of thought and conscience, privacy, and movement. The emphasis on the rights of individuals is reflected in natural rights philosophy and exemplified in the Declaration of Independence by the statement that “all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of happiness.”
- **Classes or categories of individuals** These commonly are created by constitutions and statutes and provide a basis for treating categories of people differently. For example, the United States Constitution protects the right of persons eighteen years of age or older to vote. By the laws of several states, only people who have joined a political party can participate in that party’s primary, or nominating, elections.

- **Institutions** Institutions such as schools; government institutions at the local, state, and national levels; unions; universities; business partnerships; and corporations also hold certain rights.

What Are the Common Categories of Rights?

- **Personal rights** These relate to individual autonomy, including freedom of thought and conscience, privacy, and movement. The idea that human beings are autonomous, self-governing individuals with fundamental rights is central to the natural rights philosophy of John Locke. The rights of life, liberty, property, and the pursuit of happiness are said to come from God or nature. The purpose of government is to protect those rights.
- **Political rights** These rights address political participation and also are granted by the Constitution or statutes. Examples are the right to vote and to engage in political activities, such as supporting particular candidates for office or running for office.
- **Economic rights** These include choosing the work one wants to do, acquiring and disposing of property, entering into contracts, creating and protecting intellectual property such as copyrights or patents, and joining labor unions or professional associations. Most economic rights trace to constitutions or statutes. Many people consider economic rights associated with property ownership to be personal rights as well.

Source: *We the People: The Citizen & the Constitution*, Level 3. Center for Civic Education, 2008.

We the People

of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article 1.

Section 1. 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.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such Enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware three, Maryland six, Virginia ten, North Carolina five, South Carolina six, and Georgia three.

When vacancies happen in the Representation from any State, the Executive thereof shall issue writs of Election to fill such Vacancies.

The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Clases. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Term of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

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 shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of Honor, Trust or Profit under the United States; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section 4. 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, except as to the Places of choosing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday of December, unless they shall by Law appoint a different Day.

Section 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business, but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties, as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any Question shall, at the Desire of one fifth of those Present, be entered on the Journal.

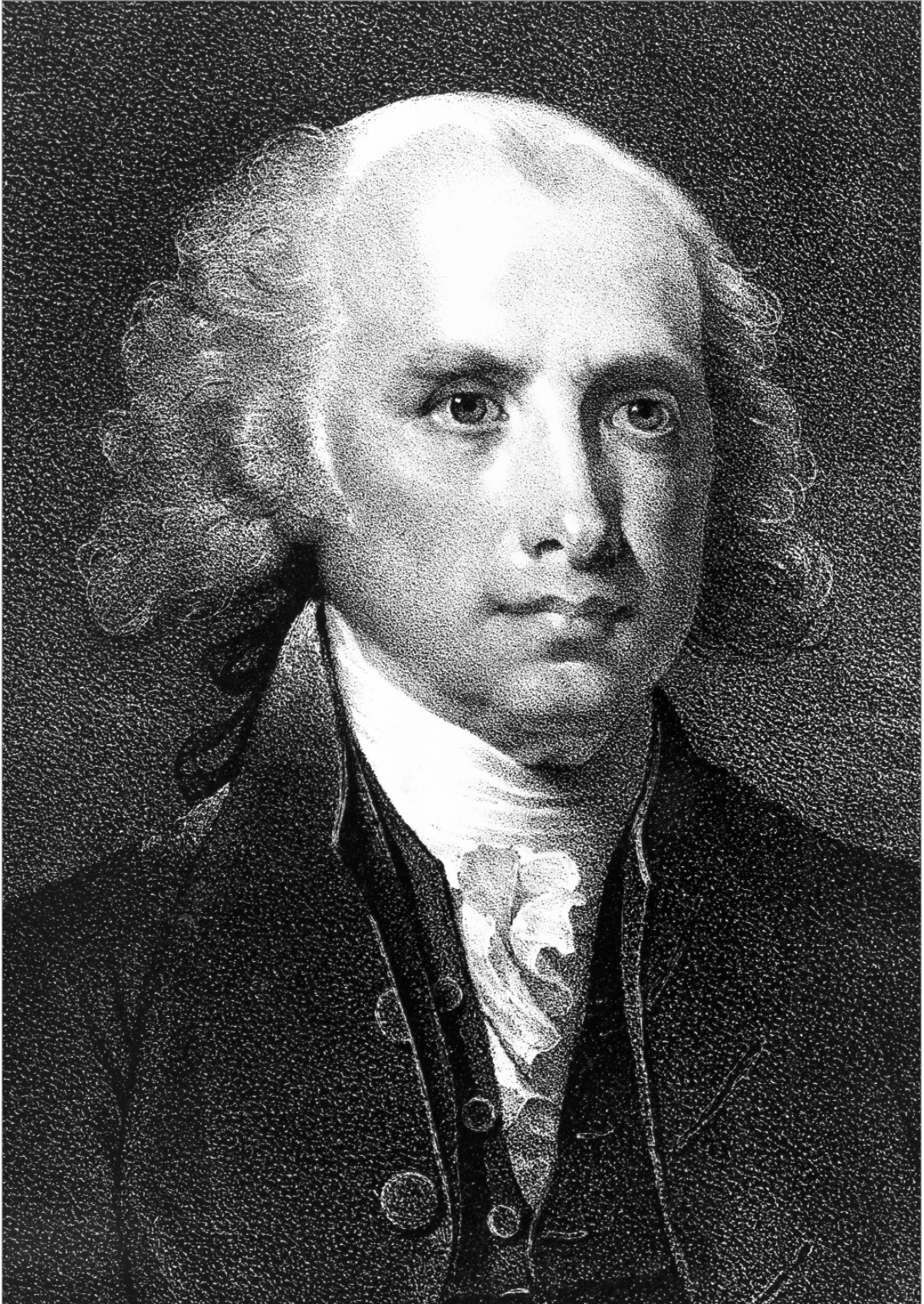
Neither House during the Session of Congress, shall, without the Consent of the other, adjourn for more than three Days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6. 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 shall in all Cases, except Treason, Breach of Peace, or other high Crimes and Misdemeanors, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same, provided for any Speech or Debate in either House, they shall not be questioned in any other Place.

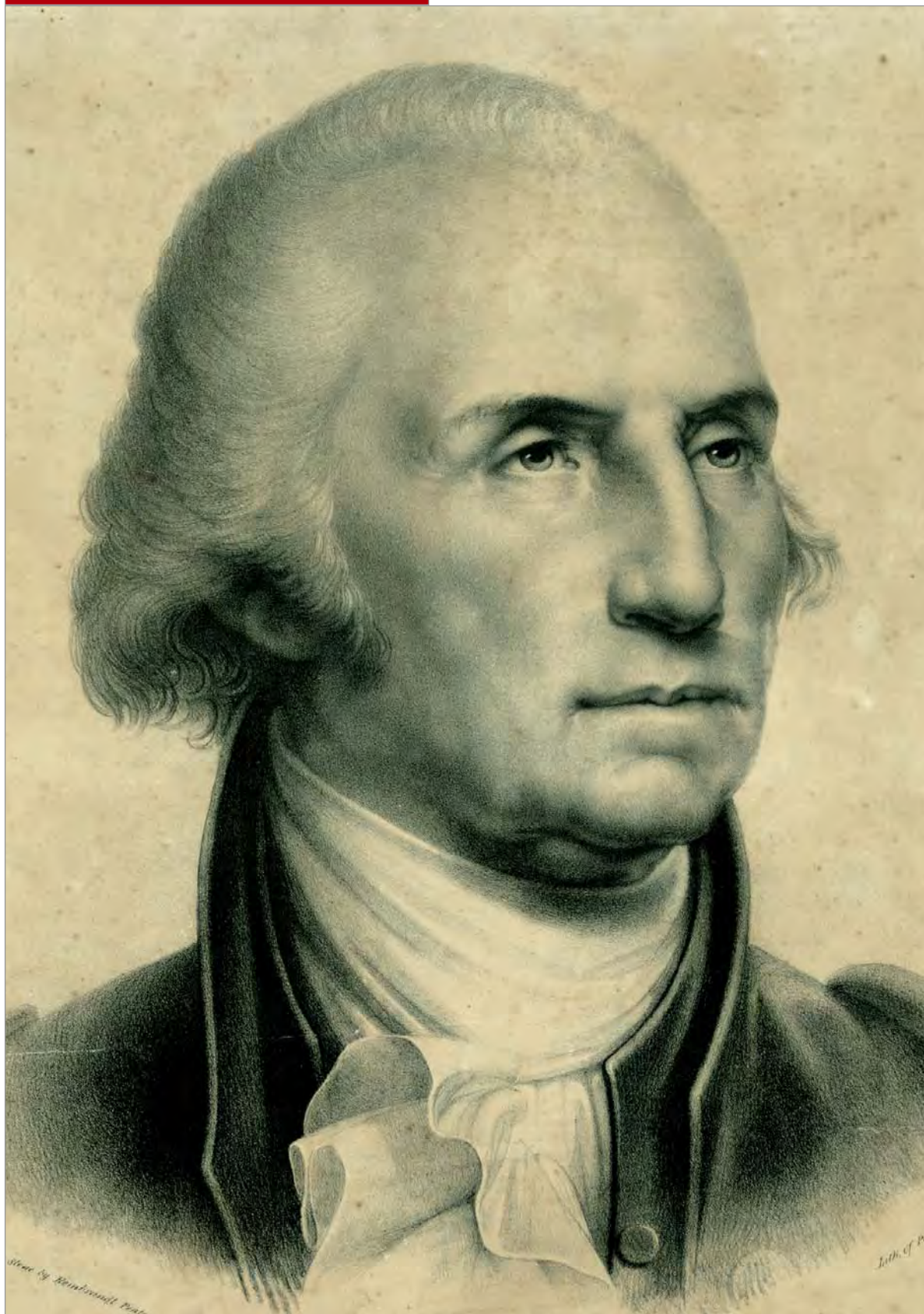
No Senator or Representative shall, during the Term for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have since increased during such Term; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same. Every Bill which shall have passed by a Majority of each House, shall before it become a Law, be presented to the President of the

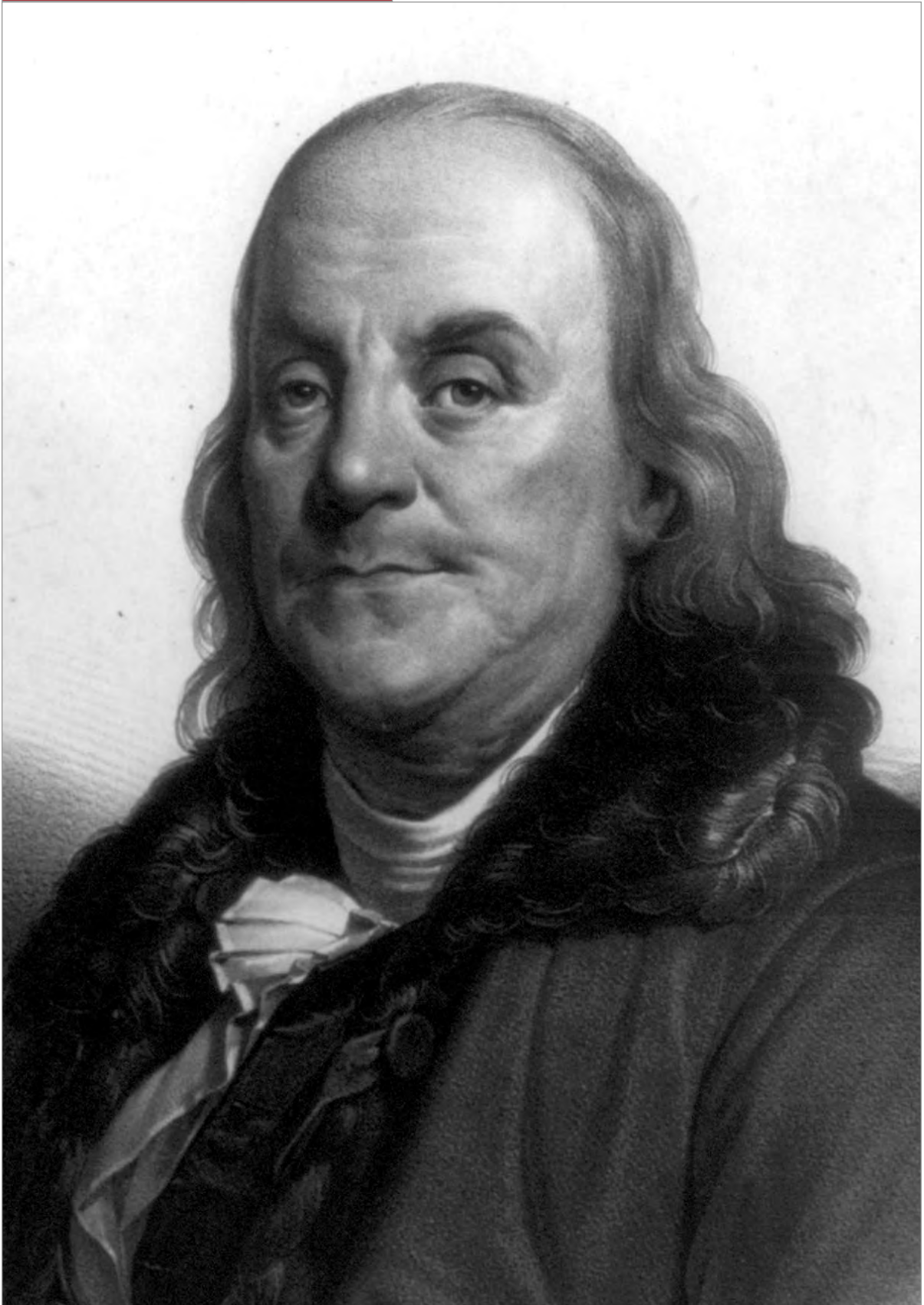
JAMES MADISON



GEORGE WASHINGTON



BENJAMIN FRANKLIN



The Constitution Poem

By Teri Delich

The Constitution is the law,
The highest in the land.

And everyone in the U.S.A.
Is expected to obey.

The president, the Congress, and the judges too,
All have different jobs and know just what to do.

They all work together for the rights we share—
So we can be free and the rules be fair.

Now—
Put your hands together,
Shout a hip-hip-hooray
For the Framers of this law
On Constitution Day!

CREDITS

This lesson was created for the Center for Civic Education's Constitution Day resources by Teri Delich and Melissa Weierbach of Lehigh Parkway Elementary School, Allentown, Pennsylvania.

This Constitution and citizenship lesson is cosponsored by the American Association of School Administrators (AASA), founded in 1865. AASA is the professional organization for over 14,000 educational leaders across America and in many other countries. AASA's mission is to support and develop effective school-system leaders who are dedicated to the highest quality public education for all children. AASA's major focus is standing up for public education.

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