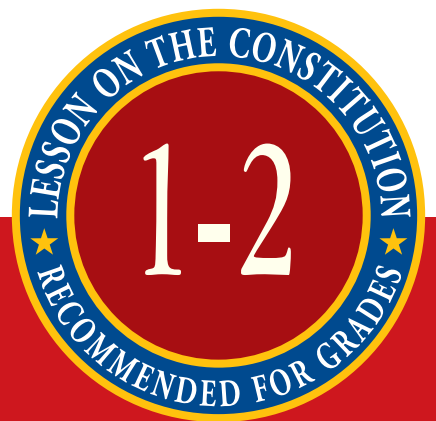


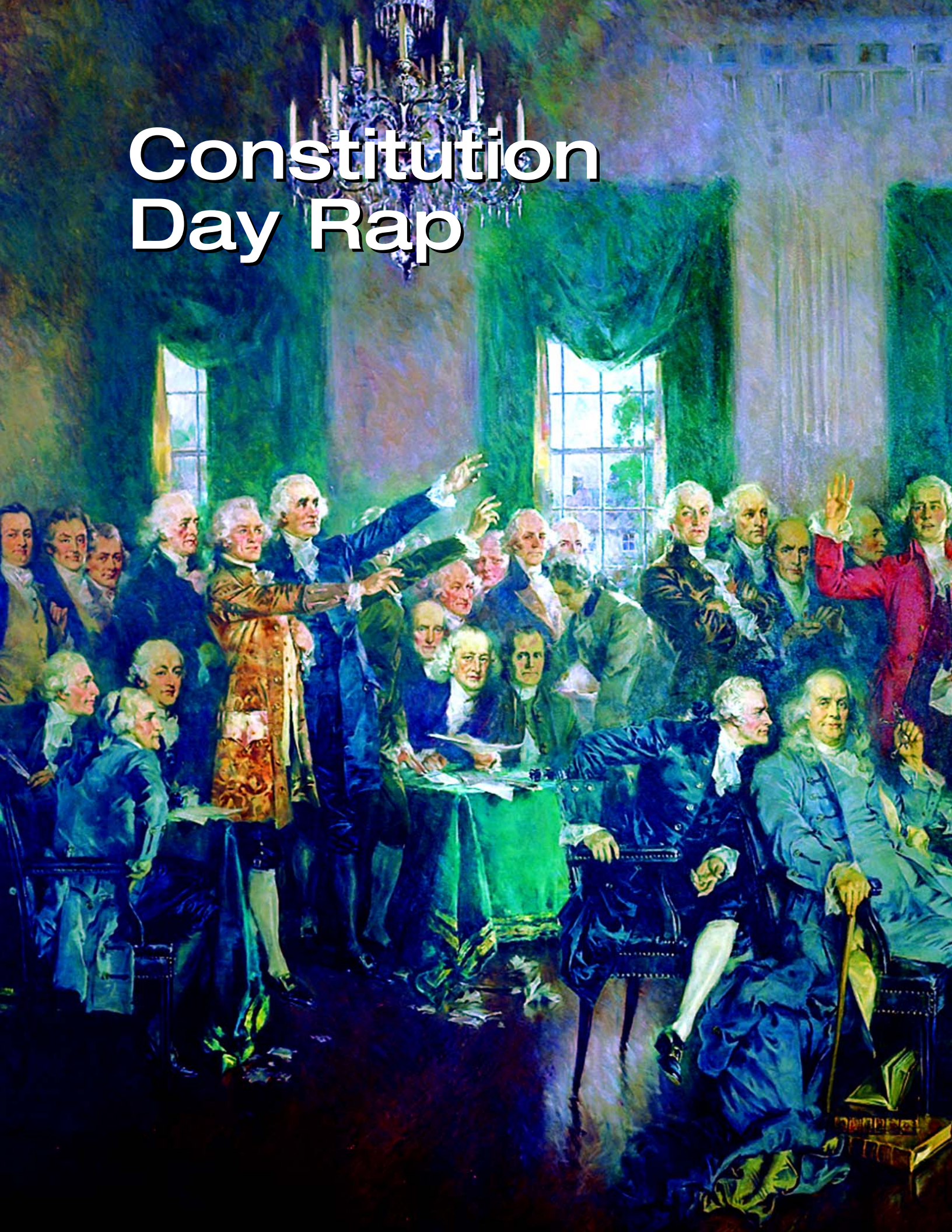
We the People

Constitution Day

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



Constitution Day Rap





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	PROCEDURE
Students will learn several important facts about the Constitution and its history.	The procedures and materials for this lesson are the same whether teaching this material to first- or second-graders. Two fact sheets are included. Use the one that is most appropriate for your level of students.
TERMS TO KNOW + IDENTIFY	
Congress Constitution convention flag Framers law	① Begin the lesson by asking students to identify the image of the U.S. Constitution. Have students brainstorm all they know about the Constitution. Tell students that the Constitution contains the rules Americans follow. Share the following story about the Constitution and its creation. Today there are fifty states in the United States. When the Constitution was created, there were only thirteen states. Twelve states were represented at the Philadelphia Convention: New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia. Rhode Island did not send a representative to the convention. We will learn some facts to help us understand the Constitution and its history.
MATERIALS	
① Constitution Fun Facts (page 12 or 13) ② Thirteen flag star cut-outs with one fact listed on each (page 11) ③ Image of the Constitution (page 16) ④ Seven strips of red construction paper, with the name of one of the thirteen original states written on each ⑤ Six strips of white construction paper, with the name of one of the thirteen original states written on each ⑥ White poster board with a blue construction paper rectangle glued to the top left-hand corner to represent where the stars should be on a flag ⑧ One Constitution Fun Flag (page 14) ⑨ “The Constitution Day Rap” (page 10)	② Build a flag poster. a Display the white poster board with the flag outline marked off with pencil. b Distribute the thirteen fun fact stars. These can have the fun facts already printed on them, or you can have the students write assigned facts on the stars. c Distribute the thirteen red and white state strips (Maryland, North Carolina, South Carolina, Delaware, Virginia,

Massachusetts, Pennsylvania, New York, New Jersey, Connecticut, New Hampshire, Georgia, and Rhode Island).

- d** Students will come up to the teacher-made flag poster one at a time, read their fun facts, and place them on the poster to form a circle of thirteen stars.
 - e** Another student will come up to the teacher-made flag poster, read the name of the state on his or her stripe, and place it on the poster to begin the stripe pattern.
 - f** Continue alternating between stars and colored stripes until the flag poster is complete.
- 3** Discuss the flag as a whole and how it represents what Americans live for based on the laws of the Constitution.
 - 4** Distribute individual copies of the Constitution Fun Flag Worksheet for students to color and take home.
 - 5** Share with students the Constitution Day Rap, and use it to summarize the lesson.

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* are frequently 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.

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

How Did the Framers Create the Constitution?

The U.S. Constitution was written at a convention held in Philadelphia in 1787. The following describes the idea of a constitutional convention, how the Philadelphia Convention

came to be, some of the most important people who attended it, and some of the first steps they took to create our present Constitution.

What Attempts Were Made to Solve the Problems of the Articles of Confederation?

Many political leaders, including Alexander Hamilton and James Madison, were dissatisfied with the government under the Articles of Confederation. They claimed the government was inadequate for meeting the problems of the United States.

A number of prominent leaders suggested holding a meeting of representatives of all the states. This idea of holding a special meeting, or convention, to discuss constitutional changes, instead of using the legislature, was an American invention. Most of the early state constitutions had been written by state legislatures. In 1780, Massachusetts became the first state to hold a constitutional convention.

By 1786, Madison and other leaders decided that if a convention could be used successfully in a state, it was worth trying at the national level. In 1786, a meeting to discuss commercial problems was held in Annapolis, Maryland. Only five states sent representatives. Disappointed at the low turnout, Hamilton, Madison, and others wrote a report asking Congress to call a meeting in Philadelphia to suggest ways to change the Articles of Confederation to strengthen the national government. Congress did so after a delay of several months. Delegates to the Philadelphia Convention were authorized only to propose amendments to the Articles, not to develop an entirely new constitution, which is exactly what they did.

Who Attended the Philadelphia Convention?

Fifty-five delegates attended the meeting that later became known as the Philadelphia Convention. This group of men are now often called the Framers of the Constitution. Most of the delegates were fairly young: the average age was forty-two. About three-fourths of them had served in Congress. Most were prominent in their states, and some had played important parts in the American Revolution. Some delegates were wealthy, but most were not. A French diplomat in America at the time said that the Framers “without being rich are all in easy circumstances.”

Contemporary observers were impressed by the quality of the delegates to the Philadelphia Convention. Another French diplomat stationed in America observed that never before, “even in Europe,” had there been “an assembly more respectable for talents, knowledge, disinterestedness, and patriotism.” From Paris, Thomas Jefferson wrote to John Adams in London that the convention “is an assembly of demigods.”

We should remember, however, that some of the Framers were men of modest abilities or questionable motives. Probably the most balanced view of the men at Philadelphia has been given by Max Farrand, a historian, who wrote the following:

Great men there were, it is true, but the convention as a whole was composed of men such as would be appointed to a similar gathering at the present time: professional men, business men, and gentlemen of leisure; patriotic statesmen and clever, scheming politicians; some trained by experience and study for the

task before them; and others utterly unfit. It was essentially a representative body.

Most of the Framers' stories are worth telling in detail. The following two are of particular importance.

George Washington George Washington was probably the most respected and honored man in the country. During the Revolutionary War, he left Mount Vernon, his Virginia plantation, to lead the American army to victory over the British. When the war was over, Washington returned to private life. Although convinced of the necessity for a strong national government, he was not interested in holding public office.

At first, Washington refused the invitation to attend the Philadelphia Convention. He later agreed to be a delegate from Virginia, fearing that if he did not attend, people might think he had lost his faith in republican government. Washington was unanimously elected president of the convention, although he was not active in the debates. His presence and support of the Constitution, together with the widespread assumption that he would be the nation's first president, were essential to the Constitution's ratification by the states.

James Madison Of all the Framers, James Madison probably had the greatest influence on the organization of the national government. Born in 1751, Madison was one of the youngest of the revolutionary leaders, and by 1787 his talents had long been recognized and admired. In 1776, at the age of twenty-five, Madison was elected to the Virginia convention, where he was named to a committee to frame the state constitution. There, he first displayed his lifelong commitment to freedom of religion.

Madison was instrumental in persuading George Mason, author of the Virginia Declaration of Rights, to change the clause that guaranteed “toleration” of religion to one that secured its “free exercise.”

As a leader in Virginia politics and a member of the Confederation Congress, Madison was active in the 1780s in support of a stronger national government. His influence at the Philadelphia Convention was great, in part because he brought with him a plan he had already developed for creating a new national government—the Virginia Plan. After much debate over alternatives, this plan was used as the basis for discussion on improving the national government.

Had it not been for Madison, we probably would not know much about what happened during the convention. The Framers had decided to keep the discussions a secret, although delegates were free to take notes. Madison attended nearly every session and kept careful notes. Much of what we know today about what happened in the convention is based on his records.

After the convention, Madison collaborated with Alexander Hamilton and John Jay to write a defense of the new Constitution. This defense was a series of eighty-five articles written for newspapers in New York. In 1788, the articles were collected in a book titled *The Federalist*. The articles urged citizens of New York to vote for delegates to the state ratifying convention who were favorable to the Constitution. *The Federalist* is probably the most important work written on the basic principles and ideas underlying our constitutional government.

What Other Important Delegates Attended?

In addition to Washington and Madison, the delegates included many other prominent men. Benjamin Franklin was eighty-one and in poor health, but because he was internationally respected, his mere presence lent an aura of wisdom to the convention. Alexander Hamilton, although one of the strongest supporters of a strong national government, was outvoted within his own state delegation and left in frustration before the convention was half over. He returned for a few days and signed the completed document in September. Hamilton later played a major role in the struggle over ratification, as a principal author of *The Federalist* and as the leader of pro-Constitution forces in New York. James Wilson, although not as well known as Madison or Hamilton, was also a major influence in shaping the theory of the Constitution. Later, Wilson led the Federalist forces in Pennsylvania. In 1789, President Washington appointed him to be a justice of the Supreme Court.

Besides Madison and Wilson, the delegate who spoke most frequently at the convention was Gouverneur Morris of Pennsylvania. Edmund Randolph, who as governor of Virginia was officially the head of the Virginia delegation, introduced the Virginia Plan to the convention. Randolph, however, refused to sign the completed document. Roger Sherman of Connecticut was instrumental in forging the Connecticut Compromise on representation in Congress. George Mason, author of the Virginia Declaration of Rights, believed that the national constitution also should contain explicit guarantees of fundamental rights. Like Randolph, he did not sign the Constitution. Elbridge

Gerry, who also refused to sign the Constitution, later led the forces against ratification in Massachusetts. Later still, he served as vice president under President James Madison.

What Important Founders Did Not Attend the Convention?

There also were some important political leaders who did not attend the Constitutional Convention.

Thomas Jefferson was in Paris as the U.S. ambassador to France. John Adams, who was recognized as a leading American political thinker, was serving as U.S. ambassador to Great Britain. Adams had been a principal architect of the Massachusetts constitution of 1780. The first volume of his *Defence of the Constitutions of Government of the United States of America* had also appeared in early 1787.

Patrick Henry, the revolutionary leader, refused to attend the Philadelphia Convention. He was against the development of a strong national government and was suspicious of what might happen at the convention. He supposedly said, “I smell a rat” to explain why he would not attend the convention.

Other leaders not present at Philadelphia included John Hancock, Samuel Adams, and Richard Henry Lee. Besides these prominent individuals, one state—Rhode Island—refused to be represented at the convention.

What Happened When the Convention Began?

By Friday, May 25, 1787, eleven days after the convention was scheduled to begin, delegations from a majority of the states were present in Philadelphia. George Washington was

unanimously elected president of the convention, and a committee was appointed to draw up the rules for the meeting.

The delegates agreed that each state would have one vote at the convention, even though the delegations varied in size. They also agreed that a member could not be absent from the convention without permission if his absence would deprive his state of its vote. In addition, delegates adopted a rule making it possible to reconsider issues freely. This way no decision had to be permanent until the entire plan was completed.

The Framers decided that what was said in the convention should be kept secret. There were two reasons for this.

- The Framers wanted to develop the best constitution they could. This required a free exchange of ideas. They were afraid that if their debates were made public, many of the delegates would not feel free to express their real opinions.
- The Framers also thought the new constitution would have a greater chance of being accepted if people did not know about the arguments that went on while it was being created.

Once the rules were agreed on, the convention got to work. Almost immediately, the Framers decided to ignore their instructions from Congress to limit their work to amending the Articles of Confederation. Instead, they voted to work on the development of an entirely new constitution.

Source: *We the People: The Citizen & the Constitution*, Level 3, Lesson 11, “Who Attended the Philadelphia Convention? What Did They Agree to Do?” Center for Civic Education, 1995.

THE CONSTITUTION DAY RAP

Authority, Responsibility, Privacy, Justice—
These are the words that mean so much to us.

The Constitution is made up of these four words.
It's the law, the rules, for us to follow.
It's the highest law in our land.
It was written in 1787, by more than just one hand.

The Framers were a group of men who wrote it—
John Adams, Ben Franklin, and George Washington, too,
And that's to name just a few.

But nothing is perfect and
Changes were needed.
The Bill of Rights were these ten changes.
They're the first ten amendments of the Constitution.

The Constitution gives us rights,
Things that all people have,
Just because they are alive.

Government is divided into three main parts—
The Congress, the president, and the courts.
They all have very important jobs.

The Congress makes the laws,
And the people elect the members of Congress.
The president enforces the laws.
The courts decide what the law means.

The Constitution says how the government works.
It creates the president, the Congress,
And the Supreme Court, too.

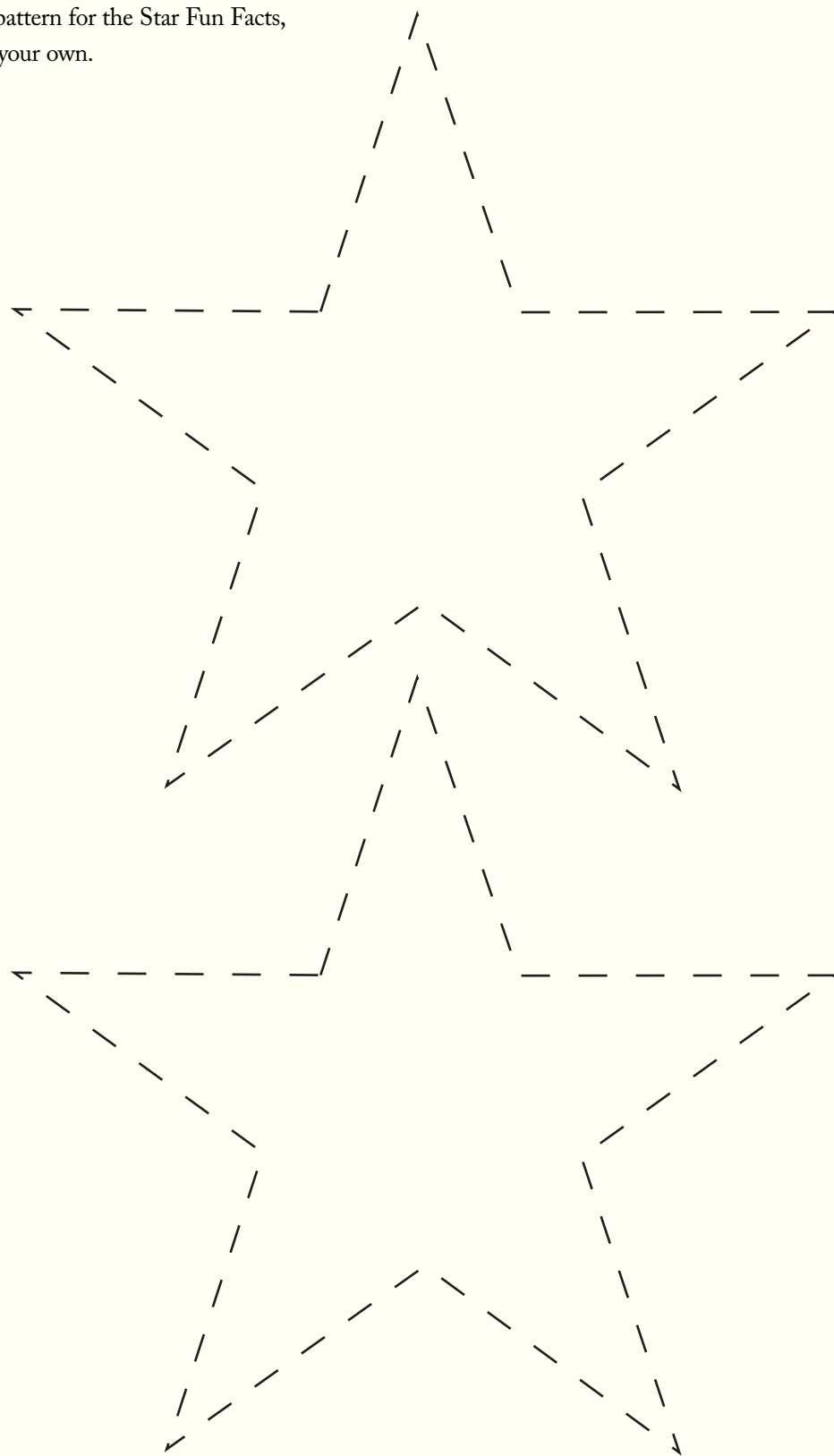
Just remember the Constitution keeps us safe,
Free, and it is fair for all.
So don't forget those four very important words:

Authority, Responsibility, Privacy, Justice—
These are the words that mean so much to us.

Sing this song, and sing it proud.
The Constitution is our freedom,
The way we live in this land, so
Don't be shy, sing it loud.
You are an American!

FLAG STAR CUT-OUTS

Use this pattern for the Star Fun Facts,
or create your own.



FIRST-GRADE CONSTITUTION FUN FACTS

Use the facts below to fill in the stars.

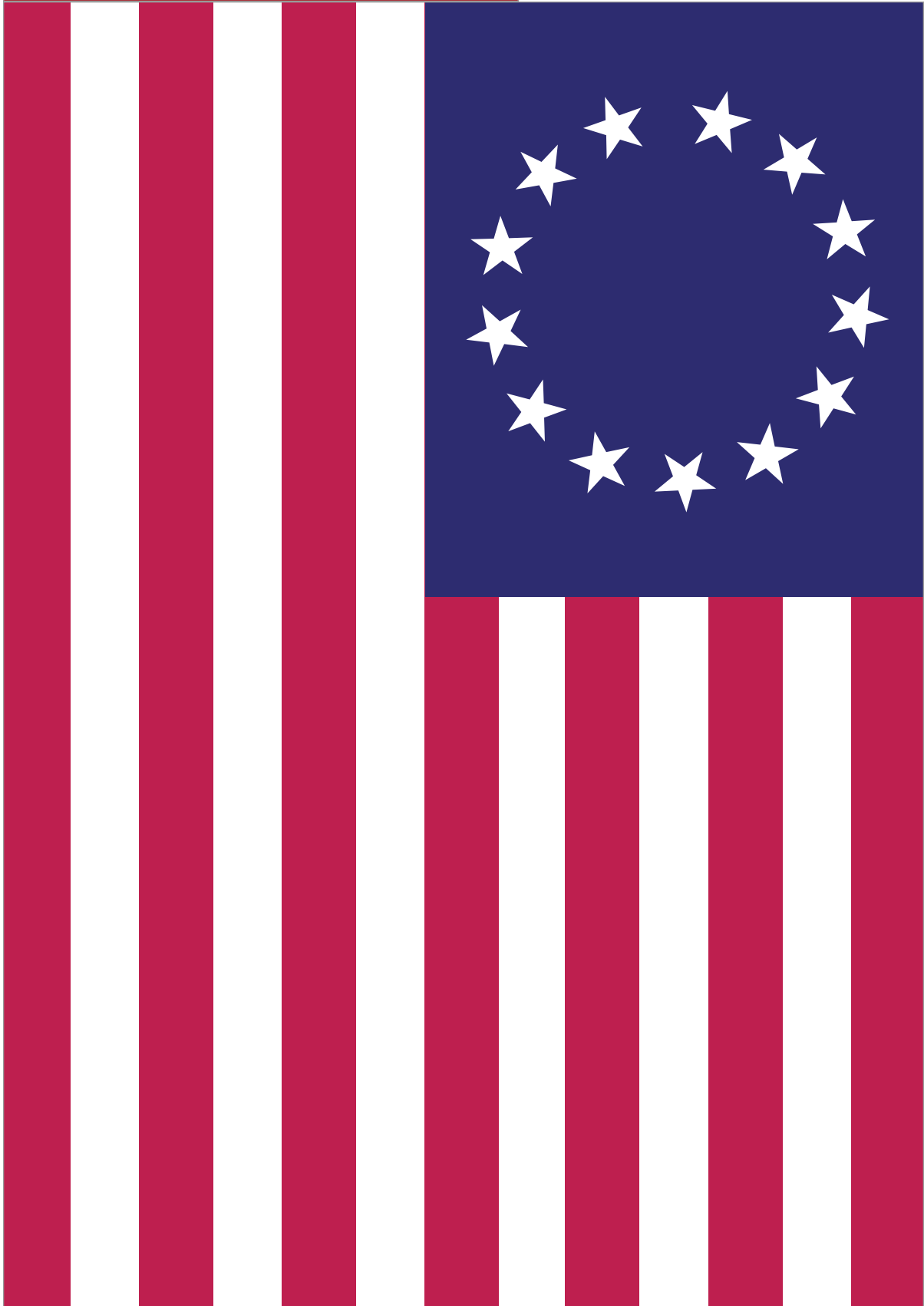
- ❶ The Constitution is a set of rules that Americans live by. It is the highest law of the land.
- ❷ The Constitution creates the office of the president, the Congress, and the courts.
- ❸ Rights are things that all people have just because they are alive.
- ❹ The Constitution was written in 1787 (more than two hundred years ago).
- ❺ The Framers were a group of men who wrote the Constitution.
- ❻ The Bill of Rights are the first ten amendments (changes) to the Constitution.
- ❼ The Congress makes the laws, and the people elect the members of Congress.
- ❽ The president enforces the laws.
- ❾ The courts decide what the law means when there are questions about it.
- ❿ The Constitution was created so that all people would be treated fairly.
- ⓫ Thirteen states worked to create the Constitution.
- ⓬ Rhode Island was not represented at the Philadelphia Convention.
- ⓭ The Constitution is a basic plan that helps people live together in peace and happiness.

SECOND-GRADE CONSTITUTION FUN FACTS

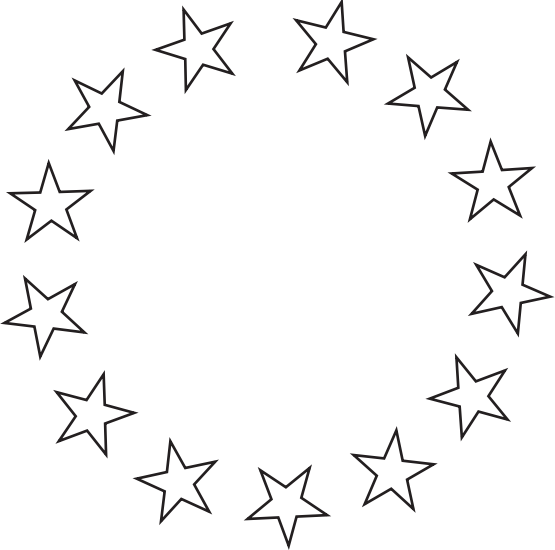
Use the facts below to fill in the stars.

- 1 *Legislation* means “making laws.”
- 2 The Constitution helps people make laws and enforce them.
- 3 The government has three parts—the legislative, executive, and judicial branches.
- 4 The legislative branch makes the law.
- 5 The executive branch enforces the law.
- 6 The judicial branch is the courts.
- 7 Congress is divided into the Senate and the House of Representatives.
- 8 The three branches check and balance power.
- 9 Amendments are changes to the Constitution.
- 10 Two-thirds of the members of Congress are needed to offer an amendment to the Constitution.
- 11 The Constitution was signed on September 17, 1787.
- 12 The Bill of Rights guarantees freedom of religion, freedom of the press, and free speech.
- 13 The Constitutional Convention took place in Philadelphia, Pennsylvania.

CONSTITUTION FUN FLAG



FUN FLAG MASTER WORKSHEET

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 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 including 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 three, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland three, 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 Clauses. 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 Course 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 Meetings 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, if the Yeas or Nays be five thirds 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, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same, and 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 Emolument whereof shall have been 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 yeas and nays a majority of both Houses, shall before it become a Law, be presented to the President of the

CREDITS

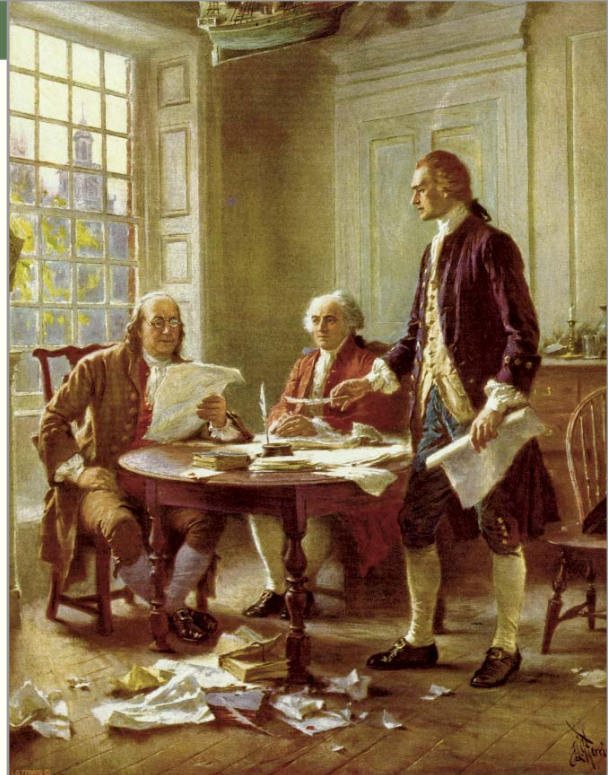
This lesson was created for the Center for Civic Education's Constitution Day resources by Melissa Weierbach, Lehigh Parkway Elementary School, and Michael Keefer, Roosevelt Elementary School, Allentown School District, Pennsylvania.

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.

The Center for Civic Education is a nonprofit, non-partisan educational corporation dedicated to fostering the development of informed, responsible participation in civic life by citizens committed to the values and principles fundamental to American constitutional democracy. The Center specializes in civic and citizenship education and international education exchange programs for developing democracies. For additional information on the Center's programs and curricula, contact the Center for Civic Education.

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The **Foundations of Democracy Series** consists of curricular materials for students from kindergarten through twelfth grade on four concepts fundamental to an understanding of politics and government:



Authority, Privacy, Responsibility, and Justice. This multidisciplinary curriculum draws upon such fields as political philosophy, political science, law, history, literature, and environmental studies.

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5145 Douglas Fir Road
Calabasas, CA 91302
800.350.4223
818.591.9330 FAX
cce@civiced.org
www.civiced.org
constitutionday.civiced.org



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