September 17

It's Constitution Day!

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So, who cares?

Bill Chapman

from the League of Women Voters Berkeley, Albany, Emeryville <u>http://lwvbae.org/civics.htm</u>

says it should be you

Why September 17?

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The answer lies in the Constitution itself

Mricle VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States

The Ratification of the

seven hundred and Eighty seven and of the Independence of the United States present the Seventeenth Day of September in the Year of our Lord one thousand our Names.

States so ratifying the Same.

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Why Constitution Day?

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Senator Robert C. Byrd, a West Virginia Democrat and the United States Congress' unofficial Constitutional scholar, believes that American elementary, high school, college and university students lack the Constitutional knowledge they need in order to function successfully as citizens.

In December 2004, Senator Byrd offered an amendment intended to increase Constitutional knowledge. The bill was passed by both the United States House of Representatives and the United States Senate, and was signed into law by the President. It went into effect in 2005.

The legislation requires that all educational institutions that receive federal funds teach something relating to the United States Constitution on September 17 of each year. September 17th was selected as the date for celebration because it was on September 17, 1787, that the delegates to the Constitutional Convention met for the last time to sign the United States Constitution and presented it to the American public and to the states for ratification.

Teaching about the United States Constitution provides students with an increased awareness of, and an appreciation for, this most important document of freedom.

• The Constitution establishes a system of representative government that depends on the informed participation of citizens if it is to work as intended.

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• If citizens do not understand how the government is supposed to work, or do not care enough to stay informed, discuss issues facing the community, vote thoughtfully and keep an eye on what their representatives are doing; then the government designed by the framers will not function in the interests of the citizens.

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• After the Constitution was finished, and as he was leaving Independence Hall, Benjamin Franklin is reported to have been asked, "Well, Doctor, what have we got—a Republic or a Monarchy?" His reply, "A Republic, if you can keep it."

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• After the Constitution was finished, and as he was leaving Independence Hall, Benjamin Franklin is reported to have been asked, "Well, Doctor, what have we got—a Republic or a Monarchy?" His reply, "A Republic, if you can keep it."

• 221 years later, we in this room, as well as our fellow citizens across the land still face Benjamin Franklin's challenge: Can we keep it?

 Do Americans lack basic knowledge about the Constitution?

- Do Americans lack basic knowledge about the Constitution?
- Do students at this school?

- Do Americans lack basic knowledge about the Constitution?
- Do students at this school?
- Do you?

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- Do students at this school?
- Do you?
- If so, who cares?

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- Do students at this school?
- Do you?
- If so, who cares?
- We will spend the next few minutes in an attempt to find out.

What is wrong with this?



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What is wrong with this?



- 1. Thomas Jefferson wrote, "All men are created equal", not "All men are cremated equal."
- 2. Jefferson wrote, "All men are created equal" as part of the Declaration of Independence (1776). That phrase does not appear in the Bill of Rights.

A survey released by the National Constitution Center in 1998 illustrates how little most of us know about the Constitution. It showed that students know much more about pop culture than they do about the United States Constitution. Six-hundred students responded to the survey.

Key findings from the survey include:

• 25.5% of respondents know the name of the city where the Constitution was written compared to 75.2% who know the city associated with the zip code 90210. What is the name of each city?

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The framers in Philadelphia, Sept. 17, 1787



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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.

50 states * 2 senators each = 100 senators



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http://www.constitutionday.com/

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• 1.8% of respondents know the name of the man considered the father of the U.S. Constitution compared to 58.3% who know the name of the founder of Microsoft. Who are each?

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James Madison



Bill Gates

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You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to speak to an attorney, and to have an attorney present during any questioning. If you cannot afford a lawyer, one will be provided for you at government expense.

5th Amendment

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.



the Club

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- 1.8% of respondents know that James Madison is considered the father of the U.S. Constitution compared to 58.3% who know that Bill Gates is the father of Microsoft.
- 25% of respondents know that the Fifth Amendment protects against double jeopardy/self incrimination/right to a grand jury/due process/compensation for private property taken for public use compared to 63.7% who know that "The Club" protects against car theft.

• 41.2% of respondents know the names of the three branches of government compared to 59.2% who know the names of the three stooges. What are the correct names for each?

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Curly, Larry and Moe

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- 41.2% of respondents know the names of the three branches of government (Congress, the Executive or President and the Judiciary) compared to 59.2% who know the names of the three stooges (Larry, Moe and Curly).

If these statistics concern you, imagine how Senator Byrd must have felt. It is the results of surveys such as this one that drive the desire to teach American history, civics and information about our founding documents.



Let's start with Hey kids ... what's an amendment?

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In Article V, the framers provided for two ways to change (amend) the Constitution

Hrüche. v.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight bundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

They had the foresight to know that for the system of government they were creating to survive, it had to be able to adapt as the nation grew and changed. But they didn't make it easy for that to happen.

The Constitution has been amended 27 times during the 219 years since it went into effect.

- 2 concerned the production and sale of alcoholic beverages:
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8 made changes to the mechanics of government and Constitutional procedures.

That leaves 10. They are the most famous. Amendments 1-10 (**The Bill of Rights**) were submitted to the states by the first Congress, ratified quickly, and became effective

in 1791.

The Bill of Rights

Ratified December 15, 1791

Article I

Emgressishill make molaw trajacting an establishment of religion, or prohibiding the free exercise threads on the abandging the freedom of speech, or of the press; or the right of the prople peaceably to assemble, and to pertion the Government for a robrest of greenwise.

Artick II

 ${\ensuremath{\overline{\mathbf{A}}}}$ we'l regulated Militia, heing necessary to the security of a free Seare, the right of the people to keep and heat Arms, shall not be infringed.

Article III

R o Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, not in time of war, but in a marrier to be peacetized by law.

Article IV

The right of the people to be secure in their persons, houses, papers, and effects, against nurcesonable searches and seizures, shall not be violated, end no Watrants shall issue, har upon providule cause, sepported by Osth or affirmation, and particularly describing the place to be searched, and the persons or chings to be seized.

Article V

Ro present shall be held to answer for a capital, or otherwise inflamous extine, unless in a presentated or indicament of a Grand Juty, except in cases arising in the land or nava. forces, coin the Millin, when in actual service in time of War or public danger; nor shill any person be subject, for the same offence to be twice put it jeopardy of life or links accessful be compelled in any Criminal Case in the a witness against birrelly, nor he deprived of life, libercy, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Article VI

An all criminal prosecutions, the accuract shall onjoy the right to a speedy and public triat, by ast impartial jury of the Store and district wherein the evines duel have been canonisted, which district shall have been previously associated by law, and to be informal of the nature and cause of the accusations to be confronted with the winesses against him, to have compolisory process for informing Winesses in his favor, and to have the Assistance of Counsel for his defence.

Article VII

Bn Suits at common Live, where the value in controversy shall exceed twency dollars, she right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise reasoning in any Court of the United States, then according to the rules of the common low.

Article VIII

Excessive bail shall not be required, nor excessive flats imposed, nor cruel and anostal punishment inflicted.

Article 1X

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article X

The powers one delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. The 1st Amendment, considered by many to be the most important of all, has been the source of endless controversy; the basis of lawsuit after lawsuit after lawsuit. In many ways, it touches each of our lives everyday. So, ...



- It protects several fundamental rights.
- How many of them can you name?

It protects several fundamental rights. How many of them can you name?

1. Freedom of Speech



It protects several fundamental rights. How many of them can you name?

- 1. Freedom of Speech
- 2. Freedom of Religious Expression



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It protects several fundamental rights. How many of them can you name?

- 1. Freedom of Speech
- 2. Freedom of Religious Expression
- 3. Freedom to Assemble Peacefully



It protects several fundamental rights. How many of them can you name?

- 1. Freedom of Speech
- 2. Freedom of Religious Expression
- 3. Freedom to Assemble Peacefully
- 4. Freedom to Petition for Redress of Grievances



It protects several fundamental rights. How many of them can you name?

- 1. Freedom of Speech
- 2. Freedom of Religious
- 3. Freedom to Assemble
- 4. Freedom to Petition for
- 5. Freedom of the Press



It protects several fundamental rights. How many of them can you name?

- 1. Freedom of Speech
- 2. Freedom of Religious Expression
- 3. Freedom to Assemble Peacefully
- 4. Freedom to Petition for Redress of Grievances
- 5. Freedom of the Press

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

• Do you agree or disagree with the following statement:

Musicians should be allowed to sing songs with lyrics that some people might find offensive.

Agree _____ Disagree _____ Don't Know ____

• Do you agree or disagree with the following statement:

Musicians should be allowed to sing songs with lyrics that some people might find offensive.

Agree <u>47%</u> Disagree <u>51%</u> Don't Know <u>3%</u>

• Do you agree or disagree with the following statement:

The nation's Founders intended the United States to be a Christian nation.

Agree _____ Disagree _____ Don't Know _____

• Do you agree or disagree with the following statement:

The nation's Founders intended the United States to be a Christian nation.

Agree <u>65%</u> Disagree <u>31%</u> Don't Know <u>4%</u>

• Do you agree or disagree with the following statement:

School officials should be allowed to discipline students who, while off-campus, post entries on social networking sites like "MySpace.com" that may be disruptive to school classes.

Agree _____ Disagree _____ Don't Know ____

• Do you agree or disagree with the following statement:

School officials should be allowed to discipline students who, while off-campus, post entries on social networking sites like "MySpace.com" that may be disruptive to school classes.

Agree <u>50%</u> Disagree <u>46%</u> Don't Know <u>5%</u>

 If an amendment prohibiting burning or desecrating the American flag were approved, it would be the first time any of the freedoms in the First Amendment have been amended in over 200 years. Knowing this, would you still support an amendment to prohibit burning or desecrating the flag?

Yes _____ No _____ Don't Know ____

• If an amendment prohibiting burning or desecrating the American flag were approved, it would be the first time any of the freedoms in the First Amendment have been amended in over 200 years. Knowing this, would you still support an amendment to prohibit burning or desecrating the flag?

Yes <u>83%</u> No <u>15%</u> Don't Know <u>2%</u>

• You're 16, You're Beautiful and You're a Voter

- You're 16, You're Beautiful and You're a Voter
- UNDOCUMENTED STUDENTS' COLLEGE AID IN JEOPARDY

- You're 16, You're Beautiful and You're a Voter
- Undocumented Students' College Aid in Jeopardy
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Happy Constitution Day! Why not celebrate everyday?

mestic Tranquility, 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.



SECTION 1. All legislative Powers berein 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 been 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 chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

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

The House of Representatives shall chuse 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 Classes. 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 bappen by Resignation, or otherwise, during the Recess 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 nine 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 chuse their other Officers, and also a President pro tempore, in the absence of the Vice President, or uben 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.