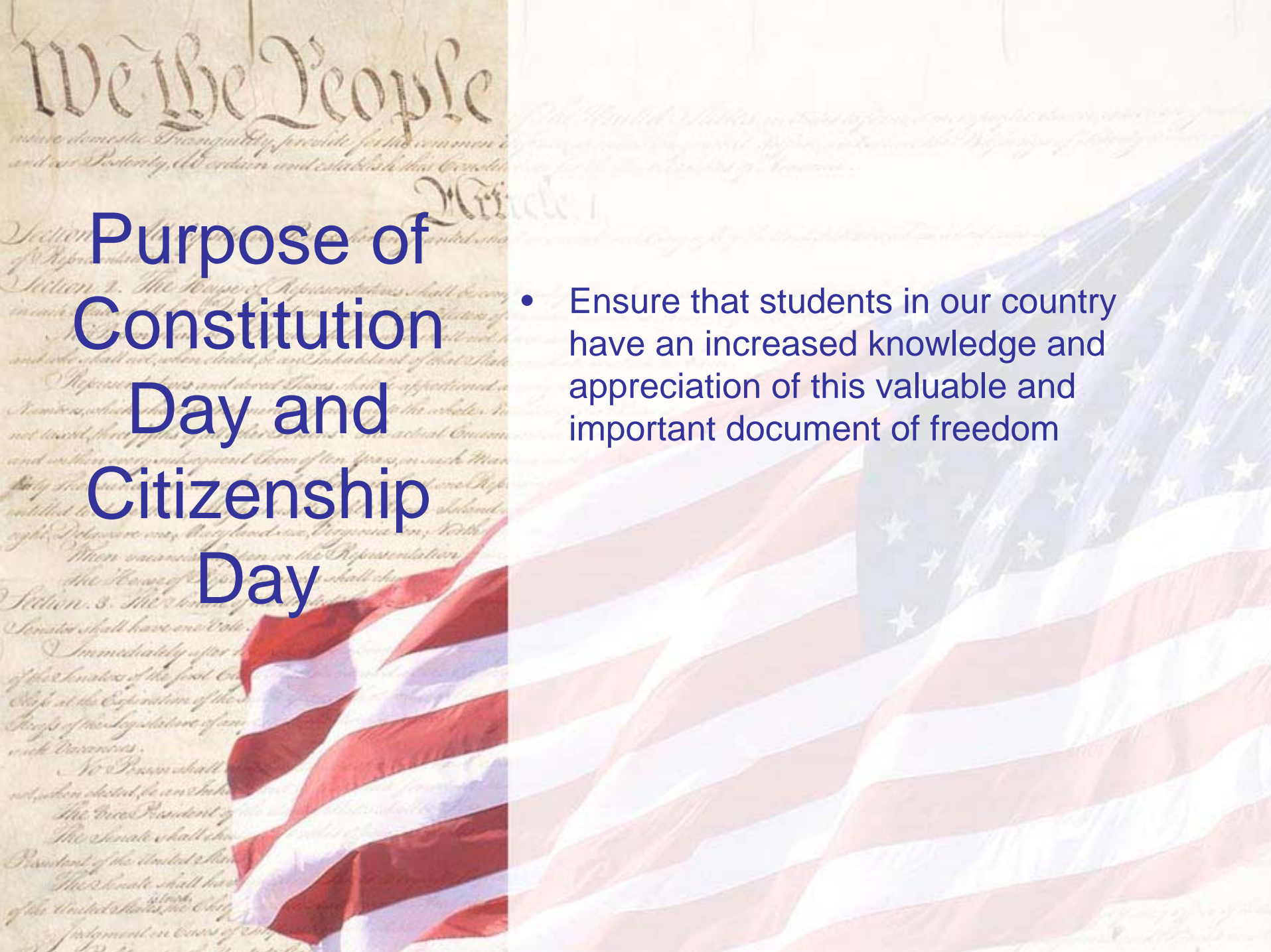


We the People

Article 1

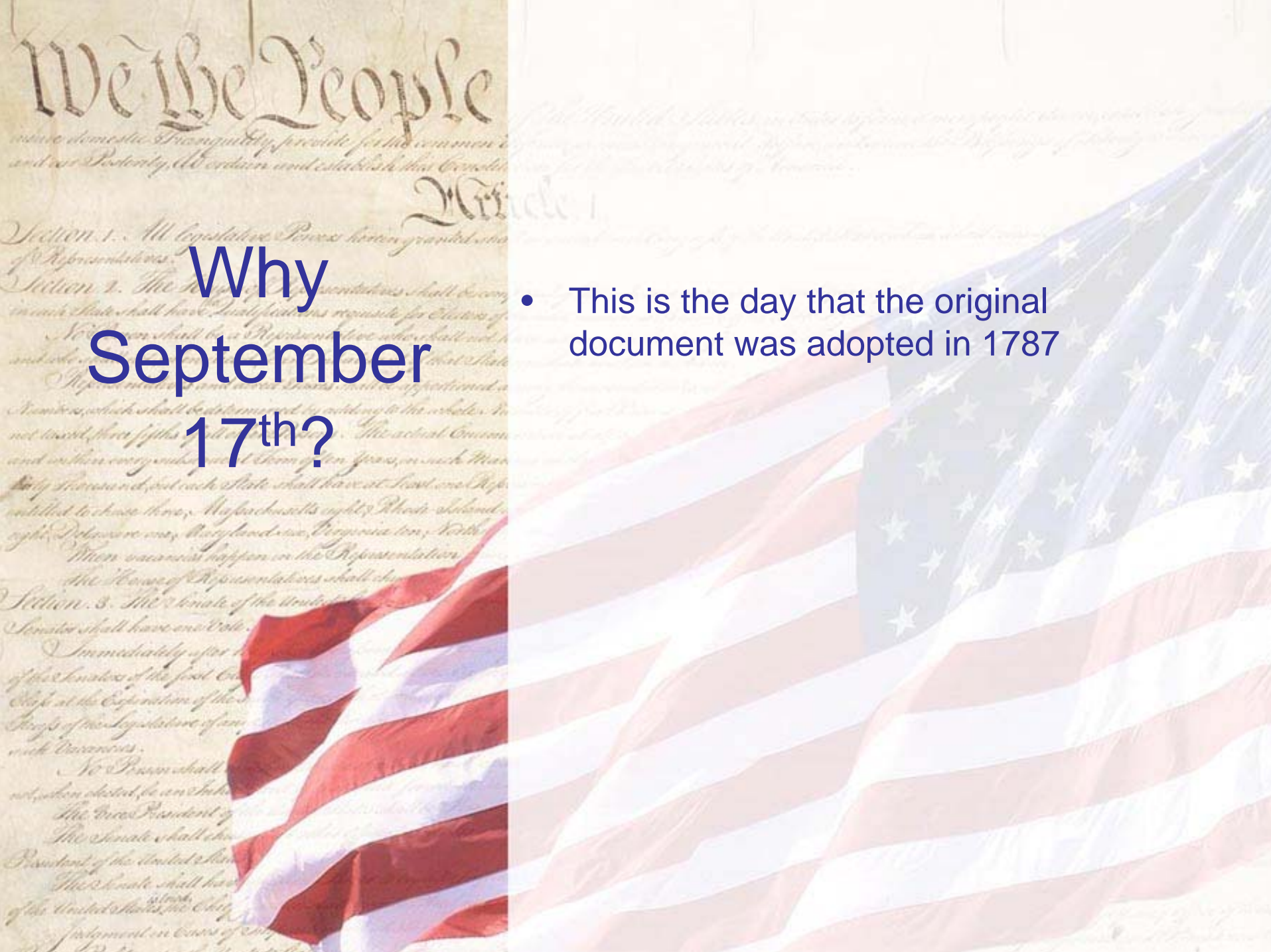
# Constitution Day and Citizenship Day

## We the People....



# Purpose of Constitution Day and Citizenship Day

- Ensure that students in our country have an increased knowledge and appreciation of this valuable and important document of freedom



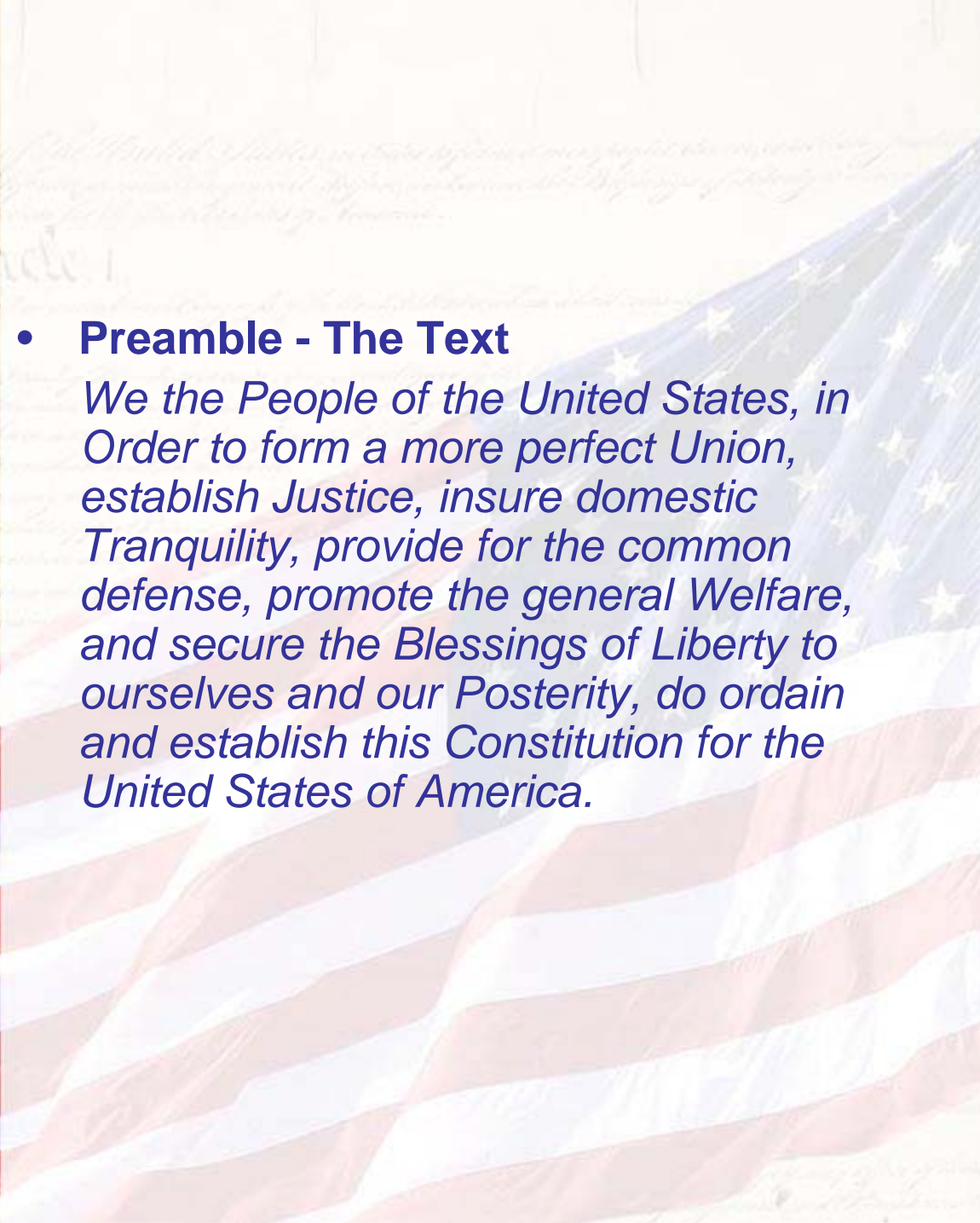
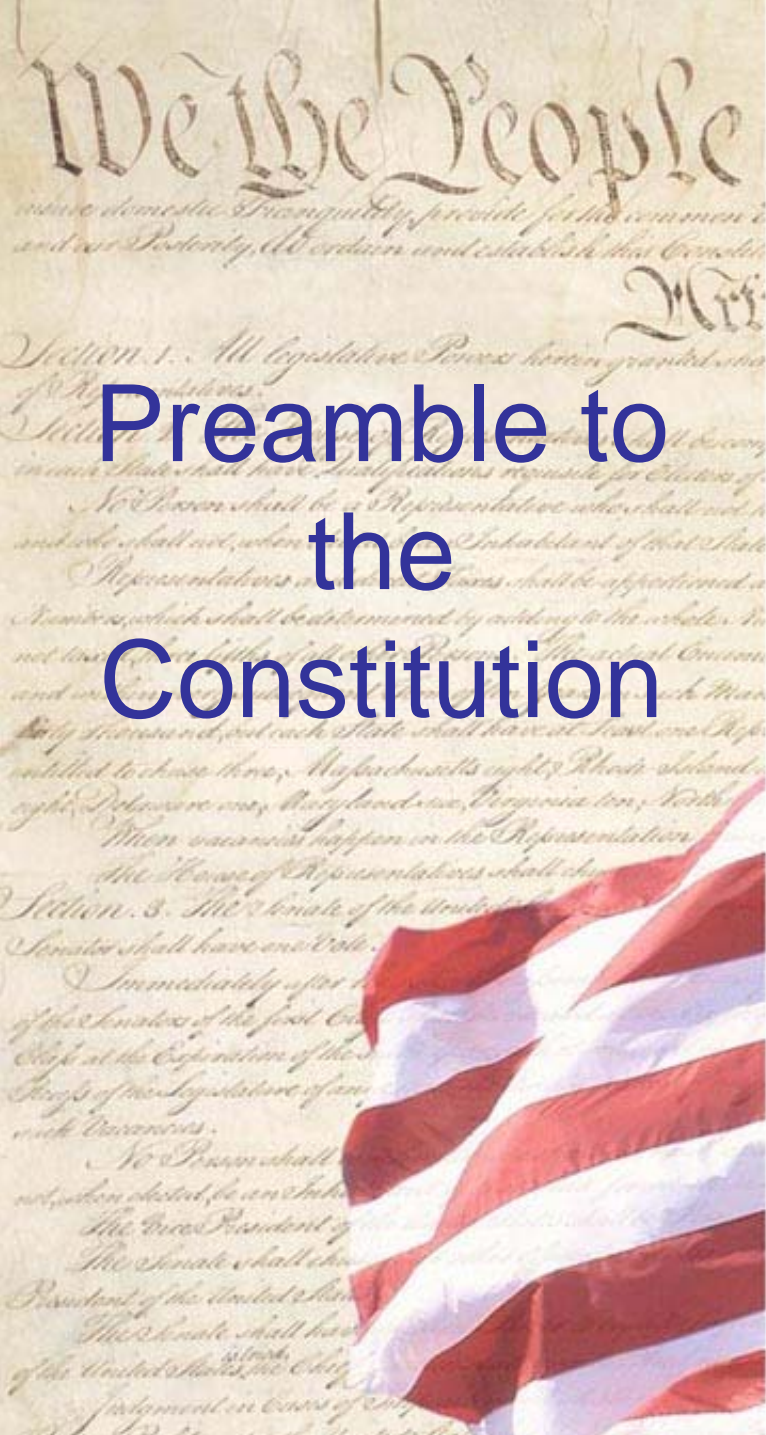
# Why September 17th?

- This is the day that the original document was adopted in 1787



# The Constitution Composition

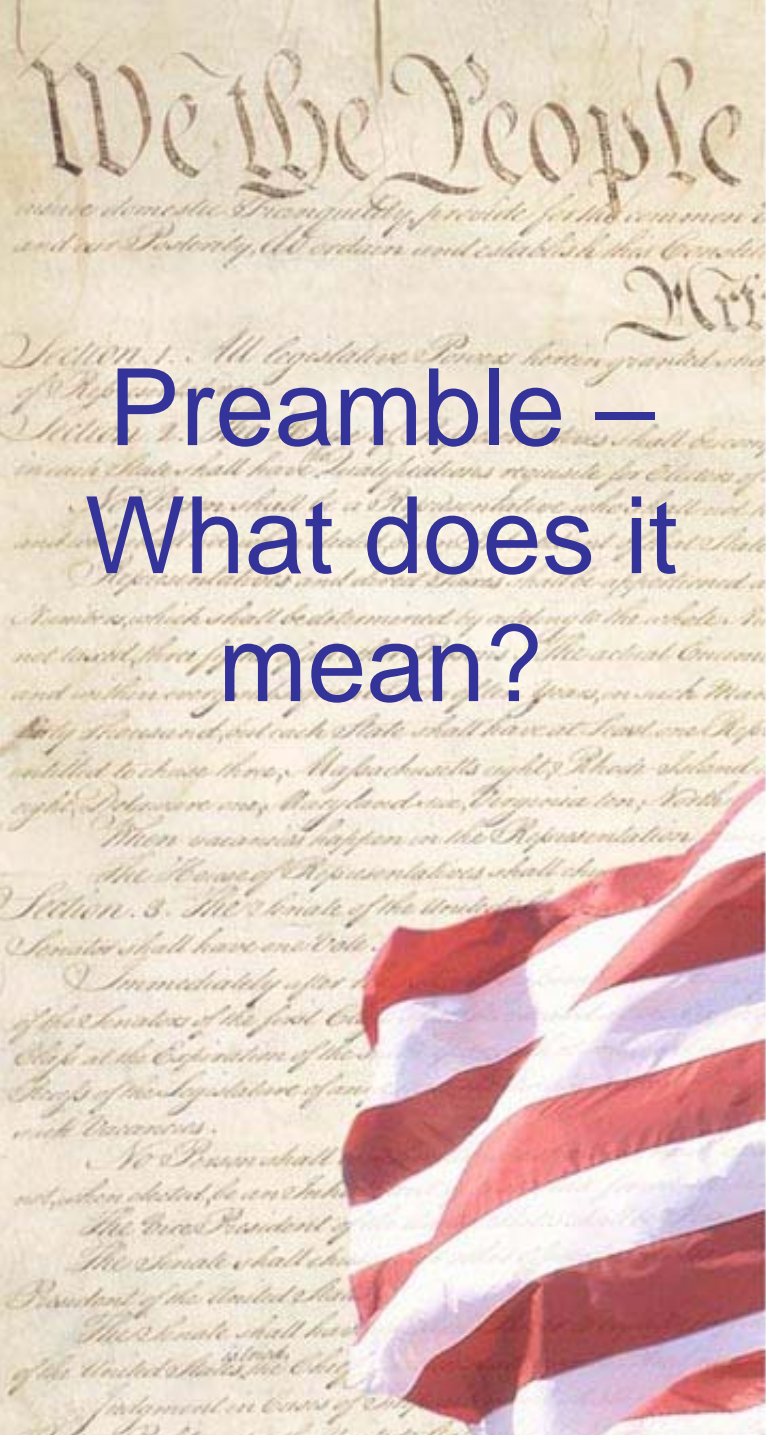
- Comprised of a
  - Preamble
  - Articles
  - Amendments



# Preamble to the Constitution

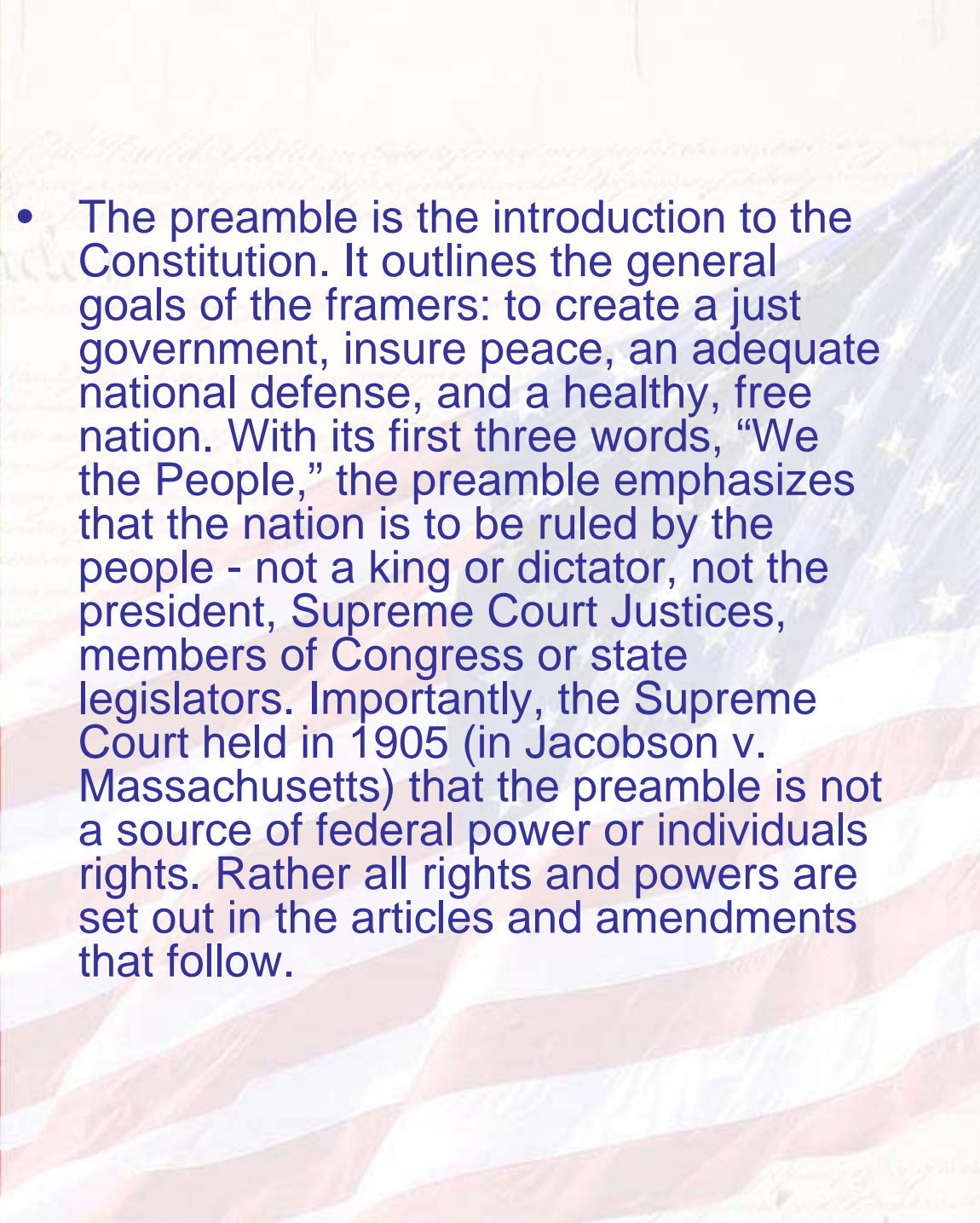
- **Preamble - The Text**

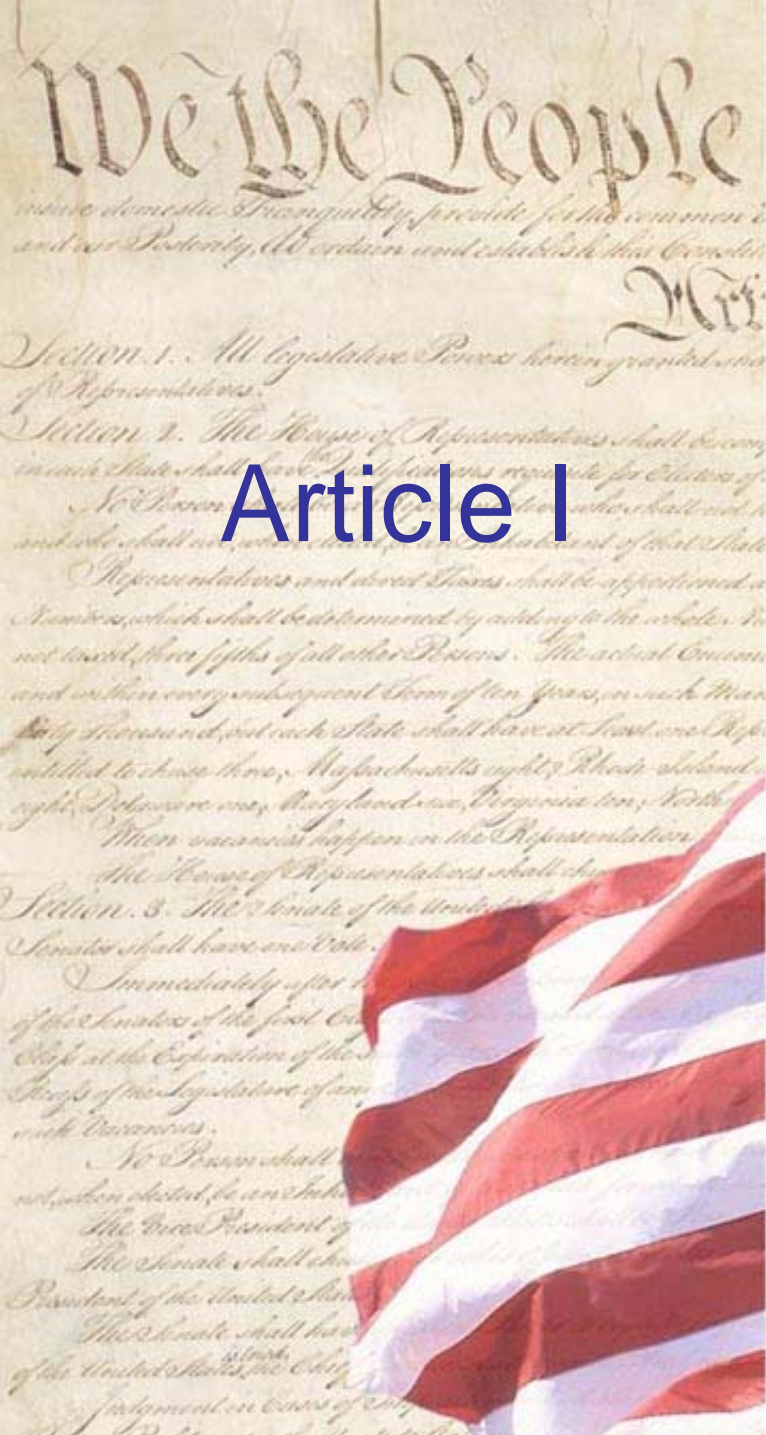
*We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the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



# Preamble – What does it mean?

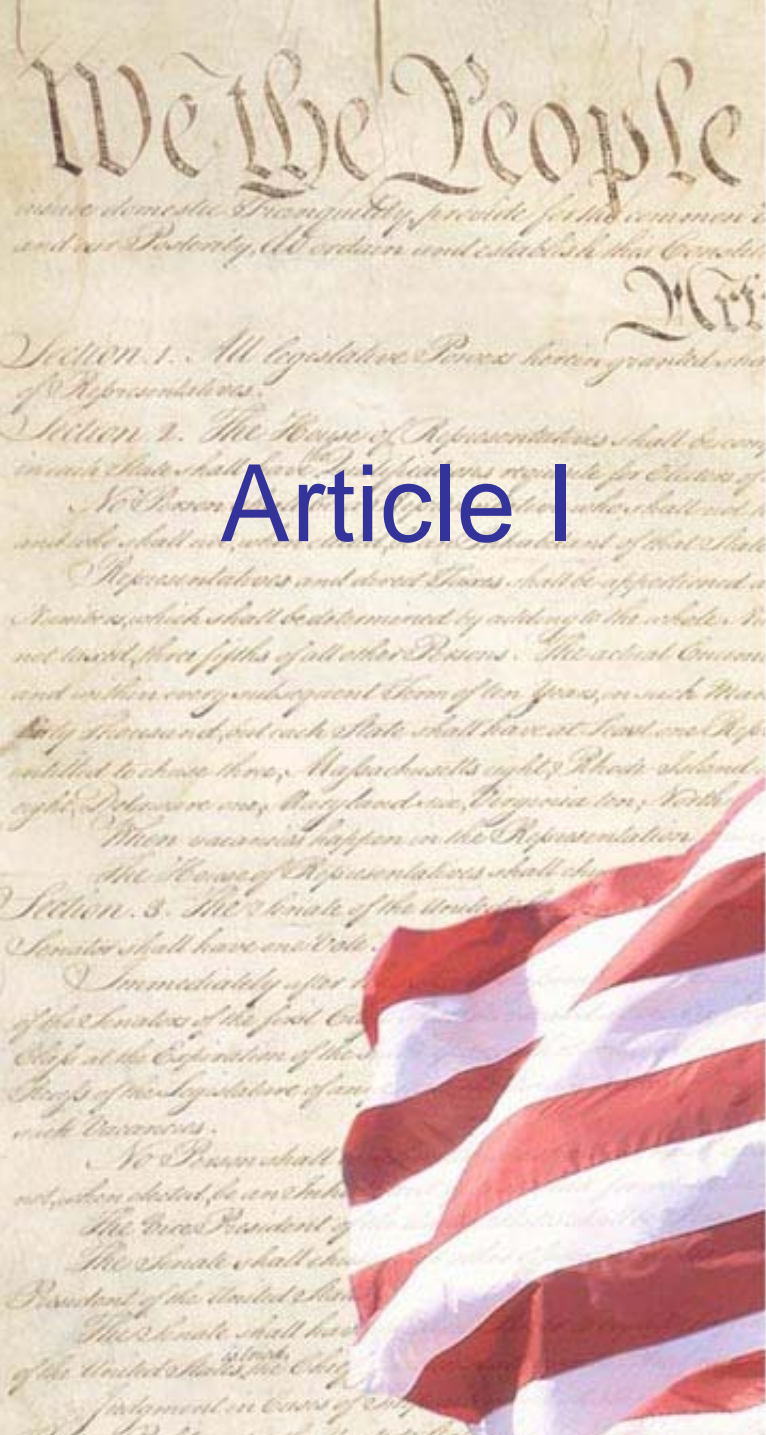
- The preamble is the introduction to the Constitution. It outlines the general goals of the framers: to create a just government, insure peace, an adequate national defense, and a healthy, free nation. With its first three words, “We the People,” the preamble emphasizes that the nation is to be ruled by the people - not a king or dictator, not the president, Supreme Court Justices, members of Congress or state legislators. Importantly, the Supreme Court held in 1905 (in *Jacobson v. Massachusetts*) that the preamble is not a source of federal power or individuals rights. Rather all rights and powers are set out in the articles and amendments that follow.





# Article I

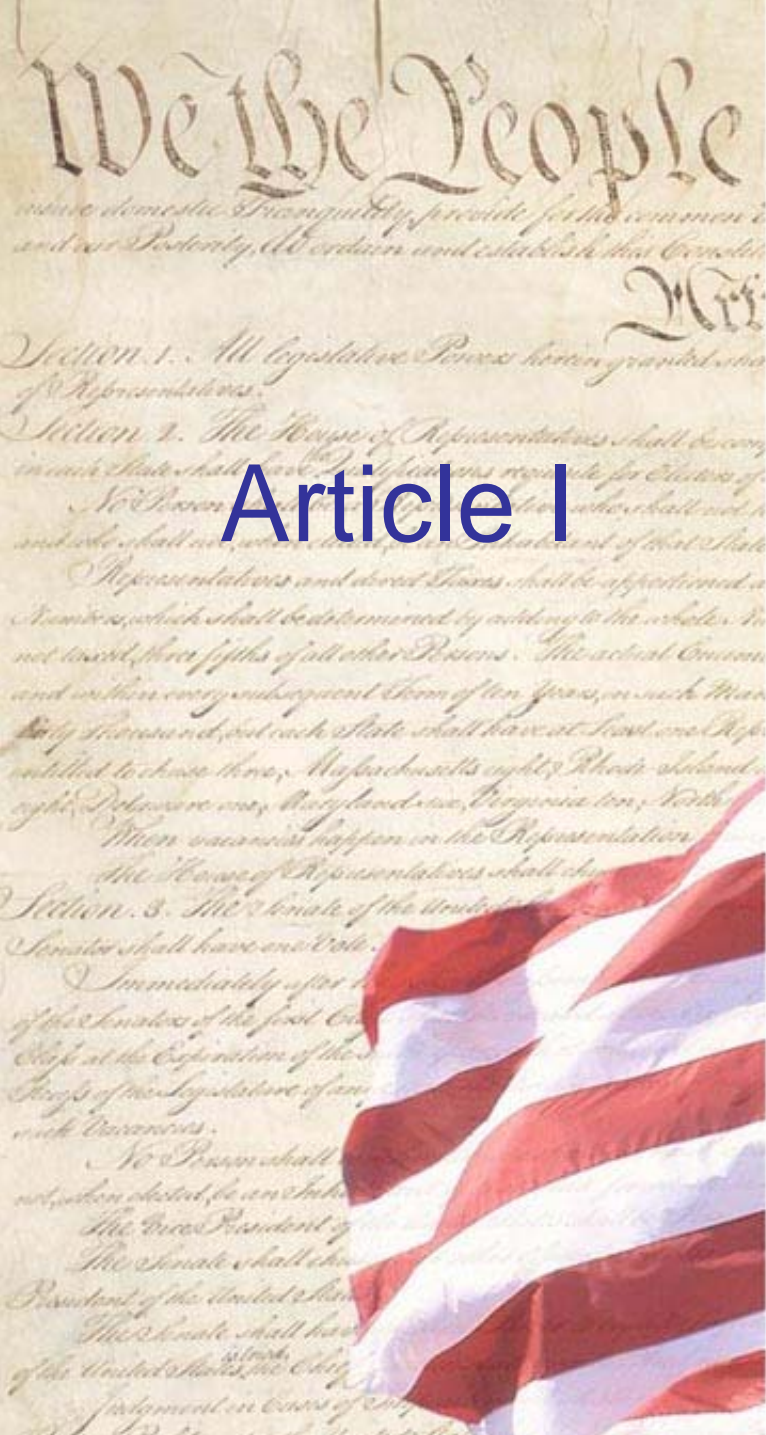
- **Section 1 - The Text**  
*All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.*
- **Section 2** specifies that the House of Representatives be composed of members who are chosen every two years by the people of the states. There are only three qualifications: a representative must be at least twenty-five years old, must have been a citizen of the United States for at least seven years, and must live in the state from which he or she is chosen. Efforts by both Congress and the states to add requirements for office, such as durational residency requirements or loyalty oaths, have been rejected by Congress and the courts.



- **Section 3 - The Meaning**

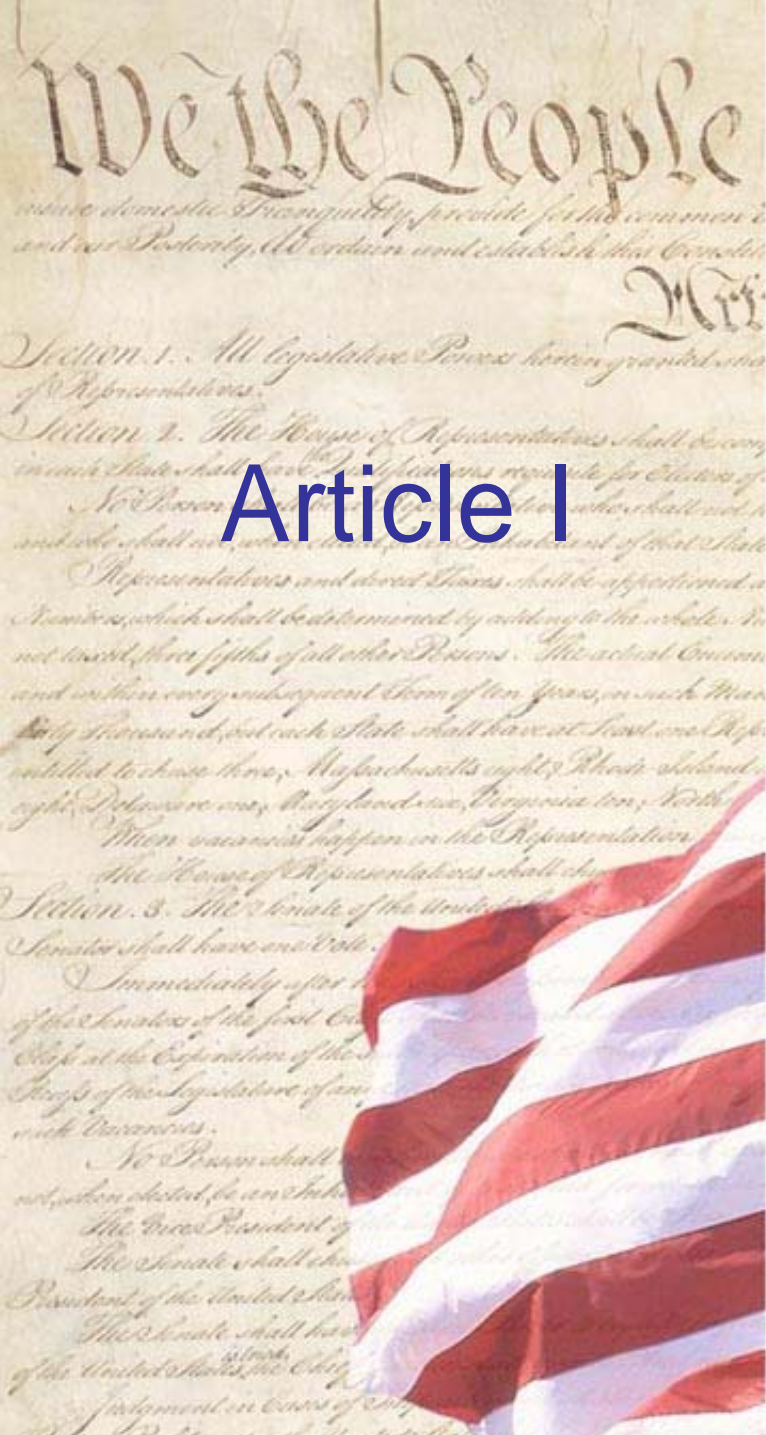
The Senate, which now has one hundred members, has two senators from each state. Until 1913, senators were elected by their state legislatures. But with the adoption of Amendment XVII, senators have been elected directly by the people of each state. There are several exclusive requirements to be a senator: he or she must be over thirty years of age, must have been an American citizen for at least nine years, and must live in the state he or she represents. Senators can serve for an unlimited number of six-year terms.

- Article I, Section 4 gives state legislatures the task of determining how congressional elections are held. For example, the state legislature determines when an election is scheduled, how voters can register, and where they can cast their ballots.



# Article I

- **Section 5 - The Meaning**  
The House of Representatives and the Senate are each in charge of deciding whether an election of one of its own members is legitimate. Like a judge, Congress has the power to hear witnesses to help them decide. Similarly, the House and Senate can establish their own rules, punish members for disorderly behavior and, if two-thirds agree, expel a member
- **Section 6 - The Meaning**  
Members of Congress are to be paid for their work from the U.S. Treasury. Amendment XXVII prohibits members from raising their own salaries in the current session, so congressional votes on pay increases do not take effect until the next session of Congress.

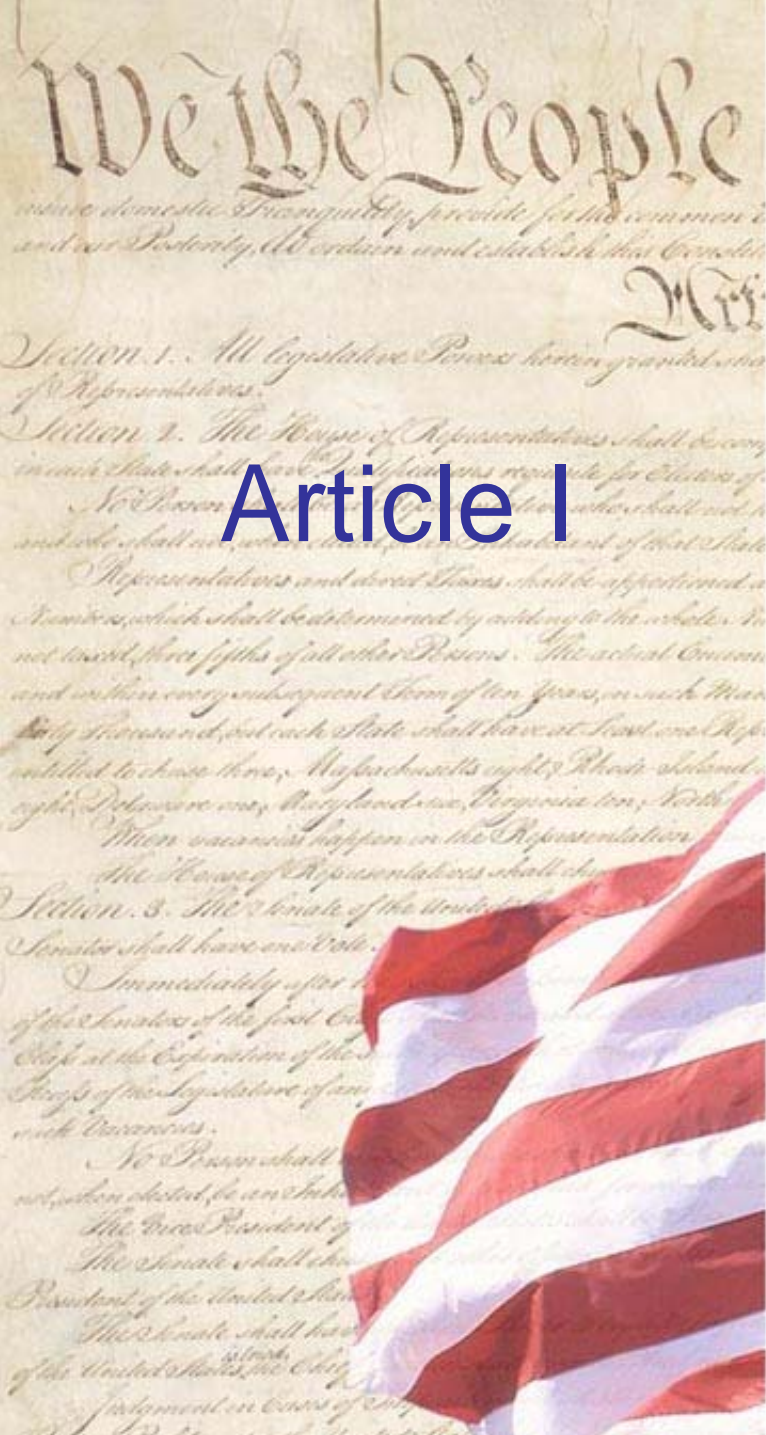


# Article I

- **Section 7 - The Meaning**

The House of Representatives must begin the process when it comes to raising and spending money. It is the chamber where all taxing and spending bills start. The Senate can offer changes and must ultimately approve the bills before they go to the President, but only the House can introduce a bill that involves taxes.
- **Section 8 - The Meaning**

Article I, Section 8 specifies the powers of Congress in great detail. These powers are limited to those listed and those that are “necessary and proper” to carry them out. All other lawmaking powers are left to the states. The First Congress, concerned that the limited nature of the federal government was not clear enough in the original Constitution, later adopted Amendment X, which reserves to the states or to the people all the powers not specifically granted to the federal government.



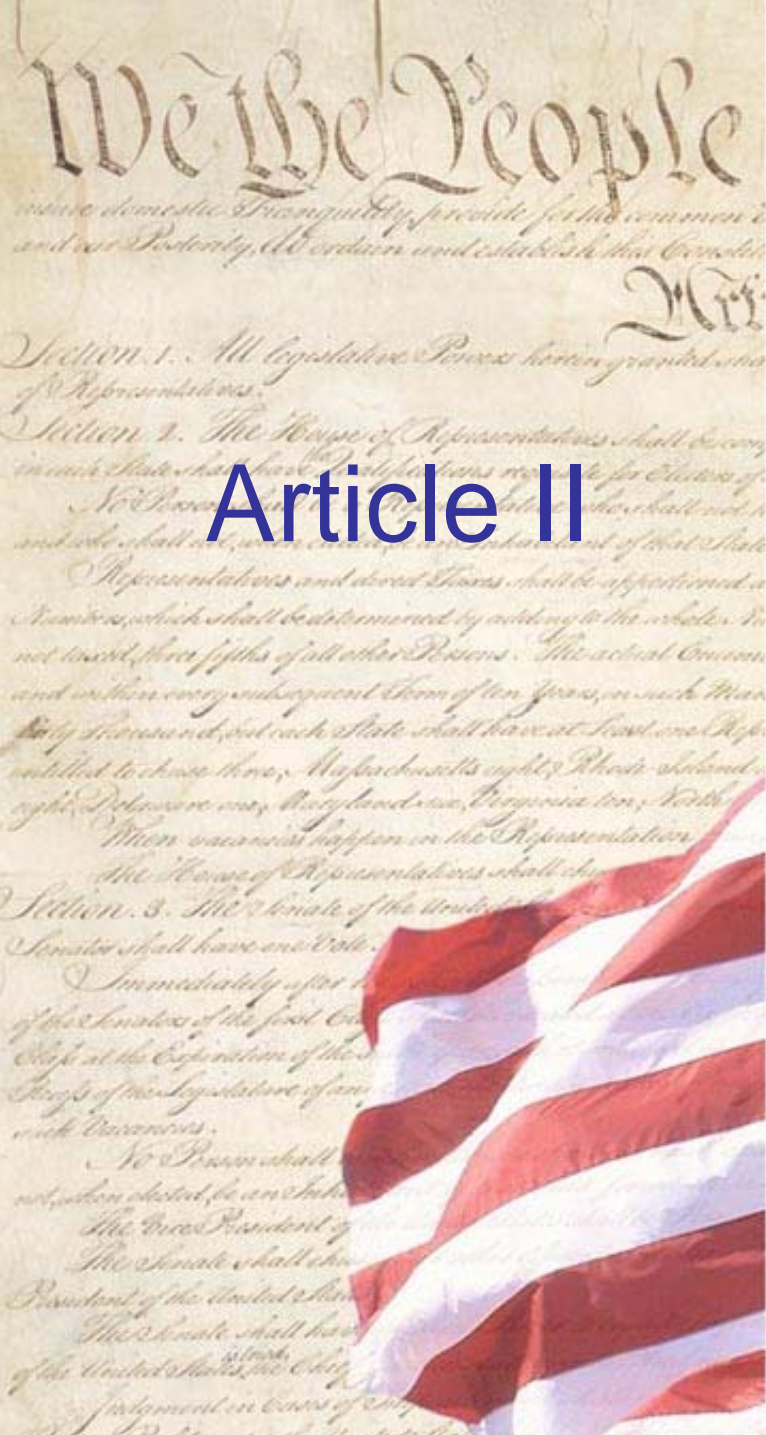
# Article I

- **Section 9 - The Meaning**

Article I, Section 9 specifically prohibits Congress from legislating in certain areas. In the first clause, the Constitution bars Congress from banning the importation of slaves before 1808.

- **Section 10 - The Meaning**

Article I, Section 10 limits the power of the states. States may not enter into a treaty with a foreign nation, since that power is given to the President, with the advice and consent of two thirds of the Senate present. States cannot make their own money nor can they grant any title of nobility.



# Article II

- **Section 1 - The Meaning**

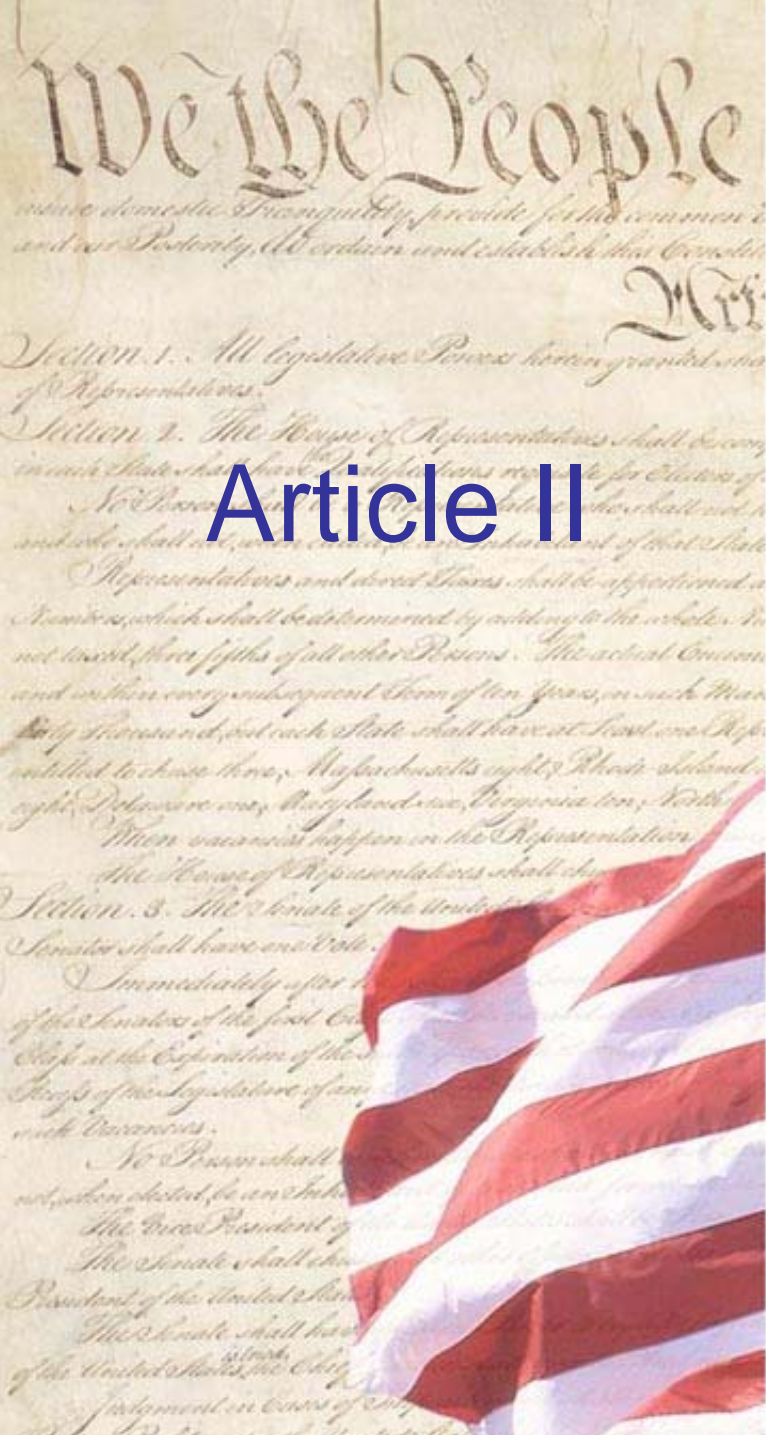
Article II, Section 1 establishes that the President has the power to run the executive branch of the government. This section, later modified by Amendments XII and XXV, outlines who is eligible to serve as President, establishes the Electoral College (the means by which the President and Vice President are elected), and authorizes Congress to determine who will replace the President and Vice President should they be unable to serve during their term of office.

- **Section 2 - The Meaning**

The President serves not only as the head of the executive branch of government, but also as the commander in chief of the armed forces (including state national guards when they are called on to serve with the federal armed forces).

As chief executive, the President runs the different executive agencies, like the Department of the Treasury or the Department of Health and Human Services.

The President has the power to pardon (let free) any person who has committed a federal crime, except in cases of impeachment.

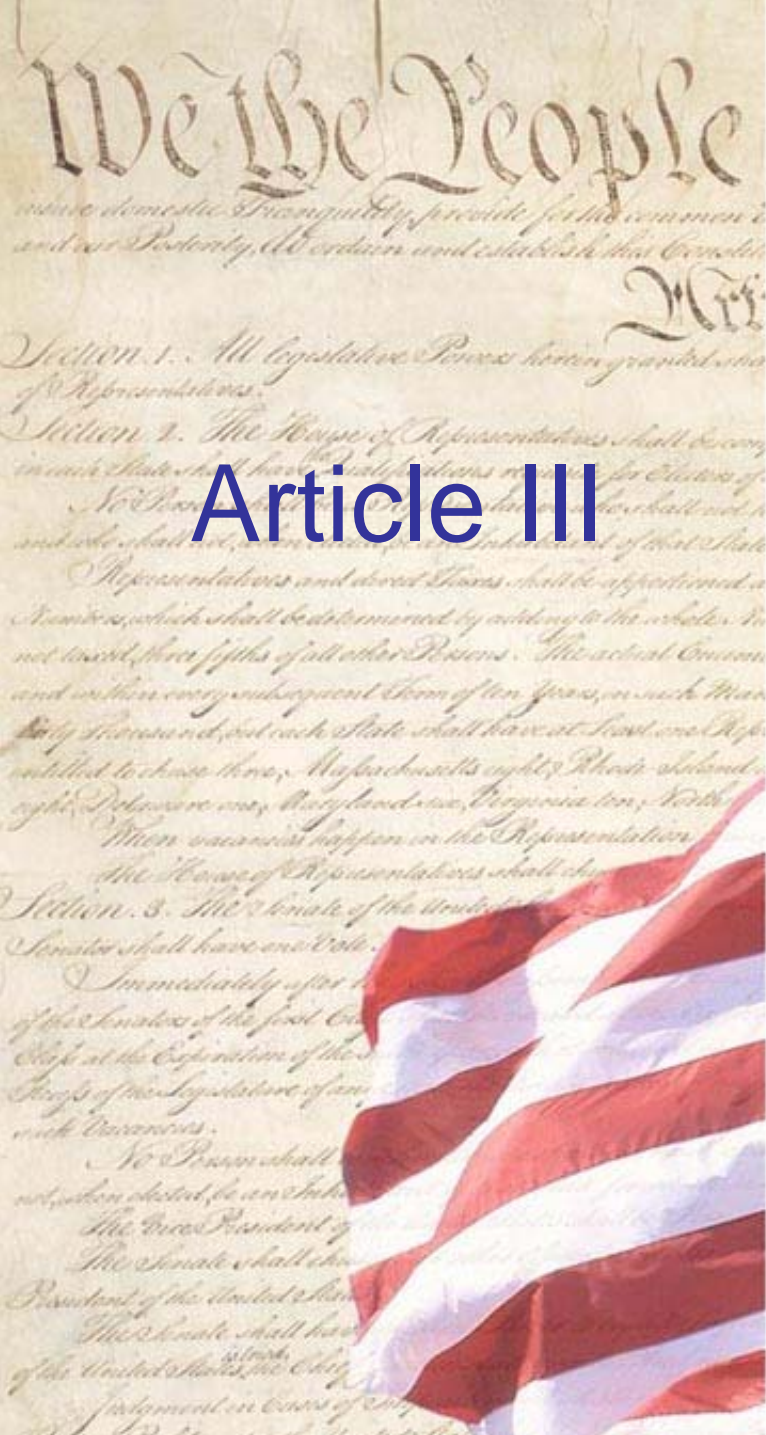


- **Section 3 - The Meaning**

During his or her term, the President must report to Congress about how things are going in the country. Every President from Jefferson to Taft fulfilled this duty with a written statement submitted to Congress. But in 1913, President Wilson resumed President Washington's practice of directly addressing a joint session of Congress. This "State of the Union" speech, a tradition which continues to this day, usually occurs in January or February each year.

- **Section 4 - The Meaning**

The Constitution provides that the President, Vice President, and other federal officers can be removed from office upon impeachment by the House and conviction by the Senate of treason, bribery, or other serious crimes. The process was begun only three times in U.S. history against a President—against President Andrew Johnson, President Richard Nixon (although he resigned before Congress could formally act), and President William Jefferson Clinton.



# Article III

- **Section 1 - The Meaning**

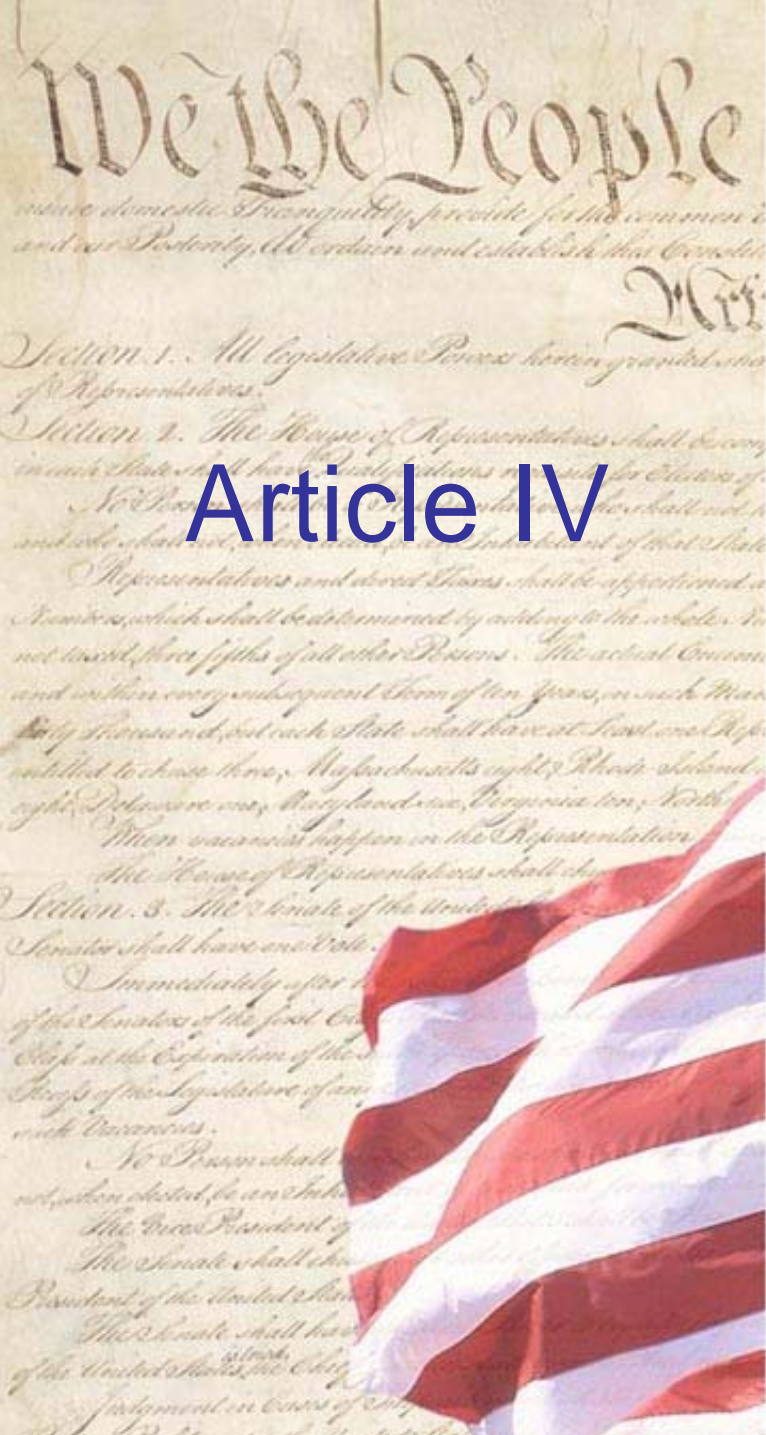
Article III establishes the federal court system. The first section creates the U.S. Supreme Court as the federal system's highest court. The Supreme Court has final say on matters of federal law that come before it. Today, the U.S. Supreme Court has nine justices who are appointed by the President with the approval of the Senate.

- **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.

- **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.

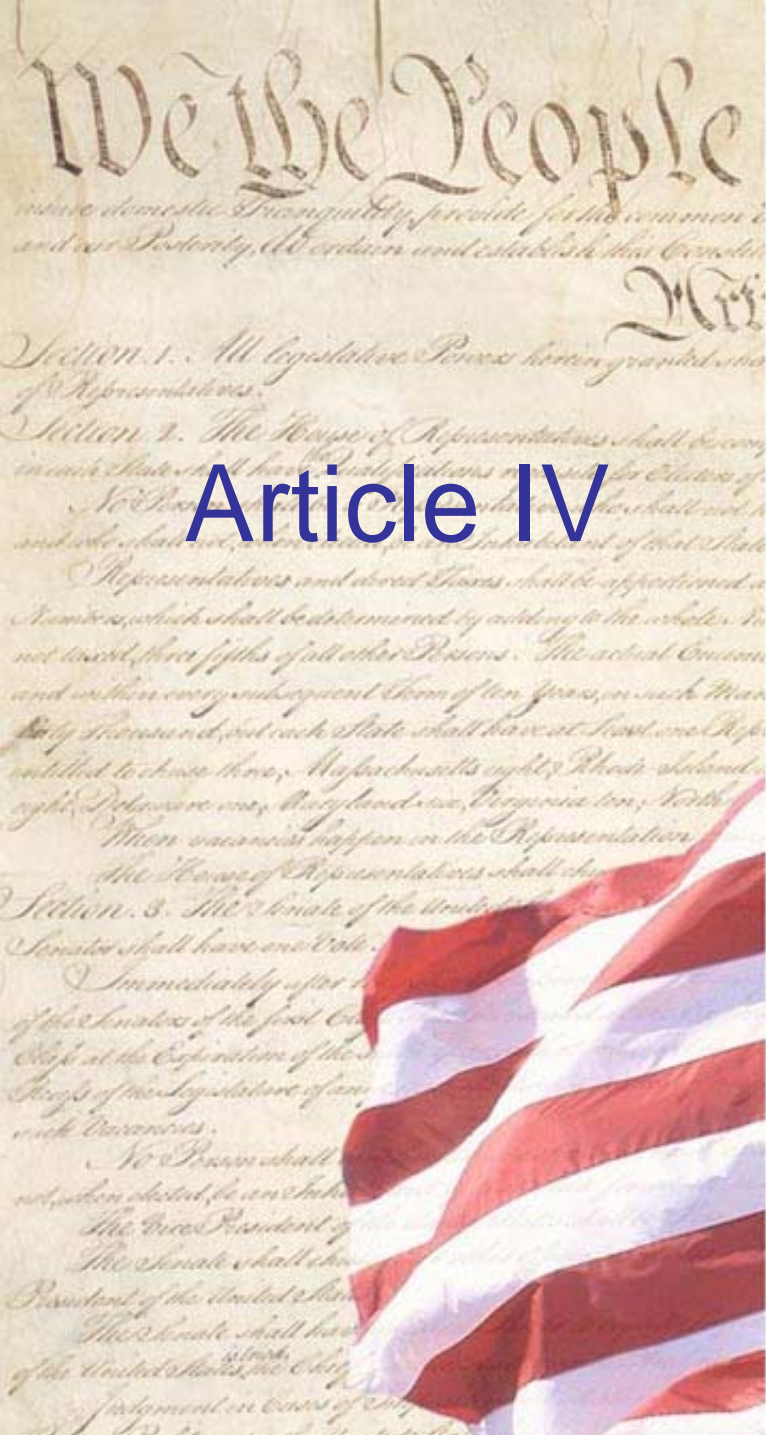


- **Section 1 - The Meaning**

Article IV, Section 1 ensures that states respect and honor the state laws and court orders of other states, even when their own laws are different. For example, if citizens of New Jersey marry, divorce, or adopt children in New Jersey, Florida must recognize these actions as valid even if the marriage or divorce would not have been possible under Florida law. Similarly, if a court in one state orders a person to pay money or to stop a certain behavior, the courts in other states must recognize and enforce that state's order.

- **Section 2 - The Meaning**

Article IV, Section 2 guarantees that states cannot discriminate against citizens of other states. States must give people from other states the same fundamental rights it gives its own citizens. For example, Arizona cannot prohibit New Mexico residents from traveling, owning property, or working in Arizona, nor can the state impose substantially different taxes on residents and nonresidents. But certain distinctions between residents and nonresidents—such as giving state residents a right to buy a hunting license at a lower cost—are permitted.

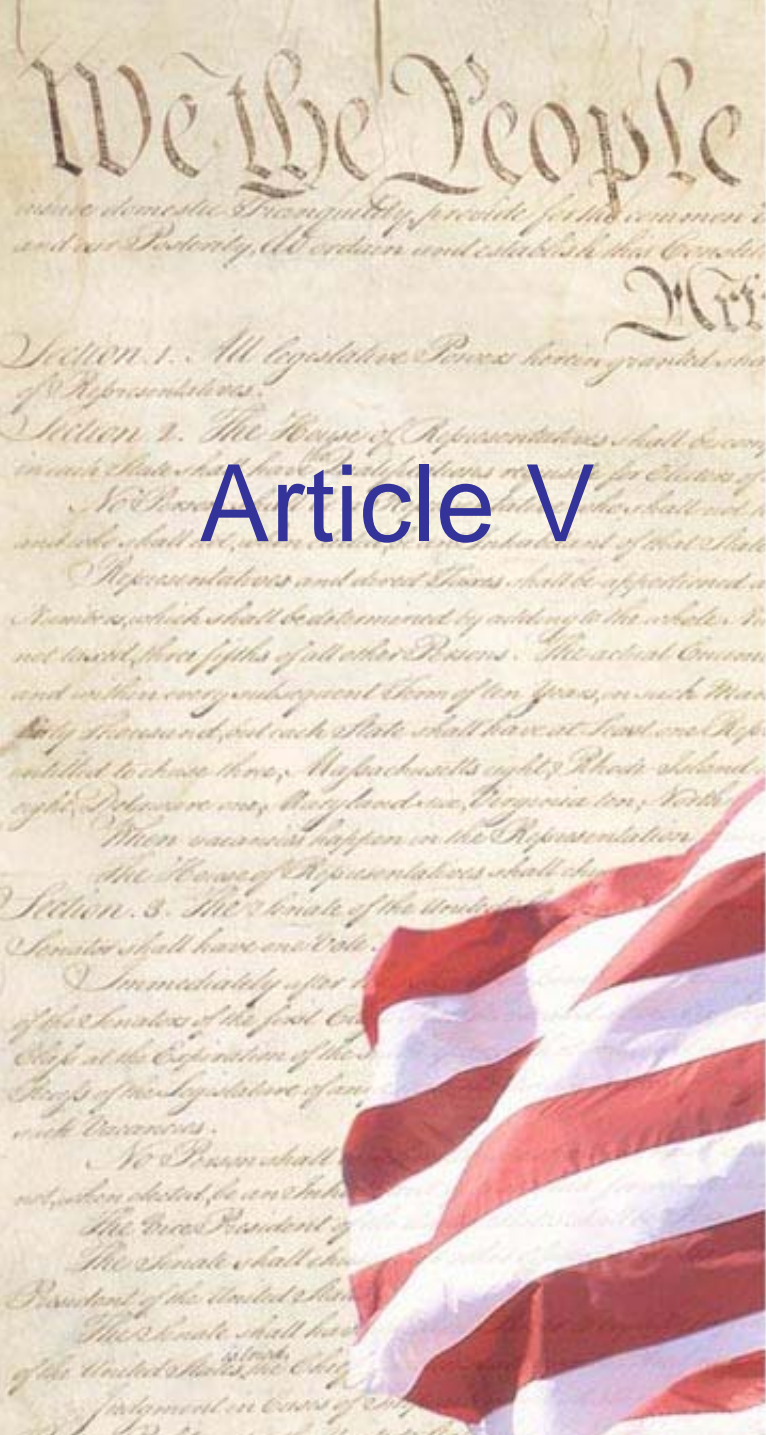


# Article IV

- **Section 3 - The Meaning**

Congress can admit new states into the Union, but a single state cannot create a new state within its boundaries. For example, the state of New York cannot make New York City a separate state. In addition, two states, or parts of states (i.e. Oregon and Idaho or Wilmington, Delaware, and Philadelphia, Pennsylvania) cannot become states without the consent of the various state legislatures and Congress. Although an original version of the Constitution included a requirement that each new state join the Union on equal footing with the other states, the language was removed before the document was approved. Nevertheless, Congress has always granted new states rights equal to those of existing states.
- **Section 4 - The Meaning**

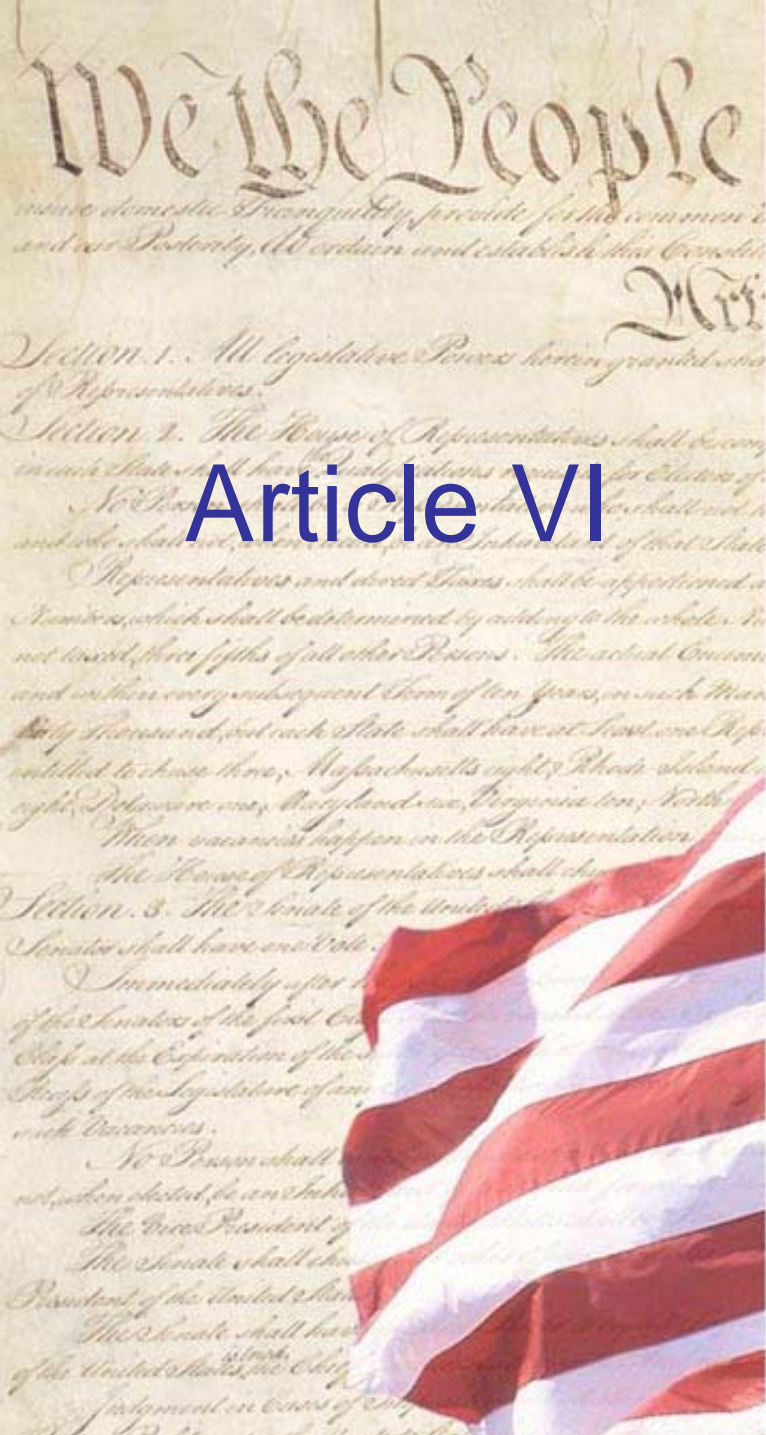
This provision, known as the guarantee clause, is attributed to James Madison. It has not been widely interpreted, but scholars think it ensures that each state be run as a representative democracy, as opposed to a monarchy (run by a king or queen) or a dictatorship (where one individual or group of individuals controls the government). Courts however have been reluctant to specify what exactly a republican form of government means, leaving that decision exclusively to Congress.



# Article V

- **Section 1 - The Text**

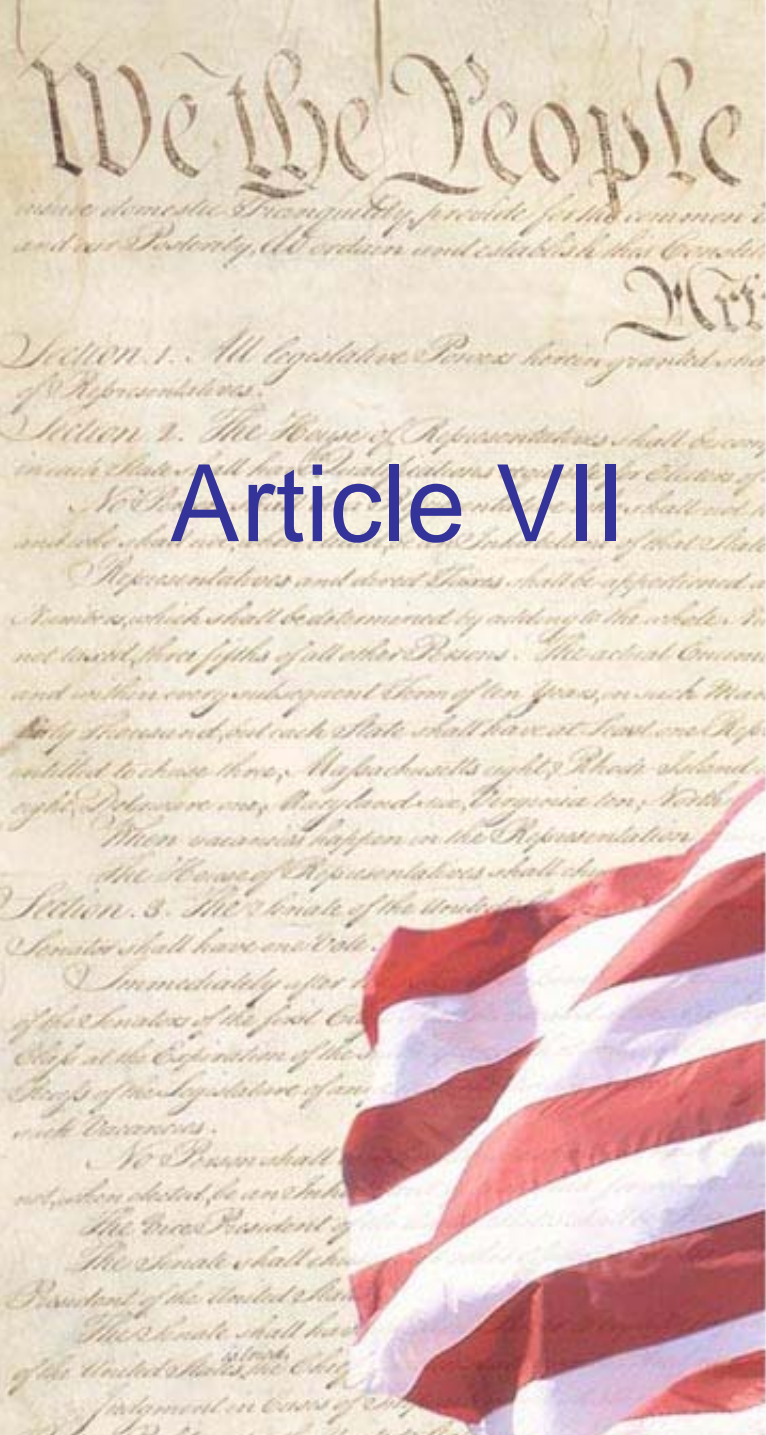
The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents 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 hundred 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.



# Article VI

- **Section 1 - The Meaning**

Often referred to as the supremacy clause, this article says that when state law is in conflict with federal law, federal law must prevail. Because of the great number of federal and state laws, many of which deal with the same or similar topics, there have been many lawsuits claiming that state laws conflict with federal laws and are therefore invalid. In these lawsuits, the Supreme Court generally looks at whether Congress has established a national regulatory scheme and if so, states cannot regulate in that area.

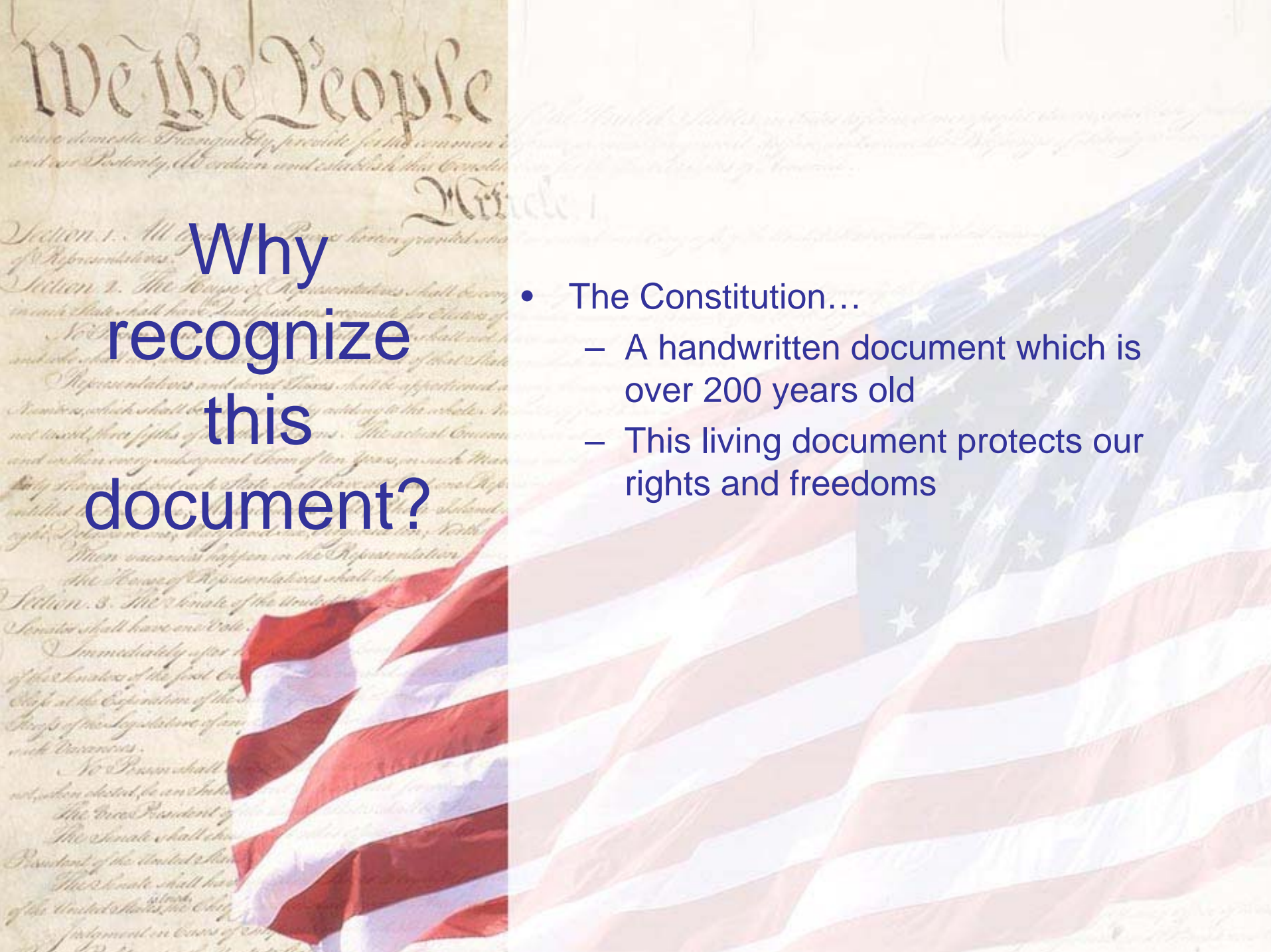


# Article VII

- **Section 1 - The Meaning**

All of the states, except Rhode Island held conventions to ratify the Constitution, although North Carolina's convention adjourned without voting on the document. Delaware was the first state to ratify the Constitution in 1787 and New Hampshire became the ninth state to ratify on June 21, 1788.

The new government began with the convening of the first federal Congress on March 4, 1789. Both North Carolina (in 1789) and Rhode Island (in 1790) ratified the Constitution after Congress passed the Bill of Rights and sent it to the states for ratification.



# Why recognize this document?

- The Constitution...
  - A handwritten document which is over 200 years old
  - This living document protects our rights and freedoms



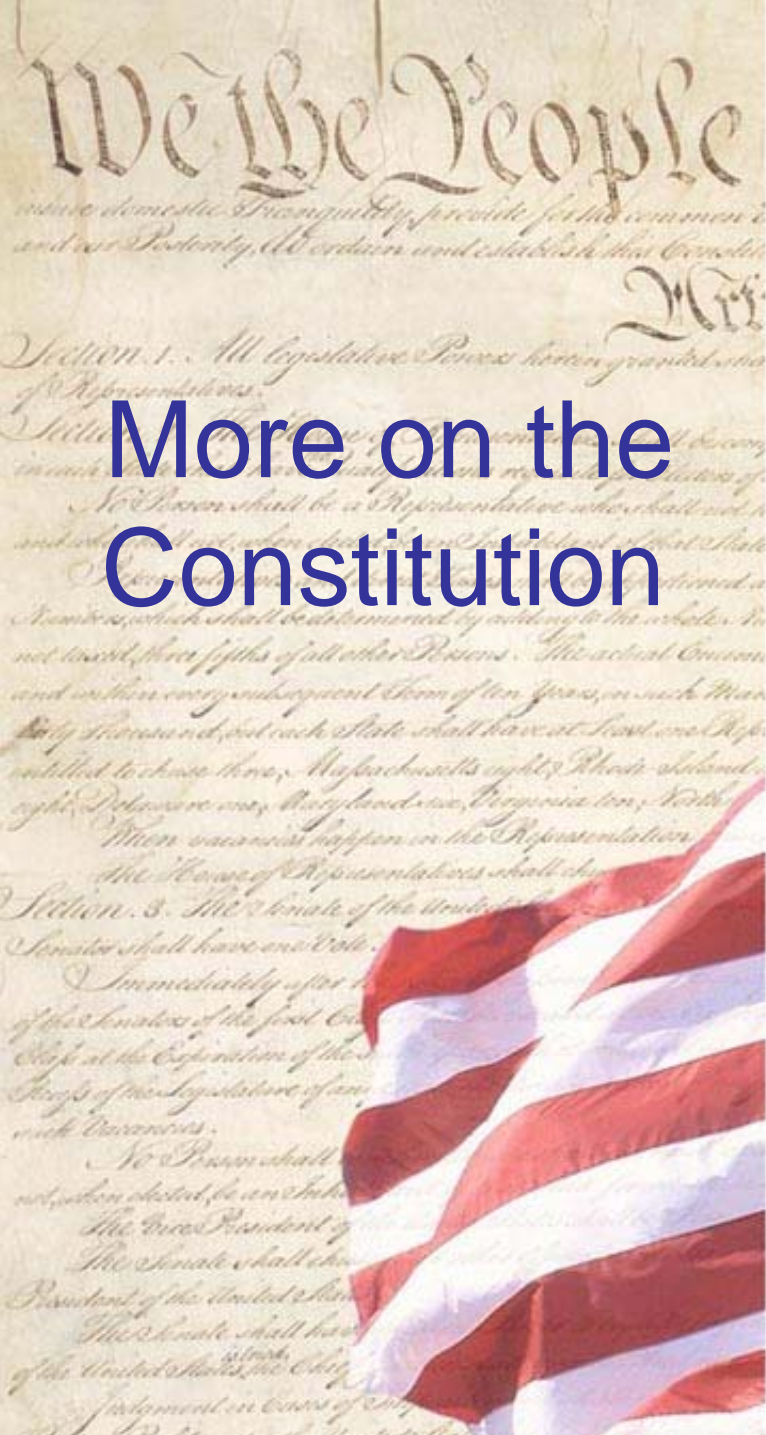
# More on the Constitution

**Does the Constitution give us our rights and liberties?**

*No, it only guarantees them.*

**What constitutes the Bill of Rights?**

*The first ten amendments of the Constitution*



# More on the Constitution

**How long did it take to frame the Constitution?**

*It was drafted in fewer than one hundred working days.*

**Who was called the “Father of the Constitution?”**

*James Madison of Virginia*



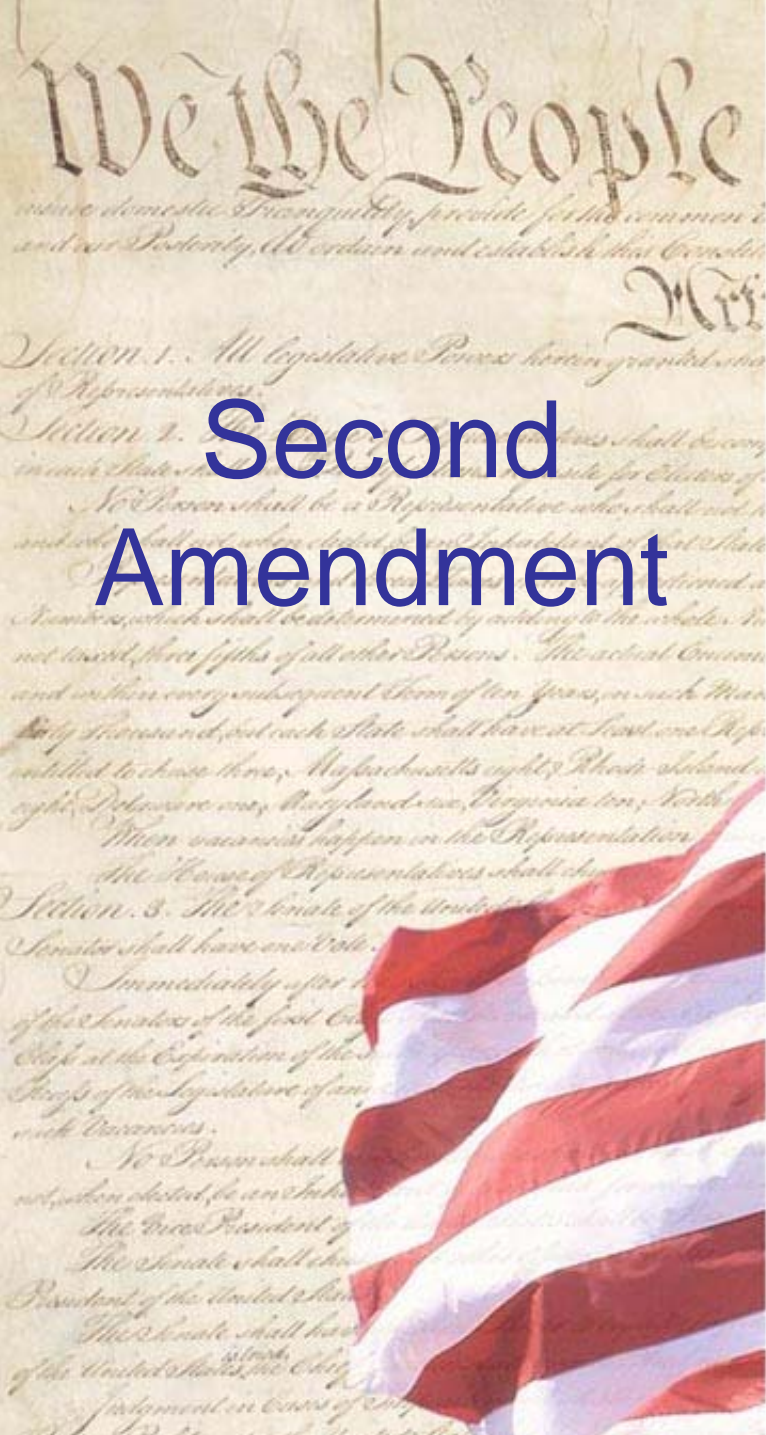
# Bill of Rights

- Not included in the 1787 Constitution
- Added two years later
- Ten amendments



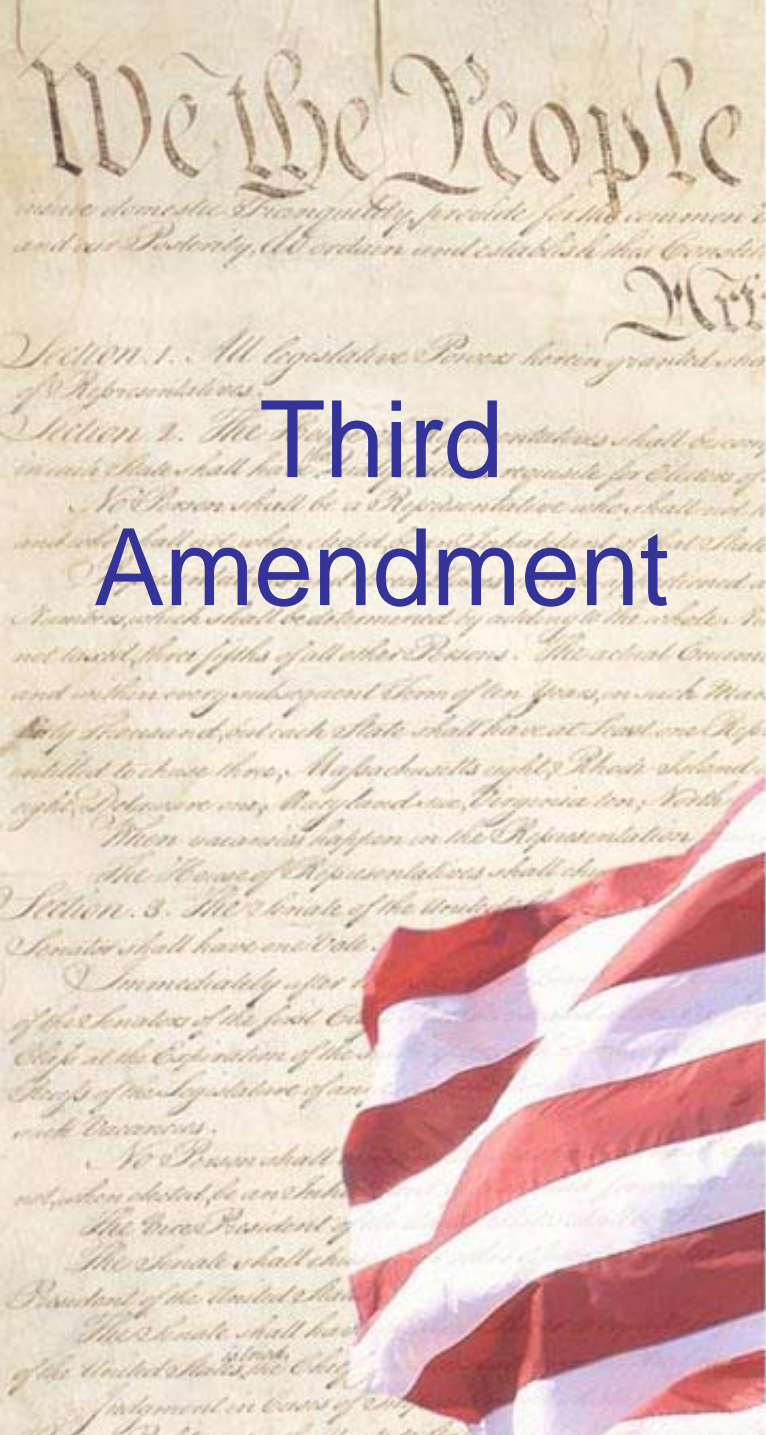
# First Amendment – Freedom of Speech

- **First Amendment - The Meaning**  
Freedom of Speech and of the Press:  
The First Amendment allows citizens to express and to be exposed to a wide range of opinions and views. It was intended to ensure a free exchange of ideas even if the ideas are unpopular.



# Second Amendment

- **Second Amendment - The Meaning**  
Right to Bear Arms: The principal debate surrounding the Second Amendment concerns whether the right to use and buy guns belongs to individuals or only to a militia. Although the courts generally have held that the right applies to individuals, they have permitted the government to limit some rights of gun manufacturers, owners and sellers.



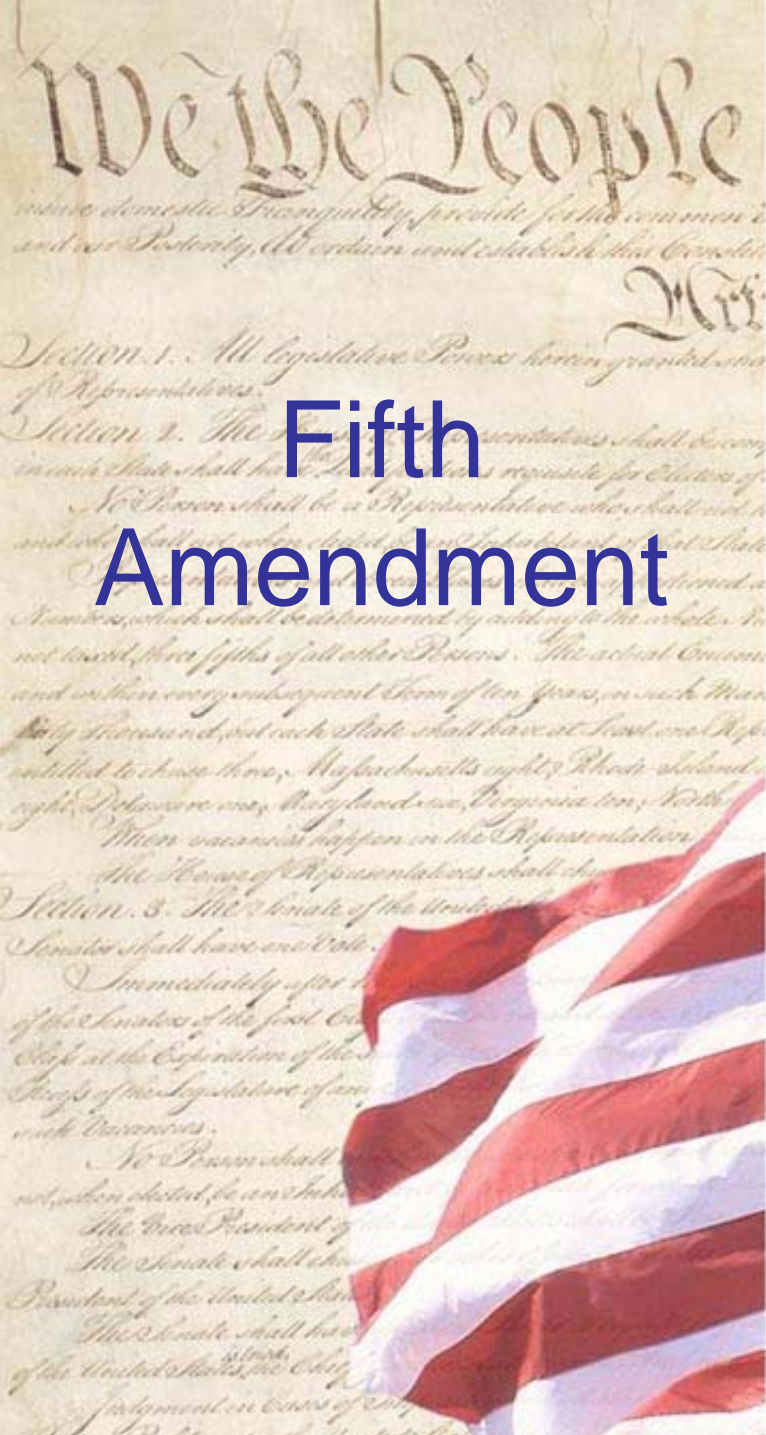
# Third Amendment

- **Third Amendment - The Meaning**  
The Third Amendment is intended to protect citizens' rights to the ownership and use of their property without intrusion by the government. The drafters of the Constitution, like many other colonists, were resentful of laws, in place before the Revolutionary War, that allowed British soldiers to take over private homes for their own use. Thus, the amendment bars the government from forcing individuals to provide lodging to soldiers in their homes, except during war when the interest of national security may override an individual's right of private property.

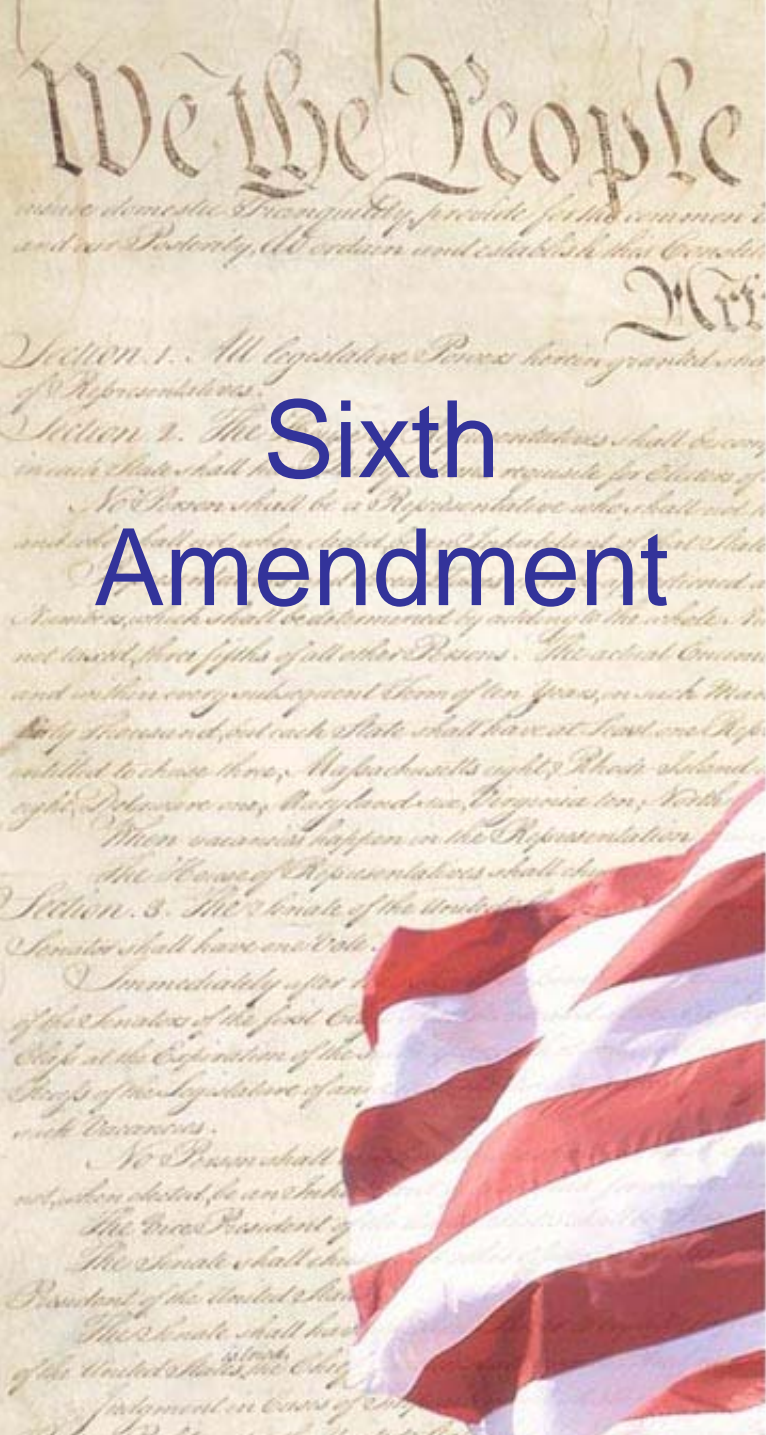


# Fourth Amendment

- **Fourth Amendment - The Meaning**  
Protection against Unreasonable Search and Seizure: The Fourth Amendment protects people against unreasonable searches and seizures by government officials. A search can mean everything from a frisking by a police officer to a blood test to a search of an individual's home or car. A seizure occurs when the government takes control of an individual or something in his or her possession. Items that are seized often are used as evidence when the individual is charged with a crime.

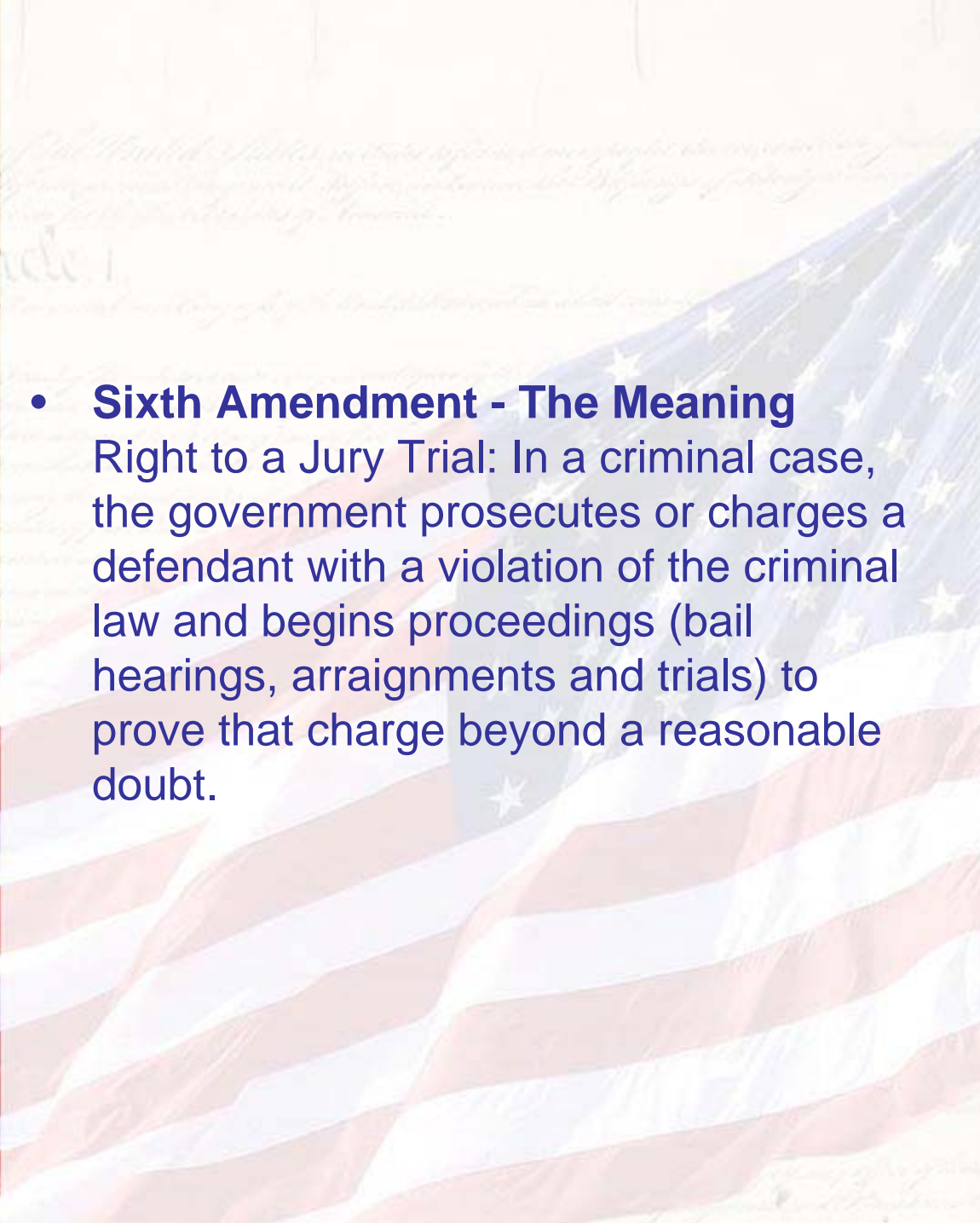


- **Fifth Amendment - The Meaning**  
Grand Jury Protection: The Fifth Amendment requirement that serious federal criminal charges be started by a grand jury (a group of citizens who hear evidence from a prosecutor about potential crimes) is rooted in English common law. Its basic purpose is to provide a fair method for beginning criminal proceedings against those accused of committing crimes. Grand jury charges can be issued against anyone except members of the military, who are instead subject to courts-martial in the military justice system.



# Sixth Amendment

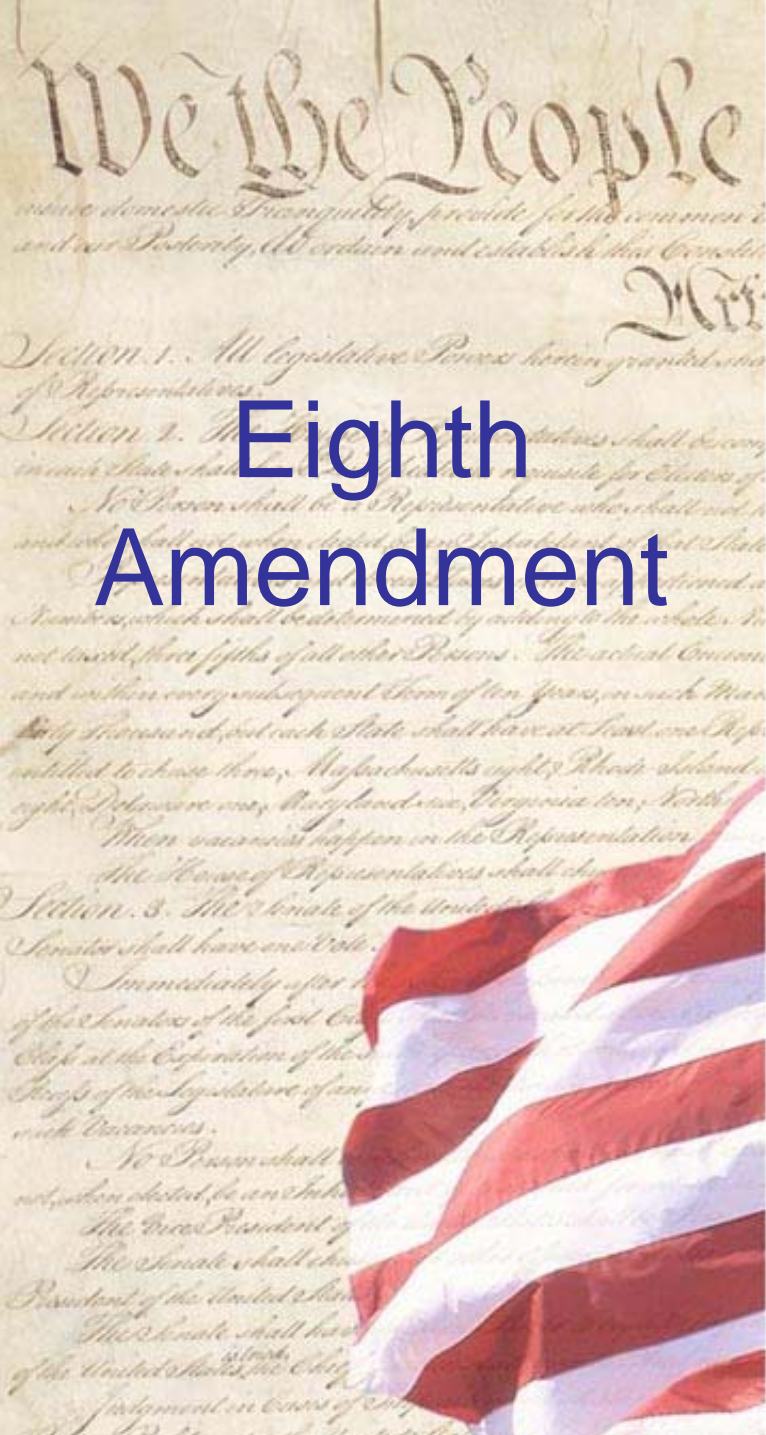
- **Sixth Amendment - The Meaning**  
Right to a Jury Trial: In a criminal case, the government prosecutes or charges a defendant with a violation of the criminal law and begins proceedings (bail hearings, arraignments and trials) to prove that charge beyond a reasonable doubt.





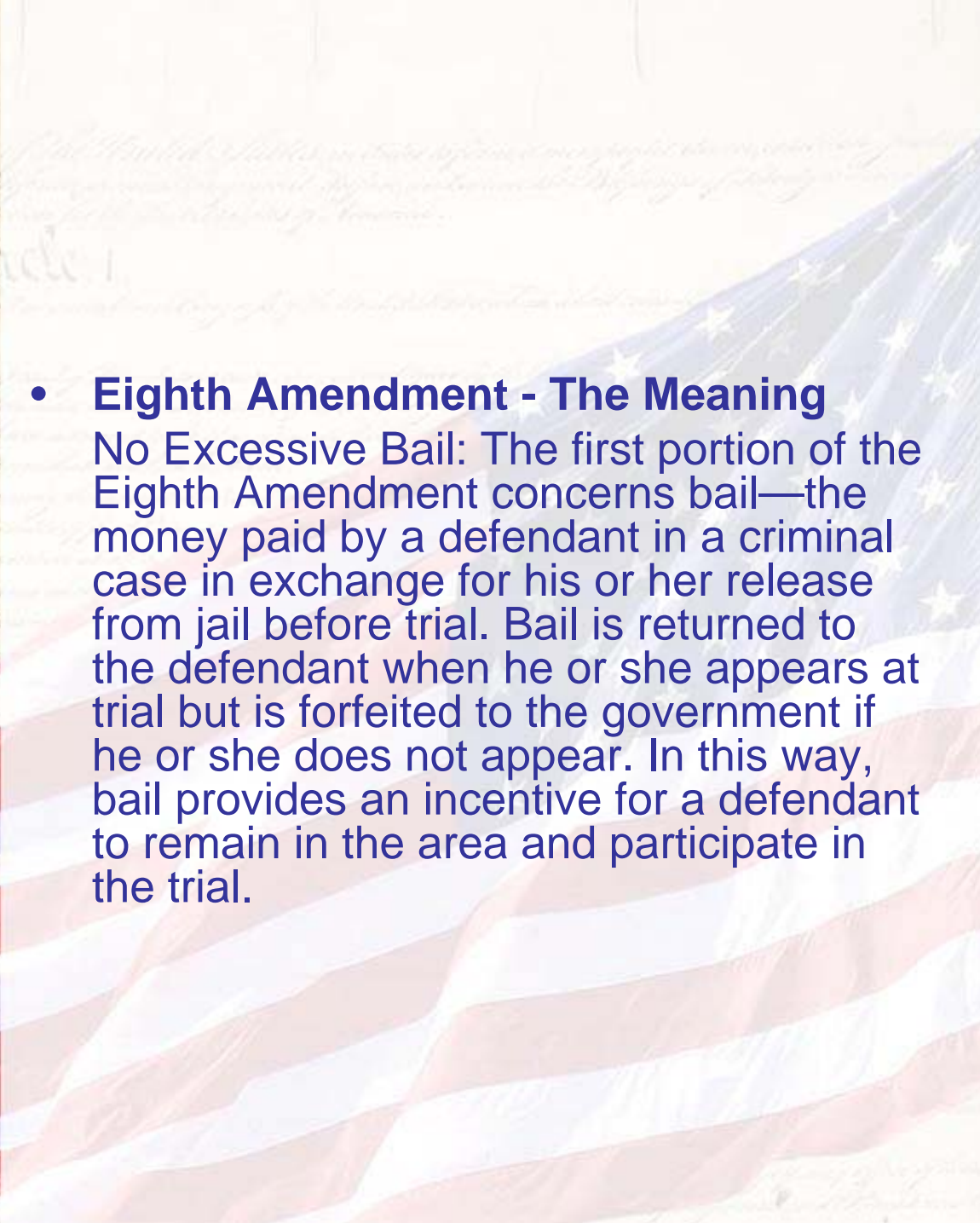
# Seventh Amendment

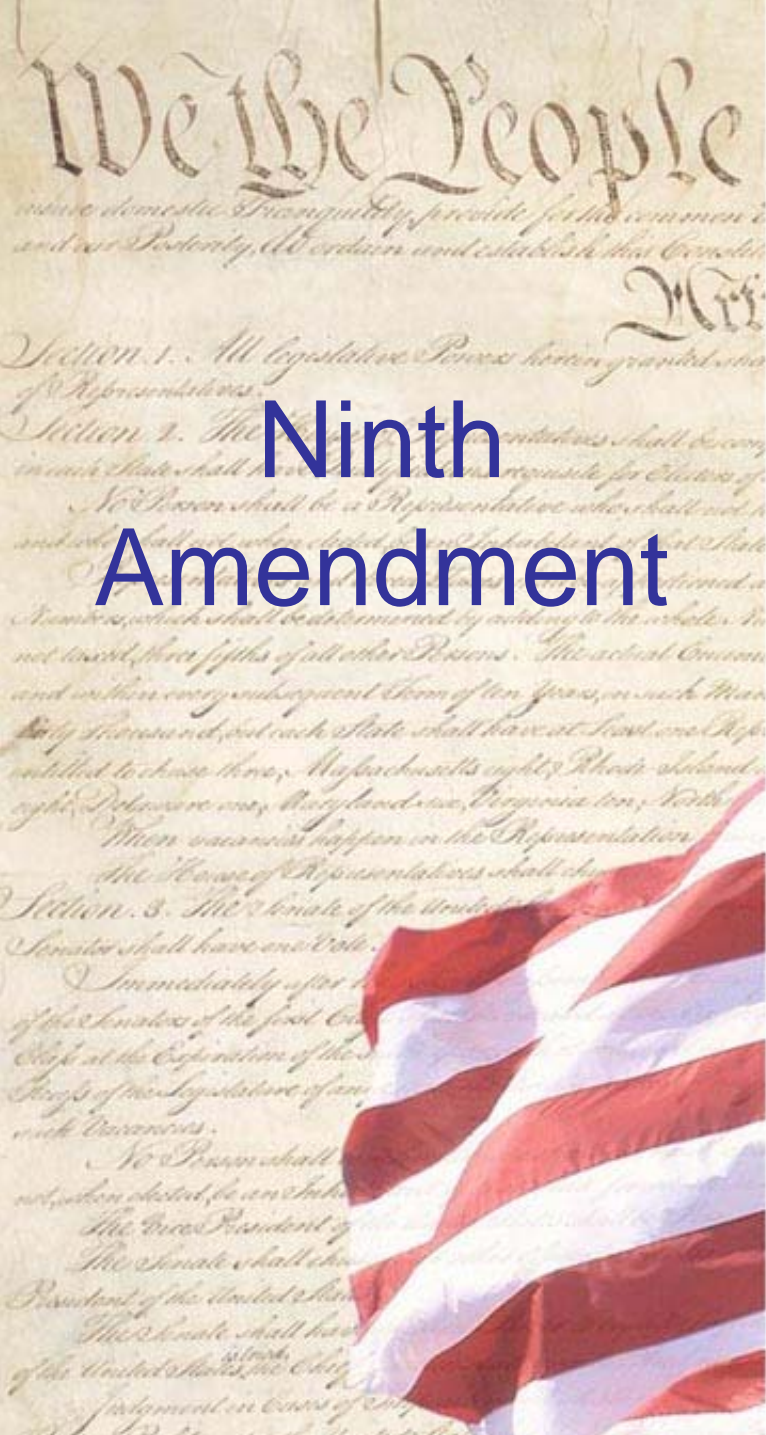
- **Seventh Amendment - The Meaning**  
The Seventh Amendment extends the right to a jury trial to federal civil cases such as car accidents, disputes between corporations for breach of contract, or most discrimination or employment disputes. In civil cases, the person bringing the lawsuit (the plaintiff) seeks money damages or a court order preventing the person being sued (the defendant) from engaging in certain conduct. To win, the plaintiff must prove his or her case by “a preponderance of the evidence,” that is by over fifty percent of the proof.



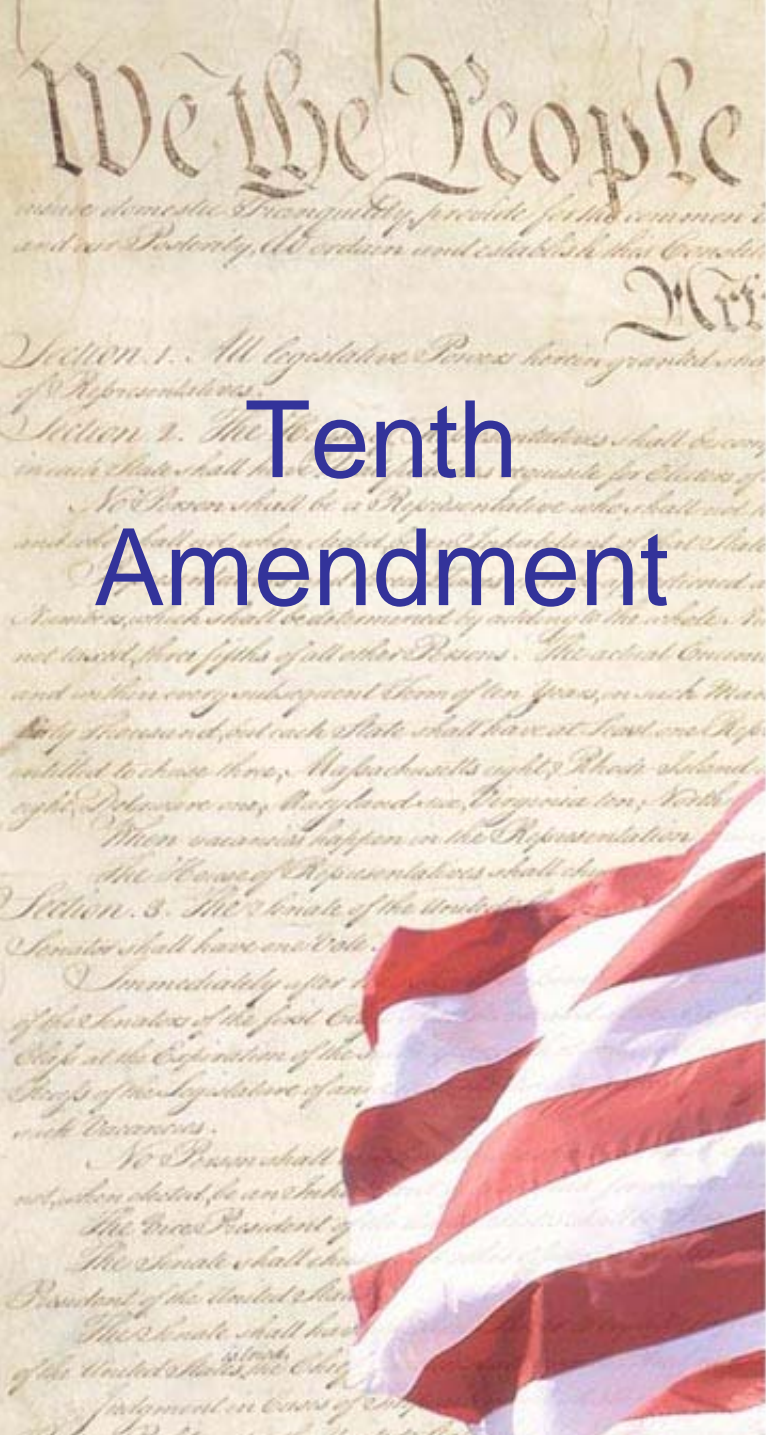
# Eighth Amendment

- **Eighth Amendment - The Meaning**  
No Excessive Bail: The first portion of the Eighth Amendment concerns bail—the money paid by a defendant in a criminal case in exchange for his or her release from jail before trial. Bail is returned to the defendant when he or she appears at trial but is forfeited to the government if he or she does not appear. In this way, bail provides an incentive for a defendant to remain in the area and participate in the trial.





- **Ninth Amendment - The Meaning**  
The Ninth Amendment is a constitutional safety net intended to make clear that individuals have other fundamental rights, in addition to those listed in the First through Eighth Amendments. Some of the framers had raised concerns that because it was impossible to list every fundamental right, it would be dangerous to list just some of them (for example, the right to free speech, the right to bear arms, and so forth), for fear of suggesting that the list was complete.



# Tenth Amendment

- **Tenth Amendment - The Meaning**  
The Tenth Amendment was included in the Bill of Rights to further define the balance of power between the federal government and the states. The amendment says that the federal government has only those powers specifically granted by the Constitution. These powers include the power to declare war, to collect taxes, to regulate interstate business activities and others that are listed in the articles.



# Bill of Rights

- An additional 17 amendments have been made to the Constitution
- Most recent change was made in 1992

# 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 hereby constitute 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 of Citizenship of the United States, and who, when elected, shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and electors 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 in every subsequent Term of ten Years, in such Manner as they shall direct. The Number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative, and each Representative shall have the Qualification of Electors in the State in which he shall be chosen. No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and seven Years of Citizenship of the United States, and who, when elected, shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Section 3. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

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Section 21. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

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Section 23. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 24. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 25. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

After the text of the Constitution had been agreed upon, Jacob Shallus, an assistant clerk of the Pennsylvania State Assembly, was the penman who wrote the document prior to signing.



# Links

- Notice of Implementation  
<http://www.ed.gov/legislation/FedRegister/other/2005-2/052405b.html>
- Constitution Day, Inc.  
<http://www.constitutionday.com>
- Justice Learning  
<http://www.justicelearning.org/constitutionday.asp>
- National Archives and Records Administration  
[http://www.archives.gov/national\\_archives\\_experience/charters/constitution.html](http://www.archives.gov/national_archives_experience/charters/constitution.html)
- The United States Constitution – 1789  
<http://www.house.gov/Constitution/Constitution.html>
- Student Affairs Administrators in Higher Education  
<http://naspa.org/policy/guide.pdf>



# References

## Websites:

- Justice Learning -  
[www.justicelearning.org](http://www.justicelearning.org)
- National Archives and Records Administration  
[http://www.archives.gov/national\\_archives\\_experience/charters/constitution.html](http://www.archives.gov/national_archives_experience/charters/constitution.html)

## Video:

Committee For Citizen Awareness -  
*"WE THE PEOPLE... The U.S. Constitution and You"...*