

# Celebrate CONSTITUTION DAY

GOT FREE SPEECH?  
WHY DO WE HAVE A  
CONSTITUTION?



**Use the Newspaper**  
to learn about the  
First Amendment



# CELEBRATE CONSTITUTION DAY!



**In 1776, the thirteen colonies declared independence from England. They won the Revolutionary War and became the United States of America.**

In the summer of 1787, 55 people from 12 of the 13 states met in Philadelphia to write a new plan of government for the young nation. This meeting was called the Constitutional Convention. The delegates' goal was to keep the spirit of 1776 alive, and make sure that future generations would live in liberty.

The delegates had trouble agreeing on things at first. What powers should the national government have? How long should the president serve? How should states be represented in Congress? Weeks went by, and they could not see eye to eye.

Then, what George Washington called “little short of a miracle” happened. The Convention came up with a plan that was acceptable to just about all of the delegates. On September 17, 1787, the Constitution of the United States of America was completed and signed by 39 of the delegates. (Some had left as the Convention went on, but three others refused to sign the Constitution in protest.)

The Constitution was sent to the states for approval (called ratification.) Once nine states had ratified it in 1789, the Constitution became the law of the land for those states. The rest of the states soon followed. The Constitution has been in force longer than any written constitution in the world today.



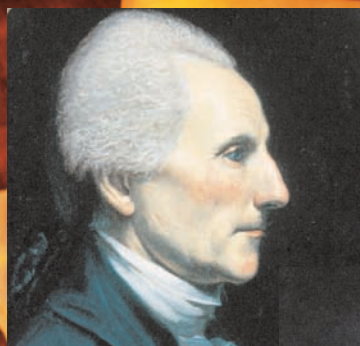
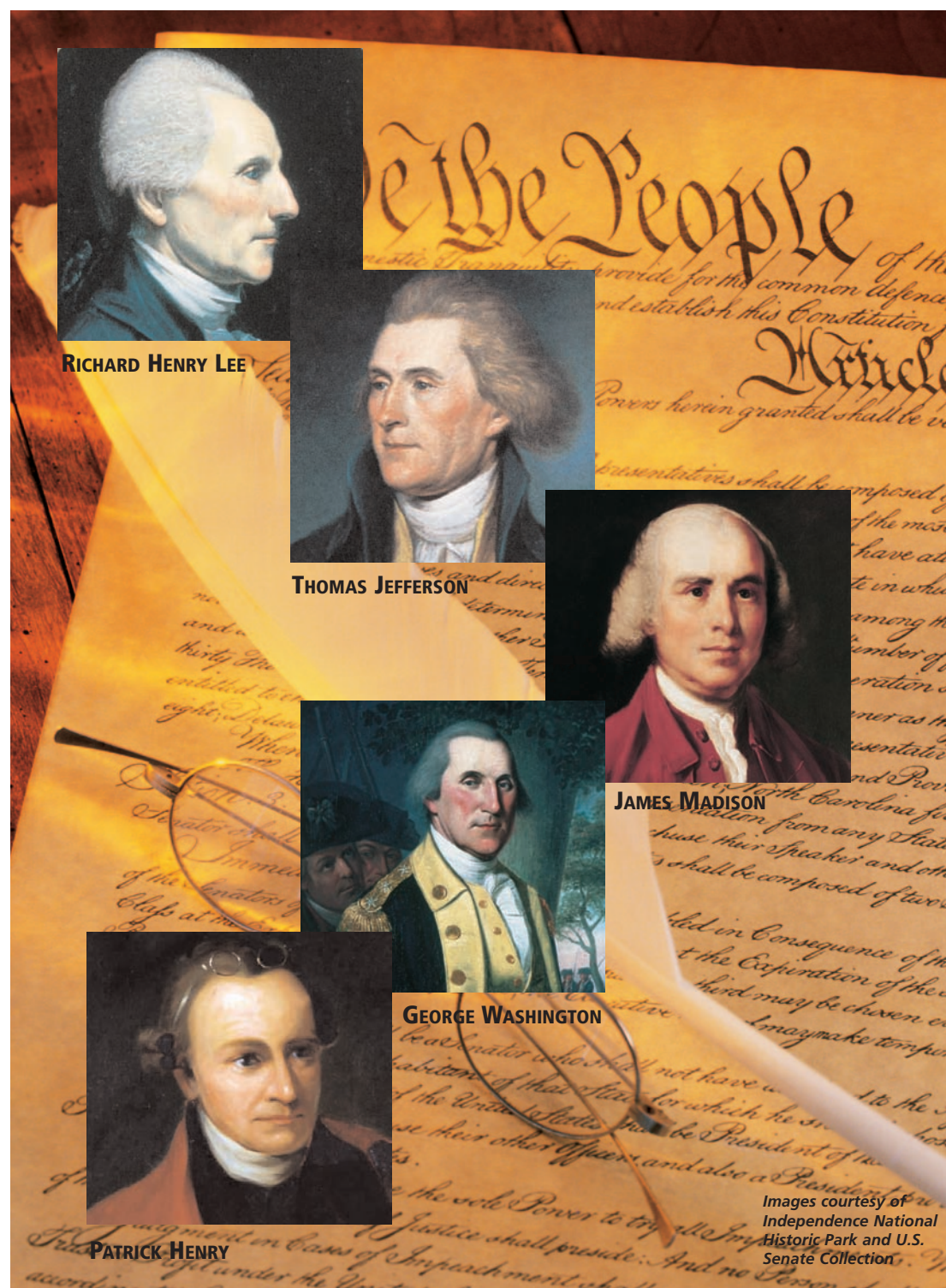
Graphic design by Hot Topics Hot Serials/Marsha Gilbert Sanchez

# What did the Founders want?

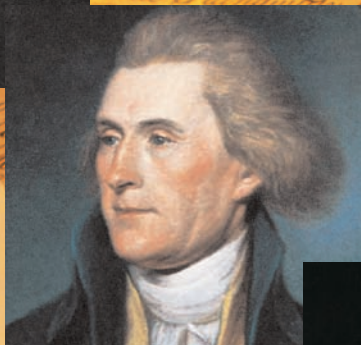
The American colonists were on another continent now. But they believed they still had the "rights of Englishmen." Long before the Revolution, the colonists had made their rights a part of colonial law.

Then they saw British officials search their homes and business at any time, for any reason. They watched their friends thrown in jail, sometimes without a jury trial, and with sentences that were way too long for the crime. Their weapons were taken away. Newspapers were restricted. It became too much. The colonists protested and petitioned the British government. The conflict reached a breaking point in 1776. Americans realized they needed self-government and issued a Declaration of Independence.

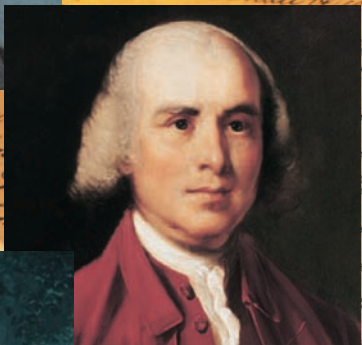
After the Revolution, the states united under the Articles of Confederation. This system of government did not work out for the new nation. The Founders decided to write a new constitution. They called a Convention for the summer of 1787. They wanted the United States Constitution to be a national system for self-government that protected rights.



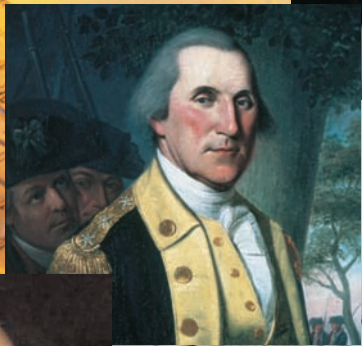
RICHARD HENRY LEE



THOMAS JEFFERSON



JAMES MADISON



GEORGE WASHINGTON



PATRICK HENRY

Images courtesy of Independence National Historic Park and U.S. Senate Collection

## First Amendment in Action! Politicians in Cartoons



Go to the editorial page and find a political cartoon depicting someone in government. How does the cartoonist represent the person's features? What do you think the cartoonist is trying to say about the person?

# FOUNDERS MATCH GAME

Here are pictures of some of the Founders. See if you can match each quote with the Founder who said it, and write the name on the line provided. You can check your answers at the bottom of the page.

1. Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel.

Founder: \_\_\_\_\_

2. If men were angels, no government would be necessary.

Founder: \_\_\_\_\_

3. The will of the people is the only legitimate foundation of any government.

Founder: \_\_\_\_\_

4. Your love of liberty - your respect for the laws - your habits of industry - and your practice of the moral and religious obligations, are the strongest claims to national and individual happiness.

Founder: \_\_\_\_\_

5. It must never be forgotten that the liberties of the people are not so safe under the gracious manner of government as by the limitation of power.

Founder: \_\_\_\_\_

Answers: 1. Patrick Henry, 2. James Madison, 3. Thomas Jefferson, 4. George Washington, 5. Richard Henry Lee

# What does the Constitution Say?

These quotes are all from the Constitution. Each one shows you how the Constitution reflects the following principles.

## Federalism

*Congress shall have the power...To regulate commerce with foreign nations, and among the several states, and with the Indian tribes...(Article I)*

*This Constitution...shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding. (Article VI)*



## Republican Government

*The United States shall guarantee to every state in this union a republican form of government...*

*Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress... (Article I)*

## Limited Government

*The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it...No bill of attainder or ex post facto Law shall be passed. (Article I)*

*The powers not 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 Tenth Amendment, 1791).*



## Individual Rights

*The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. (Article IV)*

*The trial of all crimes, except in cases of impeachment, shall be by jury... (Article III)*



## Separation of Powers/ Checks and Balances

*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. (Article I)*

*Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States...(Article I)*

*The executive power shall be vested in a President of the United States of America. (Article II)*

*The judicial power shall extend to all cases, in law and equity, arising under this Constitution...(Article III)*

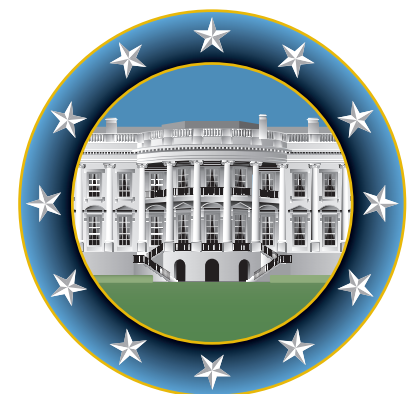
## Popular Sovereignty

*The House of Representatives shall be composed of members chosen every second year by the people of the several states... (Article I)*

*No title of nobility shall be granted by the United States... (Article I)*

### First Amendment in Action!

Use the National News section and find an article about one of these constitutional principles.



# MAKE A CONSTITUTION CUBE

Decorate each side of your cube with a drawing for each of these constitutional principles. Cut out the cube and tape it together.



**Federalism**

**Federalism:**

The national government has certain powers and duties, and the states or the people keep all the others.

**Limited Government:**

The government has only those powers given to it by the people.

**Republican Government:**

The people elect representatives to govern.

**Individual Rights:**

The Constitution protects the rights of all people.

**Limited Government**

**Popular Sovereignty:**

Power comes from the people, and good government comes from the consent of the governed.

**Separation of Powers/  
Checks and Balances**

Each of the three branches of government has specific things it can do. Each branch of government can stop the others from growing too powerful.

**Republican Government**

**Separation of Powers/  
Checks and Balances**

**Popular Sovereignty**

**Individual Rights**



# Why Do We Have A National Government?



At the Constitutional Convention, the Committee of Style had the job of coming up with the final wording of the Constitution. A member of that committee from New York, Gouverneur Morris, wrote an introduction called the Preamble. This introduction explains why the Constitution was written, and explains the purposes of government.

**"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."**

## CONSTITUTION CROSSWORD

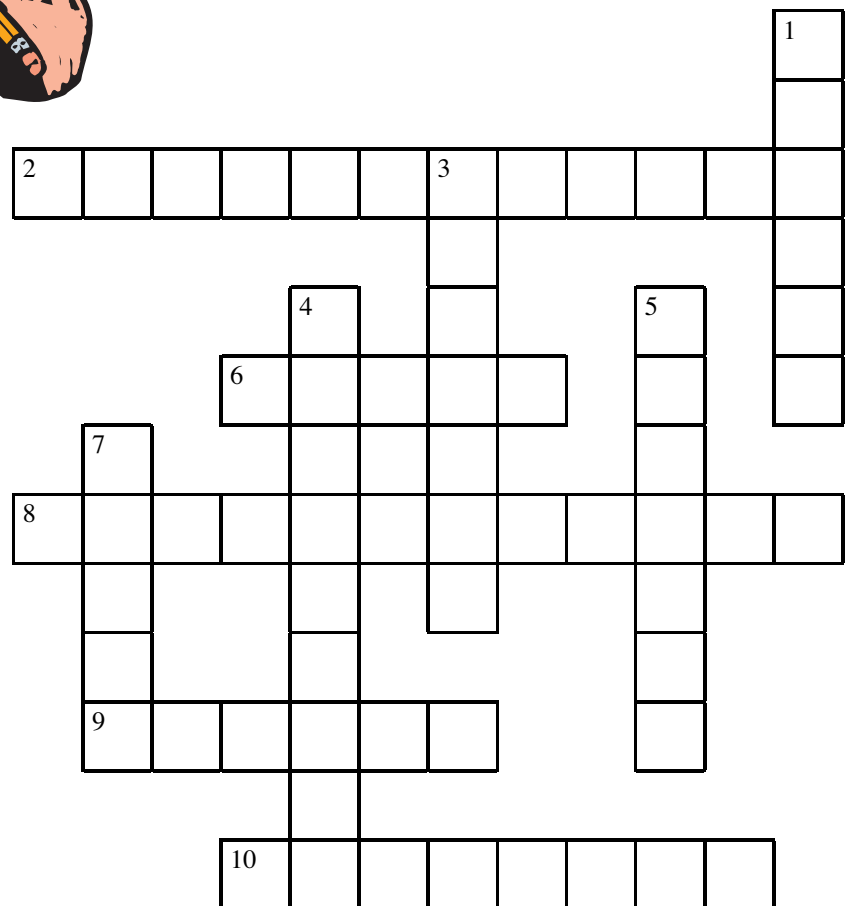


### Across

- 2 State where the Constitutional Convention was held.
- 6 The number of articles the Constitution contains
- 8 The Supreme law of the land
- 9 Article I, Section 8 says that Congress can conduct regular commerce with the Indian \_\_\_\_.
- 10 This is the name for the introduction to the Constitution.

### Down

- 1 Article I, Section 10 lists powers denied to the several \_\_\_\_.
- 3 The Constitution secures the blessings of \_\_\_\_.
- 4 The Constitution was signed on \_\_\_\_ 17, 1787.
- 5 This person is considered "Father of the Constitution."
- 7 Article III deals with the Supreme \_\_\_\_.



### First Amendment in Action! A Look At Government Purpose

Using the National News section, find an article about the government fulfilling one of its purposes as stated in the Preamble.



Check your answers at [www.BillofRightsInstitute.org/ConstitutionDay](http://www.BillofRightsInstitute.org/ConstitutionDay)

# How a bill becomes a US LAW

**START**



**1** A citizen or an elected official has an idea for a law.

**2** Your Senator loves your idea! It is now called a bill and heads for the US Senate.\*



**3** Your bill is given to a committee within the Senate to study it.



**4** The committee may hold hearings

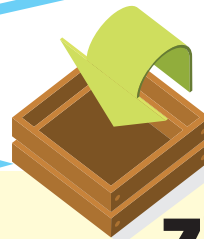


\*all tax bills must start in the House of Representatives.

**5** The entire Senate will debate the bill and take a vote. (Careful, there might be a filibuster!)



**6** If a majority of the Senate approves the bill, it will be sent to the House of Representatives.



**7** The House repeats the process followed by the Senate (steps 3-6).

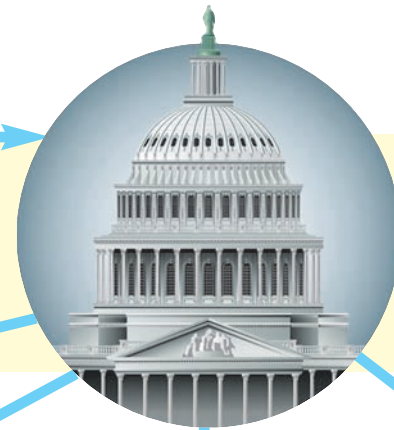


**8** The House approves the bill

**FILIBUSTER!**  
Go back to 2!

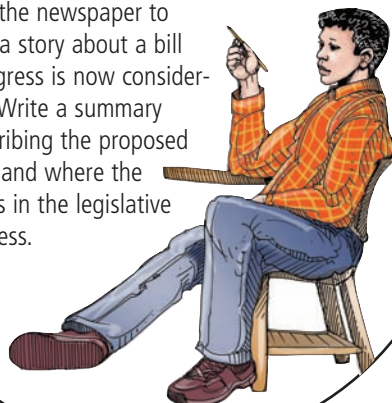
**9** If the House and Senate bills are not the same, a committee works out the differences and gets approval from both houses.

**10** The bill goes to the President. Four things might happen:



## First Amendment in Action!

Use the newspaper to find a story about a bill Congress is now considering. Write a summary describing the proposed law, and where the bill is in the legislative process.



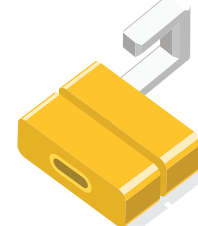
The President signs the bill! It is now a federal law.



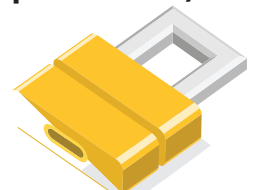
The President vetoes the bill! Both houses of Congress must take another vote. If 2/3rds of both houses approve it, it becomes a federal law.



The President takes no action for ten days while Congress is in session. The bill is now a federal law.



The President takes no action for ten days, and Congress goes out of session during that time. The bill does not become a federal law. (This is called a pocket veto.)



# The Bill of Rights



The Constitution did not have a bill of rights when it was written. Many of the state conventions asked for amendments protecting individual rights. The following ten amendments were approved in 1791.

## 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.

## Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

## Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

## Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## Amendment V

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.

## Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

## Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

## Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## Amendment IX

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

## Amendment X

The powers not 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.

Imagine the government has been overthrown and the new dictator will only let citizens keep five rights. Which are the most important to you? How could life change without the others? Rank your top-five rights, and then use the newspaper to find articles about people exercising those rights.



Right	Amendment	Newspaper Story



# Do you have the right....

## **To express your views in the school newspaper?**

It depends. The First Amendment protects your right to free speech and press. But when you are writing for the school newspaper, the school can take some control over what you write. This is because the school is footing the bill, and lending their name to the publication. Some states have passed laws giving student writers more freedom, so check what your state's law is.



## **To express your opinions on your MySpace page?**

As long as you don't use obscenity, you have a First Amendment right to speak your mind on your blog. Your parents don't have to let you have one, though.



## **To start or attend a Bible club in your public school?**

Yes, as long as your school offers other extra-curricular clubs.



## **To keep your stuff private?**

Not really. If school administrators have a reasonable suspicion that you've done something wrong, they can search your things—your backpack, your purse, or the locker you use, for example.



## **Did You Know?**

Only students in public school (which are run by the government) are protected by the Constitution and Bill of Rights. The Constitution does not protect students against action by their parents, or by private school officials.



### **These situations are based on:**

*New Jersey v. T.L.O.* (1985)

*Hazelwood v. Kuhlmeier* (1988)

*Westside Community Schools v. Mergens* (1990)

Learn more about these cases at

[www.DoYouHaveTheRight.org](http://www.DoYouHaveTheRight.org)  
and  
[www.CitizenBee.org](http://www.CitizenBee.org)

# How Free Is The Press At Your School?

## Student Newspapers Seized

Veronica arrived at her first period class. She was looking forward to receiving her copy of the school newspaper, *The Pony Express*. Veronica was the feature editor of the paper and wanted to see the article she'd been working on for the past month finally in print. Newspapers were usually distributed during the first few minutes of class, but the teacher did not hand them out that day.

As Veronica raised her hand to ask about the newspapers, an aide from the principal's office came to the door. The aide said that the principal, Mr. Weasley, wanted to see Veronica in his office. Veronica was perplexed, but she followed the aide to the principal's office. When she walked in, she saw hundreds of copies of *The Pony Express* stacked behind the principal's desk.

Mr. Weasley informed Veronica that he had decided not to allow *The Pony Express* to be distributed because he had concerns about her article. The article was about drug sale and use by students on school grounds. It contained interviews with unidentified students, and included information about the health hazards of drug use. It had also been read and approved by the newspaper class advisor. The principal did not claim the story was inaccurate. But he told Veronica, "If people read this, they're going to think there's a real problem here."

Veronica's journalism class advisor, who had read and approved the story, placed Veronica on probation as feature editor for the next semester.

- Did Veronica have a First Amendment right to publish her article?
- What do your friends think of the principal's decision? How about your parents?
- Find out if your state has a law protecting student journalists.
- Read more about the rights of student journalists at [www.CitizenBee.org](http://www.CitizenBee.org).



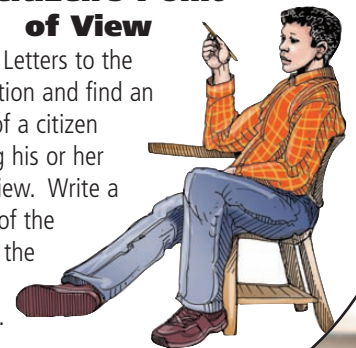
## STUDENT EXPRESSION

How can students at your school express themselves? Find out the answers to each of these:

- Does your school have a student-produced newspaper?
- If so, can students write letters to the editor?
- Does your school have a student-produced yearbook?
- Does your school have a student-produced literary magazine?
- For each of these, how much freedom do students have to write what they want?

### First Amendment in Action! A Citizen's Point of View






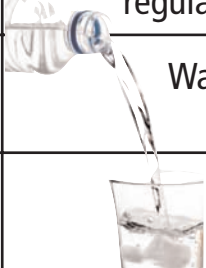
Go to the Letters to the Editor section and find an example of a citizen presenting his or her point of view. Write a summary of the letter and the opinion presented.



# The Government AND YOU



Think of all the ways that the government and its regulations affect your life every day. Begin with getting up in the morning, and list as many actions as you can. Then decide if this is an action the government affects or controls in some way. Remember that government can be local, state, or federal. The first few have been done for you.

ACTION	IS GOVERNMENT INVOLVED?
 <b>Waking up to the clock radio</b>	 The federal government (the FCC) regulates content on public airways.
<b>Brushing your teeth</b>	  The federal government (the FDA) regulates medicines and cosmetics.
 <b>Using the toilet and shower</b>	 Water purity and content is regulated by federal and local governments.


- The Constitution gives Congress the power to regular interstate commerce. Which of the actions you listed related to the buying or selling of goods?

- Were you surprised at how many ways the government affects your life?

- Which actions were you most surprised by?

**First Amendment in Action!**

Use the newspaper to find an article about one of the laws or government agencies you listed in this activity, and summarize the contents.



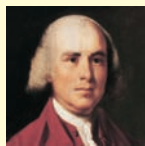
# Did you know?



George Washington was the president of the Constitutional Convention.

The Constitutional Convention was held in Philadelphia over 100 days during the summer of 1787.

James Madison is known as the "Father of the Constitution." It was his ideas that formed the basis for the Constitution.



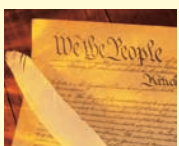
James Madison was the only delegate to attend every session of the Convention.

Gouverneur Morris spoke 173 times at the Convention, more than any other delegate. Morris also wrote the Preamble to the Constitution.

The Constitution was written in the same place where the Declaration of Independence was signed-The Pennsylvania State House (also known as Independence Hall.)



The Constitution is the shortest of any written constitution of any country today.



The Constitution has been in force longer than any other written constitution in the world today.

**In 1787, twelve of the thirteen states sent a total of 55 people to the Constitutional Convention in Philadelphia. Thirty-nine of those delegates signed the Constitution on September 17, 1787. Here are some of their thoughts.**

Maryland delegates (5)  
*"Government was instituted for the general good."* -Charles Carroll

Pennsylvania (8)  
A lady asked Dr. Benjamin Franklin, *"Well, Doctor, what have we got - a republic or a monarchy?"* "A republic," replied Franklin, *"if you can keep it."*

New York (3)  
*"I trust that the proposed Constitution afford a genuine specimen of representative government and republican government; and that it will answer, in an eminent degree, all the beneficial purposes of society."* -Alexander Hamilton

Virginia (7)  
*The Constitution "was not the offspring of a single brain. It ought to be regarded as the work of many heads and many hands."* - James Madison

*"It appears to me, then, little short of a miracle, that the Delegates from so many different States ... should unite in forming a system of national Government."* -George Washington

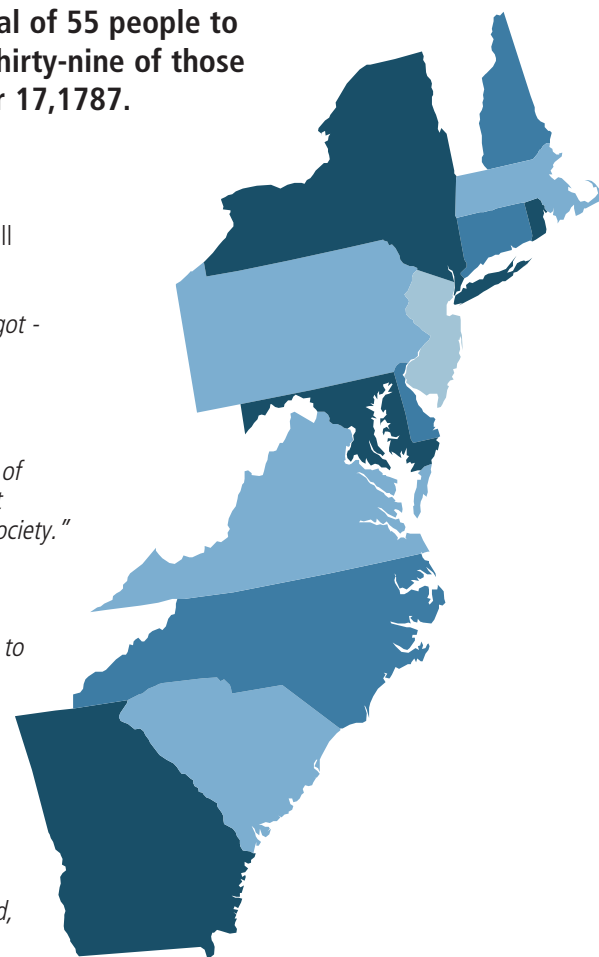
Delaware (5)  
*"Then join hand in hand, brave Americans all! By uniting we stand, by dividing we fall."* -John Dickinson

Massachusetts (4)  
*"A free people are the proper guardian of their rights and liberties."* -Elbridge Gerry

South Carolina (4)  
*"The general government can not effectually exist without reserving to the States the possession of their local rights."* -Charles Pinckney

Connecticut (3)  
*"Government is instituted for those who live under it."* -Roger Sherman

New Jersey (5) • New Hampshire (2) • Georgia (4) • North Carolina (5) • Rhode Island (0)

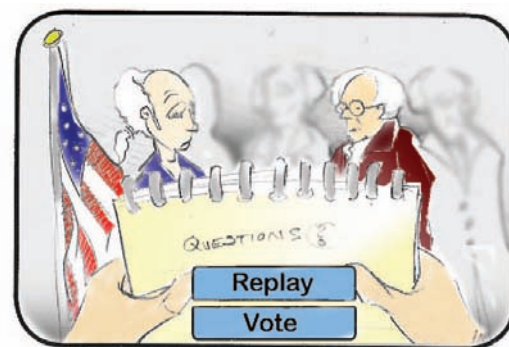


## The Celebration Continues at [www.BillofRightsInstitute.org/ConstitutionDay](http://www.BillofRightsInstitute.org/ConstitutionDay)

Here you'll find expanded, interactive versions of the activities in this publication, as well as a brand new Constitution Day experience.

- Travel back in time to 1787.
- Talk with the people who wrote the Constitution.
- Learn more about the hottest issues at the Convention.
- Explore constitutional issues today.

Visit [www.BillofRightsInstitute.org/ConstitutionDay](http://www.BillofRightsInstitute.org/ConstitutionDay) today!



### ADDITIONAL RESOURCES

Do You Have the Right?  
[www.DoYouHaveTheRight.org](http://www.DoYouHaveTheRight.org)

The First Amendment Center  
[www.FirstAmendmentCenter.org](http://www.FirstAmendmentCenter.org)

Student Press Law Center  
[www.splc.org](http://www.splc.org)

ASNE High School Journalism  
[www.HighSchoolJournalism.org](http://www.HighSchoolJournalism.org)

J-Ideas  
[www.jideas.org](http://www.jideas.org)

Teaching American History  
[www.TeachingAmericanHistory.org](http://www.TeachingAmericanHistory.org)

Teach the First Amendment  
<http://teachfirstamendment.org>

Being an American Essay Contest  
[www.BeinganAmerican.org](http://www.BeinganAmerican.org)