

Constitution Day: Developing Habits of Citizenship



By Sherri L. Belknap

Despite advances in technology, changes in social norms, and world relations, the United States Constitution is as relevant today as it was when it was drafted in 1787. Our founding fathers wrote a Constitution that has withstood the test of time and the growth of our country; after 222 years, the Constitution is considered one of the oldest surviving written forms of government in the world. The Constitution was created to define the rights and privileges of the citizens of this great nation. Constitution Day is an opportunity to help teach students about their American heritage as well as develop their habits of citizenship.

A History Refresher

The first form of government for the United States was created by the Articles of Confederation. It was an attempt to unite the original 13 states. Despite its intention, the Articles of Confederation created a weak government. Congress determined it was time to revise the Articles of Confederation to create a more perfect union.

In May 1787, the Constitutional Convention convened with a quorum of 7 states. Eventually, 12 states participated in the convention, with Rhode Island being the only state to abstain from participation.

On September 17, 1787, and after considerable debate, the Constitutional Convention signed the United States Constitution at the State House (now called "Independence Hall") in Philadelphia. There was great debate among the citizens regarding whether to accept the Constitution. By June 21, 1788, nine states approved the Constitution, which created a new federal government. The Constitution's premise was that the federal government was to serve the people, as set forth in the Preamble:

We the People of the United States, in
Order to form a more perfect Union,

establish Justice, insure domestic 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.

Meeting Strategic Plan Goals with Constitution Day

In 2004, Congress enacted an amendment to the Consolidated Appropriations Act of 2005.¹ President George W. Bush signed the bill into law on December 8, 2004. In the appropriations bill, schools receiving federal funding must designate September 17 of each school year as Constitution Day and Citizenship Day ("Constitution Day"). As part of Constitution Day, educational authorities must make plans to observe the Constitution and instruct students about their responsibilities and opportunities as citizens.²

Constitution Day provides a great opportunity for members of the State Bar to participate with local area students to meet the federal requirement as well as for the State Bar to realize one of the strategic plan goals set by our Board of Commissioners. According to the strategic plan, one of the goals is to support "effective educational efforts that increase public knowledge of the legal system and the rule of law, and of the role of lawyers, judges, and citizens within our system of government."³

Initiating Activities for Constitution Day

The State Bar of Michigan Law-Related Education and Public Outreach Committee created a timeline for attorneys and local bar associations to begin working on Constitution Day activities.⁴ With Constitution Day being on September 17, planning should

begin in May of the preceding school year. Attorneys and local bar associations should contact local schools and offer to help establish a curriculum for Constitution Day.

Before the end of the school year in June, attorneys and bar associations should meet with teachers or designated school officials to devise a curriculum that could include attorney visits to the classroom, students visiting a courthouse, or a mock courtroom in the classroom.

After the initial contact and activities are planned with the school, volunteers should be recruited and materials secured. The State Bar has materials on its website for use on Constitution Day. The materials include a high school tool, "Educating for Everyday Democracy: The Jury Process," and jury materials for sixth-grade students developed by the Washtenaw County Bar Association. There are links to many other websites, including the Center for Civic Education with free downloadable lessons for grades K-12. Each lesson includes teacher instructions for topics suitable for Constitution Day. The "You and the Law" booklet developed by the Law-Related Education and Public Outreach Committee and the Michigan Lawyers Auxiliary, containing rights and responsibilities information for young people, is also available.⁵

When the school year begins, contact school personnel to confirm the day's events. On Constitution Day, enjoy the interaction with the students and know that you have assisted our education system in developing habits of citizenship.

Local Bar Associations Educate Students on Constitution Day 2009

On September 17, 2009, some local bar associations held activities with schools in honor of Constitution Day. The Washtenaw County Bar Association worked with sixth-grade students to introduce and discuss the

Sixth Amendment guarantee of an impartial jury for a criminal defendant. As part of the activities, attorneys discussed with students the difference between the Roman Republic legal system and the U.S. legal system. In comparing the two systems, students were given a list of potential jurors and their personal information to determine whether the jury was impartial. After thoughtful discussion, a jury was picked based on both legal systems, and the students discussed whether each respective jury was impartial. A copy of the materials used by the Washtenaw County Bar Association is located on the State Bar website.⁶

The Macomb County Bar Foundation created "An Introduction to the Constitution," a 12-minute movie featuring an opening by Governor Jennifer Granholm, discussion regarding the creation of the Constitution with U.S. Representative Candice Miller, and a question-and-answer section regarding the state constitution with Senator Mickey Swi-

talski of Macomb County. This movie was provided to area schools.

Lawyers and judges in Berrien County observed Constitution Day by working with teachers and high school students in St. Joseph and Benton Harbor. Their efforts culminated with a joint school visit to the jury room in the courthouse to replicate the experience of being called to jury duty.

As attorneys, we have a great opportunity on Constitution Day to provide students and other members of the community with knowledge of our legal system and to teach them the rights our founding fathers afforded them in the Constitution. This is our opportunity to reach individuals and assist in developing their habits of citizenship. We strongly urge local bar associations and individual attorneys to participate with their local schools not only on Constitution Day, but also on Law Day,⁷ which is May 1. These interactions are not only beneficial to the students, but also to us as individuals. ■

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FOOTNOTES

1. PL 108-447.
2. 36 USC 106.
3. State Bar of Michigan, Strategic Plan, p 5, § 3.3 <<http://www.michbar.org/generalinfo/pdfs/strategicplan.pdf>>. All websites cited in this article were accessed February 4, 2010.
4. State Bar of Michigan, Constitution Day Planning Timeline <http://www.michbar.org/generalinfo/pdfs/constitutionday_timeline.pdf>.
5. *You and the Law*, available online at <<http://www.michbar.org/publications/pdfs/y&l.pdf>>. To order copies, download a publication order form at <http://www.michbar.org/publications/pdfs/pub_order.pdf>.
6. State Bar of Michigan, Constitution Day Planning Timeline, n 4 *supra*.
7. For more information about Law Day, visit <<http://www.michbar.org/programs/lawday/home.cfm>>.