



CONSTITUTION DAY

*Celebrate the
Constitution!*

Presented by

ACLU

Indiana



The U.S. Constitution was signed into law on **September 17, 1787** by the Constitutional Congress.



WHAT IS CONSTITUTION DAY?

Constitution Day is a national holiday established by Congress in 2004 to celebrate the anniversary of the signing of the U.S. Constitution.



What is the U.S. Constitution?

- It is the highest law of the nation.
- It lays out the structure of the U.S. Government.
- It grants every individual in the United States certain fundamental rights and freedoms (whether citizen or non-citizen, documented or undocumented).



Separation of Powers

The first three Articles of the Constitution establish the three branches of the U.S. government and specify the powers and duties of each.



LEGISLATIVE



- ★ Makes laws
- ★ Approves presidential appointments
- ★ Two senators from each state
- ★ The number of congressmen is based on population

EXECUTIVE



- ★ Signs laws
- ★ Vetoes laws
- ★ Pardons people
- ★ Appoints federal judges
- ★ Elected every four years

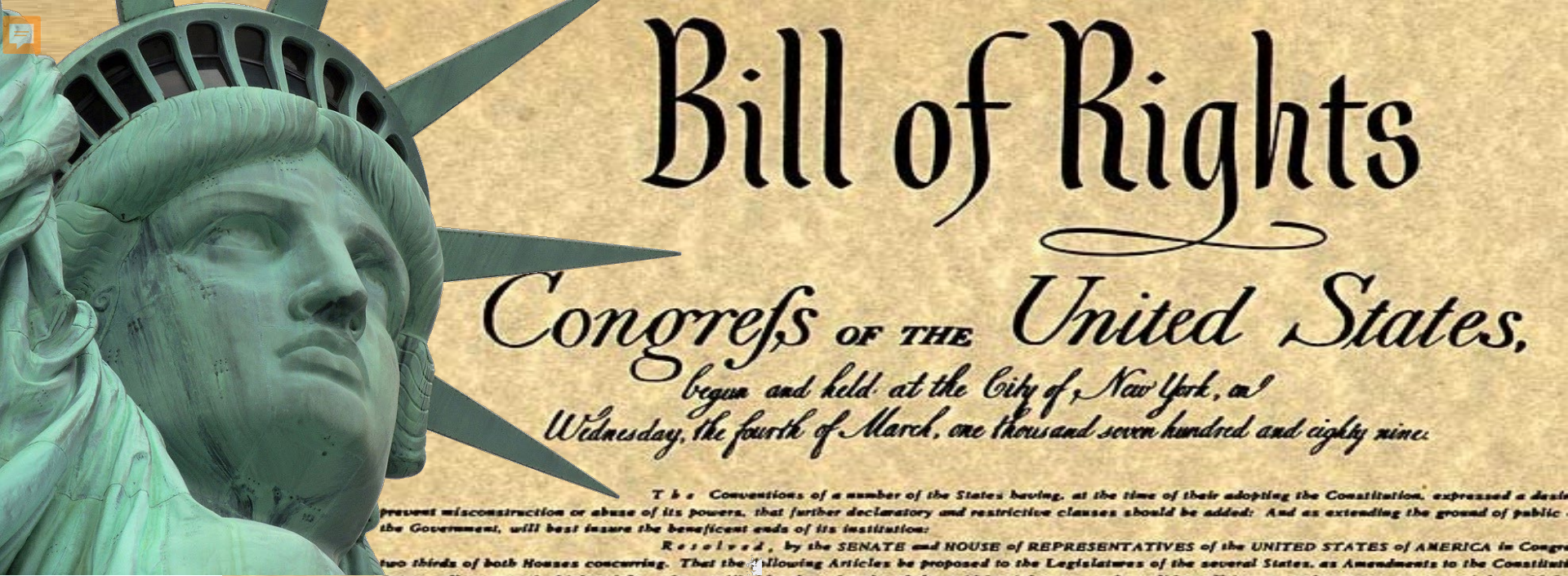
JUDICIAL



- ★ Decides if laws are constitutional
- ★ Are appointed by the president
- ★ There are 9 justices
- ★ Can overturn rulings by other judges

Separation of powers = Balance of powers

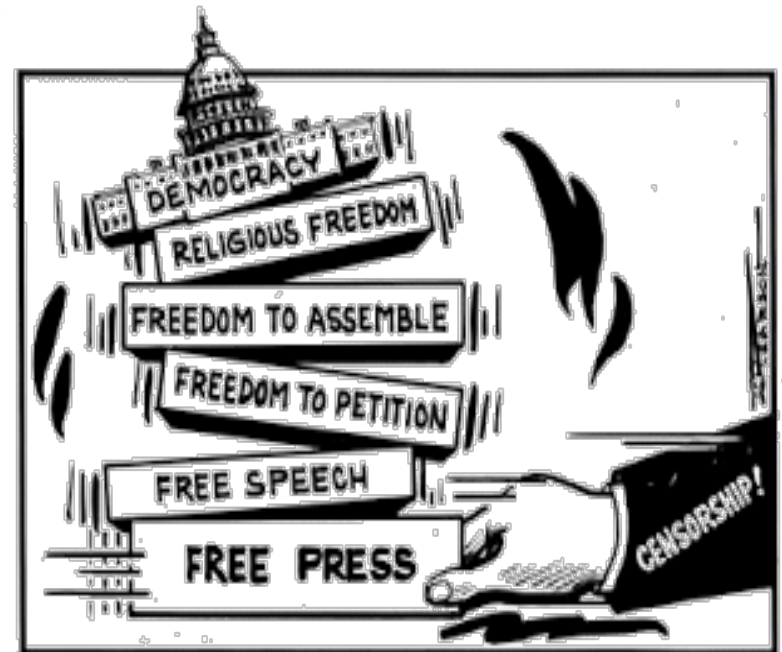
This means that no one branch controls the federal government.



What is the Bill Of Rights?

- It is the name for the first ten amendments made to the U.S. Constitution (added in 1791).
- It limits the power of the federal government.
- It originally protected white men only.

The First Amendment protects several rights that are crucial to people's ability to freely express their thoughts and concerns, particularly to government.



FREE SPEECH & EXPRESSION in Schools

Tinker vs. Des Moines helped to define students' 1st Amendment rights.

In 1965, 13-year old junior high school student, Mary Beth Tinker and a group of friends organized a silent demonstration against the Vietnam War, wearing black armbands to school to protest the fighting. Mary Beth was sent home when she refused to remove it. The ACLU represented her and others in a lawsuit that lasted 4 years.

In 1969, in a landmark Supreme Court decision the Court ruled that students do not **"shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."**





What Do YOU Think?

Q. Should every student have the right to be heard on decisions affecting allocation of school resources?

Q2. How should your school tell you/your classmates about this right?

Local Control Accountability Plan (LCAP)



The Fourth Amendment protects people and their belongings from unreasonable searches and seizures.



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What Do YOU Think?

Q. Can law enforcement conduct a warrantless search of a cell phone seized from a person who has just been arrested?





DUE PROCESS: The right to be heard.

The Fifth, Sixth, Seventh and Eighth Amendments protect individuals' due process rights. These amendments are intended to ensure the accused are treated fairly by the government and in courts of law.

The “due process clause” is reiterated in the 14th Amendment. This speaks to the importance of this constitutional right.



What Do YOU Think?

Q. Do undocumented immigrants have Constitutional rights?

FACTS: The Fifth Amendment states that “no **person** ...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.”

The 14th Amendment says the government cannot “deny to any **person** within its jurisdiction the equal protection of the laws.” This means undocumented children cannot be prohibited from enrolling in a public school.



The 13th, 14th and 15th Amendments are called the Civil War Amendments because they were ratified (approved) at the end of that war.

- 13th Amendment – freed enslaved people.
- 14th Amendment – made formerly enslaved people American citizens with equal rights.
- 15th Amendment – granted formerly enslaved men the right to vote.



The Fourteenth Amendment is often considered a part of the Bill of Rights. It allows for many of the rights protected by the first ten amendments to be applied to state and local governments.



Equal Protection of Laws

requires that states guarantee the SAME rights, privileges and protections to ALL people.



In 1958, it was a crime in Virginia — and 15 other states — for white and black people to marry each other.

Richard and Mildred Loving married in Washington, D.C. and tried to return to their home state of Virginia — where they were arrested and sentenced to one year in jail.





What Do YOU Think?

#LOVEWINS

“They ask for equal dignity in the eyes of the law. The Constitution grants them that right.”

- Obergefell v. Hodges, Supreme Court majority opinion 06/26/15

- Q. Does Obergefell v. Hodges (2015) remind you of Loving v. Virginia (1967)?**
- Q. Does the 14th Amendment require a state to recognize a same-sex marriage licensed in another state?**



The 19th Amendment gave women the right to vote 133 years after the signing of the U.S. Constitution.





The 26th Amendment prohibits the federal and state governments from denying the right to vote to citizens who are at least eighteen years old.





What Do YOU Think?

**A proposed 28th
Amendment to the
U.S. Constitution:**

LOWER THE VOTING AGE TO 16

FACT: States are free to let persons under the age of 18 vote if they decide. Seventeen year-olds are already permitted to participate in primaries and caucuses in 21 states!



When U.S. Constitution was signed into law in 1787, only white men with property had rights...many others were excluded.



The Constitution is a living document. It is meant to grow and evolve ...to be adapted by future generations in response to our country's changing social, political, moral and cultural norms.



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Questions?

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