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# What Constitution Day Means and Why it Matters

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# What Constitution Day Means and Why it Matters

## **Disciplines**

Communication | Social and Behavioral Sciences | Social Influence and Political Communication

# What Constitution Day Means and Why it Matters

Kathleen Hall Jamieson

As John Stuart Mill noted in his treatise on Representative Government, individuals who constitute a nationality “are united among themselves by common sympathies which do not exist between them and any others” and also by “the possession of a national history, and consequent community of recollections....”<sup>1</sup> To create national identity, societies designate occasions in which their members recommit themselves to basic communal values. Labor Day, Memorial Day, Independence Day, Presidents Day and Martin Luther King Day are among the holidays performing these functions in the United States.

For almost three quarters of a century, advocates have worked to give comparable federal stature to September 17, the day on which we celebrate the anniversary of the 1787 signing of the U.S. Constitution by the nation’s founders. As President John F. Kennedy noted in his 1961 Constitution Day proclamation, it is a day for “ceremonies” set up to “inspire all our citizens to keep the faith of our Founding Fathers and to carry out the ideals of United States citizenship.”<sup>2</sup> The need was explained by President Ronald Reagan in 1981. “While a constitution may set forth rights and liberties,” he noted, “only the citizens can maintain and guarantee those freedoms. Active and informed citizenship is not just a right; it is a duty.”<sup>3</sup> After briefly chronicling the evolution of Constitution Day and defending the value of educating students about this founding document, I will note ways that social studies teachers can translate the ideals articulated by Kennedy and Reagan into their classrooms and into the lives of the nation’s future leaders this September 17th.

## The Origins of Constitution Day and Citizenship Day

In 1919, attorney Walter Evans Hampton

observed, “It is said to be the practice of certain patriotic societies to celebrate the seventeenth of September—the day on which the Constitution was signed by the members of the convention—as ‘Constitution Day.’” He then asked, “Why should not this excellent practice be made universal?”<sup>4</sup> That year, the governors in 20 states proclaimed September 17th Constitution Day. By one estimate more than 20,000 celebrations took place in churches, schools and public venues across the nation.<sup>5</sup> In 1939, Wisconsin took an additional step by directing local schools to sponsor a day of citizenship education.

Unsurprisingly, each of the federal steps taken to institutionalize such a day in 1940, 1952, 1965, and 2004 occurred when nationalistic sentiments were running high and loyalty was a matter of special concern. In each case, the country was either contemplating entering or already engaged in war. As World War II raged in Europe in 1940, Public Resolution 67 (54 Stat. 178) designated the third Sunday in May each year as Citizenship Day and specified that it would be known as “I Am An American Day.”

“When most effectively organized,”

noted Franklin Burdette, the executive secretary of the National Foundation for Education in American Citizenship, in 1942, “the recognition program involves not only a day of impressive ceremonies for the induction of first voters but also a preliminary period of classes or forums to study national and local governmental machinery and problems as well as democratic ideals and customs.”<sup>6</sup> On that occasion in 1944, Attorney General Francis Biddle told an audience in Ohio that more “foreigners” had become citizens in the past year than in any year since naturalization began.<sup>7</sup>

As in other fronts of the war effort, the news and entertainment industries were called on to do their part to promote “I Am An American Day.” A 16-minute Warner Brothers 1944 film, *I Am An American*, featured newsreel clips of Hollywood stars making patriotic appeals.<sup>8</sup> A surviving newsreel from 1945 notes that more than a million New Yorkers gathered in Central Park to celebrate the day by welcoming new naturalized citizens as well as those who had assumed the duties and responsibilities of citizenship by turning 21.<sup>9</sup> The Central Park commemoration, in particular, presents an interesting constitutional lesson. As Burdette noted, “both the language of the joint resolution and many public utterances connected with it tend to foster the misimpression that the native-born become citizens only when they are of age.”<sup>10</sup> Instead, of course, Section One of the Fourteenth Amendment states that “All persons born or naturalized in the United States, and



Students gather around the National Constitution Center's replica printing press from the 1700s, where they can print a copy of the Preamble.

(Courtesy of the National Constitution Center. Visit [constitutioncenter.org](http://constitutioncenter.org), for Constitution Day lesson plans and other free resources.)

subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.” By 1949, governors of all, then, 48 states issued “I Am An American Day” proclamations.

In 1952, Congress repealed Public Resolution 67 and passed a new piece of legislation, which moved “I Am An American Day” to September 17, which was the day the Constitution was signed. The day was renamed “Citizenship Day.” In a Citizenship Day address, President Truman expressed the hope that “the ceremonies and the activities here today will launch an annual celebration that will increase in meaning and influence among our people as the years go by.”<sup>11</sup> Thirteen years later, in 1965, Congress extended the period for commemoration from one day to one week. “Citizenship Day” on September 17 became “Constitution Week,” beginning September 17 and ending September 23. At the urging of West Virginia Senator Robert Byrd (D), in 2004, Congress then changed

the designation of September 17 to “Constitution Day and Citizenship Day” and added both the requirement that federal agencies provide their employees with educational materials about the Constitution and one stipulating that educational institutions receiving federal funds do the same for their students.<sup>12</sup> Byrd’s reasoning was straightforward. “September 17 is more important to our everyday lives than Columbus Day, more important to our everyday lives than Thanksgiving, more important to our everyday lives than the Fourth of July.”<sup>13</sup>

### Importance of Understanding the Constitution

The notion that the citizenry should understand the country’s founding documents is long lived. For George Washington, knowledge was “the surest basis of public happiness...” In 1790, the first president’s annual message to Congress argued:

To the security of a free constitution it contributes in various ways—by convincing those who are intrusted [*sic*] with the public administration that every valuable end of government is best answered by the enlightened confidence of the people, and by teaching the people themselves to know and to value their own rights; to discern and provide against invasions of them; to distinguish between oppression and the necessary exercise of lawful authority; ... to discriminate the spirit of liberty from that of licentiousness—cherishing the first, avoiding the last—and uniting a speedy but temperate vigilance against encroachments, with an inviolable respect to the laws.<sup>14</sup>

Unsurprisingly then, Tocqueville would observe in nineteenth century New England, “every citizen receives



the elementary notions of human knowledge; he is taught, moreover, the doctrines and the evidences of his religion, the history of his country, and the leading features of its Constitution.”<sup>15</sup> The belief in the importance of understanding the Constitution survives in recent times. In a 2003 Annenberg survey, members of the public, parents, teachers and school administrators reported a high level of public agreement about the civic functions of public schooling. Over half agreed that it is “absolutely essential” or “very important” that fourth graders understand that the rules of American government are established in a document called the Constitution and can give an example of a right protected by the Constitution. At the same time, more than six in ten concurred that eighth graders should be able to understand the idea of separation of powers in American government.<sup>16</sup>

Despite the important role that civics education plays in sustaining our system of government, the number of civics and government courses taken by students has declined over the past generation. The 2011 *Guardian of Democracy: Civic Mission of Schools* report found that “until the 1960s, three high school courses in civics and government were common, and two of them explored the role of citizens and encouraged students to discuss current issues....What remains is a single course on American government that usually spends little time on how people can—and why they should—participate as citizens.”<sup>17</sup>

Whatever the cause, the public knows less about the U.S. system of government than Washington would have liked or Tocqueville expected. As *Guardian of Democracy* noted, “well more than two thirds of all American students scored below proficient on the National Assessment of Educational Progress (NAEP Civics Assessment) and on that test “less than one-third of eighth graders could identify the historical purpose of the Declaration of Independence.”<sup>18</sup> Moreover, despite the requirement of the Byrd amendment, NAEP 2010

found just under seven in ten twelfth graders reporting that they had studied the U.S. Constitution in that year.<sup>19</sup> Evidence gathered by the Annenberg Public Policy Center is consistent with that uncovered by NAEP. Some of our unsettling findings include:



The National Constitution Center’s Constitution Day celebration features interactive programming for students of all ages. Here, students create crepe paper American flags and “Happy Birthday, Constitution” signs.

(Courtesy of the National Constitution Center. Visit [constitutioncenter.org](http://constitutioncenter.org), for Constitution Day lesson plans and other free resources.)

- Only one third of Americans surveyed could name all three branches of government; one third couldn’t name any.
- Just over one third of those surveyed thought that the framers intended that each branch of government hold a lot of power with the president having the final say.
- Almost a third of those surveyed mistakenly believed that a U.S. Supreme Court ruling could be appealed.
- When the Supreme Court divides 5-4, roughly one in four Americans surveyed believed that the decision was referred to Congress for

resolution; 16% thought it needed to be sent back to the lower courts.

Our September 2013 Annenberg study confirmed the results of our earlier work and offered compelling evidence that civics education and knowledge matter. As in the past, we found that having taken a civics course in high school predicted knowledge of our system of government. Those with an understanding of such basics of American government as checks and balances were less likely to believe that judges should be impeached or court jurisdiction stripped when unpopular rulings are handed down. At the same time, they were more likely to reject the notion that under some circumstances it might simply be best to abolish the Supreme Court. Not only does civics education increase basic knowledge of our system of government and its history and laws, but it also increases confidence in one’s ability to exercise the prerogatives of citizenship by heightening students’ confidence in their ability to perform such participatory functions as voting and writing a letter to Congress.<sup>20</sup>

### Increasing the Accessibility of No-Cost, High-Quality Educational Materials on the Constitution

In an effort to raise the visibility of Constitution Day and increase the use of high quality, no cost civics materials in our schools, 26 nonpartisan and nonprofit organizations have forged an unusual and far-reaching partnership called the Civics Renewal Network (CRN). Set to launch on Constitution Day 2014, the CRN website ([www.civicsrenewalnetwork.org](http://www.civicsrenewalnetwork.org)) will house carefully vetted classroom resources. The network is a project of the Leonore Annenberg Institute for Civics, at the Annenberg Public Policy Center of the University of Pennsylvania. Among the partners in the network are the American Bar Association, the Library of Congress, the National Archives and Records Administration, the Newseum, Rock the Vote, the U.S. Courts, George Washington’s Mount Vernon, the

National Constitution Center, and the National Endowment for the Humanities' EDSITEment Project. The site will provide links to the best of the 26 organizations' resources for all grade levels, aligned to curriculum standards, and using a variety of approaches, including videos, games, lesson plans, primary sources and more. This Constitution Day, September 17, 2014, the Civics Renewal Network will feature its groups' materials on the Bill of Rights, a focus for this year. All of the constitutional resources, however, will be available throughout the year in one location, courtesy of CRN.

To raise national awareness of the importance of civics education, CRN will also fill Constitution Day 2014 with a series of web-accessible events, starting with one that teachers and classrooms across the United States can join: the Constitution Preamble Challenge. *To add your classroom to those around the country on Constitution Day reciting*

*the 52 words at the beginning of the Constitution, go to [constitutioncenter.org](http://constitutioncenter.org). Then post pictures of your class to the CRN website!*

As a reminder that September 17 is Citizenship and Constitution Day, on that day the federal courts will host more than 20 naturalization ceremonies across the nation, with a special ceremony at the National Archives, which will be web-cast live mid-morning from the CRN site. Teachers are invited to contact their local federal courts to see if there is a naturalization ceremony in a community near them. If so, it may be possible to arrange for seating to observe, or to participate by singing the national anthem, leading the Pledge of Allegiance, serving as the color guard, or writing letters of welcome to the new citizens.

Those who increase understanding of and appreciation for the Constitution are performing a critical function. As former Justice Sandra Day O'Connor and for-

mer Congressman Lee Hamilton wrote, "Knowledge of our system of government and our rights and responsibilities as citizens is not passed along through the gene pool. Each generation of Americans must be taught these basics."<sup>21</sup> Actively involving students in exercises of citizenship on Constitution Day not only satisfies the requirements of the Byrd Amendment but opens the possibility that what they learn will inspire and inform those who will lead the nation in the years ahead. ●

#### Notes

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10. Burdette, 277.
11. Harry S. Truman, *Proclamation 2680—"I Am an American Day,"* 1946.
12. Consolidated Appropriations Act, 2005, H.R. 4818, 108th Cong, 3344–3345. (2004).
13. Title 36—Patriotic and National Observances, Ceremonies, and Organizations, Pub. L. 105–225, 112 Stat. 1253 (1998).
14. George Washington, First Annual Message to Congress on the State of the Union, January 8, 1790. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, [www.presidency.ucsb.edu/ws/?pid=29431](http://www.presidency.ucsb.edu/ws/?pid=29431).
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21. Gould, 5.

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*The content in this article does not necessarily represent the official policies of the American Bar Association, its Board of Governors, or the ABA Standing Committee on Public Education.*

## Preparing for Constitution Day: Suggested Resources

### American Bar Association [www.abaconstitution.org](http://www.abaconstitution.org)

The ABA Division for Public Education offers lesson plans, conversation starters, and other resources to prepare for Constitution Day. In addition, think about inviting a lawyer, judge, or legislator from your community to your classroom to discuss the Constitution or constitutional issues.

### Constitution Hall Pass: Constitution Day 2014 [constitutioncenter.org/constitutionday](http://constitutioncenter.org/constitutionday)

Travel through American history—without leaving the classroom! This special Constitution Day episode of *Constitution Hall Pass* provides a behind-the-scenes look at how laws are made in the United States. Tune in to an online video lesson and live chat, September 8–19 (live chat weekdays only), 7AM–6PM EDT.

### National History Education Clearinghouse <http://teachinghistory.org/spotlight/constitution-day>

One-stop-shopping for primary source documents, political cartoons, articles, and quizzes that could be used as part of a lesson or activity on Constitution Day.

### Teaching with Documents: Observing Constitution Day [www.archives.gov/education/lessons/constitution-day/](http://www.archives.gov/education/lessons/constitution-day/)

Portal from the National Archives provides primary source documents, biographies of the Constitution signers, and other materials.

## Civics Renewal Network

The following organizations are members of the Civics Renewal Network, and provide resources at [www.civicsrenewalnetwork.org](http://www.civicsrenewalnetwork.org).

Administrative Office of the U.S. Courts	EDSITEment Partnership, National Endowment for the Humanities
American Bar Association Division for Public Education	George Washington's Mount Vernon
Annenberg Public Policy Center at the University of Pennsylvania	Gilder Lehrman Institute of American History
Bill of Rights Institute	iCivics
Center for Civic Education	James Madison Memorial Fellowship Foundation
Center on Congress at Indiana University	Library of Congress
Constitutional Rights Foundation	National Archives and Records Administration
Constitutional Rights Foundation Chicago	National Constitution Center
Constitutional Sources Project	National History Day
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