



Constitution Day

On September 17, 1787, delegates signed the U.S. Constitution. To commemorate this historical event, federal law requires schools that receive federal funding and all federal agencies to hold programs about the Constitution on or near that date each year. Below is a “best of” set of resources featured in past issues of *Justitia*, the Learning Center’s educator e-newsletter.

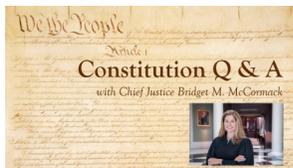
Constitutions Online

[Constitution, Charters of Freedom](#) National Archives

[Interactive Constitution](#) National Constitution Center

[Michigan Constitution \(Current and Historical\)](#) Michigan Legislature

Constitution Q & A



In this [brief video](#), Chief Justice Bridget M. McCormack touches on why the U.S. Constitution is remarkable, how Justices uphold the Constitution, and how it works in people’s lives today.

Fast Constitution Facts

U.S. Constitution	Michigan Constitution of 1963
Signed September 17, 1787. World’s oldest written constitution still in effect	Written, 1961–62; adopted, 1963; supersedes state constitutions of 1835, 1850, and 1908
Begins with “We the People”	Begins with “We the People”
Defines the roles and powers of three branches of government	Defines the roles and powers of three branches of government
Lists rights of the people in the Bill of Rights, amendments adopted in 1791	Lists rights of the people in the Declaration of Rights in Article 1, directly following the Preamble

At courts.mi.gov/learningcenter

The Educator Resources page includes an array of information and lessons. See the [Constitutions](#) page for Constitution Day resources and links.



Examining the Constitution

Do you ask your students to examine facsimile or electronic copies of original documents? Many high-resolution versions of the U.S. Constitution, Bill of Rights, and Michigan Constitution are available online. Some sites have exciting zoom features, while others allow downloading or printing. If you prefer a low-tech option, you could even purchase paper facsimiles.

Students enjoy working in pairs or triads as they decipher the historical handwriting. It may be helpful to supply typed transcripts or assign older students to transcribe certain sections and compare their findings, since the task can be challenging.



To use online documents, you will need electronic devices, preselected websites that feature original documents, and typed transcripts. For paper documents, you will need printed or purchased facsimiles,

Websites with Original Documents

[Constitution Primary Source Set](#), Library of Congress

[Charters of Freedom, High-Resolution Downloads](#), National Archives

Which Constitution?

Michigan's judges swear (or affirm) to uphold the Michigan Constitution and the U.S. Constitution, so they must have detailed knowledge of both. How much do you know about these two important documents? (Answers below.)

	U.S.	Mich.
1) World's oldest written constitution.	<input type="checkbox"/>	<input type="checkbox"/>
2) Approved by voters in 1963.	<input type="checkbox"/>	<input type="checkbox"/>
3) Defines three branches of government.	<input type="checkbox"/>	<input type="checkbox"/>
4) Begins "We the people . . ."	<input type="checkbox"/>	<input type="checkbox"/>
5) Protects the rights of those accused of crimes.	<input type="checkbox"/>	<input type="checkbox"/>
6) Protects the rights of crime victims.	<input type="checkbox"/>	<input type="checkbox"/>
7) Guarantees the right of trial by jury.	<input type="checkbox"/>	<input type="checkbox"/>

Answers: 1) U.S., 2) Mich., 3) Mich., 4) Both, 5) Both, 6) Mich., 7) Both.

Separation of Powers

In the United States, the federal government has distinct and independent branches. The [U.S. Constitution](#) defines the federal government’s legislative, executive, and judicial branches and their powers in Articles I–III. These three separate branches of government share power, and each branch serves as a check on the power of the others. State governments follow the same model. The [Michigan Constitution](#) outlines the branches of government and their powers in Articles IV–VI.

Branch	Power	U.S. Constitution	Michigan Constitution
Legislative	Makes	Article I Congress (Senate, Representatives)	Article IV Senate, House of Representatives
Executive	Enforces	Article II President	Article V Governor
Judicial	Interprets	Article III Supreme Court, Lower Courts Established by Congress	Article VI Supreme Court, Court of Appeals, Circuit Court, Probate Court, and Courts of Limited Jurisdiction

An Independent Judiciary

The [U.S. Constitution](#) provides an important framework for the federal judicial branch of government:

- An independent judiciary with a Supreme Court and other federal courts and their jurisdiction ([Article III](#)).
- A process by which the President appoints judges with the advice and consent of the Senate ([Article II](#)).
- Protections for judges from retaliation for unpopular decisions – Judges hold office during good behavior, can only be removed through legislative impeachment, and cannot have their salaries reduced as long as they hold office ([Article I](#), [Article III](#)).

In much the same way, the [Michigan Constitution](#) outlines the state’s judiciary in [Article VI](#). It includes:

- An independent judiciary with power vested in one court of justice, composed of a Supreme Court, a Court of Appeals, a Circuit Court, a Probate Court, and other lower courts. Jurisdictions are also defined.
- Judicial qualifications, elections, and a process of appointments in the event of judicial vacancies.
- Judicial salaries with protection against decreases and a process for handling cases of judicial misconduct.

For more about the state and federal judiciaries, see:

Federal Judicial Center – [History](#)

Michigan Supreme Court Historical Society – [History](#)

Michigan Supreme Court Learning Center – [Michigan’s State Courts](#)

Using Primary Sources

Constitution Day is the perfect time to introduce students of all levels to primary sources! The following websites offer resources and ideas for teaching with our nation's and state's founding documents.

[Constitution Day Primary Source Tool Kit](#) Library of Congress

[Docs Teach: Revolution and the New Nation](#) National Archives

[Teaching with Documents: Observing Constitution Day](#) National Archives



The Constitution and the Rule of Law

The United States was founded on the concept of the Rule of Law. This principle means that everyone – including the government – is accountable under just laws that are enacted and enforced equally and that justice is delivered by neutral officials (judges).

According to [Article IV](#) of the U.S. Constitution, judges in every state are bound to uphold the nation's founding document as the “supreme law of the land.” Equal treatment is embodied in the [Fifth Amendment](#) guarantee of due process of law, and the [Fourteenth Amendment](#), which entitles every citizen to “equal protection under the laws.”

In discussing the Rule of Law, the [U.S. Courts website](#) concludes: “Equality before the law is such an essential part of the American system of government that, when a majority, whether acting intentionally or unintentionally, infringes upon the rights of a minority, the Court may see fit to hear both sides of the controversy in court.”

More about the Rule of Law



American Bar Association – [Dialogue on the Rule of Law](#) (MS and above)

U.S. Courts – [Rule of Law Educational Resources](#) (HS and above)

Utah Education Network – [Rules and Laws Lesson Plan](#) (Elementary)

World Justice Project – [Rule of Law Index](#) analyzes factors in countries worldwide

Image Courtesy State Capitol of Michigan