



September 17, 2018

In commemoration of the signing of the U.S. Constitution on September 17, 1787, and in fulfillment of federal requirements to have an educational program on Constitution Day our Yeshiva presents the following information to students for their awareness and discussion:

HISTORY AND BACKGROUND

The U.S. Constitution contains the fundamental principles of the U.S. Government. It was written by a convention of delegates from various states and was based upon numerous debates and discussions between them. The delegates met in Independence Hall in Philadelphia between May 1787 and September 1787. The original intention of the convention of delegates was to revise the existing principles of government known as the “Articles of Confederation”. However, after much discussion it was decided to write a new set of principles of government.

PRINCIPLES OF GOVERNMENT

The Constitution sets out the democratic form of government that we have today. It invests the Congress of the United States, which is made up of the Senate and the House of Representatives with legislative power such as the power to make laws, collect taxes, declare war, establish a system of currency etc. It states that each state, regardless of size, will have two members in the Senate, but in the House of Representatives, the number of representatives from each state will be based upon the population of each state. It also sets forth qualifications for members of the Senate and the House of Representatives i.e. to be a senator a person must be at least 30 years old and must have been a citizen of the United States for at least 9 years and must reside in that state.

The Constitution invests the President of the United States with executive power such as the power to nominate and appoint (with the advice and consent of the Senate) Judges of the Supreme Court, Ambassadors, Consuls and Officers, to grant pardons, to ensure that laws are executed faithfully etc. It states that the president shall be the Commander in Chief of the United States Army and Navy. The Constitution discusses how the president is elected and sets forth necessary qualifications for presidency i.e. to be elected as President a person must be at least thirty- five years old.

The Constitution invests the Supreme Court and other courts that congress establishes with judicial power. It states that trial of all crimes shall be by jury and shall be held in the state where the crime was committed.

These principles of government form the three branches of our government. They are: the Legislative Branch, the Executive Branch and the Judicial Branch.

AMENDMENTS

The Constitution has an important provision for addition to or change of its sections. Additions or changes are known as amendments. The Constitution states that an amendment may be proposed to the Constitution when at least two thirds of each part of Congress (the Senate and the House of Representatives) votes to propose the amendment. A proposed amendment can only be ratified (approved) when at least three quarters of each part of Congress approves.

BILL OF RIGHTS

The first ten amendments to the Constitution are known as the Bill of Rights. In 1789 these amendments were proposed in order to safeguard the rights of the citizens of the United States.

The First Amendment protects freedom of religion, freedom of speech, freedom of press, and the right of the people to assemble peacefully and petition the government. This amendment is particularly relevant to us, as Jews. This amendment guarantees that we will always be able to practice our religion freely.

The Second Amendment protects the right of the people to keep and bear arms.

The Third Amendment states that no soldier shall be in quartered in any house without consent of the owner.

The Fourth Amendment protects the people from unreasonable searches and seizures and states that search warrants can only be issued when there is probable cause.

The Fifth Amendment states that no person can be deprived of life, liberty or property without due process of law. It also states that no person shall be forced to be a witness against himself in any criminal case nor shall any person be held to answer for a capital or infamous crime without indictment of a grand jury. This amendment protects the right of a person to remain silent.

The Sixth, Seventh and Eighth Amendments grant people rights pertaining to court trials i.e. the right to a speedy trial by an impartial jury, the right to have a lawyer, a guarantee that excessive bail will not be charged and that cruel and unusual punishments will not be inflicted.

The Ninth Amendment states that the rights of the people are not limited to the rights listed in the Constitution.

The Tenth Amendment states that powers not delegated to the United States government will be retained by the states or by the people.

Additional Resources:

<http://www.constitutionday.com/>