

# We the People

of the United States, in order to form a more perfect Union, 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.

## Article I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, on such Day as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at least one Representative, and until such Enumeration shall be made, the States of New Hampshire shall be entitled to three, Massachusetts to eight, Rhode Island and Plymouth to three, Connecticut to five, and New York to six Representatives.

When vacancies happen in the Representation from any State, the Executive Authority of the State in which the Vacancy happens shall be authorized to call Elections to fill such Vacancies.

Section 3. The Electors in each State shall have one Vote.

Immediately after they shall be assembled, in each State, the Electors in each State shall meet in a separate Room, and publickly open the Votes, and the Votes shall be counted. The Person or Persons having the greatest Number of Votes shall be the Elector, but no Person shall be chosen who shall not have attained to the Age of thirty Years, and been seven Years a Citizen of the United States, and been born, or have been fourteen Years, within the United States.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been seven Years a Citizen of the United States, and been born, or have been fourteen Years, within the United States.

The Senate shall have the sole Power to try all Impeachments: When sitting for that Purpose they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Impeachment on Conviction of Impeachment shall not extend further than to removal from Office, and disqualification to hold any Office of honor, Trust or Profit under the United States: But the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Execution, according to Law.

Section 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be in the City of New York, until they shall by Law provide otherwise.

Section 5. Every State shall have the right to appoint electors in such Manner as the Legislature thereof may direct, and the Electors in each State shall have one Vote.

Section 6. The Senators and Representatives and Members of the Electors in each State shall receive a Compensation for their Services, which shall be ascertained by Law.

Section 7. No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office of Honor, Trust or Profit under the United States.

Section 8. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Taxes and Duties shall be uniform throughout the United States.

Section 9. The Migration or Importation of Persons, who have not attained to the Age of eighteen Years, shall not be prohibited by any State, but the Congress may at any time by Law prohibit the Importation of such Persons, and may at any time extend the existing Prohibition to all Persons not born in the United States.

Section 10. No State shall enter into any Treaty, Alliance or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin legal Tender for Payment; or give Grants of Feudal Tenure.

Section 11. The Congress shall have Power to regulate Commerce with foreign Nations, among the several States, and with the Indian Tribes.

Section 12. The Congress shall have Power to declare War, to issue Letters of Marque and Reprisal, and to grant Letters of Marque and Reprisal to private Vessels.

Section 13. The Congress shall have Power to define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations.

Section 14. The Congress shall have Power to establish an inferior Court or Courts, such as the Congress may think necessary to exercise the Powers vested in this Constitution.

Section 15. The Congress shall have Power to declare the Punishment of Death, and to define and punish Crimes against the Law of Nations, and Crimes committed on the high Seas, and Offences against the Law of Nations.

Section 16. The Congress shall have Power to constitute Tribunals, and to define and punish Crimes against the Law of Nations, and Crimes committed on the high Seas, and Offences against the Law of Nations.

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## Article II

Section 1. The executive Power shall be vested in a President of the United States of America. He shall hold Office, during the Term of Years, which shall be stated in Article III.

Each State shall have one Vote. Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be President, who shall not have attained to the Age of thirty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, one of whom may be of the same State with themselves: And they shall make out a List of all the Persons voted for, of the Number of Votes for each, and transmit sealed up, in the Seal of the Government of the United States, directed to the President of the Senate, one Copy of this List to the President of the Senate, and one Copy to the Vice President of the United States.

The Person having the greatest Number of Votes shall be the President, but no Person shall be chosen who shall not have attained to the Age of thirty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

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# CONSTITUTION USA

with Peter Sagal



DISCUSSION GUIDE

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# INTRODUCTION

## ***CONSTITUTION USA with Peter Sagal*** **A MAJOR PBS BROADCAST AND EDUCATIONAL PROJECT**

*Many of us don't have any idea what the Constitution says. Of course, that's never stopped us from arguing about what it means.... Peter Sagal, CONSTITUTION USA*

Americans are a people who share neither a long common history, nor a common ancestry, religion or culture. Instead, we have in common a Constitution and a set of constitutional ideals.

But today our Constitution—with its revolutionary blueprint for the structure of a nation and an historically unprecedented protection of human rights—is remarkably misunderstood. Most people, including those of us who consider ourselves educated and informed, have little idea of what the Constitution actually says or means. In fact, recent surveys show that more Americans can name the Three Stooges than the three branches of government—and that a majority of Americans are unfamiliar with the constitutional separation of church and state.



And those are surveys of *adults*. For our school kids, it's even worse. Results from the 2010 National Assessment of Educational Progress (NAEP) in Civics report an alarming deficit in civics education, including the fact that fewer than half of American eighth graders knew the purpose of the Bill of Rights. Justice Sandra Day O'Connor observed, "Today's NAEP results confirm that we have a crisis on our hands when it comes to civics education." Indeed, educators report that many students never receive civics education of any kind.

Secretary of Education Arne Duncan writes, "The lack of shared civic knowledge comes at a tremendous cost and leaves many Americans without the basic appreciation of the rights and the responsibilities of citizenship."

Now, in 2013, with the Constitution being a top-of-mind topic—invoked/debated nearly every day in Congress, town halls, blogs and the front pages of our newspapers—the time could not be better to engage and educate the public about our founding document, its extraordinary history, and its vital relevance today.

# THE TELEVISION SERIES

*CONSTITUTION USA with Peter Sagal* is a production of **tpt** National Productions in association with Insignia Films. The four-hour series is hosted by Peter Sagal, the smart, sharp-witted star of NPR's popular *Wait Wait... Don't Tell Me!*. Over the course of the series, Sagal hits the road, travelling cross country on a customized red, white and blue Harley-Davidson, to find out how the Constitution works in the 21<sup>st</sup> century.

From New York to San Francisco, from Missoula, Montana to Tyler, Texas, Sagal visits dozens of cities and small towns introducing viewers to some of today's major constitutional debates—free speech in the digital age, same-sex marriage, voting rights, affirmative action and separation of church and state, to name just a few—and the fascinating stories of the people they affect every day.



In *CONSTITUTION USA*, Peter also talks to prominent legal scholars, historians and public figures, finding out what the Constitution says, the dramatic historical events and crises that defined the Constitution, and why all this *matters*.

Each one-hour episode of *CONSTITUTION USA* vividly illuminates a central theme, essential to the Constitution: the Constitution's extraordinary and innovative brand of federalism; individual freedoms and the Bill of Rights; the concept of equal protection enshrined in the 14<sup>th</sup> amendment; and the fundamental principle of separation of powers.

*CONSTITUTION USA* helps viewers understand both the strengths and challenges of our American system of government: how revolutionary the phrase "We the People" was in 1787—and the struggles by African Americans, women and other groups to be included in those words; how tensions over the proper size and power of government are hardwired into the document; and debates about whether the Constitution is still "up to" the task of working in the 21<sup>st</sup> Century.

Far from being a dry historical survey, *CONSTITUTION USA* television series is a story of personal emotion, passion, big ideas and high stakes that vividly continues today.

Learn more about the series by visiting its comprehensive website at [www.pbs.org/ConstitutionUSA](http://www.pbs.org/ConstitutionUSA). In addition to the entire television series streaming online following its broadcast premiere, you will find:

- Expert interviews and other video content created especially for the web;
- User-generated audio and text that will capture the multiple ways Americans view the Constitution, and showcase conflicting sides of constitutional debates today;
- Online forums featuring experts and scholars;
- Rich aggregated content from all of our partners, including interactive and foreign language versions of the Constitution, iCivics games, quizzes, and more.

# EPISODES DESCRIPTIONS

## **Episode 1 - A More Perfect Union**

One of the most revolutionary aspects of the Constitution is “federalism,” the innovative system which created a strong national government while at the same time preserving much of the independence of the states. This delicate balance of power, seemingly hard-wired for disagreement and conflict, has served America well for more than two centuries. But it has also led to tensions throughout American history and still sparks controversy today.

Peter Sagal travels across the country and meets many who believe that the federal government has grown too big, and assumed more power than the framers intended. He’ll talk to a Montana gun rights advocate, who believes federal firearms regulations are taking away his constitutional rights, and to the owner of a medical marijuana dispensary in Oakland which is legal according to the state of California, but for which he could be subject to the death penalty according to federal law.

On the flip side, Peter will meet passionate advocates who point to the central contributions that can only be made from a strong central government, like the construction of dams and interstate highways, protection of food and drugs, and maintaining clean water and air. He’ll learn how, in times of crisis like the battle over integration of schools in Little Rock, Arkansas, it was the federal government that dramatically stepped in to make a difference.

## **Episode 2 - It’s A Free Country**

Ask Americans what the Constitution’s most important feature is, and most will say it’s the guarantees of liberty enshrined in the Bill of Rights, the first ten amendments of the Constitution.

Americans are fiercely proud of their freedoms but they continue to argue about what those basic rights are and how they can be sustained in a changing world. Are our rights unchangeable, or should they evolve over time? What is the proper role for the courts in interpreting rights?

In this hour, Peter explores the history of the Bill of Rights, and why each was included. He’ll look at several important rights cases in American history, involving freedom of speech, freedom of religion, right to legal counsel, cases that have expanded or enforced basic liberties. He’ll also learn how technology, particularly the internet, is challenging our right to privacy.

## **Episode 3 – Created Equal**

The high ideals of the Declaration of Independence that “all men are created equal,” endowed with “inalienable rights,” didn’t make it into the Constitution in 1787. It took three-quarters of a century, and a bloody civil war, before the Fourteenth Amendment of 1868 made equality a constitutional right, and gave the federal government the power to enforce it.

In this episode, Peter learns how the far-reaching changes created by that amendment established new notions of citizenship, equal protection, due process, and personal liberty, altering the relationship between the federal government and the states. In many ways it is this “Second Constitution” that governs the nation we live in today, and it is the Fourteenth Amendment that underlies many landmark Supreme Court decisions that have reshaped the contours of American society.

In Tyler, Texas, Peter meets a group of siblings named Lopez, whose parents successfully challenged a law that prohibited the children of illegal aliens from attending public school. In Kentucky, he talks to a former convict who has served her time and is fighting to regain her right to vote. In Berkeley, California, two women’s insistence on their right to marry has thrust them into a battle with the state of California, in a case headed to the United States Supreme Court. And in New Haven, a white

firefighter successfully challenges affirmative action policies that blocked his promotion, claiming the right to “equal protection.” Should cases like these be decided by the courts or by the popular vote?

#### **Episode 4 – *Built to Last?***

Peter travels to Iceland where a few years after the country’s economic collapse, leaders decided to create a new constitution, turning to the U.S. Constitution for inspiration and guidance. This prompts Peter to consider the extraordinary longevity of our own founding document. He’ll talk to a variety of Americans, including Justice Sandra Day O’Connor about why the Constitution, famously brief and full of vague language, has survived for more than two and a quarter centuries.

Peter looks at the incredibly difficult process the framers set up for amending the Constitution; there have only been 27 amendments in 225 years, a fact that frustrates some but that others believe contributes to the document’s authority and power. We’ll tell the story of the failed Equal Rights Amendment to the Constitution, and show how eventually sex discrimination was dealt with by court decisions and acts of legislation instead. One law, Title IX, helped promote girls’ sports programs and we’ll meet one of the beneficiaries of that legislation, 17 year old Olympic boxer Clarissa Shields.

We’ll revisit the story of Watergate and see how the system of checks and balances set up by the Constitution prevented the president from overstepping his power. Peter travels to Washington and beyond, talking to Congressman Barney Frank, P.J. O’Rourke and others about threats to our national charter today including excessive political partisanship, money in politics, gerrymandering, and gridlock.

We’ll end our series with reflections on what has kept our Constitution alive and allowed it to stay relevant. It is a deeply human document. Its creation was not a miracle of perfection—some of its innate tensions nearly ripped our country apart and some trouble us deeply even now. And while our Constitution today may not be perfect, scholar Akhil Reed Amar tells Peter that it is perfectible. “It’s this epic, flawed, spectacular conversation over more than two centuries and it’s still going on. It’s a great gift.”

# ORGANIZING A SCREENING

*"This constitution isn't just about what happened in 1787. But what has been happening every day since and what is still happening..." – Akhil Amar, CONSTITUTION USA*

Hosting a CONSTITUTION USA screening can be an effective way to gather people and initiate conversations about the Constitution. A clip reel is available upon request for a limited time, the film is available for streaming and purchase as a DVD at <http://www.pbs.org/constitutionUSA>.

We all know that effective outreach springs from strong partnerships. Jumping on board an existing community activity or inviting other organizations to join your initiative will strengthen, extend, and excite your target audience.

Whether you're coordinating your efforts with a community organization, educational institution, large corporation, small business, sports team, faith-based group, or other local partner, this guide will help. Connect with powerful local partners. Where available, link up with organizations who are already committed to addressing the need for civics-based programming and implement joint outreach and educational efforts, individually tailored to the needs of your community.

We offer the following suggestions for the types of groups that might host a screening or make great panelists for discussions:

Civil and human rights organizations	Government agencies
College and University Law Schools or History Departments	High schools
Cultural organizations and museums	Historical societies and archival departments
Education associations	Law Enforcement Agencies
Faith-based institutions	League of Women Voters
Families	Libraries
	Local public media stations

## Suggestions for Planning a Screening

Here are some recommendations for hosting a successful screening.

**Define the purpose.** Prior to planning a screening, define the main objective for the screening. You may have a few goals in mind, so identifying them can be helpful in providing a focus for the event, selecting any partners and determining the appropriate audience.

**Identify partners and/or panelists.** Working with others has several advantages including identifying space, gathering diverse audiences, and promoting the event. First look at your personal network and already established relationships. Then consider reaching out to local community organizations and institutions and individuals (use the list above of suggested groups) who may be interested in participating.

**Secure a location.** Consider locations that are centrally located and easy to get to. Partnering can also help to find locations that would be free of charge. Libraries often offer free space to individuals and community groups. Since the documentary is ninety minutes long, you'll want to choose a space where the audience can be comfortable for the entire event. You'll also need to make sure you have the right equipment, including items like a microphone, television or screen and projector, if necessary.

**Determine a format.** Develop an agenda for the event, even if only used for your purposes. Consider length, as well as time allotted for opening and closing remarks.

**Promote the screening.** If the screening is open to the public, promote the screening via email, social networks, word-of-mouth, and flyers. Coordinating an RSVP system can allow you to track the number of estimated attendees and send reminders.

**Follow-up.** Consider how you will follow-up with audience members. Will it be via email? Will you give active participants an opportunity to gather in the future? Consider providing participants with an evaluation form to rate their experience.

## SUGGESTED SCREENING EVENTS

Did you know that September 17 is National Constitution Day? Consider Constitutional dates when planning your screenings, and you can hold CONSTITUTION USA events year-round! Remember to tailor these initiatives for your local community to ensure the most success for your event.

### **GENERAL SCREENING**

Local community organizations could combine forces to screen part of the series, either at the local PBS station or at partner facilities. This event could include employees, board members, clients, and other stakeholders in each organization, as well as their families, or could be advertised and opened to the public to raise community awareness about your local PBS station and/or your partner(s)' organization.

Depending on your venue's resources and your targeted audience, consider one or more of these activities:

- Viewing one of the episodes, the clip reel, or relevant clip of your choice.
- Organize a panel discussion featuring local experts and/or community activists to help localize your conversation.
- Invite local organizations doing civics education in the community (such as your local Department of Justice) to have tables or booths at the event to share their resources.

Press coverage could be sought for these events, but is more likely to be gained as an announcement promoting the event (if it is open to the public), rather than actual stories about the event.

### **LECTURE SERIES**

This screening event involves screening the film (or an edited version) at your PBS station or working with a community partner to hold it at a local library, museum, faith-based, educational organization.

Invite a local speaker who has similar expertise to that of the experts or community activists featured in the documentary. You may want to consult local experts/professionals when selecting a lecturer(s). In addition, it may be helpful to contact local or national civics-related organizations for speaker suggestions or invite appropriate partner groups to showcase their organizations in "mini-booths" or tables prior to the lecture. These events could deal with local issues not included to the film but finding an expert to help facilitate the dialogue and answer specific questions will help ensure a successful event.

**Consider taking this lecture series to your local seniors.** For this partnership program, work with local senior leisure centers, assisted care centers or nursing homes to present lecture series. Invite everyone from grandchildren to parents to grandparents and schedule an event(s) where families can sample a clip or two from the show, then discuss issues that relevant to this community.

### **ON-THE-JOB SERIES**

Take your CONSTITUTION USA screening to the workplace. Most of our waking hours are spent in the workplace. Use this venue to spark conversation and encourage learning.

People cite the Constitution all the time but most people have never read it. To take steps toward more civically engaged workplaces, and support your community's employees in their quest for education, share these ideas with local businesses, or use them at your own organization:

- *Brown Bag Series:* Tap into a company's best resource: its people. Offer opportunities for employees to gather at lunchtime and share informal presentations with colleagues on Constitution-related topics. You could kick off the series with a screenings of *CONSTITUTION USA* and share the online resources. From there, the sky is the limit. Bring in an expert to talk to your employees about work-related issues and how they relate back to the Constitution. Or ask employees to bring specific questions for an expert to answer.

- *Who is a Citizen?:* Would you pass the Citizenship Test if it was given to you tomorrow? Reserve a conference room, and gather for a lunchtime test. Test yourselves and see who would be qualified for citizenship based on their knowledge of the Constitution and the American system of government. Organize the group to meet regularly to continue learning more about the Constitution. Nothing fancy required; it can be four colleagues or a company-wide initiative.
- *CONSTITUTION USA* online tools: Log onto [www.pbs.org/ConstitutionUSA](http://www.pbs.org/ConstitutionUSA) and learn more about the themes of the Constitution featured there: Rights, Equality, We the People and (the innovative concept with the boring name) Federalism. Pick a theme for your topic and share clips from experts, use these to encourage dialogue with coworkers about local issues and the Constitution itself. Was it built to last? Or does it need amending? There are no right and wrong answers.

### ***CITIZEN JOURNALISTS - REACHING OUT TO KIDS***

Many afterschool programs are in need of good programming and provide an eager audience. Look into partnering with your local YMCA, Boys and Girls Clubs of America, scouting groups, or schools. *CONSTITUTION USA* contains several stories that focus on the perspectives of young people whose lives have been affected personally by the Constitution. In addition to afterschool programming, classrooms nationwide are required to study the Constitution every year on September 17, National Constitution Day.

Similar to *CONSTITUTION USA*'s partnership with PBS NewsHour, you can bring a "Student Reporting Lab" into the classroom. With the access kids have to technology, encourage them to use their phones or music devices to become citizen journalists. Screen the series or clips with the students and then send them out to capture an issue relevant to them. Their task? Relating the issue back to the Constitution. Consider making these videos into an online film festival or have the students vote on the video they like best.

# THE DIALOGUE

## Suggested Topics and Questions

*"The Constitution is this epic... flawed... spectacular... conversation over two centuries and it's still continuing."* – Akhil Amar, *CONSTITUTION USA*

CONSTITUTION USA is divided into four one-hour programs, each dealing with specific concept or principle from the Constitution. Anyone of these topics is guaranteed to spark lively debate! We have suggested below some questions to activate your discussions.

### **FEDERALISM (Episode One: A More Perfect Union)**

Federalism is one of the most important and innovative concepts in the U.S. Constitution, although the word never appears there. Federalism is the sharing of power between national and state governments. In America, the states existed first, and they struggled to create a strong national government capable of uniting the country while preserving the freedoms of independent states. The U.S. Constitution is hardwired with the tensions of that struggle, and Americans still debate the proper role of the national government versus the states. Chief Justice John Marshall, the longest-serving leader of the Supreme Court, noted that this question "is perpetually arising, and will probably continue to arise, as long as our system shall exist."<sup>1</sup>

- *Does the federal government have too much power or not enough?*
- *We call ourselves the United States of America, but how "united" are we?*
- *The framers were striving for a balance of power. Did they succeed or just create confusion and redundancy?*
- *Is the federal government going too far with federal regulations on things like energy-efficient light bulbs and toilets...or do regulations like that serve a purpose?*
- *Are there some things states do better than the federal government? How about the other way around?*

### **RIGHTS (Episode Two: It's a Free Country)**

What is a right, and where does it come from? A right is a power or privilege that is recognized by tradition or law. Natural or human rights are inherent to human nature; they are not given by government, but neither does government always protect them. Legal rights are those recognized by government, but they can often be taken away as easily as they are given. Throughout U.S. history, many Americans have sought to protect natural rights with law. Indeed, rights form the core of the American experience. As noted by the Commission on the Bicentennial of the United States Constitution: "America has always been about rights. . . . While many nations are based on a shared language or ethnic heritage, Americans have made rights the foundation of their national identity."

- *As the digital age changes how we live, can our rights to speech and privacy keep up?*
- *In the land of the free, why are our rights so complicated?*
- *Speech, press, religion, guns -- those are the biggies -- but what other rights are covered by the constitution?*
- *Is the right to free speech obsolete?*
- *Is separation of church and state about freedom *\*of\** religion or freedom *\*from\** religion?*
- *With the advancement of technology and social networking, is the right to privacy obsolete?*
- *How much privacy should we be willing to give up in the name of safety?*
- *The Bill of Rights protects the rights of minorities. Why is that important?*

### **EQUALITY (Episode Three: Created Equal)**

In the wake of the Civil War, three amendments were added to the U.S. Constitution.

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1 McCulloch v. Maryland, 17 U.S. 400, 405 (1819).

The Thirteenth Amendment abolished slavery (1865), the Fourteenth Amendment made freed slaves citizens of the United States and the state wherein they lived (1868), and the Fifteenth Amendment gave the vote to men of any race (1870). During this time, the nation struggled with what role four million newly freed slaves would assume in American life. With the triumph of the Radical Republicans in Congress, the Constitution was amended to grant full citizenship to former slaves and promise them equal treatment under the law, a promise that took more than a century to fulfill.

Of the Civil War Amendments, the Fourteenth Amendment had the most far-reaching effect on the meaning of the Constitution. It conferred both national and state citizenship upon birth, thereby protecting the legal status of the newly freed slaves. Eventually, the amendment would be interpreted to apply most provisions in the Bill of Rights to the states as well as the national government. And finally, the Fourteenth Amendment introduced the ideal of equality to the Constitution for the first time, promising "equal protection of the laws."

A key feature of the Fourteenth Amendment was that it directly prohibited certain actions by the states. It also gave Congress the power to enforce the amendment through legislation. The Fourteenth Amendment represented a great expansion of the power of the national government over the states. It has been cited in more Supreme Court cases than any other part of the Constitution. In fact, it made possible a new Constitution—one that protected rights throughout the nation and upheld equality as a constitutional value.

- *Should the children of illegal immigrants have the right to a public education?*
- *Should formerly incarcerated felons have the right to vote?*
- *Does the 14th amendment give same sex couples the right to marry?*
- *The words "Same sex marriage," "abortion," etc., are not in the constitution -- so how do you decide if it's a protected liberty?*
- *Should big constitutional decisions be left up to judges or to popular vote?*
- *The United States and Canada are the only developed nations that recognize birthright citizenship, meaning children of illegal immigrants born in the United States have full U.S. citizenship. Other nations with high immigration rates have repealed birthright citizenship in response. Should birthright citizenship still be a part of our constitution?*

### **WE THE PEOPLE (Episode Four: *Built to Last?*)**

The first three words in the Constitution are the most powerful: We the People. They declare that the Constitution derives its power not from a king or a Congress, but from the people themselves. This concept of popular sovereignty—power to the people—is the foundation upon which the entire Constitution depends.

The framers of the Constitution designed a system of government in 1787 that distributed power among three branches—legislative, executive, and judicial. Having just overthrown a king, the framers did not want to concentrate power in one ruler, whether a president or a Congress. Therefore, they established checks and balances for each branch over the other two. Some modern critics argue that this system creates gridlock and is ill-suited to the demands of the 21<sup>st</sup> century, where global electronic networks can collapse financial markets and national governments in milliseconds. They advocate creation of a new constitution.

But even the framers themselves did not think the Constitution was perfect. That's why they included an amendment process in Article V, so the people could make changes to the Constitution as they saw fit. Over the past 225 years, the people have added 27 amendments; the most common theme has been expanding the right to vote. In the end, each generation strives to create a "more perfect union" for those yet to come. The Constitution begins and ends with We the People.

- *Is our Constitution up to the challenge of the 21st century?*
- *What amendments would you propose to the Constitution?*
- *Is it a good or bad thing that our Constitution is so difficult to amend?*
- *Is gridlock in Congress bad for our country or is it sometimes necessary?*
- *Does the executive branch have too much power? Has it ever abused its power?*

## PROMOTING YOUR EFFORTS

How you implement your *CONSTITUTION USA* events is up to you—there’s no single right way to inspire your population to learn more about the Constitution. But here are a few quick tips on sharing the word about your event, whatever it might be.

### **DOWNLOAD THE RESOURCES IN THE CONSTITUTION USA TOOLKIT.**

Use our toolkit at [www.tpt.org/constitution-usa](http://www.tpt.org/constitution-usa) which includes a variety of tools for you to download and tailor to your own event details.



### **PIGGYBACK ON EXISTING TOOLS.**

Take advantage of existing communication vehicles. Ask potential participants to include an announcement in their groups’ e-newsletter or offer the information on their website. Stuff an informational flier in a paycheck envelope, include an announcement in a paper-based newsletter, or ask to be included in any regular verbal announcements.

### **SPREAD THE WORD WITH PAPER.**

If possible, pass out fliers to members of your target audience. For example, if your event addresses employees at a particular business, distribute promotional collateral at high traffic areas like entryways, break rooms, or lunch spots. Use “passive promotions” like colorful posters in places your target audience convenes. And of course, encourage potential participants to invite friends and family members to join the fun and be creative.

### **GET SOCIAL!**

Use the social media outline provided in the toolkit for suggested tweets and Facebook posts. Ask your partners to use their networks to help get the word out even further.

### **REWARD THOSE WHO SPREAD THE WORD.**

Offer a prize (like a restaurant gift certificate or discount on a local performance) to the partner, department, team, or group who encourages the most people to participate in the event.

### **EXTEND PERSONAL INVITATIONS.**

These are the best way to engage participants. Ask everyone involved to personally invite potential audience members.

## NATIONAL PARTNERS

To provide the best opportunities for people to learn, interact, and engage with CONSTITUTION USA, we sought partnerships with organizations specializing in the topic. Educational materials and classroom guides were created by the National Constitution Center. Online games have been provided on iCivics, including a game developed specifically for CONSTITUTION USA on the challenging topic of federalism. For adult education resources, we turned to Montpelier and to help capture the voices and opinions of Americans and youth around the country, we tapped into the Public Insight Network and the PBS NewsHour Student Reporting Lab program.

For more about our partners:

### ***The National Constitution Center***

The National Constitution Center is the first and only nonprofit, nonpartisan institution devoted to the most powerful vision of human freedom ever expressed: the U.S. Constitution. Located on Independence Mall in Historic Philadelphia, the birthplace of American freedom, the Center illuminates constitutional ideals and inspires active citizenship through a state-of-the-art museum experience, including hundreds of interactive exhibits, films and rare artifacts; must-see feature exhibitions; the internationally acclaimed, 360-degree theatrical production Freedom Rising; and the iconic Signers' Hall, where visitors can sign the Constitution alongside 42 life-size, bronze statues of the Founding Fathers.

### ***iCivics***

In 2009, Justice Sandra Day O'Connor founded iCivics to reverse Americans' declining civic knowledge and participation. Securing democracy, Justice O'Connor realized, requires teaching the next generation to understand and respect our system of governance. Today iCivics comprises not just board and staff, but also a national leadership team of state Supreme Court justices, secretaries of state, and educational leaders and a network of committed volunteers. iCivics is committed to passing along our legacy of democracy to the next generation.

### ***The PBS NewsHour's Student Reporting Labs***

Recognizing that informed and engaged young people are critical for a healthy democracy, the PBS NewsHour Student Reporting Labs program connects high school students to local PBS stations and news professionals in their community to produce original, student-generated news video reports. The young people who participate in the project learn how to report, problem-solve, synthesize information and investigate important topics: journalism as a form of learning.

### ***James Madison's Montpelier Center for the Constitution***

The Montpelier Foundation created its Robert H. Smith Center for the Constitution in 2002. As America's premier constitutional training center, the Center offers world-class on-site and online educational programming. The Center's goal is to enable the public to expand its knowledge and understanding of the Constitution. Through online and on-site programs held at Montpelier, the Center inspires participation in civic dialogue, improves the public's understanding of the founding principles of the United States, and enables citizens to deepen their understanding of and participation in our democracy.

### ***The Public Insight Network (PIN)***

Through American Public Media is a network of 170,000 citizen journalists that newsrooms around the country use to add context and depth to news stories.

# BEHIND THE FILM

## The Production Team

**Peter Sagal, Host/Narrator** became the host of *Wait Wait... Don't Tell Me!*, an hour long comedy news quiz on NPR in May 1998. Since then, it has become one of the most popular shows on radio, heard by three million listeners a week, on more than 500 public radio stations nationwide, and heard by a million more via a top 10 podcast. Sagal has interviewed John McCain, Barack Obama, Bill Clinton, Supreme Court Justice Stephen Breyer, Elvis Costello, Tom Hanks, Larry King, Randy Newman and dozens of other actors, writers, musicians, politicians, and celebrities.

Among Sagal's honors are a George Foster Peabody Award for *Wait Wait... Don't Tell Me!* Others include the Lannan Foundation Award for Best New American Play, a DramaLogue award for directing, grants from the Jerome and McKnight Foundations and a residency grant at the Camargo Foundation in Cassis, France.

**Stephen Ives, Director**, is one of the nation's leading independent American history producer/directors. For more than 20 years, Ives and his production company Insignia Films, have been creating documentaries that explore America's past, engage with its present, and illuminate who we are as a nation and what we believe. His landmark series *The West* was one of PBS' most highly praised American history series. Ives' credits also include a decade-long collaboration with filmmaker Ken Burns, including consulting producer on the groundbreaking series *The Civil War* and *Baseball*.

Other works by Ives include *Seasbiscuit*, a Primetime Emmy winner; *Lindbergh*; *The Roads to Memphis* and *Custer's Last Stand*.

**Amanda Pollak, Producer**, has been producing, researching and writing highly acclaimed documentaries for Public Television since 1992. Her investigative skills were rewarded early on when she received an individual Emmy for her leading role in researching *TR: The Story of Theodore Roosevelt*, which the *New York Daily News* proclaimed to be "one of public television's proudest achievements." Since then, she has produced numerous films for PBS, among them the Emmy Award-winning *Truman*; *Abraham and Mary Lincoln: A House Divided*; *Money and Power: The History of Business*; and one hour of the five-hour scientific series, *The Secret Life of the Brain*, which earned her an Emmy Award for producing. In 1995, Pollak returned to her specialty, historical narrative, by joining Insignia Films to produce *Reporting America at War*. With Insignia Films, she has gone on to produce a half-dozen films for PBS's acclaimed history series, *American Experience*, including *Las Vegas*, *New Orleans*, *Roads to Memphis*, *The Panama Canal*, *Custer's Last Stand* and *Grand Coulee Dam*.

**Catherine Allan, Executive Producer, tpt National Productions**, has created a highly lauded body of work on the history of America's founding including the six-part series *Liberty! The American Revolution* (Peabody-winner); *Benjamin Franklin* (Primetime Emmy for Outstanding Nonfiction Special); *Alexander Hamilton*; and *Dolley Madison*. Her most recent American history project is *Slavery by Another Name*, the story of the re-enslavement of African Americans from the end of the Civil War through the beginning of World War II. *Slavery by Another Name* was one of 16 documentaries to be featured in competition at the 2012 Sundance Film Festival.

Allan also was co-executive producer of *Hoop Dreams*, a Peabody winner and voted by the International Documentary Association as the "#1 Documentary of All Time."

# CREDITS

## Film Credits

Hosted and Narrated by Peter Sagal

Director: Stephen Ives

Producer: Amanda Pollak

Written by Jaime Bernanke with Additional Material by Peter Sagal

Executive Producer: Catherine Allan

Editor: Omry Maoz, Jim Isler, David Teague

Co-Producer: Christopher Buchanan

Cinematography: Buddy Squires

Original Music By: Peter Rundquist

## Discussion Guide Credits

This guide was created by Twin Cities Public Television, Inc.

Station Relations: Elaine Powell

Engagement & Interactive Producer: Heidi Van Heel

Managing Producer: Ted Hinck

"Suggested Topics" written by Linda Monk, constitutional scholar

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