



OUR CONSTITUTION: DEBATE IT. DISCUSS IT. UNDERSTAND IT

By Carolyn Lamm, President, American Bar Association

How many of us know the importance of September 17? Probably few. But it was on this date in 1787 that the United States enacted the U.S. Constitution. As its anniversary again approaches, I urge you to reflect on the importance of this document that is the cornerstone of our democratic society. It is your Constitution, and as an American – or someone interested in becoming an American! – it is your right and responsibility to: “Debate It. Discuss it. Understand it.”

As recently retired Supreme Court Associate Justice David Souter highlighted at the American Bar Association 2009 Annual Meeting in August, statistics consistently show that when asked, two-thirds of Americans are not able to name the legislative, executive, and judicial branches of government. It is unfortunate if any Americans simply believe such information is not of central importance to their day-to-day lives, or that the Constitution is merely a historical document without any current relevance. But even a quick scan of recent headlines demonstrates the importance of the Constitution in our daily lives. Justice Sonia Sotomayor recently replaced Justice Souter on the Supreme Court of the United States.

What does the Constitution have to do with this? In a word: much. From the creation of the Supreme Court to the selection of diverse judges, to the Senate questioning and voting on Justice Sotomayor’s nomination, to the guiding principle of law that the new justice will follow during her tenure, it was our country’s Constitution that provided the rules that all three branches of government follow. The Constitution provides the vital framework that allows our government to function as a republic.

The Constitution affects virtually every major political and legal issue featured in the daily news. Consider the heated debates over healthcare reform. The federal government cannot simply pass any laws it wants – the Constitution determines which powers belong to the federal government and which to the individual states. Whatever President Obama and the Congress decide to do with healthcare reform, they must do within the constitutional limits of their respective branch – and our nation’s courts will ensure that those limits are respected.

During his speech to the ABA Justice Souter recounted his childhood experiences attending traditional New England town hall meetings. These experiences were vital to his understanding of the role, function, and structure of our government. Such an early and direct introduction into civic education was key for the Justice, and should be for all Americans. As modern day town hall meetings and debates over healthcare reform show, we must understand the role of our government, practice the skill of civil discourse, and place a value on an informed citizenry in making our system of government and laws work. As the Constitution makes clear, our democracy is not founded on the loudest voice, but rather, on the deliberations of many voices.

As the anniversary of the signing of the Constitution approaches, it is necessary to reflect on this important document and our commitment to it. The ABA has affirmed its commitment to increasing and strengthening civic education across the country and a wide variety of Constitution related teaching programs and projects are at www.abaconstitution.org. We urge you, too, to make a commitment. Mark Constitution Day by reading the Constitution and join with others in your community to: Debate it. Discuss it. Understand it.

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