

Eastern District of California Takes Lead on Constitution Day Reading

By [Bill Cracraft](#), Communications Specialist, Ninth Circuit

Over 100 readers from the District Court for the Eastern District of California brought the Constitution into the limelight on September 17 when each read aloud a portion of that great document as scores watched on a live YouTube feed in the Ninth Circuit Court of Appeals' channel.

“Judges and lawyers take a solemn oath to protect and defend the Constitution,” said Chief Judge Kimberly J. Mueller, of the Eastern District of California, who arranged for the readings. “For our system of justice to work, we need everyone to understand this and trust that we are faithfully following the Constitution and the laws in performing the work of the Third Branch. Reading the Constitution out loud, in community, reminds us of our solemn obligation and celebrates this foundational document’s permanence and resilience.”

Judge Mueller was inspired to set up the reading by Supreme Court Justice Anthony Kennedy, who grew up in Sacramento and encourages everyone to read the Constitution through, annually. [The Justice Anthony M. Kennedy Library and Learning Center](#) in the Robert T. Matsui United States Courthouse in Sacramento has hosted, and will one day resume hosting, student groups and other law-oriented gatherings. Judge Mueller was considering a Constitution reading day when she met U.S. District Judge Curtis L. Collier, of the Eastern District of Tennessee, at the first National Conference on Civic Education and the Federal Judiciary in 2019. She was able to key off his efforts to create the activity in California.

Judge Mueller’s goals are simple and profound at the same time: to celebrate the Constitution’s foundational importance, inspire the participants and “have some fun with it as well!” she said. Judge Mueller had hoped to host the reading on the plaza of the Matsui Courthouse, but COVID-19 ruled out that plan. “Perhaps that will be a possibility next year,” she noted.

Judge Mueller’s office reached out to teachers in the hope that students would be encouraged to read a segment, or at least follow the live readings online. “The director of the Criminal Justice Academy at Grant Union High School, Mario Fox, responded and a number of his students signed up to read,” said Judge Mueller. “Also, students in the Sheldon High School THEATREworks program, run by Craig Howard, recorded a layered reading of the Preamble, which we played at the beginning of our reading.”

One of the facets of the Constitution Judge Mueller likes to share is that “while the Constitution was signed by its authors on September 17, 1787, those authors provided for its amendment in Article V. And it’s been amended 27 times — first in 1791 with ratification of the first ten amendments known as the Bill of Rights, and most recently in 1992 with ratification of the 27th Amendment, which originally was proposed in 1789!”

Judge Mueller offered “a special thank you to Chief Justice of California Tani Cantil-Sakauye for joining with us to make our vision for a virtual choral reading a reality and for her help in introducing and launching our program. Together we fulfilled Supreme Court Justice Anthony M. Kennedy’s recommendation that we take time to read the entire Constitution at least once a year.”

Itzayana Perez, a senior at the Criminal Justice Academy at Grant Union High School who hopes to follow a career in medicine, read for the event. “I believe that the constitution is extremely important to read and understand, especially with all the events taking place in today's society,” said Perez. “We have all these unfortunate events, and people should understand that they can do something by exercising their rights provided by the Constitution.

“I also believe it is important to understand the function of government and government positions along with a deeper understanding of our amendments. The reason I decided to read the Constitution along with others is the fact that it allows me to gain more knowledge; by having multiple readers it allows a deeper understanding of the rights myself and others have, along with bettering my understanding of the government structure.

“The section I (read) is significant to me due to the fact it explains a very important job involved in the government and gives me a better understanding how Vice-Presidents are appointed. The Constitution to me is a way of having proof that we have natural born rights. The Constitution is a way of ensuring I am a citizen who has rights and freedom.”

Brian Landsberg, law professor at University of the Pacific McGeorge School of Law in Sacramento, read a portion of Section 2 of the 14th Amendment, which deals with the rights of citizens. “I spent part of my career as a lawyer in the Civil Rights Division of the U.S. Department of Justice, where I handled many cases under the 13th, 14th and 15th Amendments, the so-called Reconstruction Amendments,” he said.

Professor Landsberg noted the Constitution “is the basis for our government and the rule of law in the United States. Despite its flaws it has survived because it has changed through interpretation and amendment to reflect our values as a nation.

“While most lawyers will not regularly and directly practice constitutional law, understanding the Constitution builds a foundation for understanding our system of law. And the Constitution can affect legal practice in unexpected ways. Lawyers must be alert to potential constitutional issues in every area of law—business law, criminal law, torts, contracts, property, tax, administrative law, intellectual property, immigration law, election law, and many others. The Constitution protects basic rights and defines the structure of our government. During a period of national polarization, the Constitution may serve as a basis for unity,” he finished.

The Constitution is an amazing example of the framers’ ingenuity and care in creating our unique form of government,” said Kevin Johnson, dean of UC Davis School of Law. “Public education about the document and its complexities is a worthy endeavor.” Johnson read Article II, Section 2, “which pertains to powers of the President, including informing Congress of the

State of the Union, and to ‘receive Ambassadors and other public Ministers,’ and ‘take Care that the Laws be faithfully executed.’

The importance of the 233-year old document to our nation and to many nations that followed in the footsteps of our founding fathers cannot be overstated. “The Constitution is a living document that is sufficiently flexible to deal with changing circumstances and pressing realities,” Johnson said. “The Constitution governs all of our laws, State and Federal, and thus all of what lawyers do. It is the blueprint of our democracy and lawyers give an oath to uphold the Constitution. Every provision of the Constitution has contemporary meaning.”

“I decided to participate for many reasons,” said Elizabeth Olsen, a policy consultant with the California Senate Office of Research and president of the Woman Lawyers of Sacramento, “one being my patriotism and belief that the Constitution provides inalienable rights, freedoms and protections to all of our citizens. This being the centennial of the Women’s Right to Vote made it an extra special year.”

Olsen read the 19th Amendment which, in 1920, gave women the right to vote. “As a woman, the 19th Amendment holds a great deal of meaning to me. And leading an organization devoted to the advancement of women in the legal profession and improving the status of women in our society, in the year 2020, which also happens to be the 100th anniversary of the ratification of the 19th Amendment, adds additional meaning,” she said.

“The Constitution holds a great deal of meaning to me,” said Olsen. “First off, of course, it represents our democratic republic and distinguishes us from most other nations. My appreciation for the document began in college when I started to fully understand the role it played in our day to day lives through my studies in political science.

“Studying constitutional law and working as a legal research assistant for the public defender’s office gave me a deeper respect and understanding for our constitutional rights. I took pride in knowing that our legal system was built around our Constitution. When people would ask me how I could defend “guilty” people, I’d remind them that I wasn’t just defending an individual, but instead I was defending the constitution and the rights it affords to the accused.”

Olsen voiced a special thanks to Chief Judge Mueller, “who continues to be an inspiration to all women lawyers. She has paved the way for so many young women who seek leadership in the legal community.”

Mario Fox, director of the Criminal Justice Academy at Grant Union High School had a number of his students participate in the readings. “To take a phrase from Dr. Martin Luther King Jr., I have always held that the Constitution is a promissory note that guarantees all U.S. citizens the unalienable rights of life, liberty and the pursuit of happiness,” he said. “A study of the Constitution is incorporated in our curriculum as a prerequisite for our students before the study and case briefs of landmark cases associated with criminal Justice.

“I believe the U.S. Constitution is truly the supreme law of the land and the foundational document that governs our country. It is critical that students be well versed in the U.S. Constitution and its history in order that they may understand, not only the peace and freedoms

established in the document, but also the long struggle that led to the creation of the Constitution. With this foundation, I believe that students will come to understand and appreciate fully that, although we may not always be perfect, the United States is still the greatest country in the world and this is due largely to our Constitution.”

Related Links

YouTube video of the readings:

<https://www.youtube.com/watch?v=nW4MyePxD1k&feature=youtu.be>

Additional reading:

<https://www.uscourts.gov/news/2020/09/14/judges-help-students-focus-meaning-constitution-and-citizenship-day>

<http://www.caed.uscourts.gov/caednew/index.cfm/education/constitution-day/>

<https://constitutioncenter.org/learn/civic-calendar/constitution-day-civic-holiday>

<https://www.uscis.gov/citizenship/resources-for-educational-programs/constitution-day-and-citizenship-day>

Contact [Bill Cracraft](#), Communications Specialist, Ninth Circuit, for comments or questions on this article.