

One Nation, Under the Constitutional Amendments

The Constitutional Amendments were based upon the principle belief of creating an independent nation free from tyrannical rule. When our founding fathers constructed the Constitution, they composed the first Amendment, stating “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances” (U.S. Const. amend. I). The intention behind their words are to not inhibit the thoughts, beliefs, and words of individuals. Many social movements and revolutions were derived from this amendment, such as Martin Luther King Jr.’s iconic “I Have a Dream” speech. Newfound freedom, however, produces hate speech from those who abuse the power of their Constitutional rights. Although some take it upon themselves to misuse their rights, such incidences have shaped America’s social values and pressured the judicial system to create formal stances on a variety of issues. Free speech rights under the First Amendments are reconciled when looking at the independence it has given citizens, the social and political impacts that it creates, and the formation of healthy debates when people don’t concur.

Freedom of speech gives individuals the right to speak their beliefs and values without punishment. From a judicial standpoint, this Amendment is challenging to regulate when it comes to hate speech. Though many people would believe that burning a cross on an African American’s lawn is morally wrong and an act of hate towards both religion and race, the Supreme Court overturned the *R. A. V. v. City of St. Paul, Minnesota*’s ruling. According to *Oyez*, the government is prohibited from punishing speech based merely on the disapproval of its

content (“R. A. V. v City of St. Paul”). If speech were allowed to be ruled based on their expressed ideas, there would be too much bias and discrepancy in court rulings based on the judges’ personal morals and beliefs. Justice Antonin Scalia pointed out that government has a say in acts that pose a threat to communities, but not solely based on the beliefs behind the acts (“Should Hate be Outlawed”). The teenagers in this case were adhering to the first amendment by acting on their beliefs, just as the United States has given them the right to do so. Scalia states that laws are set in place against cross burnings and other violent acts, but on the basis of freedom of speech, government can’t give punishment.

Although some believe the “fighting words” in the case of R. A. V. v. City of St. Paul, Minnesota immoral, there are other instances that the independence given by the first amendment have created immense social and political impacts (“R. A. V. v St. Paul”). August 28th, 1963 is arguably one of the most important dates in the history of social revolutions. On this day, Martin Luther King Jr. presented his “I Have a Dream” speech to the March on Washington, D.C. This verbal presentation on King’s dream “deeply rooted in the American Dream” shows his belief of equality among all races in the midst of civil rights prejudice and bigotry (“I Have a Dream”). It is because of his efforts that ethnic and racial diversity is greater accepted in comparison to when Jim Crow laws enacted to belittle the minorities. Similarly, political platforms have been created and defended through freedom of speech. Ten years later after King’s speech the Supreme Court ruled abortion legal in the case of Roe v. Wade (“Roe v. Wade”). The topic of abortion has since been an important discussion in politics. For citizens, the candidate’s stance on such an issue can be a determinant in who they vote for. Elected officials and candidates use their Constitutional Amendments to express their values on such issues, even when they use it to show strong

opposition for one side or the other. Freedom of speech arises in politics through the issues of climate change, the use of taxpayer dollars, immigration policies, and global affairs to name a few.

Strong opposition of an idea can be used to start healthy debates that can help to gauge an audience's belief on certain topics. People of all ages come together under the first amendment to freely discuss their opinions. An example is high school students challenging the issues of technology in the classroom. According to the Office of Adolescent Health, ninety-four percent of teens who go online using a mobile device do so daily ("How Teens are Connected"). Though it is a fact that technology is becoming increasingly prevalent in our daily lives, many would argue its place in school and education. If students or citizens feel strongly enough about their opinions, they can take their beliefs a step further to actively support their values. Students can gain the confidence to speak to their principal about issues like offering locally-produced fruits and vegetables in school lunches. Similarly, constituents can talk to their local legislators about issues such as water buffers so that their ideas may be represented at a higher level. Intellectual debates can also help to settle disputes between people. Animal rights activists could come to a compromise with those who believe in animal welfare. Healthy debates can lead to compromising, which in turn minimizes hate speech. If groups get together to discuss issues that they can settle on, or at the least to understand where one side's beliefs come from, incidences of hate speech can be decreased.

The United States of America was founded to be a free country, made possible by the Constitutional Amendments. One of the core beliefs is the right to freedom of speech, which is protected by the First Constitutional Amendment. Cases such as *R. A. V. v. City of St. Paul*,

Minnesota have helped our nation to clarify the terms of this binding document. All nine Supreme Court Justices ruled that a person cannot claim a hate speech unlawful based on its content, but rather if it were deemed just an act of violence. Though there are some people such as the teenagers who burned the cross in an African American family's lawn that abuse their rights, they can't be punished by the law. However, freedom of speech, even when its in opposition to a person's thoughts or beliefs, has proven to improve our society. This freedom has given citizens the same promise of independence that our Founding Fathers first gave us, reformed our societal and political beliefs as a nation, and helped to build a better understanding of people's core values to create compromises. All of this is done to promote respect for all involved, while giving citizens their principal right to freedom.

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U.S. Const. amend. I

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