

Editorial: Understanding the First Amendment



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Campaigning to win the office of the United States President for the second time, Theodore Roosevelt stated, "Free speech, exercised both individually and through a free press, is a necessity in any country where people are themselves free." As Americans, we are members of a free society and these freedoms, along with the freedom of religion and the freedom to assemble and petition the government, are guaranteed to us by the First Amendment of the Constitution: "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." But you already knew that. Right?

While most young Americans are aware of their freedoms, they are unsure of the specifics and how they are guaranteed. Such is the case with the confusion surrounding the First Amendment. In asking students around campus what the First Amendment means to

them, I got varying answers. The majority answered the same or similar. "The First Amendment? Isn't that the freedom of speech?" I counted that as a legitimate answer as not everyone will remember the exact text. So yes, the majority at least has a somewhat (if only vague) sense of the original Amendment to the Constitution and they agree that these freedoms characterize us as a free people - Americans. But what happens when I tell you that flag burning is *protected* by the same Amendment?

Sure enough, setting old glory ablaze, racist organizations, satanic religion, cults, and certain four letter words such as - (am I being censored yet?) are all protected by the First Amendment. How much has your opinion changed? Mine hasn't. The First Amendment has drawn much controversy, not by what it guarantees, but by those who attempt to create loopholes or spin its meaning. Organizations such as the Ku Klux Klan for example do have a right to speak freely. When

their hateful words turn into hateful action, however, they are committing crimes and are then held accountable by -the law. Nowhere does the First Amendment describe a "freedom of action without consequences." Maybe this is where some Americans get confused.

During a discussion on the constitutionality of flag burning in Political Science 001 just last month, the majority of my classmates described flag burning as "unconstitutional" and expressed their desire for an Amendment to the Constitution that would legalize the practice. In truth, there has never been any type of legislation that makes flag burning illegal, or the flag burner a criminal. Oftentimes, the flag is burned in protest. Outlawing flag burning would be taking away an outlet that Americans use to petition the government and this would be a violation of our rights.

These opinions are frightening and in the long run dangerous to our freedoms. Indeed flag burning infuriates

most Americans, myself included. However, if we were to call for Amendments for everything that angered us, America would be no better than a Totalitarian nation, with the angry majority holding the power.

The First Amendment is the cornerstone of American life. No other nation enjoys the same freedoms in the ways that we do. As a proprietor of these freedoms, it is an American's duty to accept and support the First Amendment and recognize the opinions of those who disagree with our own as that person's freedom of speech or religion. After all, if you disagree, protest! Utilize your right to peaceably assemble. As a writer for The Fourth Wall, I've just relied on the freedom of the press. These freedoms we use every day are guaranteed by the First Amendment and should never be trodden upon. I agree with former President Roosevelt; the rest of America should too.

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