

In praise of the First Amendment

*“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.”*

*US Constitution: Article 1 of the Bill of Rights*

It's a shame, in every sense of the word, that the First Amendment doesn't have as powerful PR departments and lobbyists as the Second. With all the energy, money, and rhetoric given to “Second Amendment rights,” one might imagine it's the only right that counts, and not the only one that actually begins with two dependent clauses. The phrase, “well-regulated” is right there in print, but no matter how many ghost guns are laser-printed or thousands of lives lost or ruined every year by the free exercise of the Second Amendment, its most avid supporters and profiteers frame any regulation as encroaching tyranny.

Meanwhile, they call the loudest for infringing on First Amendment rights. The very idea that someone might be a little uncomfortable at hearing certain ideas or seeing certain books in libraries or certain people peacefully demonstrating, is enough to call in the censors, burn the books, and support even the most violent attacks on peaceful assemblies. “Divisive concepts” laws infest regressive state houses around the country, even here in the “Live Free or Die” state, making it a crime to discuss either the history or the current challenges of religious, racial, or gender discrimination. They couldn't be more Un-American.

*“The purpose of separation of church and state is to keep forever from these shores the ceaseless strife that has soaked the soil of Europe in blood for centuries.” --James Madison*

The drafters of the Constitution understood tyranny in ways none of us except refugees can. They lived it. They knew what it takes to win and maintain freedom. Most of the drafters of the Constitution expressed deep religious beliefs, but the very first right listed in the Bill of Rights speaks to the separation of church and state. The tyrants under whom they suffered enjoyed centuries of the “divine right of kings.” They knew that whoever claims to rule on a god's behalf has a dangerously inflated sense of entitlement: they can justify any atrocity as “god's will” and subjugate anyone who doesn't conform. Even in the American colonies, religious intolerance imposed by authoritarian governors drove many to flee and create communities where they could freely exercise their religion. That kind of power is intoxicating, though, so over time, Pennsylvania became the only colony that retained unlimited religious freedom until the Federal Constitution was ratified. The inseparable connection of democracy, freedom of religion and belief, and the other forms of freedom was the basis for the First Amendment.

*“Where the press is free and every man able to read, all is safe. Our liberty depends on freedom of the press, and that cannot be limited without being lost.” --Thomas Jefferson*

The Founders knew that Thomas Paine, Benjamin Franklin, and many other fervent pro-democracy writers were essential to creating the Patriot movement and keeping the will to fight alive. They set up Committees of Correspondence in all 13 colonies in 1772 to share information and ideas and help organize and mobilize support for resistance in communities throughout the colonies. These were so effective, they became the foundation of the Continental Congress. Later, leaflets and pamphlets, as well as public speeches, became the life blood of the Abolitionist movement that helped organize the Underground Railroad and eventually led to the end of slavery.

Over the last decade, we have witnessed increasing attacks against the free press, as right-wing authoritarianism pushes against democracies around the world. Journalists covering demonstrations against pandemic restrictions in Germany are being targeted and assaulted. In Mexico, a dozen journalists have been killed in 2021 and the first 3 months of 2022 by right-wing extremists and gang lords. In France, there have been three armed attacks on a satirical magazine, *Charlie Hebdo*, killing a dozen people. Even here, in the Cradle of Liberty, we see politicians calling the press “enemies of the people” and angry crowds at GOP fundraisers shouting “Lock them up!”

*“Without freedom of thought, there can be no such thing as wisdom; and no such thing as public liberty, without Freedom of speech.” --Benjamin Franklin*

A desperate fight for democracy is unfolding in Ukraine, and, simultaneously, for basic human rights in Russia. There is no denying Ukrainians’ need for weapons to protect their country, but in Russia, the Putin regime is tightening its grip around the minds of the Russian people by denying them the right to gather, share ideas, and seek the truth. He has shut down Independent media, arrested, imprisoned, and even killed journalists, and arrested peaceful demonstrators. It’s now illegal even to utter the word, “war.” Teachers are subject to 15 years’ imprisonment for daring to tell any inconvenient truth. Only Putin’s Big Lie remains: Ukraine is an evil country, run by Nazis; therefore, everything the Russian army does is legitimate. Refugee journalists are still finding ways to smuggle information into Russia, but it is explained away in state-controlled media with more lies, each more absurd than the last. Ukrainians are blowing up their own hospitals and schools. The bodies on the streets of Mariupol and Bucha are the victims of Ukrainian brutality. Or “crisis actors.” Or just “fake news.” Repression of information and expression is so effective, many Russians refuse to believe their own Ukrainian friends and relatives who tell them about the atrocities they are witnessing and enduring.

Ukrainians' sacrifices and Russians' suffering must illuminate the threats to our own liberties. Anti-democratic extremists, from Free Staters to Q-Anon, are undermining public institutions and First Amendment rights with their own Big Lies and propaganda, because there is nothing more dangerous to authoritarianism than free-thinking people who have the Common Good as their goal. When we pay our fair share to support education, the postal service, communication, transportation, and other public services, we keep the Common strong. When we participate in government, we keep it accountable. When we gather in community and share knowledge, ideas, and beliefs, authoritarians' power diminishes and ours is multiplied. When we seek the truth, wherever it leads, we understand our common history, find common purpose, make wise decisions, and together advance the cause of liberty and justice for all.

*"You will never know how much it cost my generation to preserve your freedom. I hope you make good use of it."*                      *--John Adams*