

# Reality Check

## The importance of your **First Right**

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“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.”

Ratified Dec. 15, 1792, this tiny paragraph, known as the First Amendment—part of the first 10 amendments that make up The Bill of Rights—gives us what makes our country different than virtually every other country on the face of the earth. We have the freedom to speak what is on our mind.

However, this tiny paragraph has been at the heart of countless debates since the day it was written. It was intended to give us Americans the freedom to speak out against our government, but it has been twisted and stretched and tweaked over time.

The reason it has been hotly debated is simple: what one person feels is his or her freedom of speech, another may find morally repugnant and offensive. A great example is the Ku Klux Klan. They are guaranteed the right, by the Constitution, to voice their “opinions” despite the fact that others—myself included—feel their remarks are horribly offensive and border on inciting action.

Should we say that the KKK isn’t allowed to talk about certain topics or use certain words? Not according to the Constitution.

It is my opinion—and the opinion of many judges and courts in their rulings over the years—that freedom of speech ends when the speech is meant specifically to inflame, incite, threaten or cause harm to someone else. Speaking what’s on your mind, no matter how vile and disgusting others think it is, is a protected right under the Constitution.

Using that same right, though, to hurt others is against the law. For example, standing up in the middle of a movie theatre and yelling “fire” may technically fall under freedom of

speech but, because it would cause harm to someone else it should not be allowed.

In fact, in most states, this act is illegal and it has stood up to the ‘constitutionality test.’ That’s because the courts are smart enough to recognize that the writers of the First Amendment did not intend for such speech to be protected.

Unfortunately, as has been proven with countless court cases, spewing out hate and vile words is protected under ‘freedom of speech.’ I’ll use the KKK example again; time after time they’ve been allowed to hold rallies

and parades holding up signs with words on them that I certainly would never use and slogans and sayings that offend me and many others, but it is their constitutional right to share their opinions just as it is my constitutional right to share my opinions in this column.

It’s basically a matter of common sense.

If the speech is meant to harm someone else physically, it should not be allowed. If the speech is simply sharing an opinion—such as a Ward Churchill speech at a university—it should be allowed, despite the fact so many of us disagree with what is being said.

The bottom line, though, is that freedom of speech is the cornerstone of our entire society. Without it we might as well live in a dictatorship. In fact, many men and women have given their blood and even their lives to protect our right to freedom of speech.

So, the next time you hear the KKK or Ward Churchill or anyone else that offends you just remember: instead of cursing freedom of speech for allowing them to speak, get involved and use your freedom of speech to voice your own opinion against theirs.

That’s the heart and soul of true freedom of speech and that’s what makes our country the greatest on Earth. We can voice our opinions.

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