

Freedom of speech

[History](#)



Freedom of Speech and a Free Government "[Click here and type " "[Click here and type your s " Freedom of Speech and a Free Government Without knowing how our free government came about, it is impossible to understand the meaning of the term, free government. The call to convention for the purpose of devising and discussing all provisions for a constitution went out on October 16, 1786. The citizens of the new country knew that they had to have something in place that would provide for a free government instead of the loose confederation they had in place. It was realized that most of the problems being experienced by the new federation or union of states were of an economic nature and could be solved only by a common venture or government.

James Madison for one read the tenor of the times and knew it was time to preserve the union they now enjoyed. A representative government was the only thing that would solve the collective problems of the union. The entire concept of a free government would have to be protected by a constitution created by elected representatives. The whole concept of a free government would have to be based on the will of the citizens who would choose representatives to a two house government which would provide for the governmental needs of the union. Something had to bind the people together for a free government to work and that one thing turned out to be the separation of church and state. (Joseph Smith, 1987).

The government as created by the representatives would be composed of three branches. The executive would be the leader of the entire union supported by a two house legislature, and a system of judiciary would make sure the laws of the legislature would follow the constitution. Involved in the constitution would be a set of rights that each individual would be

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guaranteed to remain unchanged without a convention to amend the constitution. (Joseph Smith 1987).

The First Amendment of the American Constitution is perhaps one of the best known governmental documents of all time. The concept of free speech must be guarded for all times and for many different reasons. The very existence of our self-governance is based on our ability to speak freely about almost anything we would care to address. Free speech allows a person the autonomy of being one in search of whatever his idea of truth might be. One of the areas that free speech is universally held as sacred is the freedom of religion or even the freedom from religion. (Matthew D. Bunker, 2001).

One of the interesting facts of life is that the Supreme Court has never decided what free speech is. The court has allowed that free speech is associated with the search for truth. Even unpopular opinions are allowed the right of free speech. Freedom of speech is very important in the development of political stances that individuals might take. Through freedom of speech various ideas can be developed and debated in order to establish a defensible position. It has been said that the right to express ourselves and the right of others to hear us contributes to the ordinary happiness of human beings, in general.

With that being said, there are things not protected by freedom of speech. One cannot obstruct the recruiting or enlistment for people to serve in the military. Libelous talk or press and false advertising are also restricted. In general it is not permissible to wear gang colors to school or to wear anything that promotes hatred. Also not covered by free speech are personal threats of violence made against a government worker or an educator.

References

Joseph Smith. (Ed.). (1987). *The American Constitution: The First Two Hundred Years, 1787-1987*. Exeter, England: University of Exeter Press.

(Original work published 1987)

Matthew D. Bunker. (2001). *Critiquing Free Speech: First Amendment Theory and the Challenge of Interdisciplinarity*. Mahwah, NJ: Lawrence Erlbaum and Associates.

(Original work published 2001)