

# We the People

A FREEDOM'S FEAST GUIDE TO RAISING POLITICALLY ENGAGED CITIZENS

Children aren't the "people" our founders had in mind when they wrote the Constitution. But children and their cases have tested the limits and demonstrated the power of the Constitution in recent years. Those rulings have led to important first amendment decisions.

Children have provided leadership in other ways. Children are protected under the Constitution. They do not have the right to vote until age 18 but they are entitled to other Constitutional rights. When children exercise those rights responsibly, their examples can teach profound and lasting lessons.

The stories below feature real injustices or problems these children chose to address. Their families supported them throughout. In some cases, they dealt with death threats and hate mail. In other cases, they simply had to be patient or hopeful. In every case, however, the outcome has had a major impact on the way we live with and understand the Constitution and the First Amendment.

## THREE SUPREME COURT STORIES ABOUT CHILDREN AND THE 1<sup>ST</sup> AMENDMENT

### FREE SPEECH

**Tinker vs. Des Moines**, 1969: John and Marybeth Tinker, ages 15 and 13, and their friend Chris Eckhardt, age 16, thought that their suspension from their Des Moines Iowa public school for wearing black armbands to protest the Vietnam War violated their 1<sup>st</sup> amendment rights. The Court's decision extended our notion of free speech and became a landmark case in free speech for students.

Justice Fortas writing for the majority of the Court stated, "Students in school as well as out of school are "persons" under our Constitution. They are possessed of fundamental rights which the State must respect, just as they themselves must respect their obligations to the State." Students do not "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."

### ACCESS TO INFORMATION AND IDEAS

**Board Of Education vs. Pico**, 1982: Steven Pico and four of his school mates objected to a decision by a committee to remove nine books from their junior and high school libraries. This violated their first amendment right to, as Justice Brennan put it in his majority ruling, "receive information and ideas" related to the sender's "right to send them." The Constitution "explicitly" protected both rights in "various contexts." Citing James Madison, a range of Supreme Court cases and other District Court rulings, the Court determined that "Local school boards may not remove books from school libraries simply because they dislike the ideas contained in those books."

### ESTABLISHMENT OF RELIGION

**Lee v. Weisman**, 1989: Daniel Weisman and his daughter Deborah objected to the formal religious prayers included in her 1986 middle school graduation exercises. The Court found that the practice violated the "establishment of religion" clause because the state sponsored a religious practice and point of view. Justice Kennedy wrote: "prayer

exercises in public schools carry a particular risk of indirect coercion... What to most believers may seem nothing more than a reasonable request...in a school context may appear to the nonbeliever or dissenter to be an attempt to employ the machinery of the State to enforce a religious orthodoxy."

## THE BOY WHO WASN'T LOOKING FOR A CAUSE

**Ryan White** was only 13 when he contracted AIDS in 1984 through treatment for his hemophilia. Ryan faced terrible discrimination and ignorance as he fought for his right to attend school and spoke out for AIDS research and public awareness campaigns. "AIDS can destroy a family if you let it, but luckily for my sister and me, mom taught us to keep going. Don't give up, be proud of who you are, and never feel sorry for yourself." He provided **key testimony** before the Presidential Commission on AIDS and gave a face to a disease that many people didn't want to face. Famous and friendly with many celebrities, he once said he'd give it all up "just like that" for the chance to be a healthy boy. Thousands mourned his death in 1990. Many hundreds of thousands have benefited from the legislation that came from his determination to exercise his rights.

## YOUR LETTER CAN MAKE A DIFFERENCE

Can you imagine Abraham Lincoln without his beard? Before 1860 he didn't have one. If it weren't for **Grace Bedell**, an 11 year old girl from Westfield, New York, we wouldn't recognize the full-bearded figure we all know. Abraham Lincoln, the republican candidate was in the midst of a tough election campaign in 1860. Grace wrote him a letter to suggest that he grow a beard: "I am a little girl only 11 years old, but want you should be President of the United States... you would look a great deal better for your face is so thin. All the ladies like whiskers and they would tease their husband's to vote for you and then you would be President... if I was a man I would vote for you..." Lincoln visited Westfield on his way to Washington DC for his inauguration. He called out for Grace, his "little correspondent," in the crowd, kissed her and asked her how she liked "the improvement" that she had "advised" him "to make."

## TAKING ACTION

**The First Amendment** gives us the right to say what we think and protects that right. We are not powerless. We are not alone. We are THE PEOPLE. We can speak, write, publish, assemble, and protest. We do not have a king; we have a President. We elect our representatives who answer to us for their actions. Together with our fellow citizens we are responsible for our country. To make a change we have to **know our rights, get informed, and get involved** with our elected representatives or go through the courts.

## "FREEDOM FOR THE THOUGHT WE HATE"

In order for us to have our First Amendment freedoms: religion, conscience, speech, press, assembly and petition, we must make sure that others do too—even those who feel, think and act differently than we do. Supreme Court Justice Oliver Wendell Holmes called this "freedom for the thought that we hate."

## Know your rights.

Study the law, code or issue in question. Review the [Constitution](#) and [Bill of Rights](#).

To learn more about the Constitution, visit the site of the [National Constitution Center](#) in Philadelphia. Located on Independence Mall, it teaches about the history of the constitution and what it means today in a series of interactive and highly engaging exhibits.

To help older children learn more about the [Bill of Rights](#) visit this 10 year old non-profit site dedicated to giving high school students the resources to be better informed citizens.

To learn more about [freedom of the press](#) visit the newseum site, an exciting new museum in Washington that celebrates and explores journalism. To learn more about American history and culture and find great resources for children, go to [We the People](#), sponsored by the NEH.

## Get informed.

Learn as much as you can about the cause or issue you care about. Are you concerned about health care reform? Global warming? Creating new jobs? Affordable college education? Improving your local school or neighborhood security? Study all sides of the issue. You may change some of your positions and develop some important contacts and relationships. It's rare that we can get everything that we want. We may have to compromise. Often compromises can take us a step closer to the place we want to be.

Partner with others. Join citizen's groups or organizations that work in your area of interest. Sign up for newsletters and learn about their political efforts. If you can't find a group that shares your concerns, start your own. Begin with friends and family. Know what you want to accomplish. Clarify your message and goals. Find ways to share your message with others.

## Government Resources

[This great primer on our government](#) sponsored by the White House is packed with facts and content, helps you to find out about our president, the first family, the White House, our administration and how our government works.

Ever wondered how to find congressional current legislation and the debates around it, Supreme Court decisions, executive orders and our federal budget? Take a look at what we're spending where. Then ask some questions of your congressmen. Follow the current work of our three branches of government and past records as well. This is the official site of [the government printing office](#).

## Get involved.

Click [here](#) to find and contact your congressional representative. You might be surprised to learn what services your congressional representatives provide! Visit the official [House of Representatives site](#) to see the 2010 hearing schedule, track legislation, follow roll call votes for current and past sessions and learn more about how the House works.

Go to the official [United States Senate site](#) to find and contact your senator, to see the 2010 hearing schedule, track legislation, follow roll call votes for current and past sessions and learn more about how the Senate works.

Your involvement may change your vote.

You can write, email or phone [the President](#). Realize that all communications are carefully screened by staff and that the President sees a tiny fraction of the messages sent. But who knows? This is America. Maybe yours will be the one that he does read and answer.

To find elected official and representatives at the state and local level, use your preferred internet search engine. Type in your state name and add the words "general assembly" or "state legislature." At the city or county level, enter your city or county name and add the words "city government" or "county government." If you don't have a computer, try your local library. All representatives at all levels now accept email communications. Keep a copy of what you send.

Learn more about the [Supreme Court](#) at the official site. Find out what's on the docket for the coming year. Click [here](#) to get excellent explanations about landmark decisions since 1803. This provides a roadmap for understanding how key decisions have influenced life in America for more than two centuries.

## Civic Engagement Resources

Civics is no longer taught in most of our schools. Since 1969, [The Center for Civic Education](#) has been working to help all 50 states raise the standard and presence of civic learning for all of our children in all of our schools.

If you want to know the latest statistics on youth voting check out [this site](#) run by Tufts University.

Civics is not taught in our colleges either. Since 1953, [the Intercollegiate Studies Institute](#) has been working to improve civic literacy on our college campuses. In 2007, only 54% of a significant sample of graduating seniors passed a basic multi-choice civics exam. A random sample adults did worse. Seventy-one percent failed an easier test with an average score of 49%. Our elected officials had an even lower score! What to do about it? ISI suggests: Watch less TV. Read more and have conversations about history and current events. (That's what Freedom's Feast helps your family to do). Take the test and see where you come out.

Visit [www.freedomfeast.us/presidents-day/we-the-people.pdf](http://www.freedomfeast.us/presidents-day/we-the-people.pdf) for the Web addresses on all the hyperlinks above if you have received this as a print-out.

Visit [www.freedomfeast.us/go-and-learn](http://www.freedomfeast.us/go-and-learn) for more resources.

Visit [www.freedomfeast.us](http://www.freedomfeast.us) to celebrate other holidays and to share your thoughts on facebook.

*Thanks to our partner CMOM for another exciting collaboration on Presidents' Day.*

*Visit [Raising Citizens](#) to learn more about how Freedom's Feast and CMOM are inspiring civic responsibility by helping families to celebrate national holidays.*