

CIVIL LIBERTY

Do you know what your rights are? Do you know where they come from? Did you use them today? Would you know if you had?

Rights to speak freely, to maintain private property, to be free from arbitrary arrest – these all form the core of civil liberty. Our civil liberties are those rights that we keep when we join together to live in a community. Society, through the government that it organizes, cannot take those rights away. This simple idea is at the heart of any guarantee of legal rights. At their most basic, civil liberties in any society protect minority rights from majority rule.



“The basic philosophy that it’s necessary to limit the power of the majority in order for democracy to function is at the heart of the Bill of Rights.” – Peter Erlinder, William Mitchell College of Law

Because of civil liberty, we have a right to publish this broadside without interference from the government. Because of civil liberty, you have a right to discuss it without being arrested. Civil liberties protect the unpopular and the controversial, whether important or merely inflammatory. They have protected the rights of Freedom Marchers to organize, but they have also protected the rights of individuals to display reprehensible messages outside of funerals.

The American legal system is based, in part, on the protections afforded by the civil liberties found in the Bill of Rights of the U.S. Constitution. Those protections have overcome, time and again, attempts by the government to stifle individual freedoms. In 1931, the Supreme Court overturned an attempt by the state of Minnesota to prohibit the publication of a small-circulation newspaper, setting the stage for our modern freedoms of the press.

Others throughout our history have not been so fortunate. The years of the slave trade denied civil liberties to millions, and subjected them to lifelong servitude and abuse, based only on the color of their skin. The World War II era saw Japanese-Americans forced into military detention camps, stripped of important legal rights.

“One of the most troubling instances of overreaching on the part of the government was the internment of 120,000 individuals of Japanese descent in the months following the Pearl Harbor bombing in 1942.” – Nancy Chang, attorney



Our rights have always been in flux, subject to political tumult and whim. So it is today, as government at many levels pushes against personal freedoms. Meanwhile, people push back through the courts and through their own actions, writing new chapters in our Constitutional history.

Our Constitution may not be perfect. The way it’s been applied to the lives of Americans may be uneven. Despite all this, its protections are ours - in times of peace, and in times of crisis. It is up to us to see that they are secured.



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