AMERICAN LEGION CONSTITUTION SPEECH

FOR

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It happens every year-same day-same time. Night falls. Crowds begin to gather in much the same way as moths are attracted to a flame. They gather on rooftops and on street corners in big cities in resort towns. They gather on rural roads and on sandy beaches. The crowds thicken on main streets all across our great country. The excitement is palpable… and then **BOOM**!!! The first spark flashes and the smell of gunpowder wafts into their nostrils and the dazzling light show of spectacular fireworks paints the night sky. Every year, as proud Americans, we celebrate our independence and our pride of country by invoking the struggles of our forefathers and honor their battles and triumphs with pyrotechnics. The framers of our Constitution played with fire as they dared to create a context of freedom and equality for all, and the fireworks they created on the battlefield and in the documents that form our government continue to dazzle, inspire and infuse each one of us with the unique gift that comes with living in the United States of America.

Fireworks were invented a long time ago and in a far away place-China, that is, and the concept of freedom and equality for all was an idea that sparked and incited controversy from far away places as well. On July 3, 1776, on the verge of declaring independence from England, John Adams wrote a letter to his wife and said, “The day will be most memorable in the history of America. I am apt to believe that it will be celebrated by succeeding generations as the great anniversary festival...It ought to be solemnized with pomp and parade...bonfires and illuminations (fireworks) from one end of this continent to the other, from this time forward forevermore.”

What are some of the articles in the US Constitution that caused “fireworks” as they were being adopted by this great nation? What parts of the Bill of Rights have done their share to ignite controversy? Let’s take a look at just a few of them.

It’s been said that the United States Constitution is one of the shortest constitutions in the world and is the oldest written constitution still in effect. Its concise context appears to have been formed from a spirit of unity and agreement, but that is not necessarily the case. Indeed, the fireworks must have flown during the constitutional convention as the framers worked to perfect all of the points that still guide us today. By 1786, the framers of the Constitution realized that the Articles of Confederation adopted by the United States in 1777 were not sufficient to serve as a foundation document for the country. The young country realized there was no basis or power to regulate domestic affairs, Congress had no money to pay the soldiers who fought in the Revolutionary War, and there were many outstanding debts that needed to be paid to foreign countries as well. Sparks flew as southern states argued about the economic advantages of the northern states. The country was decimated after the war and needed to be rebuilt. The founding fathers grew weary of European opinion that the new country was “third rate,” and on top of everything else, there were issues and divisiveness regarding slavery. Something had to be done. Plans had to be hatched to fight fireworks with more effective fireworks.

The Constitutional Convention convened on May 25, 1787 and lasted through September of that year. Over the course of the convention, points were made and argued. There were different plans proposed for the structure of the government. Should they follow the Virginia Plan or the New Jersey Plan? Should state government be abolished altogether? Should each state be represented equally? How should slaves be counted? Every single point was debated and controversy ignited further discussions and opinions. It is a testament to the framers of the Constitution that a consensus as brilliant as the one that was reached was even resolved at all.

History has shown us that the debate still continues and that as long as there are 2 people on this earth, the possibility for argument, controversy, and the need for a malleable and flexible form of government is essential. As well as the boom of fireworks resounds throughout our beings when we experience a fireworks show, the tenets and principles of the US Constitution resonate within each one of us.

Whenever we are asked a question we don’t want to answer, we coyly “plead the 5th.” The 5th Amendment limits the admissibility of evidence obtained illegally. In history before the US Constitution was created, use of brutal force and torture were commonplace as a means to get confessions out of suspected criminals. Although confession by means of torture was allowed, common law in England began to change and slowly, that barbaric acceptance of brutally extracting confessions was eliminated. In 1966, however, it took the Supreme Court case of Miranda v. Arizona to form the landmark case that we now refer to as the Miranda Rights. Although Ernesto Miranda had signed a confession, the Supreme Court determined that his testimony was inadmissible because he was not warned of his rights.

In 1971, there was a Supreme Court case known as New York Times v. United States. The US Government tried to enjoin the NY Times and the Washington Post from publishing classified documents concerning the Vietnam War, as publication of such sensitive materials would jeopardize foreign policy. Thanks to the protection of the 1st Amendment, the Court ruled that such claims were speculative and the case was overturned. The 1st Amendment states, “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… The wording is short and to the point, and has the ability to spark debate from all points of view.

Article III, Section 2, Clause 1 is also known as the “Case or Controversy Clause.” The article outlines the scope of judicial power and prohibits the Supreme Court from issuing “advisory opinions.” This law was tested very early on in its young life, in fact, the actions of George Washington while he was in the beginning of his presidency created controversy that involved this. President Washington sent a letter to the Court asking for approval to go directly to them if he needed to seek advice on issues that would “not be presented to the court in a timely manner.” Chief Justice John Hay had to remind the president that the court had great faith in the country’s executive officers and the members of the Supreme Court were constitutionally bound to not overstep their limits.

After all is said and done, I am sure we can all agree that this country is built on and supported by the rich history and diversity that all come together to spark an endless demonstration of how the US Constitution colors our lives and lives within each one of us. Individually each law serves to guide us and the way we live our lives. The fireworks we witness each year symbolize and memorialize the struggle for freedom and equality inherited by each American. We are reminded of the battles fought and lives lost at the expense of fighting for what we believe in, and we view the same fireworks as a symbol of triumph and remembrance. They’re a testimony to spontaneous combustion-a celebration of a chemical reaction used to invoke controversy, competition, and ultimately unity and compromise. When taken as a complete context, the brilliance of the US Constitution lights our lives and guides us to more fully understand what it means to have the privilege and honor to be an American.

Thank you.