

Farm Management

Understand First Amendment rights

THE First Amendment to the United States Constitution protects freedom of speech. But what does that mean? Most people do not fully understand what type of speech is protected and from whom it is protected. This article will try to explain one of our most important rights.

The Bill of Rights, the first 10 constitutional amendments, protects the people from government interference. Therefore, freedom of speech means the government cannot interfere with our right to be heard, especially when criticizing the government.

Conversely, the Constitution does not prevent one person from limiting the free speech of another person.

For example, suppose you disagree with a decision the governor made. You can stand in front of the statehouse with your sign and publicly criticize the governor for as long as you want and as many times as you want. No one in the government can deny you this right to freedom of speech. The First Amendment was designed to protect every citizen from having his or her freedom of speech quashed by the government.

Conversely, suppose you go to a friend's house who is a supporter of the governor. Now when you start criticizing the governor, your friend tells you to either be quiet or leave. Since it is your friend restricting your freedom of speech, the First Amendment does not apply. Your friend can limit your freedom of speech while you are on his property.

Not the government

Recently, one of the "Duck Dynasty" guys made some controversial statements, and his TV network temporarily suspended him. Some commentators insisted that his comments were protected by the First Amendment. They were not. The TV network is not part of the government; it was well within its rights to make the suspension if it did not like his comments. If the government had suspended or fined him, then it would have been a First Amendment issue.

Freedom of speech is not absolute; there are certain situations when the government can limit speech. Some of these limitations include:

■ **Dangerous situations.** The government is allowed to restrict speech when it may create a dangerous situation. The classic example is yelling, "Fire!" in a crowded theater.

■ **Libel and slander.** A person is not entitled to knowingly make false statements about another person that may damage or defame that person's reputation.

■ **Conflicts with other government interests.** This restriction is most common in issues of national security. There are things that would be detrimental to our security if they were stated in public.

■ **Time, place and manner.** The government is allowed to make sure the



Country Counsel

By ROBERT MOORE

speech is done in a manner that does not put people at risk of harm or danger. A

group that plans a large rally on government property is often required to obtain a permit to make sure the rally does not interfere with traffic and that adequate security measures are taken.

Private citizens' rights

Perhaps no right is more important in this country than freedom of speech. But it

is important to remember that the First Amendment and the Bill of Rights only apply to governmental attempts to infringe on our rights. As private citizens, we have the right to restrict what other people say when they are in our homes and on our property — only the government is obligated to listen to every complaint and criticism.

Armezon® Herbicide

**CORN
WILL
REST
EASY.
WEEDS
WILL
REST IN
PEACE.**



Part of BASF Advanced Weed Control, **Armezon®** herbicide is a powerful postemergence HPPD inhibitor.

- Tough on weeds, but safe on all corn types
- Broad-spectrum control of broadleaf weeds and grasses
- Wide application window

Learn more at AdvancedWeedControl.basf.us or talk to your BASF Authorized Retailer.

BASF
The Chemical Company

Moore is an attorney with
Wright & Moore Law Co. LPA
614-791-9112
rmoore@wright-law.net