



2015

2015 Constitution Day Essay Contest: 2nd Place

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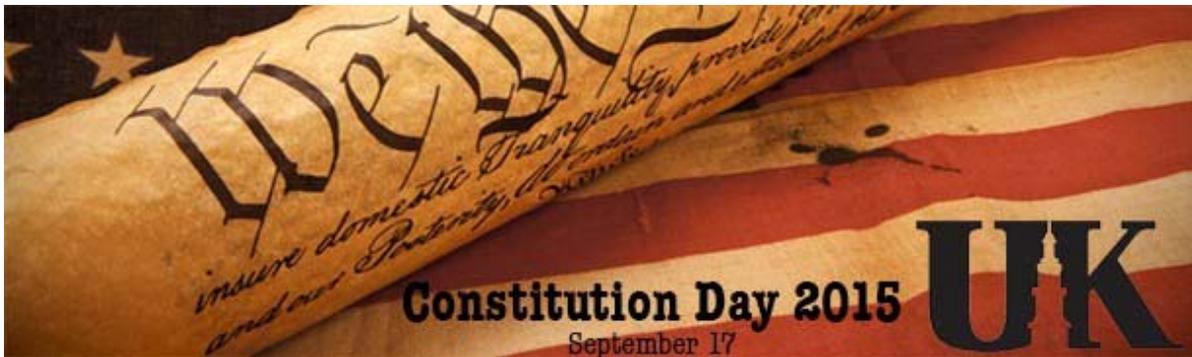
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Constitution Day, created in 2004 by an act of Congress, mandates that all publicly funded schools provide educational programming on the history of the U.S. Constitution, which was adopted by delegates to the Constitutional Convention on Sept. 17, 1787. This year's Constitution Day at UK is Thursday, September 17th (see more at the website: <http://www.uky.edu/UGE/constitution-day-2015>). Under direction of the Office of the President and the Office of the Provost, the Division of Undergraduate Education (UGE) has led the charge in organizing the many different events under the theme: *"Learning, Leadership and Civic Engagement."* UGE has teamed with various student and campus organizations to promote civic engagement and learning and to celebrate our rights and responsibilities as U.S. citizens.

An essay contest for undergraduates is sponsored by the UK Scripps Howard First Amendment Center, the Office of the President and the Division of Undergraduate Education. The essays are blind-judged by former UK journalism students who are lawyers, UK professors and media law professors at other universities. The winners are announced the First Amendment Celebration, 7:30 p.m. Tuesday, Sept. 29, in Alumni Auditorium of the William T. Young Library.

The essay, which cannot exceed 750 words, must address this issue:

The 2015 race for governor is well under way, and as was to be expected, the TV advertising offers a lot more heat than light. In other words, voters are learning less about the issues and witnessing more of the dirt the candidates are shoveling at each other. Address two questions:

1. Should the General Assembly pass a law before the 2019 state elections requiring candidates to abstain from using half-truths and lies in their advertising so that voters can be better informed on the important issues facing the state?
2. Would such a law survive a court test?

Second Place - Diana Burden

The First Amendment and Political Education

This morning, Kentucky's Republican gubernatorial candidate Matt Bevin released the first ad in his fall campaign. Framing his competition against Democratic candidate Jack Conway as "Team Kentucky" versus "Team Obama," the commercial embodies what modern political advertising has become: deceptive, and predatory. By diverting attention away from the real issues to half-truths and inaccurate claims, these inflammatory advertisements are the equivalent of high school gossip playing out on larger political stages. A study by Rutgers and George Washington University suggests that these negative advertisements actually have little effect on winning votes. However, a Public Policy Polling survey from the beginning of this month shows that over 60% of Donald Trump's supporters believe that President Obama is both foreign-born and a Muslim, clearly demonstrating how false political claims affect public perception. How do we deal with this issue? While some may believe that stricter laws should regulate the content of political advertising, I believe that these negative ads are more symptomatic; instead, I argue that more effort should be put into producing informed voters and educated citizens.

First and foremost, Constitutional freedom-of-speech protections ensure that laws have a slim chance of altering the content of political advertisements. Although there have been numerous attempts at the local level to curtail deceptive advertising, many of them have been deemed unconstitutional. The overturning of a 1984 law banning false political claims by the Washington State Supreme Court illustrates how state governments have little say over free speech granted by the First Amendment. Last year, a similar law was struck down in Ohio with U.S. District Court Judge Timothy Black explaining, "We do not want the government deciding what is political truth—for fear that the government might persecute those who criticize it".

Unfortunately, the spread of political misinformation is not limited to advertising; politicians of every affiliation are guilty of spinning facts and making unsubstantiated claims, using political rhetoric to their advantage. Earlier this year, Senate Minority Leader Harry Reid inflated a statistic about Planned Parenthood, stating that 30% of women receive their healthcare through the health organization; in reality, Planned Parenthood provides to 2% of American women. In addition, Ohio Republican Senator Rob Portman tweeted in response to President Obama's recent renaming of an Alaskan mountain, "Pres McKinley was a proud Ohioan, and the mountain was named after him, as a way to remember his rich legacy after his assassination." A quick Google search reveals that the mountain was named after McKinley between 1896 and 1987, 5 years before the President's assassination. Instances like these demonstrate how politicians often make empty and exaggerated claims. The question is: why do the American people condone this untrustworthy behavior?

While politicians should be held more accountable for their words and actions, I argue that the condoning of political misinformation is a symptom of a larger problem: a lack of political education. Instead of passing more regulations that potentially challenge the First Amendment, we should place a much larger focus on educating and informing the voting public. On one hand, the advent of the Internet has made it easier for the common person to investigate these statements—the claims of both Portman

and Reid can be disproven by a number of reputable and unbiased sources. On the other hand, the advent of social media has fostered a culture of quick and easy politics; many members of the American public are experiencing political discourse through ad-revenue-generating clickbait sites, Twitter, and Facebook feeds— forums that encourage the construction of political echo chambers.

As Thomas Jefferson, one of the Founding Fathers of our nation, said, “Educate and inform the whole mass of the people. Enable them to see that it is their interest to preserve peace and order, and they will preserve them.” Although Jefferson and the other Founding Fathers have been viewed in a more critical light in recent years, Jefferson was extremely well educated; tremendously influential thinkers such as John Locke, Francis Bacon, and Isaac Newton were the foundations of his political consciousness. For the Facebook generation, sites such as MSNBC, Fox News, Mother Jones, and Western Journalism are replacing figures like Locke, Bacon, and Newton. In order to see a dramatic change in how politics are played out in this country, we need to prioritize a well-rounded and diverse political education, one that encourages all Americans to intelligently engage with political issues. To do anything less would be a disservice to both our Constitution and the generations of Americans who have come before us.

