**On behalf of the First Amendment: ‘Dear Mr. President’**

By Gene Policinski

Dear Mr. President: Congratulations on your election victory.

That’s a non-partisan congratulations. The First Amendment, with its 45 words encompassing our core freedoms of religion, speech, press, assembly and petition, doesn’t take political sides.

The year 2020 has seen a dramatic increase in the ways our fellow citizens are using the First Amendment. There’s every reason to believe 2021 will be more of the same.

By this Election Day, a record number of us exercised our right to vote, the ultimate expression of our rights to petition the government.

Years of simmering injury, insult and resentment over blatant and hidden racism have boiled over into a wave of public protests, prompted by the repeated deaths of Black men and women at the hands of police officers, and rooted in economic and social systems that people of color see as tilted against them.

The national crisis that is COVID-19 is tearing at the very fabric of daily life — and even as it hammers everything from employment numbers to how we sometimes can say farewell to the dying, the pandemic is sparking street demonstrations for and against health measures like masks and business shutdowns.

I write to ask that as you consider your election victory, you keep these First Amendment considerations in mind — using the order of the five freedoms, to help organize your thoughts.

Religion in the U.S. today covers a remarkably diverse form of beliefs and practices, unique in the world. Understandably, that creates ongoing conflict as overall social values and individual matters of conscience collide. Some call this a culture war. I hope you will think of it as does my Freedom Forum colleague, Dr. Charles Haynes: An opportunity to find common ground — focusing on those places where we do agree, even as we recognize and celebrate our differences.

What of free speech? For nearly a century, most battles around this freedom focused on whether or not government could restrict or punish individuals for their speech. In this next presidential term, the focus will be on relatively new ideas: There are ideas, words or symbolic actions that are too dangerous to be heard, or that the right to speak includes a right not to listen — or to be protected from even hearing.

Please keep in mind that ideas are not eliminated by silencing those who give voice to them. More speech, in more ways, is the better path. It is a proper government role to find ways to encourage diversity of thought, but not to become a “national nanny” or worse, an autocratic censor deciding what we should see, read and hear.

The next generation will be ill-served to face an assuredly contentious world if they aren’t aware of a range of ideas, concepts and creeds. A need to reinforce the key positive ideals of our society for the future must include free discussion of where we have fallen short in word, actions or law in the past.

A free press is being challenged by the triple tag team of economic loss, public mistrust and new competition. An attendant casualty has been our collective belief in “truth” — or at least accepted facts based on solid journalism, not punditry across a myriad of new information sources.

You don’t have direct responsibility to make journalism better, but things are so dire you and Congress may be needed to help ensure we have any effective journalism at all.

The number of local news outlets is plunging — and “news deserts” in which no local news media exists — are growing. The watchdog-on-government role of a free press — so vital to the informed citizenry needed by a democracy — cannot be allowed to simply evaporate.

The unthinkable for free press advocates of not long ago — tax breaks, operating subsidies, support for “public” journalism as we have seen for public television and radio — may well become over the next four years unavoidable.

What we do know, based on annual surveys the Freedom Forum has done since 1997, is that most of us support that watchdog duty. Work with that consensus.

Assembly and petition have had rebirths. When frustrated, Americans always protested, on our streets and now online. Your responsibility here starts with listening — even when others are shouting.

Yes, you must respond to those who go outside First Amendment protections into violence. But those responses must be tempered by the recognition that peaceful dissent is democracy, not disloyalty.

I write knowing you and the nation face many challenges. But I also write with the profound hope that this letter will be a reminder that these core freedoms empower all of us to freely talk with each other in many different ways, with a goal of determining the best possible solutions for the greatest number of people, in the shortest amount of time. The First Amendment doesn’t require — or provide for — perfection, but it fuels democracy.

With that spirit in mind, good fortune in the next four years.