

## **Know Your Rights**

### **Maine Civil Liberties Union Perspective Zachary Heiden, Staff Attorney**

The Maine Civil Liberties Union provided the information for the “Know Your Rights” program. When we first began discussions of the project, I was drawn to the idea of an exploration of the text of the U.S. Constitution. The Constitution provides the basis for our rights, and it seemed that reviewing through the actual text of the seven articles and twenty-seven amendments would be a worthy project. The radio producers, Kerry Seed and Rob Rosenthal, agreed that it would be worthy but also explained that it would make for remarkably bad, boring radio.

Our next idea for helping people know their rights was case-based. That is to say, we could go through some of the great court cases in U.S. history and discuss how the U.S. Supreme Court came to recognize and protect specific rights, such as the right to burn a flag or to marry someone of a different race. Rob and Kerry thought this sounded a little better—it would not cause motorists to voluntarily drive off a bridge, but it may make them change the station. That was not the desired outcome, and we therefore decided on a third approach, which is in a sense the necessary first step. “Know your rights” would not be a history or a biography of your rights. Rather, it would be an introduction to your rights: May I present your right to vote; I’d like you to meet your right to reproduce.

Each program required me, as the “expert,” to think seriously about a particular right. No right in the Constitution is absolute, and I tried to explain where the limits of a particular right might be. And, because I believe that the Constitution is a living document, I tried to find a way to predict how rights might be developing and how, as a practicing civil liberties attorney, I might like for them to develop. Mostly, though, I tried to explain why rights are important. There are many things that we have a *right* to do, but that we have no interest in doing (and may even have an aversion to doing). Part of the challenge was translating the abstract into the concrete—trying to make someone who will never commit a crime understand why it is nonetheless important that we require police to have a very good reason if they want to search your automobile or explaining to someone with no interest in religion why it is nonetheless important for people to be able to follow the dictates of their faith.

The project was difficult and was time consuming, but the time and effort was worth it. I have no doubt that the audio programs will be an important tool for promoting our organization and our ideas, but the real dividend for me personally came from having the opportunity to try to explain something that it is deeply important and yet difficult to grasp. As a civil liberties lawyer, I spend most of my waking hours thinking about rights, talking about rights, writing about rights. But all of that work is meaningless if people do not have an understanding of what their rights are and why they are important. This project was an important reminder of that.

I encourage to work with your community radio station to produce a series that serves the needs of your local affiliate and the station's audience. If you have any questions, please contact me at [heiden@mclu.org](mailto:heiden@mclu.org) or 207-774-5444.