

The State of The States Address Coming To A Theater Near You

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Every January, our President delivers a “State of The Union” address to the Joint Houses of Congress. He is not given an opportunity to deliver a “State of The States” address, presumably because states in our country enjoy “states rights.”

“State of The State” addresses are relegated to the governors of the various states, who, in a truly democratic country, would be fully equipped to deliver them (and write them).

Forget for the moment whether state governors are all mature people who are equipped to make just decisions in the name of their citizens. Isn't it a curious and contradictory fact that the Federal Government, with its checks and balances, branches, agencies and a Supreme Court designed to protect the freedoms we have been led to expect we will be guaranteed by law, cannot fully guarantee us all the same rights in the country in which we live.

It is a sad fact that various branches of state government can trump federal law, and that the reverse is also possible, as has occurred with noticeable frequency in recent years.

Thomas Jefferson made no bones about saying that the U.S. Constitution can only work and can only serve its intended purpose given a completely moral society – and if he was right, then we've still got a long way to go. What's more, it should be glaringly obvious that because Jefferson's view is correct, it must hold true for State Constitutions. Many of them begin in much the same way as the Preamble to the U.S. Constitution.

For that reason ...

If your right to life, liberty and the pursuit of happiness interferes with my right to life, liberty and the pursuit of happiness, or makes mine impossible, you would think such a situation would be considered as unconstitutional, and following the Jeffersonian sensibility, in a truly adult world, it would be seen as immoral, and therefore, illegal. After

all, wouldn't such interference with the pursuit of happiness go totally against the grain of the U.S. Constitution? Or is the Preamble to our constitution merely intended to express a "nice" sentiment.

In the sixties, seventies and eighties, we learned, as the psychologist Rollo May so aptly put it, that the word "nice" is a dangerous word because a whopping number of so-called "nice" people, people who see themselves and describe themselves as nice, are not really very nice at all. In fact a lot of them are pretty nasty, choosing to overlook a multitude of their sins against others.

What would a constitutional scholar say about the degree to which we are granted the constitutionally guaranteed pursuit of happiness in practice?

What would he say with respect to where moral judgments enter into anyone's interpretation of a constitution?

Doesn't interpretation demand that the interpreter make a caring creative gesture, i.e., a moral gesture, for the health of individuals and their country and for the sake of justice? Particularly in a country where all men are at least said to be created equal?

We were all taught in school that compromise is healthy and necessary in a democracy like ours, and that it is essential to our democracy, because it enables us to guarantee as best we can the rights of others to life, liberty and the pursuit of their brand of legal happiness.

Doesn't that more or less render any immoral pursuit of happiness, that is, an individual or group of individuals forcefully or intentionally placing others lives in compromising positions, totally unacceptable in such a democracy?

Is there any way of missing the inescapable conclusion to this line of logic, namely, that somewhere along the line, somehow, someone or many "someones" need to define the word morality as it pertains to the U.S. Constitution in a way that can serve as a clarifying guide to our form of democracy on both a federal and local level?

Apart from honestly asking ourselves whether someone who compromises the rights of others ever really does so in order to pursue the constitutionally guaranteed legal forms of happiness he or she is supposed to enjoy, or whether he is doing so because he is unhappy and dissatisfied and pursuing something very different than happiness, is there a national dialog we can enter into that will, in the long run, help us define morality in constitutional terms, and finally lead to the realization of equality of rights and human dignity?

You would expect that any sane adult living in America (and anyone sane living anywhere else) would see that without such a definition, our constitution is as general as the Ten Commandments.

In some sense, a constitution is a binding agreement or contract, and you need not go to law school to know that.

Whether we look at the “Not Guilty” verdict in cases like the Zimmerman murder trial, which by law could not have pronounced George Zimmerman or anyone “Innocent,” or the enormous push-back over the Supreme Court’s “Citizens United” decision, or the frightening antics going on in Ohio and Texas and other states over women’s rights, you’d expect in a truly adult democracy that already defined moral principles would determine the results of such deliberations; that Federal and State Constitutions would draw those involved into moral argument, for the simple reason that the issues involved affect the lives of real people.

Certainly morality should mean more than mere self-righteousness in such cases. And if we were to agree to what we mean by the word morality, such agreement would undoubtedly create a context that everyone was required to respect. It would also keep other just, creative, forward-looking amendments to our constitution in the news and further their implementation.

Consider the moral implications, for example, of adding [House Joint Resolution 29](#) to our constitution, an amendment that would render the criminally negligent Supreme Court “Citizens United” decision null and void. (To read Resolution 29, click the link.)

Without such agreement, we can be deprived of the inalienable rights we are guaranteed in the Federal Constitution at any time.

Without question, it would require great effort to reach an agreement about what Americans consider moral. But look at what would “come out in the wash” if such a discussion ever occurred.

We might even find that by moving in this direction, more people than imaginable begin defining success in a more intelligent way than the standard, fast becoming unacceptable, self-defeating, nearly immoral American definition, a definition based on power-based competitiveness that has become all but universal and is altogether unsustainable.

Consider the essentials of a [recent report by Arianna Huffington](#) ...

“I'm in London for the first international edition of our Third Metric conference, discussing a more sustainable definition of success that includes well-being, wisdom, and our ability to wonder and to give back. Why are we taking the conversation international? Because, while creation of the faulty definition of success definitely had significant help from the U.S., it's clear this is now a global phenomenon . . .

“Our unsustainable definition of success is a global problem, and it's going to require a global response. I hope you'll join the conversation and tell us how you're redefining success in your own life and in your part of the world.”

In “spiritual” terms, a constitutional definition of morality combined with the new direction above might serve to purify our politics, so both Houses of Congress begin to accomplish the things it is obvious our country needs. It might also serve to purify our justice system.

Maybe other countries lack such a yardstick, but we’re supposed to be the biggest, best and smartest country of all. Shouldn’t we be able to require humanitarian behavior from all our leaders?

For all the above reasons, we propose an essentially important step ...

Let us amend the Federal Constitution to include a definition in its preamble that nails morality in a timely form that is automatically applied to state constitutions, and ask for such a definition with such force that the ensuing discussion becomes a component of our national discourse, and changes the state of our states.