

Contest held July 9th, 2006 in Addison, Texas

"I have learned to hate all traitors, and there is no disease that I spit on more than treachery." Aeschylus, the Greek tragedian, put it best. The founding fathers couldn't have agreed more. To the founders of our country, treason was the worst offense a man could commit. Our country's forefathers had such an overpowering love for America that they included an entire section of the Constitution strictly to deal with treason. Section 3 states that Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

Treason was a constant worry for the American patriots during the revolution. It was impossible to tell who was a revolutionary and who was a loyalist. The person you thought was your patriotic neighbor could have been a Tory. For example, the most famous traitor of the American Revolution was the least likely person to be one. American General, Benedict Arnold was the model of a patriot. An active soldier in the revolution, a companion of George Washington, and a revered and respected general, Benedict Arnold was the last person anyone would have expected to be selling secrets to the British army. Nonetheless, in 1778, Arnold was discovered conspiring to hand the American fort of West Point to the British Army. After the founding fathers saw one of their own patriots committing treason they knew the issue must be addressed in the Constitution. The framers included section 3 in the Constitution in order to protect the American dream and system both in the time of the revolution and today.

So what exactly does Section 3 mean? Well, just like every other part of the Constitution, it's open to interpretation and debate. And it has been debated. The problem is that the crime of treason, although punishable is not clearly defined and it is not easily proven. Treason, as defined by article 3, consists only of levying war against the United States or in giving aid and comfort to the enemy of the U.S. The best interpretation of section 3 came from Supreme Court Justice John Marshall during the trial of Aaron Burr. Burr had been accused of conspiring to overthrow the U.S. Government. He had planned to gather Mexican troops. While this may sound like treason, under the definition of Article 3, it is not. Treason only includes levying war against the government, not conspiring to. Justice Marshall stated, "there must be an actual assembling of men, for the treasonable purpose, to constitute a levying of war." Since a person can only be proven guilty if there are two witnesses of the treasonable action, or by confession in open court, Aaron Burr was acquitted; his actions were covert.

Unfortunately, as time went on, Section 3 proved to be somewhat inconsistent. During the Cold War, Ethel and Julius Rosenberg, a husband and wife scientist team working for the U.S. atomic bomb project, were accused and convicted of treason for selling

nuclear secrets to the Soviet Union. They were both executed in the electric chair. Aaron Burr, who had planned to gather troops, raid America's border and help Mexico destroy the U.S. Government, was acquitted, but the insipid husband and wife scientists were electrocuted. The Rosenbergs truly suffered from the inconsistency of interpreting Section 3. The secrets they passed to the Soviet Union were not all that valuable, yet they were given the maximum possible punishment. In contrast, Klaus Fuchs, a Soviet spy from the same time, was only sentenced to 14 years in prison after selling the most valuable atomic secrets of the 1940's.

With the Patriot Act, Guantanamo Bay, and America's war on terror, traitors to the American cause have grown significantly in number. Most famous was the case of John Walker Lindh, a young California native who was found fighting for the Taliban in Afghanistan in 2000. Walker Lindh fit the definition in Section 3 as closely as one possibly could. He was captured during an Afghani prison revolt carrying a machine gun, possessing two hand grenades and fighting alongside the Taliban against American troops. He was sentenced to twenty years in prison.

The cases speak for themselves. The founding fathers had every reason to be concerned about treason. From Benedict Arnold to John Walker Lindh, treason has been an ongoing issue. The drafters of the Constitution believed in the greatness and sanctity of the American way and incorporated section 3 to ensure that the American dream would live on. Some were jailed, some were fined, some were executed, but all those who betrayed America were brought to some kind of justice because of section 3. Although the wording of section 3 may be vague and open to interpretation I think the message of the founding fathers is clear. "I have learned to hate all traitors, and there is no disease that I spit on more than treachery."