

STATE OF MICHIGAN LAW DAY 2009 ESSAY CONTEST
"A LEGACY OF LIBERTY: CELEBRATING LINCOLN'S BICENTENNIAL"

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Suppose that the newspaper has obtained illegally leaked, classified documents about American involvement in Iraq. Should the newspaper be allowed to print the documents that could affect our national security?

I've got two words for you: Top Secret. That means that nobody but government officials should be able to look. So why are the newspapers printing them? Some things are just not meant to be in the newspaper. Sometimes national security rules over freedom of the press. I don't think that the newspapers should be allowed to print classified documents that could affect our national security.

New York Times v. United States, 403 U.S. 713 (1971) was an important case. The government was taking the New York Times to court for printing illegally leaked classified documents. A man by the name of Daniel Ellsberg sent copies of these documents to the New York Times, 7,000 pages of documents. The government ordered the papers to stop printing. The nine Supreme Court judges voted. Six justices voted in favor of the New York Times, and three voted in favor of the government. Mr. Justice Holmes quoted in Schenck v. United States, 249 U.S. 47(1919), "... when a nation is at war, many things might be said in a time of peace are such a hindrance to its effort that their utterance will not be endured so long as men fight and that no court could regard them as protected by any constitutional right". In other words, things said might be all right to print in the paper at a time of peace, but not at a time of war. So let's say someone found classified documents on Iraq and started printing them in the newspaper. Enemy spies could gather information from those documents to help win the war. During World War II, the U.S. Office of War Information had a slogan to warn the people about giving information: "*Loose Lips Might Sink Ships*". In 1858, President Lincoln was quoted as saying, "[o]ur defense is in the preservation of the spirit which prizes liberty as the heritage of all men, all lands, everywhere", meaning if we don't first protect our spirit, we won't have any liberties at all.

The common good is an essential core democratic value, one that supports national security. The common good means for the good of the people. For our good, the government may limit our liberties during the war. When the war is over, those liberties can be restored. This happened during the Civil War, WWI, & WWII. Printing classified documents could jeopardize American lives. If we don't have national security, people's lives could be jeopardized.

In the preamble of the Constitution, it states, "We the people of the United States to form a more perfect union ... provide for the common defense, promote general welfare..." The Constitution says that we must protect ourselves. Printing the documents might be harmful, not helpful.

At times of war some things just are not meant to be printed in the paper. That is why I don't think that newspapers should be able to print classified documents that may affect national security. Then we would have a more perfect union.