

**State of Michigan LAW DAY 2009 Essay Contest**  
**"A Legacy of Liberty: Celebrating Lincoln's Bicentennial"**

**Katherine Isabel Scheurer ~ Third Place ~ Eighth  
Grade**

**Kalamazoo Country Day School, Kalamazoo, Michigan**  
**Teacher – Ms. Kristin Hovestadt**

**Should our representatives be elected through a process of free and open debate?**

Free and open debate has been used in government ever since the Lincoln/Douglas debates over slavery took place in the United States Senate in 1858. These debates greatly contributed to the expansion of free and open expression. In America, political candidates are given substantial time to campaign and explain how they would govern the country. I believe that this is incredibly important, and that our representatives should be elected through free and open debate.

The First Amendment stating, "Congress shall make no law...abridging the freedom of speech..." allows us to speak freely and not be worried about possible consequences. Freedom of Speech is one of the most important rights that we, in the United States of America, have. Without it, our government could be corrupt because citizens would be unable to speak out against their leader's actions. It would be as if we were living in Germany during World War II, where the citizens were unable to complain about their dictator, Adolf Hitler, without being severely persecuted.

The Supreme Court case Federal Election Commission v. Wisconsin Right to Life, 551 U.S. \_\_\_ (2007) involves an interpretation of the First Amendment. Wisconsin Right to Life, a non-profit organization, ran advertisements telling the citizens to write letters to their senators to stop a filibuster. The Federal Election Committee claimed that the Bipartisan Reform Act would not allow them to run their advertisements relating to politics within a 60 day period of the upcoming election. On June 25, 2007, the Supreme Court concluded to "give the benefit of the doubt to [freedom of] speech, not to censorship."

Throughout the entire 2008 election, voters' opinions swayed back and forth between Barack Obama and John McCain. Speeches from both candidates were held across the country, informing voters on topics including tax policies, gay rights, and the environment. Slowly but surely, the undecided voters became decided voters using the information they obtained through the debates and speeches. Using their First Amendment right and the Core Democratic Value of Freedom the candidates were able to sway voters to their sides.

Without free and open debate the government would be directly violating the candidates' First Amendment rights and the Core Democratic Value of Freedom. As the Supreme Court concluded "give the benefit of the doubt to [freedom of] speech, not to censorship." This is why I believe that our representatives should be elected through free and open debate.